

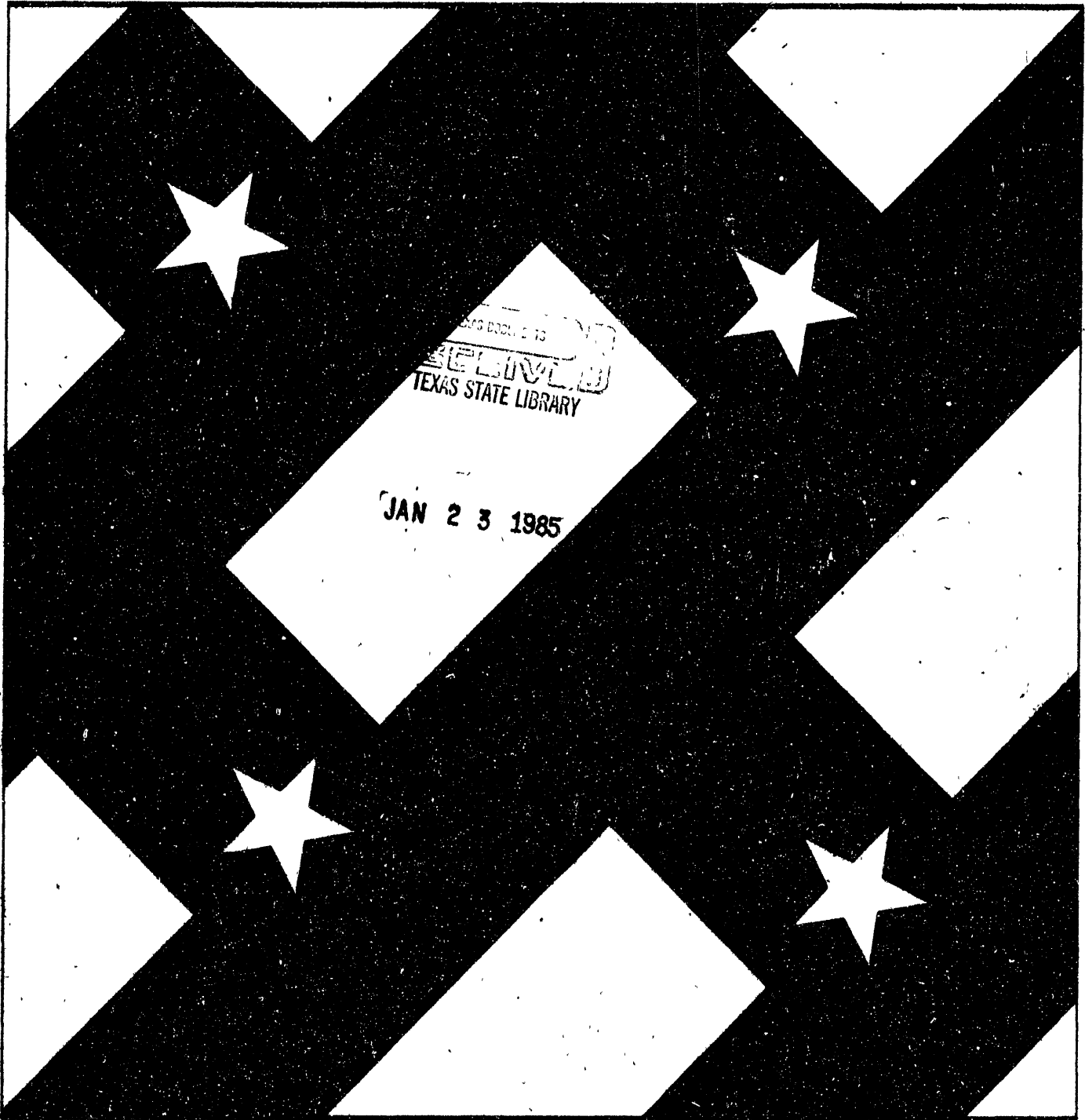
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# Texas Register

Volume 10, Number 3, January 8, 1985

Pages 111 - 124



## Highlights

The Polygraph Examiners Board adopts on an emergency basis a new section concerning a grievance review of disciplinary action for employees.

