

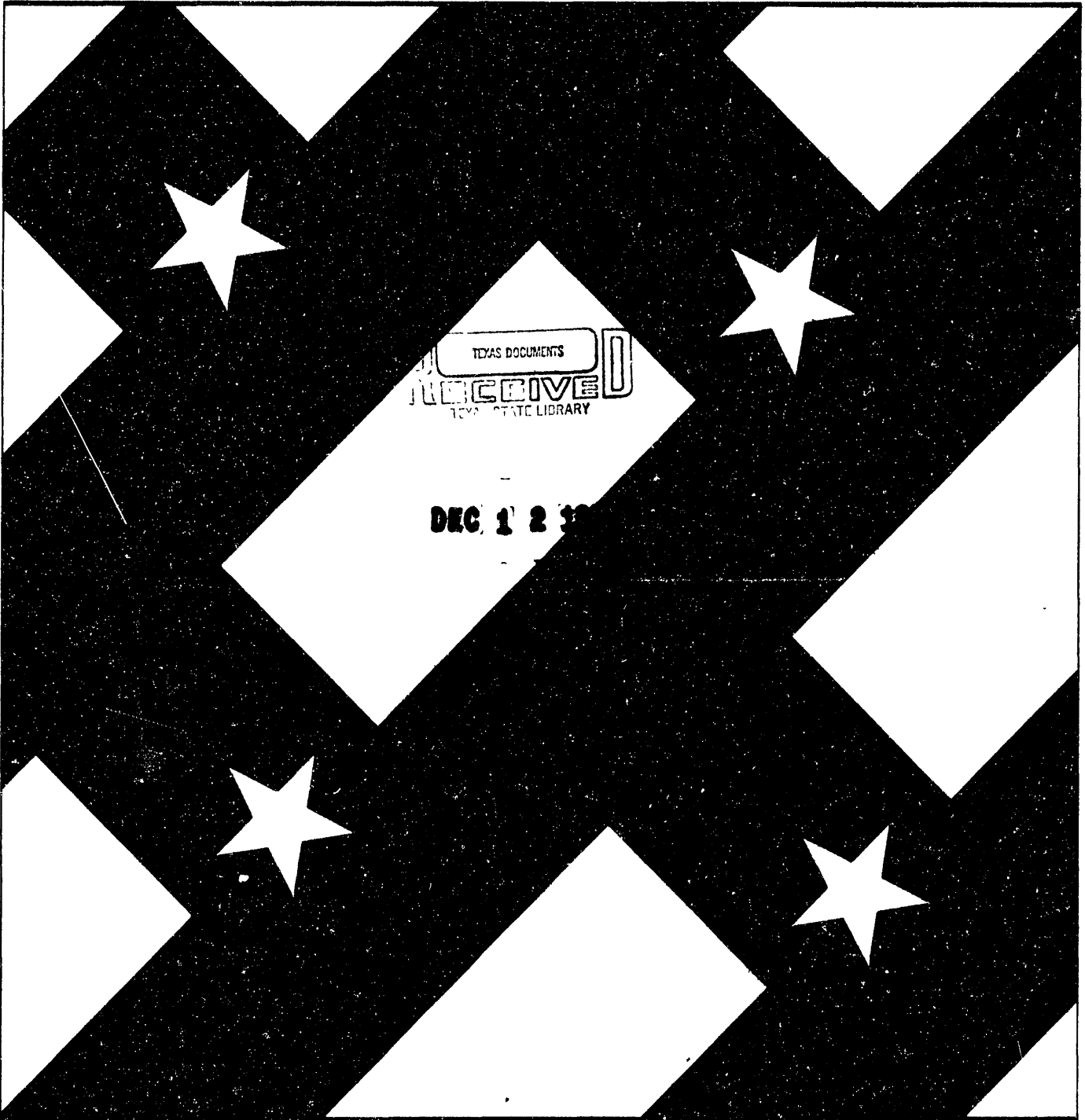
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# Texas Register

Volume 11, Number 91, December 12, 1986

FILE COPY

Pages 4955-4994



## Highlights

The **State Finance Commission** adopts an emergency amendment concerning the establishment of branch bank and drive-in facilities. Effective date - December 5..... **page 4962**

The **State Board of Dental Examiners** proposes an amendment concerning dental patient records and the record-keeping require-

ments for drugs kept in the dental office and dispensed to patients. Earliest possible date of adoption - January 12 ..... **page 4964**

The **Texas Department of Human Services** proposes an amendment regarding budgeting for individuals related to the SSI Program. Earliest possible date of adoption - January 12 ..... **page 4969**

**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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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 enacted 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 accumulative quarterly and annual indexes to aid in researching material published.

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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

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

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

TAC stands for the *Texas Administrative Code*;

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



## Texas Register Publications

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*Illustrations courtesy of Texas Parks and Wildlife Department.*

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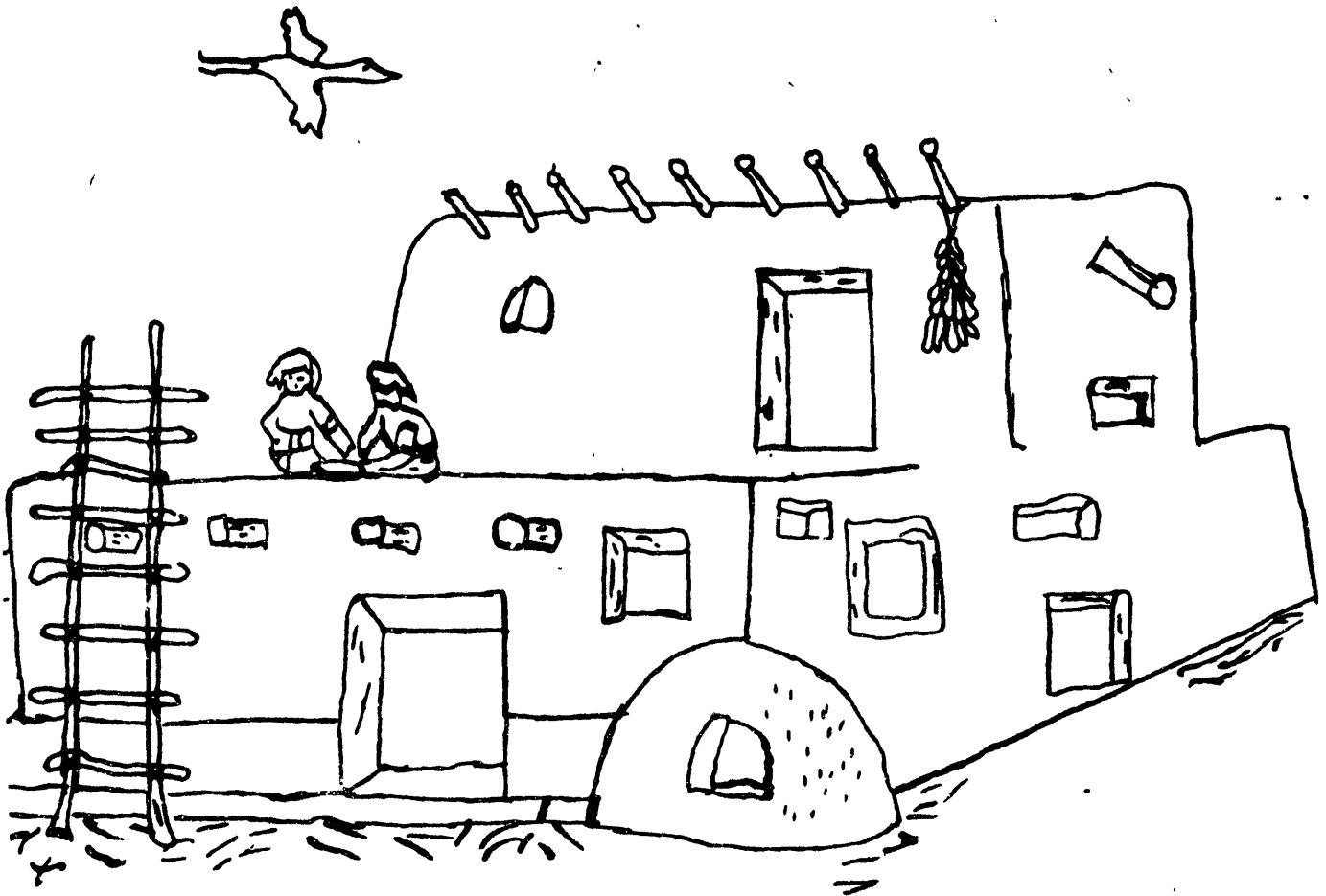
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Name: Steven Martin  
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# The Governor

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.

## Appointment Made November 25

### State Board of Education

*(Editor's Note: In the December 9, 1986, issue of the Texas Register the following appointment was published in error as being to the State Board of Insurance. The correct appointment was to the State Board of Education).*

For a term to expire January 1, 1989:

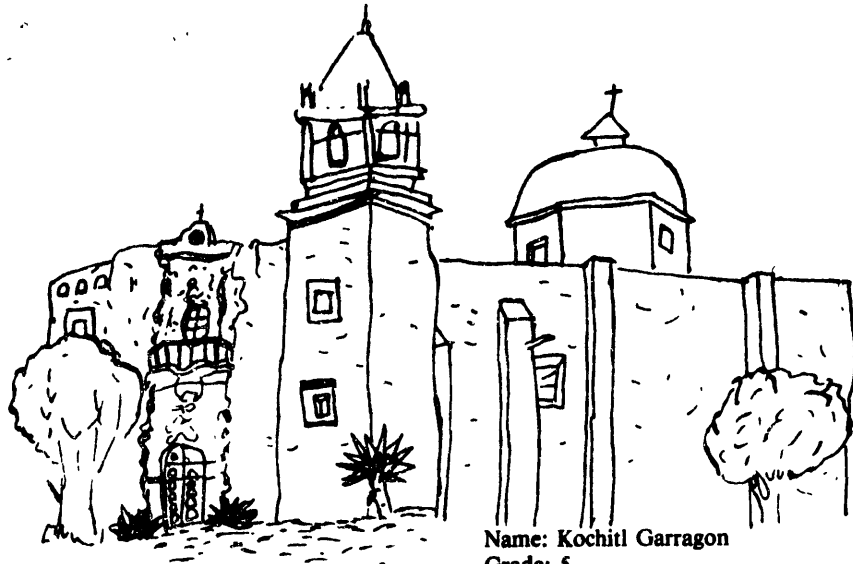
Jon Brumley  
5900 El Campo  
Fort Worth, Texas 76107.

Issued in Austin, Texas, on December 1, 1986.

TRD-8611237

Mark White  
Governor of Texas

★ ★ ★



Name: Kochitl Garragon  
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# 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*.

## Opinions

**JM-579 (RQ-910).** Request from Richard G. Morales, Sr., Webb County attorney, Laredo, concerning the time at which a newly elected justice of the peace takes office, when he is elected to a position previously filled by appointment.

**Summary of Opinion.** Texas Civil Statutes, Article 17, provides that a person elected to the unexpired term of the office of justice of the peace may qualify immediately upon receiving the certificate of office and shall take office as soon thereafter as possible. A person elected to a new term of justice of the peace shall qualify and assume the duties of office on the January 1 following his election or as soon thereafter as possible.

TRD-8611331

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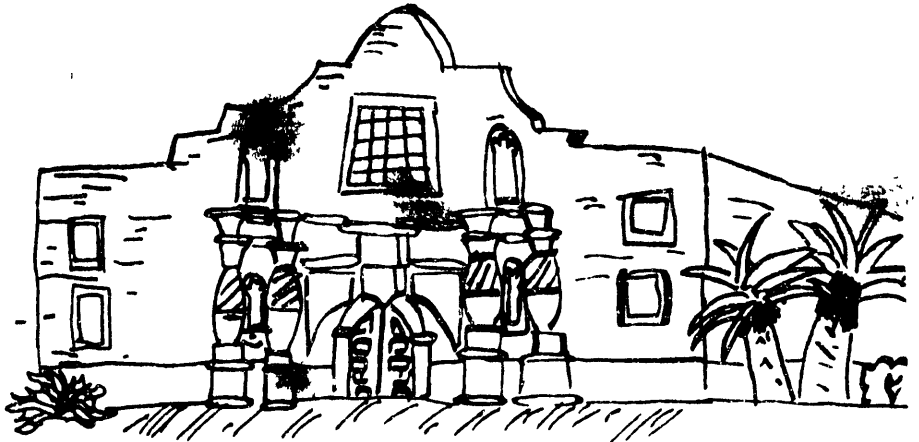
**JM-580 (RQ-824).** Request from O. L. McCotter, director, Texas Department of Corrections, Huntsville, concerning authority of the Texas Department of Corrections to assume medical costs with regard to the hospitalization of a premature infant born to an inmate.

**Summary of Opinion.** The Texas Department of Corrections lacks the authority to enter into a contract to pay the medical costs of an infant born prematurely to an inmate when such costs exceed the costs attributable to the inmate-mother.

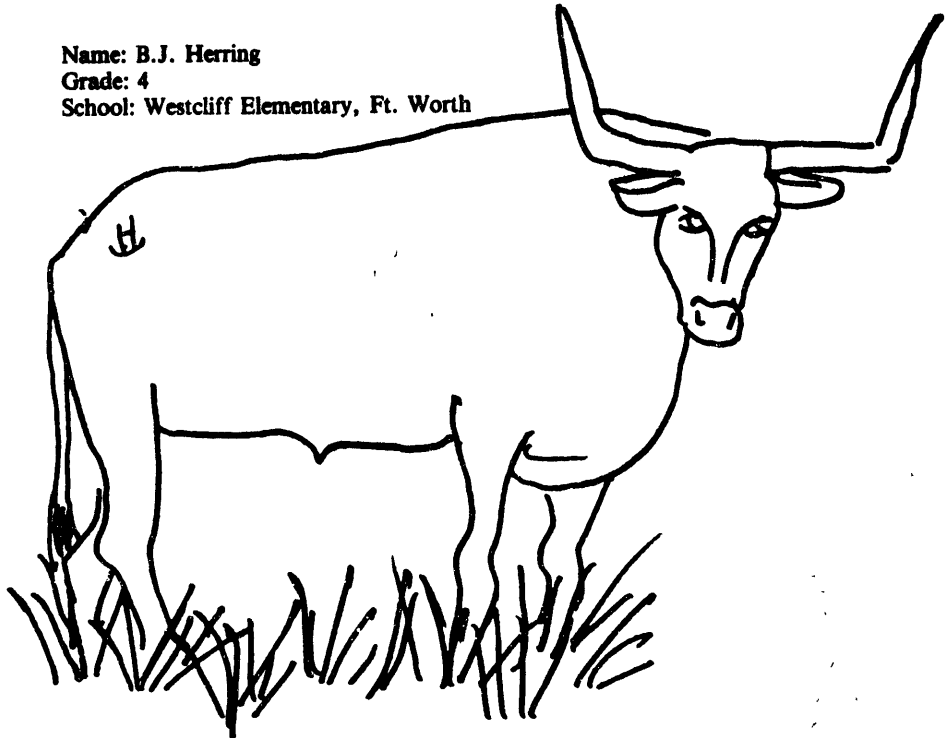
Both the prisoner-mother and the father of the child, whether legitimate or illegitimate, are legally liable under the Texas Family Code, §4.02, to parties who actually provide necessary medical treatment to children to whom the mother and father owe support. Depending on their financial ability, they may also be liable under the Family Code, §12.04(3).

TRD-8611332

★ ★ ★



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Name: B.J. Herring  
Grade: 4  
School: Westcliff Elementary, Ft. Worth

# Emergency

## Rules

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

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

### TITLE 7. BANKING AND SECURITIES

#### Part I. State Finance

##### Commission

#### Chapter 3. Banking Section

##### Subchapter E. Banking House and Other Facilities

###### ★7 TAC §3.91

The Banking Section of the State Finance Commission adopts on an emergency basis new §3.91, concerning the establishment of branch bank and drive-in facilities. The Banking Section finds that the adoption of §3.91 on an emergency basis is needed to provide regulatory guidance and control in the banking industry as a result of the recent amendments to the Texas Constitution (Proposition 4) and Texas Civil Statutes, Article 342-903, which permits the establishment of branch bank facilities. In addition, this new section is needed to immediately implement the enabling legislation made effective by the passage of Proposition 4. The public's general welfare is enhanced and protected by insuring continued safe and sound banking practices as the industry undergoes change caused by these recent developments. An identical proposed version of this was published in the November 14, 1986, edition of the *Texas Register* (11 TexReg 4668) (1986).

This new section is adopted on an emergency basis under Texas Civil Statutes, Article 342-113, which provide the Banking Section of the State Finance Commission with authority to adopt rules not inconsistent with the constitution and statutes of this state

###### §3.91. *Establishment on Branch Bank and Drive-In Facilities.*

(a) The State Banking Board and the Banking Section of the Finance Commission, hereby delegate the responsibility for receiving and processing applications filed by state-chartered banks for branch bank and drive-in facilities to the banking commissioner of Texas (hereinafter referred to as the commissioner).

(b) Applications for branch bank and drive-in facilities at locations authorized by Texas Civil Statutes, Article 342-903, shall be filed with the commissioner on forms prescribed by the commissioner.

(c) The commissioner, as the primary regulator of state-chartered banks, shall approve applications for branch bank or drive-in facilities if:

(1) in the opinion of the commissioner, there are no significant supervisory problems with respect to the applicant which would affect its ability to properly operate such branch bank or drive-in facility; and

(2) the application for a proposed branch bank or drive-in facility complies with the provisions of Texas Civil Statutes, Article 342-903, any other applicable provision of the Texas Banking Code, Texas Civil Statutes, Article 342-101, *et seq.*, and any related rules and regulations.

(d) The branch bank or drive-in facility shall commence operation within a period of 12 months after the date of approval unless an extension is granted in writing by the commissioner. No more than one 12-month extension will be approved by the commissioner. The branch bank or drive-in facility approval will automatically expire if no extension is granted prior to the end of the first 12-month period.

(e) All facilities established, under construction, applied for, or notice of proposed establishment filed, on or before July 15, 1986, shall register such facility with the commissioner by December 31, 1986. If these facilities have been previously registered, no additional registration is necessary. Registration forms will be provided by the commissioner.

(f) Applications for branch bank or drive-in facilities may be filed with the commissioner after the effective date of this regulation.

Issued in Austin, Texas, on December 5, 1986.

TRD-8611376

Jorge A Gutierrez  
General Counsel  
State Finance  
Commission

Effective date. December 5, 1986

Expiration date. April 4, 1987

For further information, please call  
(512) 479-1200

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### TITLE 31. NATURAL RESOURCES AND CONSERVATION

#### Part II. Parks and Wildlife

##### Department

#### Chapter 57. Fisheries

###### ★31 TAC §57.421

The Texas Parks and Wildlife Commission adopts on an emergency basis new §57.421, concerning closing the public oyster reefs of the Galveston Bay system. The Parks and Wildlife Code, §76.115, states that the commission may close an area to the taking of oysters when the commission finds that the area is being overworked or damaged or the area is to be reseeded or restocked. Notice of a closure must be provided at least three days before the effective closing date.

The Texas Parks and Wildlife Commission authorized the executive director to close the Galveston Bay system during the 1986-87 oyster season when the market oyster count in department samples declines to 40 or less. Oyster samples were collected in the Galveston Bay system by the Texas Parks and Wildlife Department staff during December 1986. These samples yielded a market oyster count of 24. The commission finds imminent peril to the public welfare and an immediate danger of depletion require this emergency measure to protect the resource from damage. Therefore the harvest of oysters in the Galveston Bay system will be prohibited effective December 9, 1986.

