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Hung jury in officer beating trial

By Robert Jablon
THE ASSOCIATED PRESS

LOS ANGELES — A judge declared a hung jury Tuesday in the police brutality case against a white former officer who punched and slammed a handcuffed black teenager onto a squad car during a videotaped arrest.

The jury deliberated more than three days without reaching a verdict against former Inglewood officer Jeremy Morse in a case that raised racial tensions and drew comparisons to the Rodney King beating.

Morse's partner, Bijan Darvish, 26, was found innocent of falsifying a police report. They both could have received as much as three years in prison if convicted.

The jury, which included only one black member, was deadlocked 7-5 in favor of conviction against Morse, 25, who was charged with assault under color of authority.

Morse sat expressionless with his hands locked after the verdict, while Darvish and his attorney banged their fists on the table and quietly uttered "yes."

Someone in the courtroom yelled, "No justice here!" and was silenced by Superior Court Judge William Hollingsworth Jr.

People standing outside the courthouse held signs saying "Peace After the Verdict," hoping to prevent riots like the ones that devastated the city after four white police officers were acquitted of state charges in the videotaped beating of King in 1992.

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SHARON AESCHBACH • THE BATTALION

Action Sports employee **Eddie Kellar** repairs a broken carburetor Tuesday on a Yamaha Roadstar. **Keller** specializes in jet skis and motorcycles.

New study finds nicotine levels vary in cigarettes

By Andrew Kramer
THE ASSOCIATED PRESS

PORTLAND, Ore. — A study found that some brands of cigarettes deliver a much more powerful nicotine "kick" than others, adding to suspicions that manufacturers deliberately blend tobacco to boost the addictive effect.

Smoke from 11 brands of cigarettes was analyzed for a specific form of nicotine called "free base" that passes quickly into the bloodstream when it is inhaled.

American Spirit, a brand owned by R.J. Reynolds Tobacco Co., topped the list. It was followed by the French brand Gauloises Brunes, according to the study by Oregon Health & Science University chemist James F. Pankow. Their free-nicotine levels were around 25 to 35 times higher than those of the lowest-level cigarettes.

The free-base form of nicotine occurs naturally, but some varieties of tobacco contain far more than others.

The study adds weight to claims that cigarette makers blend tobacco varieties to manipulate the nicotine potency and boost sales, as some industry critics have charged. The tobacco industry has long claimed that it blends tobacco to adjust for taste, not to increase nicotine potency.

A spokesman for R.J. Reynolds, Seth Moskowitz, said Tuesday he had not reviewed the study and could not comment.

Acid levels in nicotine largely determine how quickly it can be absorbed. Free-base nicotine is much less acidic than other forms and thus gets to the brain more quickly.

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PUBLIC NOTICE

BRIEF EXPLANATORY STATEMENTS OF PROPOSED
CONSTITUTIONAL AMENDMENTS
SPECIAL ELECTION
SEPTEMBER 13, 2003

PROPOSITION 1
(HJR 68, Section 1)

HJR 68, Section 1 would authorize the Veterans' Land Board to use excess receipts in the Veterans' Land and Veterans' Housing Assistance funds for payment of revenue bonds, and use excess assets in those funds to provide veterans homes.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment authorizing the Veterans' Land Board to use assets in certain veterans' land and veterans' housing assistance funds to provide veterans homes for the aged or infirm and to make principal, interest, and bond enhancement payments on revenue bonds."**

PROPOSITION 2
(HJR 51)

HJR 51 would expand from six months to two years the period in which the former owner of a mineral interest that was sold for unpaid property taxes may buy back the mineral interest.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale."**

PROPOSITION 3
(HJR 55)

HJR 55 would authorize the legislature to exempt from taxation land owned by a religious organization that is leased for use as a school or that will be used to expand or construct a place of religious worship that yields no revenue.

The proposition will appear on the ballot as follows: **"The constitutional amendment to authorize the legislature to exempt from ad valorem taxation property owned by a religious organization that is leased for use as a school or that is owned with the intent of expanding or constructing a religious facility."**

PROPOSITION 4
(SJR 30)

SJR 30 would authorize the legislature to allow conservation and reclamation districts to use taxes to develop and finance certain parks and recreation facilities. Also, the amendment would authorize the legislature to allow local elections for the issuance of bonds to improve and maintain parks and recreational facilities in the Tarrant Regional Water District or a conservation and reclamation district located in whole or in part in Bastrop, Bexar, Brazoria, Fort Bend, Galveston, Harris, Montgomery, Tarrant, Travis, Waller or Williamson County.

