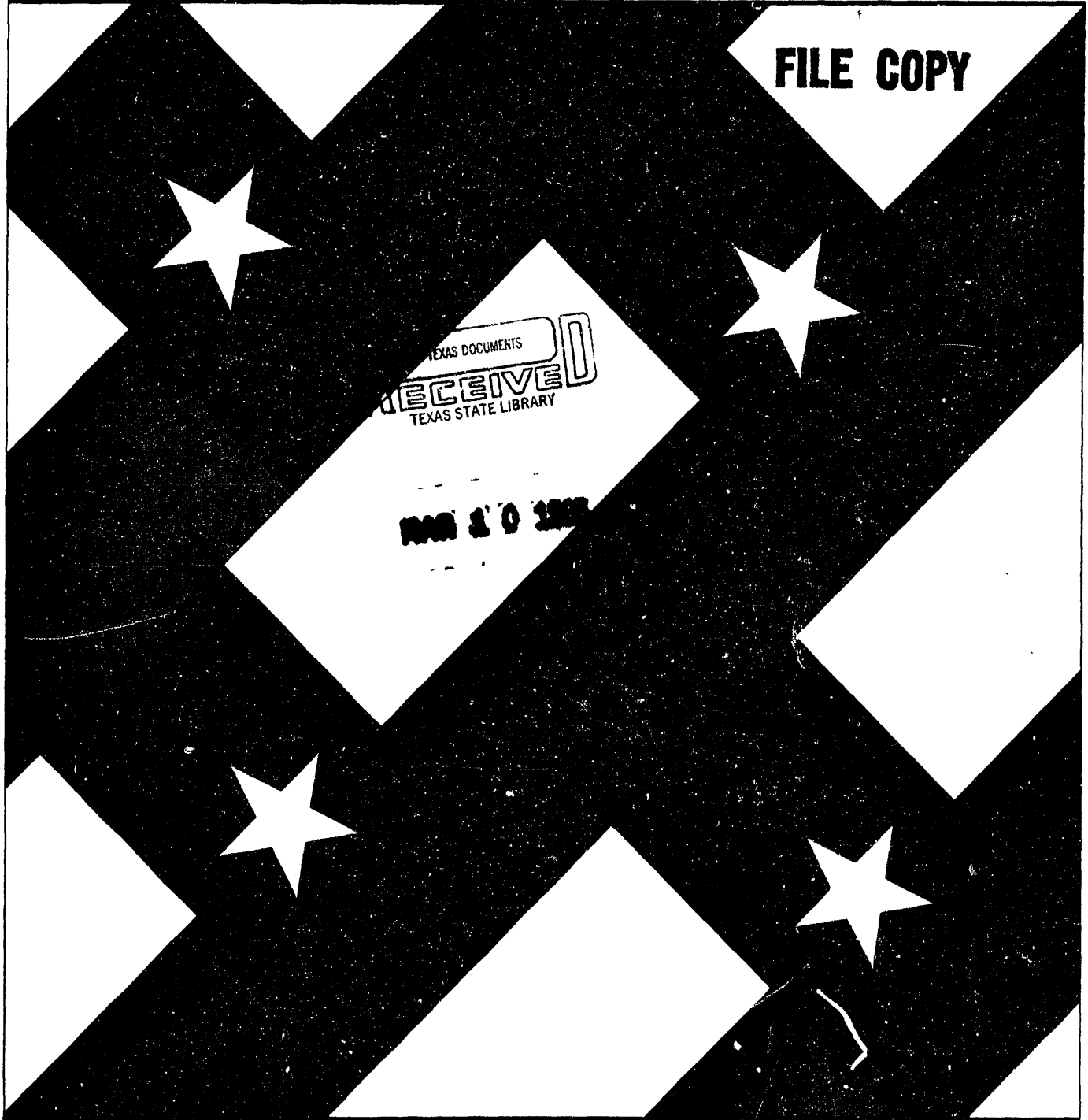


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R263
11:17

Texas Register

Volume 11, Number 17, March 4, 1986

Pages 1067-1096



Highlights

The **Texas Sesquicentennial Commission** adopts an emergency section concerning the licensing of the official Sesquicentennial logo. Effective date - February 24. **page 1075**

The **Animal Health Commission** proposes an amendment concerning the Texas bovine Bru-

cellosis regulations. Earliest possible effective date - April 4. **page 1076**

The **Texas State Board of Public Accountancy** proposes an amendment concerning the educational requirements for CPA Examination application. Earliest possible date of adoption - April 4. **page 1078**

**Office of
the Secretary
of State**

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice each week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1986 with the exception of June 24, September 2, December 2, and December 30 by the Office of the Secretary of State.

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Information Available: The 11 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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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
- The Legislature—bills submitted to, signed by, and vetoed by the Governor and bills that are submitted to the Governor and signed without his signature
- 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: "11 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 11 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) 463-1814.

Appointments Made February 19

Crime Stoppers Advisory Council

For a term to expire September 1, 1987:

Richard Wayne Carter
5403 Grantmont
Arlington, Texas 76016

Judge Carter is being reappointed.

Education Commission of the States

For a term to continue at the pleasure of this governor:

William P. Hobby
Lieutenant Governor
P.O. Box 12068
Austin, Texas 78711

Mr. Hobby is replacing Oscar Mauzy of Grand Prairie, who resigned.

Galveston Bar and Houston Ship Channel

To be branch pilots for terms to expire November 8, 1989:

Captain John C. Chapman
11330 Blackhawk Boulevard
Houston, Texas 77089

Captain Stewart G. Corry
15019 Beechurst Drive
Houston, Texas 77062

To be a branch pilot for a term to expire September 28, 1989:

Captain Paul G. Brown
310 Pebbleshire
Houston, Texas 77062

Captain Brown is being reappointed.

State Commission on Judicial Conduct

For a term to expire November 19, 1991:

Lowell Cable
8558 Gilmre
Sulphur Springs, Texas 75482

Mr. Cable is replacing Robert David Rogers of Dallas, whose term expired.

Trinity River Authority of Texas

To be a member of the board of directors for a term to expire March 15, 1991:

Berlin Michael Cummings
4329 Winding Way
Fort Worth, Texas 76126

Mr. Cummings is being reappointed.

Task Force on Border Economic Development

For a term to expire at the pleasure of this governor:

Merced Perez Trevino
P.O. Box 955
Eagle Pass, Texas 78852

Ms. Trevino is being appointed pursuant to House Concurrent Resolution 138, 69th Legislature.

Texas Water Well Drillers Board

For a term to expire September 15, 1991:

John H. Walker
Route 4, Box 95
Alvin, Texas 77511

Mr. Walker is replacing Tommy C. Bussell of Houston, whose term expired.

Issued in Austin, Texas, on February 19, 1988.

TRD-8601818 Mark White
Governor of Texas

★ ★ ★



Appointments Made February 20

Texas Board of Examiners of Dieticians

For a term to expire September 1, 1991:

Gracie Specks
3018 Antelope Train
Temple, Texas 76501

Ms. Specks is being reappointed.

Commission on Fire Protection Personnel Standards and Education

For a term to expire June 11, 1991:

Alcus Greer
1807 Dunstan Road
Houston, Texas 77005

Mr. Greer is being reappointed.

Texas State Board of Podiatry Examiners

For terms to expire July 10, 1991:

John G. Knecht, D.P.M.
1529 39th Street
Galveston, Texas 77550

Dr. Knecht is replacing Dr. Isaac E. Willis, Jr., of Longview, whose term expired.

Thomas F. Eckert, D.P.M.
1009 Hospital Drive
Tyler, Texas 75701

Dr. Eckert is replacing Dr. Ruth Y. Ackers of Abilene, whose term expired.

Texas State Library and Archives Commission

For a term to expire September 28, 1991:

Auralia Nelson McCreless
7500 Callaghan Road, #223
San Antonio, Texas 78229

Ms. McCreless is replacing Ms. Ed (Rita) Palm of Fort Worth, whose term expired.

Red River Compact

To be commissioner for a term to expire February 1, 1987:

R. C. Slagle, III
P.O. Box 134 B, Route 2
Sherman, Texas 75090

Mr. Slagle is replacing Kenneth E. Nelson of Dallas, whose term expired.

State Committee of Examiners for Speech Pathology and Audiology

For a term to expire August 31, 1987:

Harold G. Beaver
P.O. Box 328
Holland, Texas 76534

Mr. Beaver is being reappointed.

Issued in Austin, Texas, on February 20, 1986.

TRD-8601818

Mark White
Governor of Texas



Appointments Made February 21

State Board of Canvassers

For a term to expire August 23, 1987:

Morris Shapiro
5104 Ridge Oak Drive
Austin, Texas 78731

Mr. Shapiro is replacing E. C. Green of Denison, whose term expired.

Health and Human Services Coordinating Council

For a term to expire September 1, 1987:

Judith L. Craven, M.D.
3212 Ewing
Houston, Texas 77004

Dr. Craven is being reappointed.

Texas Committee for the Humanities

For a term to expire December 31, 1987:

Phyllis Bridges, Ph.D.
711 Northridge
Denton, Texas 76201

Dr. Bridges is being reappointed.

Port of Galveston and Texas City

To be members of the pilot commission for terms to expire April 15, 1987:

Charles Clifford Burks
310 Tahiti/Tiki Island
Galveston, Texas 77551

Patricia Gray
1816 Church Street
Galveston, Texas 77550

Carl Gay
3023 Sherwood Oak
Dickinson, Texas 77539

Mr. Burks, Ms. Gray, and Mr. Gay are being reappointed.

Texas Surplus Property Agency

For a term to expire March 19, 1991:

Gerald D. Irons, Sr.
62 Berryfrost Lane
The Woodlands, Texas 77380

Mr. Irons is being reappointed.

Issued in Austin, Texas, on February 21, 1986.

TRD-8601818

Mark White
Governor of Texas



Attorney General

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

Requests for Opinions

RQ-736. Request from George J. Filley, III, criminal district attorney, Victoria, concerning impact of tax increment financing districts upon various county funds.

RQ-737. Request from G. Dwayne Pruitt, Terry County attorney, Brownfield, concerning whether a janitorial service contract is exempt from the competitive bidding requirements of Texas Civil Statutes, Article 2368 (a), §2.

RQ-738. Request from Clint Hackney, chairman, House of Representatives, Committee on Elections, Austin, concerning whether a home rule city may amend its charter within less than two years of a previous charter amendment election.

RQ-739. Request from Kent Caperton, chairman, Senate Committee on Criminal Justice, Austin, concerning applicability to the judiciary of House Bill 756 which requires state agencies to use standard-size paper.

RQ-740. Request from Brad Wright, chairman, House Committee on Public Health, House of Representatives, Austin, concerning authority of a city-owned hospital to offer discounts to specific groups such as senior citizens, insurance companies, etc.

RQ-741. Request from Garry Mauro, commissioner, General Land Office, Austin, concerning authority of the General Land Office to sell land belonging to the Department of Corrections.

RQ-742. Request from W. O. Schultz, II, general attorney, University of Texas System, Austin, concerning constitutionality of procedures employed by state universities in offering religion and biblical studies courses.

RQ-743. Request from Garry Mauro, commissioner, General Land Office, Austin, concerning whether the identities of persons who received bid packets on a sale of land are subject to disclosure under the Texas Civil Statutes, Open Records Act, Article 6252-17a, where the sale is not completed.

RQ-744. Request from Chet Brooks, chairman, Senate Committee on Health and Human Resources, Austin, concerning whether Texas Civil Statutes, Article 342-903, which broadens the definition of drive-in/walk-up

facility, contravenes the constitutional prohibition against branch banking.

RQ-745. Request from Jim D. Rudd, state representative, Austin, concerning applicability of the mandatory election requirement for continued service to judges who retired prior to the effective date of House Bill 1658.

RQ-746. Request from John B. Holmes, Jr., district attorney, Houston, concerning authority of the presiding judge of an administrative district to make judicial assignments in Harris County.

RQ-747. Request from Mike Driscoll, Houston, concerning whether the Harris County attorney is authorized or required to represent or advise the sheriff in certain cases.

RQ-748. Request from Benjamin Euresti, Jr., Cameron County attorney, Brownsville, concerning whether a commissioners court may promulgate a policy of prohibiting county employees from running for office in a partisan election.

RQ-749. Request from Billy Ray Stubblefield, Williamson County attorney, Georgetown, concerning whether a county may exclude increased funding for indigent health care from the amount subject to citizen rollback under the Property Tax Code.

RQ-750. Request from Sam H. Smith, executive director, Board of Tax Professional Examiners, Austin, concerning whether an individual may serve as chief appraiser for three different appraisal districts.

RQ-751. Request from Ann W. Richards, treasurer, Austin, concerning whether incentive awards to state employees contravene the Texas Constitution, Article 3, §44.

RQ-752. Request from Ken Oden, Travis County attorney, Austin, concerning whether a blood alcohol report is expected from disclosure under Texas Civil Statutes, Open Records Act, Article 6252-17a.

TRD-8601878

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Opinions

JM-421 (RQ-610). Request from James S. McGrath, criminal district attorney, Beau-

mont, concerning whether a public agency may offer physical therapy services without employing a licensed therapist if such services are offered by or under the supervision of a licensed physician.

Summary of Opinion. A doctor may perform medical acts that come within the definition of physical therapy in Texas Civil Statutes, Article 4512e, §1(1). If the requirements of Texas Civil Statutes, Article 4495(b), §3.06(d)(1) are met, a person who is not a licensed physical therapist but who is acting under a doctor's supervision may perform medical acts that come within the definition of physical therapy in Texas Civil Statutes, Article 4512e, §1(1).

JM-422 (RQ-560). Request from Tim Rodgers, Wise County auditor, Decatur, concerning whether the offices of constable and city marshal, and the offices of justice of the peace and municipal judge, are incompatible; and related matters.

Summary of Opinion. The doctrine of incompatibility prevents a constable from simultaneously holding the office of chief of police for a city located within the precinct, and prevents a justice of the peace from holding at the same time the office of part-time magistrate for the city.