The commission has authorized the executive director to reopen the season 40 days after the closure. Therefore the oyster season in the Galveston Bay system will reopen effective January 18, 1987. This new section is adopted on an emergency basis under the Texas Parks and Wildlife Code, §76.115, which provides the Texas Parks and Wildlife Commission with the authority to manage oyster resources.

§57.421. *Closure of Oystering Area.* Effective December 9, 1986, through January 17, 1987, the public oyster reefs in the Galveston Bay System lying in Chambers, Harris, Galveston, and Brazoria Counties are closed to the harvest of oysters.



Issued in Austin, Texas, on December 5, 1986.

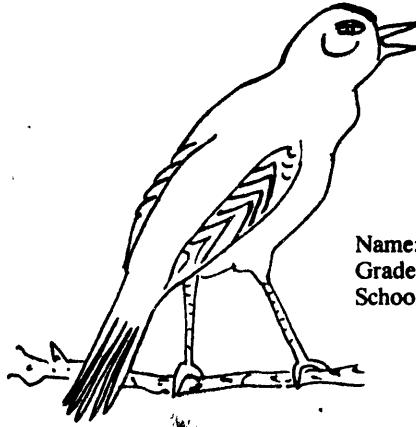
TRD-9611393

Boyd Johnson  
General Counsel  
Texas Parks and Wildlife  
Department

Effective date: December 9, 1986

Expiration date: January 17, 1987

For further information, please call  
(512) 389-4805.



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School: Westcliff Elementary, Ft. Worth

# 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 19. EDUCATION Part I. Coordinating Board, Texas College and University System Chapter 9. Public Junior Colleges Subchapter I. Contractual Agreements

### ★ 19 TAC §9.194

The Coordinating Board, Texas College and University System proposes new section §9.194, concerning contractual agreements. This section is proposed as a result of new responsibilities assigned to the coordinating board as a result of Senate Bill 911, which transferred postsecondary technical and vocational education and Texas State Technical Institute from the Texas Education Agency (TEA) to the coordinating board. Discrepancies in this area had been identified for approximately four-five years by the Legislative Budget Board and the State Auditor's Office. They had identified a rule gap but had not received a response from the TEA. This is an attempt to provide the colleges and technical institutes realistic direction. The section provides the framework and regulations regarding the utilization of contractual agreements for instruction. This is the first time such regulations have existed in Texas.

Nellie Thorogood assistant commissioner for community colleges and technical institutes, 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.

Ms. Thorogood 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 standardization, greater accountability in the utilization of contractual agreements for instruction, and provision of companion rules regarding contracting with high schools with the State Board of Education. 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 Kenneth H. Ashworth, Coordinating Board, Texas College and University System, P.O. Box 12788, Austin, Texas 78711.

The new section is proposed under the Texas Education Code, §135.04, which provides the coordinating board with the authority to adopt rules regarding contractual agreements.

#### §9.194. Contract Instruction.

(a) Instruction in which the postsecondary institution contracts with a business, industry, municipality, or other entity to provide training or instructional services for which the postsecondary institution has control does qualify for state funding.

(b) Courses that are fully funded from sources other than local PSI monies, tuition, fees, or state dollars may not be approved for state funding.

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 December 5, 1986.

TRD-8611400

James McWhorter  
Assistant Commissioner  
Coordinating Board,  
Texas College and  
University System

Earliest possible date of adoption:

January 12, 1987

For further information, please call  
(512) 462-6420.

★ ★ ★

## TITLE 22. EXAMINING BOARDS

### Part V. State Board of Dental Examiners Chapter 109. Conduct Fair Dealing

#### ★ 22 TAC §109.144

The Texas State Board of Dental Examiners proposes an amendment to §109.144, concerning dental patient records and the record-keeping requirements for drugs kept in the dental office and dispensed to dental patients.

William S. Nail, 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. Nail 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 protection of the public from dentists who violate drug laws. This proposed amendment will give the board greater ability to trace drug records of dentists. Also, the board will be better able to determine if dentists are in violation of drug laws and thereby can be disciplined. 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 William S. Nail, Executive Director, 8317 Cross Park Drive, Suite 400, Austin, Texas 78754.

The amendment is proposed under Texas Civil Statutes, Article 4551d, which provides the Texas State Board of Dental Examiners with the authority to adopt and enforce such rules and regulations not inconsistent with the laws of the state as may be necessary for the performance of its duties and/or to ensure compliance with the state laws relating to the practice of dentistry to protect the public health and safety.

#### §109.144. Records and Their Transfer.

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

(c) The dispensing, administering, or prescribing of narcotic drugs, dangerous drugs, or controlled substances to or for a dental patient shall be made a part of such patient's dental record. **The entry in the patient's dental record shall be in addition to any record keeping requirements of the Triplicate Prescription Program.** [and] All such drugs and substances which are kept in the dental office or under the control of the dentist are to be **Maintained by a centralized inventory which shall indicate dates acquired, description and quantity of drugs, date, method, quantity dispensed, and the patient to whom the drug is dispensed.** [labeled as to content, amount, and date of acquisition]

(d) All records pertaining to controlled substances and dangerous drugs shall be maintained in accordance with the Texas Controlled Substances Act.

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 December 2, 1986.

TRD-8611311 William S. Nail  
Executive Director  
Texas State Board of  
Dental Examiners

Earliest possible date of adoption:  
January 12, 1987  
For further information, please call  
(512) 834-6021.

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## TITLE 25. HEALTH SERVICES

### Part I. Texas Department of Health

#### Chapter 289. Occupational Health and Radiation Control

##### Texas Regulations for Control of Radiation

###### ★25 TAC §289.113

The Texas Department of Health proposes an amendment to §289.113, concerning the control of radiation. Section 289.113, which adopts by reference Part 21, entitled Standards for Protection Against Radiation is amended by the revision of two sections of Part 21.

The change allows specific concentrations of 56 radionuclides with half-lives less than 300 days contained in waste to be disposed as special waste at a Type I municipal solid waste site or a hazardous waste site.

The amendment also provides conditions under which this type of disposal will be approved by the department and exemption from rules concerning transportation of radioactive material. Concentration and total activity limits are listed in an appendix.

The following sections of Part 21 will be affected. Section 21.304, Disposal by Burial in Soil, has been amended to include reference to the section that allows the disposal in solid waste sites under the conditions set forth in the referenced section. Section 21.307, Disposal of Specific Waste, has been amended by the addition of provisions for the disposal of short-lived radioactive waste at Type I municipal solid waste sites or hazardous waste sites. The rule includes the contents of procedures that must be submitted to the department before initiation of such disposal

and exemption from transportation requirements for radioactive materials. A new Appendix 21-E, which lists concentrations and total activity limits for the nuclides that may be disposed at the specified solid waste sites, has been added.

Stephen Seale, chief accountant III, 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. Bailey, director, Division of Licensing, Registration, and Standards, Bureau of Radiation Control, 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 total annual savings of approximately \$800,000 to generators of short-lived radioactive waste in low concentrations, such as hospitals, universities, and some industries. This represents the difference in the present cost of shipping this waste to a low-level radioactive waste disposal site and burial at a municipal solid waste site. Disposal costs at a municipal solid waste site would be around \$2.00 per cubic foot as opposed to \$53 per cubic foot at a low-level radioactive waste disposal site. Adoption of the amendment will have no significant impacts on public health and safety or the environment. Calculations employing conservative assumptions indicate that if any radiation exposures occur as a result of the amendment, the maximum dose to exposed individuals will be less than one millirem per year. 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 the Bureau of Radiation Control, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756-3189. Public comments will be accepted for 30 days following publication of this proposed amendment in the *Texas Register*. In addition, there will be a public hearing on the rules on January 16, 1987, in the auditorium of the Texas Department of Health, 1100 West 49th Street, Austin, Texas, at 10 a.m.

The amendment is proposed under Texas Civil Statutes, Article 4590(f), §4(d)(3), which provide the Texas Department of Health with the authority to formulate, adopt, promulgate, and repeal rules which provide for licensing and registration relating to control and transport of sources of radiation within the State of Texas.

###### §289.113. Standards for Protection Against Radiation.

(a) The Texas Department of Health adopts by reference Part 21, Standards for Protection Against Radiation, of the department's document titled *Texas Regulations for Control of Radiation*, as amended in April [January] 1987.

(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 December 3, 1986.

TRD-8611290 Robert A. MacLean  
Deputy Commissioner  
Professional Services  
Texas Department of  
Health

Proposed date of adoption:  
March 14, 1987

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

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## TITLE 31. NATURAL RESOURCES AND CONSERVATION

### Part II. Texas Parks and Wildlife Department

#### Chapter 57. Fisheries

##### Endangered, Threatened, and Protected Native Plants

###### ★31 TAC §§57.401-57.404, 57.406-57.413

*(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, or in the Texas Register office, Room 503F, Sam Houston Building, 201 East 14th Street, Austin.)*

The Texas Parks and Wildlife Department proposes the repeal of §§57.401-57.404, and 57.406-57.413, concerning endangered, threatened, and protected native plant species. The Commission proposes to adopt new §§69.01-69.14, concerning endangered, threatened, and protected native plant species concurrent with the repeal of these sections.

Jim Dickinson, director of finance, has determined that for the first five-year period the proposed repeals 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 repeals.

Mr. Dickinson, also has determined that for each year of the first five years the proposed repeals are in effect the public benefit anticipated as a result of enforcing the proposed repeals will be that the rules will be simplified and more specific as to the permit requirements and procedures for obtaining a permit from the department. There is no anticipated economic cost to individuals who are required to comply with the proposed repeals.

Comments on the proposals may be submitted to George C. Adams, Texas Parks and Wildlife Department, 4200 Smith

School Road, Austin, Texas 78744, (512) 479-4724.

The repeals are proposed under the Texas Parks and Wildlife Code, Chapter 88, which provides the Texas Parks and Wildlife Commission with the authority to regulate the taking, possession, transportation, or sale of endangered, threatened, or protected native plant species in this state.

- §57.401. *Definitions.*
- §57.402. *Plants From Private Lands.*
- §57.403. *Endangered Plant Species.*
- §57.404. *Threatened Plant Species.*
- §57.406. *Amendments-Public Hearing.*
- §57.407. *Permit Qualifications.*
- §57.408. *Permit Application.*
- §57.409. *Permit Fees.*
- §57.410. *Annual Reports.*
- §57.411. *Expiration Date.*
- §57.412. *Exceptions.*
- §57.413. *Penalties.*

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 December 5, 1986.

TRD-8611381

Boyd M. Johnson  
General Counsel  
Texas Parks and Wildlife  
Department

Earliest possible date of adoption:  
January 12, 1987  
For further information, please call  
(512) 479-4724.



## Chapter 69. Resource Protection

The Texas Parks and Wildlife Department proposes to adopt new §§69.1-69.14, concerning endangered, threatened, and protected native plant species concurrent with the repeal of existing §§57.401-57.413. The proposed new sections: contain definitions and specify prohibited acts; specify the procedure for listing and amending the list of endangered, threatened, and protected native plant species; establish the qualifications, procedures, fees, and reporting requirements for permits to take endangered and threatened plants from public lands for propagation, education, and scientific studies; establish permit procedures, fees, and tag requirements for the taking of endangered and threatened plants from private lands; indicate the period of validity for permits and exceptions; and reference penalties specified in the Texas Parks and Wildlife Code.

Jim Dickinson, director of finance, has determined that for the first five-year period the proposed sections will be in effect, there will be fiscal implications 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 is an estimated additional cost of \$5,100 in 1987, \$4,080 in 1988, and \$880 in 1989-1991; and an estimated increase in revenue of \$2,500 in 1987, and \$3,500 in 1988-1991. The cost of compliance with the sections for small businesses engaged in the taking of protected, threatened, or endangered plant species from private lands would be the cost of a commercial plant permit and commercial plant tags as required by this subchapter and as set out in the following public benefit-cost note. There is no difference in the cost of compliance for large and small businesses. There is no effect on local government.

Mr. Dickinson also has determined that for each year of the first five years the proposed sections are in effect the public benefit anticipated as a result of enforcing the sections will be the establishment of a method to list and protect native endangered, threatened, and protected plant species located on public and private lands in this state and to permit the taking of these plants under appropriate circumstances. The possible economic cost to individuals who are required to comply with the proposed sections will be \$50 for a commercial plant permit fee and \$1.00 for a commercial plant tag fee for each year from 1987-1991.

Comments on the proposal may be submitted to George C. Adams, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, (512) 479-4724.

### Subchapter A. Endangered, Threatened, and Protected Native Plants

#### ★31 TAC §§69.1-69.14

The new sections are proposed under the Texas Parks and Wildlife Code, Chapter 88, which provides the Texas Parks and Wildlife Commission with the authority to regulate the taking, possession, transportation, or sale of endangered, threatened, or protected native plant species in this state.

§69.1. *Definitions.* The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

Commercial plant permit—A permit issued by the department to authorize an individual to take, possess or transport for commercial sale a native endangered, threatened, or protected plant from private property.

Commercial plant tag—A tag issued by the department and attached to a native

endangered, threatened, or protected plant at the time of taking by the holder of a commercial plant permit.

Department—The Texas Parks and Wildlife Department.

Director—The executive director of the Texas Parks and Wildlife Department.

Endangered plant—A species of plant life in danger of extinction throughout all or a significant portion of its range.

Native plant—Any tree, shrub, herb, grass, forb, legume, fern, fern ally, or wildflower indigenous to the state and growing on public or private land.

Private land—Land that is owned by the state or by a local governmental entity.

Protected plant—A species of plant life the director determines is of historical or cultural value to the state or area in which it is found that has been listed by the director as protected.

Public land—Land that is owned by the state or by a local governmental entity.

Scientific plant permit—A permit issued by the department to a qualified individual to take endangered, threatened, or protected native plants from public land for the purpose of propagation, educational, or scientific purposes.

Threatened plant—A species of plant life likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

§69.2. *List of Endangered, Threatened, and Protected Plant Species.* Species of native plants are endangered, threatened, or protected if included on the state list of such plants, which is filed by the director with the secretary of state in accordance with the Texas Parks and Wildlife Code, Chapter 88. Copies of the current list may be obtained from the Resource Protection Division of the department.

#### §69.3. *Amendments-Public Hearing.*

(a) The director may amend the list of endangered, threatened, or protected native plants contained in this subchapter when it appears that any native plant or plants meets the criteria for listing contained in the Texas Parks and Wildlife Code, Chapter 88.

(b) If the list of endangered or threatened plants issued by the United States is modified, the director shall file an order with the secretary of state amending the state list to accord with the federal list, unless the director finds that the plant in question does not occur in this state. The order shall be effective immediately upon issuance by the director.

(c) If the director determines that the state list should be amended to include species not included on the federal list, the director shall file with the secretary of state a modification order, which shall be effective upon filing. The director shall provide for notice and hearing as prescribed in subsections (d) and (e) of this section.

(d) The director shall give public notice in the *Texas Register* of the intention to

file a modification order at least 60 days before the order is filed. The notice shall contain the contents of the proposed order and any other information the director determines is appropriate to adequately inform the public of the intended action.

(e) The director shall schedule a public hearing at least 30 days prior to the date the modification order is to be filed. A hearing officer shall be appointed by the director in order to receive oral testimony and written evidence regarding the proposed order. The hearing officer shall forward a hearing officer report to the director following the conclusion of the hearing. Based on the evidence received at the hearing and staff recommendations, the director may file the proposed modified order without change, withdraw the proposed order, or amend the order to reflect public or agency recommendations.

#### **§69.4. Scientific Plant Permit-Qualifications.**

(a) Scientific plant permits to take, transport, and hold endangered, threatened, or protected native plants from public lands may be issued by the department to persons with adequate training or experience in the field of botany or horticulture who meet the criteria for issuance of a permit specified in this subchapter for the purpose of propagation, education, or scientific studies.

(b) Applicants who are engaged in the selling or holding for sale endangered, threatened, or protected plants from private land will not be issued a scientific plant permit to take endangered, threatened, or protected plants from public lands.

#### **§69.5. Scientific Plant Permit-Application.**

(a) An application for a scientific plant permit to take, transport, and hold endangered, threatened, or protected native plants from public lands will submit to the department a completed application on a form supplied by the department.

(b) Each application for a scientific plant permit will be accompanied by two letters of recommendation from individuals in the field of botany or horticulture attesting to the professional qualifications, research abilities, and experience of the applicant to handle the plant species requested.

(c) Applicants will be responsible for obtaining a letter or permit from the state agency or local governmental entity granting the applicant permission to take plants on public lands under the jurisdiction of the agency or local governmental entity. Any permit issued by the department will be issued subject to this requirement.

(d) Permits will be issued to named individuals only.

(e) A permit may be amended at any time during the permit year to reflect changes in the propagation, educational, or scientific studies of the permittee, provided the need for these changes is justified by the permittee.

(f) An application must contain the name of each person assisting in the collecting and transporting of endangered,

threatened, or protected plants.

(g) The department may require an applicant to justify the need for a permit or a permit amendment by demonstrating that the proposed propagation, education, or scientific studies will benefit the species of plants involved.

(h) Each permittee and any person designated to assist in the collecting and transporting is required to carry a copy of the permit issued by the department, and the permittee must have in his possession a copy of the permit or other written authority issued by the agency or local governmental entity, when conducting any permit activities on the public lands where the permitted activities are authorized. The permits shall be presented upon request to any law enforcement officer authorized by law to enforce the provisions of the Texas Parks and Wildlife Code, Chapter 88.

(i) Specimens collected by authority of a scientific plant permit may not be sold or bartered.

**§69.6. Scientific Plant Permit-Criteria for Issuance.** The department will consider the following criteria in determining whether to issue or deny an application for a scientific plant permit:

(1) the performance of the applicant with respect to the observance of the terms of past permits;

(2) whether the information obtained will benefit the department in the management of the species requested by the applicant;

(3) whether the applicant has supplied adequate justification to substantiate the need to conduct the research;

(4) whether the research would substantially or unnecessarily duplicate existing research being conducted by other permittees who hold permits from the department;

(5) whether the applicant has adequate facilities to properly care for the plants requested;

(6) whether the applicant has adequate experience and professional qualifications in the field of study relating to the research requested to properly conduct the research with reasonable expectations of success; and

(7) whether the applicant has submitted a research proposal adequate to allow the department to properly evaluate the proposed research.

**§69.7. Scientific Plant Permit-Annual Report.** Each permittee shall file an annual report on a form provided by the department not more than two weeks after the expiration date of the permit. The report shall indicate the number and species of plants taken, location of taking, and their disposition. The report shall also give the results of any propagation, educational, or research activities conducted by authority of the permit or will provide a summary of the progress of the permittee towards completion of the research. A copy of any final report

and/or any publication prepared by permittee relating to the permit activities will be submitted to the department.

#### **§69.8. Permit: Scientific Plant Permit-Criteria for Reissuance.**

(a) Upon receipt of the required annual report, the department will consider the following criteria in determining whether to reissue an existing scientific plant permit:

(1) whether the permittee has timely submitted the annual report;

(2) whether the permittee has complied with all provisions of the permit;

(3) whether the permittee has demonstrated reasonable progress toward the completion of all research activities referenced in the permit; and

(4) whether the permittee has been found to be in violation of the Texas Parks and Wildlife Code or the regulations of the department.

(b) The department may require additional information as may appear necessary regarding the activities of a permittee prior to the reissuance of a permit.

#### **§69.9. Commercial Plant Permit.**

(a) Each person who desires to take, possess, or transport for commercial sale or who sells an endangered, threatened, or protected plant or part thereof, and each person who hires or pays another person to take, possess, or transport an endangered, threatened, or protected plant or part thereof, from private land is required to purchase a commercial plant permit from the department.

(b) Each person applying for a commercial plant permit will submit an application on a form provided by the department.

(c) Each request for a permit will be accompanied by a copy of the landowner's consent to take the endangered, threatened, or protected plants requested and by the required fee for a commercial plant permit specified by this subchapter.

