# Kile throws no-hitter, Astros win 7-1

The Associated Press

HOUSTON - Darryl Kile, a low-budget starter on a multimilliondollar staff, pitched baseball's second no-hitter in five days, leading the Houston Astros over the New York Mets 7-1 Wednesday night.

Kile, backed by excellent plays from third baseman Ken Caminiti and shortstop Andujar Cedeno in the seventh inning, threw Houston's first no-hitter since Mike Scott clinched the NL West championship with a 2-0 victory over San Francisco in 1986.

Kile (15-6) struck out nine and walked one. His gem came just after Jim Abbott pitched a no-hitter for the New York Yankees against Cleveland on Saturday. Seattle's Chris Bosio pitched the other no-hitter in the

majors this year, against Boston on April 22.

# Rush

day night, but they can only cross their fingers in hopes that quarterback Mark Rypien doesn't repeat his disaster from a year ago. If Monday was an indication of Rypien's status, watch out.

serious transition period.

Phoenix could be dangerous, but they are still too young. Besides, rookie Garrison Heart will have to get more than 3

Enter the Cowboys. Even with a 10-6

said. "We did agree on some joint initiatives that we are pursuing right now, and I'm hopeful that by working together we can get this thing to closure quickly. "Our purpose was to go to

do whatever we can to move the

process along to closure," Smith

them and say 'is there anything else we can do to help you reach a decision,' and we were told that we could expect a decision (next) week. We simply are

awaiting the NCAA to confirm that or to tell us something else."

Smith said the delay in the decision forthcoming from the NCAA was not a concern.

That's water under the bridge; that's something that

A&M head football coach R.C. Slocum said he had no comment regarding the meeting nor new news regarding the NCAA deci-

He said although the duration of the review was disappointing, the affect it is having on his team was minimal.

"I'd have to say that it's disappointing; I would have liked for it to be over with by now," Slocum said. "As far as hanging over the team I don't know, we got a big ball game this week so we've focused on that and I think it's occupied our thoughts most of the time.

Continued from Page 9

out doesn't help.

The Redskins looked strong on Mon-

The Giants are at best mediocre. Disagree? Phil Simms is too old and the Giants barely got by Chicago, a team in a

yards per game if the Cards are to make

surge from the cellar. The Eagles have holes to fill, the most obvious is the one left by Reggie White who went to Green Bay. More importantly, and like every year before, Randall Cunningham is always a big ques-

tion mark as to his leadership abilities.

season, the Cowboys could be the NFC East Division Champions. I think they can do that, but it will be a struggle to finish there without Emmitt and the murderous schedule they will have to

Back to Smith's holdout. Whoa, hold on a minute Emmitt. I have a question for number 22. If you had to vote today for either Emmitt Smith or Thurman Thomas for the NFL Hall of Fame, who would you vote for?

Texan bias aside, Thomas would be the unanimous choice, hands down. The

guy has been a constant force for Buffalo, he's helped them get to the Super Bowl three straight years and has been one of the top three running backs over the last four years.

Emmitt, you're not helping yourself by holding out for a few more million

No one deserves \$5 million dollars a year, not even Thurman, but one should play the game because one loves it and one wants to give something back to the team, fans and the game.

I can't believe I am asking for Emmitt

to return so that he can run all over my fallen Eagles, but I'd much rather see Emmitt on the field and the Cowboys in first place, opposed to the Giants or Redskins

The economic aspect of Emmitt's holdout is indeed a sad one, but hopefully the bargaining game will end soon. If more and more players are going to request money on the basis that they are as ood as someone else, as Smith has done, the NFL could be in big trouble and a strike could result from this unnecessary behavior.

# **PUBLIC NOTICE**

**BRIEF EXPLANATORY STATEMENTS** OF PROPOSED

CONSTITUTIONAL AMENDMENTS **SPECIAL ELECTION NOVEMBER 2, 1993** 

# PROPOSITION NO. 1 ON THE BALLOT

Senate Joint Resolution 9 proposes a constitutional amendment that would authorize the Texas Legislature to provide for the issuance of bonds for the state financing of start-up costs for historically underutilized businesses. The amendment provides that the legislature by law may establish a Texas historically underutilized business capital growth and start-up fund. The money in the fund may be used without further appropriation and only for a program established by the legislature to aid in the start-up costs of a historically underutilized business, as defined by the legislature. To carry out the program, the legislature may issue up to \$50 million of general obligation bonds to provide funding. The legislature may require review and approval of the issuance of bonds, the use of the bond proceeds, or of the rules adopted by an agency to govern use of the bond proceeds. Bonds authorized by the amendment constitute a general obligation of the state.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing the legislature to provide for the issuance of \$50 million of general obligation bonds for the recovery and further development of the state's economy and for increasing job oppor-tunities and other benefits for Texas residents through state financing of the start-up costs of historically un-derutilized businesses."

