

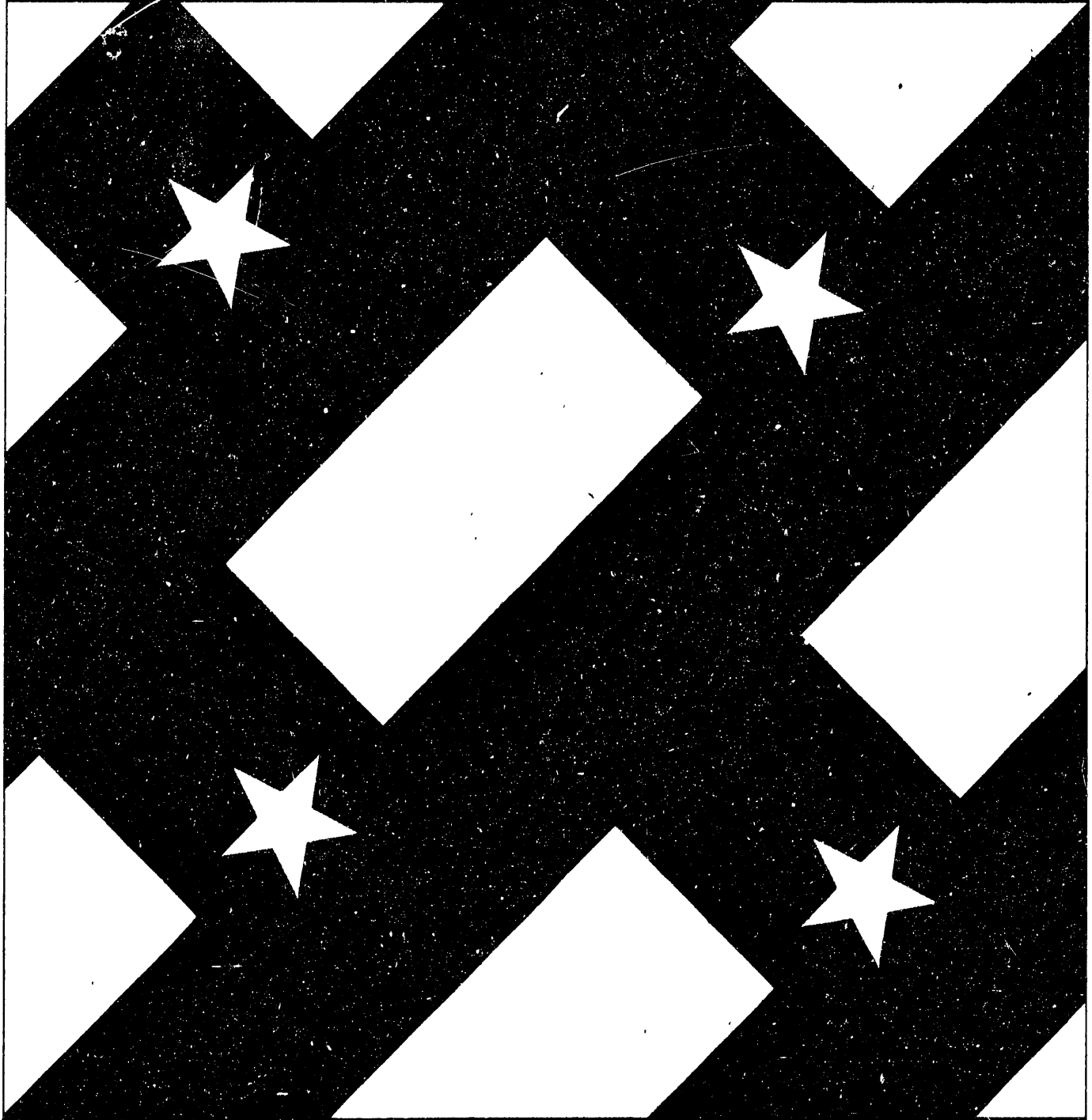
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Texas Register

Volume 10, Number 19, March 8, 1985

Pages 809 - 846



Highlights

The **State Securities Board** adopts on an emergency basis an amendment concerning limited offering exemptions
Effective date - March 1 **page 813**

The **Railroad Commission of Texas** proposes a repeal, amendments, and a new section in a

chapter concerning the LP-Gas Division Earliest possible date of adoption - April 8 **page 814**

The **Texas Commission on Law Enforcement Officer Standards and Education** proposes amendments concerning training standards Earliest possible date of adoption - April 8 **page 820**

**Office of
the Secretary
of State**

Texas Register

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Information Available: The 10 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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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 "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).



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The Governor

As required by Texas Civil Statutes, Article 6252-13a, §6, the *Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations 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.

Appointment Made February 21

Governor's Committee for Disabled Persons

For a term to expire July 8, 1985:

Kelvin Spencer
P O. Box 3297
Austin, Texas 78764

Mr. Spencer is replacing Shirley K. Price of Hitchcock, who resigned.

Issued in Austin, Texas, on
February 21, 1985

TRD-851871 Mark White
 Governor of Texas
 ★ ★ ★

(Editor's note: The following appointment has been submitted by the governor to the Senate of the 69th Legislature, 1985, for confirmation.)

Appointment Submitted February 26

Veterans Land Board

For a term to expire December 29, 1988:

Karl M. May
3001 Mount Carmel
Waco, Texas 76710

Mr. May is replacing Herman Mistler of Texarkana, whose term expired.

Issued in Austin, Texas, on
February 26, 1985

TRD-851871 Mark White
 Governor of Texas
 ★ ★ ★

Appointments Made February 27

Texas Planning Council for Developmental Disabilities

For terms to expire February 1, 1991:

Angela K Lamb
Route 1, Box 505
Amarillo, Texas 79106

Ms. Lamb is replacing Becky Brandon of Temple, whose term expired.

Gloria Drass
6258 South Hulen
Fort Worth, Texas 76133

Ms. Drass is replacing Charlyne Tucker of Athens, whose term expired.

Mary Jane Clark
10 Charella Drive
Pharr, Texas 78577

Ms. Clark is replacing J. Robert Hester of Arlington, whose term expired.

Jann E. Steed
410 North Bowie
Seguin, Texas 78155

Ms. Steed is replacing Bernie Cantu of San Antonio, whose term expired.

Lauro R. Guerra
Box 32
Mercedes, Texas 78570

Mr. Guerra is replacing Theda N. Hoyt of Cypress, whose term expired.

Catherine Dayle Bebee
Executive Director
Advocacy, Incorporated
7700 Chevy Chase Drive, Suite 300
Austin, Texas 78752

Ms. Bebee is being appointed pursuant to Public Law 98-527.

For terms to expire February 1, 1989:

James McBryde
4601 Hartford
Abilene, Texas 79605

Mr. McBryde is replacing Lee Kitchens of Lubbock, whose term expired.

Tom Deliganis, Ph.D.
8534 Littleport
San Antonio, Texas 78239

For a term to expire February 1, 1986:

Mary Carolyn Knott
6952 Oveja
El Paso, Texas 79912

Ms. Knott is replacing Judy Wingard of Austin, who resigned.

Issued in Austin, Texas, on
February 27, 1985

TRD-851871 Mark White
 Governor of Texas
 ★ ★ ★

(Editor's note: The following appointments have been submitted by the governor to the Senate of the 69th Legislature, 1985, for confirmation.)

Appointments Submitted February 27

Finance Commission of Texas

For a term to expire February 1, 1991:

D. Gene Phelps
31103 Uirich
Tomball, Texas 77375

Mr. Phelps is replacing B. Hutch Carter of Eules, who resigned.

Parks and Wildlife Commission

For a term to expire February 1, 1991:

Edwin L. Cox, Jr.
Valley View Ranch, Route 7
Athens, Texas 75751

Mr. Cox is being reappointed.

Central Colorado River Authority

For terms to expire January 1, 1989:

Roy D. Young
Route 1, Box 24
Burkett, Texas 76828

Mr. Young is replacing Clyde Thate of Burkett, who is deceased.

Baker Rudolph
901 Galveston
Coleman, Texas 76834

Mr. Rudolph is replacing A. D. Pettit of Santa Anna, who is deceased.

For a term to expire January 1, 1991:

Jim Bob Thweatt
Route 1
Coleman, Texas 76834

Mr. Thweatt is replacing Ralph Edens of Talpa, who is deceased.

Issued in Austin, Texas, on
February 27, 1985.

TRD-851871 Mark White
 Governor of Texas
 ★ ★ ★

**Appointments Submitted
February 28**

Texas Board of Corrections

For terms to expire February 15, 1991:

Robert (Bob) Lane
2404 Pemberton Parkway
Austin, Texas 78703

Mr. Lane is replacing Harry M. Whittington of Austin, whose term expired.

Alfred Hughes
4726 Twin Valley Drive
Austin, Texas 78703

Mr. Hughes is replacing H. B. (Bartell) Zachry, Jr., of San Antonio, whose term expired.

Dennis R. Hendrix
4142 Herschel, #106
Dallas, Texas 75219

Mr. Hendrix is replacing Clifford F. Smith, Jr., of Houston, whose term expired.

For a term to expire February 15, 1987:

James Parsons III
P.O. Box 1670
Palestine, Texas 75801

Mr. Parsons is replacing Ruben Montemayor of San Antonio, who resigned.

Issued in Austin, Texas, on
February 28, 1985.

TRD-851871 Mark White
 Governor of Texas

★ ★ ★



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.

Symbology in amended emergency 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 7. BANKING AND SECURITIES

Part VII. State Securities Board

Chapter 109. Transactions Exempt from Registration

★ 7 TAC §109.13

The State Securities Board adopts on an emergency basis an amendment to §109.13, concerning limited offering exemptions. Section 109.13(k), which becomes effective on the same date as this emergency amendment, creates an exemption that increases uniformity with federal and other states' law by coordinating with the Securities and Exchange Commission's Regulation D and the North American Securities Administrators Association's uniform limited offering exemption.

In the adoption of subsection (k), the board added the phrase "or offered or sold in compliance with the Securities Act of 1933, §3(a)(11)," to the published proposal. The amendment eliminates this phrase which was added to address comments raised by issuers who would not be relying upon Regulation D as the applicable exemption from federal securities registration requirements, but instead would be relying upon §3(a)(11), which is another federal exemption that is only available for in-

trastate offerings. A literal reading of §109.13(k) as adopted has the effect of exempting all offerings so long as they are made entirely within this state and meet the requirements of §3(a)(11) and the additional conditions set forth in §109.13(k)(1)-(15). Section 3(a)(11) does not prohibit general solicitation and advertising or limit the number or qualifications of investors, which are limitations contained in Regulation D.

It is the intention of the board that the Regulation D prohibitions against general solicitation and advertising and limitations in the number and qualifications of investors apply to all offerings made pursuant to the exemption contained in subsection (k). Without the amendment, imminent peril to public investors in this state is present since a broad unjustified and unintended exemption from the investor protection provision of the Securities Act, §7, would exist.

The amendment only deletes the problem phrase, and it is not anticipated to have a detrimental effect upon the intrastate issuers mentioned previously, since the exemption provided by §109.4(11) remains available to them as long as all conditions of such exemption are met.

The amendment is adopted on an emergency basis under Texas Civil Statutes, Article 581, §28-1 and §5.T, which provide, respectively, that the board may adopt rules and regulations governing registration statements and applications,

classify securities, persons, and matters within its jurisdiction, prescribe different requirements for different classes, and adopt new exemptions by rule, conditionally or unconditionally.

§109.13. Limited Offering Exemptions.

(a)-(j) (No change.)

(k) Uniform limited offering exemption. In addition to sales made under the Texas Securities Act, §5.1, the State Securities Board, pursuant to the Act, §5.T, exempts from the registration requirements of the Act, §7, any offer or sale of securities offered or sold in compliance with the Securities Act of 1933, Regulation D, Rules 230.501-230.503 (except for Rule 230.502(b)(2)), 230.505, and 230.506, as made effective in United States Securities and Exchange Commission Release 33-6389 [or offered or sold in compliance with the Securities Act of 1933, §3(a)(11)] and which satisfies the following further conditions and limitations.

(1)-(15) (No change.)

Issued in Austin, Texas, on
February 28, 1985.

TRD 851833 Richard D. Latham
 Commissioner
 State Securities Board

Effective date: March 1, 1985
Expiration date: June 29, 1985
For further information, please call
(512) 474-2233.

★ ★ ★

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. Also, in the case of substantive rules, a public hearing must be granted if requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members.

Symbology in proposed amendments. 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 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

Chapter 9. Liquefied Petroleum Gas Division

Subchapter A. General Rules

★ 16 TAC §§9.1-9.13

(Editor's note: The text of the following rules proposed for repeal will not be published. The rules may be examined in the offices of the Railroad Commission of Texas, 1124 IH 35 South, Austin, or in the Texas Register office, Room 503E, Sam Houston Building, 201 East 14th Street, Austin.)

The Railroad Commission of Texas, Liquefied Petroleum Gas (LP-Gas) Division, proposes the repeal of §§9.1-9.13, concerning the applicability of various divisions of the safety rules of the LP-Gas Division. This repeal is proposed jointly with the proposed adoption of new §9.1, which consolidates the prior rules and addresses a few technical and stylistic changes.

Thomas D. Petru, LP-Gas Division director, has determined that for the first five-year period the repeal will be in effect there will be no fiscal implications for state or local government or small businesses as a result of the repeal.

Mr. Petru also has determined that for each year of the first five years the repeal as proposed is in effect the public benefit anticipated as a result of the repeal is greater clarity in the regulatory language of the safety rules. There is no anticipated economic cost to individuals as a result of the repeal.

Comments on the proposal may be submitted to Donn G. Miller, Hearings Examiner, Railroad Commission of Texas, LP-Gas Division, P.O. Drawer 12967, Austin, Texas 78711-2967.

The repeal is proposed under the Texas Natural Resources Code, §113.051, which provides the Railroad Commission of Texas with the authority to promulgate

and adopt rules or standards relating to the LP-gas industry in Texas.

- §9.1. *Application of Rules.*
- §9.2. *Application of Basic Rules.*
- §9.3. *Division I.*
- §9.4. *Division II.*
- §9.5. *Division III.*
- §9.6. *Division IV.*
- §9.7. *Division V.*
- §9.8. *Division VI.*
- §9.9. *Division VII.*
- §9.10. *Division VIII.*
- §9.11. *Division IX.*
- §9.12. *Division X.*
- §9.13. *Division XI.*

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 March 1, 1985.

TRD-851900 Walter Earl Lille
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 445-1186

★ ★ ★



★ 16 TAC §9.1

The Railroad Commission of Texas, Liquefied Petroleum (LP-Gas) Division, proposes new §9.1, concerning the applicability of various divisions of the safety rules of the LP-Gas Division. This new section is a consolidation of existing §§9.1-9.13, which simultaneously are proposed for repeal.

Thomas D. Petru, LP-Gas Division director, has determined that for the first five-year period the proposed rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Petru also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is greater clarity in the regulatory language of the safety rules. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Donn G. Miller, Hearings Examiner, Railroad Commission of Texas, LP-Gas Division, P.O. Drawer 12967, Austin, Texas 78711-2967.

The new section is proposed under the Texas Natural Resources Code, §113.051, which provides the Railroad Commission of Texas with the authority to promulgate and adopt rules or standards relating to the LP-gas industry in Texas.

§9.1. Application of Rules. The Liquefied Petroleum Gas (LP-Gas) Division safety rules are intended to apply to the design, construction, location, and operation of LP-gas systems, equipment, and appliances. These standards do not apply to marine terminals, natural gasoline plants, refineries, tank farms, gas manufacturing plants, plants engaged in processing liquefied petroleum gases, or to railroad loading tracks used in connection with such establishments; provided that such standards shall apply to truck loading racks.

(1) Basic rules. The basic rules apply to all divisions except as otherwise indicated.

(2) Division I.

(A) Division I applies to LP-gas systems utilizing containers constructed in accordance with specifications issued by the U.S. Interstate Commerce Commission (ICC) or U.S. Department of Transportation (DOT). When DOT or ICC containers are used in the manner prescribed by the DOT, then DOT rules shall apply to container transportation and handling.

(B) Where ICC or DOT containers are not used in the manner prescribed by the DOT, they cease to be under the DOT jurisdiction. When installed in Texas and used as LP-gas consumer containers, they are subject exclusively to the rules of the Railroad Commission of Texas. Where such containers are privately owned and permanently installed, they are not operated as prescribed by DOT regulation.

(3) Division II. Division II applies to consumer LP-gas systems utilizing containers constructed in accordance with the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, Division I.

(4) Division III. Division III applies to bulk storage containers at installations where gas is stored, but not used on the premises.

(5) Division IV. Division IV applies to transport trucks, semitrailer tanks, bobtail units, or any other type of LP-gas cargo tank used in the transportation and distribution of LP-gas.

(6) Division V. Division V applies to LP-gas motor fuel and mobile fuel containers installed and used on automobiles, trucks, buses, tractors, construction machinery, and farm tractors or other types of farm machinery.

(7) Division VI. Division VI applies to vaporizers used with portable, mobile, or stationary LP-gas installations.

(8) Division VII. Division VII applies to LP-gas piping and piping systems.

(9) Division VIII. Division VIII applies to approved LP-gas appliances and pertinent equipment used in making appliance installations and regulates their location, installation, and connection.

(10) Division IX. Division IX applies to storage containers, dispensing devices, and pertinent equipment used in bottle filling plants and service stations where LP-gas is stored and dispensed from fixed LP-gas equipment.

(11) Division X. Division X applies to farm carts which are used for the transportation and distribution of LP-gas.

(12) Division XI. Division XI applies to industrial fork lifts, trucks, and other LP-gas powered vehicles and carburetion equipment specifically designed to be used in a building or on a consumer's premises.

(13) Division XII. Division XII applies to LP-gas fuel dispensers.

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 March 1, 1985

TRD-851901 Walter Earl Lillie
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:
April 8, 1985

For further information, please call
(512) 475-1301.

★ ★ ★

★ 16 TAC §9.15

The Railroad Commission of Texas proposes an amendment to §9.15, concerning the designation of forms used by the Liquefied Petroleum Gas (LP-Gas) Division. The amendment reflects the adoption of an updated form by the division.