Effective date - January 2

page 114

The Texas Department of Community Affairs will conduct public hearings concerning the proposed final statement for the Texas Community Development Program for fiscal year 1985.

page 120

**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 1985 with the exception of June 25, July 9, August 30, December 3, and December 31, by the Office of the Secretary of State

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- 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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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 but 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 "10 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 10 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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# Contents

## Emergency Rules

### Polygraph Examiners Board

- 114 Grievance Review of Disciplinary Action

## Open Meetings

- 116 Texas Air Control Board
- 116 Texas Health and Human Services  
Coordinating Council
- 117 Texas Health Facilities Commission
- 117 State Board of Insurance
- 117 Texas Department of Labor and  
Standards
- 117 Legislative Council
- 118 Texas Parks and Wildlife Department
- 118 Public Utility Commission of Texas
- 118 Texas Water Commission

- 119 Texas Youth Commission

- 119 Regional Agencies

## In Addition

### Banking Department of Texas

- 120 Applications to Acquire Control of State  
Banks

### Texas Department of Community Affairs

- 120 Public Hearings

### Office of Consumer Credit Commissioner

- 121 Rate Ceilings

### Texas Department of Human Resources

- 122 Consultant Contract Awards

### State Board of Insurance

- 122 Company Licensing

### Texas Water Commission

- 123 Applications for Waste Disposal Permits

# Emergency Rules

An agency may adopt a new or amended rule, or repeal an existing rule on an emergency basis, if it determines that such action is necessary for the public health, safety, or welfare of this state. The rule may become effective immediately upon filing with the *Texas Register*, or on a stated date less than 20 days after filing for no more than 120 days. The emergency action is renewable once for no more than 60 days.

An agency must submit written reasons, published in the *Register*, for emergency action on a rule. The submission must also include a statement of the legal authority under which the emergency action is promulgated and the text of the emergency adoption. Following each published emergency document is certification information containing the effective and expiration dates of the action and a telephone number from which further information may be obtained.

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 22. EXAMINING BOARDS Part XIX. Polygraph Examiners Board

### Chapter 401. Grievance Review of Disciplinary Action

#### 22 TAC §401.1

The Polygraph Examiners Board adopts on an emergency basis new §401.1, concerning a grievance review of disciplinary action for employees. The new section is adopted on an emergency basis so that employees may be afforded an opportunity to appear before a grievance committee if the need should arise.

The new section is adopted on an emergency basis under the Texas Polygraph Examiners Act, Texas Civil Statutes, Article 4413(29cc), §6(a), which gives the Polygraph Examiners Board the authority to issue regulations consistent with the provisions of this Act.

#### §401.1. Grievance Policy.

(a) Policy. It is the policy of the Polygraph Examiners Board to receive and process points of contention concerning disciplinary action when an employee or former employee makes proper application. Such requests shall be processed in a fair and prompt manner. However, the procedures outlined in this section do not apply to employees who have completed less than six months of their current period of service.

(1) No employee shall be disciplined, penalized, coerced, or otherwise prejudiced in employment for exercising the rights provided for in this policy.

(2) In exercising any of the rights provided for by this policy, an employee may represent himself or may be represented by an attorney at his own expense.

(3) An employee who has become involved in a grievance hearing at his own request may not thereafter refuse to answer or reply to questions related to the review. If such should occur, the review or appeal procedure will be discontinued and the employee will have forfeited the right to this hearing.

procedure will be discontinued and the employee will have forfeited the right to this hearing.

(b) Grievance hearing officer. The chairman may designate the grievance hearing officer. The hearing officer will be responsible for the integrity of the hearing process, will maintain an orderly procedure, and will assure a fair and impartial hearing. He may appoint a sergeant-at-arms if he deems it necessary. He will restrict the employee's plea and evidence to the points of contention set forth in the employee's written request for a hearing. In addition, he may request the attendance or testimony of any agency member and order further investigation as he deems necessary. The hearing officer will use his personal discretion in determining who shall appear before a hearing.

(c) Grievance board hearing committee. The committee will be appointed by the chairman and shall consist of not more than three members. The chairman may sit as a member of the committee. All committee members must be board members at the time of the hearing. Committee members, who the chairman determines have a real or apparent conflict of interest in the outcome of the proceedings, are not eligible to participate. In such cases, the chairman shall appoint another board member to sit on the committee during the proceedings.

(d) Grievance board hearing committee procedures. Employees who qualify for a hearing before the Grievance Board Hearing Committee and desire to exercise this right must submit a written request to the executive officer. This written request must contain the points of contention of the employee, a statement that an attorney will or will not represent the employee, and the names of any agency members or other persons the employee desires to have present for the purpose of presenting evidence or giving testimony.

(1) The request for a hearing must be received by the executive officer within 10 days from the date of the formal written notice of disciplinary action. A claim that the written notice of disciplinary action was not received by the employee will not be a defense. When

properly appealed, disciplinary action will be stayed pending the grievance board hearing.

(2) When a request has been received from the employee within the specified time limit, the executive officer will confer with the chairman.

(3) Once all preliminary matters have been resolved, proper written notice containing the date, location, and other pertinent information will be furnished to the employee. Included in this notice will be the chairman's selection for the members to serve on the Grievance Board Hearing Committee.

(4) Either party may request a reporter. The hearing officer will determine if a court reporter is necessary and make arrangements for the reporter to be present. This expense will be paid by the requesting party. Copies of the transcript will be paid for by the parties requesting them. Other expenses incurred by the appealing employee or expenses for witnesses he requests who are not members of this agency must be paid by the employee.