# PROPOSITION NO. 2 ON THE BALLOT

House Joint Resolution 86 proposes constitutional amendment authorizing the legislature, by general law, to exempt from ad valorem taxation all or part of real and personal property used, constructed, acquired, or installed wholly or partly to meet or exceed rules or regulations adopted by any environmental protection agency of the United States, Texas, or a political subdivision of this state for the prevention, monitoring, control, or reduction of air, water, or land pollution. The amendment applies to real and personal property used as a facility, device, or method for the control of air, water, or land pollution that would otherwise be taxable for the first time on or after January 1, 1994. The amendment does not authorize the exemption from ad valorem taxation of real or personal property that was subject to a tax abatement agreement executed before January 1,

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to promote the reduction of pollution and to encourage the preservation of jobs by authorizing the exemption from ad valorem taxation of real and personal property used for the control of air. water, or land pollution.'

#### **PROPOSITION NO. 3** ON THE BALLOT

House Joint Resolution 3 proposes a constitutional amendment to clear land titles in which the State of Texas relinquishes and releases any claim of sovereign ownership or title to an undivided one-third interest in and to the lands and minerals within the Shelby, Frazier, and McCormick League (now located in Fort Bend and Austin counties) arising out of the interest in that league originally granted under the Mexican Colonization Law of 1823 to John McCormick on or about July 24, 1824, and subsequently voided by the governing body of Austin's Original Colony on or about December 1830. Title to such interest in the lands and minerals is confirmed to the owners of the remaining interests in such lands and minerals.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment providing for the clearing of land titles by the release of a state claim in a fractional interest, arising out of the voiding of an interest under a Mexican land grant, to the owners of certain property in Fort Bend and Austin

# PROPOSITION NO. 4 ON THE BALLOT

Senate Joint Resolution 49 proposes a constitutional amendment that would prohibit a state personal income tax without voter approval and would dedicate the proceeds of any income tax, if enacted, to property tax relief and education. The amendment provides that a general law enacted by the legislature that imposes a tax on the net incomes of natural persons, including a person's share of partnership and unincorporated association income, must provide that the portion of the law imposing the tax not take effect until approved by a majority of the registered voters voting in a state-wide referendum held on the question of imposing the tax. The referendum must specify the rate of the tax that will apply to taxable income.

The amendment also provides that a general law enacted by the legislature that increases the rate of the tax, or changes the tax in a manner that results in an increase in the combined income tax-liability of all persons subject to the tax, may not take effect until approved by a majority of the registered voters voting in a statewide referendum held on the question of increasing the income tax. The referendum must specify the manner in which the proposed law would increase the combined tax liability of all persons subject to the tax. The legislature may repeal, or amend without increasing, a tax approved by the voters without submitting the amendment or the repeal to the voters. If the legislature repeals a tax approved by the voters, the legislature may only reenact the tax without voter approval if the effective date of the reenactment of the tax is within one year of the effective date of the repeal of the tax.

The amendment also provides that, in the first year in which an income tax is imposed, and during the first year of any ncrease in the tax, not less than twothirds of all net revenues from the tax shall be used to reduce the rate of ad valorem maintenance and operation taxes levied for the support of primary and secondary education. In subsequent years, not less than two-thirds of all net revenues of the tax shall be used to continue such ad valorem tax relief. The net revenues of the tax remaining after the dedication of money for reduction of ad valorem maintenance and operation taxes shall be used for support of education. The maximum rate at which a school district may impose ad valorem maintenance and operation taxes is reduced by an amount equal to one cent per \$100 valuation for each one cent per \$100 valuation that the school district's ad valorem maintenance and operation tax is reduced by the minimum amount of money dedicated under the amendment, provided that a school district may subsequently increase the maximum ad valorem maintenance and operation tax rate if the increased maximum rate is approved by a majority of the voters of the school district voting at an election called and held for that purpose. The portions of the amendment relating to dedicating tax revenues to reduce the rate of ad valorem maintenance and operation taxes apply on or after the first January 1 after the date on which an income tax takes effect, except that if the income tax begins to apply on a January 1, the amendment applies to ad valorem maintenance and operation taxes levied on or after that date.

The proposed amendment will appear

on the ballot as follows: "The constitutional amendment prohibiting a personal income tax without voter approval and, if an income tax is enacted, dedicating the revenue to education and limiting the rate of local school taxes.