#### **§69.10. Commercial Plant Permit-Tag Requirement.**

(a) A tag issued by the department will be attached to each endangered, threatened, or protected plant taken from private land by the holder of a commercial plant permit. A tag issued by the department to the holder of a commercial plant permit may not be used by another permittee.

(b) This tag may not be removed from the plant until the plant has been transplanted into its ultimate site for landscaping or beautification purposes. Only the ultimate owner of the plant or an authorized employee of the department is authorized to remove the tag from the endangered, threatened, or protected plant.

(c) The fee for this tag is specified in §69.11 of this title (relating to Permit and Tag Fees).

(d) The department will waive the tag fee required by §69.11 of this title (relating to Permit and Tag Fees) if the department

determines that the endangered, threatened, or protected plants were planted and cultivated on private lands for the express purpose of being harvested for commercial purposes. The department may require the holder of a commercial plant permit who desires to claim this exemption to provide adequate proof that the endangered, threatened, or protected plants were planted and cultivated and not taken from wild stock.

**§69.11. Permit and Tag Fees.**

(a) The fee for the issuance of a Commercial Plant Permit is \$50.

(b) The fee for the issuance of a plant tag is \$1.

**§69.12. Permits: Period of Validity.** All permits will expire one year from the date of issuance unless suspended or revoked by the director in accord with the provisions prescribed in the Texas Parks and Wildlife Code, §§12.501-12.507.

**§69.13. Exceptions.** The department may require any person possessing, transporting, or selling an endangered, threatened, or protected native plant within this state to show that:

(1) a permit has been obtained from the department to authorize such activity; or

(2) that no permit is required by the Texas Parks and Wildlife Code, §88.009; or

(3) that the plant or plants were in possession of the person prior to September 1, 1985, the effective date of Texas Parks and Wildlife Code, §88.0081.

**§69.14. Penalties.** The penalties for a violation of any provisions of this subchapter are prescribed in the Texas Parks and Wildlife Code, §88.011.

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 December 5, 1986.

TRD-8611382

Boyd M. Johnson  
General Counsel  
Texas Parks and Wildlife  
Department

Earliest possible date of adoption:

January 12, 1987

For further information, please call  
(512) 479-4724.

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**Part XX. Texas Water  
Development Board  
Chapter 363. Rules Relating to  
Financial Programs  
Applications to the Board**

**★31 TAC §363.59**

The Texas Water Development Board proposes an amendment to §363.59, concerning the required water conservation plan. The board proposes to allow applicants

the option of presenting a water conservation plan either with the application or after a loan commitment is made but before funds are released, in which case the board would consider the plan during a formal board meeting. The board could revise its commitment after considering the applicant's water conservation plan.

Gladys Stansberry, director of accounting, 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. Stansberry 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 streamlining of application processing while retaining a strong conservation program. 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 Suzanne Schwartz, General Counsel, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711.

The amendment is proposed under the Texas Water Code §8.101, which provides the board with the authority to adopt rules necessary to carry out its powers and duties.

**§363.59. Required Water Conservation Plan.**

(a) The applicant, if not eligible for an exemption, shall submit either with its application or separately under subsection (b) of this section [for approval] two copies of a water conservation plan for approval. [Prior to submission of the plan in the application,] before the application is filed, all [the] applicants [applicant] or their [his] representatives [representative] shall discuss the scope and content of the plan with members of the board's staff who are responsible for reviewing the water conservation plan [at a preapplication conference]. At the applicant's request, [and to the extent that personnel are available,] the executive administrator may provide educational material and, to the extent staff personnel are available, may provide technical assistance in developing a comprehensive water conservation plan that is designed to meet existing and anticipated local needs and conditions. The executive administrator shall review all water conservation plans submitted as part of an application for financial assistance for a project, [and] shall determine if the plans are adequate, and shall present information to the board on the water conservation plan when the application is considered by the board.

(b) An applicant may elect to submit the required water conservation plan after the board approves its application for assistance but before any funds are released. In

such case, the applicant shall submit the conservation plan to the executive administrator for review. The executive administrator shall make a preliminary determination as to whether the plan is adequate, and shall submit the plan to the board for consideration. The board will approve, disapprove, or approve with modifications the applicant's water conservation plan during an open meeting. The board may revise the amount and conditions of its financial commitment after considering the water conservation plan.

(c) The long-term water conservation plan required under subsections (a) or (b) of this section shall be consistent with the guidelines for water conservation planning available from the executive administrator. The plan shall serve as the basis for developing and implementing a conservation program. At a minimum, the plan shall consider, and as appropriate include, each of the elements in §363.52(b)(12) of this title (relating to Required General Information). Reasons for not including any of the elements stated in §363.52(b)(12) of this title (relating to Required General Information) shall be clearly stated. The plan shall effectively address the following:

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

(d)[(b)] The board may not require an applicant to provide a water conservation plan if the board determines an emergency exists, the amount of financial assistance to be provided is \$500,000 or less, or implementation of a water conservation program is not reasonably necessary to facilitate water conservation.

(1) An emergency exists when:

(A) a public water system or wastewater system has already failed, or is in a condition which poses an imminent threat of failure, causing the health and safety of the citizens served to be endangered;

(B)-(D) (No change.)

(2) The board shall review an application for which an emergency is determined to exist six months after the board commits to financial assistance, and also at the time of any extensions of the loan commitment. If the board finds that the emergency no longer exists, it may then require submission, within six months, of a water conservation plan satisfactory to the board before making any further disbursements on the commitments.

(3) (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 January 8, 1987.

TRD-8611401

Suzanne Schwartz  
General Counsel  
Texas Water  
Development Board

Earliest possible date of adoption:

January 12, 1987

For further information, please call  
(512) 463-7850.

# TITLE 40. SOCIAL SERVICES AND ASSISTANCE

## Part I. Texas Department of Human Services Chapter 15. Medicaid Eligibility

### Subchapter II. Budgeting for Individuals Related to the SSI Program

#### ★ 40 TAC §15.3410

The Texas Department of Human Services proposes an amendment to §15.3410 in its Medicaid Eligibility chapter. Section 15.3410 is amended to include recent federal legislation that allows states to continue Medicaid eligibility for a couple in the same room of a Title XIX long-term care facility, regardless of the length of time since the couple last lived in a community setting.

Current department policy requires couples to be reevaluated on an individual basis after they have been in an institutional setting for six months. This frequently results in the denial of Medicaid benefits for one spouse because the spouse's income exceeds the special income limit for an individual. In many instances, the denied spouse has been forced to leave the facility because the spouse cannot pay private rates.

The department is also adopting the amendment on an emergency basis. The emergency amendment appeared in the November 14, 1986, issue of the *Texas Register*.

Brian Packard, associate commissioner for budget, planning, and economic analysis, has determined that for the first five-year period the section will be in effect there will be fiscal implications for state government as a result of enforcing or administering the section. The increased cost to the state is estimated to be \$78,013 in fiscal year 1987; \$96,747 in fiscal year 1988; \$100,133 in fiscal year 1989; \$102,319 in fiscal year 1990; and \$103,614 in fiscal year 1991. There are no fiscal implications for local government or small businesses.

Mr. Packard has also 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 that Medicaid recipients will continue to receive benefits regardless of the length of time since they lived with their spouse in a community setting. 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 Cathy Rossberg, Administrator, Policy Development Support Division-768, Texas Department of Human Services 222-E,

P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Texas Register*.

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

§15.3410. *Definitions of Budgeting in Vendor Living Arrangements.*

(a) (No change.)  
(b) the caseworker prepares a budget for an individual if:

(1)-(2) (No change.)  
(3) the individual's ineligible spouse becomes eligible for assistance in a month after the month of separation; or

(4) **an eligible couple has been separated for more than six months [;or]. The caseworker uses the special income limit for an individual and considers only the income of the individual;**

[(5) an eligible couple in the same room of a Title XIX long-term care facility has not lived together in a household within the last six months. (A Title XIX long-term care facility is not considered a household.) The caseworker uses the special income limit for an individual and considers only the income of the individual.]

(c) (No change.)  
(d) [The federal policy definition of a couple requires that a man and woman live together in the same household. Federal policy also specifies that an institution is not a household.] The caseworker[, therefore,] prepares a budget for a couple [only] if an individual and eligible spouse:

(1) are both MAO applicants/recipients with the same type program; and

[(2) enter a Title XIX long-term care facility at the same time;]

[(2) [(3)] live together in the same room of the Title XIX long-term care facility. **For a couple case, the caseworker considers the needs and incomes of both spouses.;** and]

[(4) lived together in the same household within the last six months. For a couple case, the caseworker considers the needs and incomes of both spouses. To determine couple status, the caseworker accepts the couple's statement of when they last lived together in the same household. If they have not lived in the same household within the last six months, the caseworker budgets each spouse as an individual.]

(e) If one member of an eligible couple moves into a different room in the same Title XIX facility, the caseworker continues to budget them as a couple until they have **been separated** [not lived together in the same household] for six months.

(f)-(g) (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 December 8, 1986.

TRD-8611408

Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Earliest possible date of adoption:  
January 12, 1987  
For further information, please call  
(512) 450-3766.

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## Part III. Texas Commission on Alcohol and Drug Abuse

### Chapter 143. Appeals and Hearings [Introduction]

#### ★ 40 TAC §143.36

The Texas Commission on Alcohol and Drug Abuse proposes new §143.36, concerning record on appeal. The proposed new section states that a party who appeals a final decision in a contested case must pay the costs of preparation of the original record or transcription of the agency proceeding that is required to be transmitted to a reviewing court. The agency is also changing the chapter title to Appeals and Hearings.

Larry Goodman, director of fiscal and administrative services, 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. The cost of compliance with the section for small businesses will be: variable, depending upon the length of a transcript, and the amount of preparation time required by a commercial stenographer or court reporter. There are no differences anticipated between the cost of compliance for small businesses and large businesses.

Mr. Goodman 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 that the general public will not bear the tax burden of the costs of preparing an appeal record for an individual appellant, since each appellant will bear its own costs. The possible economic cost to individuals who are required to comply with the section as proposed will be: variable, depending upon the length of a transcript to be prepared and the unit time cost of the preparer.

Comments on the proposal may be submitted to Patricia Kubsch, Administrative Technician, Texas Commission on Alcohol and Drug Abuse, 1705 Guadalupe, Austin, Texas 78701.

The new section is proposed under Texas Civil Statutes, Article 6252-13(a), §19(f), which provide the Texas Commission on Alcohol and Drug Abuse with the authori-

ty to impose the costs of preparation of records on appeal to the court upon the individual appellant, and to collect such costs as court costs.

**§143.36. Record on Appeal.** A party who appeals a final decision in a contested case must pay the costs of preparation of the original record or transcription of the agency proceeding that is required to be transmitted to a reviewing court.

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 December 2, 1986

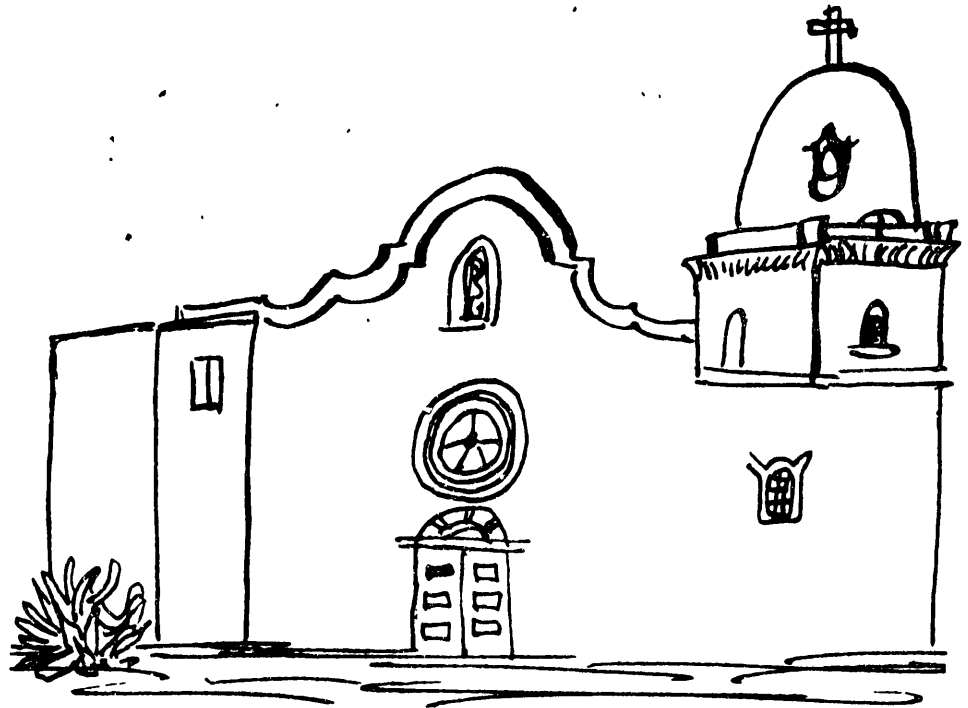
TRD-8611348

Ross Newby  
Executive Director  
Texas Commission on  
Alcohol and Drug  
Abuse

Earliest possible date of adoption.

January 12, 1987

For further information, please call  
(512) 463-5510.



Name: Anthony Barber  
Grade: 5  
School: Westcliff Elementary, Ft. Worth

★ ★ ★



# 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 31. NATURAL RESOURCES AND CONSERVATION Part XX. Texas Water Development Board Chapter 363. Rules Relating to Financial Programs Applications to the Board

### ★31 TAC §363.54

The Texas Water Development Board has withdrawn from consideration an amendment, concerning applications to the board. The text of the amendment appeared in the September 12, 1986, issue of the *Texas Register* (11 TexReg 3923). The effective date of the amendment is December 8, 1986.

Issued in Austin, Texas, on December 8, 1986

TRD-8611403 Suzanne Schwartz  
General Counsel  
Texas Water  
Development Board

Filed: December 8, 1986  
For further information, please call  
(512) 463-7850

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### ★31 TAC §363.59

The Texas Water Development Board has withdrawn from consideration a repeal, concerning application to the board. The text of the repeal appeared in the September 12, 1986, issue of the *Texas Register* (11 TexReg 3923). The effective date of the repeal is December 8, 1986.

Issued in Austin, Texas, on December 8, 1986.

TRD-8611404 Suzanne Schwartz  
General Counsel  
Texas Water  
Development Board

Filed: December 8, 1986  
For further information, please call  
(512) 463-7850.

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### ★31 TAC §363.73

The Texas Water Development Board has withdrawn from consideration an amendment, concerning formal action by the board. The text of the amendment appeared in the September 12, 1986, issue

of the *Texas Register* (11 TexReg 3923). The effective date of the amendment is December 8, 1986.

Issued in Austin, Texas, on December 8, 1986.

TRD-8611405 Suzanne Schwartz  
General Counsel  
Texas Water  
Development Board

Filed: December 8, 1986  
For further information, please call  
(512) 463-7850.

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## Prerequisites to Release of State Funds

### ★31 TAC §363.85

The Texas Water Development Board has withdrawn from consideration an amendment, concerning Prerequisites to Release of State Funds. The text of the amendment appeared in the September 12, 1986, issue of the *Texas Register* (11 TexReg 3924). The effective date of the amendment is December 8, 1986.

Issued in Austin, Texas, on December 8, 1986

TRD-8611406 Suzanne Schwartz  
General Counsel  
Texas Water  
Development Board

Filed: December 8, 1986  
For further information, please call  
(512) 463-7850.

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## TITLE 40. SOCIAL SERVICES AND ASSISTANCE Part I. Texas Department of Human Services Chapter 83. Standards for 24-Hour Care

### Subchapter H. Consolidated Standards for 24-Hour Care Facilities

### ★40 TAC §83.513

The Texas Department of Human Services has withdrawn from consideration §83.513, concerning medical and dental

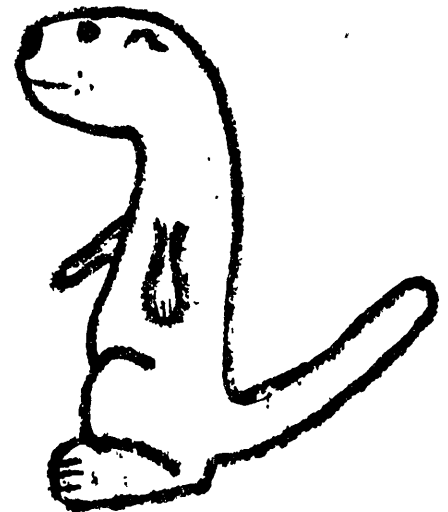
care—institutions serving mentally retarded children. The text of the new section appeared in the issue of the *Texas Register* (11 TexReg 2726). The effective date of the withdrawal is December 5, 1986.

Issued in Austin, Texas, on December 5, 1986.

TRD-8611374 Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Filed: December 5, 1986  
For further information, please call  
(512) 450-3776.

★ ★ ★



**Prairie Dog**—gregarious, burrowing-mammal with a bark-like cry. Creates prairie dog towns which cover many acres with thick spaced holes or barrows

Drawing By:  
Name: Nancy Mora  
Grade: 3  
School: Bradley Elementary, El Paso  
Text By:  
Name: Lorri Chambers  
Grade: 3  
School: Bradley Elementary, El Paso

# 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 X. Automated Information and Telecommunications Council

#### Chapter 201. Acquisition of Automated Information Systems

##### ★ 1 TAC §201.1

The Automated Information and Telecommunications Council adopts an amendment to §201.1, with changes to the proposed text published in the October 21, 1986, issue of the *Texas Register* (11 TexReg 4328).

The amendment provides that justification does not have to be filed with the council for proposed procurements financed solely with gift or grant funds specifically designated for such purpose by the grantor, when the grantor is not an agency of the State of Texas.

In response to public comment received registering objection to the exception, due to the possible fiscal implications to the state of ancillary costs associated with no-cost hardware acquisition, the council added an additional sentence to the proposed amendment. The additional sentence requires notification to the council of all such proposed actions, together with an enumeration of such ancillary costs and the sources of funds used to finance them.

The amendment is adopted under Texas Civil Statutes, Article 4413 (32h), which provide the council with the authority to adopt rules governing the acquisition of automated information systems.

##### §201.1. Automated Information and Telecommunications Council Guidelines

- (a)-(d) (No change.)
- (e) Criteria for proposed actions.
  - (1) (No change.)
  - (2) Justification for proposed actions meeting one or more of these criteria must be filed with the council whether requisite purchasing procedures are to be conducted by the State Purchasing and General Services Commission or by the governmen-

tal body itself in accordance with the provisions of the State Purchasing and General Services Act, Texas Civil Statutes, Article 601b, §3.02, or under authority delegated to the governmental body under the Act, §3.06. Justification does not have to be filed with the council for proposed actions financed solely with gift or grant funds specifically designated for such purpose by the grantor when the grantor is not an agency of the State of Texas. However, agencies must notify the Automated Information and Telecommunications Council of any actions so exempted with a description of the action, associated costs, and sources of funds used to finance these costs.

(3) (No change.)

(f) (No change.)

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 December 5, 1986.

TRD-8611339

Robert B. Jordan  
Executive Director  
Automated Information and  
Telecommunications  
Council

Effective date: December 26, 1986  
Proposal publication date: October 21, 1986  
For further information, please call  
(512) 463-5530.

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## TITLE 19. EDUCATION

### Part I. Coordinating Board, Texas College and University System

#### Chapter 9. Public Junior Colleges

##### Subchapter I. Contractual Agreements

##### ★ 19 TAC §§9.191-9.193

The Coordinating Board, Texas College and University System adopts new §§9.191-9.193, with changes to the proposed text published in the August 15, 1986, issue of the *Texas Register* (11 TexReg 3616).

