

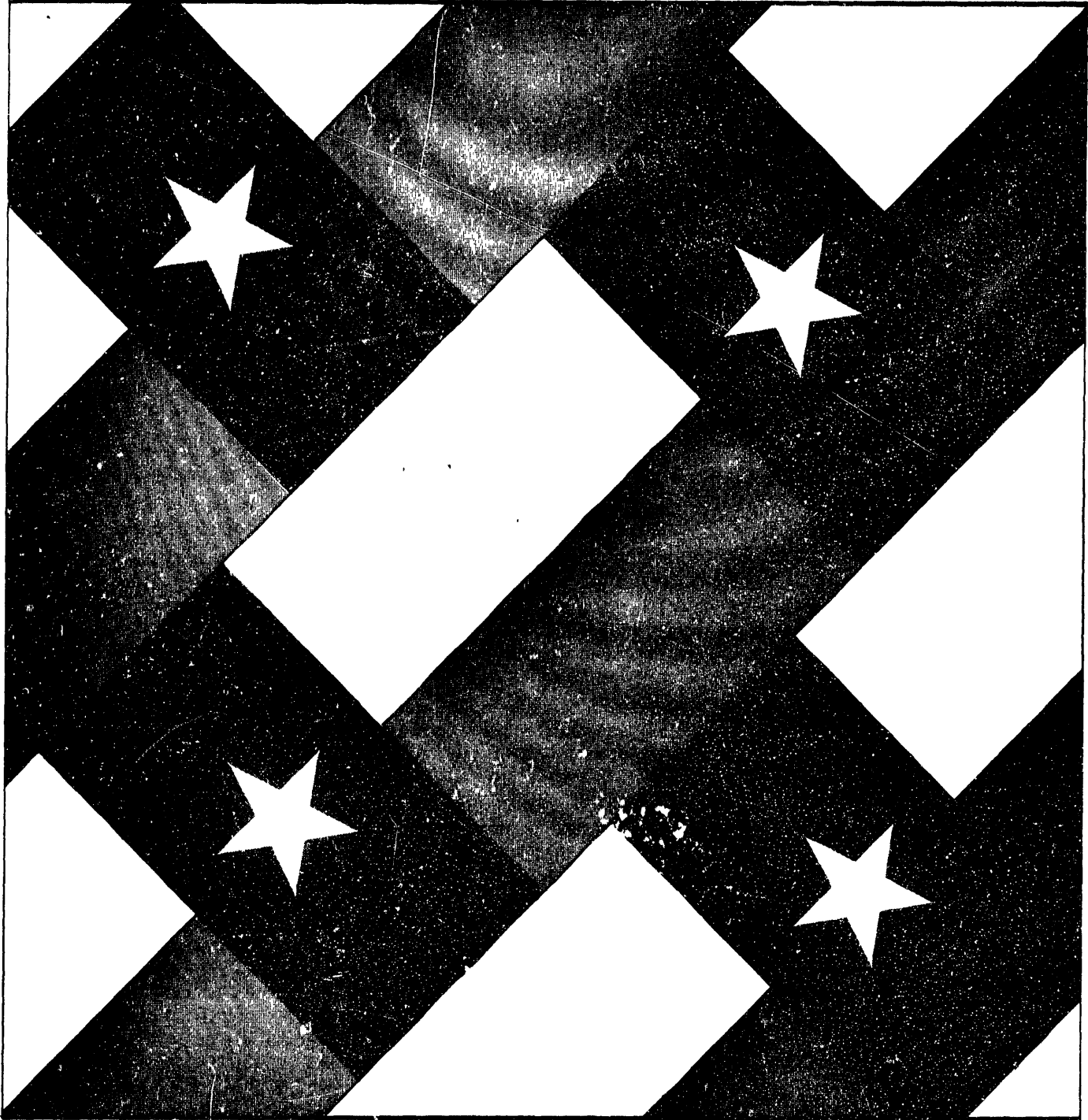
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Texas Register

Volume 9, Number 51, July 6, 1984

Pages 3717 - 3776



Highlights

The Office of the Secretary of State proposes amendments concerning rates for the *Texas Register*. Earliest possible date of adoption - August 5 page 3726

The Texas Department of Labor and Standards adopts amendments in a chapter concerning the Boiler Division. Effective date - July 19 page 3728

Also in this issue is the *Texas Register* monthly guide to agency activity and TAC titles affected in June page 3755

**Office of
the Secretary
of State**

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice each week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1984 with the exception of January 28, July 10, November 27, and December 28, by the Office of the Secretary of State

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Information Available: The ten sections of the *Register* represent various facets of state government. Documents contained within them include

- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- State Ethics Advisory Commission—summaries of requests for opinions and opinions
- Attorney General—summaries of requests for opinions, opinions, and open records decisions
- Emergency Rules—rules adopted by state agencies on an emergency basis
- Proposed Rules—rules proposed for adoption
- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date
- Adopted Rules—rules adopted following a 30-day public comment period
- Open Meetings—notices of open meetings
- In Addition—miscellaneous information required to be published by statute or provided as a public service

Specific explanations on the contents of each section can be found on the beginning page of the section. The division also publishes monthly, quarterly, and annual indexes to aid in researching material published.

How To Cite: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2, in the lower left-hand corner of the page, would be written "9 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 9 TexReg 3"

How To Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, 503E Sam Houston Building, Austin. Material can be found by using *Register* indexes, the *Texas Administrative Code*, rule number, or TRD number.

Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved, collected volumes of Texas administrative rules.

How To Cite: Under the TAC scheme, each agency rule is designated by a TAC number. For example, in the citation 1 TAC §27.15

1 indicates the title under which the agency appears in the *Texas Administrative Code*,

TAC stands for the *Texas Administrative Code*,

27.15 is the section number of the rule (27 indicates that the rule is under Chapter 27 of Title 1, 15 represents the individual rule within the chapter).



Texas Register Publications

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As required by Texas Civil Statutes, Article 6252-13a, §6, the *Register* publishes executive orders issued by the Governor of Texas. Appointments made and proclamations issued by the governor are also published. Appointments are published in chronological order.

Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 475-3021.

The Governor



Appointments Made June 25

Ad Hoc Committee on Interstate Banking

For terms to continue at the pleasure of this governor:

Don Adams
P.O. Box 12037
Austin, Texas 78711

Daniel C. Arnold
President
First City Bancorporation of Texas, Inc.
1001 Fannin
Houston, Texas 77002

Lee Drain
Republic Bank Corporation
P.O. Box 222105
Dallas, Texas 75222

R. M. Duffy, Jr.
Box 2179
Brownsville, Texas 78520

Calvin Guest, chairman
President
Bryan Savings & Loan
P.O. Box 3338
Bryan, Texas 77801

Ruben Johnson
United Bank Tower, Suite 1610
400 West 15th Street
Austin, Texas 78701

Grant Jones
State Senator
P.O. Box 4138
Abilene, Texas 79604

Hagen McMahan
700 United Bank Tower
400 West 15th Street
Austin, Texas 78701

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Fayez Sarofin & Company
2907 Two Houston Center
Houston, Texas 77002

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InterFirst II Building
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Dallas, Texas 75283

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Austin, Texas 78711

James Sexton
State Banking Commissioner
2610 North Lamar Boulevard
Austin, Texas 78705

Gerald Smith
Allied Bancshares
P.O. Box 1515
Houston, Texas 77251

Larry Temple
1510 United Bank Tower
400 West 15th Street
Austin, Texas 78701

Carroll Sullivan
908 East University Avenue
Georgetown, Texas 78626

Ralph Wallace III
House of Representatives
P.O. Box 12667
Houston, Texas 77017

Harvey Weil
Kleberg, Dyer, Redford, & Weil
500 North Water
Corpus Christi, Texas 78471

Issued in Austin, Texas, on June 25, 1984.

TRD-846968

Mark White
Governor of Texas

**Proclamation
41-1961**

Pursuant to the Texas Constitution, Article IV, §8, and Article III, §40, I, Mark White, governor of the State of Texas, submit the following additional subjects for consideration by the second called session of the 68th Legislature, now convened:

- (1) application of the workers' compensation law to farm and ranch laborers;
- (2) legislation relating to the requirement of the use of child passenger safety seat systems and child safety in an automobile;
- (3) consideration of the receipt, allocation, disbursement, and management of state revenue and other state money and of the times and methods of payment of the corporate franchise tax;
- (4) provision of telecommunications services to state government;
- (5) improvement of staff-to-patient ratios at state mental hospitals by providing for the transfer and reappropriation of money previously appropriated to the Texas Department of Mental Health and Mental Retardation and the appropriation of money received from the federal government for services rendered by the department before October 1, 1983;
- (6) financing of the acquisition, construction, repair, renovation, or other improvement of buildings in Travis County for the use of state agencies and institutions;
- (7) consideration of bidding procedures under the group insurance program for state employees;
- (8) adjustment of appropriations to public junior colleges for the payment of insurance premiums for active and retired employees;
- (9) consideration of the authority and duties of attorneys representing the state before the 75th, 253rd, 344th, and 355th District Courts;
- (10) consideration of the replenishment of the emergency contingency funds administered by the Office of the Governor;
- (11) reassignment of duties relative to the Southern States Energy Board formerly performed by the Texas Energy and Natural Resources Advisory Council;
- (12) legislation to carry forward from the current fiscal year the unexpended balance of money appropriated to the Texas Low-Level Radioactive Waste Disposal Authority for site development and construction so that the appropriation may be used for the same purpose in the 1984-1985 fiscal years;
- (13) transfer and allocation of money previously appropriated to the Texas Department of Corrections to comply with court orders in the case of Ruiz v. Estelle;
- (14) authorization of participation in cooperative associations by federally funded health-related institutions, including the Children's Nutrition Research Center;
- (15) transfer of funds within the Employees Retirement System of Texas to finance an increase in current annuities;
- (16) amendment of the Property Code, which was enacted by the 68th Legislature, 1983, to incorporate into the Code without substantive change the laws on the same subject as the Code that were enacted at the regular session, and to make technical corrections to conform the Code to the laws that the Code repealed;
- (17) reappropriation of funds from the Public Utility Commission of Texas to the office of Public Utility Counsel;
- (18) amendment of the Certificate of Obligation Act of 1971; and
- (19) legislation for the improvement of roads and highways in the state and to promote efficiency and economy in the operation, maintenance, and construction of said roads and highways.

Issued in Austin, Texas, on June 28, 1984.

TRD-846970

Mark White
Governor of Texas

Under provisions of the Texas Election Code (Article 1.03), the secretary of state, as chief elections officer, is responsible for maintaining uniformity in the application, operation, and interpretation of the election laws, and for advising the state's election officers in this regard. In carrying out this responsibility, the secretary of state is authorized to issue opinions based on the election laws.

Under provisions of Texas Civil Statutes (Article 6252-9c, §14A), the secretary of state is authorized to issue advisory opinions in response to written requests based on a real or hypothetical situation that relates to Article 6252-9c.

These opinions are summarized for publication in the *Register*.

Questions on particular submissions should be addressed to the Office of the Secretary of State, Elections Division, P. O. Box 12887, Austin, Texas 78711, 1 (800) 252-9602 or (512) 475-3091.

The Secretary of State

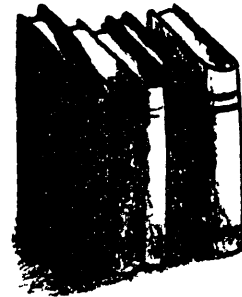
Opinion Issued June 21

Election Law Opinion JWF-36. Request from Sharlene Neibauer, Brown, Maroney, Rose, Barber, & Dye, Austin, regarding whether a water control and improvement district directors election held on a date other than that prescribed by statute is void; and, if so, whether a subsequent directors election held on the authorized date but at which no votes were cast resulted in the creation of vacancies in the directors' offices; and, if so, whether the originally appointed temporary directors may call a

special election for August 11, 1984, to fill those vacancies, even though the temporary directors did not order an election within 15 days of the creation of the vacancies.

Summary. An election held on an unauthorized date is void. An election at which no votes are cast results in the creation of vacancies in the offices for which the election is held. A special election to fill vacancies in office must be held on one of the uniform dates specified in the Texas Election Code, Article 2.01b.

TRD-846894



The Attorney General

Under provisions set out in the Texas Constitution, Texas Civil Statutes (Article 4399), and numerous statutes, the attorney general is authorized to write advisory opinions for state and local officials. These advisory opinions are requested by agencies or officials when they are confronted with unique or unusually difficult legal questions. The attorney general also determines, under authority of the Texas Open Records Act, whether information requested for release from governmental agencies may be held from public disclosure.

Requests for opinions, opinions, and open record decisions are summarized for publication in the *Register*.

Questions on particular submissions, or requests for copies of opinion requests should be addressed to Susan L. Garrison, Opinion Committee chairwoman, Office of the Attorney General, Supreme Court Building, Austin, Texas 78711, (512) 475-5445. Published opinions and open records decisions may be obtained by addressing a letter to the file room, fourth floor, P.O. Box 12548, Austin, Texas 78711-2548, or by telephoning (512) 475-3744. A single opinion is free, additional opinions are \$1.00 a copy.

Opinions

JM-162 (RQ-99). Request from Bob Bullock, Comptroller of Public Accounts, Austin, concerning the application of the Texas Constitution, Article III, §18, prohibiting legislators from contracting with the state.

Summary of Opinion. The Texas Constitution, Article III, §18, prohibits a contract between the state and companies owned, controlled, and operated by a member of the legislature if the contract was authorized by a general statute or appropriations act passed during the legislator's term of office. The state is not liable for supplies or materials furnished pursuant to such a contract.

JM-163 (RQ-259). Request from Nick D. Woodall, criminal district attorney, Rockwall, concerning whether an individual may be employed both as a secretary to a criminal district attorney and as a court reporter for a county court.

Summary of Opinion. The secretary for the Rockwall County criminal district attorney may serve as a court reporter for the Rockwall County court in noncriminal matters.

JM-164 (RQ-255). Request from Gib Lewis, speaker, Texas House of Representatives, Austin, concerning whether actions taken pursuant to the Water Code, §12.051, are subject to the Administrative Procedure and Texas Register Act, Article 6252-13a.

Summary of Opinion. A feasibility order issued by the Texas Water Development Board pursuant to authority conferred by the Water Code, §12.051, is not subject to the procedural requirements of the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a.

JM-165 (RQ-218). Request from Joe Warner Bell, Trinity County attorney, Groveton, concerning whether a defendant whose adjudication was deferred under the Code of Criminal Procedure, Article 42.13, §3d, may be compelled to pay a fine after his period of probation has expired.

Summary of Opinion. A defendant whose adjudication was postponed pursuant to the Code of Criminal Procedure, Article 42.13, §3d, after a plea of guilty and who fails to pay a fine imposed as a condition of probation may not be subject to a capias pro fine or other writ of execution to enforce payment of such fine once his period of supervision has expired, if proceedings to revoke probation or determine guilt have not already been instituted.

JM-166 (RQ-270). Request from Ron Patterson, executive director, State Property Tax Board, Austin, concerning the selection process for members of an appraisal district board of directors under the Tax Code, §6.03.

Summary of Opinion. The selection process for appointing members of the appraisal district board of directors set forth

in the Tax Code, §6.03, is not governed by the Texas Election Code. The dates set forth in §6.03(f) and (g) are directory and not mandatory. A written communication regarding the votes of the taxing unit must be submitted to the county clerk. The county clerk has neither the duty nor the authority to determine the qualifications of nominees. A taxing unit may not cast its voting entitlement for a person other than one nominated and named on the ballot. The county clerk is without authority to include any such vote in declaring the results of the election.

JM-167 (RQ-298). Request from John C. Wilson, executive director, State Commission for the Blind, Austin, concerning whether the State Commission for the Blind may contract with private organizations to perform rehabilitative services for blind adults.

Summary of Opinion. The State Commission for the Blind may use funds appropriated by Article II, Item 5.c., Chapter 1095 at 5949 of the 68th Legislature, 1983, to contract with public or private agencies for older blind contract training. The rider relating to funds appropriated in Item 5.c. violates the Texas Constitution, Article III, §35, in that it attempts to make mandatory the entering of a contract which is permissible under general law. Attorney General Opinion MW-389 is overruled.

JM-168 (RQ-250). Request from Henry Wade, criminal district attorney, Dallas, concerning the filing fees for suits ancillary to a probate matter.

Summary of Opinion. Ancillary probate actions which are incident to an estate must pay a filing fee of \$25.

