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PUBLIC NOTICE BRIEF EXPLANATORY STATEMENTS OF PROPOSED CONSTITUTIONAL AMENDMENTS Special Election NOVEMBER 2, 1999

PROPOSITION NO. 1 ON THE BALLOT

HJR 44 - HJR 44 proposes a constitutional amendment that would ensure a clear succession in event of vacancies in the offices of Governor and Lieutenant Governor. Specifically, the amendment would provide that if after qualifying for the office, the Governor is temporarily unable to serve, the Lieutenant Governor shall act as Governor until the Governor is able to serve; but if the Governor is permanently unable to serve, the Lieutenant Governor shall become the Governor for the remainder of the unexpired term. The amendment would require a Lieutenant Governor who becomes Governor to forfeit the office of Lieutenant Governor. The amendment would also provide similar succession procedures when a vacancy occurs in the office of Governor before the newly elected Governor qualifies for office, and when the newly elected Governor is temporarily unable to take office. The amendment also would provide that if there is a temporary vacancy in the office of Lieutenant Governor, the President pro tempore of the Senate will fill the position; but if there is a permanent vacancy in the office of Lieutenant Governor, the President pro tempore of the Senate shall serve as Lieutenant Governor only until such time as the whole senate can convene to elect one of its members to perform the duties of Lieutenant Governor. Finally, the amendment would provide that if the Lieutenant Governor, while temporarily exercising the powers of the Governor, becomes temporarily disabled or unable to serve, the President pro tempore of the senate shall exercise the powers and authority of the office of the Governor until such time as the Governor or Lieutenant Governor reassumes those powers and duties.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to revise the provisions for the filling of a vacancy in the office of governor or lieutenant governor."

PROPOSITION NO. 2 ON THE BALLOT

SJR 12 - SJR 12 proposes a constitutional amendment that would resolve conflicts between the Texas Constitution and federal law relating to the definition, rules, and procedures of reverse mortgages. The amendment would define "reverse mortgage" in part as an extension of credit made against the homestead of a person who is 62 years or older, or whose spouse is 62 years or older. It would expand the list of circumstances under which payment of principal and interest become due and the procedures involved in foreclosure, and would require certain advances to be made according to specific terms in loan documents, including advances by the lender, on behalf of the borrower for payments necessary to protect the lender's interest. Finally, the amendment would require the Texas Supreme Court to promulgate rules of civil procedure expediting court-ordered foreclosures of reverse mortgage liens.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment relating to the making of advances under a reverse mortgage and payment of a reverse mortgage."

PROPOSITION NO. 3 ON THE BALLOT

HJR 62 - HJR 62 proposes a constitutional

amendment that would simplify and clarify the language of the Texas Constitution. The amendment would make no substantive changes, but would eliminate duplicative, expired, out-of-date, and ineffective terms.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to eliminate duplicative, executed, obsolete, archaic, and ineffective provisions of the Texas Constitution."

PROPOSITION NO. 4 ON THE BALLOT

HJR 4 - HJR 4 proposes a constitutional amendment that would broaden the definition of charitable organizations. The amendment would exempt from ad valorem taxation the property of any organization engaged primarily in public charitable functions, and it would allow such an organization to conduct additional activities to support its charitable functions.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to authorize the legislature to exempt property owned by institutions engaged primarily in public charitable functions from ad valorem taxation."

PROPOSITION NO. 5 ON THE BALLOT

SJR 26 - SJR 26 proposes an amendment that would remove the restriction prohibiting state employees who receive all or part of their compensation from the state from serving as members of a governing body of a school district, city, town, or other local governmental district unless the state employee receives no salary for such service. The amendment would allow state employees to receive compensation from the governing bodies of which they are members.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment allowing state employees to receive compensation for serving as a member of a governing body of a school district, city, town, or other local governmental district."

PROPOSITION NO. 6 ON THE BALLOT

SJR 22 - SJR 22 proposes a constitutional amendment that would increase the maximum size of an urban homestead, which is a homestead in a city, town, or village, from one acre to ten acres and require the urban homestead to be composed of either a single lot or several lots that are adjacent to one another. The amendment also would provide that the urban homestead must be used as a home or as both a home and place of business, whereas current law does not require that an urban homestead that is used as a place of business be used also as a home.

Current law further allows a person to secure a home equity loan on their homestead, provided that the loan does not overburden the homestead. That is, the principal amount of the home equity loan, when added to the total of the outstanding principal balances of all other indebtedness secured against the homestead, does not exceed 80 percent of the fair market value of the homestead on the date the extension of credit is made. The

proposed amendment would clarify current law by specifically allowing home equity loans on all or part of urban homesteads of up to ten acres and subject such loans to the same requirement that the refinanced or new loan not overburden the homestead.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment increasing the maximum size of an urban homestead to 10 acres, prescribing permissible uses of urban homesteads, and preventing the overburdening of a homestead."