(5) The hearing officer may request the presence and assistance of a representative from the attorney general's office at such hearings.

(6) A finding rendered by a Grievance Board Hearing Committee will be based on majority rule. A finding rendered by a Grievance Board Hearing Committee may take the form of one of the following:

(A) support the departmental disciplinary action taken;

(B) recommend a lesser or greater disciplinary action; or

(C) recommend no disciplinary action to be taken.

(7) Upon completion of the hearing, the hearing officer will furnish the finding to the executive officer.

(8) Attorneys participating in the hearing process are reminded that this hearing is not being conducted under rigid judicial procedure but is to be conducted informally but orderly. Testimony shall be taken under oath.

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

TRD-8412774      Candy M. Moore  
Executive Officer  
Polygraph Examiners Board

Effective date: December 28, 1984

Expiration date: April 27, 1985

For further information, please call (512) 465-2058.

# Open Meetings

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*.

## Texas Air Control Board

**Friday, January 11, 1985, 9 a.m.** The Regulation Development Committee of the Texas Air Control Board will meet in Room 332, 6330 Highway 290 East, Austin. According to the agenda, the committee will review and consider proposed revisions to Regulation VI and hear a status report on post-1982 State Implementation Plan revisions for Dallas, Tarrant, and El Paso Counties.

**Contact:** Paul M. Shinkawa, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711, ext. 354.

**Filed:** December 31, 1984, 2:18 p.m.  
TRD-8412812

**Friday, January 11, 1985, 10:30 a.m.** The Texas Air Control Board (TACB) will meet at 6330 Highway 290 East, Austin. According to the agenda summary, the board will approve the December 7, 1984, minutes; hear reports; consider and act on proposed revisions to Regulation VI and the State Implementation Plan; hear a report on a project to evaluate alternatives to increase

revenue from the TACB permit fee; and call for any new business.

**Contact:** Paul M. Shinkawa, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711, ext. 354.

**Filed:** December 31, 1984, 2:19 p.m.  
TRD-8412811

## Texas Health and Human Services Coordinating Council

**Thursday, January 10, 1985, 7:30 p.m.** The Issues Committee of the Texas Health and Human Services Coordinating Council will meet in Room 213, State Capitol, Austin. Items on the agenda include an update on current approved or proposed projects and discussions of the need to set council priorities and to develop a legislative response mechanism.

**Contact:** Lynn H. Leverty, P.O. Box 12478, Austin, Texas 78711, (512) 475-1306.

**Filed:** January 2, 1985, 11:21 a.m.  
TRD-850008

**Friday, January 11, 1985.** Committees of the Texas Health and Human Services Coordinating Council and the full council will meet in Room 304T, Texas Employment Commission Building, 1117 Trinity Street, Austin. Times, committees, and agendas follow.

**9 a.m.** The Data and Information Development Subcommittee will review fiscal year 1984 work and proposed fiscal year 1985 work.

**Contact:** Beck Runte, P.O. Box 12428, Austin, Texas 78711, (512) 475-1306.

**Filed:** January 2, 1985, 11:21 a.m.  
TRD-850009

**10:30 a.m.** The Studies Subcommittee will approve the minutes, review fiscal year 1985 objectives, consider a revised prevention report concerning implementation options on adolescent parents, study rate-setting for contracted residential care, and hear a status report on child abuse in state institutions.

**1 p.m.** The Issues Committee and the full council will approve the minutes, hear sub-

committee reports, make a decision on council priorities, discuss and vote on legislative priorities, develop a legislative response mechanism, hear a report from the Texas Department of Human Resources and the Texas Department of Mental Health and Mental Retardation on Medicaid coverage of psychiatric patients in general hospitals, and consider a final vote on projects and priorities.

**Contact:** Lynn H. Leverty, Ph.D., P.O. Box 12428, Austin, Texas 78711, (512) 475-1306.

**Filed:** January 2, 1985, 11:21 a.m.  
TRD-850010-850011

**Texas Health Facilities Commission**

**Thursday, January 10, 1985, 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**

Grand Prairie Surgery Center, Grand Prairie

AS84-0524-310

South Austin Community Hospital, Austin

AH84-0724-482

Oak Creek Hospital, Houston

AH84-0531-317

Grapevine Medical Center, Grapevine

AH84-0627-413

South Plains Nursing Center, Brownfield

AN84-0830-549

Chillicothe Hospital, Chillicothe

AH84-0925-601

**Amendments of Certificate of Need Orders**

Orange Memorial Hospital, Orange

AH83-0902-138A(112184)

Williams Nursing Home, Houston

AN82-0108-013A(112784)

**Notices of Intent**

Beaumont Denton Associates, San Francisco, California

AN84-1102-703

North Texas Diagnostic Center, Inc., Fort Worth

AO84-1129-756

A business meeting will follow consideration of the applications.