JM-169 (RQ-299). Request from Michael J. Guarino, criminal district attorney, Galveston, concerning whether a village which has become a town pursuant to Texas Civil Statutes, Article 961, may revert to village status, and related questions.

Summary of Opinion. The City of Dickinson currently has the legal status of a town or city operating under Texas Civil Statutes, Title 28, Chapters 1-10, and may not revert to village status under Chapter 11 thereof. To regain village status, it must dissolve its present corporation and reincorporate as a village.

JM-170 (RQ-308). Request from Frank Blazek, criminal district attorney, Huntsville, concerning whether a county may reimburse a commissioner for payment of a traffic fine made on behalf of a county employee

Summary of Opinion. A county may not reimburse a county commissioner who himself reimbursed county road equipment operators who were issued traffic citations.

JM-171 (RQ-239). Request from Michael J. Simmang, Lee County attorney, Giddings, concerning whether a member of a city council may be employed by a corporation doing business with the city.

Summary of Opinion. A city council may not contract with a general contractor which has previously contracted with a subcontractor employing a member of the city council as an officer, if the firm employing the member acts as a subcontractor on the city job. The affected member of the city council does not automatically vacate his office in the event that the city council so contracts.

JM-172 (RQ-140). Request from Elof H. Soderberg, general manager, Lower Colorado River Authority (LCRA), Austin, concerning the statutory disqualifications for LCRA board membership.

Summary of Opinion. Officers and employees of wholesale electric power and energy cooperatives are ineligible for appointment to the board of directors of the LCRA. Officers and employees of cities with whom the LCRA contracts to provide power are not ineligible for board member-

ship, but will automatically vacate their city posts by accepting an incompatible office.

JM-173 (RQ-143). Request from Chet Brooks, chairman, Committee on Health and Human Resources, Texas State Senate, Austin, concerning the Nurse Practice Act exception for acts done under the control or supervision or at the instruction of a physician.

Summary of Opinion. A physician may violate the Medical Practice Act by delegating nursing acts in a manner not permitted by the Medical Practice Act, but a nonlicensed person performing the delegated nursing act in good faith—although acting as the delegatee of such a physician—violates neither the Nurse Practice Act nor the Medical Practice Act. The Texas State Board of Medical Examiners has authority, consistent with the Medical Practice Act, to regulate the details, means, and manner of delegating nursing acts done under a physician's control or supervision or at his instruction.

JM-174 (RQ-195). Request from Romeo Flores, Jim Wells County attorney, Alice, concerning whether a justice precinct which contains a city of 8,000 or more must elect two justices of the peace.

Summary of Opinion. The Texas Constitution, Article V, §18, requires the election of two justices of the peace in a precinct if it is determined by the commissioners court that the precinct contains a city of more than 18,000 inhabitants.

JM-175 (RQ-258). Request from Jack A. McGaughey, district attorney for Archer, Clay, and Montague Counties, Montague, concerning the validity of a municipal ordinance which prohibits the transfer of municipal cemetery lots to a party other than the city.

Summary of Opinion. A city which owns and operates a municipal cemetery may not enact an ordinance prohibiting the sale or transfer by a grantee of lots in that cemetery to a party other than the city.

JM-176 (RQ-933). Request from Ron Felty, district attorney, Hale and Swisher Counties, Plainview, concerning the procedures for revocation of probation under the Family Code, §14.12(a), of a person in contempt of court for refusal to make child support payments.

Summary of Opinion. In proceedings to revoke probation imposed pursuant to the Family Code, §14.12, the state is to be represented by the district attorney or the prosecuting attorney who performs those functions of the district attorney in certain

counties. Under this section, indigent probationers are entitled to court-appointed counsel at revocation hearings. The bail and notice provisions of the Code of Criminal Procedure, Article 42.13(8)(a), apply in the unlikely event that a §14.12 probationer is detained pending revocation proceedings.

JM-177 (RQ-284). Request from Froy Salinas, chairman, State, Federal, and International Relations Committee, Texas House of Representatives, Austin, concerning the scope of "conditions of work" with regard to public employees' presentation of grievances.

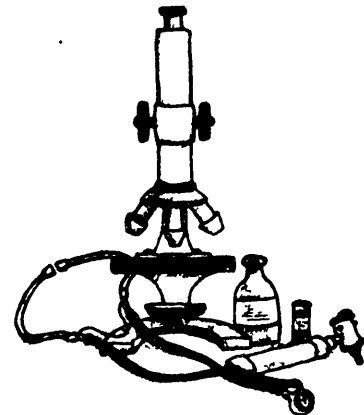
Summary of Opinion. Under both state decisional law and accepted usage in the field of labor law, a state agency may not unduly and unjustly restrict the scope of matters included in "conditions of work" as a means to limit the protections of Texas Civil Statutes, Article 5154c, §6, offered to state employees presenting grievances. Instead, the term "conditions of work" should be construed broadly to include any area of wages, hours, or conditions of employment, and any other matter which is appropriate for communications from employees to employer concerning an aspect of their relationship.

Open Records Decision

JM-417 (RQ-187). Request from Ed Kinkeade, chairman, Dallas County Juvenile Board, Dallas, concerning whether records of the Dallas County Child Support Department are public information.

Summary of Decision. Names and addresses of parents paying child support through a county child support department, as well as recipients thereof, are confidential by state and federal law.

TRD-846912



Proposed Rules

Before an agency may permanently adopt a new or amended rule, or repeal an existing rule, a proposal detailing the action must be published in the *Register* at least 30 days before any action may be taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the rule. A public hearing on the proposal may also be granted if such a procedure is requested by a governmental subdivision or agency, or by an association consisting of at least 25 members.

The proposal, as published in the *Register*, must include a brief explanation of the proposed action; a fiscal statement indicating effect on state and local government and small businesses; a statement explaining anticipated public benefits and possible economic costs to individuals required to comply with the rule; a request for public comments; a statement of statutory authority under which the proposed rule is to be adopted (and the agency's interpretation of the statutory authority); the text of the proposed action; and a certification statement. The certification information, which includes legal authority, the proposed date of adoption or the earliest possible date that the agency may file notice to adopt the proposal, and a telephone number to call for further information, follows each submission.

Symbology in amended rules New language added to an existing rule is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a rule.



TITLE 1. ADMINISTRATION Part IV. Office of the Secretary of State Chapter 91. Texas Register Subscriptions, Individual Copies, and Reprints

1 TAC §91.121, §91.122

The Office of the Secretary of State proposes amendments to §91.121 and §91.122, concerning rates charged for subscriptions to and individual copies of the *Texas Register*. The proposed price increases more accurately reflect the actual costs of publishing the *Register*, taking into account inflationary pressures that have affected the price of paper, printing, and postage. The proposed new prices are as follows: annual subscriptions—\$80; six-month subscriptions—\$60; and individual copies—\$3.00.

Susan Johnson, publications director, has determined that for the first five-year period the rules will be in

effect there will be fiscal implications as a result of enforcing or administering the rules. The effect on state government is an estimated additional cost of \$1,780 each year from 1985-1989. The effect on local government is an estimated additional cost of \$4,200 each year from 1985-1989. The cost of compliance with the rules for small businesses will be the same as for large businesses. The increases of \$10 for annual and six-month subscriptions and \$1.00 for single issues is uniform.

Ms. Johnson also has determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules as proposed is the continued timely delivery of an informative publication which reports the activities of state government. The anticipated economic cost to individuals who are required to comply with the rules as proposed is a \$10 increase per subscription each year from 1985-1989.

Comments on the proposal may be submitted to Susan Johnson, Publications Section Director, Office of the Secretary of State, P.O. Box 13824, Austin, Texas 78711.

The amendments are proposed under Texas Civil Statutes, Article 6252-13a, which provide the Office of the Secretary of State with the authority to make copies of the *Texas Register* available to other persons on payment of reasonable fees to be fixed by the Office of the Secretary of State, and further gives the Office of the Secretary of State the authority to

promulgate rules to ensure the effective administration of the Act.

§91.121. Subscriptions.

(a) Annual subscriptions to the *Register* (100 issues) may be obtained at a price of **\$80** [\$70].

(b) Six-month subscriptions to the *Register* (50 issues) may be obtained at a price of **\$60** [\$50].

§91.122. Individual Copies. Individual copies of the *Register*, if available, shall be sold for **\$3.00** [\$2.00] each.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on June 27, 1984.

TRD-848886

John W. Fainter, Jr.
Secretary of State

Earliest possible date of adoption:
August 6, 1984

For further information, please call (512) 475-7886.

Adopted Rules

An agency may take final action on a rule 30 days after a proposal has been published in the *Register*. The rule becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

The document, as published in the *Register*, must indicate whether the rule is adopted with or without changes to the proposal. The notice must also include paragraphs which explain the legal justification for the rule, how the rule will function; contain comments received on the proposal, list parties submitting comments for and against the rule, explain why the agency disagreed with suggested changes, and contain the agency's interpretation of the statute under which the rule was adopted.

If an agency adopts the rule without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. The text of the rule, as appropriate, will be published only if final action is taken with alterations to the proposal. The certification information, following the submission, contains the effective date of the final action, the proposal's publication date, and a telephone number to call for further information.

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

Chapter 3. Oil and Gas Division Conservation Rules and Regulations

16 TAC §3.69

The Railroad Commission of Texas adopts an amendment to §3.69, without changes to the proposed text published in the January 3, 1984, issue of the *Texas Register* (9 TexReg 5).

This amendment brings the definition of a marginal well in the commission's rules into agreement with the statutory definition which was amended by House Bill 687, 68th Legislature, 1983.

Only one comment was received during the comment period. Conoco, Inc., endorsed the change.

The amendment is adopted under the Texas Natural Resources Code, §85.201, which provides the Railroad Commission of Texas with the authority to make and enforce rules and orders for the conservation of oil and gas and the prevention of waste of oil and gas.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on March 19, 1984

TRD-846940 Buddy Temple and Jim Nugent,
Commissioners
Railroad Commission of Texas

Effective date: July 20, 1984
Expiration date: January 3, 1984
For further information, please call (512) 445-1186.

Part IV. Texas Department of Labor and Standards

Chapter 65. Boiler Division Administration

16 TAC §65.26

The Texas Department of Labor and Standards adopts amendments to §65.26, with changes to the proposed text published in the February 28, 1984, issue of the *Texas Register* (9 TexReg 1192).

The department is expanding the rules for the regulation and investigation of boiler accidents to help determine the cause of boiler explosions and accidents. The department needs to be notified at the earliest possible time when a boiler explosion occurs. The amended rule clarifies the notification.

No comments were received regarding adoption of the amendments.

The amendments are adopted under Texas Civil Statutes, Article 5221c, which provide the commissioner of the Texas Department of Labor and Standards with the authority to promulgate rules and regulations necessary to effectuate the purposes of the Act.

§65.26. Boiler Accidents.

(a) In case of a serious accident, such as an explosion, the owner/user shall immediately notify the chief inspector and authorized inspector. Neither the boiler nor any of the parts thereof shall be removed or disturbed, except for the purpose of saving human life or preventing further damage, before an inspection and investigation has been made by the chief inspector, deputy inspector, or authorized inspector. The authorized inspector shall notify the chief inspector before beginning an inspection and investigation of serious boiler accidents.

(b) To the extent necessary to conduct an inspection and subsequent investigation of a boiler accident, the owner/user shall provide the chief inspector or deputy inspector free access to the boiler and accident area. The owner/user shall provide the chief inspector or deputy inspector and authorized inspector with fragments, parts, appurtenances, documents, and records necessary to conduct an investigation of the accident.

(c) The chief inspector shall investigate, or cause to be investigated, each boiler accident to the extent necessary to reasonably determine the cause of the boiler accident.

(d) The authorized inspector shall submit a report of the boiler accident to the chief inspector. The report shall be submitted on a form supplied by the department.

(e) The chief inspector shall file a final report detailing the cause for the boiler accident, including a recommendation to prevent a recurrence of a similar-boiler accident.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on May 22, 1984

TRD-846921 Allen Parker, Sr.
Commissioner
Texas Department of Labor and
Standards

Effective date: July 19, 1984
Proposal publication date: February 28, 1984
For further information, please call (512) 475-0155.



**TITLE 22. EXAMINING BOARDS
Part IV. Texas Cosmetology
Commission
Chapter 89. General Provisions**

22 TAC §89.5

The Texas Cosmetology Commission adopts the repeal of §89.5, without changes to the proposal published in the April 24, 1984, issue of the *Texas Register* (9 TexReg 2290).

This section deals with the transfer of school licenses due to change of ownership. Section 89.40 more clearly defines this transfer. The repeal of §89.5 aids in saving confusion due to misinterpretation.

No comments were received regarding adoption of the repeal.

The repeal is adopted under Texas Civil Statutes, Article 8451a, §4, which give the Texas Cosmetology Commission the authority to promulgate rules.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 27, 1984.

TRD-846887 Herbert E. Cohen
Executive Director
Texas Cosmetology Commission

Effective date: July 18, 1984
Proposal publication date: April 24, 1984
For further information, please call (512) 475-3304.

22 TAC §89.14, §89.52

The Texas Cosmetology Commission adopts new §89.14 and §89.52, without changes to the proposed text published in the April 24, 1984, issue of the *Texas Register* (9 TexReg 2290).

Section 89.14 deals with concurrent enrollment of students and defines the requirements for concurrent enrollments. Section 89.52 deals with the definition of complaint and steps a person must follow to file a complaint with this agency. The rules clarify the language of the statutes and aid in avoiding confusion.

No comments were received regarding adoption of the new sections.

The new sections are adopted under Texas Civil Statutes, Article 8451a, §4, which give the Texas Cosmetology Commission the authority to promulgate rules.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 27, 1984.

TRD-846888 Herbert E. Cohen
Executive Director
Texas Cosmetology Commission

Effective date: July 18, 1984
Proposal publication date: April 24, 1984
For further information, please call (512) 475-3304.

22 TAC §89.21, §89.25

The Texas Cosmetology Commission adopts amendments to §89.21 and §89.25, without changes to the proposed text published in the April 24, 1984, issue of the *Texas Register* (9 TexReg 2291).

Section 89.21 deals with the length of time student records will be kept at the agency. Section 89.25 deals with the length of time a student's health certificate is valid.

The amendments clarify the language of the statutes and aid in avoiding confusion due to misinterpretation.

No comments were received regarding adoption of the amendments.

The amendments are adopted under Texas Civil Statutes, Article 8451a, §4, which give the Texas Cosmetology Commission the authority to promulgate rules.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 27, 1984

TRD-846889 Herbert E. Cohen
Executive Director
Texas Cosmetology Commission

Effective date: July 18, 1984
Proposal publication date: April 24, 1984
For further information, please call (512) 475-3304.

TITLE 25. HEALTH SERVICES Part II. Texas Department of Mental Health and Mental Retardation

Chapter 405. Client (Patient) Care Subchapter O. Client Abuse and Neglect

25 TAC §§405.361-405.369

The Texas Department of Mental Health and Mental Retardation (TDMHMR) adopts the repeal of §§405.361-405.369, concerning client abuse and neglect, without changes to the proposal published in the February 28, 1984, issue of the *Texas Register* (9 Tex Reg 1198). The repeal is adopted contemporaneously with the adoption of new Chapter 405, Subchapter O, concerning client abuse and neglect in TDMHMR facilities, which incorporates the key concepts of the repealed rules.

The Association for Retarded Citizens, Texas, commented in favor of the proposed repeal so that the new chapter and subchapter might be promulgated.

The repeal is adopted under Texas Civil Statutes, Article 5547-202, §2.11(b), which provide the commissioner with the authority to promulgate rules of the department subject to the basic and general policies of the Texas Board of Mental Health and Mental Retardation.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 27, 1984

TRD-846891 Gary E. Miller, M D
Commissioner
Texas Department of Mental
Health and Mental Retardation

Effective date: July 18, 1984
Proposal publication date: February 28, 1984
For further information, please call (512) 465-4670

Subchapter O. Client Abuse and Neglect in TDMHMR Facilities

25 TAC §§405.361-405.372

The Texas Department of Mental Health and Mental Retardation (TDMHMR) adopts new §§405.361-405.372, without changes to the proposed text published in the February 28, 1984, issue of the *Texas Register* (9 TexReg 1199).

On April 20, 1984, a public hearing was held in Austin to receive testimony on the proposed new rules. Oral and/or written comment was received from Eliseo Medina, organizing coordinator, Texas State Employees Union (TSEU), and TSEU members Glenna D. Mayton and Lawrence A. Brier, employees, Austin State Hospital, TSEU member Sally Kyla, employee, Austin State School; Ruth Ramirez, employee, Austin State Hospital, and Carmen A. Quesada, executive director, Association for Retarded Citizens/Texas (ARC/Texas).