Thomas D. Petru, LP-Gas Division director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Petru also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule as proposed is greater clarity in regulation, as the public will be properly informed of the titles of LP-Gas Division forms. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Donn G. Miller, Hearings Examiner, Railroad Commission of Texas, P.O. Drawer 12967, Austin, Texas 78711-2967.

The amendment is proposed under the Texas Natural Resources Code, §113.051, which provides the Railroad Commission of Texas with the authority to promulgate and adopt rules or standards relating to the LP-gas industry in Texas.

§9.15. Gas Report Forms. Under the provisions of the Texas Natural Resources Code, Chapter 113, the Railroad Commission of Texas has adopted by reference the following forms for use by the Liquefied Petroleum Gas (LP-Gas) Division. These forms are available to the public upon request directed to the LP-Gas Division in Austin.

(1)-(10) (No change.)

(11) LPG Form 18B. Statement [Affidavit] of lost or destroyed LPG Form 4 decal.

(12)-(21) (No change.)

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 March 1, 1985.

TRD-851902 Walter Earl Lillie
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:
April 8, 1985

For further information, please call
(512) 475-1301.

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Subchapter E. Division III

★ 16 TAC §9.130

The Railroad Commission of Texas, Liquefied Petroleum Gas Division, proposes an amendment to §9.130, concerning the minimum thickness of fuel storage container shells and heads. The amendment deletes the requirement that shell or head thickness of any container shall not be less than 3/16 inch.

Thomas D. Petru, LP-Gas Division director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Petru also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is greater clarity and uniformity of LP-gas regulation. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Donn G. Miller, Hearings Examiner, Railroad Commission of Texas, LP-Gas Division, P.O. Drawer 12967, Austin, Texas 78711-2967.

The amendment is proposed under the Texas Natural Resources Code, §113.051, which provides the Railroad Commission of Texas with the authority to promulgate and adopt rules relating to any and all aspects of the LP-gas industry which protect or tend to protect the health, welfare, and safety of the general public.

§9.130. Design Working Pressure.

(a) (No change.)

(b) The shell or head thickness of any container shall not be less than 3/16 inch.]

(b)(c) All nozzle openings in shells or heads of ASME vessels shall be either 3,000 pound couplings or Schedule 80 pipe. Such nozzles shall be installed by fabricator only.

(c)(d) Containers to be fabricated by fusion welding only.

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 March 1, 1985.

TRD-851898 Walter Earl Lillie
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:

April 8, 1985

For further information, please call
(512) 475-1301.

★ ★ ★

Subchapter I. Division VII

★ 16 TAC §9.211

The Railroad Commission of Texas, Liquefied Petroleum Gas (LP-Gas) Division proposes an amendment to §9.211, concerning the authority of individuals to connect or install LP-gas appliances in Texas. The proposed amendment removes language referring to the exemption of certain plumbers from the scope of the section. The exemption itself was repealed and becomes effective May 1, 1985.

Thomas D. Petru, LP-Gas Division director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Petru also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be greater clarity in LP-gas regulation, as this section will no longer refer to an exemption which has been repealed. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Donn G. Miller, Hearing Examiner, Railroad Commission of Texas,

P.O. Drawer 12967, Austin, Texas
78711-2967.

The amendment is proposed under the Texas Natural Resources Code, §113.051, which provides the Railroad Commission of Texas with the authority to promulgate and adopt rules or standards relating to the LP-gas industry in Texas.

§9.211. Piping Installation Identification Tag.

(a) LP-gas piping shall be installed, altered, or repaired and tested only by those persons, firms, corporations, or associations that have been licensed [or who are master or journeyman plumbers except from licensing by the Railroad Commission of Texas,] in accordance with the provisions of Texas Natural Resources Code, Chapter 113.

(b) (No change.)

(c) The master or journeyman plumber exempt by §9.28 of this title (relating to Exemption of Master or Journeyman Plumber), upon completion of the installation, alteration, repair or testing of an LP-gas piping system, shall attach to the end of the piping nearest the container a metal tag bearing the master or journeyman plumber's name, State Plumbing Board number, and the year the piping is installed, altered, or repaired.]

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 March 1, 1985.

TRD-851899 Walter Earl Lillie
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:

April 8, 1985

For further information, please call
(512) 475-1301.

★ ★ ★

Subchapter J. Division VIII

★ 16 TAC §9.231

The Railroad Commission of Texas, Liquefied Petroleum Gas (LP-Gas) Division, proposes amendments to §9.231, concerning the authority of individuals to connect or install LP-gas appliances in Texas. The proposed amendments remove language referring to the exemption of certain plumbers from the scope of the rule. The exemption itself was repealed and becomes effective May 1, 1985.

Thomas D. Petru, LP-Gas Division director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or

local government or small businesses as a result of enforcing or administering the rule.

Mr. Petru also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is greater clarity in LP-gas regulation, as this section will no longer refer to an exemption which has been repealed. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Donn G. Miller, Hearings Examiner, Railroad Commission of Texas, LP-Gas Division, P.O. Drawer 12967, Austin, Texas 78711-2967.

The amendments are proposed under the Texas Natural Resources Code, §113.051, which provides the Railroad Commission of Texas with the authority to promulgate and adopt rules or standards relating to the LP-gas industry in Texas.

§9.231. Approved Appliances.

(a) All LP-gas appliances shall be approved by the Railroad Commission of Texas or certified by a nationally recognized testing laboratory, such as American Gas Association, Inc., or Underwriters' Laboratories, Inc. If such gas appliances are not certified for use with LP-gas, they may be converted to use LP-gas as a fuel by a licensee [licensed dealer or master or journeyman plumber], provided the licensee [that he] tests such appliances for proper operation before placing them in service.

(b) (No change.)

(c) The master or journeyman plumber exempt by §9.28 of this title (relating to Exemption of Master or Journeyman Plumber), upon completion of the conversion and testing of LP-gas appliances, shall attach to each such appliance a metal tag bearing the words: "converted to LP-gas," the master or journeyman plumber's name, his State Plumbing Board number, and the year the appliance is converted.]

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 March 1, 1985

TRD-851897 Walter Earl Lillie
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:

April 8, 1985

For further information, please call
(512) 475-1301.

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TITLE 25. HEALTH SERVICES
Part V. Texas Health Facilities Commission
Chapter 507. Certificate of Need Requirements

★25 TAC §507.5

The Texas Health Facilities Commission (THFC) proposes amendments to §507.5, concerning requirements for a certificate of need for major medical equipment. The commission proposes the amendment to clarify existing policies and procedures. The proposed amendments provide a clearer expression of the commission's regulatory requirements and achieve greater uniformity, consistency, and certainty in the application of its rules. The proposed amendments have been in effect as emergency amendments since November 16, 1984.

Carol S. Daniels, deputy administrator, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

John R. Neel, general counsel, has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is greater clarity so that the public will be informed better of the commission's regulatory requirements, which will result in time and dollar savings to health care service providers and the general public. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to John R. Neel, General Counsel, Texas Health Facilities Commission, P.O. Box 50049, Austin, Texas 78763, through 5 p.m. on April 2, 1985.

The amendments are proposed under Texas Civil Statutes, Article 4418h, §2.06(2), which authorize the commission to adopt and promulgate rules determined to be necessary for the administration and enforcement of the Texas Health Planning and Development Act.

§507.5. Acquisition of Major Medical Equipment.

(a)-(d) (No change.)

(e) If a person who has previously acquired major medical equipment without a certificate of need or a notice of intent, except as provided in subsection (c) and subsection (d) of this section, [pursuant to the provisions of commission rules §509.131 of this title (relating to Notices of Intent to Acquire Major Medical Equipment), §509.133

of this title (relating to Forms for Notice of Intent to Acquire Major Medical Equipment), and §509.135 of this title (relating to Commission Review Procedures)] proposes, at any time, to use that equipment to serve inpatients of a health-care facility on other than a temporary basis, a certificate of need must be obtained prior to implementation of the service. In this instance, the certificate of need must be obtained by the owner of the equipment and by the facility whose inpatients would be served, unless the facility has previously received authorization to offer the service or the service is otherwise an existing service of the facility, in which case, the certificate of need must be obtained only by the owner of the equipment [if the facility has not previously received authorization to offer the service or the service is not an existing service for the health-care facility].

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 February 28, 1985

TRD-851834 W. G. Kirklin
Chairman
Texas Health
Facilities Commission

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 475-8940

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The Texas Health Facilities Commission (THFC) proposes amendments to §§507.9, 507.11, 509.99, and 515.111, concerning bed license, bed capacity, notice of accepted application, and discovery. The amendments are adopted to correct erroneous cross-references to §527.1(b); delete a reference to the Rules of Civil Procedure, 186b; and to insert "interested person" in §509.99 to conform to §515.15, which contains requirements for responsibilities of interested persons. The proposed amendments are technical corrections of errors and contain no substantive changes.

Carol S. Daniels, deputy administrator, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

John R. Neel, general counsel, 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 elimination of incorrect references, which can be time consuming to persons who

are required to comply with these rules, and the elimination of an ambiguous rule resulting from inadvertent omission. There is no anticipated economic cost to individuals who are required to comply with the rules as proposed.

Comments on the proposal may be submitted to John R. Neel, General Counsel, Texas Health Facilities Commission, P.O. Box 50049, Austin, Texas 78763, through 5 p.m. on April 2, 1985.

★25 TAC §507.9, §507.11

The amendments are proposed under Texas Civil Statutes, Article 4418h, §2.06(2), which authorize the commission to adopt and promulgate rules for the administration and enforcement of the Texas Health Planning and Development Act.

§507.9. Bed License.

(a) (No change.)

(b) For instructions on adding or relocating beds without certificate of need review and computing the two-year periods referenced in subsection (a)(1) and (2) of this section, see commission §527.1(c) and (d) [(b)] of this title (relating to Time Periods).

§507.11. Bed Capacity. A person must obtain a certificate of need to obligate a capital expenditure in any amount which would increase the bed capacity in the facility by more than 10 beds or more than 10% of the beds, whichever is less, in a two-year period. For instructions on adding bed capacity without certificate of need review and computing the two-year period referenced in this section, see commission §527.1(c) and (d) [(b)] of this title (relating to Time Periods).

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
February 28, 1985.

TRD-851835 W. G. Kirklin
Chairman
Texas Health Facilities
Commission

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 475-8940.

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Chapter 509. Certificate of Need Application Procedures
Subchapter C. Declaratory Ruling Application Procedures

★25 TAC §509.99

This amendment is proposed under Texas Civil Statutes, Article 4418h, §2.06(2), which authorizes the commission to adopt and promulgate rules for the administration and enforcement of the Texas Health Planning and Development Act.

§509.99. *Notice of Application.* The commission shall publish in the *Texas Register* a notice of accepted declaratory ruling applications. The notice shall state the name of the facility, city, or county in which the project is to be located, the relief sought by the applicant, a general description of the proposed project, and a statement that any person may become a party or interested person to the application by filing a proper request no later than 10 days after the publication of notice.

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 February 28, 1985.

TRD-851836 W. G. Kirklin
Chairman
Texas Health Facilities
Commission

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 476-6940.

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Chapter 515. Commission Review of Applications
Subchapter D. Evidence

★25 TAC §515.111

The amendment is proposed under Texas Civil Statutes, Article 4418h, §2.06(2), which authorizes the commission to adopt and enforce rules for the administration and enforcement of the Texas Health Planning and Development Act.

§515.111. *Discovery*

(a) (No change.)

(b) If objections are filed, the chairman or his designee may conduct, upon request of any party to the proceeding or on his own motion, a hearing on the motion. In ruling on the motion, the chairman shall determine whether good cause exists to order discovery and may make any of the kind

of orders permitted by the Texas Rules of Civil Procedure, §166b [§186b]. In the case of failure of a party to comply with an order issued pursuant to this section, the chairman may seek enforcement by suspending processing of the application until the applicant complies or by striking status as a formal party until the party complies.

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
February 28, 1985.

TRD-851837 W. G. Kirklin
Chairman
Texas Health Facilities
Commission

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 476-6940

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Chapter 527. Miscellaneous Provisions
Subchapter D. Transitional Provision

★25 TAC §527.33

The Texas Health Facilities Commission proposes new §527.33, concerning an exception to the effective date of commission rules currently in effect. In summary, the new section makes commission rules which are applicable to cases filed on or after October 1, 1984, also applicable to cases filed before that date, October 1, 1984, that are joined with those filed on or after October 1, 1984. This section was adopted on an emergency basis in the October 26, 1984, issue of the *Texas Register* (9 TexReg 5505) to be effective October 18, 1984.

Carol S. Daniels, deputy administrator, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

John R. Neel, general counsel, also has determined that for each year of the first five years the rule is in effect the public benefit anticipated as a result of enforc-

ing the rule is improved efficiency in administrative processing of applications for health care facilities and services; improved accessibility to needed health care services and facilities provided in a more orderly manner, and the reduction or elimination of costs directly resulting from unneeded services and facilities. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to John R. Neel, General Counsel, Texas Health Facilities Commission, P.O. Box 50049, Austin, Texas 78763, through 5 p.m. on April 2, 1985.

This new section is proposed under Texas Civil Statutes, Article 4418h, §2.06(2), which authorize the commission to adopt and promulgate rules for the administration and enforcement of the Texas Health Planning and Development Act.

§527.33. *Exception to Effective Date.* As an exception to the general effective date provided in §527.31 of this title (relating to Effective Date), the sections in Chapters 501 of this title (relating to Description of the Commission), 503 of this title (relating to Rule-Making Procedures), 505 of this title (relating to Terms and Phrases), 507 of this title (relating to Certificate of Need Requirements), 509 of this title (relating to Certificate of Need Application Procedures), 513, Subchapter A and Subchapter D, of this title (relating to Criteria), 515 of this title (relating to Commission Review of Applications), 517 of this title (relating to Miscellaneous Provisions), 523 of this title (relating to Forfeiture), and 525, subchapter A, of this title (relating to Enforcement) shall apply to applications filed prior to October 1, 1984, when such applications are subsequently joined with applications filed on or after October 1, 1984. For purposes of considering joinder of applications filed on or after October 1, 1984, with applications filed prior to October 1, 1984, a 30-day joinder period will be applied.

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
February 28, 1985.

TRD-851838 W. G. Kirklin
Chairman
Texas Health Facilities
Commission

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 476-6940.

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TITLE 28. INSURANCE

Part I. State Board of Insurance

(Editor's note: Because the State Board of Insurance'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 title and part.)

General Provisions

Cancellation, Declination, and Nonrenewal of Property and Casualty Insurance Policies

★ 059.21.49.005

The State Board of Insurance proposes new Rule 059.21.49.005, concerning a rules manual for the Texas Catastrophe Property Insurance Association (TCPPIA). This manual contains rules and regulations for insurance coverage effectuated through the TCPPIA under the Texas Catastrophe Property Insurance Act, Insurance Code, Article 21.49. Heretofore, this manual has been a part of the general basis schedules only. This new rule puts the manual under a separate rule number; it also remains a part of the general basis schedules. There is no substantive law change from this new rule. Therefore, no fiscal or cost implications are expected.

G. J. Jones, Property Section deputy commissioner, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Jones also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is the separate adoption of a rules manual for the association so that all matters affecting the association may be found under a single series of rule numbers. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to G. J. Jones, Deputy Commissioner, Property Section, State Board of Insurance, 1110 San Jacinto Street, Austin, Texas 78786.

The new rule is proposed under the Insurance Code, Article 21.49, §8, pursuant to which the State Board of Insurance may approve manuals of classifications and rules for use by the association, and Article 21.49, §5A, which authorizes the

board to issue any orders which it considers necessary to carry out the purposes of Article 21.49.

.005. *Rules and Regulations for Texas Catastrophe Property Insurance Association (Association).* The State Board of Insurance adopts by reference a rules manual for the association. Copies of the rules manual may be obtained by contacting the association at P.O. Box 2930, Austin, Texas 78767, or by contacting the Property Division, State Board of Insurance, 1110 San Jacinto Street, Austin, Texas 78786.

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
February 27, 1985.

TRD-851809 James W. Norman
Chief Clerk
State Board of
Insurance

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 475-2950.

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Miscellaneous

★ 059.21.49.010

The State Board of Insurance proposes amendments to Rule 059.21.49.010, concerning standard endorsement forms for windstorm and hail insurance policies issued by the Texas Catastrophe Property Insurance Association (TCPPIA) pursuant to the Texas Catastrophe Property Insurance Pool Act, Insurance Code, Article 21.49, §8. The amendments incorporate into the rule all endorsement forms presently in use by the association and redraft the rule to identify specifically those forms. There are no fiscal implications from these rule changes.

G. J. Jones, Property Group deputy insurance commissioner, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Jones also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is an updated rule which clearly specifies the endorsements which are adopted by reference. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to G. J. Jones, Deputy insurance

Commissioner, Property Group, 1110 San Jacinto Street, Austin, Texas 78786.

The amendments are proposed under the Insurance Code, Article 21.49, §8, pursuant to which the State Board of Insurance may approve policy and endorsement forms for use by the association; and Article 21.49, §5A, pursuant to which the board may issue any order it considers necessary to carry out the purposes of Article 21.49.

.010. *Standard [Policy] Texas Catastrophe Property Insurance Association Forms—Windstorm and Hail.* The State Board of Insurance adopts by reference the [attached] standard Texas Catastrophe Property Insurance Association [policy] forms—windstorm and hail. These forms are [This document is] published by and available from the Texas Catastrophe Property Insurance Association, P.O. Box 2930, Austin, Texas 78767. They are also available from the Property Section, State Board of Insurance, 1110 San Jacinto Street, Austin, Texas 78786. The forms are more specifically identified as follows:

- (1) TCPPIA, Form 365—replacement cost endorsement household goods. Effective August 1, 1981;
- (2) TCPPIA Form 500—\$100 deductible clause other than one or two family dwellings. Effective March 15, 1973;
- (3) TCPPIA Form 510—dwelling percentage deductible clause. Effective May 1, 1972;
- (4) TCPPIA Form 520—dwelling \$100 deductible clause. Effective May 1, 1972;
- (5) TCPPIA Form 530—dwelling \$250 deductible clause. Effective May 1, 1972;
- (6) TCPPIA Form 560—beach area percentage deductible clause. Effective May 1, 1972;
- (7) TCPPIA Form 570—mobile home percentage deductible clause. Effective August 17, 1976;
- (8) TCPPIA Form 575—mobile home percentage deductible clause. Effective August 17, 1976.

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
February 27, 1985.

