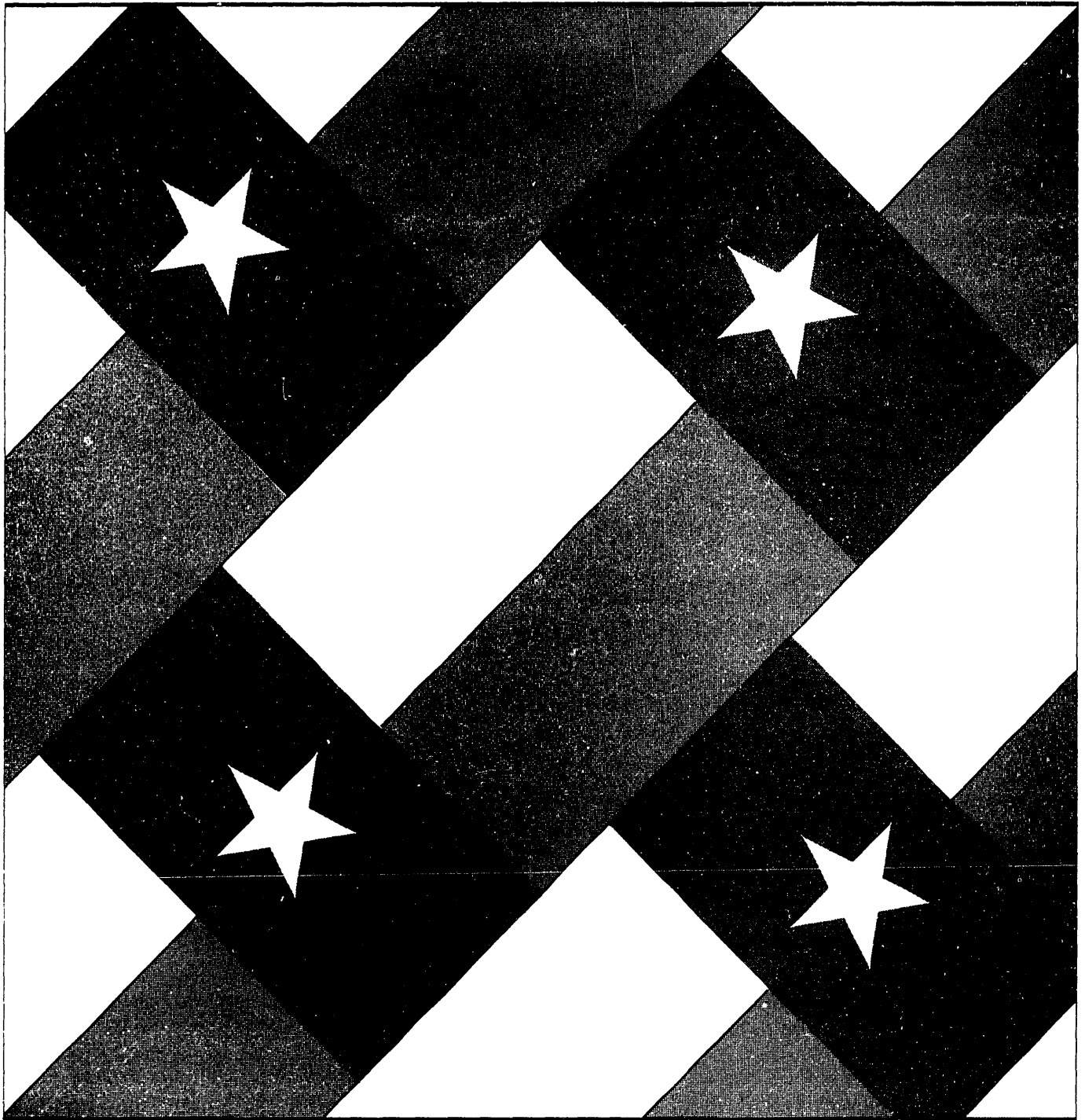


Texas Register

Volume 12, Number 10, February 10, 1987

Pages 451-479



Highlights

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The **State Board of Insurance** adopts an emergency new section concerning rates of assessment to determine maintenance

taxes for 1987. Effective date - February 3 **page 455**
The **State Securities Board** proposes an amendment concerning factors which are usually considered in determining whether or not a securities issue is fair, just, or equitable. Earliest possible date of adoption - March 13.....**page 456**

Office of
the Secretary
of State

Texas Register

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- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- State Ethics Advisory Commission—summaries of requests for opinions and opinions
- Attorney General—summaries of requests for opinions, opinions, and open records decisions
- Emergency Rules—rules adopted by state agencies on an emergency basis
- Proposed Rules—rules proposed for adoption
- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date
- Adopted Rules—rules adopted following a 30-day public comment period
- Open Meetings—notices of open meetings
- In Addition—miscellaneous information required to be published by statute 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: "12 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 12 TexReg 3."