Testimony from Mr. Medina, Ms. Mayton, Mr. Brier, Ms. Kyla, Ms. Ramirez, and Ms. Quesada focused on understaffing at facilities. Ms. Kyla was concerned that employees might be subject to retaliation for reporting abuse. Ms. Mayton had an additional concern regarding the procedures used by the client abuse committee to investigate alleged abuse. Ms. Ramirez wanted to ensure that client abuse is always reported to the client's family.

The department's response is that although all of these concerns are serious and important, those which do not suggest changes to the rules as proposed cannot be addressed in this forum.

Mr. Medina presented the following written recommendations:

Regarding §405.363, concerning definitions, the TSEU recommends adding a definition of commissioner or designee as the person empowered or delegated to investigate, in accordance with this rule, allegations of client abuse or neglect that may be filed against a superintendent or director or a department facility.

The department's response is that the commissioner's designee so empowered is the director of the office of Client Services and Rights Protection (CSR). Language as proposed in §405.369(b) provides for allegations against heads of facilities to be reported directly to the director of the CSR.

In §405.367, relating to responsibilities of heads of facilities, the TSEU recommends that the title be changed to "Responsibilities of the Commissioner and Heads of Facilities." In subsection (a) of that section, the TSEU further recommends that the commissioner or, in his absence, his designee, and not the head of the facility, be responsible for determining whether the employee accused of client abuse or neglect shall be granted emergency leave.

The department's response is that the head of the facility, by virtue of knowledge of or access to knowledge of the facility's employees, is in a better position

to judge whether an employee should be placed on emergency leave or suspended.

In subsection (b) of the same section, the TSEU recommends that the commissioner and the head of the facility be responsible for reporting abuse/neglect.

The department responds that it is procedurally impossible to require reporting of all client abuse and neglect by the commissioner. The commissioner delegates this responsibility to heads of facilities because they have immediate knowledge of or access to knowledge of the personnel and clients allegedly involved; and they have established working relationships with local law enforcement, the Texas Department of Human Resources (DHR), and other officials. Proposed language in §405.369(b) provides a mechanism by which employees may contact the commissioner's central office designee for client rights, the director of CSRP.

Regarding §405.368, relating to the Client Abuse Committee, the TSEU recommends that the language be changed so that the committee shall be composed of five persons. Committee members, before assuming their duties, must undergo a complete and thorough training program in the conduction of investigations and employees' due process rights.

The department responds that training in client abuse investigation procedures is provided through staff development at each facility.

Regarding §405.369, relating to prohibition against retaliatory action, the TSEU recommends adding a new subsection (d) which provides extensive procedures requiring that employees who are being investigated for alleged client abuse and/or may be subject to discipline be provided a notice of investigation which sets forth the allegation and advises the employee of the right to a representative; the rules for conducting the investigation; state laws and directives the employee has allegedly violated; date(s) of alleged abuse, a list of witnesses, and written documents related to the allegations; duties the employee is alleged to have neglected, dates of alleged neglect; a list of clients alleged to have been abused or neglected; dates of alleged abuse or neglect; a list of persons who can or will testify and a summary of what each person could or will testify to; the specific directions by the head of the facility or others of the allegation, copies of all documentary evidence; a list of witnesses and a summary of what the testimony will be; all documents in the employee's personnel file; all written evaluations regarding the employee; all documents, as prepared and received, which might be used by the client abuse committee; and the knowledge that the employee and/or his or her representative may cross-examine witnesses.

The department's response is that the purpose of a client abuse investigation is to establish whether evidence exists that would substantiate a charge of client abuse. The information requested by the TSEU would not be available at the inception of the investigation and would only be pertinent if it substantiated an allegation that resulted in a charge of client abuse. An

investigation differs from a formal hearing. The department believes that the client abuse committee must have flexibility in conducting its investigations and that the committee should not be hampered by regulations which could impede or delay any investigation that it is required to perform. A due process hearing is available to any employee against whom adverse personnel action is taken, and notice provisions are required at various points in the process by federal case law.

Ms. Quesada, ARC/Texas, presented oral testimony regarding understaffing and the failure to report client abuse versus retaliatory action against employees who do report. The following specific written recommendations were also discussed.

Regarding §405.363, relating to definitions, ARC/Texas strongly recommends that the department use the terms "major" and "minor" to describe client injuries, as opposed to the terms "serious" and "non-serious." The department responds that to change the terminology at this time would require retraining of 26,000 employees on terminology contained in all rules relating to client injuries. ARC/Texas also strongly recommends that in §405.363, the phrase "or any combination of two or more nonserious (or minor) physical injuries" be included in the examples of serious (or major) physical injury. The department's response is that the determination of whether an injury is serious is clinical, and the rule as written allows for two or more minor physical injuries to be classified as a major physical injury.

Relating to §405.367(a), concerning responsibilities of heads of facilities, ARC/Texas strongly recommends that the head of the facility or his designee be required to place an employee suspected of client abuse or neglect on immediate emergency leave pending investigation in any situation in which there is any evidence of physical injury to a client (i.e., presence of bruises, lacerations, abrasions, etc.).

The department responds that the rule provides for the head of the facility to take this action if it is deemed necessary.

Relating to §405.367(b)(2), ARC/Texas strongly recommends that the rules be rewritten to require such agencies to be notified within six hours of the reporting of instances of suspected abuse/neglect. ARC/Texas is concerned that physical evidence of the suspected abuse may be lost or other opportunities to investigate effectively the situation may be missed. All such authorities must be notified immediately after a suspected abuse is reported to adequately safeguard the rights and interests of clients.

The department concurs that heads of facilities should notify authorities immediately or as soon as possible. An arbitrary time limit, however, is less effective than the pressure from investigatory authorities who expect prompt notification and will question any unusual delay.

Relating to the same subsection, ARC/Texas recommends that both the director of the CSRP and the ap-

appropriate deputy commissioner be notified in writing within 24 hours of any incident of suspected abuse/neglect, and that both the director of the CSRP and the appropriate deputy commissioner receive a formal written report at the conclusion of the investigation

The department responds that under the rule as proposed, the director of the CSRP receives a formal written report at the conclusion of the investigation (see §405.367(b)(1)(c)). Reporting within 24 hours to the director of the CSRP and/or the appropriate deputy commissioner will be at the discretion of heads of facilities.

These new sections are adopted under Texas Civil Statutes, Article 5547-202, §2.11(b), which provide the commissioner with the authority to promulgate rules subject to the basic and general policies of the Texas Board of Mental Health and Mental Retardation.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 25, 1984

TRD-846892 Gary E. Miller, M.D.
Commissioner
Texas Department of Mental
Health and Mental Retardation

Effective date. July 18, 1984
Proposal publication date. February 28, 1984
For further information, please call (512) 465-4670

TITLE 28. INSURANCE Part II. Industrial Accident Board

(Editor's note: Because the Industrial Accident Board's rules have not yet been published in the Texas Administrative Code (TAC), they do not have designated TAC numbers. For the time being, the rules will continue to be published under their Texas Register numbers. However, the rules will be published under the agency's correct TAC title and part.)

Chapter 1. Communications and General Medical Provisions

061.01.00.025

The Industrial Accident Board adopts an amendment to Rule 061.01 00.025, without changes to the proposed text published in the May 29, 1984, issue of the *Texas Register* (9 TexReg 2902).

The amendment clarifies when the insurance adjuster(s) shall provide his or her license number as issued under the Insurance Code, Article 21 07-4. The purpose of the rule is for identification of the insurance adjuster(s) who makes any evaluation in the claim file.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 8307, §4, which provide the Industrial Accident Board with the authority to promulgate and adopt rules determined to be necessary for the administration of the Workers' Compensation Law.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 29, 1984

TRD-846922 William Treacy
Executive Director
Industrial Accident Board

Effective date July 20, 1984
Proposal publication date May 29, 1984
For further information, please call (512) 448-7962.

Chapter 5. Procedures for Formal Hearing by the Board Formal Hearings

061.05.00.185

The Industrial Accident Board adopts the repeal of Rule 061.05.00 185, without changes to the proposal published in the May 29, 1984, issue of the *Texas Register* (9 TexReg 2902)

It has been determined that Rule 185, concerning statement of ambiguities, is not effectively resolving the problems of identifying the correct insurance carrier in a claim file, which was the only purpose for this rule.

No comments were received regarding adoption of the repeal

The repeal is adopted under Texas Civil Statutes, Article 8307, §4, which provide the Industrial Accident Board with the authority to promulgate and adopt rules determined to be necessary for the administration of the Workers' Compensation Law.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 29, 1984.

TRD-846923 William Treacy
Executive Director
Industrial Accident Board

Effective date July 20, 1984
Proposal publication date May 29, 1984
For further information, please call (512) 448-7962.



Chapter 7. Carrier's Report of Initiation and Suspension of Compensation Payments

061.07.00.025

The Industrial Accident Board adopts new Rule 061.07.00.025, without changes to the proposed text published in the May 29, 1984, issue of the *Texas Register* (9 TexReg 2903).

The new rule provides insurance carriers with a clear understanding of the facts needed in a statement of controversion or statement of position as provided in Texas Civil Statutes, Article 8306, §18a(a).

No comments were received regarding adoption of the new rule.

The new rule is adopted under Texas Civil Statutes, Article 8307, §4, which provide the Industrial Accident Board with the authority to promulgate and adopt rules determined to be necessary for the administration of the Workers' Compensation Law.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 29, 1984.

TRD-846924 William Treacy
Executive Director
Industrial Accident Board

Effective date: July 20, 1984
Proposal publication date: May 29, 1984
For further information, please call (512) 448-7962.

061.07.00.035

The Industrial Accident Board adopts an amendment to Rule 061.07.00.035, without changes to the proposed text published in the May 29, 1984, issue of the *Texas Register* (9 TexReg 2903).

The amendment clarifies the requirements of the statements that shall be provided to the board by the self-insureds and insurance carriers when compensation payments are suspended.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 8307, §4, which provide the Industrial Accident Board with the authority to promulgate and adopt rules determined to be necessary for the administration of the Workers' Compensation Law.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 29, 1984.

TRD-846925 William Treacy
Executive Director
Industrial Accident Board

Effective date: July 20, 1984
Proposal publication date: May 29, 1984
For further information, please call (512) 448-7962.

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part II. Texas Parks and Wildlife Department

Chapter 57. Fisheries

Potentially Harmful Fish or Fish Eggs Importation

31 TAC §57.114

The Texas Parks and Wildlife Commission, in a regularly scheduled public hearing held June 13, 1984, adopted an amendment to §57.114, concerning potentially harmful fish or fish egg importation, without changes to the proposed text published in the May 15, 1984, issue of the *Texas Register* (9 TexReg 2681).

The amendment is necessary to reduce the number of grass carp and to allow grass carp to be used as food. The amendment provides that grass carp may be possessed if it is eviscerated.

No comments were received regarding adoption of this amendment.

The amendment is adopted under the Texas Parks and Wildlife Code, Chapter 66, which authorizes the commission to provide rules on potentially harmful fish and fish eggs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on June 27, 1984.

TRD-846877 Maurine Ray
Administrative Assistant
Texas Parks and Wildlife
Department

Effective date: July 18, 1984
Proposal publication date: May 15, 1984
For further information, please call (512) 479-4806.

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 13. Child Support Collection

The Texas Department of Human Resources adopts the repeal of §13.2004 and §13.4103, concerning child support collection, without changes to the proposal published in the May 18, 1984, issue of the *Texas Register* (9 TexReg 2765).

Adoption of the repeals is justified because the responsibility for administering the program has been transferred to the Office of the Attorney General.

No comments were received regarding adoption of the proposed repeals.

**Subchapter U. Child Support Collection
Services**

40 TAC §13.2004

This repeal is adopted under the Human Resources Code, Title 2, Chapter 22, which authorizes the department to administer public assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on July 2, 1984.

TRD-846984 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 23, 1984
Proposal publication date: May 18, 1984
For further information, please call (512) 441-3355,
ext. 2037.

Subchapter II. Legal Processes

40 TAC §13.4103

The repeal is adopted under the Human Resources Code, Title 2, Chapter 22, which authorizes the department to administer public assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on July 2, 1984.

TRD-846985 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 23, 1984
Proposal publication date: May 18, 1984
For further information, please call (512) 441-3355,
ext. 2037

**Chapter 15. Medicaid Eligibility
Subchapter CCC. Vendor Payments in
Title XIX Long-Term Care Facilities**

40 TAC §15.5417

The Texas Department of Human Resources adopts amendments to §15.5417, concerning restitution in its Medicaid eligibility rule chapter, without changes to the proposed text published in the April 10, 1984, issue of the *Texas Register* (9 TexReg 2012).

The section is amended to include additional situations in which restitution is appropriate. The caseworker pursues restitution if ICF, SNF, or ICF-MR vendor payments have been continued for an ineligible recipient pending an appeal, and the hearing officer upholds the denial. The caseworker also seeks restitution if applied income has been continued at a lower level pending appeal of an increase, and the hearing officer sustains the increase.

Section 15.5417 is also amended to clarify that restitution applies only to Medicaid recipients in intermediate and skilled nursing facilities and in community-based ICF-MR facilities.

No comments were received regarding adoption of the amendments.

The amendments are adopted under the Human Resources Code, Title 2, Chapter 22 and Chapter 32, which authorizes the department to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on July 2, 1984.

TRD-846986 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 23, 1984
Proposal publication date: April 10, 1984
For further information, please call (512) 441-3355,
ext. 2037.

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. Although some notices may be received too late for publication before the meeting is held, all those filed are published in the *Register*. Notices concerning state agencies, colleges, and universities must contain the date, time, and location of the meeting, and an agenda or agenda summary. Published notices concerning county agencies include only the date, time, and location of the meeting. These notices are published alphabetically under the heading "Regional Agencies" according to the date on which they are filed.

Any of the governmental entities named above must have notice of an emergency meeting, or an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. Emergency meeting notices filed by all governmental agencies will be published. However, notices of emergency additions or revisions to a regional agency's agenda will not be published since the original agenda for the agency was not published.

All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol. These notices may contain more detailed agendas than space allows to be published in the *Register*.

Open Meetings

Texas Department on Aging

Thursday, July 12, 1984, 10 a.m. The State Citizens Advisory Council will meet on the fifth floor, 210 Barton Springs Road, Austin. Items on the agenda include reports concerning confirmation of new and reappointed council members; committee reports; the 1986-1987 budget request and the fiscal year 1984-1985 budget; reports concerning shared housing, legislative issues, Texas senior games, long-term care, and nutrition workshops; departmental reorganization; Title V equitable distribution; administrative costs/carryover; and a request for additional appropriations.

Contact: Bob Bobbitt, P.O. Box 12786, Austin, Texas 78711, (512) 475-2717.

Filed: June 28, 1984, 3:19 p.m.
TRD-846913

Texas Department of Agriculture

Monday, July 30, 1984, 2 p.m. The Texas Department of Agriculture will meet in Room 930A, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the department will conduct an administrative rehearing to reopen the record for the taking of additional testimony regarding the possible viola-

tions of the Texas Agriculture Code, §§101.003, 101.004(d), 101.010, and 101.013, by Irving Budnoff, doing business as Bud's Salads, and holder of commission Merchant License 696.

Contact: Patrick D. Redman, P.O. Box 12847, Austin, Texas 78711, (512) 475-6686.

Filed: July 3, 1984, 9:52 a.m.
TRD-847041

Texas Air Control Board

Friday, July 13, 1984. Committees of the Texas Air Control Board (TACB) and the full board will meet in Room 332, 6330 Highway 290 East, Austin. Times, committees, and agendas follow.

9:30 a.m. The Monitoring and Research Committee will approve a research contract and hear a report on the status of previously-approved projects.

10 a.m. The Mobile Source Emissions Committee will consider a contract to provide information to update the Texas Department of Public Safety inspector's handbook for Harris County and hear a report on the status of the Harris County Vehicle Parameter Inspection Program.

10:30 a.m. The full board will approve the June 15, 1984, minutes; consider reports;

consider and act on agency contracts; and consider an update on air toxics monitoring and analysis and new business.

Contact: John B. Turney, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711, ext. 351.

Filed: July 2, 1984, 10:22 a.m.
TRD-846995-846997

Texas Antiquities Committee

Wednesday, July 11, 1984, 9:30 a.m. The Texas Antiquities Committee made an addition to the agenda of a meeting to be held in Room 618, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. The addition concerns approval of Minutes #73.