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

**Filed:** January 2, 1985, 11:17 a.m.  
TRD-850007



**State Board of Insurance**

**Tuesday, January 8, 1985, 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 hear the commissioner's report and the fire marshal's report (both including personnel matters) and consider board orders on several different matters.

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

**Filed:** December 31, 1984, 1:22 p.m.  
TRD-8412806

**Tuesday, January 8, 1985, 2 p.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 a decision on Agenda Item 57-84 of the July 26, 1984, fire and allied lines hearing concerning rate revisions for risks and classes of risks located in the designated catastrophe area insured through the Texas Catastrophe Property Insurance Association; and a petition by the Texas Catastrophe Property Insurance Association for an amendment to its application forms and policy language for its standard and mobile home policies by deleting inapplicable language, clarifying certain insuring language, and conforming policy provisions to the requirements of the Insurance Code, Article 21.49, as construed by the Texas courts.

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

**Filed:** December 31, 1984, 1:22 p.m.  
TRD-8412808

**Wednesday, January 9, 1985, 9 a.m.** The State Board of Insurance will meet in the Large House Committee Room, southwest corner, first floor, John H. Reagan Building, 105 West 15th Street, Austin. According to the agenda summary, the board will conduct a public hearing to consider emergency amendments to Rules 059.05.26.101 and .102 or the emergency repeal of Rules 059.05.26.101 and .102 and adoption of a new emergency rule or rules on the same subject matter, and/or a proposal on a regular rule-making basis to amend Rules 059.05.26.101 and .102 or to repeal Rules 059.05.26.101 and .102 and adopt a new rule or rules on

the same subject matter; cancel deviations heretofore approved for property and/or automobile insurance; set a limit on the percentage deviation from the manual rates that will be approved by the board in the future; and adopt or propose guidelines on either an emergency or regular rule-making basis to be used in considering such deviations in the future.

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

**Filed:** December 31, 1984, 1:23 p.m.  
TRD-8412807

**Texas Department of Labor and Standards**

**Monday, January 7, 1985, 9 a.m.** The Labor/Licensing and Enforcement Division of the Texas Department of Labor and Standards met in emergency session in Room 503G, Sam Houston Building, 201 East 14th Street, Austin. According to the agenda, the division will conduct a public hearing on professional boxing rules. The rules are proposed for adoption and are subject to comment for and against. The record will open for 10 days. The emergency status was necessary to consider boxing safety rules to insure individual safety and the public's welfare.

**Contact:** Larry Kosta, P.O. Box 12157, Austin, Texas 78711, (512) 475-7001.

**Filed:** January 2, 1985, 11:08 a.m.  
TRD-850005

**Thursday, January 17, 1985, 9 a.m.** The Manufactured Housing Division of the Texas Department of Labor and Standards will meet in Room 105, E. O. Thompson Building, 920 Colorado Street, Austin. According to the agenda, the division will consider license and registration revocations, suspensions, and alleged violations of various rules and regulations of the department.

**Contact:** John Steele, P.O. Box 12157, Austin, Texas, (512) 475-5712.

**Filed:** January 2, 1985, 11:07 a.m.  
TRD-850006

**Legislative Council**

**Thursday, January 10, 1985, 9 a.m.** The Legislative Oversight Committee on Mental Health and Mental Retardation of the Legislative Council will meet in Room 309,

## Texas Register

State Capitol, Austin. According to the agenda, the committee will review and approve mental health recommendations.

**Contact:** Karen F. Hale, 4600 Burnet Road, Austin, Texas 78756, (512) 459-6584.

**Filed:** January 2, 1985, 11:38 a.m.  
TRD-850017

### Texas Parks and Wildlife Department

**Wednesday, January 9, 1985, 7 p.m.** The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at 1204 West Lynn, Austin. According to the agenda summary, the commission will have dinner. Although this function is primarily a social event and no formal action is planned, the commission may discuss items on the public hearing agenda scheduled for 9 a.m. on January 10, 1985.

**Contact:** Charles D. Travis, 4200 Sm...h School Road, Austin, Texas 78744, (512) 479-4802.

**Filed:** December 31, 1984, 2:01 p.m.  
TRD-8412809

### Public Utility Commission of Texas

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

**Monday, January 14, 1985, 2 p.m.** A second prehearing conference in Docket 6032—petition of Central Power and Light Company for fixing of a refund with interest and an amendment to the monthly interim fuel factor.

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

**Filed:** December 31, 1984, 2:13 p.m.  
TRD-8412813

**Tuesday and Thursday, January 15 and 17, 1985, 9 a.m. daily.** A rescheduled hearing on the merits in Docket 5235—application of Ladshaw Miller Development Company, Inc., to amend a certificate of convenience and necessity; and Docket 5655—application of Green Valley Water Supply Corporation for a cease and desist order against the City of Schertz. The hearing originally

was scheduled for December 20, 1984, as published at 9 TexReg 6195.