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

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

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

TAC stands for the *Texas Administrative Code*;

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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 16. ECONOMIC REGULATIONS

Part I. Railroad Commission of Texas

Chapter 3. Oil and Gas Division Conservation Rules and Regulations

★ 16 TAC §3.34

The Railroad Commission of Texas is renewing the effectiveness of the emergency adoption of new §3.34 for a 60-day period effective. The text of the new §3.34 was originally published in the October 14, 1986, issue of the *Texas Register* (11 TexReg 4270)

Issued in Austin, Texas, on January 13, 1987

TRD-8701031

Walter Earl Little
Special Counsel
Railroad Commission of
Texas

Effective date February 5, 1987

Expiration date April 6, 1987

For further information, please call
(512)463-7149

★ ★ ★



TITLE 28. INSURANCE

Part I. State Board of Insurance

Chapter 1. General Administration

Subchapter C. Maintenance Taxes

★ 28 TAC §1.405

The State Board of Insurance adopts on an emergency basis new §1.405, concerning assessment of maintenance taxes for 1987. This new section adopts rates of assessment, based on gross premium receipts for the 1986 calendar year, to determine maintenance taxes for 1987. In assessing maintenance taxes for 1987, the new section applies these rates to automobile insurance; casualty insurance and other lines regulated under the Insurance Code, Chapter 5, Subchapter B; fire and allied lines insurance, including inland marine; workers' compensation insurance; title insurance; and prepaid legal services contracts. The board is required to determine annually the rate of assessment on these activities. An imminent peril to the public welfare requires that the section be adopted on an emergency basis in order to continue the proper functioning of administrative regulation of the business of insurance in Texas. The rates for the various lines of insurance have recently been determined and companies must know the amount of tax to pay before the due date. Timely payment of the taxes is necessary for adequate support of certain functions of the State Board of Insurance.

This new section is adopted on an emergency basis under the Insurance Code,

Articles 5.12, 5.24, 5.49, 5.68, 9.46, and 23.08, which provides that the State Board of Insurance shall annually determine a rate of assessment and collect a maintenance tax on the activities specified in the new section.

§1.405. *Assessment of Maintenance Tax, 1987.* The following rates for maintenance taxes are assessed on gross premiums for the calendar year 1986 for the lines of insurance specified

(1) For automobile insurance, pursuant to the Insurance Code, Article 5.12, the rate is .019 of 1.0%

(2) For casualty and fidelity insurance, guaranty and surety bonds, pursuant to the Insurance Code, Article 5.24, the rate is .027 of 1.0%.

(3) For fire insurance and allied lines, including inland marine, pursuant to the Insurance Code, Article 5.49, the rate is .523 of 1.0%.

(4) For workers' compensation insurance, pursuant to the Insurance Code, Article 5.68, the rate is .361 of 1.0%.

(5) For title insurance, pursuant to the Insurance Code, Article 9.46, the rate is .083 of 1.0%.

(6) For prepaid legal services, pursuant to the Insurance Code, Article 23.08, the rate is 1.000 of 1.0%.

Issued in Austin, Texas, on February 3, 1987

TRD-8701033

Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date February 3, 1987

Expiration date June 3, 1987

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

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 7. BANKING AND SECURITIES

Part IV. Texas Savings and Loan Department Chapter 65. Loans and Investments

★7 TAC §65.12

The Texas Savings and Loan Department, proposes an amendment to §65.12, concerning unsecured loans. The amendment corrects an erroneous reference to the section.

L. L. Bowman III, commissioner, 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. Bowman 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 amendment corrects an erroneous reference of the section. 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 L. L. Bowman III, Savings and Loan Commissioner, 2601 North Lamar Boulevard, Suite 201, Austin, Texas 78705.