Contact: J. Barto Arnold III, 105 West 16th Street, Austin, Texas 78711, (512) 475-6328.

Filed: July 2, 1984, 1:16 p.m.
TRD-847013

State Banking Board

Friday, June 29, 1984, 7 p.m. The State Banking Board met in emergency session via conference call originating from 2601 North

Lamar Boulevard, Austin According to the agenda, the board considered an application for a charter for a state bank to purchase some of the assets and assume some of the liabilities of a bank which has failed. The applicant, if there is one, will be the bidder chosen by the board of directors of the FDIC. The emergency status was necessary because failure of the bank would disrupt banking services in the community

Contact: Archie P. Clayton III, 2601 North Lamar Boulevard, Austin, Texas, (512) 475-4451.

Filed: June 29, 1984, 7:1 p.m.
TRD-846978

State Bar of Texas

Friday, July 6, 1984, 2 p.m. The Board of Directors of the State Bar of Texas will meet in the Regency Ballroom, Hyatt Regency Hotel, 123 Lasoya Street, San Antonio According to the agenda summary, the board will hear a statement and recommendations from the president, consider appointments by the president and the board chairman, hear reports on Advocacy, Inc., the Texas Young Lawyers Association, and sections; and consider a CLE request from the Office of the Attorney General

Contact: Jerry L. Zunker, P.O. Box 12487, Austin, Texas 78711, (512) 475-6202.

Filed: June 28, 1984, 3:21 p.m.
TRD-846914

Texas Department of Community Affairs

Tuesday, July 10, 1984, 9 a.m. The Older Workers Task Force of the Texas Department of Community Affairs will meet in the conference room, first floor, 2015 IH 35 South, Austin Items on the agenda summary include a project selection update; a consultant evaluation proposal request for proposal (RFP) report; a budget for older worker programs statewide initiatives, roles, and responsibilities of the task force; and scheduling future task force meetings.

Contact: Clyde McQueen, P.O. Box 13166, Austin, Texas 78711, (512) 443-4100.

Filed: July 2, 1984, 3:29 p.m.
TRD-847024

Texas Department of Corrections

Monday, July 9, 1984, 8 a.m. The Board of the Texas Department of Corrections will meet in Room 103, Administration Building, 815 11th Street, Huntsville. According to the agenda summary, the board will discuss operations, inmate affairs, medical matters, finance, agriculture, business, construction, industries, director's items, and the Windham School System. The board also will meet in executive session

Contact: R. K. Procnier, P.O. Box 99, Huntsville, Texas 77340, (409) 295-6371, ext. 160.

Filed: June 29, 1984, 3:52 p.m.
TRD-846975

Texas Education Agency

Monday, July 9, 1984, 8:30 a.m. The Commissioner of Education and the State Textbook Committee of the Texas Education Agency (TEA) will meet in emergency session in the Joe Kelly Butler Boardroom, 1200 East Anderson Lane, Austin. According to the agenda summary, the commissioner and the committee will conduct joint hearings on textbooks. The emergency status is necessary because information was not submitted in time for the deadline and the meeting cannot be rescheduled because the meeting time is specified in the textbook proclamation.

Tuesday and Wednesday, July 10 and 11, 1984, 8:30 a.m. daily. The Commissioner of Education and the State Textbook Committee of the TEA will meet in the Joe Kelly Butler Boardroom, 1200 East Anderson Lane, Austin According to the agenda summary, the commissioner and the committee will conduct joint hearings on textbooks from 8:30 a.m.-4:10 p.m. on Tuesday and 8:30 a.m.-noon on Wednesday.

Contact: J. Henry Perry, Jr., 201 East 11th Street, Austin, Texas 78701, (512) 834-4055.

Filed: July 2, 1984, 3:57 p.m.
TRD-847031, 847032



Texas Employment Commission

Monday, July 2, 1984, 9 a.m. The Texas Employment Commission (TEC) made an emergency addition to the agenda of a meeting held in Room 644, TEC Building, 15th Street and Congress Avenue, Austin. The addition concerned the extension of the Disaster Unemployment Assistance Program. The emergency status was necessary because the commission was officially informed on June 28, 1984, of the extension of the program and there is an immediate need to disseminate information concerning the conditions of that extension.

Contact: Steve Hollahan, TEC Building, Room 660, 15th Street and Congress Avenue, Austin, Texas, (512) 397-4400.

Filed: June 29, 1984, 4:08 p.m.
TRD-846974

Tuesday, July 10, 1984, 9 a.m. The Texas Employment Commission (TEC) will meet in Room 644, TEC Building, 15th Street and Congress Avenue, Austin. According to the agenda summary, the commission will consider prior meeting notes and the internal procedures of the Office of Commission Appeals, consider and act on higher level appeals in unemployment compensation cases on Docket 28, and set a date for the next meeting.

Contact: Courtenay Browning, TEC Building, Room 608, 15th Street and Congress Avenue, Austin, Texas, (512) 397-4415.

Filed: July 2, 1984, 9:02 a.m.
TRD-846987

State Board of Registration for Professional Engineers

Wednesday and Thursday, July 18 and 19, 1984, 8:30 a.m. daily. The State Board of Registration for Professional Engineers will meet in the board room, 1917 IH 35 South, Austin. According to the agenda summary, the board will receive reports from board members and staff, interview applicants, take action on applications for registration, read communications, and consider any other business which comes before the board.

Contact: Woodrow W. Mize, P.E., 1917 IH 35 South, Austin, Texas 78741, (512) 475-3141.

Filed: June 29, 1984, 10:18 a.m.
TRD-846927

Finance Commission of Texas

Tuesday, July 10, 1984, 10 a.m. The Banking Section of the Finance Commission of Texas will meet at 2601 North Lamar Boulevard, Austin. According to the agenda, the section will elect a chairman and consider the 1985 budget; a budget proposal for the biennium beginning September 1, 1985; and state deposit insurance. The section may also meet in executive session to discuss personnel matters.

Tuesday, July 10, 1984, 11 a.m. The Finance Commission of Texas will meet at 2601 North Lamar Boulevard, Austin. According to the agenda, the commission will elect a chairman and consider 1985 budgets and budget proposals for the biennium beginning September 1, 1985, for the Banking Department of Texas, the Texas Savings and Loan Department, and Office of the Consumer Credit Commissioner. The commission may also convene in executive session to discuss personnel matters.

Contact: Archie P. Clayton III, 2601 North Lamar Boulevard, Austin, Texas 78705.

Filed: July 2, 1984, 3:36 p.m.
TRD-847025, 847026

Office of the Governor

Saturday, July 14, 1984, 1 p.m. The Board of Directors of the Governor's Commission on Physical Fitness of the Office of the Governor will meet in the Lunar Room, AMFAC Hotel East, DFW Airport. Items on the agenda include 1984 budget revisions, a 1985 budget revision, selection of a new executive director, Legislative Budget Board agency budget review for 1986-1987, the director's report, and old and new business.

Contact: Albert A. Rooker, 4200 North Lamar Boulevard, #110, Austin, Texas 78756, (512) 475-6718.

Filed: July 2, 1984, 2:51 p.m.
TRD-847017

**Texas Health Facilities
Commission**

Thursday, July 12, 1984, 1:30 p.m. The Texas Health Facilities Commission will meet in Suite 305, Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the commission will consider the following applications.

Certificates of Need

- Memorial Hospital of Center, Center
AH84-0209-084
- Northeast Medical Center Hospital,
Humble
AS83-1206-417
- Northeast Outpatient Surgical Center,
Humble
AS83-0621-641
- Day Surgery Center of South Austin,
Austin
AS83-0705-014
- Shelby General Hospital, Center
AH84-0419-245
- Southeast Houston Surgical Center,
Houston
AS83-0621-641
- Southeast Outpatient Surgical Center,
Houston
AS83-0908-145
- Hamilton General Hospital, Hamilton
Meridian Hospital, Meridian
- Marks-English Hospital, Glen Rose
AH84-0323-182
- Childress General Hospital, Childress
AH83-1114-302
- Courtyard Convalescent Center,
Houston
AN84-0327-187
- Sears Memorial Methodist Center,
Abilene
AN84-0207-080
- Hermann Hospital, Houston
AH84-0315-170
- Santa Rosa Medical Center, San Antonio
AH84-0224-126

Amendments of Certificate of Need Orders

- Carter Nursing Home, Seagoville
AN82-0427-025A(012784)
- Trinity Towers of Coastal Bend Health
Center, Corpus Christi
AN81-0626-034A(051684)
- Day Surgery Center of Southeast Dallas,
Inc., Dallas
AS83-0729-069A(050484)

Declaratory Ruling

- South Eastland County Hospital District,
Gorman
AH84-0530-344

**Notice of Intent to Acquire Major Medical
Equipment**

- Dallas Medical Imaging, a partnership,
Dallas
AO84-0531-345

**Notices of Intent to Acquire Existing Health
Care Facilities**

- Associated Nursing Homes, Inc.,
Walnut Ridge, Arkansas
AN84-0601-346
- Texas Health Enterprises, Inc.,
Grand Prairie
AN84-0530-342

- AN84-0530-343
- Beverly Enterprises-Texas, Inc.,
Pasadena, California
AN84-0530-319
- AN84-0530-320
- AN84-0530-321
- AN84-0530-322
- AN84-0530-323
- AN84-0530-324
- AN84-0530-325
- AN84-0530-326
- AN84-0530-327
- AN84-0530-328
- AN84-0530-329
- AN84-0530-330
- AN84-0530-331
- AN84-0530-332
- AN84-0530-333
- AN84-0530-334
- AN84-0530-335
- AN84-0530-336
- AN84-0530-337
- AN84-0530-338
- AN84-0530-339
- AN84-0530-340
- AN84-0530-341

**Notice of Intent Regarding a Research
Project**

- Hermann Hospital, Houston
AH84-0518-304

Petition for Reconsideration

- Baywood, a Psychiatric Hospital,
Corpus Christi
AH83-0615-626

Nunc Pro Tunc Order

- Charter Real, San Antonio
AH82-0820-040

Amendment of Certificate of Need Order

- Los Ebanos Surgicenter, Brownsville
AO81-1216-030A(042384)

Consideration of Alleged Violation

- Los Ebanos Surgicenter, Brownsville
E84-0604-001

Contact: John R. Neel, P.O. Box 50049,
Austin, Texas 78763.

Filed: July 3, 1984, 9:23 a.m.
TRD-847040

State Board of Insurance

Tuesday, July 3, 1984, 11:15 a.m. The State Board of Insurance met in emergency session in Room 414, 1110 San Jacinto Street, Austin. According to the agenda, the board considered an emergency amendment to Rule 059.21.53.004, regarding the certification required by the Amusement Ride Safety Inspection and Insurance Act, §4(1).

Texas Register

The emergency status was necessary to consider clearing up any ambiguity that may have existed between the requirements of the Act, §4(1), in time for amusement rides to be appropriately insured.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: July 3, 1984, 9:07 a.m.
TRD-847038

Tuesday, July 10, 1984, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will meet in Room 342, 1110 San Jacinto Street, Austin. According to the agenda, the section will conduct a public hearing in Docket 7694—whether the certificate of authority held by American United Life Insurance Company, Indianapolis, Indiana, should be canceled or revoked.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287

Filed: July 2, 1984, 10:58 a.m.
TRD-847005

Tuesday, July 10, 1984, 10 a.m. The State Board of Insurance will meet in Room 414, 1110 San Jacinto Street, Austin. According to the agenda summary, the board will consider reports of the commissioner and the fire marshal, both including personnel matters, and board orders on several different matters as itemized on the complete agenda.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950

Filed: July 2, 1984, 4:13 p.m.
TRD-847035

Tuesday, July 10, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin. According to the agenda, the section will consider Docket 7690—application for an original charter of United National Insurance Company, Dallas.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: July 2, 1984, 10:58 a.m.
TRD-847006

Tuesday, July 10, 1984, 2 p.m. The State Board of Insurance revised the agenda of a meeting to be held in Room 414, 1110 San Jacinto Street, Austin. According to the revised agenda, the board will consider Rules 059.21.28.002, and .003; proposed amendments to the health maintenance organization rules; plans of operation of the Texas Property and Casualty Insurance Guaranty Association, the Life, Accident, Health, and Hospital Service Insurance Guaranty

Association, and the Texas Life, Health, and Accident Guaranty Association; emergency amendments to Rule 059.01.04.051; proposed amendments to Rule 059.01.04.051; final adoption of amendments to Rule 059.21.49.006 (9 TexReg 2080); a proposed repeal of Rule 059.21.39.201, a proposed repeal of rules to which the Insurance Code, Article 5.96 and Article 5.97, are applicable from the board's rules filed under the Administrative Procedure and Texas Register Act, the proposed repeal of Rules 059.10.01.001-.010; proposed new rules regarding variable life insurance, annuity, and life insurance agents, and universal life insurance policies; and a proposed rule embodying a savings clause for rules to which the Insurance Code, Article 5.96 and Article 5.97, apply.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: July 2, 1984, 4:13 p.m.
TRD-847036

The Commissioner's Hearing Section of the State Board of Insurance will conduct public hearings in Room 342, 1110 San Jacinto Street, Austin. Days, times, and dockets follow

Wednesday, July 11, 1984, 9 a.m. Docket 7699—application of W. O. Bankston Enterprises, Inc., Dallas, to acquire control of J. D. H. Life Insurance Company, Dallas.

Contact: Tom I. McFarling, 1110 San Jacinto Street, Austin, Texas 78786.

Filed: July 2, 1984, 10:58 a.m.
TRD-847007

Thursday, July 12, 1984, 9 a.m. Docket 7697—application of Hanesco Insurance Company, Boston, Massachusetts, to acquire control of Unigard Lloyd's of Texas, Dallas.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: July 2, 1984, 10:58 a.m.
TRD-847008

Thursday, July 12, 1984, 1:30 p.m. Docket 7701—application of Thomas Arthur Martin, Richardson, for a legal reserve life insurance agent's license

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 2, 1984, 10:58 a.m.
TRD-847009

Texas Advisory Commission on Intergovernmental Relations

Friday, July 13, 1984. Committees of the Texas Advisory Commission on Intergovernmental Relations and the full commission will meet at the Texas Law Center, 1414 Colorado Street, Austin. Times, rooms, committees, and agendas follow.

8:30 a.m. In Room 201, the Special Committee on Operations and Funding will review the status of fiscal year 1984 finances of the agency and consider potential new projects.

9:30 a.m. In Room 201, the New Federalism Committee will review the status of the Data Management Program and community data profile project and a possible new project in low-level radioactive waste

9:30 a.m. In Room 204, the State-Local Issues Committee will review the project or county financial capacity and hear an update on the Task Force on Indigent Health Care

10:30 a.m. In Room 202 and Room 203, the commission will consider reports from the executive director and the Operations and Funding Committee, the New Federalism Committee, and the State-Local Issues Committee, consider the final report on central appraisal districts and new business, and consider presentations and discussion scheduled for 1984 finances and potential new projects.

Contact: Jay G. Stanford, P.O. Box 13206, Austin, Texas 78711, (512) 475-3728.

Filed: July 2, 1984, 3:53 p.m.
TRD-847027-847030

Lamar University

Monday, July 9, 1984. Committees of the Board of Regents of Lamar University will meet in the Lamar Room, Gray Library, main campus, Lamar University-Beaumont, Beaumont. Times, committees, and agendas follow.

Noon. The Finance and Audit Committee will meet jointly with the Building and Grounds Committee to review the Lamar University-Orange master plan, the policy on fees for copy work for open records requests, appropriation requests, and bids received for campus facilities; approve a bid order change for the Montagne Center report; and select an architect for Lamar University-Port Arthur. The committees also will meet in executive session concerning the selection of architects.



2 p.m. The Personnel Committee will meet jointly with the Student Affairs Committee and the Academic Affairs Committee to review the status of employment of the executive search company, and consider a profile draft for the executive search, a draft for a search notice of campus president, an early retirement policy revision, revision of the student handbook, and the policy on satisfactory progress. The committees also will meet in executive session to review staff award selections, a recommendation for the dean of the College of Education, and emeritus and honor recommendations.

Contact: Andrew J. Johnson, P.O. Box 10014, Beaumont, Texas 77710, (409) 838-8403.

Filed: July 2, 1984, 10:54 a.m.
TRD-847010, 847011

Texas Board of Land Surveying

Thursday and Friday, July 12 and 13, 1984, 9 a.m. and 8 a.m. respectively. The Texas Board of Land Surveying will meet in Suite 210W, 1106 Clayton Lane, Austin. According to the agenda, the board will conduct formal hearings on Complaint 83-12 and Complaint 84-1; prepare August examinations; consider correspondence; conduct old and new business, and hear the complaints officer's report and reports of committees.