The new sections provide standardization and greater accountability in the utilization of contractual agreements for instruction

and provide companion rules regarding contracting with high schools with the State Board of Education.

The new sections provide the framework and regulations regarding the utilization of contractual agreements for instruction. No comments were received regarding adoption of the new sections.

The new sections are adopted under the Texas Education Code, §135.04, which provides the coordinating board with the authority to adopt rules regarding contractual agreements.

§9.191. *Definitions.* The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

Contract instruction—Instruction (generally for technical and vocational education and training) in which specific targeted instruction is provided by the PSI to the contracting entity. This arrangement is utilized when conventional methodology or instructional systems are difficult or impossible to obtain.

Contractual agreements—An agreement by contract between a postsecondary institution and one of the following:

(A) a NRAO for instructional services to be provided by the NRAO that could not be offered otherwise; or

(B) a public school district for instructional services to be provided by the postsecondary institution.

Nonregionally accredited organization (NRAO)—An agency not accredited by the regional accreditation organization, Southern Association of Colleges and Schools.

Postsecondary institution (PSI)—A community college, technical institute, or lower division of a university offering technical and vocational degree and certificate programs, adult vocational education courses, compensatory courses, and lower division general academic courses.

§9.192. *Contractual Agreements for Instruction Provided By Nonregionally Accredited Organizations.*

(a) General policy guidelines.

(1) Contractual agreements for instruction have education as their primary purpose.

(2) Courses and programs offered under contractual agreements must be consistent with the educational purpose, mission, and goals of the institution.

(3) Courses and programs offered and requested for state reimbursement must remain under the sole and direct control of the sponsoring postsecondary institution.

(b) Regulations.

(1) Coordinating board approval is required.

(A) All programs and courses must be approved through the established procedures (program, course, and out-of-district approvals) of the coordinating board.

(B) Courses offered must remain under the sole and direct control of the sponsoring accredited institution which exercises ultimate and continuing responsibility for the performance of the functions reflected in the contract. Provisions must be made to ensure that conduct of the courses meets the standards of regular programs as disclosed fully in the publications of the institution, specifically including the following:

(i) recruitment and counseling of students;

(ii) admission of students to courses and/or to the sponsoring institution where credit programs are pursued;

(iii) curriculum;

(iv) instruction;

(v) evaluation of student progress;

(vi) record keeping;

(vii) tuition and/or fee charges, receipts and disbursement of funds, and refund policy;

(viii) appointment of faculty; and

(ix) instruction and learning resources.

(2) The contractual agreement is executed.

(A) The contractual agreement should be executed by designated officers of the institution and their counterparts in the contracting organization.

(B) The contractual agreement will establish a definite understanding between the institution and the contracting agency to include each of the items mentioned in this subsection.

(C) The agreement should specify the work to be performed, the period of the agreement, and the conditions under which any renewal or renegotiation will occur.

**§9.193. Contractual Agreements for Instruction Provided by a Postsecondary Institution for Public Secondary Schools.**

(a) General policy guidelines.

(1) Postsecondary institutions may contract to provide instruction for public secondary schools.

(2) Provision of instruction for public secondary schools by postsecondary institutions will be in accordance with rules and guidelines established by the Texas Education Agency.

(3) Instruction provided under a contractual agreement will include course work necessary for students to complete high school. It does not apply to early admission programs

for high school students entering college, to college credit courses being offered on-site at the high school, or to individual students applying for early admissions course work on the campus.

(b) Regulations.

(1) Instructors in contract programs must meet qualifications required by the postsecondary institution as well as the minimum guidelines approved by the State Board of Education.

(2) An agreement between the postsecondary institution and the independent school district (ISD) will be approved by both boards of trustees.

(3) Funding for this type of instruction will flow to the contracting agency (ISD). An agreed cost for instruction will be negotiated between the PSI and the ISD.

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 December 5, 1986.

TRD-8611402

James McWhorter  
Assistant Commissioner  
Coordinating Board,  
Texas College and  
University System

Effective date: December 29, 1986

Proposal publication date: August 15, 1986

For further information, please call  
(512) 462-6420.

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## TITLE 25. HEALTH SERVICES

### Part II: Texas Department of Mental Health and Mental Retardation Chapter 403. Other Agencies and the Public

#### Subchapter T. Client Abuse and Neglect in Community Mental Health and Mental Retardation Centers

##### ★ 25 TAC §403.554, §403.555

The Texas Department of Mental Health and Mental Retardation adopts amendments to §403.554 and §403.555. The amendment to §403.555 is adopted with changes to the proposed text published in the August 22, 1986, issue of the *Texas Register* (11 TexReg 3725). The amendment to §403.554 is adopted without changes and will not be republished.

Section 403.554 is amended to add exploitation to those acts categorized as Class II abuse.

The amendment to §403.555 reflects new reporting requirements.

In §403.555(3)(B), "Department of Human Resources" was changed to "Department of Human Services."

No comments were received regarding adoption of the amendments.

The amendments are adopted under Texas Civil Statutes, Article 5547-202, which vest rulemaking power in the Texas Board of Mental Health and Mental Retardation.

**§403.555. Administrative Enforcement.** Client abuse or neglect by center employees, employees of affiliates, and agents is prohibited and shall be grounds for disciplinary action. The center shall be responsible for establishing a mechanism for reporting and investigating alleged cases of client abuse and neglect and initiating appropriate disciplinary or other action in confirmed cases of client abuse and neglect. This mechanism shall include at a minimum:

(1)-(2) (No change.)

(3) provisions for reporting alleged or suspected cases of client abuse and neglect in accordance with any appropriate laws, as follows:

(A) (No change.)

(B) child abuse to the Texas Department of Human Services and to the Office of Client Services and Rights Protection, central office;

(i) (No change.)

(ii) within 10 days of the date the alleged abuse or neglect was reported to the executive director, the executive director shall submit a "Final Report of Suspected Child Abuse and Neglect in a Child Care Facility", (Form 1B) to the Office of Client Services and Rights Protection, to be forwarded, as required, to the Governor's Office of Youth Care Investigation. Copies of the forms to be used are herein adopted by reference and may be obtained from the Texas Department of Mental Health and Mental Retardation, P. O. Box 12668, Austin, Texas 78711;

(C) (No change.)

(4)-(6) (No change.)

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 December 5, 1986.

TRD-8611352

R. Coke Mills  
Chairman  
Texas Board of Mental  
Health and Mental  
Retardation

Effective date: December 26, 1986

Proposal publication date: August 22, 1986

For further information, please call  
(512) 465-4670.

★ ★ ★



## Chapter 405. Client (Patient) Care

### Subchapter O. Client Abuse and Neglect in TDMHMR Facilities

#### ★25 TAC §405.363, §405.367

The Texas Department of Mental Health and Mental Retardation adopts amendments to §405.363 and §405.367. The amendment to §405.367 is adopted with changes to the proposed text published in the August 22, 1986, issue of the *Texas Register* (11 TexReg 3725-3726). The amendment to §405.363 is adopted without changes and will not be republished.

The amendment to §405.363 adds definitions of the terms "agent" and "affiliate."

Section 405.367 is amended to reflect changes in reporting requirements.

In §405.367(b)(2)(B), "Department of Human Resources" was changed to "Department of Human Services."

No comments were received regarding adoption of the amendments.

The amendments are adopted under Texas Civil Statutes, Article 5547-202, which vest rulemaking powers in the Texas Board of Mental Health and Mental Retardation.

#### §405.367. Responsibilities of Heads of Facilities.

(a) Administrative responsibilities. The head of the facility or in his absence his designee shall be responsible for determining whether the employee accused of client abuse or neglect shall be granted emergency leave immediately after the reporting of the suspected client abuse or neglect pending investigation, pursuant to the department's procedures governing emergency leave, contained in its personnel manual.

(b) Reporting responsibilities. The head of the facility or in his absence his designee shall report as follows.

(1) (No change.)

(2) The head of the facility shall also report the following types of client abuse or neglect as indicated and shall ensure that collateral reports by employees are made if required:

(A) (No change.)

(B) child abuse to the Texas Department of Human Services and to the Office of Client Services and Rights Protection, central office;

(i) (No change.)

(ii) the head of the facility shall submit a "Final Report of Suspected Child Abuse and Neglect in a Child Care Facility" to the Office of Client Services and Rights Protection to be forwarded, as required, to the Governor's Office of Youth Care Investigation (Criminal Justice Division) when child abuse is involved. Copies of the forms to be used, attached to this subchapter as Exhibit C, may be obtained from the Texas Department of Mental Health and Mental Re-

tardation, P.O. Box 12668, Austin, Texas 78711;

(C) (No change.)

(c) (No change)

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 December 5, 1986

TRD-8611351

R. Coke Mills  
Chairman  
Texas Board of Mental  
Health and Mental  
Retardation

Effective date: December 26, 1986

Proposal publication date: August 22, 1986

For further information, please call

(512) 465-4670

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## TITLE 40. SOCIAL SERVICES AND ASSISTANCE

### Part I. Texas Department of Human Services

#### Chapter 2. Medically Needy Program

#### ★40 TAC §2.1010, §2.1012

The Texas Department of Human Services (DHS) adopts amendments to §2.1010 and §2.1012, without changes to the proposed text published in the November 4, 1986, issue of the *Texas Register* (11 TexReg 4566).

The justification for the amendment to §2.1010 is to add an exception for including the needs of the unborn child when determining the income eligibility for pregnant women. The amendment to §2.1012 changes the termination of Medicaid coverage for pregnant women from the month following pregnancy termination to the second month following pregnancy termination. These amendments are the result of clarifications received from the Health Care Financing Administration of the U.S. Department of Health and Human Services.

The sections as amended will function as DHS' rules concerning determining income eligibility and Medicaid coverage termination for pregnant women in the Medically Needy Program.

No comments were received regarding adoption of the amendment.

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

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

Issued in Austin, Texas, on December 5, 1986.

TRD-8611344

Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Effective date: January 1, 1987

Proposal publication date: November 4, 1986

For further information, please call

(512) 450-3766

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## Chapter 3. Income Assistance Services

### Subchapter D. Expedited Services

#### ★40 TAC §3.403

The Texas Department of Human Services (DHS) adopts amendments to §§3.403, 3.501, and 3.902, without changes to the proposed text published in the November 4, 1986, issue of the *Texas Register* (11 TexReg 4566).

The justification for amending §3.403 is to include new outside limit time frames for issuing expedited benefits. Section 3.501 is amended to incorporate federal policy regarding AFDC eligibility for an eligible child and minor parent and to correct the federal regulation cited in subsection (d). Section 3.902 is amended to cite the federal regulation for counting loans as AFDC income.

The sections will function as DHS' rules concerning time limits for providing food stamp benefits, Aid to Families with Dependent Children (AFDC) Program household determination, and income countable in the AFDC Program.

No comments were received regarding adoption of the amendments.

The amendments are adopted under the Human Resources Code, Title 2, Chapters 22 and 33, which authorizes the department to administer public assistance programs.

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

Issued in Austin, Texas, on December 5, 1986.

TRD-8611341

Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Effective date: January 1, 1987

Proposal publication date: November 4, 1986

For further information, please call

(512) 450-3766.

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## Subchapter E. Household Determination

### ★40 TAC §3.501

The amendment is adopted under the Human Resources Code, Title 2, Chapters 31 and 33, which authorizes the department to administer public assistance programs.

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

Issued in Austin, Texas, on December 5, 1986.

TRD-8611342      Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Effective date: January 1, 1987  
Proposal publication date: November 4, 1986  
For further information, please call  
(512) 450-3766.

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## Subchapter I. Income

### ★40 TAC §3.902

The amendment is adopted under the Human Resources Code, Title 2, Chapter 31 and Chapter 33, which authorizes the department to administer public assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal

counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on December 5, 1986.

TRD-8611343      Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Effective date: January 1, 1987  
Proposal publication date: November 4, 1986  
For further information, please call  
(512) 450-3766.

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## Chapter 4. Medicaid Programs—Children and Pregnant Women Eligibility Requirements

### ★40 TAC §4.1010, §4.1012

The Texas Department of Human Services (DHS) adopts amendments to §4.1010 and §4.1012, without changes to the proposed text published in the November 4, 1986, issue of the *Texas Register* (11 TexReg 4568).

The justification for the amendment to §4.1010 is to add an exception for including the needs of the unborn child when determining the income eligibility for pregnant women. The amendment to §4.1012 changes the termination of Medi-

caid coverage for pregnant women from the month following pregnancy termination to the second month following pregnancy termination. These amendments are the result of clarifications received from the Health Care Financing Administration of the U.S. Department of Health and Human Services.

The sections will function as DHS' rules concerning determining income eligibility and Medicaid pregnancy termination for pregnant women in the Medicaid Programs for Children and Pregnant Children.

No comments were received regarding adoption of the amendments.

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

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

Issued in Austin, Texas, on December 5, 1986.

TRD-8611345      Marlin W. Johnston  
Commissioner  
Texas Department of  
Human Services

Effective date: January 1, 1987  
Proposal publication date: November 4, 1986  
For further information, please call  
(512) 450-3766.

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## State Board of Insurance Exempt Filings

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

*(Editor's note: As required by the Insurance Code, Article 5.96 and Article 5.97, the Register publishes notices of actions taken by the State Board of Insurance pursuant to Chapter 5, Subchapter L, of the Code. Board action taken under these articles is not subject to the Administrative Procedure and Texas Register Act, and the final actions printed in this section have not been previously published as proposals.*

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

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

The State Board of Insurance has considered a filing by United States Fire Insurance Company, The North River Insurance Company, Westchester Fire Insurance Company, and International Insurance Company, proposing an amendment to the standard Insurance Agents Errors and Omissions Program. This revision amends the program to conform to the rules included in Board Order 48578, dated March 27, 1986, amending the rules on notice of cancellation and nonrenewal.

This filing was approved to become effective January 1, 1987.

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

Issued in Austin, Texas, on December 2, 1986.

TRD-8611312      Nicholas Murphy  
Chief Clerk  
State Board of Insurance

Effective date: January 1, 1987  
For further information, please call  
(512) 463-6327



# 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 Alcohol and Drug Abuse

**Monday, December 15, 1986, 2 p.m.** The Texas Commission on Alcohol and Drug Abuse will meet in the conference room, 1705 Guadalupe Street, Austin. According to the agenda, the commission will approve the October 10, 1986, minutes; consider the appointment of an advisory council member; consider decision on appeals of the Oaks at Denton, Valley Regional Council on Alcoholism, Colorado Valley Council on Drug and Alcohol Abuse; consider the repeal of the audit policy; adopt policies on the Employee Assistant Programs, appeals, board/staff purview; consider proposed rules on amendments to DWI rules, costs of appeal transcripts; consider agency response to the Legislative Committee request; approve the proposed use of 1987 fiscal year federal funds; hear the chairman's report, executive director's report, and public comment.

**Contact:** Becky Davis, 1705 Guadalupe Street, Austin, Texas 78701, (512) 463-5510.

**Filed:** December 5, 1986, 2:59 p.m.  
TRD-8611377

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## Texas Department of Community Affairs

**Friday, December 19, 1986, 10 a.m.** The State Community Development Block Grant Review Committee of the Texas Department of Community Affairs will meet at the TDCA First Floor Conference Room, 8317 Cross Park Drive, Austin. According to the agenda, the committee will hold presentation of minutes, hear reports concerning economic development, make recommendations on economic development projects, appeals, hear comments, hear report on planning/capacity building, and make recommendations on planning/capacity building projects.

**Contact:** Kelly Myrick, 8317 Cross Park Drive, Austin, Texas 78754, (512) 834-6070.

**Filed:** December 8, 1986, 3:55 p.m.  
TRD-8611425

## Texas Corn Producers Board

**Thursday, December 18, 1986, 9 a.m.** The Texas Corn Producers Board of the Texas Department of Agriculture will meet at the Corn Board Office, 218 East Bedford, Dimmit. According to the agenda, the board will consider the financial statement and update on possible grit plant.

**Contact:** Carl King, 218 East Bedford, Dimmit, Texas 79027, (806) 647-4224.

**Filed:** December 5, 1986, 9:36 a.m.  
TRD-8611346

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## Texas Commission for the Deaf

**Thursday, December 18, 1986, 1 p.m.** The Texas Commission for the Deaf will meet in the Board Meeting Room, 510 South Congress Avenue, Austin. According to the agenda, the commission will hear report for evaluation of interpreters, director and staff reports, chairman's report, hear public comments, and elect officers. The commission also will meet in executive session if needed.

**Contact:** Larry D. Evans, 510 South Congress, #300, Austin, Texas 78704, (512) 469-9891.

**Filed:** December 8, 1986, 1:25 p.m.  
TRD-8611409

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## Texas Education Agency

**Monday, December 15, 1986, 1:30 p.m.** The Paperwork Reduction Advisory Committee of the Texas Education Agency will meet in Room 2-115, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda, the committee will consider reactions to the State Board of Education rule on paperwork reduction, reporting requirements for categorically funded programs, i.e., bilingual education, special education, and vocational education, standardized testing on maximizing use of results

and minimizing lost class time, and concerns relating to paperwork reduction.

**Contact:** Jim Clark, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

**Filed:** December 5, 1986, 2:24 p.m.  
TRD-8611371

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## Texas Employment Commission

**Tuesday, December 16, 1986, 8:30 a.m.** The Texas Employment Commission (TEC) will meet in Room 644, TEC Building, 101 East 15th Street, Austin. Items on the agenda summary include prior meeting notes, internal procedures of commission appeals, consideration and action on liability cases and higher level appeals in unemployment compensation cases on commission Docket 50, and setting the date of the next meeting.

**Contact:** Courtenay Browning, TEC Building, Room 608, 101 East 15th Street, Austin, Texas, (512) 463-2226.

**Filed:** December 8, 1986, 3:19 p.m.  
TRD-8611417

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## General Land Office

**Friday, December 12, 1986, noon.** The Veterans Land Board of the General Land Office will meet in the Second Floor Conference Room, United Bank, North Valley Mills Drive, Waco. According to the agenda summary, the board will approve the minutes of the December 3, 1986, meeting; approve the loan applicants for the Farm and Ranch Finance Program; consider the resolution authorizing the issuance of State of Texas Farm and Ranch Bonds and other matters relating thereto, the resolution approving the official statement with respect to the issuance of the State of Texas Farm and Ranch Bonds, and the sale of 14,770 acres of land in Llano County to John R. Guihan.

**Contact:** Jack Giberson, Stephen F. Austin Building, Room 836-A, 1700 North Congress Avenue, Austin, Texas 78701, (512) 463-5254.

**Filed:** December 4, 1986, 4:26 p.m.  
TRD-8611329

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### Office of the Governor

**Monday, December 15, 1986, 1 p.m.** The Border Economic Development Task Force of the Office of the Governor will meet in Room 327, Westin Paso del Norte Hotel, 101 South El Paso Street, El Paso. According to the agenda, the task force will discuss the final report and recommendations and implementation strategies; and conduct an open discussion.

**Contact:** Tom Adams, Governor's Office, State Capitol, Austin, Texas 78701, (512) 463-1827.

**Filed:** December 5, 1986, 4:44 p.m.  
TRD-8611394

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### Texas Department of Health

**Friday, December 12, 1986, 1 p.m.** The Crippled Children's Services and Maternal and Child Health Committee of the Texas Board of Health of the Texas Department of Health will meet in the Fifth Floor Boardroom, La Mansion Hotel, 6505 IH 35 North, Austin. According to the agenda summary, the committee will discuss the Crippled Children's Services standards for approval of cardiovascular physicians and facilities and hear the report on the crippled children's services status of appropriations.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:15 p.m.  
TRD-8611320

**Friday, December 12, 1986, 1 p.m.** The Cardiovascular Advisory Committee of the Texas Department of Health will meet in the Fifth Floor Boardroom, La Mansion Hotel, 6505 IH 35 North, Austin. According to the agenda summary, the committee will approve the minutes of the July meeting; consider the update of guidelines for approval of Crippled Children's Services Cardiovascular Centers/continuation of approval of existing centers (discussion with board members and committee/recommendations); hear the report of site visits; schedule site visits; reconsider the recommendation to the Texas Board of Health approval of physician applications; review the nominations for positions on the Cardiovascular Advisory Committee; consider proposed meeting dates; and review the next meeting's agenda item.