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

**Filed:** December 31, 1984, 2:16 p.m.  
TRD-8412814

**Monday, February 11, 1985, 10 a.m.** A reconvened hearing in Docket 5968—inquiry into the rates of Lakeshore Utility Company, Inc.

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

**Filed:** December 31, 1984, 2:14 p.m.  
TRD-8412815

**Tuesday, February 26, 1985, 10 a.m.** A hearing on the merits in Docket 5699—application of Chacko Thomas and Associates, Inc., to purchase and transfer a certificate of convenience and necessity from Pinehurst Utilities.

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

**Filed:** December 31, 1984, 2:15 p.m.  
TRD-8412816

**Thursday, March 14, 1985, 10 a.m.** A rescheduled hearing on the merits in Docket 5852—application of the City of Gatesville to amend its certificate of convenience and necessity for dual certification with Creek Cliff Estates, Inc., within Coryell County. The hearing originally was scheduled for February 11, 1985, as published at 9 Tex-Reg 5936.

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

**Filed:** December 31, 1984, 2:15 p.m.  
TRD-8412817

**Monday, March 18, 1985, 10 a.m.** A hearing on the merits in Docket 6015—application of Southwestern Bell Telephone Company for a tariff change to modify and clarify regulations concerning the provision of on-premises private line service.

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

**Filed:** December 31, 1984, 2:16 p.m.  
TRD-8412818

### Texas Water Commission

The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Days, times, rooms, and agendas follow.

**Wednesday, February 13, 1985, 10 a.m.** In Room 152, the commission will consider Application 4505 of Utopia Water Supply Corporation seeking a permit to divert and use 200 acre-feet of water per year from the underflow of the Sabinal River, tributary of the Frio River, tributary of the Nueces River, Nueces River Basin, for municipal use in Uvalde County.

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

**Filed:** January 2, 1985, 11:37 a.m.  
TRD-850012

**Friday, February 22, 1985, 10 a.m.** In Room 618, the commission will consider an application of El Dorado Homes Association, Inc., seeking to extend the time for commencement of construction to repair an existing dam forming a 29 acre-foot capacity reservoir on an unnamed tributary of Beitel Creek, tributary of Salado Creek, tributary of the San Antonio River, San Antonio River Basin, for recreational purposes in Bexar County under Permit 3764.

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

**Filed:** January 2, 1985, 11:37 a.m.  
TRD-850013

Addition to the previous agenda:

Application 4525 of Jimmy D. Moore and Jerry L. Moore seeking a permit to divert and use 202.5 acre-feet of water per annum from Black Cypress Bayou, Cypress Basin, for irrigation use in Marion County.

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

**Filed:** January 2, 1985, 11:38 a.m.  
TRD-850014

**Monday, February 25, 1985, 10 a.m.** In Room 124A, the commission will consider Application 4524 of the City of Iowa Park and R. C. Smith and wife, Lillie M. Smith, seeking a permit to construct and maintain one off-channel reservoir with a capacity of 1.4 acre-feet and to enlarge and maintain two reservoirs to respective capacities of 4.92 acre-feet and 1.9 acre-feet, on an unnamed tributary of Stevens Creek, tributary of Buffalo Creek, tributary of the Wichita River, tributary of the Red River, Red River Basin, and to divert 400 acre-feet per annum of effluent and other waters from the more



downstream reservoir for irrigation (golf course) use in Wichita County.

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

**Filed:** January 2, 1985, 11:38 a.m.  
TRD-850015

**Friday, March 1, 1985, 10 a.m.** In Room 618, the commission will consider Application 3066A of The Woodlands Corporation seeking an amendment to Permit 2805, which authorizes the permittee to construct a dam and 1,460 acre-foot capacity reservoir on Panther Branch, tributary of Spring Creek, tributary of the West Fork San Jacinto River, tributary of the San Jacinto River, San Jacinto River Basin, and subsequent diversion of 750 acre-feet of water per annum for irrigation use as well as use of the impounded waters for recreational use in Montgomery County. The amendment would authorize construction of a storm-water pump station and bulkhead on its land at the upper end of the reservoir to assure that no water impounded by the reservoir would inundate land not owned by the permittee.

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

**Filed:** January 2, 1985, 11:38 a.m.  
TRD-850016

### **Texas Youth Commission**

**Thursday, January 10, 1985, 10 a.m.** The Board of the Texas Youth Commission will

meet at the West Texas Children's Home, Pyote. According to the agenda summary, the board will consider medical contracts, a summary review of fiscal year 1986-1987 policy considerations, the interagency contract rate standardization, the status of the South Texas project and construction projects, a water line and tank easement at the Parrie Haynes Ranch, and proposed legislation. The board also will meet in executive session.