Contact: Betty J. Pope, 1106 Clayton Lane, Suite 210W, Austin, Texas 78723, (512) 452-9427.

Filed: June 28, 1984, 2:34 p.m.
TRD-846911

Legislative Audit Committee

Tuesday, July 3, 1984, 9:30 a.m. The Legislative Audit Committee met in a rescheduled emergency session in Room 310, State Capitol, Austin. According to the agenda, the committee considered the 1984-1985 operating budget. The emergency status was necessary to make use of available time in concert with the current special legislative session. The meeting originally was scheduled for July 2, 1984.

Contact: George W. McNeil, P.O. Box 12067, Austin, Texas 78711, (512) 475-4115.

Filed: July 2, 1984, 2:25 p.m.
TRD-847016

Legislative Budget Board

Tuesday, July 3, 1984, 9:30 a.m. The Legislative Budget Board met in a rescheduled emergency session held in the Old Supreme Court Room, State Capitol, Austin. According to the agenda, the board considered the fiscal year 1985 operating budget and any other subjects that came before the board. The emergency status was necessary to provide an opportunity for the board to meet while the members were in Austin for the Second Called Session. The meeting was originally scheduled for July 2, 1984, at 8 a.m.

Contact: Jim Oliver, State Capitol, Room 207-A, Austin, Texas, (512) 475-3426.

Filed: July 2, 1984, 1:48 p.m.
TRD-847015

Texas Legislative Council

Tuesday, July 3, 1984, 9 a.m. The Texas Legislative Council met in a rescheduled emergency session in Room 310, State Capitol, Austin, to consider the proposed council operating budget for fiscal year 1985. The emergency status was necessary due to time constraints imposed on the meeting by the special legislative session. The meeting was originally scheduled for July 2, 1984, at 11:30 a.m.

Contact: Walter C. Fisher, P.O. Box 12128, Austin, Texas 78711, (512) 475-2736.

Filed: July 2, 1984, 12:56 p.m.
TRD-847012

Legislative Reference Library

Tuesday, July 3, 1984, 10:30 a.m. The Legislative Reference Library met in an emergency rescheduled session held in Room 310, State Capitol, Austin. According to the agenda, the board considered the appointment of the director and approval of the 1984-1985 operating budget. The meeting originally was scheduled for July 2, 1984, at 9 a.m. The emergency status was necessary to allow the board to meet while the legislature was in special session.

Contact: James R. Sanders, P.O. Box 12488, Austin, Texas 78711.

Filed: July 2, 1984, 1:34 p.m.
TRD-847014

Pan American University

Tuesday, July 10, 1984. Committees of the Board of Regents and the full board of Pan American University (PAU) will meet in the board room, Administration Building, Pan American University, Edinburg. Times, committees, and agendas follow

3 p.m. The Buildings and Grounds Committee will be presented with informational items.

3:15 p.m. The Finance Committee will consider the approval of the appropriations request for 1984-1986, including PAU-Edinburg, PAU-Brownsville, and PAU-B Bill; budget changes; signature authorizations; and informational items

3:30 p.m. The Development Committee will consider a request to the PAU foundation for funds for 1984-1985, approve the Charles Clark family gift and the Ben Edelstein gift, and consider informational items.

3:45 p.m. The Academic Affairs Committee will consider the approval of the absences for conferences policy and the financial aid satisfactory progress policy and informational items. The committee also will meet in executive session to consider personnel.

4 p.m. The Board of Regents will consider reports from the Buildings and Grounds, Finance, Development, and Academic Affairs Committees and the Committee of the Whole; approve the 1984-1985 PAU holiday schedule; consider informational items; and set the date of the next meeting. The board also will meet in executive session.

Contact: Miguel A. Nevarez, PAU, Edinburg, Texas 78539, (512) 381-2100.

Filed: July 2, 1984, 10:21 a.m.
TRD-846998-847002



Board of Pardons and Paroles

Monday-Thursday, July 9-12, 1984, 1:30 p.m. daily, and Friday, July 13, 1984, 11 a.m. The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, a three-member board panel will receive, review, and consider information and reports concerning prisoners/inmates and administrative releaseses subject to the board's jurisdiction and initiate and carry through with appropriate action.

Contact: Mike Roach, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2713.

Filed: June 29, 1984, 10:46 a.m.
TRD-846938

Tuesday, July 10, 1984, 1:30 p.m. The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board will consider executive clemency recommendations and related actions other than out-of-country conditional pardons, including full pardons/restoration of civil rights of citizenship; emergency medical reprieves; commutations of sentence; and other reprieves, remissions, and executive clemency actions.

Contact: Gladys Sommers, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2704.

Filed: June 29, 1984, 10:46 a.m.
TRD-846937

Polygraph Examiners Board

Wednesday-Friday, July 11-13, 1984, 9 a.m. daily. The Polygraph Examiners Board will meet in Conference Room B, 5805 North Lamar Boulevard, Austin. According to the agenda, the board will conduct administrative hearings for Donnie Ray Patton and Wayne Gordon Parker; sign agreed board orders on various examiners; certify grades from the June examination; approve the April and June 1984, meeting minutes; review internship/Section 12 applications and questions and letters from various examiners; discuss probable penalties for violators of the Act; review changes in rules proposed by the Office of the Attorney General; approve 1985 renewal forms; consider a presentation of investigative reports on consumer complaints and field inspections; and consider and act upon any other polygraph-related business which may come before the board.

Contact: Candy Moore, Box 4087, Austin, Texas 78773, (512) 465-2058.

Filed: June 29, 1984, 2:42 p.m.
TRD-846972

Public Utility Commission of Texas

The Hearings Division of the Public Utility Commission of Texas (PUC) will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. Days, times, and dockets follow.

Monday, July 9, 1984, 10 a.m. A prehearing conference in Docket 5113—petition of the PUC for an inquiry concerning the effects of the modified final judgment and the access charge order upon Southwestern Bell Telephone Company and the independent telephone companies of Texas.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 29, 1984, 3:39 p.m.
TRD-846976

Tuesday, July 10, 1984, 9 a.m. Final orders in Docket 5568—application of Texas-New Mexico Power Company for a rate increase, and Docket 5560—application of Gulf States Utilities Company for authority to change rates. The commission also will meet in executive session to discuss pending litigation.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 29, 1984, 3:39 p.m.
TRD-846977

Friday, July 13, 1984, 1:30 p.m. A prehearing conference in Docket 5676—petition of inquiry concerning the definition of telecommunications markets.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 3, 1984, 9:50 a.m.
TRD-847043

Monday, July 16, 1984, 9 a.m. A prehearing conference in Docket 5783—application of Lake Vista Utility Company for a rate increase in Live Oak County.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 29, 1984, 10:19 a.m.
TRD-846928

Tuesday, July 17, 1984, 9 a.m. A prehearing conference in Docket 2247—appeal of Pedernales Electric Cooperative, Inc., from rates set by the City of Marble Falls.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 29, 1984, 10:18 a.m.
TRD-846929

Friday, July 27, 1984, 10 a.m. A final prehearing conference in Docket 5700—application of El Paso Electric Company for authority to change rates.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100

Filed: June 29, 1984, 10:19 a.m.
TRD-846930

Thursday, August 2, 1984, 10 a.m. A second prehearing conference in Docket 5764—application of West Texas Utilities Company for a rate increase.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 29, 1984, 10:20 a.m.
TRD-846931

Monday, September 17, 1984, 10 a.m. A final prehearing conference in Docket 5764—application of West Texas Utilities Company for a rate increase.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100

Filed: June 29, 1984, 10:20 a.m.
TRD-846932

Monday, September 17, 1984, 1:30 p.m. A hearing on the merits in Docket 5764—application of West Texas Utilities Company for a rate increase

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: June 29, 1984, 10:20 a.m.
TRD-846933

Railroad Commission of Texas

Monday, July 2, 1984, 9 a.m. Divisions of the Railroad Commission of Texas submitted emergency revised agendas for meetings held in Room 309, 1124 IH 35 South, Austin. Divisions and revised agendas follow.

The LP-Gas Division considered Docket 288—request of Southwest Propane Com-

pany, Inc., for exception to the Safety Rules, Section 9.264. The emergency status was necessary because this item was properly noticed for the meeting of June 25, 1984, but was returned to the examiner for further study.

Contact: Thomas D. Petru, P.O. Drawer 12967, Austin, Texas 78711.

Filed: June 29, 1984, 2:28 p.m.
TRD-846941

The Transportation Division considered a final order in Docket 013105A1N (formerly 036644A1N)—application of NECO Trucking, Inc., for contract carrier authority to transport sand, gravel, and loam from facilities operated by Naumann Equipment Company, Inc., or Pioneer Concrete of Texas, Inc., in Travis or Bastrop Counties to points in Travis, Williamson, Burnet, Hays, Blanco, Caldwell, and Bastrop Counties. The emergency status was necessary because there exists a condition in the previously mentioned counties where the homebuilders do not have adequate service to fulfill the urgent need for rapid completion of housing facilities, and denial of the service would constitute an imminent peril to the public welfare.

Addition to the previous agenda:

Docket 009852A8C—Investigation of transportation services being provided by Morgan Drive Away, Inc., 28651 U.S. 20 West, Elkhart, Indiana 46514, the holder of commission specialized motor carrier Number 9852, in the movement of mobile homes in Bexar County.

Contact: Michael A. James, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1330.

Filed: June 29, 1984, 2:28 p.m.
TRD-846942, 846943

Monday, July 9, 1984, 9 a.m. Divisions of the Railroad Commission of Texas will meet in Room 309, 1124 IH 35 South, Austin. Divisions and agendas follow.

The Administrative Services Division will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Roger Dillon, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1211.

Filed: June 29, 1984, 2:29 p.m.
TRD-846944

The Automatic Data Processing Division will consider and act on the division director's report on division administration, budget, procedures, equipment acquisitions, and personnel matters. The division also will consider interagency contracts with

the General Land Office, the Texas State Property Tax Board, and the University Lands Accounting Office of the University of Texas System Administration.

Contact: Bob Kmetz, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1204.

Filed: June 29, 1984, 2:30 p.m.
TRD-846945

The Flight Division will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Ken Fossler, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1103.

Filed: June 29, 1984, 2:33 p.m.
TRD-84946

The Gas Utilities Division will consider various matters falling within the division's regulatory jurisdiction.

Contact: Lucia Sturdevant, P.O. Drawer 12967, Austin, Texas 78711, (512) 475-0461.

Filed: June 29, 1984, 2:28 p.m.
TRD-846947

The Office of Information Services will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schaible, P.O. Drawer 12967, Austin, Texas 78711.

Filed: June 29, 1984, 2:30 p.m.
TRD-846948

The LP-Gas Division will consider the following rules changes: moving 16 TAC §9.121(e) to the basic rules to cover all divisions; repealing 16 TAC §9.270(e)(4) entirely; modifying 16 TAC §9.141; and repealing the 3/16-inch requirements for container walls throughout the rules. The division also will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Thomas D. Petru, P.O. Drawer 12967, Austin, Texas 78711.

Filed: June 29, 1984, 2:27 p.m.
TRD-846949

The Oil and Gas Division will consider various matters falling within the Railroad Commission's oil and gas regulatory jurisdiction.

Contact: Liz Nauert, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1307.

Filed: June 29, 1984, 2:31 p.m.
TRD-846950

Additions to the previous agenda:

Consideration of category determinations under the Natural Gas Policy Act of 1978, §§102(c)(1)(B), 102(c)(1)(C), 103, 107, and 108.

Contact: Madalyn J. Girvin, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1209.

Filed: June 29, 1984, 2:29 p.m.
TRD-846951

Consideration of Oil and Gas Docket 4-83,123—request of Wallace H. Scott, Jr., trustee for the General Land Office, for an indefinite extension of Rule 26(b) commingling exceptions for state-owned leases in Duval County.

Contact: Susan Cory, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1285.

Filed: June 29, 1984, 2:31 p.m.
TRD-846952

The Personnel Division will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Herman L. Wilkins, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1120.

Filed: June 29, 1984, 2:29 p.m.
TRD-846954

The Office of Research and Statistical Analysis will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Gail Gemberling, P.O. Drawer 12967, Austin, Texas 78711.

Filed: June 29, 1984, 2:30 p.m.
TRD-846956

The Office of the Special Counsel will consider and act on the division director's report relating to pending litigation, state and federal legislation, and other budget, administrative, and personnel matters.

Contact: Walter Earl Lillie, 1124 IH 35 South, Austin, Texas 78701, (512) 445-1186.

Filed: June 29, 1984, 2:33 p.m.
TRD-846955

The Surface Mining and Reclamation Division will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: J. Randel (Jerry) Hill, 105 West Riverside Drive, Austin, Texas, (512) 475-8751.

Filed: June 29, 1984, 2:27 p.m.
TRD-846957

The Transportation Division will consider various matters falling within the commis-

sion's transportation regulatory jurisdiction.

Contact: Michael A James, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1330.

Filed: June 29, 1984, 2:32 p.m.
TRD-846958

Additions to the previous agenda:

Docket 009852A8C—Investigation of the transportation services being provided by Morgan Drive Away, Inc., 28651 U.S. 20 West, Elkhart, Indiana, 46514, the holder of commission specialized motor carrier Number 9852, in the movement of mobile homes in Bexar County.

Contact: Michael A James, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1330.

Filed: June 29, 1984, 2:30 p.m.
TRD-846959

Docket 004441A1N—oral argument in the application of United Parcel Service, Inc., for a new common carrier certificate to authorize the transportation of general commodities between all points in Texas along irregular routes and on irregular schedules.

Contact: Michael A James, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1330.

Filed: June 29, 1984, 2:32 p.m.
TRD-846960

Monday, July 9, 1984, 1:30 p.m. The Oil and Gas Division of the Railroad Commission of Texas will meet in Room 309, 1124 IH 35 South, Austin. According to the agenda, the division will consider Oil and Gas Docket 4-83,123—request of Wallace H. Scott, Jr., trustee for the General Land Office, for an indefinite extension of Rule 26(b) commingling exceptions for state-owned leases in Duval County.

Contact: Susan Cory, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1285.

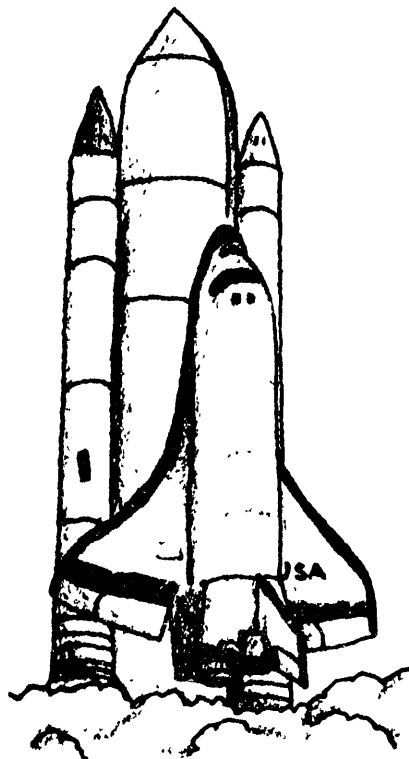
Filed: June 29, 1984, 2:31 p.m.
TRD-846953

Soybean Producers Board

Saturday, July 14, 1984, 11 a.m. The Soybean Producers Board of the Texas Department of Agriculture will meet at 812 West Eighth Street, Plainview. Items on the agenda include minutes of the previous meeting; a financial report; a report by the board's executive secretary and the ASA regional manager; office consolidation; allocation of funds; and appointment of a new board member.

Contact: W. B. Tilson, 812 West Eighth Street, Plainview, Texas 79072, (806) 293-3806.

Filed: June 29, 1984, 10:17 a.m.
TRD-846935



State Purchasing and General Services Commission

Thursday, July 12, 1984, 9:30 a.m. The State Purchasing and General Services Commission will meet in Room 916, LBJ Building, 111 East 17th Street, Austin. According to the agenda, the commission will consider a presentation of the availability of funds to acquire an Amdahl computer and peripherals, a proposal to construct a second parking garage out of the remaining funds in the current appropriation, seeking legislative authority to sell warehouse property located on First and Trinity Streets, granting approval for the construction of a downtown tunnel under and through state buildings and Sixth and Colorado Streets, and adoption of a resolution supporting the use of native plants in the Capitol Complex landscaping; review Operation Audit Committee Recommendation 29, relating to contract services for cleaning filters; and set the time and date of the next meeting.