# PROPOSITION NO. 5 ON THE BALLOT

Senate Joint Resolution 18 proposes a constitutional amendment that would authorize the legislature to prescribe the qualifications of sheriffs. Currently, the constitution authorizes the legislature to prescribe the duties, perquisites, and fees of office, but not the qualifications for the office of sheriff.

The proposed amendment will appear

on the ballot as follows: "The constitutional amendment to allow the legislature to prescribe the qualifications of sheriffs."

# PROPOSITION NO. 6 ON THE BALLOT

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Continued from Page 9

recommendation or you don't."

Smith characterized the meet-

'The purpose for the meeting

ing as cordial and productive

and said he expected A&M to re-

was to exchange views and as-

sure them that we stand ready to

ceive the findings this week.

House Joint Resolution 21 proposes a constitutional amendment that would abolish the office of county surveyor in Jackson County. The amendment also provides for the powers, duties, and functions of the county surveyor to be transferred to the county officer designated by the commissioners court.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment abolishing the office of county surveyor in Jackson County."

# PROPOSITION NO. 7 ON THE BALLOT

House Joint Resolution 57 proposes a constitutional amendment that repeals article XII, section 6, of the Texas Constitution, which currently provides that no corporation shall issue stock or bonds except for money paid, labor done, or property actually received, and that all fictitious increase of stock or indebtedness shall be void.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment repealing certain restrictions on the ability of corporations to raise capital."

# PROPOSITION NO. 8 ON THE BALLOT

House Joint Resolution 22 proposes a constitutional amendment that would authorize the commissioners court of McLennan County to call an election to abolish the office of county surveyor. The office of county surveyor will be abolished if a majority of the qualified voters of McLennan County voting on the question favor the abolition. If the office of county surveyor is abolished, the amendment requires the maps, field notes, and other records in the custody of the county surveyor to be transferred to the county clerk of McLennan County. After abolition, the amendment also grants the commissioners court of McLennan County the authority to employ or contract with a qualified person to perform any of the functions that would have been peroffice had not been abolished.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to abolish the office of county surveyor in McLennan County.

## PROPOSITION NO. 9 ON THE BALLOT

Senate Joint Resolution 19 proposes an amendment to article VIII, section 13 of the Texas Constitution that would modify the provisions for the redemption of real property sold at a tax sale. The amendment deletes current language in article VIII, section 13 that allows the legislature to provide for the sale of property without trial to pay for delinquent taxes It also states that the deed to the new owner vests a good and perfect title subject only to redemption as set out in this amendment or impeachment for fraud. Language is added limiting application of the current two-year redemption period to former owners of residence homesteads and land designated for agricultural use sold for unpaid taxes. property is sold as the result of a suit to enforce collection of unpaid taxes, the amendment would allow the legislature to limit redemption to property used as a residence homestead or designated for agricultural use at the time the suit was filed. The amendment creates a second type of redemption for former owners of real property when property is neither a residence homestead, nor designated for agricultural use. These owners would have a six-month period in which to redeem their property by paying the amount of money paid for the property, including the Tax Deed Recording Fee, all taxes, penalties, interest, and costs paid plus an amount not exceeding 25 percent of the aggregate total. The amendment applies to redemption of properties sold at a tax sale for which the purchaser's deed is filed on or after January 1, 1994. For redemption of properties sold at a tax sale for which the purchaser's deed was filed before January 1, 1994, the former law is applicable and remains in effect.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to modify the provisions for the redemption of real property sold at a tax

# PROPOSITION NO. 10 ON THE BALLOT

Senate Joint Resolution 34 proposes a constitutional amendment that adds a

new section 49-b-2 to article III of the Texas Constitution. This new section provides that, in addition to the general obligation bonds authorized to be issued and sold by the Veterans' Land Board (the "Board") by sections 49-b (\$950 million) and 49-b-1 (\$1.3 billion) of article III, the board may provide for, issue, and sell general obligation bonds of the state in an amount not to exceed \$750 million to provide financing to Texas veterans. \$250 million of the bonds authorized by this new section shall be used to augment the Veterans' Land Fund (the "Land Fund"). The Land Fund shall be used by the Board to purchase lands situated in Texas owned by the United States government, an agency of the United States government, the State of Texas, a political subdivision or agency of the State of Texas, or a person, firm, or corporation. The lands shall be sold to veterans in quantities, on terms, at prices, and at fixed, variable, floating, or other rates of interest determined by the Board. Lands in the Land Fund that are offered for sale to veterans and that are not sold may be sold or resold to the purchasers in quantities, terms, prices, and rates of interest determined by the Board.