The amendment is proposed under Texas Civil Statutes, Article 342-114, which provide the Savings and Loan Section of the Finance Commission of Texas with the authority to promulgate general rules and regulations not inconsistent with the constitution and statutes of this state and, from time to time to amend same, and Texas Civil Statutes, Article 852a, §5.01, which give the Savings and Loan Section of the Texas Finance Commission authority to adopt rules relating to loans and investments.

§65.12. *Unsecured Loans.*

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

(e) Prior to funding a loan under this section, an association shall comply with the requirements of §65.17(c)(b) of this title (relating to Loan Documentation).

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

Issued in Austin, Texas, on February 3, 1987

TRD-8701005

Russell R. Oliver
General Counsel
Texas Savings and Loan
Department

Earliest possible date of adoption

March 13, 1987

For further information, please call
(512) 479-1250.

★ ★ ★

Part VII. State Securities Board

Chapter 105. Rules of Practice in Contested Cases

★7 TAC §105.2

The State Securities Board proposes an amendment to §105.2, concerning notices of hearings. The amendment allows the director of the Dealer Registration Division to sign notices of hearings in certain instances.

Richard D. Latham, securities commissioner, 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. Latham 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 to allow the director of the Dealer Registration Division to file notices of hearings in contested cases when such cases deal with matters covered by the Securities Act, §14. 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 Denise Voigt Crawford, State Securities Board, P.O. Box 13167, Austin, Texas 78711-3167.

The amendment is proposed under Texas Civil Statutes, Article 581, §28-1, which provide that the board may adopt rules and regulations governing registration statements and applications and may classify securities, persons, and matters within its jurisdiction, and prescribe different requirements for different classes

§105.2. *Notice*

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

(c) The director of the Enforcement Division may sign notices of hearings **and the director of the Dealer Registration Division may sign notices of hearings relating to matters falling within the Securities Act, §14.**

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

Issued in Austin, Texas, on February 2, 1987

TRD-8701009

Richard D. Latham
Securities Commissioner
State Securities Board

Earliest possible date of adoption

March 13, 1987

For further information, please call
(512) 474-2233

★ ★ ★

Chapter 113. Registration of Securities

★7 TAC §113.3

The State Securities Board proposes an amendment to §113.3, concerning the factors which are usually considered in determining whether or not a securities issue is fair, just, or equitable. Such considerations are made during the review of applications to register securities for sale in Texas. New paragraph (14) limits the applicability of the factors when review is made of common stock offerings meeting specified criteria and sold under specified conditions.

Micheal Northcutt, director, Securities Registration Division, 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.

**TITLE 22. EXAMINING
BOARDS**
Part XV. Texas State Board
of Pharmacy
Chapter 291. Pharmacies
Community Pharmacy (Class A)
★22 TAC §291.33

The Texas State Board of Pharmacy proposes an amendment to §291.33, concerning customized patient medication packages. This amendment provides guidelines regarding the labeling, packaging, record-keeping, and other standards required if a pharmacist, with the consent of the patient, the patient's caregiver, or a prescriber, provides a customized patient medication package.

Fred S. Brinkley, Jr., R.Ph., executive director/secretary, 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. Brinkley 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 provision of proper guidelines and operational standards to protect the public health and safety in the area of customized patient medication packages. 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 Fred S. Brinkley, Jr., R. Ph., 8505 Cross Park Drive, Suite 110, Austin, Texas 78754.

The amendment is proposed under Texas Civil Statutes, Article 4542a-1 §29, which provide the Texas State Board of Pharmacy with the authority to establish by rule the standards that each pharmacy and its employees or personnel involved in the practice of pharmacy shall meet to qualify for the licensing or relicensing as a pharmacy in each classification.

§291.33. *Operational Standards.*

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

(e) **Customized patient medication packages.**

(1) **Purpose.** In lieu of dispensing two or more prescribed drug products in separate containers, a pharmacist may, with the consent of the patient, the patient's caregiver, or a prescriber, provide a customized patient medication package (patient med pak).

(2) **Definitions.** A patient med pak is a package prepared by a pharmacist for a specific patient comprising a series of containers and containing two or more prescribed solid oral dosage forms. The patient med pak is so designed or each container is so labeled as to indicate the day and time, or pe-

riod of time, that the contents within each container are to be taken.