Contact: Homer A. Foerster, P.O. Box 13047, Austin, Texas, (512) 475-2211 or STS 822-2211.

Filed: July 3, 1984, 9:56 a.m.
TRD-847042

Teachers Professional Practices Commission

Monday, July 24, 1984, 9 a.m. The Teachers Professional Practices Commission will meet in Hearing Room 141, Texas Education Agency North Building, 1200 East Anderson Lane, Austin. According to the agenda, a three-member panel of the commission will meet in executive session to hear a complaint filed by an active certified member of the teaching profession against another active certified member of the teaching profession pursuant to the Texas Education Code, §§13.201-13.218.

Contact: James Salmon, 201 East 11th Street, Austin, Texas 78701, (512) 834-4091.

Filed: July 2, 1984, 3:57 p.m.
TRD-847034

University of Texas at Austin

Friday, July 6, 1984, 9 a.m. The Intercollegiate Athletics Council for Men of the University of Texas at Austin will meet in Room 240, Bellmont Hall, San Jacinto Street between 21st and 23rd Streets, Austin. Items on the agenda summary include approval of the April 20, 1984, minutes; items from the executive session; budgets and budget changes; construction; reports on the status of athletic complex fund raising, concessions, merchandising, and novelties; approval of letter awards; items administratively approved from previous council meetings; and old and new business. The council will also meet in executive session pursuant to Texas Civil Statutes, Article 6252-17, §2(g), to consider personnel matters and potential litigation.

Contact: Haila Kauffinan, P.O. Box 7399, Austin, Texas 78712, (512) 471-1332.

Filed: June 28, 1984, 11:31 a.m.
TRD-846907

State Textbook Committee

Tuesday, July 10, 1984, 4:15 p.m. The State Textbook Committee will meet in the Joe Kelly Butler board room, 1200 East Anderson Lane, Austin. According to the agenda, the committee will consider the organization of the committee concerning the election of officers and information on the textbook adoption process and committee responsibilities.

Contact: J. Henry Perry, Jr., 201 East 11th Street, Austin, Texas 78701, (512) 834-4055.

Filed: July 2, 1984, 3:58 p.m.
TRD-847033

**Board of Vocational Nurse
Examiners**

Monday-Wednesday, July 16-18, 1984, 8 a.m. daily. The Board of Vocational Nurse Examiners will meet at the Sunrise Motor Hotel, 7622 IH 35 North, Austin. According to the agenda summary, the board will approve the minutes and hear reports of the executive director and the director of education concerning program contacts, seminars, rules and regulation changes, and program concerns. The board also will meet in executive session to consider a practical nurse special review draft, unfinished business, and new business concerning NCSBN delegate designations and administrative hearings.

Contact: Joyce A. Hammer, Building C, Suite 285, 1300 East Anderson Lane, Austin, Texas 78752, (512) 835-2071.

Filed: June 29, 1984, 10:19 a.m.
TRD-846934

Texas Water Commission

Tuesday, July 3, 1984, 11 a.m. The Texas Water Commission met in emergency session in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission considered an application of Garrett Ranch, Inc., John Travis Garrett, Jr., and wife, Nancy D. Garrett, for a §11 139 emergency permit, San Jacinto Brazos Coastal Basin, Brazoria County. The emergency status was necessary because it was essential to preserve the rice seed crop known as Lemont which is being grown for the Texas A&M Agricultural Research and Extension Center and the Texas Rice Improvement Association, thus necessitating the emergency use of water.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: July 3, 1984, 8:28 a.m.
TRD-847037

The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Days, times, and agendas follow.

Tuesday, July 10, 1984, 10 a.m. According to the agenda, the commission will consider

water district bond applications, a bond amendment, release from escrow, use of surplus funds, setting a hearing date on district creations, water quality proposed permits, amendments and renewals, revocation of a permit, water use applications, and the filing and setting of hearing dates.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 28, 1984, 3:25 p.m.
TRD-846920

Addition to the previous agenda:

The commission will consider water district matters and the filing and setting of a hearing date.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 29, 1984, 2:25 p.m.
TRD-846961

Tuesday, July 10, 1984, 2 p.m. According to the agenda, the commission will consider the adjudication of claims of water rights in the Upper Angelina River Segment of the Neches River Basin.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 28, 1984, 3:25 p.m.
TRD-846919

Wednesday, August 1, 1984, 10 a.m. According to the agenda, the commission will consider the adjudication of claims in the Clear Fork Segment of the Brazos River and in the Upper Red River Segment of the Red River Basin.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 28, 1984, 3:26 p.m.
TRD-846918

Thursday, August 2, 1984, 10 a.m. According to the agenda, the commission will conduct a hearing on the petition for conversion of the Galveston County Water Control and Improvement District 12.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 28, 1984, 3:28 p.m.
TRD-846915

Addition to the previous agenda:

A hearing for the petition for creation for Fort Bend County Municipal Utility District 53, containing 170.05 acres of land.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 29, 1984, 2:25 p.m.
TRD-846962

Wednesday, August 15, 1984, 9 a.m. The Texas Water Commission will meet in the board room, Harlingen Chamber of Commerce, 311 East Tyler, Harlingen. According to the agenda summary, the commission will consider the following applications to the Texas Department of Water Resources.

Application of Catherine E. Smith, Route 3, Box 176, Harlingen, Texas 78552, for proposed Permit 12905-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 36,000 gallons per day from the proposed Mockingbird Meadows Sewage Treatment Plant, which is to serve a proposed 101-lot residential development.

Application of J. D. Wiant, Route 5, Box 420, Harlingen, Texas 78552, for proposed Permit 12589-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 20,000 gallons per day from the proposed Falcon Crest Wastewater Treatment Plant, which is to serve a proposed small residential subdivision.

Contact: Kevin McCalla, P.O. Box 13087, Austin, Texas 78711, (512) 475-1418.

Filed: June 28, 1984, 2:11 p.m.
TRD-846908, 846909

Thursday, August 16, 1984, 10 a.m. The Texas Water Commission will meet at the Emergency Medical Services Training Building, 7411 Park Place, Houston. According to the agenda summary, the commission will consider the following applications to the Texas Department of Water Resources.

Application of T. J. Thomas, 9813 Deertrail Drive, Houston, Texas 77038, for proposed Permit 12919-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 18,000 gallons per day from a proposed sewage treatment plant which is to serve the needs of a mobile home park currently being served by malfunctioning septic tanks.

Contact: William G. Newchurch, P.O. Box 13087, Austin, Texas 78711, (512) 475-1468.

Filed: June 28, 1984, 2:12 p.m.
TRD-846910

Application of Vincent Consoli, doing business as Kingwood Forest Mobile Home Park, 3202 Russell Palmer Road, Kingwood, Texas 77339, for proposed Permit 12891-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 20,000 gallons per day from a proposed wastewater treatment plant which is serve the needs of

the proposed Kingwood Forest Mobile Home Park.

Contact: William G. Newchurch, P.O. Box 13087, Austin, Texas 78711, (512) 475-1468.

Filed: June 28, 1984, 3:27 p.m.
TRD-846916

Tuesday, August 21, 1984, 9 a.m. The Texas Water Commission will meet in the central jury room, Smith County Courthouse, 100 North Broadway, Tyler. According to the agenda summary, the commission will consider an application of F & S Hamilton Builders, Inc., doing business as Hunter Hill Water Supply Company, P.O. Box 2847, Longview, Texas 75606, to the Texas Department of Water Resources for proposed Permit 12894-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 82,000 gallons per day from the proposed Hunter Hill Sewage Treatment Plant. The applicant proposes to construct a new sewage treatment plant in three phases to serve the needs of a proposed residential subdivision.

Additions to the previous agenda:

The commission will consider an application of Triad Properties, Inc., 611 Chase Drive, Tyler, Texas 75701, to the Texas Department of Water Resources for proposed Permit 12910-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day from the proposed Quail Run Wastewater Treatment Plant, which is to serve Quail Run Subdivision.

The commission will consider an application of Bob Wright, doing business as La Casa Mobile Home Park, 4541 Campus Drive, Irvine, California 92664, to the Texas Department of Water Resources for proposed Permit 12813-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 22,000 gallons per day from the proposed La Casa Sewage Treatment Plant, which is to serve an existing mobile home park currently served by malfunctioning septic tanks.

Contact: Joseph W. O'Neal, P.O. Box 13087, Austin, Texas 78711, (512) 475-2711.

Filed: June 29, 1984, 2:25 p.m.
TRD-846963-846965

Tuesday, August 21, 1984, 10 a.m. The Texas Water Commission will meet in Room 215, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will consider an amended applica-

tion of River Valley Travel, Inc., James Fred Porter, P.O. Box 291, Junction, Texas 76849, to the Texas Department of Water Resources for proposed Permit 02689 to authorize disposal by irrigation and evaporation of treated wastewater at a volume not to exceed an average of 13,000 gallons per day from a development that includes a motel, restaurant, convenience store, washateria, and recreational vehicle park. The applicant proposes to treat wastewater from these facilities in an extended aeration, activated sludge process and irrigate a minimum of 6.5 acres of Coastal Bermuda or similar crops. During times of excess rainfall or while hay is being harvested, the effluent will be stored in a 273,000-gallon capacity holding pond until irrigation can be resumed. The wastewater shall be applied evenly so that no more than 3,300 gallons is applied per acre of irrigated area per day. No discharge of pollutants to the waters of the state is authorized.

Contact: Teresa B. Salamone, P.O. Box 13087, Austin, Texas 78711, (512) 475-1418.

Filed: June 29, 1984, 2:26 p.m.
TRD-846966

Tuesday, September 4, 1984, 2 p.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider applications by the Trinity River Authority for amendments to Permits 1970, as amended, 173, 992, and 1132; Trinity River Basin; in Liberty, Jefferson, and Chambers Counties.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: June 28, 1984, 3:26 p.m.
TRD-846917

Texas Water Development Board

Thursday, August 16, 1984, 9:30 a.m. The Texas Water Development Board will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the board will conduct a public hearing to determine whether or not the state water plan gives adequate consideration to the protection of existing water rights in the state and whether or not it takes into account modes and procedures for the equitable adjustment of water rights affected by the plan.

Contact: Allen White, P.O. Box 13087, Austin, Texas 78711, (512) 475-3187.

Filed: July 3, 1984, 9:52 a.m.
TRD-847044

Texas Youth Commission

Thursday, July 12, 1984, 9 a.m. The Board of the Texas Youth Commission will meet in Suite 322, 8900 Shoal Creek Boulevard, Austin. Items on the agenda summary include medical contracts, the Governor's Nutritional Study Committee report, audit reports, a request for the Parrie Haynes Ranch easement, construction contracts, taxable state property, a south Texas facility deed discrepancy, and a Morales Consultant Committee orientation report.

Contact: Ron Jackson, P.O. Box 9999, Austin, Texas 78766.

Filed: July 2, 1984, 2:03 p.m.
TRD-847039

Regional Agencies

Meetings Filed June 28

The Brazos River Authority, Water Utilization Committee, met at 4400 Cobbs Drive, Waco, on July 2, 1984, at 10:30 a.m. Information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas, (817) 776-1441.

The Dallas Area Rapid Transit Authority, Service Plan/Work Program Committee, met at 601 Pacific Avenue, Dallas, on June 29, 1984, at 2 p.m. The board met at the same location on July 2, 1984, at 6:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 748-3278.

TRD-846905

Meetings Filed June 29

The Archer County Appraisal District, Board of Directors, will meet at 106 West Main Street, Archer City, on July 11, 1984, at 5 p.m. Information may be obtained from A. G. Reis, P.O. Box 1141, Archer City, Texas 76351, (817) 574-2172.

The Comal County Appraisal District, Board of Review, met at 644 North Loop 337, New Braunfels, on July 5, 6, 9-13, 16, and 17, 1984, at 9 a.m. daily. Information may be obtained from Glenn L. Brucks, P.O. Box 1222, New Braunfels, Texas 78130.

The Dallas Area Rapid Transit Authority, Budget and Finance Committee, met in emergency session at 601 Pacific Avenue,

Dallas, on July 2, 1984, at noon. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 748-3278.

The South Texas Private Industry Council met at the Zapata Community Center, U.S. Highway 83, Zapata, on July 2, 1984, at 5 p.m. Information may be obtained from Ruben M. Garcia, P.O. Box 1969, Laredo, Texas 78041, (512) 722-4656.
TRD-846936

Meetings Filed July 2

The Bell County Appraisal District, Appraisal Review Board, will meet in the commissioners courtroom, second floor, county courthouse, Belton, on July 19, 1984, at 9:30 a.m. The board also will meet at the same location on July 20, 1984, at the same time. Information may be obtained from Tolly Moore, P.O. Box 390, Belton, Texas 76513-0390, (817) 939-3521, ext. 410.

The Brown County Appraisal District, Appraisal Review Board, will meet at 403 Fisk Avenue, Brownwood, on July 9, 1984, at 1 p.m. Information may be obtained from Alvis Sewalt, Chief Appraiser, 403 Fisk, Brownwood, Texas 76801, (915) 643-5676.

The Burnet County Appraisal District, Board of Directors, will meet at 215 South Pierce Street, Burnet, on July 12, 1984, at 6:30 p.m. Information may be obtained from Alvin C. Williams, Drawer E, Burnet, Texas 78611, (512) 756-8291.

The Canadian River Municipal Water Authority, Board of Directors, will meet at authority headquarters, Sanford Dam, one mile west of Sanford, on July 11, 1984, at 11 a.m. Information may be obtained from John C. Williams, P.O. Box 99, Sanford, Texas 79078, (806) 865-3325.

The Copano Bay Soil and Water Conservation, District #329, will meet at Shay Plaza, 106 South Alamo, Refugio, on July 11, 1984, at 8:30 a.m. Information may be obtained from Jim Wales, Drawer 340, Refugio, Texas 78377, (512) 526-2334.

The Deep East Texas Private Industry Council will meet in the Harvest Room, Lufkin Federal Savings and Loan, 211 Shepherd, Lufkin, on July 11, 1984, at 3:30 p.m. Information may be obtained from Charlene Meadows, Box 1463, Lufkin, Texas 75901, (409) 634-4432.

The East Texas Council of Governments, Executive Committee, met in emergency

session at the Stoneridge Plaza Office Building, 3800 Stone Road, Kilgore, on July 5, 1984, at 2 p.m. Information may be obtained from Glynn J. Knight, 3800 Stone Road, Kilgore, Texas 75662, (214) 984-8641.

The Ellis County Tax Appraisal District will meet at 406 Sycamore Street, Waxahachie, on July 12, 1984, at 7 p.m. Information may be obtained from Gray Chamberlain, P.O. Box 878, Waxahachie, Texas 75165, (214) 937-3552.

The Central Appraisal District of Erath County, Board of Directors, will meet at 1191 South Loop, Stephenville, on July 11, 1984, at 10 a.m. Information may be obtained from James Bachus, 1191 South Loop, Stephenville, Texas 76401, (817) 965-5434.

The Fannin County Appraisal District, Board of Directors, will meet in the Peeler Building, 401 North Main, Bonham, on July 10, 1984, at 7 p.m. Information may be obtained from Joe Hart, 401 North Main, Bonham, Texas 75418, (214) 583-9546 or 583-9547.

The Fisher County Appraisal District, Board of Directors, will meet in the commissioners courtroom, Fisher County Courthouse, Roby, on July 10, 1984, at 7:30 p.m. Information may be obtained from Clay Fowler, Drawer J, Rotan, Texas 79546, (915) 735-2578.

The Garza County Appraisal District, met in emergency session in the courthouse, Post, on July 5, 1984, at 9 a.m. Information may be obtained from Jean M. Westfall, P.O. Drawer F, Post, Texas 79356, (806) 495-3518.

The Grayson Appraisal District, Board of Directors, met in a rescheduled emergency session in the commissioners courtroom, county courthouse, Sherman, on July 3, 1984, at noon. The meeting was originally scheduled for June 20, 1984. Information may be obtained from Sandra Bollier, 124 South Crockett, Sherman, Texas 75090, (214) 893-9673.

The Hamilton County Appraisal District met in the Hamilton County Courthouse, Hamilton, on July 5, 1984, at 7 p.m. Information may be obtained from Doyle Roberts, P.O. Box 446, Hamilton, Texas 76531, (817) 386-8418

The High Plains Underground Water Conservation District 1, Board of Directors, will meet in the conference room, 2930 Avenue

Q, Lubbock, on July 10, 1984, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181.