PROPOSITION NO. 7 ON THE BALLOT

HJR 16 - HJR 16 proposes a constitutional amendment that would provide that if an employee is delinquent in paying court-ordered spousal maintenance, a portion of that employee's wages may be withheld to pay the spousal maintenance. Current law allows such withholding, or garnishment, only for payment of delinquent court-ordered child support.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing garnishment of wages for the enforcement of court-ordered spousal maintenance."

PROPOSITION NO. 8 ON THE BALLOT

HJR 95 - HJR 95 proposes a constitutional amendment that would provide that the adjutant general, who is appointed by the Governor and who serves as the governing officer of the state military forces, serves as either the Governor wishes the appointed person to serve in that capacity rather than serving a specific two-year term set by the legislature.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to provide that the adjutant general serves at the pleasure of the governor."

PROPOSITION NO. 9 ON THE BALLOT

SJR 10 - SJR 10 proposes a constitutional amendment that would authorize the legislature to create a judicial compensation committee to make recommendations for salaries for the justices and judges of the Supreme Court, the Court of Criminal Appeals, the Courts of Appeals, and the District Courts. The amendment would mandate that the recommendations become law if neither the Senate nor the House of Representatives rejects them by majority vote.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing the legislature to create a judicial compensation commission."

PROPOSITION NO. 10 ON THE BALLOT

HJR 74 - HJR 74 proposes a constitutional amendment that would provide that the commissioner of health and human services, who is appointed by the Governor, serves as long as the Governor wishes the appointed person to serve in that capacity rather than serving a specific two-year term set by the legislature.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to provide that the commissioner of health and human services serves at the pleasure of the governor."

PROPOSITION NO. 11 ON THE BALLOT

HJR 69 - HJR 69 proposes a constitutional amendment that would authorize a county, city, town, or other political subdivision to

Wasted at work

Report says 7 of 10 drug users hold full-time jobs

WASHINGTON (AP) — Seven in 10 people who used illegal drugs in 1997 had full-time jobs, the U.S. government reports. Officials hope the data will dispel notions that most drug users are burned out and disconnected from the mainstream.

"The typical drug user is not poor and unemployed," Barry McCaffrey, the White House drug policy director, said. "He or she can be a co-worker, a husband or wife, a parent."

About 6.3 million full-time workers, ages 18 to 49 — or 7.7 percent — admitted in 1997 using illegal drugs in the preceding month, according to the report issued every few years by the Department of Health and Human Services (HHS). The proportion has been steady since 1992.

Workers in restaurants, bars, construction and transportation were more likely than others to use drugs, the report said.

HHS officials were using the report's findings to encourage businesses to establish treatment programs. Increasingly, drug users are working in medium-sized companies, which have the resources to establish these programs, they said.

Still, 44 percent of drug users were working for small businesses — those with fewer than 25 employees, down from 57 percent in 1994 but still the largest category.

"Whether you are corporate CEO or a small-business owner, you need to know that simple, low-burden, effective steps can increase workplace safety and productivity and lower substance abuse and its human and economic effects," said Nelba Chavez, administrator of the Substance Abuse and Mental Health Services Administration, the HHS agency that produced the report.

FCC bolsters candidates' air time

WASHINGTON (AP) — Federal regulators acted yesterday to give political candidates greater flexibility in the blocks of air time they can purchase from broadcasters.

The Federal Communications Commission (FCC) ruled broadcasters must sell presidential and congressional candidates air time in increments other than the 30-second or 1-minute spots typically sold to commercial advertisers.

Consumer groups had petitioned the FCC to change a rule that let broadcasters refuse air time to political candidates if it was not the same length purchased by other advertisers.

The groups argued that political candidates might

want a non-standard format — like a 5-minute Leahy now — to go into further detail on an issue or a detailed biography over the air to voters.

In a 4-1 ruling, the FCC agreed candidates have this kind of flexibility and that it is a "wise desire to unduly burdensome for broadcasters to sell 'Lucy has a different format.'"

"It seems to me there is no solid reason to reject rejection of political spots that are of any length," FCC Chair Bill Kennard said.

Broadcasters said they were disappointed by the FCC decision, which undoes a ruling they had sought. By statute, stations are required to offer a slot to candidates "to purchase reasonable amounts of air time."