**Contact:** Ron Jackson, P.O. Box 9999, Austin, Texas 78766, (512) 452-8111.

**Filed:** January 2, 1985, 10:26 a.m.  
TRD-850002

### **Regional Agencies**

#### **Meetings Filed December 31**

**The Callahan County Appraisal District** will meet on the first floor, Callahan County Courthouse, Baird, on January 8, 1985, at 7:30 p.m. Information may be obtained from Jane Ringhoffer, P.O. Box 1055, Baird, Texas 79504.

**The Ellis County Tax Appraisal District** will meet at 406 Sycamore Street, Waxahachie, on January 10, 1985, at 7 p.m. Information may be obtained from Gray Chamberlain, P.O. Box 878, Waxahachie, Texas 75165, (214) 937-3552.

**The Hamilton County Appraisal District** will meet at the Hamilton County Courthouse, Hamilton, on January 10, 1985, at

7 p.m. Information may be obtained from Doyle Roberts, P.O. Box 446, Hamilton, Texas 76531, (817) 386-8946.

**The High Plains Underground Water Conservation District 1**, Board of Directors, will meet in the conference room, 2930 Avenue Q, Lubbock, on January 8, 1985, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181.

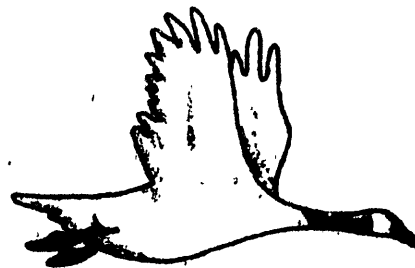
TRD-8412820

#### **Meetings Filed January 2**

**The Colorado River Municipal Water District**, Board of Directors, will meet at 400 East 24th Street, Big Spring, on January 10, 1985, at 10 a.m. Information may be obtained from O. H. Ivie, P.O. Box 869, Big Spring, Texas, (915) 267-6341.

**The Copano Bay Soil and Water Conservation District #329** will meet at 106 South Alamo, Shey Plaza, Refugio, on January 9, 1985, at 8:30 a.m. Information may be obtained from Jim Wales, P.O. Drawer 340, Refugio, Texas 78377, (512) 526-2334.

TRD-845000



# 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 Applications to Acquire Control of State Banks

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 November 19, 1984, the banking commissioner received an application to acquire control of the First City Bank of La Porte, La Porte, by Patrick A. Callahan, trustee, Gus Groos, Clifford Hyde, Karl Johnson, P. J. Mock, Jr., and W. Randolph Woodard, all of La Porte; Barry Blocker of Friendswood; George Britton, William Githens, Ira Green, Charles Lawrence, and James Tichenor, all of Houston; and James Maas of Seabrook.

On December 27, 1984, notice was given that the application would not be denied.

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

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

TRD-8412772 William F. Aldridge  
Director of Corporate Activities  
Banking Department of Texas

Filed: December 28, 1984

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

On December 13, 1984, the banking commissioner received an application to acquire control of the Leander State Bank, Leander, by Carroll N. Sullivan, Jr., and C. N. Sullivan, Jr., trustee, both of Georgetown; Ted C. Connell of Killeen; and Jo Ann Finky of Burnet.

On December 21, 1984, notice was given that the application would not be denied.

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

Issued in Austin, Texas, on December 21, 1984.

TRD-8412773 William F. Aldridge  
Director of Corporate Activities  
Banking Department of Texas

Filed: December 28, 1984

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



## Texas Department of Community Affairs Public Hearings

The Texas Department of Community Affairs announces the following 12 public hearings to solicit comments on the proposed final statement for the Texas Community Development Program for fiscal year 1985. Topics to be discussed include the purpose and goals of the program, eligible applicants and activities, the fund allocation system, the application process, recent federal changes, project selection criteria, proposed procedural changes, and use of federal fiscal year 1984 allocation.

Public comments may be presented at any of the following hearings or may be submitted to the Texas Department of Community Affairs, attention: Community Development Division, in writing by January 31, 1985. The following is a list of each of the 12 public hearings by region, date, time, and location.