**Contact:** Jane S. Barkley-Booher, 1100 West 49th Street, Austin, Texas 78756, (512) 465-2680.

**Filed:** December 4, 1986, 4:15 p.m.  
TRD-8611321

**Friday, December 12, 1986, 1:30 p.m.** The Environmental Health Committee of the Texas Board of Health of the Texas Department of Health will meet in the conference room, Bureau of Radiation Control, 1212 East Anderson Lane, Austin. According to the agenda summary, the committee will consider the final adoption of rules concerning changes to "Drinking Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Systems;" consider proposed amendments to the rules concerning Texas hazardous substances, the proposed repeal of existing rules and proposed adoption of new rules concerning the use of synthetic narcotics in the treatment of narcotic addiction, "Construction Standards for Private Sewerage Facilities," and proposed adoption of new rules concerning construction standards for on-site sewerage facilities, proposed rules concerning hazardous household waste, and proposed rules for the assessment of administrative penalties concerning food and drug programs.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:15 p.m.  
TRD-8611322

Committees of the Texas Board of Health of the Texas Department of Health will meet at 1100 West 49th Street, Austin. Days, times, rooms, committees, and agendas follow.

**Friday, December 12, 1986, 3 p.m.** In Room G-107, the Legislative Committee will approve the minutes of the November 15, 1986, meeting; discuss the effect of the 1985 amendment to the Rabies Control Act of 1981; consider exemption of hospital authorities from the Indigent Health Care and Treatment Act, House Bill 81, by Kubiak, the draft legislation relating to fees for milk, milk products, and frozen desserts, the frequency of meetings of the Texas Board of Health, draft legislation relating to hospital fees; discuss the comments and approval of legislation relating to the practice of lay midwifery; consider consolidation of the communicable disease laws; review the legislation previously approved relating to emergency medical services (EMS); consider amendments to the Emergency Medical Services Act, the funding of EMS/Trauma Care, draft legislation on 1987 State Health Plan, regionalization of specialized medical services, and long-term care facilities.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:15 p.m.  
TRD-8611323

**Saturday, December 13, 1986, 8 a.m.** In Room T-507, the Emergency and Disaster Committee will discuss emergency medical technician-defibrillator guidelines.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:15 p.m.  
TRD-8611324

**Saturday, December 13, 1986, 8:30 a.m.** In Room G-106, the Hospitals Committee will approve the medical staff bylaws for the state chest hospitals and discuss the hospital licensure of state-owned facilities.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:16 p.m.  
TRD-8611325

**Saturday, December 13, 1986, 8:30 a.m.** In Room T-604, the Nursing Homes Committee will consider proposed rules concerning obtaining criminal conviction records of employees and prospective employees of nursing homes and custodial care homes.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:15 p.m.  
TRD-8611326

**Saturday, December 13, 1986, 9 a.m.** In Room T-604, the Personnel Committee will consider appointments to the Tuberculosis Advisory Committee.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:16 p.m.  
TRD-8611327

**Saturday, December 13, 1986, 9:30 a.m.** In Room T-610, the Texas Board of Health will approve the minutes of the last meeting; hear the commissioner's report; approve the commendatory resolutions; consider proposed rules concerning nursing homes and custodial care homes, public health regions, hazardous substances, synthetic narcotics, Food and Drug Program, hazardous household wastes, and sewerage systems; consider final rules covering drinking water standards; hear committee reports from the Nursing Homes, Hospitals, Budget, Environmental Health, Legislative, Personnel, Alternate Care, Crippled Children's Services and Maternal and Child Health, Emergency and Disaster, Public Relations, and Strategic Planning Committees, the report on the Statewide Health Coordinating Council and state health planning; hear announcements and comments; and set the next meeting date for January 1987. The board also will meet in executive session.

**Contact:** Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

**Filed:** December 4, 1986, 4:16 p.m.  
TRD-8611328

## Texas Hospital Equipment Financing Council

**Monday, December 15, 1986.** Committees of the Texas Hospital Equipment Financing Council (THEFC) will meet in Room 103, John H. Reagan Building, 15th Street and Congress Avenue, Austin. Times, committees, and agendas follow.

**9 a.m.** The Audit Committee will discuss and develop committee recommendations to the Texas Hospital Equipment Financing Council on Lawrence F. Alwin, CPA, state auditor report on operation and program effectiveness; review the THEFC account; and consider other business.

**Contact:** Burnham B. Jones, P.O. Box 15587, Austin, Texas 78761, (512) 453-7204.

**Filed:** December 5, 1986, 4:29 p.m.  
TRD-8611395

**10 a.m.** The Legal Committee will discuss and develop committee recommendations to the Texas Hospital Equipment Financing Council, including a discussion of legal counsel comments and the administrative structure of the THEFC and methods for evaluation and improvement; and consider other matters.

**Contact:** Burnham B. Jones, P.O. Box 15587, Austin, Texas 78761, (512) 453-7204.

**Filed:** December 5, 1986, 4:29 p.m.  
TRD-8611396

**11 a.m.** The Marketing Committee will discuss and develop committee recommendations to the THEFC regarding marketing of the Equipment Loan Program; and consider other business.

**Contact:** Burnham B. Jones, P.O. Box 15587, Austin, Texas 78761, (512) 453-7204.

**Filed:** December 5, 1986, 4:29 p.m.  
TRD-8611397

**2 p.m.** The council will hear the state auditor draft report; consider the liquidity provider, program administrator, representation by the Attorney General's Office; discuss state agency submissions to the *Texas Register*; consider the request to the trustee for the disbursement of funds to the council, the request by the San Antonio Express and News, the question of insurance, and other business.

**Contact:** Burnham B. Jones, P.O. Box 15587, Austin, Texas 78761, (512) 453-7204.

**Filed:** December 5, 1986, 4:29 p.m.  
TRD-8611398

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## Texas Housing Agency

**Tuesday, December 16, 1986, 7 p.m.** The Multi-Family Committee of the Texas Housing Agency will meet in Room 303, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the committee will consider and possibly act on proposed emergency rules for

allocating developer tax credits, proposed amendments to multi-family rules pertaining to taxable financings, amendments to multi-family rules pertaining to financings insured by FHA; consider the following public purpose projects for which Housing Assistance Funds may be issued: the Association for Retarded Citizens, Halfway House Rehabilitation, Valley Self-Help, South Texas Single Family Division, Houston Cooperative Foundation, Inc.; proposed rural scattered sit program, various proposals for elderly congregate care facilities, and various market research study proposals received from market research firms.

**Contact:** Dan A. McNeil, P.O. Box 13941, Austin, Texas 78711, (512) 474-2974.

**Filed:** December 8, 1986, 2:34 p.m.  
TRD-8611414

**Wednesday, December 17, 1986, 9:30 a.m.** The Finance and Audit Committee will meet in Suite 700, 411 West 13th Street, Austin. According to the agenda summary, the committee will consider and possibly act on the fiscal year 1987 budget; act on a plan to allocate agency area sources to specific high public purpose housing projects, the adoption of the fiscal year 1986 audit, matters pertaining to the consultant and staff evaluation and personnel policy review, and plans for board retreat

**Contact:** Dan McNeil, P.O. Box 13941, Austin, Texas 78711, (512) 474-2974.

**Filed:** December 8, 1986, 2:35 p.m.  
TRD-8611415

**Wednesday, December 17, 1986, 11 a.m.** The Board of Directors of the Texas Housing Agency will meet in Suite 700, 411 West 13th Street, Austin. According to the agenda summary, the board will approve the minutes; consider and possibly act on reports from the Multi-Family Committee regarding the proposed emergency rules for allocating developer tax credits, proposed amendments to multi-family rules pertaining to taxable financings, proposed amendments to multi-family rules pertaining to financings insured by FHA, public purpose projects for which Housing Assistance Funds may be issued including the Association for Retarded Citizens, Halfway House Rehabilitation, Valley Self-Help, South Texas Single Family Division, Houston Cooperative Foundation, Inc.; the proposed rural scattered site program; and various proposals for elderly congregate care facilities in Waco and McKinney.

**Contact:** Dan A. McNeil, P.O. Box 13941, Austin, Texas 78711, (512) 474-2974.

**Filed:** December 8, 1986, 2:31 p.m.  
TRD-8611416

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## Texas Industrial Accident Board

**Friday, December 12, 1986, 11 a.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 meet in executive session to review applications for executive director.

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

**Filed:** December 5, 1986, 3:37 p.m.  
TRD-8611380

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## State Board of Insurance

**Friday, December 5, 1986, 9 a.m.** The State Board of Insurance made an emergency revision to the agenda for a meeting held in Room 414, State Insurance Building, 1110 San Jacinto Street, Austin. The revision concerned amendments and proposed adoption of new rules concerning health maintenance organizations (28 TAC 11); consideration of the emergency adoption of amendments and new rules concerning health maintenance organizations (28 TAC 11); and discussion of the annual report to the governor. The emergency status was necessary to protect the public health and welfare by providing more effective regulation of the creation and operation of health maintenance organizations; and meet the filing deadline.

**Contact:** Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6328.

**Filed:** December 4, 1986, 3 p.m.  
TRD-8611319

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

**Monday, December 15, 1986, 1:30 p.m.** The section will consider Docket 9418—application of Chesapeake Life Insurance Company to acquire control of National Motor Club Life and Accident Insurance Company, Dallas.

**Contact:** J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6524.

**Filed:** December 5, 1986, 10:24 a.m.  
TRD-8611349

**Tuesday, December 16, 1986, 9 a.m.** The section will consider Docket 9471—application of Golden Era Services, Inc., to acquire control of Sentinel American Life Insurance Company, Houston.

**Contact:** O. A. Cassidy, III, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6498.



**Filed:** December 8, 1986, 3:37 p.m.  
TRD-8611418

**Tuesday, December 16, 1986, 1:30 p.m.** The section will consider Docket 9412—reinsurance agreement whereby Pearson Funeral Insurance Company, Overton, will be reinsured by Mission Life Insurance Company, Houston.

**Contact:** J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6524.

**Filed:** December 8, 1986, 3:37 p.m.  
TRD-8611419

**Wednesday, December 17, 1986, 3:30 p.m.** The section will consider Docket 9302—application of Union National Life Insurance Company, Houston, for approval of revaluation of home office property.

**Contact:** J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6524.

**Filed:** December 8, 1986, 3:38 p.m.  
TRD-8611420

**Thursday, December 18, 1986, 1:30 p.m.** The section will consider Docket 9410—proposed change in control of Whittaker Health Services of Texas, Inc., San Antonio, a health maintenance organization.

**Contact:** James W. Norman, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6525.

**Filed:** December 8, 1986, 3:38 p.m.  
TRD-8611421

**Thursday, December 18, 1986, 3 p.m.** The section will consider Docket 9400—proposed change in control of Whittaker Health Services of Austin, Inc., Austin, a health maintenance organization.

**Contact:** James W. Norman, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6525.

**Filed:** December 8, 1986, 3:38 p.m.  
TRD-8611422

**Friday, December 19, 1986, 9 a.m.** The section will consider Docket 9414—application for a temporary certificate of authority of Texas Funeral Insurance Company, Austin.

**Contact:** J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6524.

**Filed:** December 8, 1986, 3:38 p.m.  
TRD-8611423

**Friday, December 19, 1986, 10:30 a.m.** The section will consider Docket 9415—reinsurance agreement whereby Buffington Burial Association, Yoakum, will be reinsured by Texas Funeral Insurance Company, Austin.

**Contact:** J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6524.

**Filed:** December 8, 1986, 3:38 p.m.  
TRD-8611424

## Texas Department of Labor and Standards

**Monday, December 8, 1986, 10 a.m.** The Labor, Licensing, and Enforcement Division of the Texas Department of Labor and Standards met in emergency session in the E. O. Thompson Building, 920 Colorado Street, Austin. According to the agenda, the division considered license and registration, suspensions, and alleged violations of various rules and regulations regarding boxing and auctioneers. The emergency status was necessary to consider the possible violation of Texas Civil Statutes, Article 5221f rules which jeopardize individual safety and the public's welfare.

**Contact:** Orlando S. Mata, P.O. Box 12157, Austin, Texas 78711, (512) 463-4630.

**Filed:** December 5, 1986, 8:06 a.m.  
TRD-8611333

**Friday, December 12, 1986, 1 p.m.** The Manufactured Housing Division of the Texas Department of Labor and Standards will meet in emergency session at Alexander Plaza, 6090 Surety Drive, El Paso. According to the agenda, the division will consider license and registration, suspensions and alleged violations of various rules and regulations regarding out of trust hearing concerning Bowen Manufactured Homes. The emergency status is necessary to consider the possible violation of Texas Civil Statutes, Article 5221f rules which jeopardize individual safety and the public's welfare.

**Contact:** Pat Katon, P.O. Box 12157, Austin, Texas 78711, (512) 463-7348.

**Filed:** December 5, 1986, 2:39 p.m.  
TRD-8611372

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## Texas National Guard Armory Board

**Monday, December 15, 1986, 11 a.m.** The Texas National Guard Armory Board will meet in the conference room, Building 64, Camp Mabry, Austin. According to the agenda summary, the board will consider administrative and fiscal matters; facility construction, remodeling, and renovation; facility maintenance, and property and leases.

**Contact:** Sandra Hille, P.O. Box 5218, Austin, Texas 78763-5218, (512) 451-6394.

**Filed:** December 5, 1986, 10:29 a.m.  
TRD-8611353

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## Board of Pardons and Paroles

**Monday-Friday, December 15-19, 1986, 1:30 p.m. daily Monday-Thursday and 11 a.m. Friday.** A three-member panel of the Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the panel will re-

ceive, review, and consider information and reports concerning prisoners and inmates and administrative releases subject to the board's jurisdiction and initiate and carry through with appropriate action.

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

**Filed:** December 5, 1986, 3:14 p.m.  
TRD-8611378

**Tuesday, December 16, 1986, 1:30 p.m.** The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board will consider executive clemency recommendations and related actions, other than out-of-country conditional pardons, including full pardons and restoration of civil rights of citizenship; emergency medical reprieves; commutations of sentence; and other reprieves, remissions, and executive clemency actions.

**Contact:** Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas, (512) 459-2749.

**Filed:** December 5, 1986, 3:14 p.m.  
TRD-8611379

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## Texas Peanut Producers Board

**Friday, December 19, 1986, 1 p.m.** The Texas Peanut Producers Board of the Texas Department of Agriculture will meet in the Regency Room, Embassy Suites Hotel, 4250 Ridgemont Drive, Abilene. According to the agenda, the board will review board activities, consider the update on the 1986 crop; discuss peanut diseases; and consider other business.

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

**Filed:** December 5, 1986, 9:36 a.m.  
TRD-8611347

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## Texas Public Building Authority

**Friday, December 12, 1986, 9 a.m.** The Texas Public Building Authority (TPBA) will meet in emergency session at Underwood, Neuhaus & Company, 909 Fannin, Houston. According to the agenda, the authority will approve the minutes from the October 28, 1986, meeting; hear reports on the budget, buildings, the annual report, TRL study, the Executive Development Program, and the Leedom Study; approve the contract with McCall, Parkhurst & Horton; approve the resolution authorizing TPBA advanced refunding bonds; consider a first supplement to the funds management agreement, a trust indenture with the treasury, and Escrow deposit agreement with Allied Bank, a trust indenture on building projects (first refunding) with MBank Austin, NA, a bond purchase agreement with certain underwriters, an official statement and other

matters; and set the date and time of the next meeting. The authority also will meet in executive session to discuss personnel matters. The emergency status is necessary in order to approve and authorize the sale of advanced refunding bonds under current favorable market conditions. The meeting was rescheduled from December 10, 1986.

**Contact:** Gayle Colby, 907 Sam Houston Building, 201 East 14th Street, Austin, Texas 78701, (512) 463-5544.

**Filed:** December 5, 1986, 12:25 p.m.  
TRD-8611370

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### Public Utility Commission of Texas

**Friday, December 12, 1986, 9 a.m.** The Administrative Division of the Public Utility Commission will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda summary, the division will approve the minutes; hear reports; discuss and act on budget and fiscal matters, the issuance of the proposed staff request for a proposal for prudence audit of the South Texas Nuclear Project, the award for request for proposal regarding analysis for direct current interconnect portion of bulk power study; discuss problems resulting from multi-jurisdictional authority over Gulf States Utilities Company and options available to resolve such problems; and set the time and place of the next meeting. The division also will meet in executive session to discuss and act on the hiring of assistant director of the Hearings Division, and litigation and personnel matters.

**Contact:** Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

**Filed:** December 4, 1986, 2:32 p.m.  
TRD-8611318

**Thursday, December 18, 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, the division will conduct a prehearing conference in Docket 7194—application of AT&T Communications of the Southwest, Inc., to introduce the Pro Texas Optional Calling Plan.

**Contact:** Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

**Filed:** December 5, 1986, 2:35 p.m.  
TRD-8611375

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### State Purchasing and General Services Commission

**Monday, December 8, 1986, 1:30 p.m.** The Texas School Bus Committee of the State

Purchasing and General Services Commission met in emergency session in Room 916, LBJ Building, 111 East 17th Street, Austin. According to the agenda, the committee considered the adoption of minimum specifications for school buses. The emergency status was necessary to assure that acquisition of public school buses to transport children to and from school will not be delayed.

**Contact:** Troy Martin, P.O. Box 13047, Austin, Texas 78711, (512) 463-3415.

**Filed:** December 5, 1986, 10:22 a.m.  
TRD-8611350

**Friday, December 12, 1986, 1:30 p.m.** The Texas School Bus Committee of the State Purchasing and General Services Commission will meet in emergency session in Room 1103, LBJ Building, 111 East 17th Street, Austin. According to the agenda, the committee will discuss minimum engine requirements for Texas School Buses. The emergency status is necessary to set minimum engine requirements to finalize the school bus specifications, get them printed and distributed to the vendors so the monthly bidding schedule will not be delayed and the school districts can obtain buses required to provide for the needs of the school children of Texas.

**Contact:** Troy Martin, P.O. Box 13047, Austin, Texas 78711, (512) 463-3415.

**Filed:** December 9, 1986, 8:42 a.m.  
TRD-8611434

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### Railroad Commission of Texas

**Monday, December 15, 1986, 9 a.m.** The Railroad Commission of Texas will meet in the 12th Floor Conference Room, William B. Travis Building, 1701 North Congress Avenue, Austin. The commission will consider and act on division agendas as follows.

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

**Contact:** Roger Dillon, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7257.

**Filed:** December 5, 1986, 11:08 a.m.  
TRD-8611354

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

**Contact:** Bob Kmetz, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7251.

**Filed:** December 5, 1986, 11:08 a.m.  
TRD-8611355

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

**Contact:** Ken Fossler, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-6787.

**Filed:** December 5, 1986, 11:09 a.m.  
TRD-8611356

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

**Contact:** Lucia Sturdevant, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7003.

**Filed:** December 5, 1986, 11:09 a.m.  
TRD-8611357

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

**Contact:** Brian W. Schaible, P.O. Drawer 12967, Austin, Texas 78711-2967, (512) 463-6710.

**Filed:** December 5, 1986, 11:06 a.m.  
TRD-8611358

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

**Contact:** Thomas D. Petru, P.O. Drawer 12967, Austin, Texas 78711-2967, (512) 463-6931.

**Filed:** December 5, 1986, 11:09 a.m.  
TRD-8611359

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

**Contact:** Timothy A. Poe, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6713.

**Filed:** December 5, 1986, 11:07 a.m.  
TRD-8611360

Additions to the previous agenda:

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

**Contact:** Margie L. Osborn, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6755.

**Filed:** December 5, 1986, 11:08 a.m.  
TRD-8611362

Consideration of the discussion and decisions regarding the Voluntary Allocation Committee.