(3) **Label.**

(A) The patient med pak shall bear a label stating:

(i) the name of the patient;

(ii) a serial number for the patient med pak itself and a separate identifying serial number for each of the prescription orders for each of the drug products contained therein;

(iii) the name, strength, physical description or identification, and total quantity of each drug product contained therein;

(iv) the directions for use and cautionary statements, if any, contained in the prescription order for each drug product therein;

(v) any storage instructions or cautionary statements required by the official compendia;

(vi) the name of the prescriber of each drug product;

(vii) the date of preparation of the patient med pak and the beyond-use date assigned to the patient med pak (such beyond-use date shall be not later than 60 days from the date of preparation);

(viii) the name, address, and telephone number of the pharmacy dispensing the patient med pak;

(ix) any other information, statements, or warnings required for any of the drug products contained therein.

(B) If the patient med pak allows for the removal or separation of the intact containers therefrom, each individual container shall bear a label identifying each of the drug products contained therein.

(4) **Labeling.** The patient med pak shall be accompanied by a patient package insert, in the event that any medication therein is required to be dispensed with such insert as accompanying labeling. Alternatively, such required information may be incorporated into a single, overall educational insert provided by the pharmacist for the total patient med pak.

(5) **Packaging.** In the absence of more stringent packaging requirements for any of the drug products contained therein, each container of the patient med pak shall comply with official packaging standards. Each container shall be either not reclosable or so designed as to show evidence of having been opened.

(6) **Guidelines.** It is the responsibility of the dispensing pharmacist when preparing a patient med pak to take into account any applicable compendial requirements or guidelines and the physical and chemical compatibility of the dosage forms placed within each container, as well as any therapeutic incompatibilities that may attend the simultaneous administration of the medications.

(7) **Recordkeeping.** In addition to any individual prescription filing requirements, a record of each patient med pak shall be made and filed. Each record shall

contain, as a minimum:

(A) the name and address of the patient;

(B) the serial number of the prescription order for each drug product container therein;

(C) the name of the manufacturer or labeler and lot number for each drug product contained therein;

(D) information identifying or describing the design, characteristics, or specifications of the patient med pak sufficient to allow subsequent preparation of an identical patient med pak for the patient;

(E) the date of preparation of the patient med pak and the beyond-use date that was assigned;

(F) any special labeling instructions; and

(G) the name or initials of the pharmacist who prepared the patient med pak.

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 30, 1987

TRD-8701014

Fred S. Brinkley
Executive
Director/Secretary
Texas State Board of
Pharmacy

Earliest possible date of adoption
March 13, 1987

For further information, please call
(512) 832-0661

★ ★ ★

**Part XX. Board of Private
Investigators and Private
Security Agencies**
Chapter 435. Training
Programs

★22 TAC §435.9

The Texas Board of Private Investigators and Private Security Agencies proposes an amendment to §435.9, concerning basic training course. The section provides for licensees to keep records of job specific training. The amendment is proposed because the board has determined that maintaining these records is of no benefit to the agency or the public.

Clema D. Sanders 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. Sanders also has determined that for each year of the first five years the section is in effect there will be no public benefit anticipated as a result of enforcing the section. 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 Clema D. Sanders, Executive Director, P.O. Box 13509, Austin, Texas 78711

The amendment is proposed under Texas Civil Statutes, Article 4413 (29bb), §11, which provide the Texas Board of Private Investigators and Private Security Agencies with the authority to promulgate all rules and regulations necessary in carrying out the provisions of this Act

§435.9. *Basic Training Course*

(a) (No change.)

(b) In addition to the training listed in subsection (a) of this section, the licensee or the security department of a private business shall administer job specific training applicable to the security officer's particular assignment. Records pertaining to job specific training shall be kept in the employer's principal place of business or branch office, depending upon the location of the commissioned security officer's place of employment. These records shall be available for board inspection during reasonable business hours. Job specific training records are not required to be filed with the board.]

(b) [(c)]The training manual will be prepared by board staff and selected private security representatives.

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

Issued in Austin, Texas, on February 2, 1987

TRD-8701037 Clema D. Sanders
Executive Director
Texas Board of Private
Investigators

Earliest possible date of adoption

March 13, 1987

For further information, please call
(512) 463-5545.



Part XXII. Texas State
Board of Public
Accountancy
Chapter 511. Certification as
CPA

CPA Examinations

★22 TAC §511.70

The Texas State Board of Public Accountancy proposes the new §511.70, concerning the processing of suspected candidate irregularities occurring during the Uniform CPA Examination process. The new section provides the guidelines and safeguards for the process.

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

riod the proposed section will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the section.