JM-423 (RQ-553). Request from William S. Nail, executive director, Texas State Board of Dental Examiners, Austin, concerning effect of the participation of an individual on a licensing board when it is subsequently determined that she was not confirmed by the Texas Senate.

Summary of Opinion. A member of the Texas State Board of Dental Examiners appointed by the governor while the Senate was in recess and later rejected by the Senate is not thereafter a holdover under the Texas Constitution, Article XVI, §17, or a *de facto* officer. Decisions made by her after rejection are subject to attack. She was not entitled to reimbursement for travel expenses or per diem incurred after rejection.

JM-424 (RQ-445). Request from Garry E. Miller, commissioner, Texas Department of Mental Health and Mental Retardation, Austin, concerning scope of Texas Civil Statutes, Article 988b, with respect to members of the Board of Trustees of a Mental Health/Mental Retardation Community Center.

Summary of Opinion. A trustee of a Mental Health/Mental Retardation Community Center is a local public officer within Texas Civil Statutes, Article 988b. Texas Civil Statutes, Article 988b, modifies the common law concerning the pecuniary interest of a local public official in contracts entered into by the governmental body they serve. A governmental body may now contract with a private entity in which a member of the governmental body is pecuniarily interested if he follows the disclosure and recusal procedure stated in Article 988b. The contract is voidable under the conditions set out in Texas Civil Statutes, Article 988b.

JM-425 (RQ-708). Request from Ray Farabee, chairman, State Affairs Committee, Texas State Senate, Austin, concerning whether a county may agree to be a payor of last resort for medical services rendered to an indigent child who resides outside the hospital district.

Summary of Opinion. The Montague County Commissioners Court is authorized to pay for medical services rendered to an indigent who is a county resident but who does not reside within an area served by a public hospital or a hospital district.

JM-426 (RQ-732). Request from Roger D. Shipman, executive secretary, Texas Board

of Veterinary Medical Examiners, Austin, concerning per diem for members of the Board of Veterinary Medical Examiners.

Summary of Opinion. Members of the Texas Board of Veterinary Medical Examiners are entitled to reimbursement for expenses pursuant to Texas Civil Statutes, Article 6813f, in conjunction with the current General Appropriations Act, Article V, §4.

TRD-8601872

★ ★ ★

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 13. CULTURAL RESOURCES

Part V. Texas Sesquicentennial Commission

Chapter 51. Operating Policy and Program Guidelines

★ 13 TAC §51.14

The Texas Sesquicentennial Commission adopts on an emergency basis an amendment to §51.14. An emergency action is taken on this section to increase participation in the Corporate/Industrial Program and increase possible revenues to the State of Texas by extending the deadline to April 30, 1986, as authorized by the executive committee.

The amendment is adopted on an emergency basis under Texas Civil Statutes, Ar-

ticle 6145, §7, and under Senate Bill 1002, 69th Legislature, 1985, which provide the Texas Sesquicentennial Commission with the authority to exclusively license the use of the official state sesquicentennial logo by official sponsors, including business and corporate sponsors, and producers of official commemorative or promotional products, in exchange for either a fee, or royalties, or both.

§51.14. *Corporate/Industrial Accounts.*

- (a) (No change.)
- (b) Product criteria.

(1) The product submitted can be distributed as a giveaway and self liquidating in nature. Items for sale must be sanctioned products that are currently (produced) by licensed manufacturers/vendors of the commission. A list of such items and vendors will be available provided the account is approved. New items not previously sanctioned by the

commission may be sold, giveaway, or self liquidating in nature, but must be submitted for corporate industrial approval by **April 30, 1986** [December 30, 1985]. Any product utilizing the Texas Sesquicentennial Commission logo in conjunction with any other corporate/nonprofit logo will be considered as a corporate/industrial account.

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

(c)-(f) (No change.)

Issued in Austin, Texas, on February 24, 1986.

TRD-8601839

Patrick Terry
Executive Director
Texas Sesquicentennial
Commission

Effective date: February 24, 1986
Expiration date: March 31, 1986
For further information, please call
(512) 463-1986.

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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 4. AGRICULTURE

Part II. Animal Health

Commission

Chapter 35. Brucellosis

Subchapter A. Eradication of Brucellosis

★ 4 TAC §35.4, §35.5

The Texas Animal Health Commission proposes amendment to §35.4 and §35.5, concerning the Texas bovine Brucellosis regulations.

The county of Dimmit is proposed for inclusion in the Class B area following requests from producers in that county. Dimmit County is contiguous to the Class B area and meets all necessary requirements for transfer therefore Dimmit is included with counties listed in §35.4(b).

Since Dimmit County is proposed for transfer to the Class B area, the proposed change in this section removes this county from the list of counties in the Class C area, §35.5.

Ken Welch, director of administration, has determined that for the first five-year period the proposed sections 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 sections.

Mr. Welch also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be the increased freedom of movement for cattle originating in Dimmit County because movement requirements on cattle in the Class B area are less restrictive than for those in the Class C area. There is no anticipated economic cost to individuals who are required to comply with the proposed sections.

Comments on the proposal may be submitted to Jo Anne Conner, Texas Animal Health Commission, P.O. Box 12966, Austin, Texas 78711.

The amendments are proposed under the Agriculture Code, Chapters 161 and 163. These statutes provide the commission with the authority to propose rules and sets forth the duties of the commission to protect domestic animals in the state from disease.

§35.4. Class B Area.

(a) (No change.)

(b) Class B area. Area to include the following counties: Andrews, Archer, Armstrong, Bailey, Bandera, Baylor, Bell, Blanco, Borden, Bosque, Brewster, Briscoe, Brown, Burnet, Callahan, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collingsworth, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Denton, Dickens, Dimmit, Donley, Eastland, Ector, Edwards, El Paso, Erath, Fisher, Floyd, Foard, Frio, Gaines, Garza, Gillespie, Glasscock, Gray, Grayson, Hale, Hall, Hamilton, Hansford, Hardeman, Hartley, Haskell, Hays, Hemphill, Hockley, Hood, Howard, Huds-peth, Hutchinson, Iron, Jack, Jeff Davis, Johnson, Jones, Kendall, Kent, Kerr, Kimble, Kinney, King, Knox, Lamb, Lampasas, Lipscomb, Llano, Loving, Lubbock, Lynn, McCulloch, Martin, Mason, Maverick, Medina, Menard, Midland, Mills, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Real, Reeves, Roberts, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Sterling, Stephens, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Tom Green, Travis, Upton, Uvalde, Val Verde, Ward, Wheeler, Wichita, Wilbarger, Williamson, Winkler, Wise, Yoakum, Young, and Zavala.

(c)-(d) (No change.)

§35.5. Class C Area.

(a) (No change.)

(b) Class C area. Area to include the following counties: Anderson, Angelina, Aransas, Atascosa, Austin, Bastrop, Bee, Bexar, Bowie, Brazoria, Brazos, Brooks, Burlison, Caldwell, Calhoun, Cameron, Camp, Cass, Chambers, Cherokee, Collin, Colorado, Dallas, Delta, DeWitt, [Dimmit,] Duval, Ellis, Falls, Fannin, Fayette, Fort Bend, Franklin, Freestone, Galveston, Goliad, Gonzales, Gregg, Grimes, Guadalupe, Hardin, Harris, Harrison, Henderson, Hidalgo, Hill, Hopkins, Houston, Hunt, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kaufman, Kenedy, Kleberg, Lamar, LaSalle, Lavaca, Lee, Leon, Liberty, Limestone, Live Oak, McLennan, McMullen, Madison, Marion, Matagorda, Milam, Montgomery, Morris, Nacogdoches, Navarro, Newton, Nueces, Orange, Panola, Polk, Rains, Red River, Refugio, Robertson, Rock-

wall, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, Shelby, Smith, Starr, Titus, Trinity, Tyler, Upshur, Van Zandt, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Wilson, Wood, and Zapata.

(c)-(d) (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 February 25, 1986.

TRD-8601863

John W. Holcombe
Executive Director
Texas Animal Health
Commission

Earliest possible date of adoption:

April 4, 1986

For further information, please call
(512) 479-6897.

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TITLE 16. ECONOMIC REGULATION

Part IV. Texas Department of Labor and Standards

Chapter 61. Labor/Licensing and Enforcement Division

Subchapter A. Boxing

Professional Boxing Rules

★ 16 TAC §61.6

The Texas Department of Labor and Standards proposes an amendment to §61.6, concerning the clarification of Texas championship title fights.

Booker T. Morris III, general counsel, has determined that for the first five-year period the proposed section 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 section.

Mr. Morris also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be a continuous public interest in boxing contests involving the Texas Championship Titles. There is no anticipated economic cost to individuals who are required to comply with the proposed section.

Comments on the proposal may be submitted to Booker T. Morris III, P.O. Box 12157, Austin, Texas 78711.

The amendment is proposed under the Texas Boxing and Wrestling Act, Texas Civil Statutes, Article 8501-1, which provides the commissioner of the department with the authority to promulgate any and all reasonable rules and regulations which may be necessary for the purpose of enforcing the provisions of this Act.

§61.6. Conduct of Promotion.

(a)-(g) (No change.)

(h) Contests and exhibitions must be approved.

(1)-(6) (No change.)

(7) Championship matches.

(A) (No change.)

(B) The commissioner may [also] recognize State of Texas championship title fights. Championship qualifications will be determined by the records of the contestants on file with the department, and must adhere to the following.

(i) Texas Civil Statutes, Article 8501-1, and the Texas boxing rules shall govern Texas boxing title contests.

(ii) For a Texas title fight contest, the promoter must have received and secured written approval from the department 10 days prior to the date of the Texas title fight contest.

(iii) Any boxer in a Texas title boxing contest must secure and possess a Texas boxing license prior to the date of the approval of the Texas boxing title contest by the department.

(iv) Texas title fights will be scheduled for 12 rounds of three minutes per round and one-minute rest periods between rounds.

(v) For a Texas boxing title contest, if at the title fight contest weigh-in, the Texas title champion exceeds the title weight limit, the Texas title champion will lose the title on the scene and becomes the immediate ex-champion. If the challenger meets the title weight limit, the boxing contest will continue for 12 rounds. If the challenger wins the fighting contest, the challenger will be declared the new title champion; however, if the immediate ex-champion wins the fight, the title will be declared vacant. If, however, both the Texas title champion and the challenger exceed the weight limits, or the challenger exceeds the weight limits, and the Texas title champion meets the Texas title weight limit, the boxing contest will not be a Texas title boxing contest and the boxing contest and the boxing contest will be scheduled for 10 rounds.

(vi) A Texas title defending champion will retain the Texas championship title, and the title fight contest will be declared a draw if any of the following occur during the title fight contest: if both contestants shall simultaneously become unable to continue the title fight contest; or if for any reason beyond the control of the contestants,

the title fight contest shall be prematurely terminated while both contestants remain able to continue as so ruled by the title fight contest referee.

(vii) In any Texas title championship fight contest which is scored as a draw by the judges, the Texas title champion retains the Texas title.

(viii) A Texas championship title must be defended at least once every six months.

(ix) The Texas Department of Labor and Standards shall recognize the following titles: heavyweight (over 190); cruiserweight (190); light heavyweight (175); super-middleweight (168); middleweight (160); super-welterweight (154); welterweight (147); super-lightweight (140); lightweight (135); superfeatherweight (130); featherweight (126); super-bantamweight (122); bantamweight (118); flyweight (112).

(x) If a Texas championship title holder should win a national or international championship title, the Texas title will be declared vacant.

(8) (No change.)

(i)-(m) (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 February 20, 1986.

TRD-8601833

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

Earliest possible date of adoption:

April 4, 1986

For further information, please call
(512) 463-3127

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TITLE 22. EXAMINING BOARDS

Part XXII. Texas State Board of Public Accountancy

Chapter 511. Certification as CPA

Educational Requirements

★ 22 TAC §511.55

The Texas State Board of Public Accountancy proposes an amendment to §511.55, concerning the educational requirements for applying to take the Uniform CPA Examination. The section establishes the requirement of a basic 20 hours of accounting core subjects, which will be required subjects.

Bob E. Bradley, executive director, has determined that for the first five-year period the proposed section will be in effect there will be no fiscal implications for state or local government or small busi-

nesses as a result of enforcing or administering the section.

Mr. Bradley also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be the establishment of new educational requirements that insure a stronger foundation for audit training of prospective CPAs. There is no anticipated economic cost to individuals who have previously applied to take the exam. Others may adjust courses to be taken.

Comments on the proposal may be submitted to William A. Sansing, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, on or before a public hearing to be held on March 7, 1986, at 9 a.m. in the boardroom of the offices of the Texas State Board of Public Accountancy.

The amendment is proposed under Texas Civil Statutes, Article 41a-1, §6(a), which provides the Texas State Board of Public Accountancy with the authority to promulgate rules deemed necessary or advisable to insure high standards of professional competency and learning.

§511.55. Qualification under Current Act.

An applicant [A person] must meet one of the following education and experience requirements in order to qualify for the examination under the Public Accountancy Act of 1979.

(1) If an applicant holds from an accredited college or university recognized by the board, as identified in §511.52 of this title (relating to Recognized Colleges and Universities), a master's degree with a major in accounting, or business administration, or the equivalent, or a five-year professional degree in accounting, or an LLB degree, or the JD degree, and has also completed at least 50 semester hours in the study of accounting and related business subjects with at least 30 of the 50 hours in accounting, and with at least 20 of the 30 hours in accounting core subjects as identified in §511.57(1) of this title (relating to Definition of Accounting Courses), the applicant [he or she] will be eligible to apply for the entire examination. However, one year of qualifying experience is required before a certificate will be issued.