The proposition will appear on the ballot as follows: **"The constitutional amendment relating to the provision of parks and recreational facilities by certain conservation and reclamation districts."**

PROPOSITION 5
(SJR 25)

SJR 25 would authorize the legislature to exempt from all property taxes certain tangible personal property, which could include a travel trailer not substantially affixed to real estate and not used as a residential dwelling.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment to authorize the legislature to exempt from ad valorem taxation travel trailers not held or used for the production of income."**

PROPOSITION 6
(HJR 23)

HJR 23 would authorize a qualified homeowner to refinance a home equity loan with a reverse mortgage loan.

The proposition will appear on the ballot as follows: **"The constitutional amendment permitting refinancing of a home equity loan with a reverse mortgage."**

PROPOSITION 7
(HJR 44)

HJR 44 would reduce the number of persons who make up the jury in a district court criminal misdemeanor case from twelve to six.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment to permit a six-person jury in a district court misdemeanor trial."**

PROPOSITION 8
(HJR 62)

HJR 62 would authorize the legislature to permit a person to assume office without an election if the person is the only candidate to qualify in an election for that office and the election is required by the Texas Constitution. This proposition applies to state and local political subdivisions, whereas Proposition 18 applies only to local political subdivisions.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment authorizing the legislature to permit a person to take office without an election if the person is the only candidate to qualify in an election for that office."**

PROPOSITION 9
(HJR 68, Section 2)

HJR 68, Section 2 would redefine the composition of the permanent and available school funds by requiring during the next two fiscal years, and authorizing thereafter, annual distributions to the available school fund of a percentage of any increase in the value of the permanent school fund's total investment assets.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment relating to the use of income and appreciation of the permanent school fund."**

PROPOSITION 10
(HJR 61)

HJR 61 would authorize municipalities to donate surplus fire-fighting equipment, supplies, or materials to the Texas Forest Service, which would be authorized to distribute based on need the equipment to rural volunteer fire departments.

The proposition will appear on the ballot as follows: **"The constitutional amendment authorizing municipalities to donate surplus fire-fighting equipment or supplies for the benefit of rural volunteer fire departments."**

PROPOSITION 11
(HJR 85)

HJR 85 would authorize the legislature to regulate the operation of wineries in Texas, regardless of whether a winery is located in an area in which the sale of wine has been authorized by local option election.

The proposed amendment will appear on the ballot as follows: **"A constitutional amendment to allow the legislature to enact laws authorizing and governing the operation of wineries in this state."**

PROPOSITION 12
(HJR 3)

HJR 3 would immediately authorize the Legislature to limit non-economic damages assessed against a provider of medical or health care and, after January 1, 2005, to limit awards in all other types of cases.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment concerning civil lawsuits against doctors and health care providers, and other actions, authorizing the legislature to determine limitations on non-economic damages."**

PROPOSITION 13
(HJR 16)

HJR 16 would authorize a county, city, town, and junior college district to freeze property taxes on a residential homestead of a person who is disabled or aged 65 or older.

The proposition will appear on the ballot as follows: **"The constitutional amendment to permit counties, cities and towns, and junior college districts to establish an ad valorem tax freeze on residence homesteads of the disabled and of the elderly and their spouses."**

PROPOSITION 14
(HJR 28)

HJR 28 would authorize the Texas Department of Transportation to issue notes or borrow money to fund highway improvement projects. The terms of the notes or loans may not exceed two years. The proposition will appear on the ballot as follows: **"The constitutional amendment providing for authorization of the issuing of notes or the borrowing of money on a short-term basis by a state transportation agency for transportation-related projects, and the issuance of bonds and other public securities secured by the state highway fund."**

PROPOSITION 15
(HJR 54)

HJR 54 would prohibit a local retirement system and the political subdivision that finances the retirement system from reducing or otherwise impairing certain accrued benefits under the local retirement system.

The proposed amendment will appear on the ballot as follows: **"The Constitutional amendment providing that certain benefits under certain local public retirement systems may not be reduced or impaired."**

PROPOSITION 16
(SJR 42)

SJR 42 would amend the Texas Constitution to allow home equity lines of credit and allow refinancing of a home equity loan with a reverse mortgage loan.