Region	Date and Time	Location
Central Texas Capital Area Heart of Texas	January 23, 1985, 10 a.m.	Central Texas Council of Govern- ments Facility 302 East Central Avenue Belton, Texas
Permian Basin Concho Valley West Texas	January 23, 1985, 1 p.m.	Region 18 Educa- tional Service Center Midland Airport U.S. 80 and LaForce Boulevard Midland, Texas
Coastal Bend Lower Río Grande	January 23, 1985, 7 p.m.	City Council Chamber 500 East Main Alice, Texas 78332
Deep East Texas Brazos Valley	January 29, 1985, 2 p.m.	Crockett Inn Loop 304 Southeast Crockett, Texas
Alamo Area Golden Crescent	January 24, 1985, 7 p.m.	InterFirst Bank Americana Room 1908 North Laurent Victoria, Texas
South Texas Middle Río Grande	January 24, 1985, 10 a.m.	Laredo Civic Center 2300 San Bernardo Laredo, Texas
Houston/Galveston Area South East Texas	January 29, 1985, 2 p.m.	Houston/Galveston Conference Room 3555 Timmons Houston, Texas 77227
Texoma North Central	January 28, 1985, 1 p.m.	North Central Council of Governments Centerpoint Two Office Building 616 Six Flags Drive Arlington, Texas
East Texas Ark-Tex	January 23, 1985, 9 a.m.	Ramada Inn Ballroom 5701 South Broadway Tyler, Texas
West Central Council of Gov- ernments	January 31, 1985, 10 a.m.	West Central Coun- cil of Govern- ments Conference Room 1025 East North 10th Street at Judge Ely Boulevard Abilene, Texas
Nortex Region	January 28, 1985, 10 a.m.	Nortex Council of Governments Conference Room 2101 Kemp Boulevard Wichita Falls, Texas 76309
South Plains Panhandle	January 29, 1985, 1 p.m.	Swisher Memorial Building 127 Southwest Second Tulia, Texas

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

TRD-8412800

Douglas C. Brown  
General Counsel  
Texas Department of Community  
Affairs

Filed: December 28, 1984

For further information, please call (512) 443-4100,  
ext. 210.

## Office of Consumer Credit Commissioner Rate Ceilings

The consumer credit commissioner of Texas has ascer-  
tained 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 <sup>(3)</sup> Agricul- tural/Commercial <sup>(4)</sup> thru \$250,000	Commercial <sup>(4)</sup> over \$250,000
Indicated (Weekly) Rate—Article 1.04(a)(1) 01/07/85-01/13/85	18.00%	18.00%
Monthly Rate— Article 1.04(c)(1) 01/01/85-01/31/85	18.00%	18.00%
Standard Quarterly Rate—Article 1.04(a)(2) 01/01/85-03/31/85	19.60%	19.60%
Retail Credit Card Quarterly Rate— Article 1.11 <sup>(3)</sup> 01/01/85-03/31/85	19.60%	N/A
Lender Credit Card Quarterly Rate— Article 15.02(d) <sup>(3)</sup> 01/01/85-03/31/85	19.60%	N/A
Standard Annual Rate— Article 1.04(a)(2) <sup>(2)</sup> 01/01/85-03/31/85	19.60%	19.60%
Retail Credit Card Annual Rate— Article 1.11 <sup>(3)</sup> 01/01/85-03/31/85	19.60%	N/A
Annual Rate Applica- ble to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card Balances with Annual Implementation Dates from 01/01/85-03/31/85	19.74%	N/A
Judgment Rate— Article 1.05, §2 01/01/85-01/31/85	10.00%	10.00%

- (1) For variable rate commercial transactions only
- (2) Only for open-end credit as defined in Texas Civil Statutes, Article 5069-1.01(f).
- (3) Credit for personal, family, or household use
- (4) Credit for business, commercial, investment, or other similar purpose.

Issued in Austin, Texas, on December 31, 1984.

TRD-8412804 Sam Kelley  
Consumer Credit Commissioner

Filed: December 31, 1984  
For further information, please call (512) 475-2111.

## Texas Department of Human Resources Consultant Contract Awards

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Resources (DHR) furnishes this notice of contract awards. The consultant proposal request was published in the October 9, 1984, issue of the *Texas Register* (9 TexReg 5219).

Specific services to be performed include psychological/developmental testing; psychological evaluation; and counseling/therapy.

Contractors providing services for Camp, Franklin, Titus, and Morris Counties are Pamela Russell, 1323 Lamar Avenue, Paris, Texas 75460—\$20,250; Reba Thompson Clark, 502 Dogwood Lane, Mount Pleasant, Texas 75455—\$15,100; and Don Walker, Ph.D., and Associates, 223 East Charnwood, Tyler, Texas 75701—\$10,950. Contractor providing services for Lamar, Delta and Titus Counties is Randy L. Crittenden, Ph.D., 3605 Loop 286 Northeast, Paris, Texas 75460—\$11,650. Contractor providing services for Anderson and Cherokee Counties is Stephen A. Haberman and Associates, 1503 Woodland Drive, Canton, Texas 75103—\$9,000.

The contracts began January 1, 1985, and end December 31, 1985.

Reports are due within the time frames stated in the contracts.

Issued in Austin, Texas, on January 2, 1985.

TRD-850004 Marlin W. Johnston  
Commissioner  
Texas Department of Human  
Resources

Filed: January 2, 1985  
For further information, please call (512) 460-3766.

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Resources (DHR) furnishes this notice of contract award. The consultant proposal request was published in the August 24, 1984, issue of the *Texas Register* (9 TexReg 4603).

**Description of Services.** Services to be provided include psychological testing/evaluation and counseling, and therapy (individual, group, and family).