(2) If an applicant holds from an accredited college or university recognized by the board, as identified in §511.52 of this title (relating to Recognized Colleges and Universities), a baccalaureate degree (the BBA degree, for example) or its equivalent, and has also completed at least 50 semester hours in the study of accounting and related business subjects with at least 30 of the 50 hours in accounting and with at least 20 of the 30 hours in accounting core subjects as identified in §511.57(1) of this title (relating to Definition of Accounting Courses), the applicant [he or she] will be eligible to apply for the entire examination. However, two years of qualifying experience are required before a certificate will be issued

(3) If an applicant [a person] has acquired credit from an accredited college or university recognized by the board, as identified in §511.52 of this title (relating to Recognized Colleges and Universities), for at least 60 semester hours with at least 20 of the hours in accounting core subjects as identified in §511.57(1) of this title (relating to Definition of Accounting Courses) [in a recognized college] the applicant [he or she] will be eligible to apply for the entire examination. However, six years of qualifying experience [under the supervision of a certified public accountant (not necessarily one in public practice)] are required before the certificate will be issued. As used in this section, qualifying experience means acceptable experience described in substantive §511.122 and §511.123 of this title (relating to Acceptable Experience and Comparable Experience). The provisions of this section relating to accounting core subjects will be effective for applicants initially applying to take the Uniform CPA Examination given in May 1987, and thereafter.

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 15, 1986.

TRD-8601902 Bob E. Bradley
Executive Director
Texas State Board of
Public Accountancy

Earliest possible date of adoption
April 4, 1986
For further information, please call
(512) 451-0241

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★22 TAC §511.58

The Texas State Board of Public Accountancy proposes an amendment to §511.58, concerning definitions of business subjects, as related to courses which will be counted as credit for application to take the Uniform CPA Examination

Bob E. Bradley, executive director, has determined that for the first five-year period the proposed section 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 section

Mr. Bradley also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be the establishment of new educational requirements that insure a stronger foundation for audit training of prospective CPAs. There is no anticipated economic cost to individuals who have previously applied to take the exam. Others may adjust courses to be taken.

Comments on the proposal may be submitted to William A. Sansing, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, on or before a public hearing to be held on March 7, 1986, at 9 a.m. in the boardroom of the offices of the Texas State Board of Public Accountancy.

The amendment is proposed under Texas Civil Statutes, Article 41A-1, §6(a), which provide the Texas State Board of Public Accountancy with the authority to promulgate rules deemed necessary or advisable to insure high standards of professional competency and learning.

§511.58. Definitions of Related Business Subjects.

(a) The board will accept as related business subjects all passing semester hours (without repeat) shown on official transcripts in the following areas:

- (1)-(5) (No change.)
- [(6) banking;]
- (6)[(7)] communications;
- (7)[(8)] mathematics (as it pertains to business);
- (8)[(9)] statistics;
- (9)[(10)] technical [report] writing (covering subjects such as tax opinions, tax planning reports, and management advisory services reports and management letters);
- (10)[(11)] finance;
- (11)[(12)] data processing, and
- (12)[(13)] other areas related to accounting.

(b) (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 February 15, 1986.

TRD-8601900 Bob E. Bradley
Executive Director
Texas State Board of
Public Accountancy

Earliest possible date of adoption:
April 4, 1986
For further information, please call
(512) 451-0241

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TITLE 25. HEALTH SERVICES

Part I. Texas Department of Health

Chapter 1. Texas Board of Health

Formal Hearing Procedures

★25 TAC §§1.21-1.32

The Texas Department of Health proposes amendments to §§1.21-1.32, concerning formal hearing procedures. The amendments will update and clarify the hearing

procedures which the department follows in implementing the contested case provisions of the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a. None of the amendments involve substantive changes.

Hal Nelson, chief, Office of General Counsel, has determined that for the first five-year period the proposed sections will be in effect there will be fiscal implications for state government as a result of enforcing or administering the sections.

The effect on state government for the first five-year period the sections will be in effect will be that instead of paying per diem and mileage rates for subpoenaed witnesses in accordance with the Administrative Procedure and Texas Register Act, §14, the agency will pay the higher rates established for state employees in the current Texas General Appropriations Bill. There will be no adverse economic effect on small businesses.

Mr. Nelson also has determined that for each year of the first five years the sections as proposed are in effect the public benefits anticipated as a result of enforcing the sections as proposed will be clarity and update the formal hearing procedures which the department follows in implementing the contested case provisions of the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a. The possible economic cost to individuals who are required to comply with the sections as proposed will be that individuals who are parties to formal hearings and who request the appearance of witnesses will be required to pay per diem and mileage in accordance with the amounts paid to state employees established in the current Texas General Appropriations Bill.

Comments on the proposal may be submitted to Hal Nelson, Chief, Office of General Counsel, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756. Comments will be accepted for 30 days after publication of the sections in the *Texas Register*.

The amendments are proposed under Texas Civil Statutes, Article 4414b, §1.05, which authorize the Texas Board of Health to adopt rules covering its duties and procedures and Texas Civil Statutes, Article 6252-13a, §4, which authorize a state agency to adopt rules of practice setting forth the nature and requirements of all formal and informal procedures available.

§1.21. *Purpose and Scope.* These rules cover the formal hearing procedures and practices that will be available to persons or parties who request formal hearings before the department. The intended effect of these procedures is to implement the contested case provisions of the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, and other formal hearing procedures required in various state health laws and to make the public aware of these procedures and practices.

§1.22. Definitions. The following words and terms, when used in these sections, shall have the following meanings, unless the context clearly indicates otherwise:

APTRA—The Administrative Procedure and Texas Register Act, [passed by the 64th Legislature, Regular Session, 1975, and cited as] Texas Civil Statutes, Article 6252-13a.

Contested case—A proceeding in accordance with the APTRA and these sections, including but not restricted to rate-making and licensing, in which the legal rights, duties, or privileges of a party are to be determined by the agency after an opportunity for an adjudicative hearing.

Examiner—A duly designated and appointed attorney from the agency's office of general counsel, used to conduct hearings under these sections on behalf of the agency, board, or commissioner. The examiner may also be referred to as the hearing examiner.

Formal hearing—A formal hearing in accordance with these sections and includes a contested case as defined in these sections and other formal hearings required in various state health laws. A formal hearing, or opportunity for one, will be held or offered when required by the enabling statute.

[Hearings examiner—A duly designated and appointed attorney from the agency's legal office to conduct hearings under these sections on behalf of the agency, board, or commissioner.]

Party—Each person or governmental agency, or any subdivision thereof, or officer or employee of a governmental agency named by the [hearings] examiner as being a person affected [having a justiciable interest] in the matter being considered or any person or governmental agency, or any subdivision thereof, or officer or employee of a governmental agency meeting the requirements of a party as prescribed by applicable law. Party also means any division, bureau or associate commissionership, or person in his/her official capacity within the agency that may be designated as a party by the examiner.

Person—Any natural person, partnership, municipal corporation, cooperative corporation, corporation, association, governmental subdivision, or public or private organization of any character [other than an agency].

§1.23. General Provisions.

(a) Initiating a formal hearing. The agency on its own motion or on petition or application from a person or party may initiate a formal hearing and shall conduct it in accordance with the provisions of the APTRA, other state statutes and agency rules applying to such hearing and these sections. In the event of conflict between these sections and the APTRA, other state statutes and agency rules, [and these sections,] the APTRA, other state statutes and agency sections shall [will] prevail over these sections.

(b) Location. All formal hearings will be held at locations within the state which the examiner [agency] determines best serves the interest of the parties and the purpose of the hearing.

§1.24. Notice.

(a) General. The [hearings] examiner shall give notice of the hearing according to the notice requirements of the applicable law or agency rules authorizing the hearing. If no such requirements exist, the [hearing] examiner shall give notice to the parties or the public or both by personal service or by certified mail, return receipt requested, or by publication one time [once a week for two consecutive weeks] in a newspaper of general [local] circulation at the place where the hearing is to be held. All notices under this subsection must be given not less than 10 days prior to the hearing and all notices shall be filed with the Secretary of State and published in the *Texas Register* as required by APTRA. Notices may be published in the *Texas Register* if appropriate.

(b) (No change.)

(c) Failure to appear after notice. If a party fails to appear or be represented at a hearing after receiving notice, the [hearings] examiner may proceed with the hearing or take whatever action is fair and appropriate under the circumstances.

(d) All parties, attorneys, or representatives of parties shall timely notify the examiner of any changes in their mailing addresses.

§1.25 Parties to the Hearing.

(a) Persons affected. [Justiciable interest.] All parties except those designated under subsection (b) of this section, must be persons affected. [All parties must have a justiciable interest in the proceedings to be designated as parties. All appearances are subject to a motion to strike upon a showing that the party has no justiciable interest in the proceeding.]

(b) Designation as a party. Any division, bureau, associate commissionership, or person acting in his/her official capacity within the agency may be designated as a party by the examiner.

(c)[(b)] Duties and privileges of a party. A party has the privilege to participate fully in any prehearing and hearing, to appeal as provided by law and to perform any and all duties and privileges provided by the APTRA and other applicable laws.

(d)[(c)] Interested persons. Any person not wishing to be designated as a party but desiring only to appear for the purpose of showing support or opposition or to make any general relevant statement showing support or opposition may appear at the hearing and make or file statements.

(e)[(d)] Time of designation as a party. The [hearings] examiner may [shall] designate parties at a pre-hearing conference, at the beginning of a hearing, or prior to the conclusion of a hearing. [prior to final clos-

ing of the hearing, and] No person will be admitted as a party later except upon a finding by the [hearings] examiner, or the agency, of good cause and extenuating circumstances [and that the hearing in progress will not be unreasonably delayed].

(f)[(e)] Different classifications for parties. In their pleadings, parties may classify themselves as applicants, petitioners, respondents, protestants, complainants, etc., but regardless of such classification, the [hearings] examiner has the authority to determine and designate their true status whenever necessary.

(g)[(f)] Representation. A party may appear personally or be represented by counsel or other authorized representative, or both.

(h)[(g)] Consolidation [of parties]. The [hearings] examiner may require [parties of each class of affected] persons to select one person to represent them in the proceedings.

§1.26. Subpoenas.

(a) On the [hearings] examiner's own motion or on the written request of any party to the hearing, the [hearings] examiner shall issue a subpoena to the appropriate sheriff or constable to require the attendance of witnesses or the production of documents at the hearing.

(b) There must [has to] be a showing [show] of good cause for the subpoena, i.e., the witnesses or documents must have information that is relevant and material to the hearing [and the subpoena should not result in undue harassment, imposition, inconvenience, or expense to a party to the hearing].

(c) A party or witness may seek to quash the subpoena or move for a protective order as provided in Texas Rules of Civil Procedure [Rule 186b].

(d)-(e) (No change.)

(f) Witnesses subpoenaed will be paid per diem and mileage in accordance with those amounts paid to state employees as set out in the current State General Appropriations Bill. The same amounts will be paid by the party at whose request the witness appears. The payment of subpoena costs or fees and the failure to comply with a subpoena shall be governed by the APTRA, §14.

§1.27. Depositions. The taking and use of depositions in any contested case proceeding shall be governed by the APTRA, §14.

§1.28. Prehearing Conferences.

(a) In a contested case, the [hearings] examiner, on his own motion or the motion of a party, may direct the parties, their attorneys or representatives to appear at a specified time and place for a conference prior to the hearing for the purpose of:

(1)-(8) (No change.)

(b) The [hearings] examiner will conduct the prehearing conference in such manner and with the necessary authority to expedite the conference while reaching a fair,

just, and equitable determination of any matters or issues being considered.

(c) The [hearings] examiner will have the minutes of the conference recorded in an appropriate manner and will issue whatever orders are necessary covering the said matters or issues.

(d) Any action taken at the prehearing conference may [shall] be reduced to writing, signed by the parties, and made a part of the record.

§1.29. *The Hearing Procedure.*

(a) The [hearings] examiner's duties. The [hearings] examiner will preside over and conduct the hearing. On the day and time designated for the hearing, the [hearings] examiner shall:

(1)-(6) (No change.)

(b) Order of presentation.

(1) After making the necessary introductory and explanatory remarks on the purpose, etc., of the hearing, the [hearings] examiner will begin receiving testimony and evidence from the witnesses.

(2) (No change.)

(3) In the request for relief or action of any kind, the party seeking such relief or action has the burden of proving entitlement to the same; provided, however, that the order of proceeding may be altered or modified by the [hearings] examiner either upon agreement of the parties or upon his own order [motion] when such action will expedite the hearing without prejudice to any party.

(4) (No change.)

(5) The [hearings] examiner may limit the number of witnesses whose testimony will be repetitious and the [hearings] examiner may also establish time limits for testimony so long as all viewpoints are given a reasonable opportunity to be expressed.

(6) When the parties have concluded their testimony and evidence, the [hearings] examiner will ask the audience if any interested person desires to make a statement. If so, the interested person will be allowed to make his statement subject to cross-examination and clarifying questions by any party.

(7) After interested persons make statements or if there are no such statements, the [hearings] examiner, at his discretion, may allow final arguments or take the case under advisement, note the time and close the hearing. For sufficient cause, the [hearings] examiner may hold the record open for a stated number of days for the purpose of receiving additional evidence into the record.

(c) Consolidation. The [hearings] examiner, upon his own order [motion] or upon motion by any party, may consolidate for hearing two or more proceedings which involve substantially the same parties or issues. Proceedings before the agency shall not be consolidated without consent of all parties to such proceedings, unless the [hearings] examiner finds that such consolidation will be conducive to a fair, just, and proper hear-

ing, and will not result in unwarranted expense or undue delay.

(d) **Technical expertise.** The examiner may be assisted by a technical expert within the agency who has not participated in any proceeding in the case, either directly or indirectly, for the purpose of utilizing the special skills or knowledge of the agency.

(e)[(d)] Conduct and decorum during the hearing. Every party, witness, attorney, representative, or other person shall exhibit in all hearings proper dignity, courtesy, and respect for the [hearings] examiner and all other persons participating in or observing the hearing. The [hearings] examiner is authorized to take whatever action he deems necessary and appropriate to maintain the proper level of decorum and conduct, including, but not limited to, recessing the hearing to be reconvened at another time or place or excluding from the hearing any party, witness, attorney, representative, or other person for such period and upon such conditions as the [hearings] examiner deems fair and just.

(f)[(e)] The hearing record. The hearing record will include:

(1)-(5) (No change.)