The proposition will appear on the ballot as follows: **"The constitutional amendment authorizing a home equity line of credit, providing for administrative interpretation of home equity lending law, and otherwise relating to the making, refinancing, repayment, and enforcement of home equity loans."**

PROPOSITION 17
(HJR 21)

HJR 21 would prohibit an increase in school property taxes on residence homesteads of disabled persons.

The proposition will appear on the ballot as follows: **"The constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person."**

PROPOSITION 18
(HJR 59)

HJR 59 would authorize the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office and the election is required by the Texas Constitution. This proposition applies only to local political subdivisions, whereas Proposition 8 applies to state and local political subdivisions.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office."**

PROPOSITION 19
(SJR 45)

SJR 45 would repeal the legislature's authority to create rural fire prevention districts. Effective September 1, 2003, all existing rural fire prevention districts will convert to emergency services districts.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts."**

PROPOSITION 20
(SJR 55)

SJR 55 would authorize the issuance of general obligation bonds in a total amount not to exceed $250 million that will be used to provide loans for economic development projects that benefit defense-related communities in Texas.

The proposed amendment will appear on the ballot as follows: **"The constitutional amendment authorizing the issuance of general obligation bonds or notes not to exceed $250 million payable from the general revenues of the state to provide loans to defense-related communities, that will be repaid by the defense-related community, for economic development projects, including projects that enhance the military value of military installations."**

PROPOSITION 21
(SJR 19)

SJR 19 would authorize current and retired faculty members of a public institution of higher education to receive compensation for service as a member of the governing body of a water district.

The proposition will appear on the ballot as follows: **"The constitutional amendment to permit a current or retired faculty member of a public college or university to receive compensation for service on the governing body of a water district."**

PROPOSITION 22
(HJR 84)

HJR 84 would authorize the appointment of a temporary replacement officer to serve on behalf of a state, district, or local public officer who is called into active military duty for longer than 30 days.

The proposition will appear on the ballot as follows: **"The constitutional amendment authorizing the appointment of a temporary replacement officer to fill a vacancy created when a public officer enters active duty in the United States armed forces."**

Estos son los informes explanatorios sobre las enmiendas propuestas a la constitución que aparecerán en la boleta el 13 de septiembre de 2003. Si usted no ha recibido una copia de los informes en español, podrá obetener una gratis llamando al 1/800/252/8683 o escribiendo al Secretario de Estado, P.O. Box 12060, Austin, TX 78711.

PUBLISHED BY SECRETARY OF STATE GWYN SHEA

NEWS IN BRIEF

Waco investigators finish examining field

WACO, Texas (AP) – After completing evidence collection in the field where the decomposed remains of Baylor University basketball player Patrick Dennehy were found a few days ago, authorities on Tuesday awaited the results of an autopsy report.

"We're waiting on the preliminary autopsy to find out how he died, but it may come back as pending because of the condition of the body," said Belinda Summers, a justice of the peace in McLennan County, where the body was found Friday night.

The remains of Dennehy, a 6-foot-10 center who had been missing about six weeks, were found just a few miles away from campus in a grassy field off a road leading to a rock quarry.

Last week, police said they were searching sites given to them by Carlton Dotson, Dennehy's roommate and former teammate. Dotson, 21, was charged with Dennehy's death last week after police said he confessed to shooting Dennehy in the head.

791 will lose jobs at Fruit of Loom plant

HARLINGEN, Texas (AP) – Fruit of the Loom of Texas, Inc. will close its Harlingen plant Dec. 31, ending jobs for 791 people and erasing the last of the region's textile industry, officials said Tuesday.

Corporate officials said the plant was no longer viable.

"The company must align its marketing capacity to the current marketing conditions in order to remain competitive," corporate officials said in a statement.

Mayor Connie de la Garza said he understood the company's reasoning.

"They have to downsize in order to remain competitive in the world market," he said. "The huge influx of imported apparel products from China and the Far East has reduced the market available for U.S. textile manufacturers."

During the past two years, Cameron County also lost its Levi Strauss, Haggar and William Carter plants.

The sprawling factory grounds, surrounded by high electronic fencing, sit on the city's rural outskirts. Media were barred from the grounds.