**Contact:** Susan Cory, P.O. Box 12967, Austin, Texas 78711, (512) 463-6923

**Filed:** December 5, 1986, 11:07 a.m.  
TRD-8611361

Consideration of Docket 20-89,337—state-wide oil and gas hearing, including the application of H.S. Bennett and William Burrow to reduce by a percentage of 10%, the allowable of all oil and gas wells in the state other than stripper wells and wells with tertiary production.

**Contact:** Paula Middleton, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6729.

**Filed:** December 5, 1986, 11:10 a.m.  
TRD-8611363

Consideration of the application of Valence Petroleum Company, Inc., Rule 37, The MacDonell Company of Lima, Inc., unit lease, Well No. 1, Frost (Smackover) Field, Cass County, motion for rehearing, Rule 37, Case 101,357.

**Contact:** Walter Davis, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6920.

**Filed:** December 5, 1986, 4:11 p.m.  
TRD-8611383

Consideration of Docket 20-88,970—whether to adopt amendments to statewide Rule 8 (16 TAC 3.8) relating to water protection in the State of Texas.

**Contact:** Lori Wrotenbery, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6769

**Filed:** December 5, 1986, 4:11 p.m.  
TRD-8611384

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

**Contact:** Mark K. Bogan, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6981

**Filed:** December 5, 1986, 11:06 a.m.  
TRD-8611364

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

**Contact:** Gail Gemberling, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6976.

**Filed:** December 5, 1986, 11:07 a.m.  
TRD-8611365

The Office of the Special Counsel director's report relating to pending litigation, including but not limited to discussion and/or decision in Missouri Pacific Railroad, *et al. v. Railroad Commission of Texas* (Cause A-86-CA-406) and discussion and/or decision in Oil Field Haulers Association, Inc., *et al. v. Railroad Commission of Texas et al.* (Cause 356,430); state and federal legislation, and other budget, administrative, and personnel matters.

**Contact:** Walter Earl Lile, P.O. Drawer 1296, Austin, Texas 78704, (512) 463-7149.

**Filed:** December 5, 1986, 11:09 a.m.  
TRD-8611366

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

**Contact:** J. Randel (Jerry) Hill, William B Travis Building, 1701 North Congress Avenue, Austin, Texas, (512) 463-7149.

**Filed:** December 5, 1986, 11:05 a.m.  
TRD-8611367

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

**Contact:** Michael A. James, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7122.

**Filed:** December 5, 1986, 11:06 a.m.  
TRD-8611368

**Monday, December 16, 1986, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet in the 12th Floor Conference Room, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the division will hear oral arguments in Dockets 8A-86,939 and 8A-87,084—application of Terra Resources, Inc., to consider a capacity waterflood lease allowable for its S. B. Burnett Estate "Y" Lease (No. 60923), Anne Tandy (Strawn, lower) Field, King County; and complaint of Taubert, Steed, Gunn, and Medders (now Gunn Management Company) concerning a waterflood lease allowable granted administratively to Terra Resources, Inc., for its S. B. Burnett Estate "Y" Lease (No. 60923), Anne Tandy (Strawn, lower) Field, King County.

**Contact:** Meredith Kawaguchi, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6724.

**Filed:** December 5, 1986, 11:10 a.m.  
TRD-8611369

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### Texas Savings and Loan Department

The Texas Savings and Loan Department will meet in Room 201, 2601 North Lamar Boulevard, Austin. Days, times, rooms, and agendas follow.

**Monday, December 15, 1986, 9 a.m.** The department will accumulate a record of evidence in regard to the application of Coastal Banc Savings Association, Houston, Harris County, for a branch office at 14315 Bellaire (Highway Six at Bellaire), Houston, Harris County, from which record the commissioner will determine whether to grant or deny the application.

**Contact:** Russell R. Oliver, 2601 North Lamar Boulevard, #201, Austin, Texas 78705, (512) 479-1250.

**Filed:** December 5, 1986, 8:37 a.m.  
TRD-8611338

**Tuesday, December 16, 1986, 9 a.m.** The department will accumulate a record of evidence in regard to the applications filed by Commonwealth Savings Association, Houston, Harris County, for branch offices located in the Houston, Harris County, area. Most of the applications represent purchases from Bright Banc Savings Association and are located in Randall Stores in the Houston area. From the record the commissioner will determine whether to grant or deny the applications.

**Contact:** Russell R. Oliver, 2601 North Lamar Boulevard, #201, Austin, Texas 78705, (512) 479-1250.

**Filed:** December 5, 1986, 8:36 a.m.  
TRD-8611336

**Tuesday, December 16, 1986, 9 a.m.** The department will accumulate a record of evidence in regard to the application of Commonwealth Savings Association, Houston, Harris County, to relocate a branch office from 2020 Highway 336 West to 1414 Loop 336 West, Conroe, Montgomery County, from which record the commissioner will determine whether to grant or deny the application.

**Contact:** Russell R. Oliver, 2601 North Lamar Boulevard, #201, Austin, Texas 78705, (512) 479-1250.

**Filed:** December 5, 1986, 8:35 a.m.  
TRD-8611337

**Thursday, December 18, 1986, 9 a.m.** The department will accumulate a record of evidence in regard to the application of First Savings Association of Orange, Houston, Harris County, to change the name to Banc One Savings Association, from which record the commissioner will determine whether to grant or deny the application.

**Contact:** Russell R. Oliver, 2601 North Lamar Boulevard, #201, Austin, Texas 78705, (512) 479-1250.

**Filed:** December 5, 1986, 8:35 a.m.  
TRD-8611335

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### School Land Board

**Tuesday, December 16, 1986, 10 a.m.** The School Land Board will meet in Room 831, General Land Office, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the board will approve the minutes of the previous board meeting; consider pooling applications, the sealed bid land sale of February 3, 1987, coastal public lands and easement applications; and discuss the application by Mary Northcutt to patent 80 acres, Red River County.

**Contact:** Linda K. Fisher, Room 836, 1700 North Congress Avenue, Austin, Texas 78711, (512) 463-5016.

**Filed:** December 8, 1986, 4:25 p.m.  
TRD-8611431

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### State Securities Board

**Monday, December 22, 1986, 10 a.m.** The State Securities Board will meet at 1800 San Jacinto Street, Austin. According to the agenda summary, the commissioner will determine whether a cease and desist order should be issued prohibiting the sale of securities issued by Rainbow Mining Investments, Inc., and sold by Jerry Griffin.

**Contact:** Sue B. Roberts, 1800 San Jacinto Street, Austin, Texas 78701, (512) 474-2233.

**Filed:** December 4, 1986, 11:41 a.m.  
TRD-8611317

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### Structural Pest Control Board

**Friday, January 9, 1987, 1:30 p.m.** The Structural Pest Control Board will meet at the Hilton Hotel Ballroom, 801 University Drive East, College Station. According to the agenda summary, the board will hold a public hearing; consider action in final adoption; approve minutes of the November 6, 1986, meeting; and consider miscellaneous matters.

**Contact:** David A. Ivie, 1300 East Anderson Lane, Building C, #250, Austin, Texas 78752, (512) 835-4066

**Filed:** December 8, 1986, 1:53 p.m.  
TRD-8611399

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### The University of Texas at Austin

**Wednesday, December 10, 1986, 2 p.m.** The Intercollegiate Athletics for Women of the University of Texas at Austin met at Capital Club, 700 Lavaca Street, Austin. According to the agenda summary, the council considered announcements, old business, and new business.

**Contact:** Dr. Donna Lopiano, Belmont Hall #606, University of Texas, Austin, Texas 78712, (512) 471-7693

**Filed:** December 8, 1986, 1:49 p.m.  
TRD-8611410

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### Texas Water Commission

**Tuesday, December 16, 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, the commission will consider the water district bond issue, the use of surplus funds and release from escrow, an administrative penal matter, proposed water quality permits, amendments and renewals, the regulation of private sewage facilities, the appointment of Watermaster Planning Advisory Committee, water use applications, an adjudication matter, set hearing date for a temporary docket, and adoption of proposed amendment to Administrative Code §335.1—list of activities associated with exploration, development, and production of oil, gas, or geothermal resources.

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

**Filed:** December 5, 1986, 4:13 p.m.  
TRD-8611385

**Wednesday, December 17, 1986, 9:30 a.m.** The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider the adoption of Rules 31 TAC §§297.3-307.1, concerning supplemental surface water quality standards.

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

**Filed:** December 5, 1986, 4:13 p.m.  
TRD-8611386

**Monday, January 5, 1987, 10 a.m.** The Office of Hearings Examiner of the Texas Water Commission will meet in Room 512, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the office will consider Docket 7084-R—application for rate increase by Happy Country Homes of Texas, Inc.

**Contact:** Marcella Sellers, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

**Filed:** December 8, 1986, 4:07 p.m.  
TRD-8611428

*(Editor's Note: In the November 28, 1986, issue of the Texas Register the date of the following hearing was published in error as January 17, 1987. The correct date was January 7, 1987.)*

**Wednesday, January 7, 1987, 9 a.m.** The Office of Hearings Examiner of the Texas Water Commission will meet in the City of Houston Emergency Pollution Control Laboratory, 7411 Park Place Boulevard, Houston. According to the agenda summary, the office will consider the application of Staufer Chemical Company, 8615 Manchester, Houston, Texas 77012 for a Proposed Permit HW50095-001 to operate a Class I hazardous and nonhazardous and Class II, commercial industrial solid waste storage and processing facility at its existing manufacturing plant. The facility will burn industrial solid waste for energy and material recovery and disposal in conjunction with the operation of sulfuric acid regeneration furnace.

**Contact:** Charmaine Rhodes, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

**Filed:** November 20, 1986, 3:59 p.m.  
TRD-8610999

**Wednesday, January 21, 1987, 9 a.m.** The Office of Hearings Examiner of the Texas Water Commission will meet in the Houston County Courthouse, on the square, Crockett. According to the agenda summary, the office will consider the application of Monterey Mushrooms, Inc., P.O. Box 1030, Madisonville, Texas 77864, for an amendment to Permit 01896 which authorizes a discharge of treated industrial and domestic wastewater at a volume not to exceed an average flow of 100,000 gallons per day from a mushroom production farm. The proposed amendment would add monitoring requirements for ammonia (as N), chemical oxygen

demand, and color (platinum-cobalt units) to Outfall 001; add three stormwater outfalls (002, 003, 004) to be monitored for chemical oxygen demand and ammonia (as N); and, add a requirement stating the permittee will begin a one year recycle study for additional removal of color and chemical oxygen demand.

**Contact:** Carl Forrester, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

**Filed:** December 8, 1986, 4:07 p.m.  
TRD-8611429

**Wednesday, January 21, 1987, 9 a.m.** The Office of Hearings Examiner of the Texas Water Commission will meet in the Houston County Courthouse, on the square, Crockett. According to the agenda summary, the office will consider the application of William F. St. Clair, 2610 Highway 32, Chico, California 95926, for renewal of Permit 11745-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 70,000 gallons per day from the Redland Estates STP which is located approximately five miles north of downtown Lufkin along U.S. Highway 59 and 2,000 feet east of U.S. Highway 59 just outside of the City of Redland, one mile northeast of the intersection of U.S. Highway 59 and FM Road 2021 in Angelina County. The effluent is discharged into an unnamed creek; thence into the Angelina River in Segment 0611 of the Neches River Basin.

**Contact:** Carl Forrester, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

**Filed:** December 5, 1986, 4:15 p.m.  
TRD-8611387

**Tuesday, January 27, 1987, 9 a.m.** The Office of Hearings Examiner of the Texas Water Commission will meet in the Emergency Medical Services Training Building, 7411 Park Place, Houston. According to the agenda summary, the office will consider the application of George E. Stourton, doing business as Spring Utilities, 414 Civil Drive, League City, Texas 77573 for a Proposed Permit 13088-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 293,000 gallons per day from the proposed Spring Colony Wastewater Treatment Plant which is to serve a development consisting of multi-family housing, offices, restaurants, and a motel.

**Contact:** Claire Patterson, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

**Filed:** December 5, 1986, 4:14 p.m.  
TRD-8611388

**Tuesday, January 27, 1987, 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, the commission will consider Brazos River Authority No. 2312E who seeks to

amend Permit 2111 to authorize an inter-basin transfer of water per annum from Lake Granbury, Brazos River Basin, to the Trinity River Basin for municipal purposes to be used in Johnson County and for possible use in Palo Pinto, Young, Stephens, and Hood Counties; Hood County.

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

**Filed:** December 5, 1986, 4:12 p.m.  
TRD-8611390

**Tuesday, January 27, 1987, 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, the commission will consider Brazos River Authority No. 1351A which seeks to amend Permit 1262 to authorize an inter-basin transfer of water per annum from the Brazos River (Possum Kingdom Reservoir), Brazos River Basin, to the Trinity River Basin for municipal purposes in Johnson County and possible use in Palo Pinto, Young, and Stephens Counties; Hood County.

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

**Filed:** December 5, 1986, 4:12 p.m.  
TRD-8611391

**Tuesday, January 27, 1987, 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, the commission will consider James A. Gibbs and wife, Judith W. Gibbs, No. 5087A who seek a permit (formerly designated as Application 5087) to construct a proposed dam and reservoir on an unnamed tributary of Battle Creek, tributary of Kickapoo Creek, tributary of the Neches River, Neches River Basin, Athens; Henderson County.

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

**Filed:** December 5, 1986, 4:18 p.m.  
TRD-8611330

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## Regional Agencies

### Meetings Filed December 4

**The Cass County Appraisal District,** Board of Directors, met at 208 West Houston Street, Linden, on December 8, 1986, at 6 p.m. Information may be obtained from Janelle Clements, P.O. Box 1150, Linden, Texas 75563, (214) 756-7545.

**The East Texas Council of Governments,** JTPA, Board of Directors, met at the Ramada Inn, Highway 259, Kilgore, on December 11, 1986, at 11:30 a.m. Information may be obtained from Glynn J. Knight, 3800 Stone Road, Kilgore, Texas 75662, (214) 984-8641.

**The Education Service Center, Region XX,** Board of Directors, will meet at 1314 Hines Avenue, San Antonio, on December 17, 1986, at 2 p.m. Information may be obtained from Dr. Judy M. Castleberry, 1314 Hines Avenue, San Antonio, Texas 78208, (512) 271-7611.

**The Hays County Central Appraisal District,** Board of Directors, met at the Courthouse Annex, San Marcos, on December 9, 1986, at 6 p.m. Information may be obtained from Lynnell Sedlar, 102 LBJ Drive, third floor, San Marcos, Texas, (512) 396-4777.

**The Henderson County Appraisal District,** Board of Directors, met in emergency session at 101 East Corsicana, on December 8, 1986, at 4 p.m. Information may be obtained from Helen Marchbanks, 101 East Corsicana, Athens, Texas 75751, (214) 675-9296.

**The Hunt County Tax Appraisal District,** Board of Directors, met in the boardroom, 4815-B King Street, Greenville, on December 11, 1986, at 5:30 p.m. Information may be obtained from Joe Pat Davis or Jeanette Jordan, P.O. Box 1339, Greenville, Texas 75401, (214) 454-3510.

**The Panhandle Regional Planning Commission,** Board of Directors, met in the Conference Room, 2736 West 10th Street, Amarillo, on December 11, 1986, at 1:30 p.m. Information may be obtained from Polly Jennings, P.O. Box 9257, Amarillo, Texas 79105, (806) 372-3381.

**The Rusk County Appraisal District,** Board of Directors, will meet in the administrative offices, 107 North Van Buren, Henderson, on December 17, 1986, at 1:30 p.m. Information may be obtained from Melvin R. Cooper, P.O. Box 7, Henderson, Texas 75653-0007, (214) 657-9697.

**The Sabine River Authority of Texas,** Board of Directors, will meet at the Lincoln Hotel, 5410 LBJ Freeway, Dallas, on December 13, 1986, at 9 a.m. Information may be obtained from Sam F. Collins, P.O. Box 579, Orange, Texas 77630, (409) 746-3200

**The South Plains Association of Governments,** Executive Committee and Board of Directors, met at 1323 58th Street, Lubbock, on December 9, 1986, at 9 a.m. and 10 a.m., respectively. Information may be obtained from Jerry D. Casstevens, P.O. Box 3730, Freedom Station, Lubbock, Texas 79452.

**The South Texas Private Industry Council, Inc.,** will meet at the Community Center, Zapata, on December 16, 1986, at 4 p.m. Information may be obtained from Mike Villarreal, P.O. Box 1757, Laredo, Texas 78044-1757.

**The Texas Panhandle Mental Health Authority,** Board of Trustees, met in the boardroom, 1901 Medi-Park, Amarillo, on Decem-

ber 11, 1986, at 1 p.m. Information may be obtained from Claire Rigler, P.O. Box 3250, Amarillo, Texas 79106, (806) 353-7235.

**The Wood County Appraisal District,** Appraisal Review Board, will meet in the conference room, 217 North Main, Quitman, on December 12, 1986, at 10 a.m. Information may be obtained from W. Carson Wages, P.O. Box 951, Quitman, Texas 75783.  
TRD-8611316

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### Meetings Filed December 5

**The Austin-Travis County Mental Health/Mental Retardation Center,** Board of Trustees, met at the Shoal Creek Hospital, 3501 Mills Avenue, Austin, on December 9, 1986, at 7 a.m. Information may be obtained from Sharon Taylor, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141.

**The Bexar Appraisal District,** Appraisal Review Board, will meet at 535 South Main, San Antonio, on December 16, 1986, at 8:30 a.m. Information may be obtained from Bill Burnette, 535 South Main, San Antonio, Texas 78204, (512) 224-8511.

**The Brown County Appraisal District,** Board of Review, will meet at 403 Fisk, Brownwood, on December 16, 1986, at 1 p.m. Information may be obtained from Alvis Sewait, 403 Fisk, Brownwood, Texas 76801, (915) 643-5676.

**The Coastal Bend Council of Governments,** Membership Committee, will meet in the Central Jury Room, Third Floor, Nueces County Courthouse, 901 Leopard, Corpus Christi, on December 12, 1986, at 2 p.m. Information may be obtained from John P. Buckner, P.O. Box 9909, Corpus Christi, Texas 78408, (512) 883-5743.

**The Dallas Area Rapid Transit,** met at the DART Office, 601 Pacific Avenue, Dallas, on December 9, 1986, at 4 p.m. Information may be obtained from Nancy McKeithan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237.

**The East Texas Council of Governments,** Executive Committee, met at the ETCOG Office, 3800 Stone Road, Kilgore, on December 11, 1986, at 2 p.m. Information may be obtained from Glynn J. Knight, 3800 Stone Road, Kilgore, Texas 75662, (214) 984-8641.

**The Education Service Center, Region I,** Board of Directors, met at the Service Center, 1900 West Schunior, Edinburg, on December 10, 1986, at 6 p.m. Information may be obtained from Lauro R. Guerra, 1900 West Schunior, Edinburg, Texas 78539, (512) 383-5611.

**The Education Service Center, Region XII,** Board of Directors, will meet at 401 I-35, Waco, on December 17, 1986, at 7:30 p.m. Information may be obtained from Weldon O. Mills, P.O. Box 1249, Waco, Texas 76703, (817) 756-7494.