(6) any decision, opinion, or report by the [hearings] examiner; and

(7) all staff memoranda or data submitted to or considered by the [hearings] examiner or members of the agency who are involved in making the decision.

(g)[(f)] Recording the hearing.

(1) The [hearings] examiner may keep either a stenographic or magnetic tape record of the hearing proceeding. A court reporter may be present to record the hearing.

(2) (No change.)

(h)[(g)] Assessing the cost of a court reporter and the record of the hearing.

(1)-(3) (No change.)

(i)[(h)] Rules of evidence. The [hearings] examiner, at a hearing, a reopened hearing, or a rehearing will apply the rules of evidence under the APTRA, §14(a) and also the following rules:

(1) Consolidation. The [hearings] examiner may consolidate the testimony of parties or persons if the evidence can be effectively consolidated into one document or the testimony of one witness. The standard by which the [hearings] examiner should judge this consolidation is whether each party or person can offer unique or new evidence that has not been previously introduced. Any party, under oath, may make an offer of proof of the testimony or evidence excluded through consolidation by dictating into the record or submitting in writing the substance of the proposed testimony prior to the conclusion of the hearing.

(2) Documentary evidence. Documentary evidence should be presented in its original form but if the original is not readily available, documentary evidence may be received in the form of copies or excerpts. On request, parties may [shall] be given an op-

portunity to compare the copy with the original. When numerous documents are offered, the [hearings] examiner may limit those admitted to a number which are typical and representative, and may, in his or her discretion, require the abstracting of the relevant data from the documents and presentation of the abstracts in the form of exhibits; provided, however, that before making such requirement, the [hearings] examiner shall require that all parties of record or their representatives be given the right to examine the documents from which such abstracts were made. Any party may make an offer of proof of the documents which are excluded by a [hearing] examiner's decision to **admit [remove]** only typical or representative documents.

(3) Exhibits.

(A) (No change.)

(B) Tender and service. The original of each exhibit offered **should [shall]** be tendered to the [hearings] examiner or a designee for identification and shall be offered to the parties for their inspection prior to offering or receiving the same into evidence.

(C) (No change.)

(D) After hearing. Unless specifically directed by the [hearings] examiner, no exhibit will be permitted to be filed in any proceeding after the **conclusion [conclusion]** of the hearing except in a reopened hearing or a rehearing.

(4) (No change.)

(5) Offer of proof. When testimony is excluded by the [hearings] examiner, the party offering such evidence shall be permitted to make an offer of proof by dictating into the record or submitting in writing the substance of the proposed testimony prior to the conclusion of the hearing, and such offer of proof shall be sufficient to preserve the point for review [by the agency]. The [hearings] examiner may ask such questions of the witness as he deems necessary to satisfy himself that the witness would testify as represented in the offer of proof. An alleged error in sustaining any objections to questions asked on cross-examination may be preserved without making an offer of proof.

(6) Official notice. Official notice by the [hearings] examiner or the agency shall be governed by the APTRA, §14(q). Further, official notice may be taken of any statute, ordinance, or duly promulgated and adopted rules or regulations of any governmental agency. The examiner shall indicate during the course of a hearing that information of which he will take official notice. When an examiner's findings are based upon official notice of a material fact not appearing in the evidence of record, the examiner shall set forth in his proposal for decision those items with sufficient particularity so as to advise the parties of the matters which have been officially noticed. The parties shall have the opportunity to show to the contrary through the filing of exceptions to the examiner's proposal for decision.

(j)[(i)] Informal disposition of case. Unless precluded by law, informal disposi-

tion may be made of any contested case by stipulation, agreed settlement, consent order, or default.

(k)(j) Agreements in writing. No stipulation or agreement between the parties, their attorneys, or representatives, with regard to any matter involved in any proceeding shall be enforced unless it shall have been reduced to writing and signed by the parties or their authorized representatives, dictated into the record during the course of a hearing, or incorporated in an order bearing their written approval. This section does not limit a party's ability to waive, modify, or stipulate away any right or privilege afforded by these sections.

§1.30. Action After the Hearing.

(a) **Proposed findings of fact and conclusions of law.** [Reopening of hearing for new evidence.] The examiner may invite designated parties to file briefs. Such briefs, if solicited, may consist of proposed findings of fact and conclusions of law. Any proposed findings of fact and conclusions of law submitted may be adopted by the examiner in the proposal for decision. Neither the examiner nor the final decision-maker need rule on any proposed findings of fact and conclusions of law.

(1) The agency may reopen a hearing where new evidence is offered which was unobtainable or unavailable at the time of the hearing.

(2) The agency will reopen a hearing to include such new evidence as part of the record if the agency deems such evidence necessary for a proper and fair determination of the case. The reopened hearing will be limited to only such new evidence.

(3) Notice and procedural requirements will be the same as for the original hearing.]

(b) **Proposal for decision.**

(1) If a proposal for decision is necessary under the APTRA, §15, the [hearings] examiner shall prepare the proposal and provide copies of the same to all parties.

(2) Each party having the right and desire to file exceptions and briefs shall file them with the [hearings] examiner within the time designated by the [hearings] examiner.

(3) Parties desiring to do so shall file written replies to these exceptions and briefs as soon as possible after receiving same, and within the time designated by the [hearings] examiner.

(4) (No change.)

(c) **Filing.** At any time after the record has been closed in a contested case, and prior to the administrative decision becoming final in such case, all briefs, exceptions, written objections, motions (including motion for rehearing), replies to the foregoing, and all other written documents shall be filed with the [hearings] examiner; and further, the party filing such instrument shall provide copies of the same to all other parties of record by first class U.S. mail or personal service and certify, in writing thereon, the names and addresses of the parties to whom copies have been furnished, as well as the date and manner of service.

(d) **Reopening of hearing for new evidence.**

(1) **The examiner or the agency may reopen a hearing where new evidence is offered which was unobtainable or unavailable at the time of the hearing.**

(2) **The agency will reopen a hearing to include such new evidence as part of the record if the agency deems such evidence necessary for a proper and fair determination of the case. The reopened hearing will be limited to only such new evidence.**

(3) **Notice of any reopened hearing shall be sufficient by notifying all previously designated parties of same, by certified mail.**

(e)(d) **Final orders or decisions**

(1) **The final order or decision of the agency will be rendered by the board or by the commissioner, or by [as] the [duly] authorized designee of the commissioner [board].**

(2) (No change.)

(3) Unless otherwise permitted by statute or by these sections, all final orders shall be signed by the commissioner or his designee; however, interim orders may be issued by the [hearings] examiner in accordance with his order of appointment.

(4) (No change.)

(f)(e) **Motion for rehearing.** A motion for rehearing shall be governed by the APTRA, §16, or other pertinent statute and shall be addressed to the commissioner and filed with the [hearings] examiner.

(g)(f) **Appeals.** All appeals from final agency orders or decisions shall be governed by the APTRA, §19 and §20, or other pertinent statute and communications regarding any appeal shall be to the commissioner.

§1.31. **Licenses and Licensing.** These terms are defined in §1.22 of this title (relating to Definitions). All licensing procedures shall be governed by the applicable provisions of the APTRA and other pertinent statutes covering the license in question and these sections.

§1.32. **Ex Parte Consultations.** The commissioner, the examiner, and other department staff involved in the decision-making process may not engage in substantive [all matters regarding] *ex parte* communications, as required [consultations shall be governed] by [the provisions of] the APTRA, §17.

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 26, 1986.

TRD-8601923

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

Proposed date of adoption

April 12, 1986

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

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Withdrawn

Rules

An agency may withdraw proposed action or the remaining effectiveness of emergency action on a rule by filing a notice of withdrawal with the *Texas Register*. The notice is effective immediately upon filing. If a proposal is not adopted or withdrawn within six months after the date of publication in the *Register*, it will automatically be withdrawn by the *Texas Register* office and a notice of the withdrawal will appear in the *Register*.

TITLE 7. BANKING AND SECURITIES

Part VI. Credit Union

Department

Chapter 91. Chartering, Operations, Mergers, Liquidations

Organization Procedures

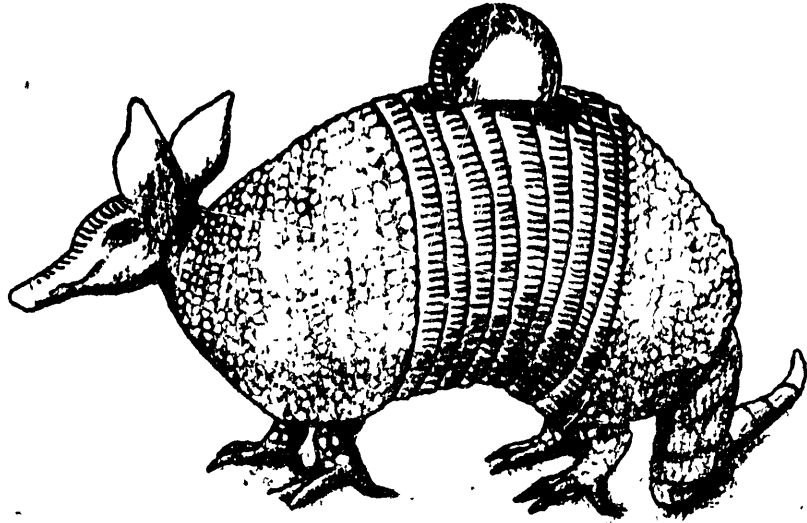
★ 7 TAC §91.212

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed new section to §91.212, submitted by the Credit Union Department, has been automatically withdrawn, effective February 25, 1986. The new section as proposed appeared in the August 23, 1985, issue of the *Texas Register* (10 TexReg 3205).

TRD-8601897

Filed: February 25, 1986

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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 1. ADMINISTRATION Part IV. Office of the Secretary of State Chapter 95. Uniform Commercial Code Acceptance

★ 1 TAC §95.35

The Office of the Secretary of State adopts new §95.35, without changes to the proposed text published in the August 27, 1985, issue of the *Texas Register* (10 TexReg 3254).

The new section allows the Secretary of State to maintain documentation as filed with a county clerk of Texas. Lenders will benefit from access to complete documentation and from a reduction in research time.

Continuation statements filed with the Office of the Secretary of State to continue a farm-related financing statement filed with a county clerk of Texas will be accepted if filed during the applicable period (September 1, 1985-February 28, 1991) and if accompanied by a copy of the original financing statement and related documents, and the appropriate filing fee.

No comments were received regarding adoption of the new section.

The new section is adopted under Texas Civil Statutes, Article 5252-13a, §(4)(1), and the Business and Commerce Code, §9.401 (f) and §9.409 which authorize the Office of the Secretary of State to adopt sections prescribing the requirements, content, and form of documents filed with its office.

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 21, 1986.

TRD-8601843 Myra A. McDaniel
Secretary of State

Effective date: March 17, 1986
Proposal publication date: August 27, 1985
For further information, please call
(512) 463-5701.

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TITLE 4. AGRICULTURE Part II. Animal Health Commission Chapter 32. Hearing and Appeal Procedures

★ 4 TAC §§32.1-32.12

The Texas Animal Health Commission adopts new §§32.1-32.12, without changes to the proposed text published in the November 22, 1985, issue of the *Texas Register* (10 TexReg 4500).

To better serve the public, the new sections provide specific general guidelines to appeal an adverse decision or order rendered by the executive director of the commission.

In providing procedures to appeal an adverse decision or order of the executive director, the new sections assure a hearing before the commission or hearing officer. Provisions are made for subpoenas, depositions, and witnesses, along with designation of witness fees and assigning responsibility for payment of those fees. Details are outlined for continuances or postponement of a hearing as well as dismissing the appeal and the rights of a person during a hearing. The new sections make provisions for posthearing procedures and review and specify a timeframe for a motion for rehearing, while providing for a transcript of the hearing.

No comments were received regarding adoption of the new section.

The new sections are adopted under the Agriculture Code, Chapter 161, Texas Civil Statutes, which provides the commission with authority to adopt rules and set forth the duties of the commission to protect domestic animals in the state from disease.

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 21, 1986.

TRD-8601862 John W. Holcombe
Executive Director
Texas Animal Health
Commission

Effective date: March 18, 1986
Proposal publication date: November 22, 1985
For further information, please call
(512) 479-6897.

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TITLE 22. EXAMINING BOARDS Part XXIV. State Board of Veterinary Medical Examiners Chapter 573. Rules of Professional Conduct ★ 22 TAC §573.2

The Texas Board of Veterinary Medical Examiners adopts an amendment to §573.2, without changes to the proposed text published in the January 3, 1986, issue of the *Texas Register* (11 TexReg 30).

The amendment eliminates awkward language and condenses meaning of the section.

The adopted amendment prohibits any calculated efforts to influence professional judgements in the profession.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 7465a, §8(a), which provides the Board of Veterinary Medical Examiners with the authority to adopt, alter, or amend rules of professional conduct.

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 24, 1986.

TRD-8601871 Judy C. Smith
Administrative Assistant
State Board of
Veterinary Medical
Examiners

Effective date: March 18, 1986
Proposal publication date: January 3, 1986
For further information, please call
(512) 458-1183.

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★22 TAC §573.12

The Texas Board of Veterinary Medical Examiners adopts an amendment to §573.12, without changes to the proposed text published in the January 3, 1986, issue of the *Texas Register* (11 TexReg 31).

The amendment limits scope of regulation to veterinary medicine.

The adoption of the amendment limits the scope to certificates pertaining to veterinary medicine.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 7465a, §8(a), which provide the Board of Veterinary Medical Examiners with the authority to adopt, alter, or amend rules of professional conduct.

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 24, 1986.

TRD-8601869 Judy C. Smith
Administrative Assistant
State Board of
Veterinary Medical
Examiners

Effective date: March 18, 1986
Proposal publication date: January 3, 1986
For further information, please call
(512) 458-1183.



★22 TAC §573.26

The Texas Board of Veterinary Medical Examiners adopts the repeal of §573.26, without changes to the proposed text published in the January 3, 1986, issue of the *Texas Register* (11 TexReg 21).