Mr. Bradley also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be provision of notice to the public of the procedures followed in processing instances of suspected candidate irregularities occurring during the Uniform CPA examination process. 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 A. Sansing, 1033 La Posada, Suite 340, Austin, Texas 78752-3892.

The new section is proposed under Texas Civil Statutes, Article 41a-1, §6(a), which provide the Texas State Board of Public Accountancy with the authority to promulgate rules of professional conduct relating to the administration of the Uniform CPA examination

§511.70 *Processing Suspected Irregularities Involving Candidates for the Uniform CPA Examination*

(a) In furtherance of the examination responsibilities under provisions of the Public Accountancy Act of 1979, as amended (Texas Civil Statutes, Article 41a-1, 1981), the Texas State Board of Public Accountancy (the board) shall cause to be published written guidelines to candidates, and the rendering of appropriate oral guidance by representatives of the board at the various examination sites. Such guidelines shall apply to candidates for the Uniform CPA examination administered by the board

(b) Failure of a candidate to comply with the board guidelines or instructions may result in action by the board to determine the qualifications of such candidate to apply to sit for examination, reexamination, and/or granting of credit obtained at an examination taken, where it is determined that the candidate failed to comply with the board guidelines and or instructions given under the authority of the Public Accountancy Act of 1979, as amended (Texas Civil Statutes, Article 41a-1, 1981).

(c) The provisions of Chapter 519 of this title (relating to Practice and Procedure) and the Administrative Procedure and Texas Register Act, where appropriate, shall apply to the processing of action taken by the board for such irregularities.

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

Issued in Austin, Texas, on February 2, 1987

TRD-8700995

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

Earliest possible date of adoption

March 13, 1987

For further information, please call
(512) 450-7041



TITLE 31. NATURAL
RESOURCES AND
CONSERVATION
Part XIV. Texas Board of
Irrigators
Chapter 421. Introductory
Provisions
General Provisions

★31 TAC §421.1

The Texas Board of Irrigators proposes an amendment to §421.1(4), concerning definitions. The amendment clarifies the definition of executive director.

Joyce Watson, executive secretary, 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. Watson 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 clearer and more accurate expression of the procedures and standards by which the Texas Water Commission and the Texas Board of Irrigators exercise their responsibilities relating to their spheres of authority and jurisdiction. 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 Larry Persky, Staff Attorney, Legal Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087.

The amendment is proposed under Texas Civil Statutes, Article 8751, §7, which provide that the Texas Board of Irrigators shall adopt those rules which are consistent with Article 8751 to govern the conduct of its business and proceedings and shall adopt standards governing revocation of certificates of registration and connections to public or private water supplies by a licensed irrigator or a licensed installer.

§421.1. *Definitions.* The following words and terms, when used in this Part XIV, shall

have the following meanings, unless the context clearly indicates otherwise.

Executive director—The executive director of the Texas [Department of] Water Commission [Resources].

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701060

Joyce Watson
Executive Secretary
Texas Board of Irrigators

Earliest possible date of adoption:

March 13, 1987.

For further information, please call
(512) 463-8087.

★ ★ ★

Chapter 423. Registration of Irrigators and Installers Application for Registration

★ 31 TAC §423.7

The Texas Board of Irrigators proposes an amendment to §423.7, concerning application or examination fees; form of payment. The amendment increase the examination fee from \$50 to \$75 for an irrigator's certificate of registration.

Joyce Watson, executive secretary, 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. Watson also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be a clearer and more accurate expression of the procedures and standards by which the Texas Water Commission and the Texas Board of Irrigators exercise their responsibilities relating to their spheres of authority and jurisdiction in regard to civil penalties. The only possible economic cost to individuals who are required to comply with the regulations as proposed will be those individuals who are found guilty, by a court of competent jurisdiction, of violation of: Texas Civil Statutes, Article 8751, Licensed Irrigators Act; a rule adopted by the Texas Board of Irrigators pursuant to Texas Civil Statutes, Article 8751; an order of the Texas Water Commission issued after a hearing, pursuant to Texas Civil Statutes, Article 8751, §5(c), and/or an order revoking a certificate of registration under Texas Civil Statutes, Article 8751, §11. In addition, all applicants for an irrigator's certificate of registration will be required to pay an additional \$25 to take the exam.

Comments on the proposal may be submitted to Larry Persky, Staff Attorney, Legal Division, Texas Water Commission, PO Box 13087, Austin, Texas 78711-3087.