TRD-851808 James W. Norman
Chief Clerk
State Board of
Insurance

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 475-2950.

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**TITLE 37. PUBLIC SAFETY
AND CORRECTIONS
Part VII. Texas Commission
on Law Enforcement
Officer Standards and
Education**

**Chapter 211. Administrative
Division
Substantive Rules**

★37 TAC §§211.77, 211.79, 211.82,
211.85

The Texas Commission on Law Enforcement Officer Standards and Education proposes amendments to §§211.77, 211.79, 211.82, and 211.85, concerning basic, intermediate, and advanced level training standards for law enforcement officers. The amendments increase the training standards for regular peace officers to a minimum of 400 hours of classroom instruction. Basic reserve law enforcement officer training requirements are amended to provide for a minimum of 145 hours of classroom instruction. Additionally, under the proposed training regulations, reserve law enforcement officers may opt to qualify for regular peace officer certification by complying (under a three-level process) with the training standards required of regular peace officers. A three-level training process consists of 145 hours of basic level reserve training, 131 hours of intermediate level reserve training, and 124 hours of advanced level reserve training for a total of 400 hours. Officers holding permanent reserve law enforcement officer certification upon the effective date of the amendments will be grandfathered into the intermediate reserve officer certification level.

Alfredo Villarreal, general counsel, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state government as a result of enforcing or administering the rule. The anticipated effect on local government is an estimated additional cost of \$3,800 in 1985; \$4,256 in 1986; \$4,766 in 1987; \$5,337 in 1988; and \$5,977 in 1989. There is no anticipated economic cost for small businesses.

Mr. Villarreal 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 that citizens may reasonably expect a better trained police force in their community because of the higher standard of training requirements. There is no anticipated economic cost to individuals who are required to comply

with the rules as proposed, as the state does not currently assess a licensing fee for peace officer certification.

Comments on the proposal may be submitted to Alfredo Villarreal, General Counsel, 1606 Headway Circle, Suite 100, Austin, Texas 78754, (512) 834-9222.

The amendments are proposed under Texas Civil Statutes, Article 4413(29aa), §2, which provide the commission with the authority to establish minimum standards that relate to competence and reliability, including training for licensing as law enforcement officers; and to establish procedures for the issuance of proficiency certificates based upon law enforcement training, education, and experience.

§211.77. Minimum Training Standards Required for Peace Officers and Reserve Law Enforcement Officers.

(a) The minimum training standards required for peace officers shall be one of the following:

(1) completion of the college courses and training prescribed in subsection (g) of this section [a college degree in criminal justice conferred in this state]; and
(A)-(B) (No change.)

(2) (No change.)

(b) The minimum standards required for reserve law enforcement officers shall be as prescribed by subsection (f) of this section or as prescribed by subsection (g)(1)-(8) of this section.

(c) (No change.)

(d) Attendance, examination, and evaluation of trainees in the basic course for peace officers or the basic course for reserve law enforcement officers.

(1)-(4) (No change.)

(5) In addition to the licensing examination required by paragraph (6) of this subsection, the course coordinator shall insure that each trainee shall be tested in each subject contained within the course, as identified in subsection (e), [or] subsection (f), or subsection (g) of this section, depending upon which course the trainee is enrolled.

(6)-(7) (No change.)

(e) The basic course for peace officers shall consist of a minimum 400 [320] hours of instruction, and shall include the subjects hereinafter listed. All instruction shall include the subject matter, the length of time of instruction and shall be taught in accordance with the instructor guides for each subject. [The instruction in each subject shall be for at least the length of time indicated, and the subjects are to be instructed in the sequence as listed as nearly as practicable. All instruction shall include the subject matter and be taught from and in accordance with the instructor guides for each subject.] The instructor guides will be provided and updated from time to time by the Texas Commission on Law Enforcement Officer Standards and Education, as the ex-

ecutive director of the commission determines necessary.

(1) Course activities shall include an introduction to the course and classroom note taking. Classroom review, testing, the State's licensing examination, and graduation ceremonies shall be included in this topic. [Introduction to course and classroom note taking (two hours). The purpose of introduction to the course and classroom note taking is to acquaint the students with the academy staff, to familiarize the student with academy rules, to emphasize the value of classroom note taking, and the most effective method for taking notes. Instructor guide number one shall be used in teaching this subject.]

(2) Patrol shall include instruction on introduction to patrol, preparation for patrol, communications, crime prevention and public service, preventive patrol, and traffic law enforcement. [U.S. Constitution and Bill of Rights (four hours). This subject concentrates on the intended purpose and effect of both the Constitution and the Bill of Rights, regarding the enforcement of criminal laws. Included also, are the amendments applicable to the citizen's basic rights (1, 4, 5, 6, 8, 14), with emphasis on the basic concepts of freedoms of religion and speech, arrest-search-seizure, speedy trials, counsel, punishments, due process and equal protection under the law. Instructor guide number two shall be used in teaching this subject.]

(3) Investigative patrol shall include the U.S. Constitution and the Bill of Rights, the Texas Code of Criminal Procedure, and the Texas Penal Code, use of force, Texas Family Code, Alcoholic Beverage Code, dangerous drugs and controlled substances, civil law and process, arrest/search/seizure, community relations, investigations, field note taking, report writing, and the use of reports shall be covered within this block of instruction. [The peace officer's role in society (eight hours). The peace officer's role in society places emphasis on how an officer should treat another person regardless of age, sex, or ethnic background; an understanding of human behavior; the importance of effectively communicating with the public, both individually and collectively; attitudes and actions affecting citizen contracts; impartiality on the part of the peace officer; how the peace officer perceives his/her role, and how the public views the peace officer in the performance of his/her duties, Instructor guide number three shall be used in teaching this subject.]

(4) Skills training shall include firearms, law enforcement driving, and emergency medical care. [Penal Code (28 hours). Included in the content material for the Penal Code are the following: the burden of proof, multiple prosecutions, criminal responsibility—its defenses and justification; punishments; conduct affecting public health; offenses against the person, the fam-

lly, property, public administration, public order and decency, and public health, safety, and morals. Instructor guide number four shall be used in teaching this subject.]

(5) **Miscellaneous shall include traffic direction and control, crowd control, and courtroom demeanor and testimony.** [Texas Code of Criminal Procedure (16 hours). The Texas Code of Criminal Procedure concentrates on the general duties and responsibilities of officers; the courts and their criminal jurisdiction; the prevention and suppression of offenses; venue; arrest, commitment, and bail; search warrants; criminal trials; and justice and municipal courts. Instructor guide number five shall be used in teaching this subject.

(6) **Arrest, search, and seizure (20 hours).** The key points of arrest, search, and seizure are as follows: determining when a subject is under arrest; the legal authorities for arrest; discussions on suspicion, temporary detention, probable cause, proof beyond a reasonable doubt, stop and frisk, searches, and lawful methods for conducting searches. Instructor guide number six shall be used in teaching this subject.

(7) **Mechanics of arrest (six hours).** Mechanics of arrest centers upon the following areas of instruction: approaching the suspect(s), confronting the suspect(s), interpersonal relationships, physical contact with the suspect(s), arresting and handcuffing the suspect(s), searching the suspect(s), basic come-along holds, and transporting the suspect(s). Instructor guide number seven shall be used in teaching this subject.

(8) **Dangerous drugs--controlled substances (six hours).** Dangerous drugs--controlled substances includes instruction on the identification of the most common dangerous drugs and controlled substances, the procedure for arrest and search of suspect(s), common places of concealment of dangerous drugs or controlled substances, and developing and handling informants. Instructor guide number eight shall be used in teaching this subject.

(9) **Liquor Control Act (two hours)** This unit of instruction contains an introduction to the Texas Alcoholic Beverage Commission and its powers, duties, and functions; terminology, definitions, and criminal offenses relative to the Liquor Control Act; and the various types of licenses and permits required by the Act. Instructor guide number nine shall be used in teaching this subject.

(10) **The Texas Family Code (six hours).** The Texas Family Code places emphasis upon the general provisions of the Juvenile Act, especially those restrictions involved in the proceedings for either lawfully handling juveniles, taking a juvenile before a Juvenile Court or in referring him to a Juvenile Court, and the officer-juvenile-parent interaction. Instructor guide number 10 shall be used in teaching this subject.

(11) **Civil law and process (12 hours).** Civil law and process contains les-

sons dealing with community property, peace bonds, citizen's privileges, officers' liability, small claims courts, receipt of civil process, service and return of civil process papers, trial and sales notices. Instructor guide number 11 shall be used in teaching this subject.

(12) **Law enforcement information coordination (four hours).** Law enforcement information coordination indicates the extent of information and services that can be secured from the different divisions of the Texas Department of Public Safety and exactly where such information can be obtained. Included also are the jurisdictions of the Treasury Department, the Federal Bureau of Investigation, and the Bureau of Alcohol, Tobacco, and Firearms. Instructor guide number 12 shall be used in teaching this subject.

(13) **Field note taking (two hours).** Field note taking emphasizes the following: the purpose and importance of note taking for report preparation, the legal use of notes, and suggested rules governing note taking. Instructor guide number 13 shall be used in teaching this subject.

(14) **Interviewing and interrogation (three hours).** Interviewing and interrogation emphasizes definitions, legal requirements, officer-witness-suspect rapport, and techniques and procedures for conducting effective interviews and/or interrogations. Instructor guide number 14 shall be used in teaching this subject.

(15) **Protection of and crime scene search (six hours).** Protection of and crime scene search concentrates on an officer's legal authority, proper procedures for conducting crime scene searches, recovery and handling of evidence, and laws relative to tampering with or the fabricating of evidence (by either peace officers or citizens). Instructor guide number 15 shall be used in teaching this subject.

(16) **Report writing (four hours).** Report writing explains the requirements of a good report, the different kinds of reports, methods of recording information, and the statutes affecting reports. Instructor guide number 16 shall be used in teaching this subject.

(17) **Case preparation (four hours).** Case preparation explains the procedures involved in organizing a case, in properly recording the facts, in translating field notes to a formal report, in preparing the case folder, in selecting the charge. This subject also deals with the officer, witness, and/or prosecutor relationship during interviews prior to trial. Instructor guide number 17 shall be used in teaching this subject.

(18) **Basic criminal investigation (40 hours).** Topics included in basic criminal investigation are its goals and purposes; the phases of preliminary criminal investigation; the methods of investigation; procedures for locating suspects and witnesses and/or identifying offenders; and collecting, marking, recording, and preserving evi-

dence. This course deals with the application of all the above through role-playing situations. Instructor guide number 18 shall be used in teaching this subject.

(19) **Courtroom demeanor and testimony (two hours).** Courtroom demeanor and testimony addresses an officer's attitude, conduct, and appearance in court. It also emphasizes the factors important in testifying. Instructor guide number 19 shall be used in teaching this subject.

(20) **First aid (14 hours).** First aid includes information and practical application sufficient for the student to effectively perform emergency medical care for the injured until the assistance of a physician can be obtained. Areas included are wounds, shock, breathing difficulties, choking, poisoning, burns, heat stroke, sudden illness, dressings and bandages, bone and joint injuries, emergency childbirth, emergency and short-distance transfers. Instructor guide number 20 shall be used in teaching this subject.

(21) **Traffic law enforcement (32 hours).** Traffic law enforcement contains units on the following: the authority for issuance of traffic citations and traffic arrests; procedures to be followed in traffic arrests; definitions of terms pertaining to traffic; laws relative to reckless driving, driving on the right side of the roadway, overtaking and passing, stopping and starting, turning, pedestrians' rights and duties, and restricted speeds. Further instruction deals with laws relating to miscellaneous offenses, drivers licenses, registration of vehicles, and certificates of title. Instructor guide number 21 shall be used in teaching this subject.

(22) **Driving while intoxicated and driving under the influence of drugs (four hours).** Driving while intoxicated and driving under the influence of drugs is a subject area which explains definitions related to DWI and DUID, the elements required for DWI and DUID, the authority to arrest with warrant, and acceptable methods of completing the reports relating to DWI and DUID. Instructor guide number 22 shall be used in teaching this subject.

(23) **Traffic collision investigation (30 hours).** This course contains definitions and terms relative to traffic collision investigation. The course also emphasizes the laws related to traffic collision investigation; the methods and procedures for conducting such investigations (including gathering facts, officer's relations with drivers and witnesses, reporting facts, and follow-up); and the proper use of forms relative to traffic collision investigation. Instructor guide number 23 shall be used in teaching this subject.

(24) **Traffic direction (four hours).** Traffic direction provides information regarding uniform and equipment requirements, traffic and pedestrian control, the regulation of traffic flow, and procedures for expediting the movement of

traffic. Instructor guide number four shall be used in teaching this subject.

(25) Patrol procedures (32 hours). Patrol procedures emphasizes the importance of the following: the purpose of patrol, analyzing patrol areas, utilizing proper patrol techniques, properly conducting field inquiries, responding to requests for services, officer-citizen relationships, effectively dealing with the public, suggested crime prevention procedures, and crisis intervention. Instructor guide number 25 shall be used in teaching this subject.

(26) Recognizing and handling abnormal persons (six hours). Recognizing and handling abnormal persons deals primarily with the following subject matter: general indications of abnormal mental conditions, suggested ways of handling people exhibiting mental disorders, officer contact with human relation conflicts, the authority of the police officer in such cases, and the procedures leading to emergency admissions of mentally disturbed persons. Instructor guide number 26 shall be used in teaching this subject.

(27) Custody arrest (two hours). Custody arrest provides information regarding the following: the constitutional rights of persons after arrest and during booking, the liabilities and responsibilities of the officer, humane treatment of the individual, the safeguarding of the property of arrested persons, and acceptable methods of completing the necessary paperwork. Instructor guide number 27 shall be used in teaching this subject.

(28) Communications (three hours). Communications emphasizes proper telephone usage, effective personal contact with the public, and other acceptable methods of disseminating communication. Instructor guide number 28 shall be used in teaching this subject.

(29) Crowd control (two hours). Crowd control identifies the characteristics of the aggressive mob, the escape mob, and the acquisitive mob, and the methods of effectively communicating with, controlling, and directing groups of people. Some suggested methods of crowd dispersement are also discussed as are other legal remedies which may be applied to crowd control situations. Instructor guide number 29 shall be used in teaching this subject.

(30) Firearms training (16 hours). Firearms training provides training in firearms safety, identification of the essential parts of a weapon (revolver), and basic principles involving the following: firing, loading, and unloading the hand gun (revolver). Instructor guide number 30 shall be used in teaching this subject.]

(f) The basic course for reserve law enforcement officers shall consist of a minimum 145 hours of instruction and shall include the subjects hereafter listed. All instruction shall include the subject matter, the length of time, and shall be taught in

accordance with the instructor guides for each subject. The instructor guides will be provided and updated from time to time by the Texas Commission on Law Enforcement Officer Standards and Education, as the executive director of the commission determines necessary. [the following:]

(1) Course activities shall include an introduction to the course and classroom note taking, classroom review, testing, the state's licensing examination, and graduation ceremonies shall be included in this topic [Note taking and school orientation—Hours of instruction—1].

(2) Investigative patrol shall include U.S. Constitution and Bill of Rights, Texas Code of Criminal Procedure, use of force, arrest, search, and seizure [Departmental organization—Hours of instruction—1].

(3) Skills training shall include firearms and emergency medical care [Beat patrol and observation—Hours of instruction—4].

(4) Miscellaneous shall include traffic direction and control, crowd control, courtroom demeanor and testimony. These courses shall be taught in accordance with the instructor guides provided by the Texas Commission on Law Enforcement Officer Standards and Education [Code of Criminal Procedure—Hours of instruction—2].

(5) Laws of arrest, search, and seizure—Hours of instruction—6.

(6) Mechanics of arrest—Hours of instruction—2.

(7) Rules of evidence—Hours of instruction—2.

(8) Officer's conduct in court—Hours of instruction—1.

(9) Case preparation and report writing—Hours of instruction—2.

(10) Criminal law—Hours of instruction—8.

(11) Criminal investigation—Hours of instruction—4.

(12) Field interrogation and interviews—Hours of instruction—2.

(13) Crowd control—Hours of instruction—3.

(14) Firearms—Hours of instruction—10.

(15) First aid—Hours of instruction—10.

(16) Traffic supervision or civil law—Hours of instruction—10.

(17) Police-community relations—Hours of instruction—2. Total hours, reserve course—70]

(g) The college courses and training required for peace officers shall consist of the following courses hereinafter listed. These courses shall be taught in accordance with the instructor guides provided by the Texas Commission on Law Enforcement Officer Standards and Education or the guidelines and illustrative transfer course outlines provided by the Coordinating Board, Texas College and University Sys-

tem. The instructor guides will be provided and updated from time to time by the Texas Commission on Law Enforcement Officer Standards and Education, as the executive director determines necessary.

(2) Crime in America. Topics in this course shall include American crime problems in historical perspective, social and public factors affecting crime, impact and crime trends, social characteristics of specific crimes, prevention of crime.

(2) Introduction to criminal justice. Topics for this course shall include history and philosophy of criminal justice and ethical considerations, crime defended, its nature and impact, overview of criminal justice system, prosecution and defense, trial process, corrections.

(3) Fundamentals of criminal law. Topics for this course shall include a study of the nature of criminal law, philosophical and historical development, major definitions and concepts, classification of crime, elements of crimes and penalties using Texas statutes as illustrations, criminal responsibility.

(4) The courts and criminal procedure. Topics for the course shall include the judiciary in the criminal justice system, right to counsel, pretrial releases, grand juries, adjudication process, types and rules of evidence, and sentencing.

(5) Police systems and practices. Topics for the course shall include instruction on the police profession, organization of law enforcement systems, the police role; police discretion; ethics; police-community interaction; current and future issues.

(6) Criminal investigation. Topics for the course shall include instruction on investigative theory; collection and preservation of evidence; sources of information; interview and interrogation; uses of forensic sciences; case and trial preparation.

(7) Legal aspects of law enforcement. Topics for the course shall include instruction on police authority responsibilities; constitutional restraints; law of arrest; search and seizure; police liability.

(8) Law enforcement 1. Topics for this course shall include firearms training and qualification, emergency medical care, traffic direction and control, and crowd control.

(9) Law enforcement 2. Topics for this course shall include course activities, introduction to patrol, preparation for patrol, crime prevention and public service, communications, preventive patrol and traffic law enforcement, the Texas Family Code, Alcoholic Beverage Code, dangerous drugs, controlled substance, civil law and process, and law enforcement driving.