The board repeals the section as it does not reflect current Federal Trade Commission regulations concerning use of corporate and assumed names. The repeal removes material made extraneously by the concurrent adoption of new §573.26, concerning the same subject.

No comments were received regarding adoption of the repeal.

The repeal is adopted under Texas Civil Statutes, Article 7465a, §8(a), which provide the Board of Veterinary Medical Examiners with the authority to adopt, alter, or amend rules of professional conduct.

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 24, 1986.

TRD-8601866 Judy C. Smith
Administrative Assistant
State Board of
Veterinary Medical
Examiners

Effective date: March 18, 1986
Proposal publication date: January 3, 1986
For further information, please call
(512) 458-1183.



The Texas Board of Veterinary Medical Examiners adopts new §573.26, without changes to the proposed text published in the January 3, 1986, issue of the *Texas Register* (11 TexReg 31).

The adoption of new §573.26 is concurrent with the repeal of old §573.26. The new section is adopted to repeal current Federal Trade Commission regulations concerning the use of corporate and assumed names.

The adoption limits the scope of the section to prohibit any false, deceptive, or misleading clinic names.

No comments were received regarding adoption of the new section.

The new section is adopted under Texas Civil Statutes, Article 7465a, §8(a), which provide the Board of Veterinary Medical Examiners with the authority to adopt, alter, or amend rules of professional conduct.

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 24, 1986.

TRD-8601867 Judy C. Smith
Administrative Assistant
State Board of
Veterinary Medical
Examiners

Effective date: March 18, 1986
Proposal publication date: January 3, 1986
For further information, please call
(512) 458-1183.



★22 TAC §573.28

The Texas Board of Veterinary Medical Examiners adopts an amendment to §573.28, without changes to the proposed text published in the December 27, 1985, issue of the *Texas Register* (10 TexReg 4997).

The adopted amendment brings the section in line with changing public policy concerning advertising by the professions.

The amendment prohibits advertising which is false, deceptive, or misleading by the professional.

Charles C. Allison commented against the amendment, stating that the rule changes,

if they apply, are all too inclusive and fail to meet the true objective for what they are intended.

The agency disagrees with the comment because acupuncture, holistic medicine, herbal medicine, and methodology involving kinesiology, pyramidal energies, and magnetisms are not recognized specialties by the American Veterinary Medical Association and therefore prohibits advertising which states an individual is certified or board certified in one of these areas.

The amendment is adopted under Texas Civil Statutes, Article 7465a, §8(a), which provide the Board of Veterinary Medical Examiners with the authority to adopt, alter, or amend rules of professional conduct.

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 24, 1986.

TRD-8601870 Judy C. Smith
Administrative Assistant
State Board of
Veterinary Medical
Examiners

Effective date: March 18, 1986
Proposal publication date: December 27, 1985
For further information, please call
(512) 458-1183.



Chapter 577. General Administration and Duties

★22 TAC §577.14

The Texas Board of Veterinary Medical Examiners adopts new §577.14, without changes to the proposed text published in the January 3, 1986, issue of the *Texas Register* (11 TexReg 32).

The adopted new section defines embryo transfer.

The new section protects the public from unqualified personnel performing embryo transfer.

Brad K. Stroud commented for the new section, stating that he was definitely in favor of the ET amendment.

The new section is adopted under Texas Civil Statutes, Article 7465a, §7(a), which provide the Board of Veterinary Medical Examiners with the authority to make, alter, or amend such rules and regulations as may be necessary or desirable to carry into effect the provisions 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 February 24, 1986.

TRD-8601868

Judy C. Smith
Administrative Assistant
State Board of
Veterinary Medical
Examiners

Effective date: March 18, 1986
Proposal publication date: January 3, 1986
For further information, please call
(512) 458-1183.

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**TITLE 31. NATURAL
RESOURCES AND
CONSERVATION**
Part I. General Land Office
Chapter 11. Legal Division
**Oil and Gas Leases, Mineral
Classified Lands**

★31 TAC §11.11

The General Land Office adopts an amendment to §11.11, with a change to the proposed text published in the January 14, 1986, issue of the *Texas Register* (11 Tex-Reg 188).

The amendment achieves uniformity between the administrative sections and the statutory changes promulgated in the Texas Commission Law Service, 4737, 4757, Chapter 624, §24, 1985. The word "or" is inserted into the first sentence of subsection (d) of the adopted section. This change is made for clarification purposes.

The amendment contains the requirements for leasing mineral classified lands. Included are prescribed forms for leases, necessary terms and provisions, minimum royalty, assignments to the owner of the soil, and penalties for noncompliance with the section.

No comments were received regarding this amendment.

The amendment is adopted pursuant to Natural Resources Code §31.051 which provides the Commissioner of the General Land Office with the authority to make and enforce sections consistent with the law.

§11.11. Leasing of Mineral Classified Lands.

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

(d) Except as provided in this subsection, no such lease executed by an attorney-in-fact for the owner of the soil, or by a person of unsound mind or a minor, as those persons are defined by the Texas Probate Code, §3, will be accepted for filing in the land office. However, if the owner of the soil is a corporation, it may designate an agent or attorney-in-fact to execute such a lease on its behalf.

(e)-(h) (No change.)

(i) The owner of the soil may not lease, either directly or indirectly, to himself or to a nominee, or to any corporation or subsidiary in which he is a principal stockholder, or to a partnership in which he is a partner. If the owner of the soil is a corporation or a partnership, then the owner of the soil may not lease, either directly or indirectly, to a principal stockholder of the corporation or to a partner of the partnership.

(j) An owner of the soil may acquire by assignment a lease which he executed pursuant to this section. When such an assignment is sought, both the current lessee and the owner of the soil shall notify the General Land Office of the proposed assignment. This notification must include proof of the consideration paid for the assignment. The commissioner may, at his discretion, approve the assignment. If approved, written notice shall be provided to both the owner of the soil and the current lessee.

(k) A lease which has been assigned to an owner of the soil without the advance approval of the commissioner may be forfeited by him at any time. In addition, the commissioner may also forfeit the agency power of the owner of the soil.

(l) If, after taking an assignment of a lease which he executed, the owner of the soil assigns the lease, he shall be accountable to the state for a portion of the consideration received as follows.

(1) If the assignment to the owner of the soil was approved by the commissioner and the owner of the soil subsequently assigns the lease within three years, he must pay the state one-half of the profit from the subsequent assignment. The profit is the difference between the amount the owner of the

soil paid for the leasehold interest assigned and the amount he received for the subsequent assignment.

(2) If the assignment to the owner of the soil was not approved by the commissioner, the owner of the soil must pay the state one-half of the total consideration received for the subsequent assignment. Payment of this amount shall not limit the forfeiture provisions of this section.

(m) An assignment will be considered to be made to the owner of the soil when:

(1) The assignee is a nominee of the owner of the soil;

(2) The assignee is a corporation or subsidiary in which the owner of the soil is a principal stockholder;

(3) The assignee is a partnership in which the owner of the soil is a partner;

(4) The assignee is a principal stockholder of the corporation which is the owner of the soil; or

(5) The assignee is a partner in a partnership which is the owner of the soil.

(n) Relinquishment Act leases must provide for a delay rental of at least \$.10 per acre during the primary term.

(o) No pooling or unitization of the leased premises shall be approved except as provided by law, and §153.13 of this title (relating to Approval of Unit Agreements).

(p) The owner of the soil owes the state a fiduciary duty and must fully disclose any facts affecting the state's interest in the leased premises. When the interests of the owner of the soil conflict with those of the state, the owner of the soil is obligated to put the state's interests before his personal interests.

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 24, 1986.

TRD-8601851

Garry Mauro
Commissioner
General Land Office

Effective date: March 17, 1986
Proposal publication date: January 14, 1986
For further information, please call
(512) 463-5006.

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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 Commission on the Arts

Wednesday, March 5, 1986, 10 a.m. The Executive Committee of the Texas Commission on the Arts will meet in emergency session in the Commission Offices, fifth floor, E.O. Thompson Building, 920 Colorado Street, Austin: According to the agenda, the committee will review public hearings; and discuss fiscal years 1986 and 1987 budget cuts. The emergency status is necessary in order to receive commission approval of the 13 percent cut ordered by the Governor.

Contact: A. Patrice Walker, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: February 25, 1986, 2:50 p.m.
TRD-8601891

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Battleship Texas Advisory Board

March 5, 1986, 5 p.m. The Battleship Texas Advisory Board will meet in emergency session at 2710 Battleground Road LaPorte. According to the agenda, the board will approve minutes; review the update on San Jacinto Day and USS Texas Veteran Day; planning for USS Texas Veterans Day and San Jacinto Day; and review fundraising and expenses. The board will also meet in executive session, if necessary. The emergency status is necessary because the index card was not properly filed with the original submission of February 19, 1986.

Contact: Doug Williams, 3033 Chimney Rock, Suite 601, Houston, Texas 77056, (713) 783-8109.

Filed: February 27, 1986, 8:51 a.m.
TRD-8602022

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Interagency Council on Early Childhood Intervention

Thursday, February 27, 1986, 8:30 a.m. The Interagency Council on Early Childhood Intervention met in emergency session at 1101 East Anderson Lane, Austin. According to

the agenda, the council discussed the contingency plan to reduce early childhood intervention expenditure. The emergency status was necessary because the council had to make decisions on budget cuts and issue a report to the Governor by March 1, 1986.

Contact: Mary Elder, 1100 West 49th Street, Austin, Texas 78756, (512) 465-2671.

Filed: February 26, 1986, 4:14 p.m.
TRD-8601947

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Texas Education Agency

Thursday, March 6, 1986, 1:30 p.m. The Committee for Finance and Programs of the Texas Education Agency will meet in Room 1-104, 1701 North Congress Avenue, Austin. According to the agenda, the committee will consider a public hearing on the long-range master plan for vocational education in Texas, fiscal years 1986-1990.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:44 p.m.
TRD-862009

Thursday, March 6, 1986, 3 p.m. The Committee of the Whole of the Texas Education Agency of the State Board of Education will meet in Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda, the committee will review of the process of adoption and standard setting for the examination for the certification of educators in Texas and discuss pending litigation. The committee will also meet in executive session for the discussion of pending litigation in accordance with the provisions of Texas Civil Statutes, Article 6252-17, §2(e).

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:45 p.m.
TRD-8602007

Friday, March 7, 1986, 8:30 a.m. The Committee for Students of the Texas Education Agency will meet in Room 1-111, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will consider compulsory student attendance; general educational development; advanced placement examinations; special education; school health services; correspondence courses; proclamation 63 of State Board of Education advertising for bids on textbooks; readoption of textbooks; approved tests for special language programs; proposed amendments to the University Interscholastic League 1986-1987 constitution and contest rules; extracurricular activities; ineligibility exemptions of honors/advanced courses; promotion, retention, and alternatives to social promotion; review of alternative transcripts and high school graduation requirements; and discuss time and treatment guidelines for special language programs.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:45 p.m.
TRD-8602008

Friday, March 7, 1986, 8:30 a.m. The Committee for Finance and Programs of the Texas Education Agency will meet in Room 1-104, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will discuss investment of the Permanent School Fund; the guarantee program for school district bonds; school district annual performance report; budgeting, accounting, and auditing; materials available for use with textbooks; special education; an application for Education Consolidation and Improvement Act of 1981, Chapter 1 Migrant Funds; appointment of trustee for Lackland Independent School District (ISD); the appointment of trustee for Randolph Field ISD; acquisition of an electronic printing system; current fiscal and financial developments; the long-range master plan for vocational education in Texas; and the status report on accountable costs advisory committee.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:44 p.m.
TRD-8602010

Friday, March 7, 1986, 8:30 a.m. The Committee for Personnel of the Texas Education Agency will meet in Room 1-100, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will discuss the commission on standards for the teaching profession; general requirements for inservice education; advanced academic training; training for school board members; teacher testing; teacher certification; appraisal of certified personnel; passing standard for appraiser certification; the teacher appraisal system instrument; the process to declare emergency need for districts requesting permission to employ in 1986-1987 individuals who perform unsuccessfully on the Texas examination of current administrators and teachers; implementation of the Houston Independent School District Alternative Teacher Certification Plan; state textbook program; the process for adoption and standard setting for the examination for the certification of educators in Texas; minimum teaching duties; activities to aid districts in locating qualified teachers and administrators for school year 1986-1987.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:43 p.m.
TRD-8602011

Friday, March 7, 1986, 2 p.m. The Committee for Long-Range Planning of the Texas Education Agency will meet in Room 1-100, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will discuss the state plan for regional education service centers; Texas private school accreditation commission; international dimensions of education; procedures for reporting accreditation results to local school districts and to the State Board of Education; the status report on the accreditation of school districts; the status of the long-range plan; and proposed long-range master plan for vocational education.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:43 p.m.
TRD-8602012

Friday, March 7, 1986, 6:30 p.m. The State Board of Education of the Texas Education Agency will meet in the Topaz Room, Embassy Suites, 300 South Congress Avenue, Austin. According to the agenda, the board will review reports from the chairmen of the State Board of Education committees including the Committee for Finance and Programs, the Committee for Students, the Committee for Personnel, the Committee for

Long-Range Planning, and the Committee of the Whole, concerning items discussed in committee meeting on Thursday, March 6, 1986, and Friday, March 7, 1986.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:42 p.m.
TRD-8602013

Saturday, March 8, 1986, 8:30 a.m. The State Board of Education of the Texas Education Agency will meet in Room 1-104, 1701 North Congress Avenue, Austin. According to the agenda summary, the board will consider the permanent school fund; the guarantee program for school bonds; school district performance report; budgeting, accounting, and auditing textbooks; special education; migrant funds; trustee for Lackland Independent School District (ISD); trustee for Randolph Field ISD; electronic printing system; compulsory student attendance; general educational development; advanced placement examinations; school health service; correspondence courses; textbook proclamation 62; re adoption of textbooks; tests for special language programs; the commission on standards for the teaching profession; inservice education; advanced academic training; training for school board members; teacher testing; teacher certification; appraisal of certified personnel; appraiser certification; and teacher appraisal system instrument.