**The Education Service Center, Region XV,** Board of Directors, met at ESC Region XV Building, 612 South Irene Street, San Angelo, on December 11, 1986, at 1:30 p.m. Information may be obtained from Clyde Warren, P.O. Box 5199, San Angelo, Texas 76902, (915) 658-6571.

**The Edwards Underground Water District,** Executive Committee, met at 1615 North St. Mary, San Antonio, on December 10, 1986, at 2 p.m. Information may be obtained from Thomas P. Fox, 1615 North St. Mary, San Antonio, Texas 78215, (512) 222-2204.

**The Golden Crescent Service Delivery Area,** Private Industry Council, Inc., met at First Victoria National Bank, 101 South Main, Victoria, on December 10, 1986, at 6:30 p.m. Information may be obtained from Cleve F. Schoener, P.O. Box 2028, Victoria, Texas 77902, (512) 578-1587.

**The Lamb County Appraisal District,** Board of Directors, will meet in the Board Meeting Room, 330 Phelps Avenue, Littlefield, on December 16, 1986, at 7:30 p.m. Information may be obtained from Murlene J. Bilbrey, P.O. Box 552, Littlefield, Texas 79339, (806) 385-6474.

**The Lampasas County Appraisal District,** Board of Directors, met at 109 East Fifth Street, Lampasas, on December 10, 1986, at 3 p.m. Information may be obtained from Dana Ripley, P.O. Box 175, Lampasas, Texas 76550, (512) 556-8058.

**The Middle Rio Grande Development Council,** Private Industry Council, will meet at City Council Chambers, Eagle Pass, on December 12, 1986, at 2 p.m. Information may be obtained from Ramon Johnston, P.O. Box 1199, Carrizo Springs, Texas 78834, (512) 876-3533.

**The MoPac South Transportation Corporation,** Board of Directors, met at Riverbend Baptist Church, 4214 Capital of Texas Highway, Austin, on December 9, 1986, at 7 p.m. The meeting was rescheduled from May 13, 1986. Information may be obtained from John C. Boehm, Jr., 600 Congress Avenue, Suite 2400, Austin, Texas 78701, (512) 474-5201.

**The Panhandle Regional Planning Commission,** Board of Directors, made a revision to the agenda for a meeting held in the PRPC Conference Room, 2736 West 10th Avenue, Amarillo, on December 11, 1986, at 1:30 p.m. Information may be obtained from Polly Jennings, P.O. Box 9257, Amarillo, Texas 79105-9257, (806) 372-3381.

**The Sabine River Industrial Development Authority,** Board of Directors, will meet at The Lincoln Hotel, 5410 LBJ Freeway, Dallas, on December 13, 1986, at 8:30 a.m. Information may be obtained from Sam F. Collins, P.O. Box 579, Orange, Texas 77630, (713) 883-9934.

**The Wheeler County Appraisal District,** Board of Directors, will meet at District's Office, County Courthouse Square, Wheeler, on December 15, 1986, at 2 p.m. The meeting was rescheduled from December 1, 1986. Information may be obtained from Marilyn Copeland, P.O. Box 349, Wheeler, Texas 79096, (806) 826-5900.  
TRD-8611340

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### Meetings Filed December 8

**The Capital Area Planning Council,** Executive Committee and General Assembly, will meet at Quality Inn South, 2200 IH 35 South, Suite 100, Austin, on December 16, 1986, at 11 a.m. and 11:30 a.m. respectively. Information may be obtained from Richard G. Bean, 2520 IH 35 South, #100, Austin, Texas 78704, (512) 443-7653.

**The Dewitt County Appraisal District,** Board of Directors, will meet at Dewitt County Appraisal Office, 103 Bailey Street, Cuero, on December 16, 1986, at 7:30 p.m. Information may be obtained from Wayne K. Woolsey, P.O. Box 4, Cuero, Texas 77954, (512) 275-5753.

**The Education Service Center, Region III,** Board of Directors, will meet at 1905 Leary Lane, Victoria, on December 15, 1986, at 1 p.m. Information may be obtained from Dr. Dennis Grizzle, 1905 Leary Lane, Victoria, Texas 77901, (512) 575-1471.

**The Education Service Center, Region VIII,** Board of Directors, will meet at Mount Pleasant Country Club, Mount Pleasant, on December 19, 1986, at 6:30 p.m. Information may be obtained from Scott Ferguson, P.O. Box 1894, Mt. Pleasant, Texas 75455, (214) 572-8551.

**The Erath County Appraisal District,** Appraisal Review Board, will meet in the Boardroom, 1390 Harbin Drive, Stephenville, on December 17, 1986, at 9:30 a.m. Information may be obtained from Trecia Perales, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434.

**The Gray County Appraisal District,** Board of Directors, met in Suite 196-A, Hughes Building, 400 West Kingsmill, Pampa, on December 11, 1986, at 5 p.m. Information may be obtained from Charles Buzzard, P.O. Box 836, Pampa, Texas 79065, (806) 665-0791.

**The Hunt County Appraisal District,** Board of Directors, met in emergency session at 4815-B King Street, Greenville, on December 9, 1986, at 9:30 a.m. Information may be obtained from Joe P. Davis, 4815-B King Street, Greenville, Texas 75401-1339, (214) 454-3510.

**The Jones County Appraisal District,** Board of Directors, will meet in the District Office, 1137 East Court Plaza, Anson, on December 18, 1986, at 8 a.m. Information may be obtained from John Steele, 1137 East Court Plaza, Anson, Texas 79501, (915) 823-2422.

**The Lavaca County Central Appraisal District,** Appraisal Review Board, will meet at 113 North Main, Hallettsville, on December 15, 1986, at 9 a.m. Information may be obtained from Diane Munson, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396.

**The Northeast Texas Municipal Water District,** Board of Directors, will meet at Highway 250 South, Hughes Springs, on December 15, 1986, at 2 p.m. Information may be obtained from Homer Tanner, P.O. Box 955, Hughes Springs, Texas 75656, (214) 639-7538.

**The Nueces-Jim Wells-Kleberg Soil and Water Conservation District,** Board of Directors, will meet at 2287 North Texas Boulevard, Alice, on December 16, 1986, at 2 p.m. Information may be obtained from Carol Freeman, P.O. Box 142, Alice, Texas 78333, (512) 668-9390.

**The Palo Pinto Appraisal District,** Board of Directors, will meet at Palo Pinto County Courthouse, Palo Pinto, on December 17, 1986, at 3 p.m. Information may be obtained from Jack Samford, P.O. Box 250, Palo Pinto, Texas 76072, (817) 659-3651 ext.223.

**The San Antonio River Authority,** Board of Directors, will meet at 100 East Guenther Street, San Antonio, on December 17, 1986, at 2 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, San Antonio, Texas 78204, (512) 227-1373.

**The San Jacinto River Authority,** Board of Directors, will meet in the Campobello Room, Wyndham Hotel, 12400 Greenspoint, Houston, on December 17, 1986, at 12 p.m. Information may be obtained from Jack K. Ayer, P.O. Box 329, Conroe, Texas 77305, (409) 588-1111.

**The Trinity River Authority of Texas,** Legal Committee and Executive Committee, will meet at 5300 South Collins, Arlington, on December 12, 1986, at 9 a.m. and 9:30 a.m., respectively. Information may be obtained from Jack C. Worsham, P.O. Box 60, Arlington, Texas 76010, (817) 467-4343.

**The Tyler County Tax Appraisal District,** Board of Directors, will meet at 103 Pecan,

Woodville, on December 16, 1986, at 4 p.m.  
Information may be obtained from Mary F.  
Mann, P.O. Drawer 9, Woodville, Texas  
75979, (409) 283-3736.

The Upper Leon River Municipal Water  
District, Board of Directors, will meet at the  
General Office of the Filter Plant, Proctor  
Lake, on December 18, 1986, at 6:30 p.m.  
Information may be obtained from Upper  
Leon River Municipal Water District, P.O.  
Box 67, Comanche, Texas 76442, (817)  
879-2258.

TRD-8611407

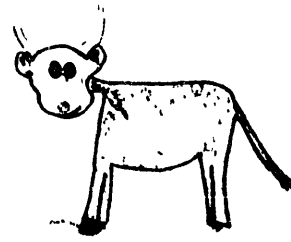
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### Meetings Filed December 9

The Deep East Texas Regional Mental  
Health/Mental Retardation Services, Board  
of Directors, will meet in Ward R. Burke  
Community Room, Administration Facili-  
ty, 4101 South Medford Drive, Lufkin, on  
December 16, 1986, at 5:30 p.m. Informa-  
tion may be obtained from Jim McDermott,  
4101 South Medford Drive, Lufkin, Texas  
75901, (709) 639-1141.

The Grayson Appraisal District, Board of  
Directors, will meet at 205 North Travis,  
Sherman, on December 17, 1986, at 12 p.m.  
Information may be obtained from Deborah  
Reneau, 124 South Crockett, Sherman,  
Texas 75090, (214) 893-9673.

TRD-8611436



Drawing By:

Name: Nancy Mora

Grade: 3

School: Bradley Elementary, El Paso

# 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 Cancer Council Breast Cancer Screening Program

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Cancer Council requests proposals for implementation of a Breast Cancer Screening Program.

**Description of Services.** The contractor will plan, develop, and implement a breast cancer screening program to address Goal II of the Texas cancer plan to detect, diagnose, and treat cancer earlier. This program will provide low cost mammography for the general populace and no cost to mammography for indigent applicants. The program must foster public awareness of the availability of the screening (time, date, place), the role of early detection and screening in reducing breast cancer deaths, and instruction in the technique and importance of self-detection (breast self-examination (BSE)). The program will foster community involvement through coordinating the efforts of the media, schools, businesses, physicians, hospitals, clubs, and organizations.

The Legislative Task Force on Cancer in Texas (LTFCT) and the Texas cancer plan have recommended: the encouragement of public information regarding early detection and promotion of awareness and use of screening methods, expansion of information services in community cancer screening, encouragement of sponsorship of screening programs for the public, and expansion of the role of the media in community cancer risk awareness efforts. A breast cancer screening program would serve these recommendations.

**Major Tasks.** There are three overall task areas to be accomplished: development of a public information component to increase public awareness about the project and how to get involved; the project will utilize the media; close coordination with TV stations throughout Texas is encouraged; the project will establish phone banks to provide information; development and implementation of public education about early detection and screening of breast cancer; the project will provide education on the importance of self-detection through BSE and periodic monitoring through physical examinations; the project should utilize wide-ranging delivery mechanisms to maximize effectiveness (schools, businesses, clubs and organizations, etc.); design and implementation of the early detection and screening procedure; the project will provide mammography at low-cost for the general population and at no-cost to indigent women

**Eligible Organizations.** To facilitate implementation of the breast cancer screening program, agencies/organizations with background in community outreach and community/volunteer mobilization (such as the American Cancer Society) are encouraged to submit proposals. The organization/agency must have particular expertise in cancer prevention/detection programs and information.

**Proposal Format.** Each proposal will contain two parts, a technical proposal and a business proposal. The technical proposal will specify the overall program priority area, the specific problem(s) to be addressed, the scope of work to be undertaken, including major tasks and activities, a timetable with major milestones and delivery schedule, an organizational plan with manpower estimates by major task, identification of key personnel, and an evaluation plan. The business proposal will specify the estimated cost to the Texas Cancer Council if the proposal is funded and other terms and conditions related to the proposal. The estimated cost must be on a line item budget basis to fully identify the type of expense anticipated and, where appropriate, to estimate these costs for each major task identified in the technical proposal. Other terms and conditions must include the time period during which the proposal is valid, and identification of the person is authorized to negotiate any matters related to the proposal on behalf of the submitting agency or organization.

**Timetable.** The Breast Cancer Screening Program is intended to be a targeted effort of approximately one month duration.

**Evaluation Procedures.** The criteria used to evaluate the offers include: background, experience, and knowledge in cancer prevention/detection programs and information dissemination, community outreach, and volunteer mobilization; the offeror's ability to complete the project in a quality manner and within the time frame allowed; the submission of a proposal addressing all of the required areas, with a reasonable budget to achieve the major tasks; the offeror's plan for completing the project on or before the deadline to be stipulated in the contract; the description of the offeror's organization or agency. The Texas Cancer Council reserves the right to accept or reject any or all proposals submitted. The Texas Cancer Council is under no legal requirement to execute a resulting contract on the basis of this advertisement and intends that any material provided be used only as a means of identifying qualified applicants. This request does not commit the Texas Cancer Council to pay any costs incurred prior to execution of a contract.

**Contact Person.** The contact person is Richard Merkel, Executive Director, Texas Cancer Council, P.O. Box 12097, Austin, Texas 78711, (512) 463-3190.

**Due Date.** All proposals must be submitted by the close of business on the 20th day after the first date of publication of this notice. Proposals must be mailed by certified mail or delivered directly to the contact person by the above date.

**Cost.** The proposed contract shall be a cost reimbursement type contract. The Texas Cancer Council has adopted a policy to pay for the direct cost of program implementation, including fringe benefits, but excluding indirect or overhead costs. The Texas Cancer Council will assess the



reasonableness of the total project cost and specific cost elements by major task. Although not necessarily the deciding factor, this criterion will be considered in the evaluation process. Some level of cost sharing by the contractor is expected. The degree of cost sharing proposed by the contractor will reflect the importance of this effort to ongoing programs of the contractor.

**Final Selection.** Final selection will be made by the Texas Cancer Council using the previously identified evaluation criteria. The award will not necessarily be made to the lowest bidder, but rather to the lowest and best bidder, considering cost and the results of the council's evaluation.

Issued in Austin, Texas, on December 4, 1986.

TRD-8611315 James D Dannenbaum  
Chairman  
Texas Cancer Council

Filed: December 4, 1986

For further information, please call (512) 463-3190.

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## Implement Nurse Oncology Education Network

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Cancer Council requests proposals for implementation of a statewide nurse oncology education network.

**Description of Services.** The contractor will plan, develop, organize, and implement a statewide nurse oncology education program throughout Texas. This program must develop a network of current resources and coordinate existing oncology nursing continuing education programs with early detection, screening, and oncology training programs to foster the achievement of the goals of the Texas cancer plan.

In its final report, the Legislative Task Force on Cancer in Texas (LTFCT) emphasized the crucial role of every registered nurse in early detection and screening of cancer. A second, equally crucial role in assisting the delivery of cancer treatment was emphasized for registered nurses working in oncology and oncology nurse specialists. Implementation of this education network will help detect, diagnose, and treat cancer earlier, when cure is more likely, and deliver quality oncology nursing services to cancer victims.

**Major Tasks.** There are seven overall tasks to be accomplished: establish administrative direction for the Texas cancer nursing education network with coordination between the major nursing resources with expertise in cancer prevention, detection, screening and oncology care; network with deans and directors of schools of nursing to implement Oncology Nursing Society core curriculum in all undergraduate registered nursing programs in Texas; network with existing schools of nursing to increase the number of nursing graduates with an oncology nursing major or subspecialty in oncology nursing at the graduate level; establish programs to train all registered nurses in Texas to provide early detection and screening activities statewide; develop the network of accredited providers of oncology nursing continuing education in Texas and implement targeted programs around the state; develop a program which provides the teaching of undergraduate and graduate programs in oncology nursing to be conducted by faculty with either oncology experience, oncology continuing education, or graduate training in oncology; and coordinate with existing agencies in the expansion of the

role of nursing research in oncology, especially in the area of patient education.

**Eligible Organizations.** To facilitate the achievement of this proposed program, a consortium of organizations is encouraged, including a single proposal with a series of sub-contracts. Letters of support from each member of the consortium should be included in any proposal. Each organization should be actively involved in the education of nurses in Texas, have qualified expertise in the area of cancer, and be willing to participate in a cooperative, targeted nursing oncology education program.

**Proposal Format.** Each proposal will contain two parts, a technical proposal and a business proposal. The technical proposal will specify the overall program priority area, the specific problem(s) to be addressed, the scope of work to be undertaken, including major tasks and activities, a timetable with major milestones and delivery schedule, an organizational plan with manpower estimates by major task, identification of key personnel, and an evaluation plan. The business proposal will specify the estimated cost to the Texas Cancer Council if the proposal is funded and other terms and conditions related to the proposal. The estimated cost must be on a line item budget basis to fully identify the type of expense anticipated and, where appropriate, to estimate these costs for each major task identified in the technical proposal. Other terms and conditions must include the time period during which the proposal is valid, and identification of the person authorized to negotiate any matters related to the proposal on behalf of the submitting agency or organization.

**Timetable.** The nurse oncology education network initiative is intended to be at least a five-year program. However, submitted proposals should cover only the first phase of the program in detail for a total of no longer than eight months, ending August 31, 1987, with some general discussion of the overall five-year program.

**Evaluation Procedures.** The criteria used to evaluate the offers include: background, experience, and knowledge in oncology nurse education programs; the offeror's ability to complete the project in a quality manner and within the time frame allowed; the submission of a proposal addressing all of the required areas, with a reasonable budget to achieve the major tasks; the offeror's plan for completing the project on or before the deadline to be stipulated in the contract; and the description of the offeror's organization or agency. The Texas Cancer Council reserves the right to accept or reject any or all proposals submitted. The Texas Cancer Council is under no legal requirement to execute a resulting contract on the basis of this advertisement and intends that any material provided be used only as a means of identifying qualified applicants. This request does not commit the Texas Cancer Council to pay any costs incurred before execution of a contract.

**Contact Person.** The contact person is Richard Merkel, Executive Director, Texas Cancer Council, P.O. Box 12097, Austin, Texas 78711, (512) 463-3190.

**Due Date.** All proposals must be submitted by the close of business on the 20th day after the first date of publication of this notice. Proposals must be mailed by certified mail or delivered directly to the contact person by the above date.

**Cost.** The proposed contract shall be a cost reimbursement type contract. The Texas Cancer Council has adopted a policy to pay for the direct cost of program implementation, including fringe benefits, but excluding indirect or overhead costs. The Texas Cancer Council will assess the

reasonableness of the total project cost and specific cost elements by major task. Although not necessarily the deciding factor, this criterion will be considered in the evaluation process. Some level of cost sharing by the contractor is expected. The degree of cost sharing proposed by the contractor will reflect the importance of this effort to ongoing programs of the contractor.

**Final Selection.** Final selection will be made by the Texas Cancer Council using the previously identified evaluation criteria. The award will not necessarily be made to the lowest bidder, but rather to the lowest and best bidder, considering cost and the results of the council's evaluation.

Issued in Austin, Texas, on December 4, 1986.

TRD-8611314 James D Dannenbaum  
Chairman  
Texas Cancer Council

Filed: December 4, 1986

For further information, please call (512) 463-3190.

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## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

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

| Type of Rate Ceilings<br>Effective Period<br>(Dates are Inclusive)  | Consumer <sup>(3)</sup> Agricul-<br>tural/Commercial <sup>(4)</sup><br>thru \$250,000 | Commercial <sup>(4)</sup><br>over<br>\$250,000 |
|---|---|--|
| Indicated (Weekly)<br>Rate—Article 1.04(a)(1)<br>12/08/86-12/14/86  | 18.00%  | 18.00%   |
| Monthly Rate—<br>Article 1.04(c)(1)<br>12/01/86-12/31/86  | 18.00%  | 18.00%   |
| Standard Quarterly<br>Rate—Article 1.04(a)(2)<br>01/01/87-03/31/87  | 18.00%  | 18.00%   |
| Retail Credit Card<br>Quarterly Rate—<br>Article 1.11(3)<br>01/01/87-03/31/87   | 18.00%  | N/A  |
| Lender Credit Card<br>Quarterly Rate—<br>Article 15.02(d)(3)<br>01/01/87-03/31/87   | 14.00%  | N/A  |
| Standard Annual<br>Rate—Article 1.04(a)(2) <sup>(2)</sup><br>01/01/87-03/31/87  | 18.00%  | 18.00%   |
| Retail Credit Card<br>Annual Rate—<br>Article 1.11(3)<br>01/01/87-03/31/87  | 18.00%  | N/A  |
| Annual Rate Applicable<br>to Pre-July 1, 1983,<br>Retail Credit Card and<br>Lender Credit Card<br>Balances with Annual<br>Implementation Dates<br>from<br>01/01/87-03/31/87 | 18.00%  | N/A  |

### Judgment Rate—Article

1.05, §2  
12/01/86-12/31/86 10.00% 10.00%

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

Issued in Austin, Texas, on December 1, 1986.