New section 49-b-2 creates the Veterans' Housing Assistance Fund II (the "Housing Fund II"), and \$500 million of the general obligation bonds authorized by the section shall be used for the Housing Fund II. The Housing Fund II is a separate and distinct fund from the Veterans' Housing Assistance Fund (the "Housing Fund") established under tion 49-b-1 of article III. Money in the Housing Fund II shall be administered by the Board and shall be used to make home mortgage loans to veterans for housing within this state in quantities, on terms, and at fixed, variable, floating, or other rates of interest determined by the Board. The principal of, and interest on, the general obligation bonds authorized this section for the benefit of the Housing Fund II shall be paid out of the money of the Housing Fund II. The principal of, and interest on, the general obligation bonds authorized by section 49-b-1 of article III for the benefit of the Housing Fund shall be paid out of money in the Housing Fund. If there is not enough money in the Land Fund, the Housing Fund, or the Housing Fund II, as the case may be, available to pay the prin cipal of, and interest on, the general obligation bonds authorized by this section or sections 49-b or 49-b-1 of article III. there is appropriated out of the first money coming into the treasury in each fiscal year an amount that is sufficient to pay the principal of, and interest on, the general obligation bonds that mature or become due during that fiscal year.

If the Board determines that assets from the Land Fund, the Housing Fund, or the Housing Fund II are not required for purposes of the fund, the Board may isfer the assets to another of those funds or use the assets to secure revenue bonds issued by the Board. The revenue bonds shall be special obligations of the Board and payable only from and secured by receipts of the funds, assets transferred from the funds, and other revenues as determined by the Board and shall not constitute indebtedness of the State of Texas or the Board. The Board may issue revenue bonds from time to time, which bonds may not exceed an aggregate principal amount that the Board determines can be fully retired from the receipts of the funds. The revenue bonds shall be sold in forms, denominations, and in installments, and bear a rate or rates of interest as the Board determines.

The general obligation bonds authorized to be issued by the Board by this section or be sections 49-b and 49-b-1 of article III shall be issued and sold in forms and denominations, on terms, at times, in the manner, at places, in installments, and shall bear a rate or rates of interest the Board determines. The bonds shall be incontestable after execution by the Board, approval by the Attorney General of Texas, and delivery to the purchaser.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment authorizing issuance of \$750 million in general obligation bonds to augment the Veterans' Land Fund and the Veterans' Housing Assistance Fund and to fund the Veterans' Housing Assistance Fund II."

#### **PROPOSITION NO. 11** ON THE BALLOT

Senate Joint Resolution 31 proposes a constitutional amendment relating to the duties of trustees of local retirement systems which provide retirement and related disability and death benefits for public officers and employees and that do not belong to a statewide retirement system. The amendment provides that the

board of trustees of such a system shall (1) administer the system of benefits; (2) hold the assets of the system for the ex-clusive purposes of providing benefits to participants and their beneficiaries and defraying reasonable expenses of administering the system; and (3) select legal counsel and an actuary and adopt sound actuarial assumptions to be used by the

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment providing that the trustees of a local public pension system must administer the system for the benefit of the sys-tem's participants and beneficiaries."

# **PROPOSITION NO. 12** ON THE BALLOT

House Joint Resolution 23 proposes a constitutional amendment providing that any person accused of a violent or sexual offense committed while under the supervision of a criminal justice agency of this state or a political subdivision of this state for a prior felony may, after a hearing and evidence substantially showing the guilt of the accused, be denied bail pending trial. If the accused is not, howver, accorded a trial within 60 days from the time of his incarceration upon the accusation or indictment, the order denying bail shall be set aside unless a continuance is obtained upon the request of the accused. In the amendment, the term "violent offense" means murder, aggra-vated assault (if a deadly weapon was used or exhibited during the commission of the assault), aggravated kidnapping, or aggravated robbery. The term "sexual offense" means aggravated sexual assault, sexual assault, or indecency with a

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment permitting the denial of bail to certain persons charged with certain violent or sexual offenses committed while under the supervision of a criminal justice agency of the state or a politi-cal subdivision of the state."