**Name of Contractor.** The contractor selected is Anthony W. Arden, Ph.D., 3705 South College, Bryan, Texas 77803.

**Value of Contract and Effective Date.** The total value of this contract is \$34,200. The contract began December 1, 1984, and ends August 31, 1986.

**Due Dates of Reports.** Reports will be provided for and delivered within the time frames stated in the contract.

Issued in Austin, Texas, on January 2, 1985.

TRD-850003 Marlin W. Johnston  
Commissioner  
Texas Department of Human  
Resources

Filed: January 2, 1985  
For further information, please call (512) 450-3766.

## State Board of Insurance Company Licensing

The following applications have been filed with the State Board of Insurance and are under consideration.

(1) Application for a name change by Pioneer Life Insurance Company of Pennsylvania, a foreign life insurance company. The home office is in Lansdowne, Pennsylvania. The proposed new name is Union Benefit Life Insurance Company.

(2) Application for admission to do business in Texas of Plateau Insurance Company, a foreign life insurance company. The home office is in Crossville, Tennessee.

(3) Application for a name change by Kemper County Mutual Insurance Company, a domestic county mutual insurance company. The home office is in Irving. The proposed new name is Allstate County Mutual Insurance Company.

(4) Application for a name change by Mortgage Guaranty Insurance Corporation, a foreign mortgage guaranty insurance company. The home office is in Milwaukee, Wisconsin. The proposed new name is Wisconsin Mortgage Assurance Corporation.

(5) Application for a name change by Liberty Mortgage Insurance Corporation, a foreign mortgage guaranty insurance company. The home office is in Milwaukee, Wisconsin. The proposed new name is Mortgage Guaranty Insurance Corporation.

(6) Application for a name change by PHA Life Insurance Company, a foreign life insurance company. The home office is in Portland, Oregon. The proposed new name is Pacific Heritage Assurance Company.

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

TRD-8412819 James W. Norman  
Chief Clerk  
State Board of Insurance

Filed: December 31, 1984  
For further information, please call (512) 475-2950.

## Texas Water Commission Applications for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of December 19-28, 1984.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester, would be adversely affected by the granting of the application. If the commission determines that the request sets out an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 30 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 475-2678.

Listed is the name of the applicant and the city in which each facility is located; type of facility; location of the facility; permit number; and type of application—new permit, amendment, or renewal.

### Period of December 19-28, 1984

Han-Man Investments, Inc., Orange; residential subdivision; approximately one-half mile northwest of the intersection of State Highway 87 and FM Road 3247, approximately one-half mile north of the intersection of State Highway 3247 and State Highway 1130 in Orange County; 13072-01; new permit

Gulf Coast Utility, Inc., Alvin; subdivision; approximately one mile northeast of the intersection of FM Road 1462 and County Road 311, approximately eight miles southwest of downtown Alvin in Brazoria County; 13062-01; new permit

United Financial Corporation, Fulshear; single-family residential development; approximately 0.6 mile south and 0.9 mile east of the intersection of FM Road 1093

and Bowser Road, southwest of Fulshear in Fort Bend County; 13051-01; new permit

The Woodlane Corporation, Houston; residential and commercial development; approximately 2.75 miles north of State Highway 90A and 2.5 miles west of State Highway 6 in Fort Bend County; 13049-01; new permit

The City of Pasadena; wastewater treatment plant; north of the 3,600 block of Darling Avenue, approximately 4,000 feet east-southeast of the intersection of South Avenue and State Highway 225 in Harris County; 10053-02; renewal.

The City of Merkel; wastewater treatment plant; approximately 3,200 feet north and 3,500 feet east of the intersection of IH 20 and FM Road 126 in Taylor County; 10786-01; renewal

The City of Palacios; wastewater treatment plant; approximately 1,800 feet west of the intersection of 12th Street and Mosier Drive in Matagorda County; 10593-01; renewal

The City of Needville; wastewater treatment plant; south of Buffalo Creek and south of Needville, at a point approximately 0.8 mile south and 0.4 mile east of the intersection of State Highway 36 and FM Road 1236 in Fort Bend County; 10343-01; renewal

The City of Rhome; wastewater treatment plant; approximately 2,000 feet north of the intersections of FM Road 114 and Burlington Northern Railroad in Wise County; 10701-01; renewal

The City of Skellytown; wastewater treatment plant; approximately one-fourth mile west of State Highway 152 at a point approximately one mile northwest of the intersection of FM Road 294 and State Highway 152 in Carson County; 10283-01; renewal

Leverett's Chapel Independent School District, Overton; wastewater treatment plant; approximately 7,500 feet north of the intersection of State Highway 135 and State Highway 42, which is east of State Highway 42 and northeast of the City of Overton in Rusk County; 11113-01; renewal

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

TRD-8412810      Mary Ann Hefner  
Chief Clerk  
Texas Water Commission

Filed: December 31, 1984  
For further information, please call (512) 475-4514.