TRD-8611294 Al Endsley  
Consumer Credit  
Commissioner

Filed: December 3, 1986

For further information, please call (512) 479-1280.

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## Texas Economic Development Commission Private Activity Bond Allocation Report

Private activity bonds (PABs) that were induced on or after June 19, 1984, are subject to a ceiling, as stipulated in the Federal Deficit Reduction Act of 1984. This cap is equal to \$75 per capita (effective August 15, 1986), or approximately \$1.2 billion for the State of Texas effective August 15, 1986.

Executive Order MW-40 states that the procedure for allocating this ceiling will be on a first-come, first-served basis, with the Texas Economic Development Commission (TEDC) being the tracking agency for the program. The information that follows is a summary report of the allocation activity for the week of November 17-November 28, 1986.

Total unresolved principal amount of private activity bonds authorized to be allocated as per the Federal Deficit Reduction Act of 1984 through November 28, 1986:  
\$717,590,000.

Comprehensive listing of bond issues which have received a reservation date as per Executive Order MW-40 from November 17-November 28, 1986; listed in order of issuer, user, description, and amount:

Lubbock Industrial Development Corporation; McLane Company, Inc.; distribution center; \$6 million

City of Mansfield Industrial Development Corporation; Pier 1. Imports—Texas, Inc.; warehouse/distribution center; \$9.5 million

West Texas Industrial Development Corporation; Digitech, Inc.; manufacturer; \$3.6 million

Harris County Industrial Development Corporation; Hobas USA, Inc.; manufacturer; \$5.560 million

\*Matagorda County Navigation District No. 1; Houston Lighting and Power Company; pollution control/solid waste; \$68 million

Brazos County Health Facilities Development Corporation; Sandstone System, Inc.; psychiatric facility; \$7.5 million

Kemah Industrial Development Corporation; Texas Security Investors, Inc.; shopping center (Series A); \$2.6 million

Kemah Industrial Development Corporation; Texas Security Investors, Inc.; motel and offices (Series B); \$2.4 million

Total \$ amount of reservations—August 15-September 28, 1986: \$510,160,000.

The Matagorda County Navigation District No. 1 originally reserved \$56 million on November 10, 1986, for the Houston Lighting and Power Company. The district reserved an additional \$12 million on November 18, 1986, for the same project. Those reservations were rescinded by the issuer and replaced on November 25, 1986, with a reservation for \$68 million for the Houston Lighting and Power Company.

Total principal amount of Private Activity Bonds issued from November 17 through November 28, 1986: \$77,500,000

Comprehensive listing of bonds issued as per Executive Order MW-40 from November 17 through November 28, 1986:

City of Mansfield Industrial Development Corporation; Pier 1. Imports—Texas, Inc.; warehouse/distribution center; \$9.5 million

Matagorda County Navigation District No. 1; Houston Lighting and Power Company; pollution control/solid waste; \$68 million

The allocations were granted by the Texas Economic Development Commission in accordance with the procedures set forth in Executive Order MW-40, signed by Governor Mark White on November 10, 1986, and effective as of August 15, 1986.

Issued in Austin, Texas, on December 2, 1986.

TRD-8811301 David J. Brandon  
Executive Director  
Texas Economic Development  
Commission

Filed: December 3, 1986  
For further information, please call (512) 472-5059.



## Texas Employment Commission Consultant Proposal Request

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Employment Commission requests proposals for consulting services.

**Description of services.** The agency invites consulting firms to offer their services to assist the Texas Employment Commission with the project management and implementation of the ICESA/FARS accounting system. The project will include assistance in project management, functional analysis of existing accounting operations versus operations under the new system, development of state unique modification requirements and system and user testing during the pilot implementation at the Georgia Department of Labor and during the Texas Employment Commission implementation.

**Contact persons.** Requests for proposal may be obtained by calling or writing Mike Wheeler, Fiscal Room 672A, TEC Building, 101 East 15th Street, Austin, Texas 78778, (512) 463-2833.

**Closing date.** Proposals are due by 1 p.m. on January 12, 1987, at the address shown.

**Evaluation and selection.** Evaluation and selection will be based on the following: the company's objectivity, background, and experience in dealing with state employment security agencies in similar projects; the timeliness of the

proposed work; the qualifications and knowledge of the individuals proposed to perform the work with regard to specific skill requirements detailed in the request for proposal, including experience and knowledge of the functional operation of all data entry screens, reports, and accounting processes relating to the ICESA/FARS general ledger, time distribution, accounts payable, and security software modules; and the projected cost.

The consultant services required is the continuation of a current project. The Texas Employment Commission intends to contract with the current consultant unless it receives a substantially better offer.

Issued in Austin, Texas, on December 5, 1986.

TRD-8811373 Ferris Duhon  
Legal Counsel  
Texas Employment Commission

Filed: December 5, 1986  
For further information, please call (512) 463-2291.



## Texas Department of Health Consultant Proposal Request

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Health invites requests for proposals to evaluate the Primary Health Care Services Program. The purpose of this evaluation is to assess the projects funded by the Texas Department of Health during the 1986 biennium for the delivery of primary health care services to eligible low-income individuals. Specifically, this evaluation seeks to determine: whether the projects are consistent with the legislative intent of the Primary Health Care Services Act (PHCSA), Texas Civil Statutes, Article 4438d, and the purpose of the Primary Health Care Services Program (PHCSP); and whether these projects have the potential for solving their community's problems as described in their request for funding.

Special emphasis is placed on accessibility and availability, cost-effectiveness, and changes in the health care delivery system. The results of this evaluation will lead to the development and evaluation of model programs designed to improve the delivery of primary health care services for low-income populations in Texas.

The department plans to award only one applicant through a single competition with a specified deadline of January 26, 1987, for receipt of applications. The maximum amount of the award is \$40,000. Funding will begin in March 1987 and may not extend past August 31, 1987.

Individuals and public and private programs or agencies are eligible to apply for funding, and those interested in applying for funds should send a letter of intent to receive an application kit.

Direct letters of intent and applications to: Texas Department of Health, John H. Dombroski, Director, Division of Primary Health Care Services, 1100 West 49th Street, Austin, Texas 78756

Applications must be prepared and submitted in accordance with the instructions included in the application kit. Three copies of the application must be received before the close of the business day of Monday, January 26, 1987.

Applications responsive to the request for proposal will be reviewed by an appropriate review panel convened by Texas Department of Health staff from the central office and public health regions. Final approval will be provided

by the Statewide Primary Health Care Services Program Advisory Committee.

Inquires related to application development may be directed to Clara Gonzalez, M.P.H., Program Coordinator, at (512) 458-7771.

Issued in Austin, Texas, on December 12, 1986

TRD-8611291 Robert A. MacLean  
Deputy Commissioner  
Professional Services  
Texas Department of Human Services

Filed: December 3, 1986  
For further information, please call (512) 458-7771.

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## Public Hearing

The department will conduct a public hearing on the following municipal solid waste disposal site: Wise County has filed Application 1850 with the Texas Department of Health for a permit to operate a proposed Type III municipal solid waste site to be located northeast of Decatur, approximately 8.5 miles from the center of town on FM Road 51, thence northwest at Sycamore approximately 1.5 miles on a county road (Griffeth Lane), in Wise County. The site consists of approximately 38.29 acres of land, and is to daily receive approximately 1/2 ton of solid wastes under the regulatory jurisdiction of the department when disposed of or otherwise processed in accordance with the department's municipal solid waste management regulations.

Pursuant to the provisions of the Texas Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7, the Texas Department of Health municipal solid waste management regulations, and the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, a public hearing on the aforesaid application will be held at Wise County courthouse in the Jury Room, Decatur, Texas, at 9 a.m. on Tuesday, January 13, 1987. The purpose of the hearing is to receive evidence for and against the issuance of a permit for the aforesaid application. The hearing will be conducted and the final decision will be rendered in accordance with the applicable rules contained in the department's municipal solid waste management regulations, including all changes in effect as of August 20, 1985. All parties having an interest in this matter shall have the right to appear at the hearing, present evidence and be represented by counsel. Pursuant to Texas Civil Statutes Article 6252-13a, and the department's formal hearing procedures, the cost of a written hearing transcript may be assessed against one or more of the designated parties.

A copy of the complete application may be reviewed at the Texas Department of Health, 1100 West 49th Street, Austin, or at the department's Public Health Region 5 headquarters located at 2561 Matlock Road, Arlington, Texas 76014, (817) 460-3032

Issued in Austin, Texas, on December 2, 1986.

• TRD-8611338 Robert A. MacLean  
Deputy Commissioner  
Professional Services  
Texas Department of Health

Filed: December 5, 1986  
For further information, please call (512) 458-7271.

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## Texas Housing Agency Public Hearing

Notice is hereby given that a public hearing will be held by the executive administrator or deputy administrator of the Texas Housing Agency (THA) at 1 p.m. on Monday, December 22, 1986, at Mount Pilgrim Baptist Church Multipurpose Building, 908 East 32 1/2 Street, Houston, with respect to the proposed issuance by the THA of its industrial development revenue bonds in an amount not to exceed \$3,100,000, to finance all or a part of a multi-family rental residential retirement development for senior citizens of low or moderate income consisting of approximately 90 units to be located on approximately 1.3 acres in the 700 block of West 23rd Street, Houston, Texas 77008. The project will be owned and operated by Watkins Convalescent Home, Inc.

All interested persons are invited to attend the public hearing to express their views on the project and the issuance of bonds.

Questions or requests for additional information may be directed to Edwina P. Carrington, Multifamily Program Manager, Texas Housing Agency, 411 West 13th Street, Suite 700, Austin, Texas 78701.

Persons who intend to appear at the hearing and express views are encouraged to contact Ms. Carrington either in writing or by telephone in advance of the hearing.

Any interested person unable to attend the hearing may submit their views in writing to Ms. Carrington at the Texas Housing Agency in Austin before the date scheduled for the hearing. All written comments will be made available for review by all parties attending the public hearing.

Issued in Austin, Texas, on December 5, 1986.

TRD-8611389 Dan A. McNeil  
Liaison and Certifying Official  
Texas Housing Agency

Filed: December 5, 1986  
For further information, please call (512) 474-2974.

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## Texas Surplus Property Agency Consultant Proposal Request

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Surplus Property Agency (TSPA) requests consulting services for the development, application, and implementation of software to provide an operational inventory control program on the agency's Compaq Deskpro 286 computer.

**Description of services.** The project will include a functional conversion or modification of an inventory control software package developed by Arthur Anderson Company for the Utah Surplus Property Agency for use by the Texas Surplus Property Agency. The services requested include: evaluating agency requirements relative to hardware and software, the extent of modifications of the Utah program, and the necessary training and personnel requirements; loading the Utah program into agency hardware and making it functional; modifying the operational system, tailoring it to TSPA needs and requirements including the ability to network all four district inventory operations; and training agency personnel. It is a requirement that the system will be developed using the Metafile language on currently owned agency equipment and other

hardware that can be acquired within current budgetary limitations.

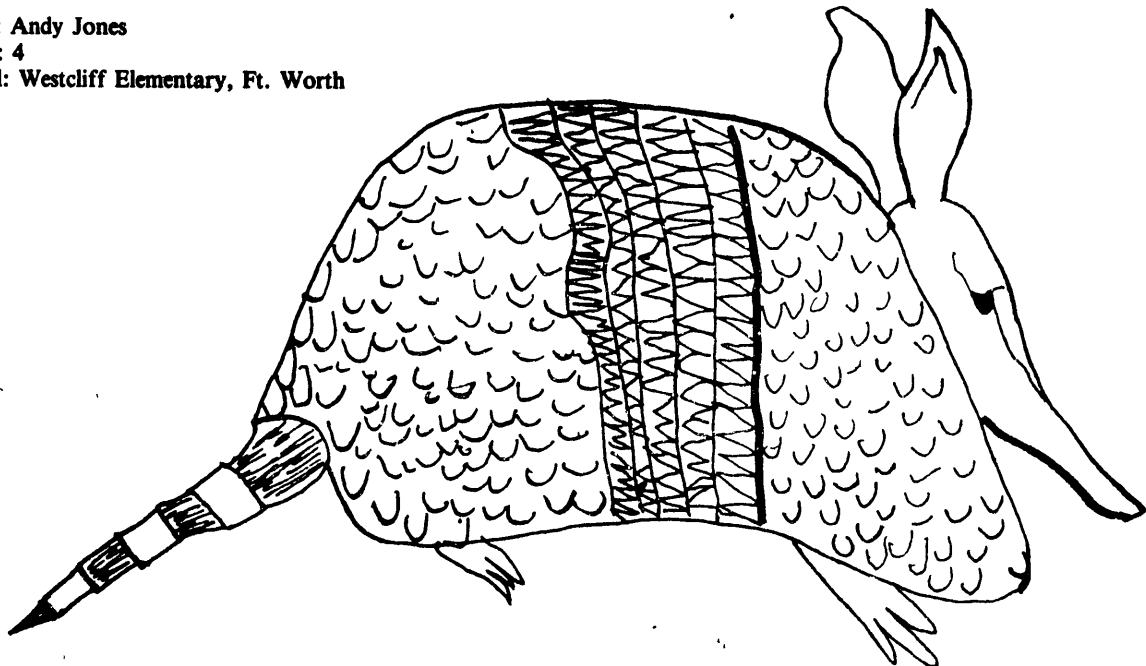
**Limitations.** The software implementation/conversion must be completed and the inventory control system operational by June 30, 1987. All services provided, including training of agency personnel must be furnished at the agency's San Antonio location. All programs, software procedures, and techniques developed through this contract shall be the property of the Texas Surplus Property Agency without any reservations, restrictions, or encumbrances. The contractor will furnish a minimum of one printed copy of all programs developed with appropriate flow charts, diagrams, or displays relevant to any software/hardware configuration. The total funding amount will not exceed \$6,000.

**Contact persons.** For further information regarding the proposed invitation, contact Marvin J. Titzman, Executive Director, or Betty J. Moczygemba, Accountant, Texas Surplus Property Agency, P.O. Box 8120, 2103 Ackerman Road, San Antonio, Texas 78208, (512) 661-2381.

**Evaluation and selection.** Proposals will be evaluated using the following criteria: demonstrated competence, qualifications, proven experience, personnel, quality and timeliness of the conversion/implementation plan, delivery of proposed training, and reasonableness of fees/cost for services. The information contained in this proposal request is intended to serve only as a general description of the services desired. The Texas Surplus Property Agency will use any responses as a basis for further negotiation of project details. The Texas Surplus Property Agency reserves the right to accept or reject any of the proposals submitted.

**Closing date.** Proposals must be received in the Administrative Office, Texas Surplus Property Agency, P.O. Box 8120, San Antonio, Texas 78208, by 5 p.m. on January 23, 1987.

Name: Andy Jones  
Grade: 4  
School: Westcliff Elementary, Ft. Worth



Issued in Austin, Texas, on December 3, 1986.

TRD-8611313

Marvin J. Titzman  
Executive Director  
Texas Surplus Property Agency

Filed: December 4, 1986

For further information, please call (512) 661-2381.

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**Texas Water Commission**  
**Enforcement Order**

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Global Fuel, Inc., on December 2, 1986, assessing \$16,800 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Cindy Smiley, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas, 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on December 4, 1986

TRD-8611392

Mary Ann Hefner  
Chief Clerk  
Texas Water Commission

Filed: December 5, 1986

For further information, please call (512) 463-7898.

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# 1987 Publication Schedule for the *Texas Register*

Listed below are the deadline dates for the 1987 issues of the *Texas Register*. For reference, monthly deadline schedules will also be published during the year. Because of printing schedules, material received after the deadline for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the *Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication. A star beside a publication date indicates that the deadlines have been moved because of state holidays. Please note that issues published on February 3, May 1, August 4, and November 3 are indexes; no other material will be published in these issues. The *Texas Register* will not be published on January 6, September 1, December 1, and December 29.

| FOR ISSUE<br>PUBLISHED ON  | ALL COPY EXCEPT NOTICES<br>OF OPEN MEETINGS BY 10 A.M.  | ALL NOTICES OF<br>OPEN MEETINGS BY 10 A.M.  |
|--|---|---|
| Friday, January 2  | Monday, December 29   | Tuesday, December 30  |
| Tuesday January 6<br>Friday, January 9<br>Tuesday, January 13<br>Friday, January 16<br>Tuesday, January 20<br>★ Friday, January 23<br>Tuesday, January 27<br>Friday, January 30          | NO ISSUE PUBLISHED<br><br>Monday, January 5<br>Wednesday, January 7<br>Monday, January 12<br>Wednesday, January 14<br>Monday, January 16<br>Wednesday, January 21<br>Monday, January 26             | Tuesday, January 6<br>Thursday, January 8<br>Tuesday, January 13<br>Thursday, January 15<br>Tuesday, January 20<br>Thursday, January 22<br>Tuesday, January 27                                  |
| Tuesday, February 3<br>Friday, February 6<br>Tuesday, February 10<br>Friday, February 13<br>Tuesday, February 17<br>★ Friday, February 20<br>Tuesday, February 24<br>Friday, February 27 | 1986 CUMULATIVE INDEX<br><br>Monday, February 2<br>Wednesday, February 4<br>Monday, February 9<br>Wednesday, February 11<br>Friday, February 13<br>Wednesday, February 18<br>Monday, February 23    | Tuesday, February 3<br>Thursday, February 5<br>Tuesday, February 10<br>Thursday, February 12<br>Tuesday, February 17<br>Thursday, February 19<br>Tuesday, February 24                           |
| ★ Tuesday, March 3<br>Friday, March 6<br>Tuesday, March 10<br>Friday, March 13<br>Tuesday, March 17<br>Friday, March 20<br>Tuesday, March 24<br>Friday, March 27<br>Tuesday, March 31    | Wednesday, February 25<br>Monday, February 27<br>Wednesday, March 4<br>Monday, March 9<br>Wednesday, March 11<br>Monday, March 16<br>Wednesday, March 18<br>Monday, March 23<br>Wednesday, March 25 | Thursday, February 26<br>Tuesday, March 3<br>Thursday, March 5<br>Tuesday, March 10<br>Thursday, March 12<br>Tuesday, March 17<br>Thursday, March 19<br>Tuesday, March 24<br>Thursday, March 26 |
| Friday, April 3<br>Tuesday, April 7<br>Friday, April 10<br>Tuesday, April 14<br>Friday, April 17<br>Tuesday, April 21<br>★ Friday, April 24<br>Tuesday, April 28                         | Monday, March 30<br>Wednesday, April 1<br>Monday, April 6<br>Wednesday, April 8<br>Monday, April 13<br>Wednesday, April 15<br>Friday, April 17<br>Wednesday, April 22                               | Tuesday, March 31<br>Thursday, April 2<br>Tuesday, April 7<br>Thursday, April 9<br>Tuesday, April 14<br>Thursday, April 16<br>Tuesday, April 20<br>Thursday, April 23                           |
| Friday, May 1<br>Tuesday, May 5<br>Friday, May 8   | 1ST QUARTERLY INDEX<br><br>Wednesday, April 29<br>Monday, May 4   | Thursday, April 30<br>Tuesday, May 5  |

Tuesday, May 12  
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