§211.79. *Intermediate and Advanced Training Courses.*

(a)-(c) (No change.)

(d) The intermediate level reserve course shall consist of 131 hours of instruction and shall include the subjects here-

inafter listed. All instruction shall include the subject matter, the length of time, and shall be taught in accordance with the instructor guides for each subject. The instructor guide will be provided and updated from time to time by the Texas Commission on Law Enforcement Officer Standards and Education, as the executive director of the commission determines necessary.

(1) Course activities. Topics shall include an introduction to course and classroom note taking, classroom review, testing, an examination administered by the commission, and graduation ceremonies.

(2) Investigative patrol. Topics shall include the Texas Penal Code, community relations, basic investigation, field note taking, report writing, and use of reports.

(e) The advance level reserve course shall consist of 124 hours of instruction and shall include the subjects prescribed in §211.77(g)(9) of this title (relating to Minimum Training Standards Required for Peace Officers and Reserve Law Enforcement Officers).

§211.82. Issuance of License.

(a) In accordance with the provisions set forth in this section, the Texas Commission on Law Enforcement Officer Standards and Education may, acting by and through the executive director of said commission, award the following licenses:

(1) (No change.)

(2) Permanent peace officer licenses, permanent reserve law enforcement officer licenses, or permanent jailer licenses may be issued:

(A) (No change.)

(B) to a licensed reserve law enforcement officer who has complied with the training standards as prescribed by: (for an indefinite term and shall be valid permanently unless revoked or suspended by the commission.)

(i) §211.77(g)(1)-(9) of this title (relating to Minimum Training Standards Required for Peace Officers and Reserve Law Enforcement Officers), or

(ii) §211.79(c) and (d) of this title (relating to Intermediate and Advanced Training Courses), and receives a passing score on the licensing examination required by Texas Civil Statutes, Article 4413(29aa), §6(B).

(b) (No change.)

(c) Permanent licenses are issued for an indefinite term and shall be valid permanently unless revoked or suspended by the commission.

§211.85. Proficiency Certificates.

(a) General provisions.

(1) In accordance with the provisions and standards hereinafter set forth, the Texas Commission on Law Enforcement Officer Standards and Education may, acting by and through the executive director of said commission, award the following proficiency certificates.

(A)-(C) (No change.)

(D) a basic reserve law enforcement proficiency certificate, [and]

(E) an intermediate reserve law enforcement officer [a jailer] proficiency certificate,

(F) a crime prevention inspector proficiency certificate, and

(G) a jailer proficiency certificate.

(2)-(3) (No change.)

(4) To be eligible for the award of an intermediate or advanced certificate provided herein, each applicant shall be a licensed Texas peace officer or a licensed reserve law enforcement officer and currently under appointment as a peace officer or as a reserve law enforcement officer.

(5) Law enforcement experience means actual time served as a peace officer or reserve law enforcement officer. The acceptability of time served as a peace officer in a jurisdiction other than the State of Texas, or in a jurisdiction which did not comply with the minimum standards for licensing, shall be subject to determination by the commission, acting by and through its executive director.

(6)-(8) (No change.)

(b)-(d) (No change.)

(e) A basic reserve law enforcement officer proficiency certificate may be awarded to a person who possesses a permanent reserve law enforcement officer license.

(f) An intermediate reserve law enforcement officer proficiency certificate may be awarded to a reserve officer who completes: [A jailer proficiency certificate may be awarded to a person who possesses a permanent jailer license.]

(1) the basic reserve law enforcement course prescribed by §211.77(f) of this title (relating to Minimum Training Standards Required for Peace Officers and Reserve Law Enforcement Officers), and

(2) the training prescribed by §211.79(c) of this title (relating to Minimum Training Standards Required for Peace Officers and Reserve Law Enforcement Officers), or

(3) the training prescribed by §211.77(g)(1)-(8) of this title (relating to Minimum Training Standards Required for Peace Officers and Law Enforcement Officers) and received a passing score on the licensing examination required by Texas Civil Statutes, Article 4413(29aa), §6(B).

(g) An intermediate reserve law enforcement proficiency certificate may be awarded to a person who:

(1) completes a commission-approved basic course for reserve law enforcement officers prior to September 1, 1985, and

(2) is appointed and licensed as a reserve law enforcement officer prior to September 1, 1985.

(h) A jailer proficiency certificate may be awarded to a person who possesses a permanent jailer license.

(l)(g) A crime prevention inspector proficiency certificate may be awarded to a person who is a licensed Texas peace officer currently under appointment as a peace officer and who has completed a commission-approved course of instruction in basic crime prevention.

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
February 25, 1985.

TRD-851929

Alfredo Villarreal
General Counsel
Texas Commission on
Law Enforcement
Officer Standards and
Education

Earliest possible date of adoption:

April 8, 1985

For further information, please call
(512) 834-9222.

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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources Chapter 27. ICF-MR Subchapter DD. Administrative Policies and Procedures

★ 40 TAC §27.2905

(Editor's note: The text of the following rules proposed for repeal will not be published. The rules may be examined in the offices of the Texas Department of Human Resources, 701 West 51st Street, Austin, or in the Texas Register office, Room 503E, Sam Houston Building, 201 East 14th Street, Austin.)

The Texas Department of Human Resources proposes the repeal of §27.2905, concerning the Intermediate Care Facility for the Mentally Retarded (ICF-MR) Program. This section is proposed for repeal because the policies about residents' personal funds and property are contained in proposed new §§27.4801-27.4803. The department proposed these new rules in the October 30, 1984, issue of the *Texas Register* (9 TexReg 5578) and is in the process of adopting them.

David Hawes, programs budget and statistics director, has determined that for the first five-year period the repeal will be in effect there will be no fiscal implications as a result of the repeal.

Mr. Hawes also has determined that for each year of the first five years the repeal is in effect the public benefit will be a clearer understanding of the department's policies about residents' personal funds and property. There is no anticipated economic cost to individuals as a result of the repeal.

Comments may be submitted to Cathy Rosberg, Administrator, Policy Development Support Division—132, Texas Department of Human Resources 153-E, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this Register. For specific program-related questions, please contact Connie Holt at (512) 450-3169.

The repeal is proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public assistance programs.

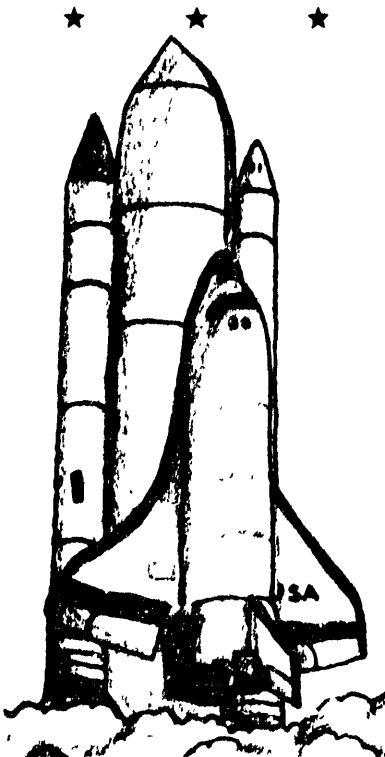
§27.2905. *Resident Finances.*

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
March 4, 1985.

TRD-851935 Marlin W. Johnston
 Commissioner
 Texas Department of
 Human Resources

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 450-3766.



**Part XI. Texas Commission
on Human Rights
Chapter 327. Administrative
Review**

★40 TAC §327.1

The Texas Commission on Human Rights proposes an amendment to §327.1, concerning a procedure for processing complaints alleging employment discrimination and exercising its powers pursuant to the Texas Commission on Human Rights Act, Texas Civil Statutes, Article 5221k. This section covers a procedure for the commission to assume jurisdiction while perfecting a complaint filed under the Act and complaints deferred to the commission by the U.S. Equal Employment Opportunity Commission.

William M. Hale, executive director has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Hale also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is the establishment of uniformity of operations and administrative procedures for processing complaints alleging employment discrimination filed with the Texas Commission on Human Rights or deferred to the commission by the U.S. Equal Employment Opportunity Commission under the Texas Commission on Human Rights Act. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed, as no individuals will be paid a fee pursuant to complying with the rule as proposed.

Comments on the proposal may be submitted to William M. Hale, Executive Director, Texas Commission on Human Rights, P.O. Box 13493, Austin, Texas 78711.

The amendment is proposed under the Texas Commission on Human Rights Act, Texas Civil Statutes, Article 5221k, House Bill 14, 68th Legislature, 1983, Article 3, §3.02(10), which provide the commission with the authority to adopt, issue, amend, and rescind procedural rules to carry out the purposes and policies of this Act.

§327.1. *Filing a Complaint.*

(a)-(i) (No change.)

(j) Notwithstanding any other rules of the commission, if a complainant contacts the commission office by telephone or in writing with the intent to file a complaint within 180 days of the alleged unlawful em-

ployment practice, the commission may assert jurisdiction over the alleged violation of this Act while assisting the complainant in perfecting the complaint.

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
February 11, 1985.

TRD-851814 William M. Hale
 Executive Director
 Texas Commission on
 Human Rights

Earliest possible date of adoption:
April 8, 1985
For further information, please call
(512) 475-1178



★40 TAC §327.3

The Texas Commission on Human Rights proposes an amendment to §327.3, concerning a procedure for processing complaints alleging employment discrimination and exercising its powers pursuant to the Texas Commission on Human Rights Act, Texas Civil Statutes, Article 5221k. This section covers a procedure for responding to a complaint filed under the Act and complaints deferred to the commission by the U.S. Equal Opportunity Commission.

William M. Hale, executive director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Hale also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is the establishment of uniformity of operations and administrative procedures for processing complaints alleging employment discrimination filed with the Texas Commission on Human Rights or deferred to the commission by the U.S. Equal Employment Opportunity Commission under the Texas Commission on Human Rights Act. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed, as no individual will be paid a fee pursuant to complying with the rule as proposed.

Comments on the proposal may be submitted to William M. Hale, Executive Director, Texas Commission on Human Rights, P.O. Box 13493, Austin, Texas 78711.

The amendment is proposed under the Texas Commission on Human Rights

Act, Texas Civil Statutes, Article 5221k, House Bill 14, 68th Legislature, 1983, Article 3, §3.02(10), which provides the Texas Commission on Human Rights with the authority to adopt, issue, amend, and rescind procedural rules to carry out the purposes and policies of this Act.

§327.3. Investigation of a Complaint.

(a)-(k) (No change.)

(l) In connection with an investigation of a complaint, any written statement of position submitted by the respondent to the commission setting forth the facts and circumstances relevant to an investigation of alleged violations of this Act shall be under oath or affirmation.

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
February 11, 1985.

TRD-851815

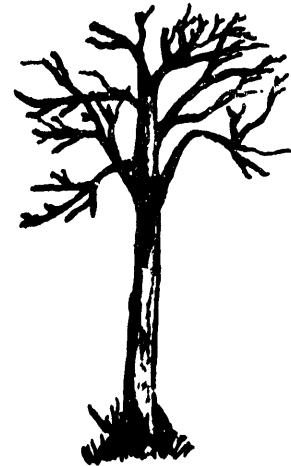
William M. Hale
Executive Director
Texas Commission on
Human Rights

Earliest possible date of adoption:

April 8, 1985

For further information, please call
(512) 475-1178.

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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.

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. If an agency adopts the rule with changes to the proposed text, the proposal will be republished with the changes.

TITLE 22. EXAMINING BOARDS Part IX. Texas State Board of Medical Examiners Chapter 171. Institutional Permits

★22 TAC §171.1

The Texas State Board of Medical Examiners (TSBME) adopts amendments to §171.1, with changes to the proposed text published in the January 22, 1985, issue of the *Texas Register* (10 TexReg 236).

The amendment is necessary to define what constitutes a fellowship, internship, and residency program and to stipulate that alternate documentation may be allowed in unusual instances where proof of exhaustive efforts to secure required documentation has been presented.

It is expected that, by setting forth definitions for the various programs, the amendment will clarify the board's requirements for acceptable programs. It also will give the board the necessary leeway to allow substitute documentation in unusual cases and where physicians have met all other requirements by completion of quality education, standardized testing, and every other stipulation for licensure.

The board received comments praising it on the formulation of such rules. In addition, one commenter requested clarification as to whether an individual or an institution must request approval of a program. Another commenter questioned whether the rules should have an exception clause. One other commenter suggested more general language for a fellowship.

Those making comments in favor of the amendments were C. W. Daeschner, Jr., M.D., University of Texas at Galveston, who also had a suggestion on the definition of "fellowship"; Bruce K. Jacobson, M.D., Tarrant County Hospital District, also had a suggestion on the exception clause, Nancy B. Thomas, St. Luke's Episcopal Hospital, who also requested clarification of a program; William W. Wil-

son, M.D., University of Texas at Galveston; and Edward Pinney, M.D., mental health and mental retardation.

The agency accepted the request to clarify the portion regarding approval of program. However, it was felt necessary to retain the exception clause and the definition as proposed on fellowships.

The amendments are adopted under Texas Civil Statutes, Article 4495b, which provide the Texas State Board of Medical Examiners with the authority to make rules, regulations, and bylaws not inconsistent with this Act as may be necessary for the governing of its own proceedings, the performance of its duties, the regulation of the practice of medicine in this state, and the enforcement of this Act.

§171.1. *Interns, Residents, or Fellows Permit.* Institutional permits may be granted to persons desiring to serve in this state as an intern, resident, or fellow in graduate medical programs in hospitals and medical institutions approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for internship, residency, and fellowship programs. An internship is a clearly defined and delineated first postgraduate year program approved by the Texas State Board of Medical Examiners (TSBME). A residency is a specialized, clearly defined, and delineated postgraduate program approved by the TSBME. A fellowship is a specialized, clearly defined, and delineated course of training as a post-residency program for additional training in a medical specialty or subspecialty delivered in a program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or in a program acceptable to the TSBME. Interns, residents, and fellows must have the degree of doctor of medicine or doctor of osteopathy issued by a school of medicine or osteopathy approved by the TSBME. The director of medical education of the institution must certify to the TSBME that internships, residencies, and fellowships at his or her institution meet the appropriate definition before an institutional permit may be issued. An applicant from a program which does not meet the appropriate definition may apply for approval of the TSBME by

submission of a written request addressed to the executive director stating reasons therefor. If the executive director recommends approval of the program, an institutional permit shall be issued. If the executive director does not recommend approval, the applicant may appeal to the full board for its consideration of the request. The board, in its sole discretion, may grant or deny the request. Institutional permits may be allowed under the following conditions:

(1)-(7) (No change.)

(8) The board may, in unusual circumstances, allow substitute documents where proof of exhaustive efforts on the applicant's part to secure the required documents is presented. These exceptions are reviewed by the board's executive director on a case-by-case basis.

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
February 26, 1985.

TRD-851802 G. V. Brindley, Jr.
Executive Director
Texas State Board of
Medical Examiners

Effective date, March 20, 1985
Proposal publication date, January 22, 1985
For further information, please call
(512) 475-1078

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Chapter 175. Schedule of Fees

★22 TAC §175.1

The Texas State Board of Medical Examiners adopts amendments to §175.1, without changes to the proposed text published in the December 25, 1984, issue of the *Texas Register* (9 TexReg 6458).

A fee change is necessary because the board, like other state medical and osteopathic licensing boards, will begin giving the new federation licensing examination (FLEX) in June 1985. The new FLEX will be given in two components instead of three as in prior years. Since there is

no fee increase for the FLEX examination, the section is expected to function as before.

No comments were received regarding adoption of the amendments.

The amendments are adopted under Texas Civil Statutes, Article 4495b, which provide the Texas State Board of Medical Examiners with the authority to make rules, regulations, and bylaws not inconsistent with this Act as may be necessary for the governing of its own proceedings, the performance of its duties, the regulation of the practice of medicine in this state, and the enforcement of this Act.

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 4, 1985.

TRD-851939 G. V. Brindley, Jr.
Executive Director
Texas State Board of
Medical Examiners

Effective date: March 25, 1985
Proposal publication date: December 25, 1984
For further information, please call
(512) 452-1078.

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Chapter 187. Procedure

★22 TAC §187.38

The Texas State Board of Medical Examiners adopts amendments to §187.38, without changes to the proposed text published in the January 1, 1985, issue of the *Texas Register* (10 TexReg 23).

The amendments bring the section into alignment with the current policies regarding payment of witnesses called at the request of the board and clarify the amounts the agency may pay witnesses called at the request of the board.

No comments were received regarding adoption of the amendments.

The amendments are adopted under Texas Civil Statutes, Article 4495b, which provide the Texas State Board of Medical Examiners with the authority to make rules, regulations, and bylaws not inconsistent with this Act as may be necessary for the governing of its own proceedings, the performance of its duties, the regulation of the practice of medicine in this state, and the enforcement of this Act.

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 1, 1985.

TRD-851940 G. V. Brindley, Jr.
Executive Director
Texas State Board of
Medical Examiners

Effective date: March 25, 1985
Proposal publication date: January 1, 1985
For further information, please call
(512) 452-1078.

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TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part VII. Texas Water Well Drillers Board

Chapter 231. Substantive Rules Licensing Procedures

★31 TAC §§231.35, 231.37, 231.39

The Texas Water Well Drillers Board adopts amendments to §§231.35, 231.37, and 231.39, without changes to the proposed text published in the December 21, 1984, issue of the *Texas Register* (9 TexReg 6417).

By waiving the requirement that a person must have been a Texas resident for 90 days before seeking a water well driller's license, the amendments should increase the number of drillers to which consumers in many parts of the state have access. By authorizing this waiver only for any person who holds a valid water well drilling license issued by another state on the basis of standards not lower than those of the board, and only if that state extends similar privileges to Texas drillers licensed by the board, the amendments assure that nonresidents licensed by the board will be qualified drillers and that Texas drillers should gain access to more extensive markets for their services.

The amendments authorize the Texas Department of Water Resources to maintain a list of other states which impose licensing requirements for water well drillers substantially equivalent to those of Texas and which extend reciprocity to Texas drillers licensed by the board. If a person from one of these states applies for a Texas driller's license from that state and makes written request for waiver of the residency requirement, the board will waive that requirement. The applicant, however, will be required to pass the standard examination and otherwise demonstrate qualifications in the same manner as other applicants who are Texas residents.