PROPOSITION NO. 15 ON THE BALLOT

HJR 36 - HJR 36 proposes a constitutional amendment that would allow spouses, by an agreement in writing, to convert all or part of their separate property into community property. Separate property is primarily the property owned or claimed by the spouse before marriage and the property acquired by the spouse during the marriage by gift or inheritance. Community property consists of the property, other than separate property, acquired by either spouse during marriage.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment permitting spouses to agree to convert separate property to community property."

PROPOSITION NO. 16 ON THE BALLOT

HJR 71 - HJR 71 proposes a constitutional amendment that would allow a county with a population of 50,000 or more, rather than 30,000 or more, to be divided into four to eight justice of the peace and constable precincts. The amendment also would allow a county with a population between 18,000 and 50,000 to have two to eight justice of the peace and constable precincts, rather than the current maximum of five precincts. Furthermore, the amendment would limit Randall County to not less than two and not more than six precincts. Finally, the amendment would set a minimum of four precincts for any county that as of November 2, 1999, is divided into four or more precincts.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to provide that certain counties shall be divided into a specific number of precincts."

PROPOSITION NO. 17 ON THE BALLOT

HJR 58 - HJR 58 proposes a constitutional amendment which would require the board of regents of the University of Texas System to manage investments of the permanent university fund (PUF) according to the standards of a prudent investor. Generally, earnings from the PUF are distributed to the available university fund (AUF) and then ultimately distributed to the public university systems of Texas. Under the amendment, the amount distributed to the AUF would consist of distributions, as determined by the University of Texas System board of regents, from the total return on all investment assets of the PUF, instead of consisting only of the dividends, interest, and other income of the PUF minus administrative expenses. The amendment also would provide guidelines for minimum and maximum amounts to be distributed to the AUF, and require that the board of regents manage distributions to the AUF in a manner that will provide the AUF with a stable and predictable stream of annual distributions and maintain the purchasing power of the PUF investments and annual distributions to the AUF.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment relating to the investment of the permanent university fund and the distribution from the permanent university fund to the available university fund."

Estos son los informes explicatorios sobre las enmiendas propuestas a la constitución que aparecerán en la boleta el 2 de noviembre de 1999. Si usted no ha recibido una copia de los informes en español, podrá obtener una gratis por llama al 1/800/252/8683 o por escribir al Secretario de Estado, P.O. Box 12060, Austin, Tx 78711.

Published by Secretary of State Elton Bomer

Drug use

Other report finds

• Young adults, men and those with less than high school education were more likely to use drugs than workers.

• Nineteen percent of preparation workers, waitresses and bartenders used illegal drugs. For construction workers, it was 14 percent. For transportation and maintenance workers, it was 10 percent.

• Workers who used drugs were more likely to have three or more jobs, to leave a job in the past year, to have skipped a day of work in the past month.

Detroit teachers to return to work

DETROIT (AP) — Detroit teachers voted Monday to return to work in a strike, ending an extended school year for 180,000 students.

The teachers' approval of their old contract, which held a ratification vote by mail, new agreement reached Monday between the school district and 11,500-member teachers union. The teachers went on strike 30, one day before classes begin, in a walkout that is one of the nation's most recent attempts to overhaul a troubled school district.

Among other things, the board's proposals for a new and longer school year, and the school board's both reform proposals, time being at least.

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"CHILL FACTOR" (R)	"THE BRIDE"
11:50 2:00 4:40 7:25 10:05 12:40	11:45 2:30
"THE 13TH WARRIOR" (R)	"RUNAWAY"
12:20 2:50 5:25 8:00 10:30 12:30	11:45 2:30
A DOG OF FLANDERS (PG)	AMERICAN
12:15 2:40 4:50	12:30 2:30
BOWFINGER (PG-13)	BROCKNORTH
11:55 1:55 4:15 7:00 9:25 11:45	11:45 2:30
DEEP BLUE SEA (R)	DUILES
8:10 10:35 12:35	11:30 1:30
IN TOO DEEP (R)	INDEPENDENT
11:50 2:10 4:55 7:50 10:15 12:35	11:45 2:30
MICKY BLUE EYES (PG-13)	MYSTERY
1:00 3:50 7:00 9:40 12:15	11:45 2:30
TEACHING MRS. TINGLE (PG)	THE ASTOR
7:15 9:25	11:45 2:30
THE BLAIR WITCH PROJECT (R)	THE BLAIR
12:00 2:00 4:30 6:30 8:15 10:30 12:30	11:45 2:30
THE IRON GIANT (PG)	THE IRON
12:15 2:20 4:30 6:15	11:55 2:30
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