# **PROPOSITION NO. 13** ON THE BALLOT

Senate Joint Resolution 13 proposes a constitutional amendment that amends article VII, section 17(a), of the Texas Constitution to provide that, of the \$100 million currently appropriated by that section for the use of public institutions of higher education during each fiscal year, those institutions may also utilize this money to pay for acquiring, constructing, or equipping or for major repair or re habilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. the five-year period beginning on September 1, 2000, and for each five-year period thereafter, the legislature, during a regular session that is nearest, but preceding, a five-year period may, by a twothirds vote of the membership of each house, increase the amount of the \$100 million constitutional appropriation for the five-year period. The amendment also reflects name changes that have been made to some of the institutions of higher education for which such funding is available. The amendment adds the Texas State Technical College System to those institutions eligible to receive such funding, but limits its allocation of the annual appropriation to 2.2 percent of the total appropriation each fiscal year. The amendment also provides that each governing board authorized to participate in the distribution of money under article III, section 17, may also issue bonds and notes for the purposes of refunding bonds or notes issued under that section or prior law for the purposes of acquiring capital equipment, library books and library materials, paying for acquiring, constructing, or equipping or for major repair or rehabilitation of buildings, facilities, other permanent improvements, or capital equipment used jointly for educational and general activities and for auxiliary enterprises to the extent of their use for educational and general activities. The amendment deletes language in article III, section 17, which authorizes the legislature to designate a single agency to issue such bonds or notes in lieu of the governing bodies, and to transfer to that

agency the authority to collect and pledge

money to the payment of such bonds and

notes as directed by the governing body

of each eligible institution. Funds appro-

priated under article III, section 17, may

not be used for the purpose of construct

ing, equipping, repairing, or rehabilitat-

ing buildings or other permanent im-

provements that are to be used only for student housing, intercollegiate athletics, or auxiliary enterprises

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment relatring to the amount and expenditure of certain constitutionally dedicated funding for public institutions of higher education."

## PROPOSITION NO. 14 ON THE BALLOT

Senate Joint Resolution 45 proposes a constitutional amendment that adds a new subsection (e) to article III, section 49-h, of the Texas Constitution. The new subsection provides that, in addition to the amounts authorized by subsections (a) (\$500 million), (c) (\$400 million), and (d) (\$1.1 billion) of section 49-h, the legislature may authorize the issuance of up to \$1 billion in general obligation bonds and may use the proceeds of the bonds for acquiring, constructing, or equipping new corrections institutions, including youth corrections institutions, and mental health and mental retardation institutions and for major repair or renovation of existing facilities of those corrections and mental health and mental retardation facilities. The amendment also provides that the provisions of subsection (a) of section 49-h, relating to the review and approval of bonds, and the provisions of ubsection (b) of section 49-h, relating to the status of the bonds as a general obligation of the state and to the manner in which the principal and interest on the bonds are paid, apply to bonds authorized by this amendment.

The proposed amendment will appear on the ballot as follows:

The constitutional amendment authorizing the issuance of up to \$1 billion in general obligation bonds payable from the general revenues of the state for projects relating to facilities of corrections and mental health and mental retardation institutions."

# PROPOSITION NO. 15 ON THE BALLOT

House Joint Resolution 37 proposes a thorize the county commissioners court of a county to call an election to abolish the office of county surveyor. The office of county surveyor is abolished if a majority of voters of the county voting in the election approve the measure. If the office of county surveyor is abolished, the maps, field notes, and other records of the county surveyor are transferred to the county officer or employee designated by the commissioners court.

The proposed amendment will appear on the ballot as follows:

"The constitutional amendment to permit the voters of a county to decide, at an election called by the commissioners court, whether to abolish the office of county surveyor in the

# PROPOSITION NO. 16 ON THE BALLOT

Senate Joint Resolution 44 proposes an amendment to article III, section 49-i(b) of the Texas Constitution, which currently limits the principal amount of bonds outstanding at one time for the Texas agricultural fund to \$25 million and for the rural microenterprise development fund to \$5 million. The amendment would raise the principal amount limit for the Texas agricultural fund to \$100 million. The amendment would also make the principal amount limit for each fund apply to the total principal amounts of both bonds and notes issued or sold rather than just the principal amounts of bonds outstanding at one time.

The proposed amendment will appear

on the ballot as follows: "The constitutional amendment authorizing up to a total of \$100 million in bonds and notes to be issued or sold to finance the Texas agricultural fund for providing financial assistance to develop, increase, improve, or expand the production, processing, marketing, or export of crops or products grown or produced primarily in this state agricultural businesses by

domiciled in the state." Este es el informe explanatorio sobre la enmienda propuesta a la constitución que aparecerá en la boleta el dia 2 de noviembre de 1993. Si usted no ha recibido una copia del informe en español, podrá obtener una gratis por llamar al 1/800/252/8683 o por escribir al Secretario de Estado, P.O. Box 12060, Austin,

> Published by Secretary of State John Hannah, Jr.

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