Some comments favored the amendments, on the basis that they would promote a freer flow of drilling services across state boundaries. Other comments asserted that the amendments would encourage an influx of transient or incompetent drillers who had been unsuccessful in their home states.

Comments in favor of the amendments were received from David J. Strittmatter, Pilot Point; and Pat N. Coles, Anthony, New Mexico; and comments against the amendments were received from T. M. Johnson, Castroville; and Weldon P. Cude, Pleasanton.

The board believes that the competency and stability of nonresidents licensed under the amendments is doubly assured both by the fact that these persons must have received licenses in other states with licensing standards equivalent to those of Texas before seeking licenses from the board, as well as by the fact that these nonresidents must demonstrate the same qualifications as Texas residents to obtain licenses from the board.

The amendments are adopted under the Water Well Drillers Act, Texas Civil Statutes, Article 7621e, §4, which states that the board may develop rules specifying grounds by which the department may waive any license requirement for an applicant with a valid license from another state having license requirements substantially equivalent to those of this state. The amendments specify grounds for the waiver of one of the licensing requirements (i.e., residency) with respect to nonresidents.

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
February 25, 1985

TRD-851800 Susan Plattman
General Counsel
Texas Department of
Water Resources

Effective date: March 20, 1985
Proposal publication date: December 21, 1984
For further information, please call
(512) 475-7845

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TITLE 34. PUBLIC FINANCE
Part IV. Employees Retirement System of Texas
Chapter 71. Creditable Service
 ★34 TAC §71.3

The Employees Retirement System of Texas adopts amendments to §71.3, without changes to the proposed text published in the January 18, 1985, issue of the *Texas Register* (10 TexReg 201).

The amendment provides clarity in requirements for complying with Texas Civil Statutes, Title 110B, §23.402. No substantive change is being made.

No comments were received regarding the adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Title 110B, §25.102, which provide the Employees Retirement System of Texas with the authority to adopt rules to establish eligible periods of service for which a member is eligible to establish service credit.

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 February 28, 1985

TRD-851846 Clayton T. Garrison
 Executive Director
 Employees Retirement System of Texas

Effective date: March 21, 1985
 Proposal publication date: January 18, 1985
 For further information, please call (512) 476-6431, ext. 212.

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TITLE 40. SOCIAL SERVICES AND ASSISTANCE
Part I. Texas Department of Human Resources

Chapter 69. Purchased Social Services

Subchapter F. Regional Monitoring and Management

★40 TAC §69.94

The Texas Department of Human Resources adopts amendments to §69.94, without changes to the proposed text in the November 20, 1984, issue of the *Texas Register* (9 TexReg 5962).

The amendments add options for satisfying the annual audit requirements for contractors and clarify requirements for service providers.

No comments were received regarding adoption of the amendments.

The amendments are 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 March 1, 1985.

TRD-851905 Marlin W. Johnston
 Commissioner
 Texas Department of Human Resources

Effective date: April 10, 1985
 Proposal publication date: November 20, 1984

For further information, please call (512) 460-3766.

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Chapter 79. Legal Services
Subchapter F. Contract Administration

★40 TAC §79.501

The Texas Department of Human Resources adopts amendments to §79.501, without changes to the proposed text in the November 20, 1984, issue of the *Texas Register* (9 TexReg 5962).

The amendments add options for satisfying the annual audit requirements for contractors. Editorial changes also have been made to clarify further contractors' responsibilities. The amendments are intended to enhance service providers' understanding of contract requirements.

No comments were received regarding adoption of the amendments.

The amendments are 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 March 1, 1985

TRD-851904 Marlin W. Johnston
 Commissioner
 Texas Department of Human Resources

Effective date: April 10, 1985
 Proposal publication date: November 20, 1984
 For further information, please call (512) 460-3766.

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State Board of Insurance Exempt Filings

State Board of Insurance Notifications Pursuant to the Insurance Code, Chapter 5, Subchapter L

(Editor's note: As required by the Insurance Code, Article 5.96 and Article 5.97, the Register publishes notices of actions taken by the State Board of Insurance pursuant to Chapter 5, Subchapter L, of the Code. Board action taken under these articles is not subject to the Administrative Procedure and Texas Register Act, and the final ac-

tions printed in this section have not been previously published as proposals.

These actions become effective 15 days after the date of publication or on a later specified date.

The text of the material being adopted will not be published, but may be examined in the offices of the State Board of Insurance, 1110 San Jacinto Street, Austin.)

The State Board of Insurance has approved a filing by Insurance Services Office, Inc., of Austin, proposing an op-

tional pollution exclusion Endorsement GL2133, February 1985 edition, and the withdrawal of the current approved pollution exclusion Endorsement GL2131, October 1981 edition, and G12132, October 1981 edition.

This filing was approved to become effective May 1, 1985, and is applicable to all policies effective on or after May 1, 1985.

This notification is filed pursuant to the Insurance Code, Article 5.97, which exempts it from the requirements of the Ad-

Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on
February 28, 1985.

TRD-851908 James W. Norman
Chief Clerk
State Board of
Insurance

Effective date: May 1, 1985
For further information, please call
(512) 475-2950.

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The State Board of Insurance has approved a filing by Insurance Services Office, Inc., of Austin, proposing an ad-

ditional rule to be added to Division 6 of the *Commercial Lines Manual* under general liability other than professional subdivision, Section 1—general rules. Also approved is an amendments to the Texas state exception pages to reflect the use of Endorsement GL2133 and the withdrawal of Endorsements GL2131 and GL2132.

This filing was approved to become effective May 1, 1985, and the changes are applicable to all policies effective on or after May 1, 1985. No policy effective prior to May 1, 1985, shall be endorsed or canceled and rewritten to take advantage of or to avoid the application of these changes except at the request of the insured and using the cancellation

procedures applying on the date of such request.

This notification is filed pursuant to the Insurance Code, Article 5.97, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on
February 28, 1985.

TRD-851872 James W. Norman
Chief Clerk
State Board of
Insurance

Effective date: May 1, 1985
For further information, please call
(512) 475-2950.

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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. Some notices may be received too late to be published before the meeting is held, but all notices are published in the *Register*.

Emergency meetings and agendas. Any of the governmental entities named above must have notice of an emergency meeting, 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.

Posting of open meeting notices. 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, Austin. These notices may contain more detailed agendas than what is published in the *Register*.

Texas Antiquities Committee

Friday, March 8, 1985, 9:30 a.m. The Texas Antiquities Committee made emergency additions to the agenda for a meeting to be held in Room 503G, Sam Houston Building, 201 East 14th Street, Austin. The additions concern discussion of the Pillot Building issue and potential extension of the 60-day review period and nominations of state archeological landmarks, including the archeological collection taken from Site NCP-155, a Spanish Colonial midden excavated at the corner of Nueva and South Alamo streets in downtown San Antonio. The emergency status was necessary because last minute items came up for discussion.

Contact: Bob Mabry, P.O. Box 12276, Austin, Texas 78711, (512) 475-4242.

Filed: March 5, 1985, 9:55 a.m.
TRD-851970

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Texas Department of Corrections

Monday, March 11, 1985, 9 a.m. Subcommittees of the Board of the Texas Department of Corrections will meet in the Administration Building, 815 11th Street, Huntsville. Rooms and subcommittees follow.

In Room 106, the Health Services Subcommittee will discuss monthly clinic statistics, emergency medical costs, a professional contract proposal, deaths, and pending autopsies.

In Room 100, the Operations Subcommittee will hear an activity summary for inmate affairs concerning chaplaincy, agency reports, and release programs; hear inmate activity reports concerning discipline; inmate strength, and received-released; hear a report on food services; and discuss escapes and the furlough program.

In Room 104, the Finance Subcommittee will discuss agriculture, business, construction, and industries.

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

Filed: March 1, 1985, 8:30 a.m.
TRD-851849, 851850, 851848

March 11, 1985, 10 a.m. The Board of the Texas Department of Corrections will meet in the Administration Building, 815 11th Street, Huntsville. According to the agenda summary, the board will discuss operations, inmate affairs, medical, 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: March 1, 1985, 8:31 a.m.
TRD-851851

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Texas School for the Deaf

Friday, March 8, 1985, 1 p.m. The Long-Range Planning Committee of the Texas School for the Deaf (TSD) will meet in the conference room, Administration Building, 1102 South Congress Avenue, Austin. Items on the agenda include review of the January 11, 1985, minutes, an update, and identification of goals and objectives.

Contact: Sheila O'Leary, 1102 South Congress Avenue, Austin, Texas 78704, (512) 442-7821, ext. 303.

Filed: February 28, 1985, 3:19 p.m.
TRD-851854

Friday, March 8, 1985, 3:30 p.m. The Governing Board of TSD will meet in the boardroom, Administration Building, 1102 South Congress Avenue. Items on the agenda include approval of the February 16, 1985, minutes, facilities usage contracts, the Miss Deaf Texas Pageant, consultant contracts, and the Long-Range Committee report, including discussion; and considera-

tion of feedback on action related to parent concerns, individuals from the audience wishing to make a report, and reports from board members.

Contact: Sheila O'Leary, 1102 South Congress Avenue, Austin, Texas 78704, (512) 442-7821, ext. 303

Filed: February 28, 1985, 3:19 p.m.
TRD-851844

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Texas Employment Commission

Wednesday, March 6, 1985, 1:30 p.m. The Texas Employment Commission met in a rescheduled emergency session in Room 644, TEC Building, 15th and Congress Avenue, Austin. Items on the agenda included prior meeting notes and internal procedures of commission appeals, consideration and action on tax liability cases and higher level appeals in unemployment compensation cases listed on commission Docket 10, and the setting of a date of the next meeting. The emergency status was necessary because one of the commissioners has been notified of a required appearance at a legislative function on March 5, 1985, and to further delay action on cases would cause undue hardship on parties involved and prevent the agency from meeting federal time lapse requirements. The meeting was originally scheduled for Tuesday, March 5, 1985, as published at 10 Tex-Reg 753.

Contact: Courtenay Browning, TEC Building, 15th Street and Congress Avenue, Room 608, Austin, Texas 78701, (512) 397-4415.

Filed: March 1, 1985, 1:28 p.m.
TRD-851903

Tuesday, March 12, 1985, 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 internal procedures of the Office of Commission Appeals, consider and act on higher level appeals in employment compensation cases on Commission Docket 11, and set the date of the next meeting.

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

Filed: March 4, 1985, 3:12 p.m.
TRD-851962

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Office of the Governor

Wednesday, March 6, 1985, 10:30 a.m. The Board of Directors of the Governor's Commission on Physical Fitness of the Office of the Governor met in emergency session at the Sheraton Crest, 111 East First Street, Austin. According to the agenda summary, the board approved the minutes and considered a proposed conflict of interest statement, the board attendance policy, the long-range plan review, an aerobic fitness status report, a legislative update, a status report on youth fitness, a review of a foundation proposal, the status report on employee fitness, and the director's report. The emergency status was necessary because of the need for legislative review of the budget request.

Contact: Donald F. Haydon, 7703 North Lamar Boulevard, Austin, Texas 78752, (512) 467-7141.

Filed: February 28, 1985, 1:45 p.m.
TRD-851832

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Texas Grain Sorghum Producers Board

Wednesday, March 20, 1985, 1 p.m. The Texas Grain Sorghum Producers Board of the Texas Department of Agriculture will meet at the Caison House, Dimmitt Highway at the intersection of Highway 60 and Highway 385, Hereford. Items on the agenda include the financial statement, a state-wide checkoff referendum plan, and the annual meeting report.

Contact: Elbert Harp, Box R, Abernathy, Texas 79311, (806) 298-2543.

Filed: March 4, 1985, 9:59 a.m.
TRD-851943

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Texas Health and Human Services Coordinating Council

Monday, March 11, 1985, 9:30 a.m. The Administration Committee of the Texas Health and Human Services Coordinating Council will meet in the Senate Reception Room, State Capitol, Austin. Items on the agenda include consideration and approval of the February 11, 1985, minutes; a legislative update; foundation and corporation funding proposals; consideration and approval of a contract care study; and new business.

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

Filed: February 28, 1985, 11:35 a.m.
TRD-851819

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Texas Indian Commission

Thursday, March 14, 1985, 10 a.m. The Texas Indian Commission will meet in the conference room, second floor, John H. Reagan Building, 105 West 15th Street, Austin. Items on the agenda include proposed legislation change and other business. The commission also will meet in executive session to discuss personnel changes at the Alabama/Coushatta Reservation.

Contact: Raymond D. Apodaca, 9434 Viscount, Suite 122, El Paso, Texas 79925, (915) 591-4461.

Filed: March 4, 1985, 8:42 a.m.
TRD-850930

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State Board of Insurance

Tuesday, March 12, 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 commission will consider a joint motion for dismissal of the appeal of Henry Stone and Josephine Carter from action of the Texas Catastrophe Property Insurance Association; the commissioner's report and the fire marshal's report (both including personnel matters); board orders on several different matters; the proposed repeal of Rules 059.10.01-.010, concerning variable life insurance; and final action on Rule 059.01.15.227, published at 10 TexReg 237.

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

Filed: March 4, 1985, 3:49 p.m.
TRD-851965

The Commissioner's Hearing Section of the State Board of Insurance will conduct public

hearings at 1110 San Jacinto Street, Austin. Days, times, rooms, and dockets follow.

Tuesday, March 12, 1985, 1:30 p.m. In Room 342, Docket 7944—application for original charter of Texas Investors Life Insurance Company, Waco.

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

Filed: March 4, 1985, 11:32 a.m.
TRD-851946

Wednesday, March 13, 1985, 1:30 p.m. In Room 353, Docket 7984—approval of an amendment to the articles of agreement of Central Lloyds, Amarillo.

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

Filed: March 4, 1985, 11:32 a.m.
TRD-851947

Thursday, March 14, 1985, 9 a.m. In Room 342, Docket 7948—application for amendment to the articles of incorporation of Service Life & Casualty Insurance Company, Austin.

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

Filed: March 4, 1985, 11:32 a.m.
TRD-851948

Friday, March 15, 1985, 9 a.m. In Room 342, Docket 7954—application of Commodore Insurance Services, Inc., Dallas, to acquire control of Allied Bankers Life Insurance Company, Dallas.

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

Filed: March 4, 1985, 11:32 a.m.
TRD-851949

Friday, March 15, 1985, 9 a.m. In Room 353, Docket 7955—application for amendment to the articles of incorporation of Great American Reserve Insurance Company, Dallas.

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

Filed: March 4, 1985, 11:32 a.m.
TRD-851950

Monday, March 18, 1985, 9 a.m. In Room 353, Docket 7957—approval of amendments to the articles of agreement of Centre Corporation Lloyds, Dallas.

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

Filed: March 4, 1985, 11:32 a.m.
TRD-851951

Monday, March 18, 1985, 1:30 p.m. In Room 353, Docket 7932—whether the application of Mary Louise Sahm, San Antonio, for a Group II insurance agent's license should be issued.

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

Filed: March 4, 1985, 11:33 a.m.
TRD-851952

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Texas Advisory Commission on Intergovernmental Relations

Friday, March 15, 1985. Committees of the Texas Advisory Commission on Intergovernmental Relations and the full commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Times, rooms, committees, and agendas follow.

8:30 a.m. In Room 119, the Special Committee on Operations and Funding will review the status of fiscal year 1985 finances, potential new grants and contracts, and the status of the fiscal year 1986-1987 budget request.

9:30 a.m. In Room 119, the New Federalism Committee will review a report on population estimates and grant formulas, progress reports on other projects, and a potential new project concerning an income survey.

9:30 a.m. In Room 118, the State-Local Issues Committee will review an updated report on county government fiscal capacity, and hear an information report on special districts and progress reports on other projects.

10:30 a.m. In Room 118, the commission will consider reports of the executive director; committee reports, including the Operations and Funding Committee, the New Federalism Committee, and the State-Local Issues Committee; reports on county government fiscal capacity and special districts; and new business.

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

Filed: March 4, 1985, 8:43 a.m.
TRD-851931-851934

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Texas Board of Irrigators

Wednesday, March 13, 1985, 9:30 a.m. The Texas Board of Irrigators will meet in Room 513, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the board will consider approval of the minutes, certification of licensed irrigators and installer results, designation of a site and date for the next licensed irrigator and installer exams, review of investigations of assigned complaints,

and a report from the chairman on matters of interest to the board.

Contact: Joyce Watson, Stephen F. Austin Building, Room 431, 1700 North Congress Avenue, Austin, Texas, (512) 475-8161.

Filed: March 4, 1985, 3:01 p.m.
TRD-851963

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Texas Department of Labor and Standards

The Manufactured Housing Division of the Texas Department of Labor and Standards will conduct informal hearings of various consumer complaints regarding manufactured homes which do not comply with Texas Civil Statutes, Article 5221f. Days, times, and locations follow.

Tuesday, March 12, 1985, 9 a.m., Suite 107, 810 North Dixie Boulevard, Odessa.

Monday, March 18, 1985, 9 a.m., Room 105, E. O. Thompson Building, 920 Colorado Street, Austin.

Thursday and Friday, March 21 and 22, 1985, 9 a.m. daily, Suite 209, 4615 North Freeway, Houston.

Monday, March 25, 1985, 9 a.m., Room 201, E. O. Thompson Building, 920 Colorado Street, Austin.

Thursday and Friday, March 28 and 29, 1985, 9 a.m. daily, Room 105, E. O. Thompson Building, 920 Colorado Street, Austin.

Contact: Orlando S. Mata, P.O. Box 12157, Austin, Texas 78711, (512) 475-0155.

Filed: March 1, 1985, 12:20 p.m.
TRD-851874-851880

Wednesday, March 27, 1985, 9 a.m. The Labor/Licensing and Enforcement 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: Orlando S. Mata, P.O. Box 12157, Austin, Texas 78711, (512) 475-0155.

Filed: March 4, 1985, 12:50 p.m.
TRD-851953

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Texas State Board of Medical Examiners

Saturday, March 9, 1985, 2 p.m. The Long-Range Planning Committee of the Texas

State Board of Medical Examiners will meet at the Holiday Inn-Brook Hollow, 7050 Stemmons Freeway, Dallas. Items on the agenda include discussion of the direction of the board, an orientation workshop for new board members, the structure of the board, and general board policies. The committee also may meet in executive session under authority of Texas Civil Statutes, Article 6252-17, as related to Article 4495b, §4.05(d) and §5.06(e)(1), and Attorney General Opinion H-484, 1974.