Contact: W.N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: February 26, 1986, 3:42 p.m.
TRD-8602014

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Texas Employment Commission

Thursday, March 6, 1986, 9 a.m. The Texas Employment Commission will meet in Room 644, 101 East 15th Street, Austin. According to the agenda summary, the commission will approve prior meeting notes; consider public comments; the budget presentation; discuss the Greater South Texas Conference on Human Future Planning; reports of administrative staff on program operations, funding, and legislation; and set the date and agenda for the next meeting.

Contact: C. Ed Davis, 101 East 15th Street, Austin, Texas 78778, (512) 463-2291.

Filed: February 25, 1986, 2:07 p.m.
TRD-8601890

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General Land Office

Thursday, March 6, 1986, 3:30 p.m. The Veterans Land Board of the General Land

Office will meet in Room 831, Stephen F. Austin Building, Austin. According to the agenda summary, the board will approve minutes of the January 29, 1986 meeting; discuss the appointment of the administrator of the Home Improvement Program; interest rate on Veterans Land Board loans; a waiver request—home mortgage to deposit guaranty; a report of the Farm and Ranch Program; board's forfeiture policy involving tracts with delinquent taxes—account 37537348; and penalty interest on Veterans Land Board account.

Contact: Jack Gilberson, Room 836A, Stephen F. Austin Building, Austin, Texas 78701, (512) 463-5254.

Filed: February 26, 1986, 4:04 p.m.
TRD-8601944

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Office of the Governor

Friday, March 14, 1986, 9 a.m. The Texas Science and Technology Council of the Office of the Governor will meet in Room 301, Texas A&M University, Rudder Tower, College Station. According to the agenda, the council will consider regular business; committee reports; presentations on research at Texas A&M University; and new business.

Contact: Meg Wilson, Room 208, Sam Houston Building, Austin, Texas 78701, (512) 463-1796.

Filed: February 26, 1986, 10:36 p.m.
TRD-8601935

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Texas Statewide Health Coordinating Council

Thursday, March 6, 1986, 8 a.m. The Texas Statewide Health Coordinating Council will meet in the Wyndham Hotel Southpark, II 35 at Ben White, Austin. According to the agenda summary, the council will review the Regional Health Planning Advisory Committee status report; Regional Health Planning Coordination Committee member reports; indigent health care update; and discuss the date of the next meeting.

Contact: Mike Ezzell, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7261.

Filed: February 26, 1986, 4:14 p.m.
TRD-8601948

Thursday, March 6, 1986, 10:30 a.m. The Studies Subcommittee of the Texas Health and Human Services Coordinating Council will meet in the Senate Reception Room, Texas Capitol, Austin. According to the agenda summary, the subcommittee will review progress reports including adolescent pregnancy study, latchkey study, residential contract care study, homeless study, and office of youth care investigations; recommendations from the public/private policy work-

ing group on residential contract care; and new business.

Contact: Beck Runte, 311-A, East 14th Street, Austin, Texas 78711, (512) 463-2195.

Filed: February 26, 1986, 2:34 p.m.
TRD-8601886

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State Department of Highways and Public Transportation

Wednesday and Thursday, February 26 and 27, 1986, 10 a.m. daily. The State Highway and Public Transportation Commission of the State Department of Highways and Public Transportation made an emergency addition to the agenda of the meeting held in Room 101-A, Dewitt C. Greer State Highway Building, 11th and Brazos Streets, Austin. The addition concerns the review of procedures and policies for establishing transportation corporations. The emergency status was necessary because pending actions regarding several transportation corporations require that current procedures and policies be reviewed at this time.

Contact: Diane L. Northam, Room 203, Dewitt C. Greer State Highway Building, 11th and Brazos Streets, Austin, Texas 78711, (512) 463-8616.

Filed: February 25, 1986, 3:21 p.m.
TRD-8601904

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Texas Department of Human Services

Tuesday and Wednesday, March 4 and 5, 1986, 1:30 p.m. The State Advisory Committee on Child Care Facilities will meet in Room 4-W, fourth floor, West Tower, 701 West 51st Street, Austin. According to the agenda summary, the board will discuss the role of the advisory committee and the responsibility of its members; introductions to licensing, issues and management initiatives, organization, staff, and budget; housekeeping reimbursement; committee business; approve minutes; elect officers; review by-laws; review advisory committee objectives; and the assistant commissioner's report.

Contact: Doug Sanders, P.O. Box 2960, Austin, Texas 78769, (512) 450-3253.

Filed: February 25, 1986, 11:52 a.m.
TRD-8601864

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Texas Industrial Accident Board

Monday, March 3, 1986, 1:30 p.m. The Texas Industrial Accident Board will meet in Room 107, Bevington A. Reed Building, 200 East Riverside Drive, Austin. According to the agenda, the board will discuss routine report from the supervisor of the enforce-

ment section; and review board files. This portion of the meeting is closed pursuant to workers' compensation statute.

Contact: William Treacy, 200 East Riverside Drive, Austin, Texas 78704, (512) 448-7962.

Filed: February 26, 1986, 3:32 p.m.
TRD-8601936

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Judicial Districts Board

Friday, February 28, 1986, 10 a.m. The Judicial Districts Board met in emergency session at 1414 Colorado Street, Austin. According to the agenda, the board reviewed the duties of the board; and discussed the initial organization of the board's future work and future meetings. The emergency status was necessary because an organizational meeting of the board was scheduled for a day on which many out-of-town members were in Austin for other reasons, which reduced travel expenses, in accordance with the urging of the Governor for reduced expenditure of state funds.

Contact: C. Raymond Judice, P.O. Box 12066, Austin, Texas 78711, (512) 463-1625.

Filed: February 25, 1986, 10:11 a.m.
TRD-8601860

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Texas Juvenile Probation Commission

Friday, March 14, 10 a.m. The Texas Juvenile Probation Commission will meet at 2015 IH 35 South, Austin. According to the agenda, the commission will approve minutes of January 17, 1986; review the executive director's report; the Sunset staff report; the plan to reduce spending by 13 percent; and approve of the Cameron County Border Project as an essential service.

Contact: Bill Anderson or Judy Culpepper, P.O. Box 13547, Austin, Texas 78711, (512) 443-2001.

Filed: February 25, 1986, 2:55 p.m.
TRD-8601903

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Texas Department of Labor and Standards

Wednesday, March 5, 1986, 9 a.m. The Manufactured Housing Division of the Texas Department of Labor and Standards will meet in an emergency session in Suite 3322-B, Commerce Square, South Southwest Loop 323, Tyler. According to the agenda, the division will review license and registration, suspensions and alleged violations of various rules and regulations of the department. The emergency status is necessary in order to consider the possible violations of Texas Civil

Statutes, Article 5221F which jeopardizes individual safety and the public welfare.

Contact: Craig Sandberg, P.O. Box 12157, Austin, Texas 78711, (512) 463-3127.

Filed: February 26, 1986, 9:18 a.m.
TRD-8601926

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Thursday, March 6, 1986, 1 p.m. The Board of Boiler Rules, Boiler Division, Texas Department of Labor and Standards will meet in emergency session in Room 103, E. O. Thompson Building, 920 Colorado Street, Austin. Items on the agenda include approval of the agenda; approval of the minutes of September 5, 1985; the membership report; the task force reports; and new business. The emergency status is necessary for the protection and welfare of the public.

Contact: Steven M. Matthews, P.O. Box 12157, Austin, Texas 78711, (512) 463-2904.

Filed: February 27, 1986, 9:38 a.m.
TRD-8602024

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Lamar University System

Thursday, February 27, 1986, 1:15 p.m. The Board of Regents of the Lamar University System met in emergency session in the Lamar Room, Gray Library, Beaumont. According to the agenda, the board reviewed the budget in accordance with the Governor's executive order of February 18, 1986. The board also met in executive session to discuss personnel matters. The emergency status was necessary because of the statutory requirement deadline.

Contact: Dr. George McLaughlin, P.O. Box 11915, Beaumont, Texas 77710, (409) 880-2304.

Filed: February 25, 1986, 1:36 p.m.
TRD-8601898

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Texas Commission on Law Enforcement Officer Standards and Education

Wednesday, March 12, 1986, 10 a.m. The Texas Commission on Law Enforcement Officer Standards and Education will meet in Room 309, Capitol Building, Austin. According to the agenda, the commission will read the minutes; recognize visitors; consider academy certification applications pending before the commission; entry of final orders in contested cases pending before the commission; the final adoption of proposed commission §§211.97, 211.98, and 211.99; amendments to trainee attendance provisions in training regulations; proposed §211.100 re-

lating to mandatory in-service training; and proposed §211.96 relating to peace officer license re-activation requirements. The commission will also meet in executive session pursuant to Texas Civil Statutes, Article 6252-17, §2(g).

Contact: Alfred Villarreal, 1606 Headway Circle Drive, Austin, Texas 78754, (512) 834-9222.

Filed: February 25, 1986, 2:52 p.m.
TRD-8601899

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Texas Board of Pardons and Paroles

Wednesday, March 5, 1986, 9:30 a.m. The Texas Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board will consider full board interviews; and meet with interested parties in connection with cases subject to the board's jurisdiction including case 000707-Duke, Dana Keith.

Contact: Daniel R. Guerra, P.O. Box 13401, Austin, Texas 78711, (512) 459-2700.

Filed: February 25, 1986, 11:21 a.m.
TRD-8601861

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Texas Peanut Producers Board

Friday, March 7, 1986, 9 a.m. The Texas Department of Agriculture of the Texas Peanut Producers Board will meet in Room 440, Texas A&M University, Soil and Crop Science Building, College Station. According to the agenda, the department will adopt the budget for fiscal year 1986-1987; discuss building purchase; review activities; and consider other business.

Contact: Mary Webb, P.O. Box 398, Gorman, Texas 76454, (817) 734-2853.

Filed: February 26, 1986, 9:01 a.m.
TRD-8601928

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Texas State Board of Public Accountancy

Friday, March 7, 1986, 9 a.m. The Examination Committee of the Texas State Board of Public Accountancy will meet in Suite 340, 1033 La Posada, Austin. According to the agenda, the committee will take public comments on the proposed repeal of §511.57 (Definition of Accounting Courses) and establishing of a new §511.57 with the definition for accounting core courses and other accounting courses. Further comments will be taken on proposed rewording of §511.55 (Qualification Under the Current Act) relating to new course requirements and §511.58 (Definition of Related Business Subjects).

Contact: Donna Meredith, 1033 La Posada, Austin, Texas 78752, (512) 451-0241.

Filed: February 26, 1986, 3:50 p.m.
TRD-8601940

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Public Utility Commission of Texas

Thursday, February 27, 1986, 9 a.m. The Hearings Division of the Public Utility Commission of Texas (PUC) made an emergency addition to the agenda for the meeting held in Suite 450N, 7800 Shoal Creek Boulevard, Austin. The addition concerns the adoption of amendments to PUC substantive rules §23.11(e) and (q) and §23.66(b) on an emergency basis. The emergency status was necessary because of rapidly changing fuel prices and extreme instability in world energy markets, the great impact of construction cost on Texas Utility consumers, and pending imminent decisions at PUC make it an urgent public necessity and emergency that the commission have parative information to determine the efficiency and prudence of utility fuel, construction, and related costs.

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

Filed: February 26, 1986, 3:56 p.m.
TRD-8601945

Wednesday, March 5, 1986, 9 a.m. The Hearings Division of the Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda summary, the division will consider the following dockets—6504, 6490, 6277, 6375, 6076, 6518, 6350, 6386, 6105, 6117, 6170, 6171, 6172, 2247, 6065, 6578, and 6560. The division will also meet in executive session to consider pending litigation and personnel matters.

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

Filed: February 25, 1986, 3:06 p.m.
TRD-8601905

Wednesday, March 5, 1986, 9 a.m. The Hearings Division of the Public Utility Commission of Texas made an emergency addition to the agenda for the meeting held in Suite 450N, 7800 Shoal Creek Boulevard, Austin. The addition concerns docket 6095—application of AT&T Communications for a rate increase (Motion for Re-hearing).

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

Filed: February 26, 1986, 1:50 p.m.
TRD-8601875

Monday, March 17, 1986, 10 a.m. The Hearings Division of the Public Utility Com-

mission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda, the division will conduct a hearing on the merits in docket 6555—application of Southwestern Bell Telephone Company to introduce a customer specific pricing plan for Shell Oil Company. The meet in was rescheduled from March 10, 1986.

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

Filed: February 25, 1986, 3:04 p.m.
TRD-8601909

Wednesday, April 2, 1986, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda, the division will discuss docket 6729—complaint of Comfort Inn against Houston Lighting and Power Company regarding customer deposit requirements.

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

Filed: February 26, 1986, 1:51 p.m.
TRD-8601874

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Texas Water Commission

Tuesday, March 18, 1986, 3 p.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will review Application 4599 of the Lower Colorado Review Authority for a \$11.121 permit to authorize the modification of an existing dam and reservoir located on Shaw Creek, tributary of Cummins Creek, tributary of the Colorado River, Colorado River Basin and impound not to exceed 762.73 acre-feet water, Fayette County. The water is to be used for in-place mining (sedimentation) purposes.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 2:52 p.m.
TRD-8601921

Wednesday, March 19, 1986, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will consider whether an order authorizing the City of Grapevine, P.O. Box 729, Grapevine, Texas 76051, to construct a 3,500,000 gallon-per-day (30-day average) wastewater treatment plant to be located immediately northwest of the intersection of North Scribner and Shady Brook Road in Grapevine, Tarrant County, should be issued. The proposed order, if issued, would authorize the City of Grapevine to commence site preparation and

construction of the facilities at the Peach Street Plant prior to the commission rendering a decision on the application to amend Permit 10486-02. Authorization for construction pursuant to the proposed order would expire 180 days from the date of issuance, or when the Texas Water Commission takes final action on the application for the proposed amendment to Permit 10486-02, whichever occurs first.

Contact: Pat Barnhard, P.O. Box 13087, Austin, Texas 78711, (512) 463-8069.