The Hood County Appraisal District, Board of Directors, will meet in the district office, 1902 West Pearl, Granbury, on July 10, 1984, at 7:30 p.m. Information may be obtained from Ben H. Griffin, P.O. Box 819, Granbury, Texas 76048, (817) 573-2471.

The Jasper County Appraisal District, Board of Directors, changed the location of a meeting held at the Kirbyville CISD, 1110 South Margaret, Kirbyville, on July 5, 1984 at 7 p.m. Information may be obtained from David W. Luther, County Courthouse Annex, Jasper, Texas 75951, (409) 384-2544

The Lamar County Appraisal District, Board of Directors, will meet at 1523 Lamar Avenue, Paris, on July 9, 1984, at 4 p.m. Information may be obtained from L. F. Ricketson, 1523 Lamar Avenue, Paris, Texas 75460, (214) 784-7822

The Middle Rio Grande Development Council, Regional Review Committee, will meet at the Civic Center, Carrizo Springs, on July 10, 1984, at 1 p.m. The board will meet in the district courtroom, Ann Street, Brackettville, on July 11, 1984, at 1:30 p.m. Information may be obtained from Michael M. Patterson, P.O. Box 702, Carrizo Springs, Texas 78834, (512) 876 3533.

The North Plains Water District, Board of Directors, will meet at 702 East First Street, Dumas, on July 9, 1984, at 10 a.m. Information may be obtained from Orval E. Allen, Box 795, Dumas, Texas 79029, (806) 935-6401.

The Palo Pinto Appraisal District, Board of Review, will meet at the courthouse. Palo Pinto, on July 10-13, and 17-20, 1984, at 1:30 p.m. Information may be obtained from Carol Holmes, Palo Pinto Courthouse, Palo Pinto, Texas 76072, (817) 659-3651, ext. 230.

The San Patricio County Appraisal District, Appraisal Review Board, will meet in Room 226, courthouse annex, Sinton, on July 11, 1984, at 10 a.m. The Board of Directors will meet at the same location on July 12, 1984, at 9:30 a.m. Information may be obtained from Bennie L. Stewart, P.O. Box 938, Sinton, Texas 78387. (512) 364-5402.

The South Texas Development Council, Regional Review Advisory Committee, will meet at the library, Zapata, on July 12, 1984, at 3 p.m. Information may be obtained from Juan Vargas, P.O. Box 2187, Laredo, Texas 78044-2187, (512) 722-3995.

The Swisher County Appraisal District, Appraisal Review Board, will meet at 130 North Armstrong, Tulia, on July 10 and 11, 1984, at 9:30 a.m. daily. Information may be obtained from Rose Lee Powell, P.O. Box 8, Tulia, Texas 79088, (806) 995-4118.

The Texas Association of Regional Councils, Board of Directors, will meet in the Texas I Room, Hyatt Regency Hotel, 208 Barton Springs Road, Austin, on July 13, 1984, at 9:30 a.m. Information may be obtained from Jim Ray, 508 West 12th Street, Austin, Texas 78701, (512) 478-4715.

The Tyler County Tax Appraisal District, Board of Review, will meet at 1004 West Bluff, Woodville, on July 9, 1984, at 9 a.m. Information may be obtained from Mary F. Mann, 1004 West Bluff, Woodville, Texas 75979, (409) 283-3736.

TRD-847003

Meetings Filed July 3

The Bastrop County Appraisal District, Board of Directors, will meet in the appraisal district office, 1200 Cedar Street, Bastrop, on July 12, 1984, at 7:30 p.m. Information may be obtained from Clifton Kessler, 1200 Cedar Street, Bastrop, Texas 78602, (512) 321-3925.

The Blanco County Central Appraisal District, Board of Directors, will meet in the courthouse annex, Johnson City, on July 9, 1984, at 6 p.m. The Appraisal Review Board will meet at the same location on July 10 and 11, 1984, at 10 a.m. and 2 p.m. respectively. The board will also meet in the cafeteria, Blanco Independent School District, Blanco, on July 12, 1984, at 2 p.m. Information may be obtained from Hollis Petri, P.O. Box 338, Johnson City, Texas 78636, (512) 868-4624.

The Carson County Appraisal District, Board of Directors, will meet at 220 Main Street, Panhandle, on July 11, 1984, at 8 a.m. Information may be obtained from Dianne Lavake, Box 970, Panhandle, Texas 79068, (806) 537-3569.

The Concho Valley Council of Governments, Executive Committee, will meet at 5002 Knickerbocker Road, San Angelo, on July 11, 1984, at 7 p.m. Information may be obtained from Robert R. Weaver, P.O. Box 60050, San Angelo, Texas 76906, (915) 944-9666.

The Gregg County Appraisal District, Board of Directors, will meet at 2010 Gilmer Road, Longview, on July 10, 1984, at noon. Information may be obtained from William T. Carroll, P.O. Box 6700, Longview, Texas 75608, (214) 759-0015.

The Palo Pinto Appraisal District, Board of Directors, will meet at the Palo Pinto County Courthouse, Palo Pinto, on July 11, 1984, at 3 p.m. Information may be obtained from Edna Beaty, 100 South East Fifth Street, Mineral Wells, Texas 76067, (817) 659-3651, ext. 234.

TRD-847045



For the purpose of public information, the *Register* publishes a listing of the bills that have been submitted to the governor and the status of these bills.

A bill will be listed after the bill has passed both the House and the Senate and again when the Governor acts upon the bill.

The Legislature

Bills Submitted to the Governor

July 2

SB 3 Relating to child passenger safety seat systems.

Sponsors: Parker and Gandy.

SB 5 Relating to an increase in the benefits to certain annuities of the Employees Retirement System of Texas.

Sponsors: Traeger and T. Smith

SB 25 Relating to the application of the workers' compensation law to certain farm and ranch laborers and to subscribers to a workers' compensation insurance policy and the coverage of the policy.

Sponsors: Uribe, *et al*, and Hinojosa



In Addition

The *Register* is required by statute to publish applications to purchase control of state banks (filed by the banking commissioner), notices of rate ceilings (filed by the consumer credit commissioner), changes in interest rate and applications to install remote service units (filed by Texas Savings and Loan commissioner); and consultant proposal requests and awards (filed by state agencies, regional councils of government, and the Texas State Library and Archives Commission).

In order to aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows. This often includes applications for construction permits (filed by the Texas Air Control Board); applications for amendment, declaratory ruling, and notices of intent (filed by the Texas Health Facilities Commission); applications for waste disposal permits (filed by the Texas Water Commission); and notices of public hearing.

Banking Department of Texas Application to Acquire Control of a State Bank

Texas Civil Statutes, Article 342-401a, require any person who intends to buy control of a state bank to file an application with the banking commissioner for the commissioner's approval to purchase control of a particular bank. A hearing may be held if the application is denied by the commissioner.

On June 27, 1984, the banking commissioner received an application to acquire control of The Early Bank, Early, by G. A. Day, Brownwood.

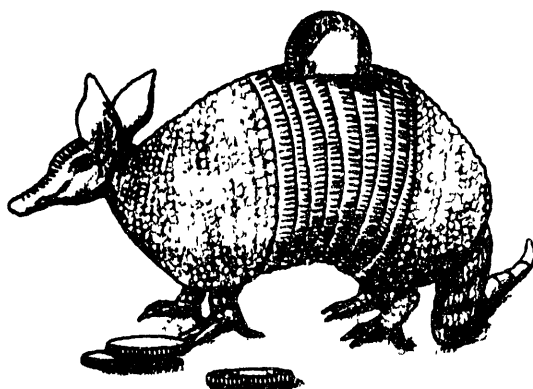
Additional information may be obtained from William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on June 27, 1984

TRD-846991 William F. Aldridge
Director of Corporate Activities
Banking Department of Texas

Filed: June 29, 1984

For further information, please call (512) 475-4451.



Office of Consumer Credit Commissioner Rate Ceilings

The consumer credit commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricul- tural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Indicated (Weekly) Rate—Article 1.04(a)(1) 07/09/84-07/15/84	21.00%	21.00%
Monthly Rate— Article 1.04(c) ⁽¹⁾ 07/01/84-07/31/84	21.13%	21.13%
Standard Quarterly Rate—Article 1.04(a)(2) 07/01/84-09/30/84	19.90%	19.90%
Retail Credit Card Quarterly Rate— Article 1.11 ⁽³⁾ 07/01/84-09/30/84	19.90%	N/A
Lender Credit Card Quarterly Rate— Article 15.02(d) ⁽³⁾ 07/01/84-09/30/84	19.90%	N/A
Standard Annual Rate— Article 1.04(a)(2) ⁽²⁾ 07/01/84-09/30/84	19.90%	19.90%
Retail Credit Card Annual Rate— Article 1.11 ⁽³⁾ 07/01/84-09/30/84	19.90%	N/A

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Annual Rate Applicable to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card Balances with Annual Implementation Dates from 07/01/84-09/30/84	18.65%	N/A
Judgment Rate— Article 1.05, §2 07/01/84-07/31/84	10.92%	10.92%

- (1) For variable rate commercial transactions only
- (2) Only for open-end credit as defined in Texas Civil Statutes, Article 5069-1 01(4)
- (3) Credit for personal, family, or household use
- (4) Credit for business, commercial, investment, or other similar purpose

Issued in Austin, Texas, on July 2, 1984

TRD-846989 Sam Kelley
Consumer Credit Commissioner

Filed: July 2, 1984
For further information, please call (512) 475-2111.

Texas Economic Development Commission Requests for Proposals

This request for proposals is filed pursuant to Texas Civil Statutes, Article 6252-11.

The Texas Economic Development Commission (TEDC) requests offers from qualified individuals to serve under contract as the administrative manager, State of Texas Office, Mexico City, D. F. The services requested are a continuation of services being performed by Graciela Letayf under a contract expiring August 31, 1984. The TEDC is satisfied with the services of Ms. Letayf and intends to award the contract to her unless a better offer is received.

The individual selected for the position of administrative manager must possess the minimum qualifications listed in the qualifications section and will be required to perform the various services listed in the scope of services section.

Qualifications. Each individual submitting an offer must present evidence or otherwise demonstrate to the satisfaction of the TEDC that such individual:

- (a) is a Mexican citizen and a resident of Mexico;
- (b) is bilingual in the English and Spanish languages;
- (c) has a minimum of five years' experience in administration as an executive secretary with management experience, accounting, and international trade background;
- (d) has an in-depth knowledge of the organization and function of:
 - (1) the government of Mexico and its agencies, and
 - (2) the U.S. Embassy and its sections; and

(e) has a working knowledge of international finance, reverse investment, joint venture, acquisition, trade missions, trade fair activities, industrial development activities, and the general conduct of business in Mexico and Latin America.

Scope of Services. The individual serving as administrative manager will be required to render the following services as the same may from time to time be required:

(a) advise and assist Texas manufacturers and businessmen in making contacts and appointments with Mexican government officials, U. S. Embassy officials, and Mexican and Central and South American industry importers who may be interested in products, services, and/or materials offered by Texas businesses;

(b) conduct or assist in conducting an on-going public relations program within Mexico and Central and South America and promote the sale, lease, or rental of products, services, and/or materials offered by Texas businesses;

(c) advise and assist, or participate in the advising and assistance of, Texas businessmen in displaying their products, services, and/or materials at trade fairs, trade shows, or otherwise to enhance and encourage the rental, lease, or sale thereof to users in Mexico and Central and South America;

(d) research and locate, or assist in the research and location of, Mexican and Central and South American suppliers of products, services, and/or materials, on request, for Texas businessmen;

(e) assist Mexican and Central and South American exporters, manufacturers, and suppliers in making contact with Texas businessmen who inquire about the importation of manufactured products, raw materials, or services;

(f) when requested, advise and assist State of Texas officials in the conduct of their duties in Mexico and Central and South America, including the making and monitoring of appointments; and

(g) supervise and provide all necessary support for Texas state agencies as may be required under existing or future interagency agreements between the TEDC and other state agencies.

The TEDC reserves the right to accept or reject any or all offers submitted in response to this request and to negotiate modifications necessary to improve the quality or cost effectiveness of any offer received. The TEDC is under no legal obligation to enter into a contract with any offeror on the basis of this request and intends any material provided herein only as a means of identifying the scope of services requested. Further, the TEDC will not reimburse any offeror for expenses incurred by such offeror in the presentation and/or submission of an offer. Any contract entered into by the TEDC pursuant to this request will be subject to the availability of appropriated funds, will contain a cancellation clause giving either party to such contract the right to terminate all obligations thereunder upon 30 days' written notice to the other party, and will be for a period of one year beginning September 1, 1984, and ending August 31, 1985.

Offer Submission. Offers must be submitted to the Texas Economic Development Commission, P.O. Box

12728, Austin, Texas 78711, Attention: International Development Division, by 5 p.m. on August 20, 1984.

Contact. Further information may be obtained by contacting the TEDC, International Development Division, P.O. Box 12728, Austin, Texas 78711, (512) 472-5059.

Issued in Austin, Texas, on June 29, 1984.

TRD-846979 Kent Yeates
 General Counsel
 Texas Economic Development
 Commission

Filed: June 29, 1984
For further information, please call (512) 472-5059.

This request for proposals is filed pursuant to Texas Civil Statutes, Article 6252-11c.

The Texas Economic Development Commission (TEDC) requests offers from qualified individuals to serve under contract as the Director, State of Texas Office, Mexico City, D.F. The services requested are a continuation of services being performed by Luis A. Morales under a contract expiring August 31, 1984. The TEDC is satisfied with the services of Mr. Morales and intends to award the contract to him unless a better offer is received.

The individual selected for the position of director must possess the minimum qualifications listed in the qualifications section and will be required to perform the various services listed in the scope of services section.

Qualifications. Each individual submitting an offer must present evidence or otherwise demonstrate to the satisfaction of the TEDC that such individual:

- (a) is a U.S. citizen and preferably a resident of Texas;
- (b) is bilingual in the English and Spanish languages;
- (c) has a minimum of two years business experience in management, accounting, and international trade;
- (d) possesses Mexican working papers with FM-2 visa status for self, personal property, and automobile;
- (e) has an in-depth knowledge of the organization and function of:
 - (1) the government of Mexico and its agencies, and
 - (2) the U.S. Embassy and its sections; and
- (f) has a working knowledge of international finance, reverse investment, joint venture, acquisition, trade missions, trade fair activities, industrial development activities, and the general conduct of business in Mexico and Latin America.

Scope of Services. The individual serving as director will be required to render the following services as the same may from time to time be required:

- (a) manage the day-to-day operations of the State of Texas office, including the supervision of other contract personnel and employees of such office and the translation and composition of correspondence concerning trade and foreign investment in Mexico and Central and South America;
- (b) advise and assist Texas manufacturers and businessmen in making contacts and appointments with Mexican government officials, U.S. Embassy officials, and Mexican and Central and South American industry im-

porters who may be interested in products, services, and/or materials offered by Texas businesses;

(c) conduct or assist in conducting an ongoing public relations program within Mexico and Central and South America to promote the sale, lease, or rental of products, services, and/or materials offered by Texas businesses;

(d) advise or assist or participate in the advising and assistance of, Texas businessmen in displaying their products, services, and/or materials at trade fairs, trade shows, or otherwise, to enhance and encourage the rental, lease, or sale thereof to users in Mexico and Central and South America;

(e) research and locate, or assist in the research and location of, Mexican and Central and South American suppliers of products, services, and/or materials, on request, for Texas businessmen;

(f) assist Mexican and Central and South American exporters, manufacturers, and suppliers in making contact with Texas businessmen who inquire about the importation of manufactured products, raw materials or services;

(g) when requested, advise and assist State of Texas officials in the conduct of their duties in Mexico and Central and South America, including the making and monitoring of appointments; and

(h) supervise and provide all necessary support for Texas state agencies as may be required under existing or future interagency agreements between the TEDC and other state agencies.

The TEDC reserves the right to accept or reject any or all offers submitted in response to this request and to negotiate modifications necessary to improve the quality or cost effectiveness of any offer received. The TEDC is under no legal obligation to enter into a contract with any offeror on the basis of this request and intends any material provided herein only as a means of identifying the scope of services requested. Further, the TEDC will not reimburse any offeror for expenses incurred by such offeror in the preparation and/or submission of an offer. Any contract entered into by the TEDC pursuant to this request will be subject to the availability of appropriated funds, will contain a cancellation clause giving either party to such contract the right to terminate all obligations thereunder upon 30 days' written notice to the other party, and will be for a period of one year beginning September 1, 1984, and ending August 31, 1985.