Contact: Jean Davis, 1101 Camino LaCosta, Suite 201, Austin, Texas 78701, (512) 452-1078.

Filed: February 28, 1985, 3:35 p.m.
TRD-851853

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State Board of Morticians

Tuesday, March 5, 1985, 9 a.m. The State Board of Morticians submitted an emergency revised agenda for a meeting held at 1513 IH 35 South, Austin. According to the revised agenda summary, the board considered a request for an extension of time to register as an apprentice, reviewed the apprentice file on Pamela Johnson, and considered a request as to whether a commercial embalming establishment may contract for county cases. The emergency status was necessary because the requests were received after the deadline for submission and needed to be reviewed before examinations on March 6, 1985.

Contact: John W. Shocklee, 1513 IH 35 South, Austin, Texas 78741, (512) 442-6721.

Filed: March 4, 1985, 11:04 a.m.
TRD-851944

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Board of Pardons and Paroles

Tuesday, March 5, 1985, 9:30 a.m. The Board of Pardons and Paroles met in emergency session at 8610 Shoal Creek Boulevard, Austin. Items on the agenda included board consideration and action on legislation, review of agency subscriptions and memberships, Hearing Committee recommendations, parole panel compositions, a policy regarding early release to mandatory supervision, and the procedure for scheduling full board meetings. The emergency status was necessary because board members could not adjust their schedules to meet at any other time.

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

Filed: March 1, 1985, 10:44 a.m.
TRD-851868

Monday-Friday, March 11-15, 1985, 1:30 p.m. daily Monday-Thursday and 11 a.m. Friday. A three-member panel of the Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the panel will receive, review, and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate action.

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

Filed: March 1, 1985, 10:44 a.m.
TRD-851869

Tuesday, March 12, 1985, 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, (512) 459-2704.

Filed: March 1, 1985, 10:44 a.m.
TRD-851870

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Texas Parks and Wildlife Department

Tuesday, March 12, 1985, 7 p.m. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at 400 West 15th Street, 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 Wednesday, March 13, 1985.

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

Filed: March 4, 1985, 2:14 p.m.
TRD-851955

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State Pension Review Board

Wednesday, March 13, 1985, 8:30 a.m. The Legislative Advisory Committee of the State Pension Review Board will meet in Room G-35-B, State Capitol, Austin. According

to the agenda, the committee will discuss upcoming legislation.

Contact: Benette Meadows, 18th and Brazos Streets, Austin, Texas 78701, (512) 475-8332.

Filed: March 4, 1985, 1:31 p.m.
TRD-851954

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Public Utility Commission of Texas

Thursday, March 7, 1985, 9 a.m. The Hearings Division of the Public Utility Commission of Texas made an addition to the agenda of an emergency meeting held in Suite 450N, 7800 Shoal Creek Boulevard, Austin. The addition concerned an appeal of the examiner's order in Docket 5952—application of Southwestern Bell Telephone Company for relief and for a cease and desist order against HLC&W Telecommunications Corporation and Travis Telecommunications, Inc. The emergency status was necessary because hearings on the merits are scheduled for March 11, 1985.

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

Filed: March 1, 1985, 3:36 p.m.
TRD-851923

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.

Wednesday, March 13, 1985, 1 p.m. An informal hearing in Docket 6162—application of Green Acres/Riverview Water Works in El Paso County for a change in rates.

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

Filed: March 1, 1985, 3:36 p.m.
TRD-851924

Wednesday, March 13, 1985, 2 p.m. A pre-hearing conference in Docket 6147—petition of the Office of Public Utility Counsel for emergency relief involving General Telephone Company of the Southwest's rates for FX customers in Rockwall.

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

Filed: February 28, 1985, 2:45 p.m.
TRD-851841

Friday, March 15, 1985, 10 a.m. A prehearing conference in Docket 6156—application of Northwoods Mobile Home Park, Inc., for a certificate of convenience and necessity within McLennan County.

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

Filed: March 4, 1985, 3:41 p.m.
TRD-851964

Tuesday, March 19, 1985, 9 a.m. The division will consider the permanent adoption of 16 TAC §§23.3, 23.31, 23.49, and 23.61, published in the January 25, 1985, issue of the *Texas Register* (10 TexReg 271).

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

Filed: March 1, 1985, 2:16 p.m.
TRD-851906

Tuesday, April 9, 1985, 9 a.m. The division will consider permanent adoption of 16 TAC §23.66, published in the February 19, 1985, issue of the *Texas Register* (10 TexReg 615).

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

Filed: March 1, 1985, 2:16 p.m.
TRD-851907

Tuesday, April 30, 1985, 9 a.m. A hearing on the merits in Docket 6114—application of Joy Dale Hawley/Clear Creek Water Company for a rate increase within Henderson County.

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

Filed: March 1, 1985, 3:35 p.m.
TRD-851925

Tuesday, May 7, 1985, 10 a.m. A rescheduled hearing on the merits in Docket 5888—application of the City of Forest Hill to purchase Hillcrest Water Company within Tarrant County. The hearing originally was scheduled for February 15, 1985, as published at 10 TexReg 517.

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

Filed: February 28, 1985, 2:46 p.m.
TRD-851839

Thursday, May 9, 1985, 10 a.m. A hearing on the merits 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: February 28, 1985, 2:46 p.m.
TRD-851840

Wednesday, June 12, 1985, 9 a.m. A hearing on the merits in Docket 6064—application of Houston Lighting and Power Company for approval of standard avoided cost cal-

ulation for the purchase of firm energy and capacity from qualified facilities.

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

Filed: February 28, 1985, 1:47 p.m.
TRD-851820

Thursday, June 13, 1985, 9 a.m. A hearing on the merits in Docket 6105—application of Central Power and Light Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity from qualified facilities; Docket 6069—application of Southwestern Electric Power Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity from qualified facilities; and Docket 6070—application of West Texas Utilities Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity from qualified facilities.

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

Filed: February 28, 1985, 1:47 p.m.
TRD-851821

Friday, June 14, 1985, 9 a.m. A hearing on the merits in Docket 6065—application of Texas Utilities Electric Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity from qualified facilities.

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

Filed: February 28, 1985, 1:47 p.m.
TRD-851822

Monday, June 17, 1985, 9 a.m. A hearing on the merits in Docket 6062—application of Texas-New Mexico Power Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity from qualified facilities.

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

Filed: February 28, 1985, 1:47 p.m.
TRD-851823

Tuesday, June 18, 1985, 9 a.m. A hearing on the merits in Docket 6071—application of Gulf States Utilities Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity from qualified facilities.

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

Filed: February 28, 1985, 1:48 p.m.
TRD-851824

Wednesday, June 19, 1985, 9 a.m. A hearing on the merits in Docket 6063—application

of Southwest Public Service Company for approval of standard avoided cost calculation for the purchase of firm energy and capacity for qualified facilities.

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

Filed: February 28, 1985, 1:48 p.m.
TRD-851825

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Railroad Commission of Texas

Monday, March 4, 1985, 9 a.m. Divisions of the Railroad Commission of Texas made emergency additions to the agendas for a meeting held in Room 309, 1124 IH 35 South, Austin. Divisions and additions follow.

Consideration of a Gas Utilities Division amendment to an interagency contract between the Texas State Library and Archives Commission and the commission. The emergency status was necessary because this item was properly noticed for the February 25, 1985, meeting and was passed.

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

Filed: March 1, 1985, 12:39 p.m.
TRD-851895

Consideration of an Oil and Gas Division decision on whether to use state funds to plug an unidentified well located in Lot 3, Block 6, Original Burkburnett Townsite, Wichita County. The emergency status was necessary because the well was located within the city limits of Burkburnett and was caving in, increasing in size daily, causing an immediate threat of pollution which could harm the public's health, safety, or welfare. The well was eight to nine feet from an uncemented swimming pool.

Contact: Willis Steed, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1301.

Filed: March 1, 1985, 12:37 p.m.
TRD-851891

Consideration of Transportation Division applications of Allied Van Lines, Inc., Docket 007143E6D and Docket 036605A1S; Benton Van Lines, Inc., Docket 036605A2S; and G. E. Jones Moving and Storage, Docket 036330A3S and Docket 036330A4C. The emergency status was necessary because the items were properly posted for the February 25, 1985, meeting and were passed.

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

Filed: March 1, 1985, 12:36 p.m.
TRD-851889

Monday, March 11, 1985, 9 a.m. The Railroad Commission of Texas will meet in

Room 309, 1124 IH 35 South, Austin. The commission will consider and act on division agendas as follows.

The Administrative Services 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: March 1, 1985, 12:36 p.m.
TRD-851888

The Automatic Data Processing Division director's report on division administration, budget, procedures, equipment acquisitions, and personnel matters.

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

Filed: March 1, 1985, 12:32 p.m.
TRD-851881

The Flight 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: March 1, 1985, 12:35 p.m.
TRD-851885

Various matters falling within the Gas Utilities Division's regulatory jurisdiction.

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

Filed: March 1, 1985, 12:39 p.m.
TRD-851896

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

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

Filed: March 1, 1985, 12:36 p.m.
TRD-851887

The LP-Gas Division director's report on division administration, budget, procedures, and personnel matters.

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

Filed: March 1, 1985, 12:38 p.m.
TRD-851894

Various matters falling within the Oil and Gas Division's regulatory jurisdiction.

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

Filed: March 1, 1985, 12:34 p.m.
TRD-851883

Addition 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: March 1, 1985, 12:33 p.m.
TRD-851882

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

Contact: Mark K. Bogan, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1120.

Filed: March 1, 1985, 12:37 p.m.
TRD-851890

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

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

Filed: March 1, 1985, 12:35 p.m.
TRD-851886

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

Contact: Walter Earl Lilie, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1186.

Filed: March 1, 1985, 12:34 p.m.
TRD-851884

The Surface Mining and Reclamation Division director's report on division administration, budget, procedures, and personnel matters and consideration of proposed amendments to commission regulations concerning lands unsuitable for mining.

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

Filed: March 1, 1985, 12:38 p.m.
TRD-851893

Various matters falling within the Transportation Division's regulatory jurisdiction.

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

Filed: March 1, 1985, 12:37 p.m.
TRD-851892

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Texas Real Estate Commission

Tuesday, March 12, 1985, 9:30 a.m. The Texas Real Estate Commission will meet in the conference room, 1101 Camino LaCosta, Austin. According to the agenda summary, the commission will consider the February 18, 1985, minutes; staff reports for January 1985, motions for rehearing and/or probation; complaint information concerning Paul D. Tannehill and Arthur G. Formann; education matters; designation of a hearings officer for contested cases involving accredited schools; and legislative

and budgetary matters. The commission also will meet in executive session to discuss pending litigation pursuant to Texas Civil Statutes, Article 6252-17, §2(c).

Contact: Camilla S. Shannon, P.O. Box 12188, Austin, Texas 78711, (512) 459-1123.

Filed: March 1, 1985, 4:08 p.m.
TRD-851927

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Texas Savings and Loan Department

Tuesday, March 19, 1985, 9 a.m. The Texas Savings and Loan Department will meet at 1004 Lavaca Street, Austin. According to the agenda summary, the department will accumulate a record of pertinent information and data regarding the application of Commerce Savings Association, Angleton, to relocate its home office from 200 East Mulberry, Angleton, Brazoria County, to 4040 Broadway, San Antonio, Bexar County, from which record the commissioner shall determine whether to grant or deny the application.

Contact: Russell R. Oliver, 1004 Lavaca Street, Austin, Texas 78701, (512) 475-7991.

Filed: March 1, 1985, 3:57 p.m.
TRD-851926

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State Committee of Examiners for Speech-Language Pathology and Audiology

Monday, March 18, 1985, 11 a.m. The State Committee of Examiners for Speech-Language Pathology and Audiology will meet in Room T-507, Texas Department of Health, 1100 West 49th Street, Austin. According to the agenda summary, the committee will approve the September 27 and 28, 1984, and February 27 and 28, 1985, minutes; hear subcommittee reports, the financial report, and the executive secretary's report; review stationary design and cover for rules and proposed rule changes in the areas of certificates, licenses, the newsletter, and roster of licensees; consider correspondence addressed to the committee; set the new meeting date; and discuss other matters relating to licensing and regulation of audiologists and speech-language pathologists.

Contact: June Robertson, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7502.

Filed: March 4, 1985, 2:31 p.m.
TRD-851961

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Texas Southern University

Friday, March 8, 1985. Committees of Texas Southern University will meet in Room 117, Hannah Hall, 3100 Cleburne Avenue, Houston. Times, committees, and agendas follow.

8:30 a.m. The Development Committee will receive reports from the administration on university fund raising and a status report on fund raising efforts to match an endowment gift.

9 a.m. The Building and Grounds Committee will consider approval of payments for construction contracts, approve/ratify building contracts, construction change orders, improvements to land, sale of improvements, a report on central plant expansion and renovation, a progress report on ongoing construction projects, and a special report on new construction.

10:15 a.m. The Finance Committee will consider monthly fiscal reports on university operations, approve short term university investments, and review university budgets.

11 a.m. The Personnel and Academic Affairs committee will receive enrollment and curricula data from the administration, consider academic program changes, appointments to the faculty and staff, requests for leaves from faculty members, cancellation of appointments and changes in status of certain faculty personnel, and proposed revision of items in the faculty manual.

11:30 a.m. The Student Affairs Committee will receive reports from the administration on student organization and activities, dormitory renovation progress reports, and status reports.

Contact: Everett O. Bell, 3100 Cleburne Avenue, Houston, Texas 77004, (713) 529-8911.

Filed: February 28, 1985, 1:46 p.m.
TRD-851826-851830

Friday, March 8, 1985, 1:30 p.m. The Board of Regents of Texas Southern University will meet in Boardroom 203, Student Life Center, Texas Southern University, 3100 Cleburne Avenue, Houston. According to the agenda, the board will receive and consider reports from the following standing committees: Finance, Building and Grounds, Personnel and Academic Affairs, Development and Student Affairs; and receive reports from the president. The board also will meet in executive session.

Contact: Everett O. Bell, 3100 Cleburne Avenue, Houston, Texas 77004, (713) 529-8911.

Filed: February 28, 1985, 1:46 p.m.
TRD-851831

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Texas Tech University

Friday, March 8, 1985. Committees of the Texas Tech University (TTU) Board of Regents and the Texas Tech University Health Sciences Center (TTUHSC) Board of Regents will meet jointly in the board suite, Administration Building, Texas Tech University campus, Lubbock. Times, committees, and agendas follow.

8 a.m. The Finance and Administration Committees will consider December 1984 budget adjustments, ratification of a delegation of officers and the commissioning of peace officers, a report on computing the master plan, board policy on gifts in kind, and reports. The committees also will meet in executive session.

The Finance and Administration Committee of TTU also will consider approval of a resolution authorizing the issuance of \$1.4 million of Board of Regents of Texas Tech University athletic facilities revenue bonds, Series 1985, and acceptance of low bid for bonds; acceptance of gifts-in-kind with a value in excess of \$10,000; and a special report on water conservation.

The Finance and Administration Committee of TTUHSC also will consider a lease agreement and addendum for an ambulatory clinic building for TTUHSC-Amarillo.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:24 a.m.
TRD-851855, 851856

9:30 a.m. The Academic and Student Affairs Committees will consider the granting of academic tenure and approval of changes in academic rank and hear reports. The committees also will meet in executive session.

The Academic and Student Affairs Committee of TTU also will consider granting emeritus status, approval of the designation of Horn Professor(s), reorganization of the College of Education into three departments, an institutional role and scope statement, ratification of leaves of absence, conferral of degrees, and faculty development leaves; reviewing the organizational structure of the Division of Architecture, College of Engineering.

The Academic and Student Affairs Committee of TTUHSC also will consider a change in the academic rank for certain members of the faculty.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:24 a.m.
TRD-851857, 851858

10:30 a.m. The Campus and Building Committees will hear reports. The committees also will meet in executive session.

The Campus and Building Committee of TTU also will consider the naming of a university facility; the awarding of contracts for the construction of a multipurpose athletic and physical education facility, interior renovation of Stangel/Murdough Residence Hall, replacement of doors in Weymouth/Coleman Residence Hall, renovation of the serving counters in Horn/Knapp and Wells/Carpenter Residence Hall dining facilities, renovation of the food service system in the Stangel/Murdough dining room, and renovation of electrical service to residence halls; receiving bids for the construction of a loop road by the multipurpose athletic and physical education facility, the renovation of the east campus research center, expansion of the commuter parking lot west of Indiana Avenue, construction of a new west campus recreation facility, and a campus north utility tunnel; appointing an architectural firm to prepare a preliminary design and cost estimate for engineering research (textile engineering) renovation; and ratification of an acceptance date for renovation of the computer center.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:25 a.m.
TRD-851859, 851860

11 a.m. The Athletic Affairs Committee of TTU will hear reports and consider authorization to increase the price of football tickets. The committee also will meet in executive session.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:25 a.m.
TRD-851861

11:30 a.m. The Public Affairs and University Relations Committee will hear reports. The committees also will meet in executive session.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:26 a.m.
TRD-851862, 851863

Noon. The Ad Hoc Committee for Campus Communications of TTU will hear reports. The committee also will meet in executive session.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:26 a.m.
TRD-851864

3:25 p.m. The Boards of Regents will consider reports and action concerning the minutes and the Academic and Student Affairs, Finance and Administration, Campus and Building, and Development Committees.

The Board of Regents of TTU also will consider a report and action concerning the Athletic Affairs Committee.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: March 1, 1985, 9:24 a.m.
TRD-851865, 851866

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Texas Water Commission

Friday, March 1, 1985, 8:30 a.m. The Texas Water Commission met in emergency session in Room 124A, Stephen F. Austin building, 1700 North Congress, Austin. According to the agenda summary, the commission considered a request by Celanese Water Soluble Polymers for an emergency order to allow the applicant to be excused from the compliance with the organic nitrogen effluent limitation effluent established in Part 1 of Permit 02537 at Outfall 001. The emergency status was necessary because applicant has not been discharging since February 7, 1985, and the pond which has been retaining the effluent is up to capacity.

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

Filed: February 28, 1985, 3:41 p.m.
TRD-851845

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

Monday, March 11, 1985, 2 p.m. In Room 118, the commission will consider Application 3866 of the Colorado River Municipal Water District-Stacy Reservoir Project.