Filed: February 25, 1986, 2:59 p.m.
TRD-8601919

Friday, March 21, 1986, 10 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet in Room 512, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the office will consider Application 5015 of Cecil D. Harper, Jr.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:43 p.m.
TRD-8602016

Monday, March 24, 1986, 10 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet in Room 512, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the office will consider Application 5005 of James F. Dyer, II, James F. Dyer, III, and Jamie Dyer Dean.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:44 p.m.
TRD-8602015

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

Tuesday, March 25, 1986, 2 p.m. According to the agenda, the commission will consider the application by the City of Kendleton for an amendment to Permit 10996-01 to authorize a new larger wastewater treatment plant to discharge 80,000 gallons per day of treated domestic wastewater effluent into Brooks Branch, thence to the San Bernard River in stream segment 1302 of the Brazos-Colorado Coastal Basin.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 2:53 p.m.
TRD-8601920

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 12-3578A of John G. Penson and Nancy Penson, who seek to amend Certificate of Adjudication 12-3578 to delete the expiration date of certain authorizations of the certificate, and have also requested a change in ownership of the certificate based

on deeds submitted with the application, all being more fully set out in the application, Brazos River Basin, Comanche County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:42 p.m.
TRD-8602017

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 12-3527A of Harold Keith Carr, who seeks to amend Certificate of Adjudication 12-3527 to delete the expiration date, all being more fully set out in the application, Brazos River Basin, Comanche County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:42 p.m.
TRD-8602018

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 12-3537A of Dale George, who seeks to amend Certificate of Adjudication 12-3537 to delete the expiration date, all being more fully set out in the application, Brazos River Basin, Comanche County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:41 p.m.
TRD-8602019

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5039 of William J. Gavranovic and David L. Douget who seeks a permit to divert 825 acre-feet of water per annum from Ten Mile Creek, tributary of the Trinity River, Trinity River Basin, for irrigation purposes, Dallas County Courthouse, Dallas.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:40 p.m.
TRD-8602020

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 2191 of Sabine River Authority of Texas who seeks an amendment to Permit 1994 to construct an duse a small hydroelectric generating facility in the existing sliceway of the dam, Sabine River Basin, Newton County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 26, 1986, 2:44 p.m.
TRD-8602021

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider application of Quentin Moore and Charles Hoffman who seek to amend Certificate of Adjudication 12-3515A to delete the expiration date, all being more fully set out in the application, Brazos River Basin, Erath County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:03 p.m.
TRD-8601910

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider application of Audra L. Mitchell who seeks an amendment to Permit 3137 in order to delete the expiration date, all being more fully set out in the application, Colorado River Basin, Runnels County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:03 p.m.
TRD-8601911

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5038 of Merle A. Huebner who seeks a permit to divert 66 acre feet of water from the San Marcos River, tributary of the Guadalupe River, Guadalupe River Basin, for irrigation purposes, Gonzales County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:02 p.m.
TRD-8601912

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5043 of Wanda Myhand Jacobs and Charlotte Shackelford who seek a permit to divert and use 150 acre feet of water from the San Antonio River, San Antonio River Basin, for irrigation purposes, Karnes County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:02 p.m.
TRD-8601913

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5040 of L.M.B. Corporation which seeks a permit to maintain two existing dams that form an existing 300 acre foot capacity reservoir on Resaca de los Cuates, tributary of Laguna Atascosa, tributary of the Laguna Madre, Nueces Rio Grande Coastal Basin, for irrigation purposes, Cameron County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:02 p.m.
TRD-8601914

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5042 of the Texas Conference Association of the Seventh Day Adventist, which seeks a permit to maintain an existing exempt 32 acre foot capacity reservoir on Palmetto Hollow, tributary of Sandy Creek, tributary of the Colorado River, Colorado River Basin, for recreational purposes, Travis County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:01 p.m.
TRD-8601915

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5036 of Ernest L. Minyard who seeks a permit to divert 50 acre feet of water per annum from the San Marcos River, tributary to the Guadalupe River, Guadalupe River Basin, for irrigation purposes, Gonzales County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:00 p.m.
TRD-8601916

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5037 of Allen E. and Loretta Jean Russell who seek a permit to directly divert 230 acre feet of water from the San Marcos River, tributary of the Guadalupe River, Guadalupe River Basin for irrigation purposes, Gonzales County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 3:00 p.m.
TRD-8601917

Tuesday, April 29, 1986, 10 a.m. According to the agenda, the commission will consider Application 5041 of the Texas Eastman Company which seeks a permit to maintain an existing 66 acre foot capacity reservoir on an unnamed tributary of Black Fork Creek, tributary of Prairie Creek, tributary of the Neches River, Neches River Basin, for industrial purposes, Smith County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: February 25, 1986, 2:59 p.m.
TRD-8601918

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Texas Department of Water Resources

Thursday, March 13, 1986, 10 a.m. The Water Commission of the Texas Department

of Water Resources will meet at 1700 North Congress Avenue, Austin. According to the agenda, the department will hold a hearing on the merits in dockets 6225, 6313, 6344, and 6695—application of Crystal Clear Water Supply Corporation to amend its certificate of convenience and necessity with Hays County; petition of City of San Marcos for a cease and desist order against Crystal Clear Water Supply Corporation; application of the City of San Marcos to amend its certificate of conveniences and necessity within Hays and Caldwell Counties; and application of McCarty Lane Water Supply, Inc. for a certificate of convenience and necessity to provide water service within Hays County. The meeting is rescheduled from March 12, 1986.

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

Filed: February 25, 1986, 3:05 p.m.
TRD-8601906

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Regional Agencies Meeting Filed February 24

The Houston-Galveston Area Council, General Assembly, met in the Consort Ballroom, Westin Oaks Hotel, 5011 Westheimer (Galleria), on February 28, 1986, at 6:30 p.m. Information may be obtained from Sallie Sosa, P.O. Box 22777, Houston, Texas 77227, (713) 627-3200.

TRD-8601819

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Meeting Filed February 25

The Education Service Center Region III, Board of Directors, met in emergency session at 1905 Leary Lane, Victoria, on February 27, 1986, at 1 p.m. Information may be obtained from Dr. Dennis Grizzle, 1905 Leary Lane, Victoria, Texas 77901.

TRD-8601859

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Meetings Filed February 28

The Denton County Appraisal District, Appraisal Review Board, will meet at 3911 Morse, Denton, on March 7, 1986, at 9 a.m. Information may be obtained from Joe Rogers, (817) 566-0904.

The Education Service Center Region XIII, Board of Directors, met in room 200, 7703 North Lamar, Austin, on March 3, 1986, at 12:30 p.m. Information may be obtained from Dr. Joe Parks, 7703 North Lamar, Austin, Texas 78752, (512) 458-9131.

The Fisher County Appraisal District, Board of Directors, will meet at the Appraisal/Tax Office, Roby, on March 11, 1986, at 7 p.m. Information may be obtained from Teddy Kral, P.O. Box 516, Roby, Texas 79543.

The Lavaca County Central Appraisal District, Board of Directors, will meet at 113 North Main, Hallettsville, on March 10, 1986, at 4 p.m. Information may be obtained from Joe Pat Davis, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396.

The Texas Regional Planning Commission's Employee Benefit Plan Agency, Board of Trustees, will meet at 8929 Shoal Creek, Austin, on March 6, 1986, at 2:30 p.m. Information may be obtained from Pam Y Weatherby, (915) 563-1061.

TRD-8601927

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Meeting Filed February 27

The Carson County Appraisal District, Board of Directors, will meet at 102 Main Street, Panhandle, on March 12, 1986, at 9 a.m. Information may be obtained from Dianne Lavake, P.O. Box 970, Panhandle, Texas 79068.

TRD-8602023

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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.

Texas Commission on Alcohol and Drug Abuse Notice of Advisory Council Meeting

The Advisory Council of the Texas Commission on Alcohol and Drug Abuse will meet on March 5, 1986, from 12:30-4 p.m., and on March 6, 1986, from 8:30 a.m.-noon. The meeting will be held in the Marigold Room at the Holiday Inn, Town Lake, Austin.

Issued in Austin, Texas, on February 20, 1986.

TRD-8601929 Ross Newby
Executive Director
Texas Commission on Alcohol and
Drug Abuse

Filed: February 20, 1986
For further information, please call (512) 463-5510.

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State Banking Board Notice of Hearings

The hearing officer of the State Banking Board will conduct a hearing on Friday, April 4, 1986, at 9 a.m., 2601 North Lamar, Austin, on the change of domicile application for Texas American Bank/Ridgmar, Fort Worth.

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

Issued in Austin, Texas, on February 24, 1986.

TRD-8601908 William F. Aldridge
Director of Corporate Activities
State Banking Department

Filed: February 25, 1986
For further information, please call (512) 475-4451.

The hearing officer of the State Banking Board will conduct a hearing on Tuesday, April 15, 1986, at 9 a.m. at 2601 North Lamar, Austin, on the charter application for Equitable Bank and Trust Company, San Antonio, Bexar County.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, State Banking Department, 2601 North Lamar, Austin, Texas 78706, (512) 475-4451.

Issued in Austin, Texas, on February 21, 1986.

TRD-8601821 William F. Aldridge
Director of Corporate Activities
State Banking Board

Filed: February 24, 1986
For further information, please call (512) 475-4451.

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Texas Department of Banking Notice of Application

Texas Civil Statutes, Article 342-401a, requires 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 February 24, 1986, the Banking Commissioner received an application to acquire control of Lone Oak Financial Corp., Loan Oak, by Stephen A. Marburger, Susan R. Marburger, and Harold J. Marburger, of San Antonio.

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

Issued in Austin, Texas, on February 24, 1986.

TRD-8601924 William F. Aldridge
Director of Corporate Activities
Department of Banking

Filed: February 26, 1986
For further information, please call (512) 475-4451.

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Canadian River Compact Commission Agenda for March 12, 1986

The interstate (Texas, Oklahoma, and New Mexico) Canadian River Commission will hold its 28th annual meeting in Suite 201, 714 South Tyler, Amarillo, March 12, 1986, 10:30 a.m.

The meeting will be called to order; the minutes of the April 2, 1985, meeting will be approved; the reports of the chairman, secretary, and treasurer will be presented; the reports of the engineering, legal, and budget committees will be presented and the 1985 report of the commission approved; unfinished business will be considered, including commission consideration of New Mexico's proposed operation plan for Ute Reservoir; new business will be introduced, including a report on salt control studies and other projects in the Canadian River basin; and the meeting will be adjourned.

Issued in Lubbock, Texas, on February 10, 1986.

TRD-8601865 John C. Sims
Canadian River Compact
Commissioner for Texas

Filed: February 25, 1986
For further information, please call (512) 463-7928.

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Texas Education Agency Consultant Contract Award

Description: This notice is filed in compliance with Texas Civil Statutes, Article 6252-11c. After publication of a consultant proposal request in the October 22, 1985, issue of the *Texas Register* (19 TexReg 4136), the Texas Education Agency executed a contract with Coopers and Lybrand, 1800 American Center, Austin, Texas 78701, to develop an operational plan for a public education information management system.

Cost and Dates: The total amount of the contract is \$200,000. The contract period is January 16, 1986, through July 31, 1986.

Due Dates of Documents: The delivery date of the final operational plan for a public education information management system is June 14, 1986.

Issued in Austin, Texas, on February 25, 1986.

TRD-8601907 W. N. Kirby
Commissioner
Texas Education Agency

Filed: February 25, 1986
For further information, please call (512) 463-9682.

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Notice of Available Funds for Apprenticeship Training

The 69th Legislature, 1985, authorized the expenditure of \$1,090,422 from the Job Training Partnership Act (JTPA), §123, to deliver apprenticeship training to the state's economically disadvantaged and other individuals facing serious barriers to employment. Apprenticeship training consists of on-the-job training supervised by a local apprenticeship committee, combined with related classroom instruction provided by an independent school district or postsecondary institution. Individuals are trained in high-demand skilled crafts (e.g., plumbing, nursing aides, carpentry, and culinary arts). These funds are now available to public secondary and postsecondary institutions that have identified JTPA eligibles (economically disadvantaged) in their apprenticeship programs, and must be expended by August 31, 1986. A similar amount for the disadvantaged is anticipated to be available in the 1986-1987 school year.

Participants in apprenticeship training are recruited cooperatively by the local education agency, the local apprenticeship committee, and the intake office of the appropriate JTPA service delivery area. Each recruit is certified as JTPA eligible by the JTPA intake office before entry is permitted into an apprenticeship training program supported with JTPA §123 funds. Final selection of participants rests with the local apprenticeship committee.

There is a need to use these available funds to provide job skill training to the disadvantaged to prepare them to be productive participants in the state's economy. Local education agencies, local service delivery areas, and local apprenticeship committees are encouraged to join together and become involved in apprenticeship training.

For information regarding the program and procedures for applying for the available funds, contact Dan C. Lowe, Education Agency, Division of Employment and Training, (512) 463-9294.

Issued in Austin, Texas, on February 24, 1986.

TRD-8601823 W. N. Kirby
Commissioner of Education

Filed: February 24, 1986
For further information, please call (512) 463-9212.

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Texas Department of Health Sexual Assault Prevention and Crises Services

The Texas Department of Health is accepting letters of intent to apply for sexual assault prevention and crisis services funding under the preventive health and health services block grant and state funds. Funds will be available October 1, 1986.

Letters of intent to apply for funds should be sent to Gene Weatherall, Chief, Bureau of Emergency Management, 1100 West 49th Street, Austin, Texas 78756-3199. Applications will be due on or before June 1, 1986.

Eligible entities who send letters of intent will receive application kits consisting of materials pertinent to submitting an application. An eligible entity is a rape crisis center.

For more information, contact Ann J. Robison, Program Specialist, Bureau of Emergency Management, at (512) 465-2601.

Issued in Austin, Texas, on February 26, 1986.

TRD-8601922 Robert A. MacLean
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: February 26, 1986
For further information, please call (512) 465-2601.

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State Board of Insurance Company Licensing

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

(1) Application for incorporation of MetLife Health-Care Network of Texas, Inc., to be a domestic health maintenance organization. The home office is to be in Dallas, Texas.