Offer Submission. Offers must be submitted to the Texas Economic Development Commission, P.O. Box 12728, Austin, Texas 78711, Attention: International Development Division, by 5 p.m. on August 20, 1984.

Contact. Further information may be obtained by contacting the TEDC, International Development Division, P.O. Box 12728, Austin, Texas 78711, (512) 472-5059.

Issued in Austin, Texas, on June 29, 1984

TRD-846980 Kent Yeates
 General Counsel
 Texas Economic Development
 Commission

Filed: June 29, 1984
For further information, please call (512) 472-5059

Texas Education Agency Consultant Contract Award

Description. This notice is filed pursuant to Texas Civil Statutes, Article 6252-11c. After publication of a consultant proposal request in the May 18, 1984, issue of the *Texas Register* (9 TexReg 2795), the Texas Education Agency executed a contract with Lynn Moak of Moak Consulting Services, 1108 Lavaca Street, Austin, to assist in the continuing development of public school finance and analysis systems.

Cost and Dates. The total amount of the contract is not to exceed \$45,000. The beginning date of the contract was June 22, 1984, and the ending date is August 31, 1985.

Due Dates of Documents. The consultant will provide leadership to the staff of the Texas Education Agency, Division of Information Analysis, in the continuing development of computerized public school finance information and analysis systems and models. The consultant will prepare analyses of specific public school finance issues. This will be an on-going leadership, training, and support activity performed by the consultant for the duration of the contract period. No final written product will be produced.

Issued in Austin, Texas, on June 27, 1984

TRD-846906 Raymon L. Bynum
 Commissioner of Education

Filed: June 28, 1984

For further information, please call (512) 475-7077.



Texas Department of Health Correction of Error

In the preamble to proposed rules concerning home health care agencies submitted by the Texas Department of Health, and published in the June 26, 1984, issue of the *Texas Register* (9 TexReg 3572), an incorrect time for a public hearing concerning the rules was listed. The correct time for the Thursday, July 19, 1984, public hearing in the Texas Department of Health auditorium, 1100 West 49th Street, Austin, is 10 a.m.

Public Hearings

The Texas Department of Health will conduct public hearings on the following proposed rules.

(1) Amendments to 25 TAC §§61.1-61.4, 61.6, 61.8, and 61.9, concerning Kidney Health Care Program benefits, as published in the June 26, 1984, issue of the *Texas Register* (9 TexReg 3568). The amendments facilitate the provision of financial assistance to Texas residents with end-stage renal disease.

The public hearing will be held at 1:30 p.m. on Tuesday, July 10, 1984, in Room T-407, Texas Department of Health, 1100 West 49th Street, Austin.

For further information, contact Manuel Zapata, Director, Kidney Health Care Program, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 465-2654.

(2) The repeal of 25 TAC §§115.1-115.10 and new §§115.1-115.13, concerning the regulation of home health service agencies in the State of Texas, as published in the June 26, 1984, issue of the *Texas Register* (9 TexReg 3571). The new sections establish the requirements for obtaining a license to operate a home health agency; provide for a hospice service designation; provide conditions for a license; provide procedures and criteria for denial, suspension, and revocation of a license; and provide requirements for home health aide training courses.

The public hearing will be held at 10 a.m. on Thursday, July 19, 1984, in the auditorium, Texas Department of Health, 1100 West 49th Street, Austin.

For further information, contact Juanita Carrell, Ed.D., Director, Medicare Certification Division, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7245.

(3) Amendments to 25 TAC §§325.5, 325.271-325.276, 325.292, 325.295, 325.296, 325.299, 325.311, 325.312, 325.332, 325.333, and 325.350; the repeal of §§325.298; and new §§325.298, 325.321-325.324, 325.371, and 325.910, concerning solid waste management, as published in the June 26, 1984, issue of the *Texas Register* (9 TexReg 3584). The proposed amendments and new sections establish additional requirements for small quantity generators, recyclers, and receivers of small quantity hazardous waste. In addition, notification and record-keeping requirements are established for generators discharging to sewers and special rules are added to regulate facilities storing waste which are not subject to full regulation by the U.S. Environmental Protection Agency or the department. The department is also proposing that generators be given the option of disposing of certain types of hazardous waste in permitted Type I land disposal facilities without waste-specific, site-specific approval, provided that local facility rules are followed. New hazardous waste facility siting criteria and additional manifesting and record-keeping requirements are also included.

Three public hearings will be held concerning these changes, as follows:

10 a.m., Tuesday, July 17, 1984, City Council Chambers, City Hall, 317 West College, Grand Prairie

10 a.m., Thursday, July 19, 1984, Cancer-Leo Room 210, University of Houston Hilton, 4800 Calhoun, Houston

1:30 p.m., Monday, July 23, 1984, Texas Department of Health Auditorium, 1100 West 49th Street, Austin

For further information, contact Jack C. Carmichael, P.E., Chief, Bureau of Solid Waste Management, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756-3199, (512) 458-7271

Issued in Austin, Texas, on June 29, 1984

TRD-846982 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: July 2, 1984

For further information, please call (512) 458-7236.

Rescission of Order

Notice is given that a cease and desist and emergency impoundment order dated May 24, 1984, issued to Oilfield Equipment Marketing, Inc., San Antonio, Texas 79330, by the Bureau of Radiation Control and published in the June 29, 1984, issue of the *Texas Register*, has been rescinded by an order dated June 15, 1984.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, 1212 East Anderson Lane, Austin, from 8 a.m. to 5 p.m., Monday-Friday, except holidays.

Issued in Austin, Texas, on June 29, 1984

TRD-846983 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: July 2, 1984

For further information, please call (512) 835-7000.

Texas Health Facilities Commission Applications Accepted for Amendment, Declaratory Ruling, and Notices of Intent

Notice is hereby given by the Texas Health Facilities Commission of applications accepted as of the date of this publication. In the following list, the applicant is listed first, file number second, the relief sought third, and a description of the project fourth. DR indicates declaratory ruling; AMD indicates amendment of previously issued commission order; CN indicates certificate of need; PFR indicates petition for reissuance; NIE indicates notice of intent to acquire major medical equipment; NIEH indicates notice of intent to acquire existing health care fa-

cilities; NIR indicates notice of intent regarding a research project; NIE/HMO indicates notice of intent for exemption of HMO-related project; and EC indicates exemption certificate.

Should any person wish to become a party to any of the previously stated applications, that person must file a proper request to become a party to the application within 15 days after the date of this publication of notice. If the 15th day is a Saturday, Sunday, state or federal holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, state or federal holiday. A request to become a party should be mailed to the chair of the commission at P.O. Box 50049, Austin, Texas 78763, and must be received at the commission no later than 5 p.m. on the last day allowed for filing of a request to become a party.

The contents and form of a request to become a party to any of these applications must meet the criteria set out in 25 TAC §515.9. Failure of a party to supply the necessary information in the correct form may result in a defective request to become a party.

Woods Clinical Management, Inc., doing business as Woods Psychiatric Institute, Abilene
AH82-0105-012A(061884)

CN/AMD—Request for an extension of the completion deadline from July 31, 1984, to October 1, 1984, in Certificate of Need AH82-0105-012, which authorized the certificate holder to convert an existing 58-bed residential treatment center (housed on four campuses) to a 56-bed psychiatric hospital on one campus through the construction of an 18,839-square-foot replacement building.

Humana of Texas, Inc., doing business as Medical City Dallas Hospital and Medical City Dallas, Ltd., Dallas
AH80-0905-029A(061584)

CN/AMD—Request for an extension of the completion deadline from July 31, 1984, to February 28, 1985, in Certificate of Need AH80-0905-029, which authorized the certificate holder to conduct a construction and renovation project involving the construction of a new seven-floor building addition containing 173,405 square feet and the renovation of 45,330 square feet in the existing facility.

Metro National Corporation and Memorial City General Hospital Corporation, Houston
AH81-0217-017A(062084)

CN/AMD—Request for an extension of the completion deadline from October 1, 1984, to July 31, 1985, in Certificate of Need AH81-0217-017, which authorized the certificate holder to construct a three-story, 76,878-square-foot addition to the existing facility and to renovate 31,000 square feet in the existing facility.

Mike Jordan and Jack Gillis, doing business as The Heritage Nursing Home, Mount Vernon
AN84-0622-400

NIEH—Request for a declaratory ruling that a certificate of need is not required for Mike Jordan and Jack Gillis, doing business as The Heritage Nursing Home, to acquire by purchase Heritage Nurs-

ing Home, an existing 120-bed ICF nursing facility located in Quitman, from Ben F. Merritt Nursing Home, Inc.

Issued in Austin, Texas, on July 2, 1984.

TRD-846988 John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed July 2, 1984
For further information, please call (512) 475-6940.

Lamar University Consultant Proposal Request

This notice of a consultant proposal request for an executive search is filed under the provisions of Texas Civil Statutes, Article 6252-11c. The Board of Regents of Lamar University is presently preparing a consultant proposal request (CPR) for consultant services in the identification of and/or recommendation for president for the Lamar University campus in Beaumont.

Vendors who are interested in providing consultant services should submit a written request to C. Robert Kemble, Chancellor, Box 11900, Lamar University Station, Beaumont, Texas 77710.

The closing date for receipt of proposals to provide the executive search service will be 5 p.m. on August 7, 1984.

The contract to the selected consultant will be awarded via the following procedures: screening of proposals by staff for compliance with the CPR; recommendation of the two best proposals to the executive committee of the board of regents; selection of a vendor by the executive committee of the Board of Regents of Lamar University; and approval of the selection by the Board of Regents of Lamar University in its regular meeting on August 9, 1984.

Issued in Beaumont, Texas, on June 26, 1984

TRD-846904 C. Robert Kemble
Chancellor
Lamar University

Filed: June 28, 1984
For further information, please call (409) 838-8403.

Public Utility Commission of Texas Consultant Contract Awards

This consultant contract award is filed under the provisions of Texas Civil Statutes, Article 6252-11c. The consultant proposal request was published in the April 20, 1984, issue of the *Texas Register* (9 TexReg 2281).

Description of Project. The project is designed to offer technical assistance to state agencies and institutions seeking to control their energy costs.

Name and Address of Consultant. The consultant is Energy Engineering Associates, Inc., 4202 Spicewood Springs Road, Suite 214, Austin, Texas 78759.

Total Value and Dates of Contract. The term of this contract began June 25, 1984, shall terminate by November 30, 1984, and will not exceed \$250,000.

Due Dates of Documents. All drafts and reports prepared by the consultant under this contract shall be submitted upon completion throughout the period of performance of this contract.

Issued in Austin, Texas, on June 26, 1984.

TRD-846901 Rhonda Colbert Ryan
Secretary of the Commission
Public Utility Commission of
Texas

Filed: June 28, 1984
For further information, please call (512) 458-0100.

This consultant contract award is filed under the provisions of Texas Civil Statutes, Article 6252-11c. The consultant proposal request was published in the April 20, 1984, issue of the *Texas Register* (9 TexReg 2281).

Description of Project. The project is designed to offer technical assistance to state agencies and institutions seeking to control their energy costs.

Name and Address of Consultant. The consultant is Bywaters & Associates, Consulting Engineers, P.O. Box 2511, Dallas, Texas 75225.

Total Value and Dates of Contract. The term of this contract began June 25, 1984, shall terminate by November 30, 1984, and will not exceed \$250,000.

Due Dates of Documents. All drafts and reports prepared by the consultant under this contract shall be submitted upon completion throughout the period of performance of this contract.

Issued in Austin, Texas, on June 26, 1984.

TRD-846902 Rhonda Colbert Ryan
Secretary of the Commission
Public Utility Commission of
Texas

Filed: June 28, 1984
For further information, please call (512) 458-0100.

This consultant contract award is filed under the provisions of Texas Civil Statutes, Article 6252-11c. The consultant proposal request was published in the April 20, 1984, issue of the *Texas Register* (9 TexReg 2281).

Description of Project. The project is designed to offer technical assistance to state agencies and institutions seeking to control their energy costs.

Name and Address of Consultant. The consultant is ACR Energy Engineering, Inc., 9014 Mesa, Austin, Texas 78759.

Total Value and Dates of Contract. The term of this contract began June 25, 1984, shall terminate by December 31, 1984, and will not exceed \$350,650

Due Dates of Documents. All drafts and reports prepared by the consultant under this contract shall be submitted upon completion throughout the period of performance of this contract.

Issued in Austin, Texas, on June 26, 1984

TRD-846903 Rhonda Colbert Ryan
Secretary of the Commission
Public Utility Commission of
Texas

Filed: June 28, 1984

For further information, please call (512) 458-0100.

Railroad Commission of Texas Public Hearing

The Railroad Commission of Texas will conduct a public hearing on the application of the Energy Transportation Systems, Inc., (ETSI) pipeline project, for a certificate of public convenience and necessity to transport coal by pipeline through the following Texas counties: Lipscomb, Hemphill, Wilbarger, Wichita, Archer, Young, Jack, Palo Pinto, Hood, Somervell, Bosque, McLennan, Bell, Milam, Lee, Fayette, Roberts, Hutchison, Carson, Potter, Randall, Castro, Lamb, Gonzales, Guadalupe, Wilson, Bexar, Colorado, Austin, and Fort Bend.

The public hearing will be held on July 31-August 3, 1984, in the commissioners courtroom, Fort Bend County Courthouse Annex, 500 Jackson Street, Richmond.

The hearing will begin on the date set forth previously and proceed until completion. All parties and interested persons desiring to participate in the hearing of this application should appear at the designated time and location and be prepared to go forward.

The hearing will be limited to issues pertaining to the location, physical characteristics, and effects of the proposed pipeline in Fort Bend and Austin Counties. No other issues will be considered by this hearing, and the hearing will be limited to those affected counties.

Motions to intervene for the purpose of gaining party status will be entertained by the examiners at the start of the hearing. Persons wishing to intervene should be prepared to state the basis for their intervention.

The examiners will allow nonparty members of the public to make brief statements on the record before evidence is taken. Only parties will be allowed to present testimony, sponsor witnesses or exhibits, or cross-examine witnesses.

The application of ETSI and supplemental information requested by the examiners are available for public inspection with the county judges for Fort Bend and Austin Counties, as well as with the commission at its Austin offices.

The public hearing will be conducted in compliance with the general and special rules of practice and procedure before the Transportation Division.

For further information, please contact Stephen P. Webb, Hearing Examiner, Transportation Division, Railroad Commission of Texas, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1336.

Issued in Austin, Texas, on June 29, 1984

TRD-846967 Walter Earl Lille
Special Counsel
Railroad Commission of Texas

Filed: June 29, 1984

For further information, please call (512) 445-1186.

Texas Sesquicentennial Commission Public Information

The Texas Sesquicentennial Commission is requesting proposals from manufacturers interested in producing and distributing commemorative products for the celebration of Texas' 150th anniversary of independence in 1986.

Based upon such criteria as product quality, adherence to the theme of the Sesquicentennial, and its track record for marketing and production, a single manufacturer will be chosen for each of some 25 categories. The categories include a medallion, flag, "patriot kit" for schoolchildren, spur, belt buckle, boots, hat, ring, map, metal object, fine art print, ceramic object, pistol, rifle, knife, art poster, reproductions of early Texas currency and other artifacts, and Texana, an open category for uniquely Texan objects not fitting into another category, to be suggested by applicants.

The items will be distributed through officially-sanctioned Texas Independence Communities and Texas Independence Associations, which are allowed to sell the products to help finance their Sesquicentennial projects.

Interested manufacturers may contact the Texas Sesquicentennial Commission for a copy of the specifications for bid submittal at P.O. Box 1986, Austin, Texas 78767, before 5 p.m. on August 31, 1984.

All proposals submitted must conform to commission specifications. Incomplete applications will not be considered.

In the second issue of every month, a guide to agency activity for the previous month is published. Quarterly and annual indexes to the *Register* are published separately and bound in light blue for distinction.

Also included in the Index section is a list of the Texas Administrative Code titles that were affected by the rule-making activity of the previous month.

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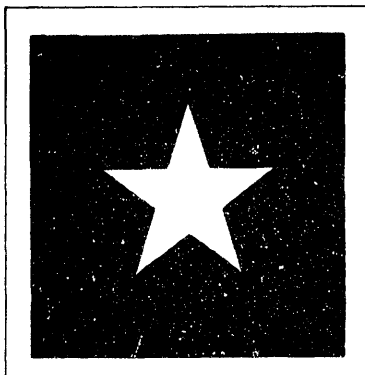
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