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

Filed: March 1, 1985, 3:18 p.m.
TRD-851912

Tuesday, March 12, 1985, 10 a.m. In Room 118, the commission will consider water district bond issues, release from escrow, use of surplus funds, setting a creation hearing, water quality proposed permits, amendments and renewals, a motion to rescind a water quality permit, water use amendments and applications, extension of time applications, and the filing and setting of hearing dates.

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

Filed: March 1, 1985, 3:18 p.m.
TRD-851913

Wednesday, March 13, 1985, 2 p.m. In Room 118, the commission will consider whether an enforcement order should be issued to Robert Kacz, 401 Calloway Drive,

Alvin, Texas 77511, owner of Aztec Mercury Company. The proposed enforcement order, if issued, would temporarily prohibit Mr. Kacz from receiving and handling any spent mercury or mercury contaminated wastes until cleanup has been completed of the site at 401 Calloway Drive, Alvin, and would require Mr. Kacz to eliminate the unauthorized discharge of pollutants into or adjacent to the waters in the state. The executive director of the Texas Department of Water Resources alleges that the disposal activities on the part of Aztec Mercury Company have been conducted without authorization and in a manner so as to cause the discharge or imminent threat of discharge of wastes into or adjacent to the water in the state. The executive director has recommended that the commission issue an order which directs Mr. Kacz to cease receiving and handling spent mercury or mercury-contaminated waste at his site on 401 Calloway Drive, Alvin, until cleanup operations are complete; to eliminate the discharge of mercury or mercury-contaminated waste into or adjacent to the waters in the state; and for such other relief as the facts may warrant.

Contact: Teresa Salamone, P.O. Box 13087, Austin, Texas 78711, (512) 475-6943.
Filed: March 1, 1985, 3:28 p.m.
TRD-851920

Addition to the previous agenda:

The commission will consider an application of Brookeland Independent School District, P.O. Box 8, Brookeland, Texas 75931, to the Texas Department of Water Resources (TDWR) for a temporary order to authorize the discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 4,000 gallons per day (6,000 daily maximum) from its treatment facility which is located on the east side of State Highway Loop 149, approximately 1,000 feet north of the Jasper County line in Sabine County. The applicant has stated that the temporary order is necessary to continue operating its unpermitted sewage treatment facility and to meet the immediate needs of the 200 children and 36 employees at the school.

Contact: Scott Peterson, P.O. Box 13087, Austin, Texas 78711, (512) 475-6943.
Filed: March 1, 1985, 3:28 p.m.
TRD-851921

Tuesday, March 19, 1985, 2 p.m. In Room 118, the commission will consider an application of Greenspoint/Northland, Ltd., doing business as Northland Shopping Center, in care of Southmark Commercial Management, 1601 LBJ Freeway, Suite 720, Dallas, Texas 75234, to the TDWR for a temporary order to authorize the expansion of its existing 21,500 gallon-per-day wastewater treatment facility to a 60,000 gallon-per-day extended aeration treatment plant, and to

increase the volume of waste discharged from a volume not to exceed an average flow of 21,500 gallons per day to 60,000 gallons per day from the facility which is located approximately 2,000 feet south of the intersection of IH 45 and Spring-Cypress Road and 1,200 feet east of IH 45, adjacent to the Northland Shopping Center in Harris County. The applicant has stated that the temporary order is necessary to expand its existing wastewater treatment plant and properly treat the wastewater that the existing facility is currently receiving. The applicant has applied for a permit amendment, but the existing plant is hydraulically and organically overloaded and in need of immediate expansion and repair.

Contact: Scott Peterson, P.O. Box 13087, Austin, Texas 78701, (512) 475-6943.
Filed: March 1, 1985, 3:29 p.m.
TRD-851922

Wednesday, March 20, 1985, 9:30 a.m. In Room 118, the commission will consider Application TA-5148 of Tarrant County Water Control and Improvement District 1 for a permit to divert and use 4,879 acre-feet of water for a six-month period from Benbrook Lake, Clear Fork Trinity River, tributary of the West Fork Trinity River, tributary of the Trinity River, Trinity River Basin, for municipal purposes in Tarrant County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.
Filed: March 1, 1985, 3:18 p.m.
TRD-851919

Friday, April 19, 1985, 10 a.m. In Room 618, the commission will consider Application 4542 of D. P. Frost Construction Company seeking a permit to expand an existing on-channel dam and 9.3 acre-foot capacity reservoir on an unnamed branch of Jacks Creek, tributary of the Navasota River, tributary of the Brazos River, Brazos River Basin; maintain an existing 9.5 acre-foot capacity off-channel reservoir in the Maria Trinidad Sanchez Survey, Abstract 28, to construct and maintain a 6.7 acre-foot capacity off-channel reservoir in the same Sanchez survey, and to divert 50 acre-feet of water per annum from the on-channel reservoir into off-channel reservoirs for mining (washing of aggregate at rock-crushing plant) purposes in Limestone County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.
Filed: March 1, 1985, 3:19 p.m.
TRD-851914

Addition to the previous agenda:

The commission will consider Application 4543 of Billy J. Bradshaw and Carol E. Bradshaw, seeking a permit to divert and use 12 acre-feet of water per annum from

an existing 15.75 acre-foot exempt reservoir on an unnamed tributary of Rogers Creek, tributary of Beans Creek, tributary of Boxes Creek, tributary of the Neches River, Neches River Basin, for irrigation use in Cherokee County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.
Filed: March 1, 1985, 3:19 p.m.
TRD-851915

Monday, April 22, 1985, 10 a.m. In Room 124A, the commission will consider Application 4541 of the City of San Angelo seeking a permit to construct and maintain a dam and 363 acre-foot capacity reservoir on the Concho River, tributary of the Colorado River, Colorado River Basin, for recreational use in Tom Green County. The initial filling and subsequent maintenance of the water level in the reservoir will be provided via a water supply contract of not to exceed 410 acre-feet of water per annum with the Upper Colorado River Authority through releases from Lake O. C. Fisher.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.
Filed: March 1, 1985, 3:19 p.m.
TRD-851916

Monday, April 29, 1985, 10 a.m. In Room 124A, a rescheduled hearing on 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: March 1, 1985, 3:18 p.m.
TRD-851917

Friday, May 3, 1985, 10 a.m. In Room 618, the commission will consider Application RE-0234 of Cinco Ranch Venture, in care of American General Corporation, for approval of plans to make certain improvements on Willow Fork Buffalo Bayou, tributary of Buffalo Bayou, Fort Bend County and Harris County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.
Filed: March 1, 1985, 3:18 p.m.
TRD-851918

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**Regional Agencies
Meeting Filed February 28**

The Lower Colorado River Authority, Ad Hoc Committee on Financing, met at 3700

Lake Austin Boulevard, Austin, on March 4, 1985, at 1:30 p.m. Information may be obtained from Elof H. Soderberg, P.O. Box 220, Austin, Texas 78767, (512) 473-3200.

TRD-851842

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Meetings Filed March 1

The Archer County Appraisal District, Board of Directors, will meet at 108 West Main Street, Archer City, on March 13, 1985, at 5 p.m. Information may be obtained from A. G. Reis, P.O. Box 1141, Archer City, Texas 76351, (817) 574-2172.

The Texas Association of Regional Councils, Board of Directors, met at the Stephen F. Austin Hotel, Austin, on March 7, 1985, at 10 a.m. Information may be obtained from James F. Ray, 508 West 12th Street, Austin, Texas 78701, (512) 478-4715.

The Blanco County Central Appraisal District, Board of Directors, will meet at the Blanco County Courthouse Annex, Johnson City, on March 11, 1985, at 5:30 p.m. Information may be obtained from Hollis Petri, P.O. Box 338, Johnson City, Texas 78636, (512) 868-4624.

The Region XII Education Service Center, Board of Directors, met at 401 Franklin Avenue, Waco, on March 6, 1985, at 2 p.m. Information may be obtained from Weldon O. Mills, P.O. Box 1240, Waco, Texas 76703.

The Hunt County Tax Appraisal District, Board of Directors, met in emergency session in the boardroom, 4815-B King Street, Greenville, on March 4, 1985, at 7 p.m. Information may be obtained from Henry J. Popp or Jeanne Penney, 4815-B King Street, Greenville, Texas 75401, (214) 454-3510.

The Scurry County Appraisal District, Board of Directors, met at 2612 College Avenue, Snyder, on March 5, 1985, at 7:30 p.m. Information may be obtained from L. R. Peveler, 2612 College Avenue, Snyder, Texas 79549, (915) 573-8549.

The Upshur County Appraisal District, Board of Directors, will meet in the appraisal office, Warren and Trinity Streets, Gilmer, on March 11, 1985, at 7:30 p.m.

Information may be obtained from Louise Stracener, P.O. Box 31, Gilmer, Texas 75644, (214) 843-3041.

The West Central Texas Council of Governments, Texas Community Development Program Regional Review Committee, will meet at 1025 East North 10th at Judge Ely Boulevard, Abilene, on March 8, 1985, at 10 a.m. Information may be obtained from James K. Compton, P.O. Box 3195, Abilene, Texas 79604, (915) 672-8544.

TRD-851847

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Meetings Filed March 4

The Edwards Underground Water District, Board of Directors, will meet at 1615 North St. Mary's, San Antonio, on March 12, 1985, at 10 a.m. Information may be obtained from Thomas P. Fox, 1615 North St. Mary's, San Antonio, Texas 78215, (512) 222-2204.

The Gillespie County Appraisal District, Board of Directors, will meet in the assembly room, City Hall, Fredericksburg, on March 13, 1985, at 9 a.m. Information may be obtained from Gary Neffendorf, P.O. Box 429, Fredericksburg, Texas 78624, (512) 997-7655.

The Hays County Central Appraisal District, Board of Directors, will meet at the courthouse annex, San Marcos, on March 11, 1985, at 5 p.m. Information may be obtained from Lynnell Sedlar, 102 LBJ Drive, San Marcos, Texas 78666, (512) 396-4777.

The High Plains Underground Water Conservation District 1, Board of Directors, will meet in the conference room, 2930 Avenue Q, Lubbock, on March 12, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181.

The Houston-Galveston Area Council, Project Review Committee, met in emergency session in the conference room, fourth floor, 3555 Timmons Lane, Houston, on March 5, 1985, at 9:30 a.m. Information may be obtained from Geraldine McCray, 3555 Timmons Lane, Houston, Texas 77027, (713) 627-3200.

The Jack County Appraisal District, Appraisal Review Board, will meet at the L Creek Building, 216-D South Main, Jacksboro, on March 11, 1985, at 10 a.m. Information may be obtained from Doris G. Ray or Linda Williams, Los Creek Office Building, 216-D South Main, Jacksboro, Texas 76056, (817) 567-6301.

The Lavaca County Central Appraisal District, Board of Directors, will meet at 11 North Main Street, Hallettsville, on March 11, 1985, at 4 p.m. Information may be obtained from Joe Pat Davis, P.O. Box 1141, Hallettsville, Texas 77964, (512) 798-4111.

The North Central Texas Council of Governments, for North Central Texas Training, Consortium Private Industry Council, will meet at 616 Six Flags Drive, Arlington, on March 8, 1985, at 1:30 p.m. Information may be obtained from Mike Gilmore, P.O. Drawer COG, Arlington, Texas 76005-5888, (817) 640-3300.

The Northeast Texas Municipal Water District, Board of Directors, will meet at 1003 Linda Drive, Daingerfield, on March 8, 1985, at 2 p.m. Information may be obtained from Homer Tanner, P.O. Box 680, Daingerfield, Texas 75638, (214) 645-2241.

The Permian Basin Regional Planning Commission, Board of Directors, will meet at the commission offices, Midland Air Terminal, Midland, on March 13, 1985, at 1:30 p.m. Information may be obtained from Pam K. Hammit, P.O. Box 6391, Midland, Texas 79701, (915) 1061.

TRD-851942

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Meeting Filed March 5

The Lamar County Appraisal District, Board of Directors, will meet at 1523 Lamar Avenue, Paris, on March 11, 1985, at 4 p.m. Information may be obtained from Rodney Anderson, 1523 Lamar Avenue, Paris, Texas 75460, (214) 785-7822.

TRD-851971

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The gislature

For the purpose of public information, the *Register* publishes a listing of the bills that have been submitted to the governor during each legislative session 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 it.

Bills Submitted to the Governor

February 25

SB 165 Relating to the compensation of the district judges in Travis County.

Sponsor: Smith.



In Addition

The *Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

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 January 29, 1985, the banking commissioner received an application to acquire control of the First State Bank, Celina, by Richard L. Donaldson, Crain Glendenning, Don T. Glendenning, Leigh Glendenning, Rex Keith Glendenning, James R. McIlroy, Joe F. Sagnibene, Ralph Stelzer, William F. Tolleson, Henry D. Waldrep, and Jerry Bob Willard, all of Celina; Don W. Taylor and John T. Razor of Gunter; Jack F. Ferguson of Richardson; Michael R. Hynds and Oran Selby of Van Alstyne; and Johnney B. Hunn of Lewisville.

On February 27, 1985, 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 February 27, 1985.

TRD-851816 William F. Aldridge
Director of Corporate
Activities
Banking Department of
Texas

Filed: February 28, 1985
For further information, please call (512) 475-4451.

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State Banking Board Public Hearing

The hearing officer of the State Banking Board will conduct a hearing at 9 a.m. on Thursday, May 16, 1985, at 2601 North Lamar Boulevard, Austin, on the charter application of the Bank of Troy, Troy.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Banking

Department of Texas, 2601 North Lamar Boulevard,
Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on
February 26, 1985.

TRD-851817 William F. Aldridge
Director of Corporate
Activities
Banking Department of
Texas

Filed: February 28, 1985
For further information, please call (512) 475-4451.

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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) 03/11/85-03/17/85	18.00%	18.00%
Monthly Rate— Article 1.04(c)(1) 03/01/85-03/31/85	18.00%	18.00%
Standard Quarterly Rate—Article 1.04(a)(2) 04/01/85-06/30/85	18.00%	18.00%
Retail Credit Card Quarterly Rate— Article 1.11 ⁽³⁾ 04/01/85-06/30/85	18.00%	N/A
Lender Credit Card Quarterly Rate— Article 15.02(d) ⁽³⁾ 04/01/85-06/30/85	16.42%	N/A
Standard Annual Rate— Article 1.04(a)(2) ⁽²⁾ 04/01/85-06/30/85	18.00%	18.00%

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
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Retail Credit Card Annual Rate— Article 1.11 ⁽³⁾ 04/01/85-06/30/85	18.00%	N/A
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Annual Rate Applicable to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card Balances with Annual Implementation Dates from 04/01/85-06/30/85	19.27%	N/A
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Judgment Rate— Article 1.05, §2 03/01/85-03/31/85	10.00%	10.00%
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- (1) For variable rate commercial transactions only.
 (2) Only for open-end credit as defined in Texas Civil Statutes, Article 3069-1.01(1).
 (3) Credit for personal, family, or household use
 (4) Credit for business, commercial, investment, or other similar purpose.

Issued in Austin, Texas, on March 4, 1985.

TRD-851938 Sam Kelley
 Consumer Credit
 Commissioner

Filed: March 4, 1985
 For further information, please call (512) 475-2111.

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Employees Retirement System of Texas Request for Proposals

In accordance with Texas Civil Statutes, Title 110B, Subtitle C, §25.103, and with the approval of the Board of Trustees, the Employees Retirement System of Texas (ERS) announces a request for proposals (RFP) to provide banking services for the ERS. Such banking services shall include, but not be limited to, clearing of security transactions, registration and delivery of securities, safekeeping of U.S. Treasury securities, and research of interest and dividend claims. Therefore, banks wishing to respond to the request should have recognized expertise and specialization in the administration of investment clearing procedures to include accounting and finance principles which deal with the investment clearing procedures, State of Texas investment policies and procedures, cost control, and service monitoring. The proposer must be a bank chartered to do business in the State of Texas certified as a depository bank for state funds and with a minimum of \$150 million in deposits.

The RFP instructions which detail information regarding the project format will be available upon request on or after March 11, 1985, at the Employees Retirement System of Texas, Investment and Accounting Divisions, 18th and Brazos Streets, P.O. Box 13207, Austin, Texas 78711.

The deadline for receipt of proposals in response to this request is 5 p.m. on April 12, 1985. Proposals received after 5 p.m. on April 12, 1985, will be returned unopened to the bidder.

The trustee reserves the right to accept or reject any or all proposals submitted. The trustee is under no legal re-

quirement to execute a contract on the basis of this advertisement. The trustee intends to use responses as a basis for further negotiations of a specific banking services contract. The trustee will base its choice on the best combination of cost, demonstrated competence, superior qualifications, and evidence of conformance with criteria.

This RFP does not commit the system to pay any costs incurred prior to execution of a contract. Issuance of this material in no way obligates the trustee to award a contract or to pay any costs incurred in the preparation of a response. The trustee specifically reserves the right to reject all offers and resolicit or cancel this procurement if deemed by the trustee to be in its best interest.

For further information regarding this notice, or to obtain copies of the RFP instructions, please contact Nancy Goerdel, Employees Retirement System of Texas, Investment Division, 18th and Brazos Streets, P.O. Box 13207, Austin, Texas 78711, (512) 476-6431, ext. 168.

Issued in Austin, Texas, on March 4, 1985.

TRD-851928 Clayton T. Garrison
 Executive Director
 Employees Retirement System of
 Texas

Filed: March 4, 1985
 For further information, please call (512) 476-6431, ext. 213.

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Texas Department of Health Licensing Action for Radioactive Materials

The Texas Department of Health has taken actions regarding licenses for the possession and use of radioactive materials as listed in the following table. The sub-heading labeled "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout Texas" indicates that the radioactive material may be used on a temporary basis at job sites throughout the state.