(2) Application for a name change by Fireman's Fund American Life Insurance Company, a foreign life insurance company. The home office is in San Rafael, California. The proposed new name is Am Ex Life Assurance Company.

(3) Application for a name change by SAFECO Title Insurance Company of Maryland, a foreign title insurance company. The home office is in Baltimore, Maryland. The proposed new name is SAFECO Title Insurance Corporation.

(4) Application for admission of CIGNA Dental Health of Texas, Inc., a foreign health maintenance organization. The home office is in Miami, Florida.

(5) Application for name change by Gulf Life Group Insurance Company, a foreign life insurance company. The home office is in Jacksonville, Florida. The proposed new name is American General Group Insurance Company of Florida.

(6) Application for incorporation of Texas Funeral Insurance Company, to be a domestic stipulated premium insurance company. The home office is to be in Austin, Texas.

(7) Application for incorporation of DentiCare, Inc., to be a domestic health maintenance organization. The home office is to be in Houston, Texas.

(8) Application for a name change by Armour Life Insurance Company, a foreign life insurance company. The home office is in St. Ann, Missouri.

(9) Application for admission to do business in Texas of Consumer Benefit Life Insurance Company, a foreign life insurance company. The home office is in Nashville, Tennessee.

Issued in Austin, Texas, on February 20, 1986.

TRD-8901822 Nicholas Murphy
Chief Clerk
State Board of Insurance

Filed: February 24, 1986

For further information, please call (512) 463-6327.

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North Central Texas Council of Governments Request for Proposals

This request by the North Central Texas Council of Governments (NCTCOG) for consultant services is filed under the provisions of Texas Civil Statutes, Article 6252-IIc.

Contact Person. Shirley Henry, Administrative Aide, North Central Texas Council of Governments, 616 Six Flags Drive, Suite 200, P.O. Drawer COG, Arlington, Texas 76005-5888, (817) 640-3300.

Due Date. March 21, 1986, noon, in the office of Thurman Schweitzer, Fort Worth Transportation Authority, P.O. Box 1477, Fort Worth, Texas 76101.

Background. The North Central Texas Council of Governments (NCTCOG) and the Fort Worth Transportation Authority (FWTA) are requesting proposals to develop and conduct an on-board transit survey. In 1981, NCTCOG and FWTA retained a consultant to do a similar survey effort. The following information is needed from this 1986 effort: identification of socio-economic/attitudinal characteristics of current riders; comparison of results with the 1981 transit-user profile; evaluation of transit marketing strategies implemented after 1981; and identification of future marketing strategies.

The survey will also be helpful in identifying changes in travel demand characteristics between 1981 and today.

The project will include the development, pre-test, implementation, analysis, and documentation of the marketing survey.

Contract Award Procedures. The firm or agency selected to perform the FWTA transit survey will be recommended by a consultant selection committee. The selection committee will use evaluation criteria and methodology consistent with the scope of services contained in the request for proposal. The NCTCOG executive board will review the consultant selection committee's recommendation, and if it is found acceptable, will issue an award of contract.

The North Central Texas Council of Governments, in accordance with the Civil Rights Act of 1964, Title VI, 78 Statute 252, 42 United States Code 2000d-2000d-4, and

49 Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such act, hereby notifies all bidders that it will affirmatively ensure that in regard to any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, sex, age, or national origin in consideration of an award.

Respondents must be willing to abide by all the applicable regulations of the Urban Mass Transportation Administration, U.S. Department of Transportation, including inspection and audit.

The contract will comply with all federal and state laws and regulations applicable to subcontractors, including but not limited to, equal employment opportunity, Davis-Bacon Act, and records management.

Issued in Arlington, Texas, on February 21, 1986.

TRD-8601925 William J. Plstlick
Executive Director
North Central Texas Council of Governments

Filed: February 26, 1986

For further information, please call (817) 640-3300.

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Texas State Technical Institute Consultant Proposal Request

In accordance with Texas Civil Statutes, Article 6252-11c, Texas State Technical Institute is requesting proposals for an analysis and evaluation of the institute's capabilities and alternatives in supporting construction of student facilities through revenue bonds or other methods of financing.

This study will include: analysis of the institute's ability to meet debt service requirements and the institute's total potential for bond indebtedness; projected rates, fees, and enrollment levels necessary to support debt service and different levels of outstanding bond indebtedness; and evaluation of alternative methods of financing to include current revenue bond market and regulations.

Contract Award Procedures. Final selection will be made by the Board of Regents of Texas State Technical Institute, based upon evaluations and recommendations provided by a panel of Texas State Technical Institute personnel. Texas State Technical Institute will award a contract to the firm or organization which is considered to be best able to perform the services requested giving consideration to length of time and total cost. However, Texas State Technical Institute reserves the right to reject, in total or part, any and/or all proposals received, if in the best interest of the institute. Issuance of this request in no way constitutes a commitment by the institute to award a contract.

Contract. Individuals or firms interested in submitting a proposal should contact Gene Markham, Auxiliary Accountant, System Annex, Waco, Texas 76705 (817) 799-3611 ext. 3959.

Proposals must be received by March 21, 1986.

Issued in Waco, Texas, on February 25, 1986.

TRD-8001830

Theodore A. Talbot
Secretary to the Board
Texas State Technical Institute

Filed: February 26, 1986

For further information, please call (817) 799-3811.



Texas Water Commission Application for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of February 17-21, 1986.

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

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

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

Period of February 17-21, 1986

City of Mineral Wells, Mineral Wells; sewage treatment plant; approximately ¼ mile south of U.S. Highway 180 and ¼ mile east of FM Road 1195 in the east side of the City of Mineral Wells in Palo Pinto County; 10585-02; renewal

City of Garrison, Garrison; wastewater treatment facilities; ¼ mile east of U.S. Highway 59 and ¼ mile north of FM Road 138 in the City of Garrison in Nacogdoches County; 11304-01; renewal

City of Bonham Municipal Water Authority, Bonham; water treatment plant; north of Bonham, on Lake Bonham and just west of FM Road 898, approximately two miles north of the intersection of FM Road 898 and State Highway 78 in Fannin County; 1172-01; renewal

City of Sadler, Sadler; wastewater treatment facilities; approximately ¼ mile due southeast of the FM Road 901 crossing of the Missouri-Kansas-Texas Railroad in the City of Sadler in Grayson County; 11037-01; renewal

City of DeKalb, DeKalb; wastewater treatment facilities; south of DeKalb, approximately 1.5 miles due south

of the intersection of U.S. Highway 82 and FM Road 992 in Bowie County; 10062-02; renewal

City of Baird, Baird; wastewater treatment facilities; immediately east of the Baird Railroad Lake Dam and immediately south of the Texas-Pacific Railroad right-of-way in Callahan County; 10037-01; renewal

Adjutant General's Department, Austin; wastewater treatment plant; approximately ½ mile southeast of the intersection of U.S. Highway 271 and FM Road 2648 in Lamar County; 13249-01; new permit

NHS Homes, Inc. and Guardian Properties, Inc., Austin; wastewater treatment plant; on the west bank of the Colorado River approximately 1000 feet downstream of the confluence of Carson Creek and the Colorado River, approximately 7700 feet east of the intersection of U.S. Highway 183 and State Highway 71 in Travis County; 13230-01; new permit

Lower Colorado River Authority, Marble Falls; electric power plant; adjacent to Lake Lyndon B. Johnson at a point approximately seven miles west of the City of Marble Falls and approximately one mile north of Ranch Road 2147 in Llano County; 01369; renewal

City of Gladewater, Gladewater; water treatment plant; at 1509 East Lake Drive, ¾ mile north of Gladewater in Upshur County; 10433-01; renewal

Valley Municipal Utility District No. 1, Brownsville; contact stabilization activated sludge package plant on the north side of Country Club Road, approximately 3200 feet southwest of the intersection of U.S. Highway 88 Business (Central Boulevard) and FM Road 802 in Cameron County, Texas; 10852-01; amendment

City of Mabank, Mabank; water treatment plant; approximately 3½ miles southwest of Mabank north of FM Road 85 and approximately 1¼ miles west of the intersection of FM Roads 85 & 90 in Henderson County; 10579-02; renewal

Texas State Technical Institute, Waco; sewage treatment plant; immediately southwest of the intersection of 15th Street and Airline Drive on the campus of the Texas State Technical Institute, James Connally Campus in McLennan County; 11050-01; renewal

City of Kingsville, Kingsville; wastewater treatment plant; north of FM Road 1717, approximately 1.5 miles east of the intersection of FM Road 1717 and U.S. Highway 77 in Kleberg County; 10696-02; renewal

Anthony J. Riedel, Houston; restaurant; approximately 400 feet north of 10219 Fairbanks-North Houston Road, at a point approximately 1.25 miles west of FM Road 149 in Harris County, 12184-01; renewal

City of Kenedy, Kenedy; wastewater treatment facility; approximately 500 feet east of FM Road 792 and 600 feet north of Main Street in the City of Kenedy in Karnes County; 10746-01; renewal

Pettus Municipal Utility District, Pettus; wastewater treatment facility; approximately 1,400 feet west of U.S. Highway 181 and 2,400 feet south of FM Road 623 in Bee County; 10748-01; renewal

City of Colmesneil, Colmesneil; wastewater treatment facility; approximately one mile northwest of the intersection of FM Road 256 and U.S. Highway 69 in Tyler County; 11295-01; renewal

Missouri Pacific Railroad Company, Houston; railroad yard facility; on Kirkpatrick Boulevard between Ley

Road and North Loop 610 in the City of Houston, Harris County; 01855; renewal

Stinnes-Texas, Inc., Houston; bulk chemicals distribution center; at 10900 Strang Road, north of State Highway 225 and 800 feet east of the intersection of Miller Cutoff Road and Strang Road in Harris County; 02823; new permit

North Texas Municipal Water District, Wylie; water treatment plant; on the north side of the intersection of State Highway 78 and FM Road 544; northeast of Wylie in Collin County, Texas; 10481-01; renewal

The City of Texarkana, Texarkana; sewage treatment plant; approximately 1000 feet west of U.S. Highway 59 and approximately 9500 feet north of IH 30 in Bowie County; 10374-08; new permit

C. Lee Henderson, Goodrich; restaurant; on the east side of U.S. Highway 59, about 2.8 miles north of Goodrich in Polk County; 02826; new permit

The City of Dayton, Dayton; wastewater treatment plant; approximately .5 mile southwest of the intersection of State Highway 145 and U.S. Highway 90 in Liberty County; 10564-03; amendment

Maverick County Road and Bridge Department, Eagle Pass; wastewater treatment plant; approximately 2,000 feet southeast of the intersection of State Highway 131 and U.S. Highway 277 in Maverick County; 11156-01; renewal

Paris Golf and Country Club, Inc., Paris; wastewater treatment facilities; northeast of Paris and north of FM Road 195, approximately ½ mile due west of the FM Road 195 bridge over Sixmile Creek in Lamar County; 11400-01; renewal

Hedley Feedlot, Inc., Hedley; feedlot operation; approximately two miles east of the city limits of Hedley and ½ mile due south of the county road in Donley County; 02378; amendment

Missouri-Kansas-Texas Railroad Company, Houston; railroad engine fueling facility; at the Eureka Yard at the north end of Radcliff Street in the City of Houston, Harris County; 01197; renewal

Galveston County Municipal Utility District No. 14; Houston; wastewater treatment plant; on the south bank of Bordens Gully, approximately 4800 feet north-northeast of the intersection of FM Road 517 and Calder Road in Galveston County; 13255-01; new permit

City of East Tawakoni, East Tawakoni; wastewater treatment plant; on the northeast side of Lake Tawakoni, approximately one mile due east of the intersection of FM Road 35 and FM Road 513 in Rains County; 11428-01; renewal

Town of Lake Ransom Canyon, Ransom Canyon; wastewater treatment facilities; approximately one mile west of FM Road 400 and four miles south of FM Road

40 east of the City of Lubbock, in Lubbock County; 10778-01; renewal

U.S. Department of the Army, Fort Sam Houston; wastewater treatment plant; approximately 1000 feet east of Military Highway and ½ mile southeast of the Headquarter Building at Camp Bullis in Bexar County; 12080-01; amendment

Big Three Industries, Inc., Freeport; air separation plant producing oxygen and nitrogen; on the west side of FM Road 523, near the intersection of FM Road 523 and State Highway 332, approximately two miles north of the City of Freeport in Brazoria County; 01954; renewal;

Gulf Coast Portland Cement Company, Houston; cement manufacturing plant; at 6203 Industrial Way in the City of Houston, Harris County; 01021; renewal

The City of Eden, Eden; wastewater treatment plant; approximately ⅓ mile east of U.S. Highway 83, ⅓ mile south of U.S. Highway 89 and immediately north of Harden Branch in the City of Eden in Concho County; 10081-01; amendment

Procter and Gamble Manufacturing Company, Dallas; soap, detergent, and foods processing plant; between the 3600, 3700, and 3800 blocks of South Lamar Street and Trinity River in the City of Dallas, Dallas County; 00498; renewal

Champion International Corporation, Corrigan; plywood plant; on the west side of U.S. Highway 59 within the City of Corrigan, Polk County; 01902; renewal

C. M. Muras, Jr., La Grange; confined poultry feeding operation; approximately one mile west of Highway 77 on County Road 376, approximately seven miles southwest of the City of La Grange in Fayette County, Texas; 02820; new permit

Tex Tin Corporation, Texas City; tin smelting and metal refining plant; adjacent to State Highway 146 and FM Road 519 in Galveston County, 01040; renewal

City of La Grulla, La Grulla; wastewater treatment facility; approximately 1000 feet north of the city limits on the southwest side of the public road and approximately 1000 feet north of the city's sanitary landfill entrance; 13187-01; new permit

Issued in Austin, Texas, on February 21, 1986.

TRD-8601852 Mary Ann Hefner
Chief Clerk
Texas Water Commission

Filed: February 24, 1986
For further information, please call (512) 463-7888.

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