NEW LICENSES ISSUED:

Location	Name	License #	City	Amendment #	Date of Action
El Paso	Pittway Corporation	03-3725	Aurora, IL	0	02/07/85
Houston	Texas Tower Partnership	11-3747	Houston	0	02/12/85
Irving	Circuitronics, Inc.	05-3734	Irving	0	02/07/85
McKinney	Fisher Controls	05-3745	McKinney	0	01/24/85
Throughout Texas	Jim R. Sharp	08-3731	Corpus Christi	0	02/07/85
Throughout Texas	McBride-Ratcliff and Associates, Inc.	09-3761	San Antonio	0	02/07/85
Throughout Texas	John West Engineering Company	99-3692A	Hobbs, NM	0	02/14/85

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location	Name	License #	City	Amendment #	Date of Action
Arlington	Metroplex Hematology/Oncology Associates	05-3211	Arlington	11	01/29/85
Austin	The University of Texas at Austin	06-485	Austin	40	01/28/85

Austin	Allan Shivers Radiation Therapy Center	06-1761	Austin	11	02/04/85
Baytown	Exxon Chemical Company	11-3335	Baytown	4	02/07/85
Beaumont	Baptist Hospital of Southeast Texas	10-358	Beaumont	40	01/30/85
Beaumont	Mobil Oil Corporation	10-603	Beaumont	34	02/14/85
Colorado City	Root Memorial Hospital	04-1643	Colorado City	10	02/04/85
Corpus Christi	Reynolds Metals Company	08-200	Corpus Christi	27	01/24/85
Crosby	Energy Technology	11-3400	Crosby	3	02/08/85
Dallas	The University of Texas Health Science Center	05-384	Dallas	40	01/28/85
Denison	Texoma Medical Center	05-1600	Denison	10	01/24/85
Denison	Conway Oil Company	05-3553	Denison	2	02/14/85
Fannin	Central Power and Light Company	08-2519	Corpus Christi	8	02/14/85
Floydada	Caprock Hospital District	02-3255	Floydada	4	02/07/85
Fort Worth	The Lane Construction Corporation	05-3278	Fort Worth	3	01/09/85
Fort Worth	City of Fort Worth Water Department	05-2531	Fort Worth	2	02/07/85
Houston	Houston Northwest Medical Center	11-2253	Houston	21	01/30/85
Houston	Hermann Hospital	11-650	Houston	26	02/06/85
Houston	Rosewood General Hospital	11-1204	Houston	13	02/14/85
Houston	Rosewood General Hospital	11-1239	Houston	27	02/14/85
Houston	Commercial Metals Company	11-3101	Houston	2	02/14/85
Irving	Nuclear Pharmacy Inc.	05-2048	Irving	40	01/28/85
Lancaster	Midway Park General Hospital	05-3342	Lancaster	3	02/04/85
Levelland	Cook Memorial Hospital	02-2925	Levelland	4	02/04/85
Lubbock	St. Mary of the Plains Hospital and Rehabilitation Center	02-1547	Lubbock	27	02/11/85
Palestine	Aluminum Company of America	07-1846	Palestine	19	02/07/85
Port Arthur	U. S. Industrial Chemicals Company	10-804	Port Arthur	25	02/07/85
Port Arthur	Gulf Refining and Marketing Company	10-54	Port Arthur	25	02/14/85
Port Lavaca	Union Carbide Corporation	08-51	Port Lavaca	42	02/07/85
San Antonio	Southwest Foundation for Biomedical Research	09-468	San Antonio	24	02/07/85
Sherman	Medical Plaza Hospital, Inc.	05-2372	Sherman	6	02/06/85
Sweeny	Phillips Petroleum Company	11-337	Sweeny	25	02/07/85
Throughout Texas	Nueces Inspection Company	08-3038	Robstown	5	02/07/85
Throughout Texas	Holmes Wireline Service, Inc	12-2562	Odessa	14	02/07/85
Throughout Texas	Brown & Root, Inc	11-3391	Houston	4	02/07/85
Throughout Texas	Halliburton Services	07-1835	Tyler	24	02/07/85
Throughout Texas	Lower Colorado River Authority	06-2738	Austin	4	02/07/85
Throughout Texas	GRMC	11-1940	Houston	7	02/07/85
Throughout Texas	Shell Development Company	11-2116	Houston	16	02/07/85
Throughout Texas	Exploration Logging, S. A	11-3258	Houston	1	02/07/85
Throughout Texas	Goosby Testing Laboratories, Inc.	11-3115	Humble	8	02/08/85
Throughout Texas	Precision Inspection, Inc	11-203	Houston	26	02/08/85
Throughout Texas	Engineers & Fabricators Company	11-981	Houston	32	02/08/85
Throughout Texas	Texas Steel Company	05-163	Fort Worth	23	02/08/85

Throughout Texas	Non-Destructive Inspection Corp.	11-2712	Lake Jackson	6	02/08/85
Throughout Texas	Brazos Valley Inspection Services, Inc.	06-2859	Bryan	14	02/08/85
Throughout Texas	Welex	11-387	Houston	58	01/29/85
Throughout Texas	Hensel Phelps Construction Company	01-3654	Amarillo	2	02/14/85
Throughout Texas	McMorries and Glover, Inc	01-2839	Dumas	5	02/14/85
Throughout Texas	Haynes, Hollon and Associates, Inc.	05-2234	Dallas	11	02/14/85
Throughout Texas	McClelland Engineers, Inc	05-3461	Dallas	2	02/14/85
Throughout Texas	Dow Chemical Company	11-451	Freeport	34	02/14/85
Throughout Texas	Select Wireline Services, Inc	04-2748	Snyder	7	02/14/85
Throughout Texas	Trinity Engineering Testing Corporation	08-1351	Corpus Christi	18	02/14/85
Tyler	C. Construction Company, Inc., and Lone Star Structures, Inc	07-3749	Tyler	1	01/31/85
Wharton	Gulf Coast Medical Center	11-1390	Wharton	10	01/29/85

TERMINATIONS OF LICENSES ISSUED:

Location	Name	License #	City	Amendment #	Date of Action
Houston	Transformer Consultants	11-3204	Houston	1	02/07/85
Houston	Analytical Center, Inc.	11-1961	Houston	4	02/14/85
Mount Pleasant	Dorchester Refining Company	07-1880	Mount Pleasant	7	02/07/85
Throughout Texas	Industrial X-Ray Service	08-2964	Corpus Christi	1	02/08/85
Throughout Texas	Hunt Building Corporation	03-3089	El Paso	1	02/14/85
Throughout Texas	San Angelo—Tom Green County Civil Defense	04-3202	San Angelo	2	02/14/85
Throughout Texas	Lavaca Testing, Inc.	08-2860	Port Lavaca	4	02/08/85

NEW LICENSES DENIED:

Location	Name	License #	City	Amendment #	Date of Action
Alice	Perfection Wireline Services	00-0000	Alice	0	01/09/85

In issuing new licenses and amending and renewing existing licenses, the Texas Department of Health, Bureau of Radiation Control, has determined that the applicants are qualified by reason of training and experience to use the material in question for the purposes requested in accordance with *Texas Regulations for Control of Radiation* in such a manner as to minimize danger to public health and safety or property and the environment; the applicants' proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property and the environment; the issuance of the license(s) will not be inimical to the health and safety of the public or the environment; and the applicants satisfy any applicable special requirements in the *Texas Regulations for Control of Radiation*.

This notice affords the opportunity for a hearing on written request of a licensee, applicant, or "person affected" within 30 days of the date of publication of this notice. A "person affected" is defined as a person who is resident of a county, or a county adjacent to the county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and any local government in the county; and who can demonstrate that he has suffered or will suffer actual injury or economic damage due to emissions of radiation. A licensee, applicant, or "person affected" may request a hearing by writing David K. Lacker, Chief, Bureau of

Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Any request for a hearing must contain the name and address of the person who considers himself affected by agency action, identify the subject license, specify the reasons why the person considers himself affected, and state the relief sought. If the person is represented by an agent, the name and address of the agent must be stated. Copies of these documents and supporting materials are available for inspection and copying at the office of the Bureau of Radiation Control, Texas Department of Health, 1212 East Anderson Lane, Austin, from 8 a.m. to 5 p.m. Monday through Friday (except holidays).

Issued in Austin, Texas, on February 28, 1985.

TRD-851852 Robert A. MacLean
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: March 1, 1985
For further information, please call (512) 835-7000.

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Texas Health Facilities Commission

Applications Accepted for Amendment, Declaratory Ruling, Notices of Intent, and Petition for Reissuance of Certificate of Need

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 facilities; 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 or interested person to any of the previously stated applications, that person must file a proper request to become a party or interested person to the application within 10 days after the date of this publication of notice. If the 10th day is a Saturday, Sunday, or state holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, or state holiday. A request to become a party or interested person 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 or interested person.

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

Memorial Hospital System for Memorial Hospital System Outpatient Surgery Center, Houston AS83-0906-141A(021985)

CN/AMD—Request for an amendment of Certificate of Need AS83-0906-141, which authorized the certificate holder to construct, equip, and operate an 8,848-square-foot outpatient surgery center to be located in the Memorial Professional Building adjacent to Memorial Hospital Southwest, Houston. The certificate holder requests a change in the design of the center. The surgery center will contain 8,322 square feet rather than the 8,848 square feet originally proposed, and the entire surgery center will be located on the second floor rather than on both the first and second floors. No space on the first floor will be utilized. There will be 14 recovery bays rather than the 10 originally proposed, and there will be no single area designated as pediatric recovery. Seven of the 14 recovery bays will be private and available for isolation as pediatric recovery.

San Saba National Bank, San Saba AH85-0220-123

NIEH—Request for a declaratory ruling that a certificate of need is not required for San Saba National Bank to purchase Hilltop Mediplex, Inc., doing business as San Saba Memorial Hospital, an existing 33-bed general acute care hospital located in San Saba, from Roy A. Lee, M.D. Upon acquisition, the name of the facility will be changed to San Saba Hospital, Inc.

AlternaCare Corporation, Los Angeles, California AS85-0221-129

NIEH—Request for a declaratory ruling that a certificate of need is not required for AlternaCare Corporation to purchase 100% of the outstanding capital stock of Southwest Surgical Center, Inc., which leases the building and equipment associated with Southwest Ambulatory Surgical Center, an existing ambulatory surgical facility located in San Antonio, from Dr. Govind P. Garg, P.A., and Dr. Roger Schwartz.

Texas Department of Mental Health and Mental Retardation for Austin State Hospital, Austin AA82-0713-056A(022185)

CN/AMD—Request for an extension of the completion deadline from January 2, 1985, to June 30, 1985, in Certificate of Need AA82-0713-056, which authorized the certificate holder to renovate 21,070 square feet and construct a 6,000-square-foot addition to Building 631 to correct LSCD and provide additional space for educational services.

Winnwood Nursing Home, Winnwood AN85-0222-134

DR—Request for a declaratory ruling that a certificate of need is not required for Winnwood Nursing Home to obtain Medicaid certification as an intermediate care facility III (ICF-III). Winnwood Nursing Home is a 60-bed nursing home located in Winnsboro which was previously certified to receive Medicaid reimbursement as an ICF-III until 1982, when it elected to drop its certification. There is no capital expenditure in any amount associated with the project.

Blackland Vision, Ltd., a Texas limited partnership, Greenville AS85-0222-136

NIE—Request for a declaratory ruling that a certificate of need is not required for Blackland Vision, Ltd., to purchase a CT scanner, a radiographic/fluoroscopic room, a radiographic room with tomography, ultrasound equipment and various imaging accessories. The proposed equipment will be located in an office to be established on Ridgecrest Road in Greenville and will be utilized on an outpatient basis and for inpatients as defined by commission rules.

Issued in Austin, Texas, on March 4, 1985.

TRD-851936 John R. Neel
 General Counsel
 Texas Health Facilities
 Commission

Filed: March 4, 1985

For further information, please call (512) 475-6940.

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Houston-Galveston Area Council Consultant Proposal Request

This consultant proposal request is filed under the provisions of Texas Civil Statutes, Article 6252-11c.

The Houston-Galveston Area Council (H-GAC), administrative agency for the Gulf Coast Private Industry Council, solicits proposals to provide job training services to economically disadvantaged adults and youths in the balance of Gulf Coast service delivery area. Services are funded through the Job Training Partnership Act of 1982, Title IIA, 29 United States Code §1501 *et seq.*

Approximately \$4 million is available for services. Projects must serve individuals in one or any combination of the following Texas counties: Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Liberty, Matagorda, Montgomery, Walker, Waller, and Wharton.

Proposals are due at the H-GAC offices by 5 p.m. on Friday, March 22, 1985. Proposals will be reviewed by H-GAC staff members and the Gulf Coast Private Industry Council. Final selection and approval for funding will be made by the council and the H-GAC Board of Directors.

For more information, interested parties may request a proposal package from Rodney Bradshaw, Manager, Employment and Aging Services, Houston-Galveston Area Council, P.O. Box 22777, Houston, Texas 77227, (713) 627-3200.

Issued in Houston, Texas, on February 25, 1985.

TRD-851941 Jack Steele
 Executive Director
 Houston-Galveston Area Council

Filed: March 4, 1985

For further information, please call (713) 627-3200.

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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 consultant contract award. The re-

quest for proposals was published in the November 6, 1984, issue of the *Texas Register* (9 TexReg 5750).

Description of Services. Specific activities to be performed are implementing support groups in Austin, San Antonio, and Amarillo to assist socially isolated or emotionally disturbed deaf or hearing-impaired individuals and their families to reduce isolation, develop a positive self-image, and alleviate or eliminate emotional problems; assisting sponsoring organizations in recruiting volunteers to provide self-help services to the deaf; assisting and providing ongoing technical in-service training to volunteers on providing self-help services to the deaf; evaluating the effectiveness of self-help support groups; and reviewing and comparing evaluation data collected in all program components in Austin, San Antonio, and Amarillo.

Name of Contractor Selected. The contractor selected is National Self-Help Center for the Deaf/Hearing Impaired, Inc., P.O. Box 33039, Austin, Texas 78764.

Effective Dates and Total Value of Contract. The contract began December 14, 1984, and ends August 31, 1985. The total value of the contract is \$22,000.

Due Dates for Reports. The contractor will submit a final report to the department by September 30, 1985.

Issued in Austin, Texas, on March 1, 1985.

TRD-851910 Marlin W. Johnston
 Commissioner
 Texas Department of Human
 Resources

Filed: March 1, 1985

For further information, please call (512) 450-3766.

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In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Resources (DHR) furnishes this notice of consultant contract awards. The request for proposals was published in the August 17, 1984, issue of the *Texas Register* (9 TexReg 4481).

Description of Services. The contractor will provide parent education to the parents or caretakers of abused and neglected children.

Name of Contractors Selected and Amount of Contracts. The contractors are Child Study Center, 1200 West Lancaster, Fort Worth, Texas 76012—\$34,020; and Betty J. Guy, 316 Penquin Drive, Dallas, Texas 75241—\$34,990.

Effective Dates of Contract. The contracts began February 11, 1985, and end August 31, 1985.

Due Dates for Reports. Contractors will furnish reports within established time frames as described in the plan of operation.

Issued in Austin, Texas, on March 1, 1985.

TRD-851909 Marlin W. Johnston
 Commissioner
 Texas Department of Human
 Resources

Filed: March 1, 1985

For further information, please call (512) 450-3766.

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Request for Information

The Texas Department of Human Resources is evaluating the feasibility of indexing its policy and procedure handbooks. The department believes that the most expeditious means of accomplishing this task will be to contract with an outside entity. The task involves the preparation of subject indexes for approximately 21 handbooks which range in size from 50 to 300 pages of narrative text, the preparation of a master index for all handbooks, and the establishment of a method of ongoing maintenance for the indexes.

This request for information (RFI) has been selected as a systematic method for gathering information about current methods for accomplishing the described task and the availability of resources to perform these services. Please note that the RFI is an information-gathering tool, not a procurement document. The expectation is that information obtained through this process may result in a competitive procurement within the next year.

Interested organizations or individuals should submit information within 45 days of this publication to Rodger Love, Texas Department of Human Resources 153-E, P.O. Box 2960, Austin, Texas 78769. For further information, please call (512) 450-3773.

Issued in Austin, Texas, on March 1, 1985.

TRD-851911 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Filed: March 1, 1985

For further information, please call (512) 450-3786.

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Railroad Commission of Texas Extension of Comment Period

The Railroad Commission of Texas gives notice to all interested persons that the comment period for the proposed amendments to 16 TAC §3.36, relating to oil, gas, or geothermal resource operation in hydrogen sulfide areas, published in the December 21, 1984, issue of the *Texas Register* (9 TexReg 6407) has been extended through March 27, 1985.

Questions regarding the proposed amendments to statewide rule 36 should be addressed to Kimberly L. Kiplin, Legal Section, Oil and Gas Division, Railroad Commission of Texas, (512) 445-1180.

Issued in Austin, Texas, on March 1, 1985.

TRD-851873 Walter E. Lillie
Special Counsel
Railroad Commission of Texas

Filed: March 1, 1985

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

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State Securities Board Correction of Error

A proposed amendment submitted by the State Securities Board contained an error as published in the March 1, 1985, issue of the *Texas Register* (10 TexReg 724). Section 109.3(c)(2) should read:

(2) For purposes of determining a purchaser's total assets or net worth under this section, the issuer and the seller may rely upon the entity's most recent annual balance sheet or other financial statement which shall have been audited by an independent accountant or which shall have been verified by a principal of the purchaser. The exemption provided by this section shall not be available for the sale of securities by an open-end company as that term is defined in the Investment Company Act of 1940.

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Texas State Treasury Department Consultant Proposal Request

This request for consulting services is filed under the provisions of Texas Civil Statutes, Article 6252-11c. The consulting service desired is a continuation of a service previously performed by a private consultant. The Texas State Treasury Department intends to award the contract to the consultant who previously performed the services, unless a better offer is submitted.

The department is requesting proposals to assist with the implementation of the system network. The proposal should include a plan to perform the following tasks between April and August 1985:

- (1) implement the applications as defined in the treasury's *Office Automation Systems Analysis Report*;
- (2) define and support additional office automation applications;
- (3) assist the treasury in procuring all necessary equipment and software; and
- (4) coordinate and/or develop training for treasury staff in the use of the office automation equipment.

Additional information may be obtained from Mary Pilney, Director, Computer Resources Division, Texas State Treasury Department, P.O. Box 12608, Austin, Texas 78711.

Proposals are due by 4 p.m. on March 25, 1985. Selection criteria include experience and qualifications of the consultant in conducting similar projects; the consultant's reputation with previous customers; timeliness of proposed work; suitability of the work plan; and projected cost.

Issued in Austin, Texas, on March 4, 1985.

TRD-851937 Celina Romero
Acting General Counsel
Texas State Treasury Department

Filed: March 4, 1985

For further information, please call (512) 475-2591.

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