The amendment is proposed under Texas Civil Statutes, Article 8751, §7, which provide that the Board of Irrigators shall adopt those rules which are consistent with Article 8751 to govern the conduct of its business and proceedings and shall adopt standards governing revocation of certificates of registration and connections to public or private water supplies by a licensed irrigator or a licensed installer.

§423.7. *Application and [or] Examination Fees; Form of Payment.* Persons applying for an irrigator's certificate of registration shall remit an application and [or] examination fee of \$75 [\$50]. Persons applying for an installer's certificate of registration shall remit an application and [or] examination fee of \$35. Payments shall be made by personal check, money order, or cashier's check made payable to the Texas Board of Irrigators. These fees shall not be refundable.

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701059

Joyce Watson
Executive Secretary
Texas Board of Irrigators

Earliest possible date of adoption:

March 13, 1987.

For further information, please call
(512) 463-8087.

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Chapter 429. Violation of Statute or Board Rule Enforcement

★ 31 TAC §§429.51, 429.53, 429.55

The Texas Board of Irrigators proposes new §§429.51, 429.53, and 429.55 concerning civil penalties, injunctions, and action by the attorney general. Section 429.51 provides for civil penalties for specific types of violations and appropriate jurisdiction for prosecuting violators. Section 429.53 provides for injunctions for specific types of violations and appropriate jurisdiction for seeking injunctions. Section 429.55 provides that the attorney general will provide assistance in the board in enforcing §429.51 and §429.53.

Joyce Watson, executive secretary, has determined that for the first five-year period the proposed sections will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the sections.

Ms. Watson also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be a clearer and more accurate expression of the procedures and standards by which the Texas Water Commission and the Texas Board of Irrigators exercise their responsibilities relating to their spheres of authority and jurisdiction in regard to civil penalties. The only possible economic cost to individuals who are required to comply with the regulations as proposed will be those individuals who are found guilty, by a court of competent jurisdiction, of violation of: Texas Civil Statutes, Article 8751, Licensed Irrigators Act, a rule adopted by the Board of Irrigators pursuant to Texas Civil Statutes, Article 8751, an order of the Texas Water Commission issued after a hearing, pursuant to Texas Civil Statutes, Article 8751, §5(c), and/or an order revoking a certificate of registration under Texas Civil Statutes, Article 8751, §11. In addition, all applicants for an irrigator's certificate of registration will be required to pay an additional \$25 to take the exam.

Comments on the proposal may be submitted to Larry Persky, Staff Attorney, Legal Division, Texas Water Commission, PO Box 13087, Austin, Texas 78711-3087.

The new sections are proposed under Texas Civil Statutes, Article 8751, §7, which provide that the Texas Board of Irrigators shall adopt those rules which are consistent with Article 8751 to govern the conduct of its business and proceedings and shall adopt standards governing revocation of certificates of registration and connections to public or private water supplies by a licensed irrigator or a licensed installer.

§429.51. *Civil Penalty.*

(a) A person who violates Texas Civil Statutes, Article 8751, a rule adopted by the board pursuant to Article 8751, or an order of the commission issued after a hearing, pursuant to Article 8751, §5(c), and/or an order revoking a certificate of registration under Article 8751, §11, is subject to a civil penalty of not to exceed \$1,000 for each offense. Each day a violation is committed is a separate offense.

(b) An action to recover the penalty under subsection (a) of this section may be brought by the board in any court of competent jurisdiction in the county in which the offending activity occurred, in which the defendant resides, or in Travis County.

§429.53. *Injunctions.* The board may enforce Texas Civil Statutes, Article 8751, a board rule, or commission order by injunctions or other appropriate remedy. The action may be brought by the board in a court of competent jurisdiction in the county in which the offending activity occurred, in which the defendant resides, or in Travis County.

§429.55. *Action By Attorney General* At the request of the board, the attorney general shall institute and conduct a suit in the name of the state to recover the civil penalty as provided under §429.51 of this title (relating to Civil Penalty) or for injunctive relief or other appropriate remedy or for both.

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

Issued in Austin, Texas, on February 4, 1987

TRD-8701058 Joyce Watson
Executive Secretary
Texas Board of Integrators

Earliest possible date of adoption
March 13, 1987

For further information, please call
(512) 463-8087

★ ★ ★

TITLE 34. PUBLIC FINANCE

Part III. Teacher Retirement System of Texas

Chapter 41. Insurance

★ 34 TAC §41.1

The Teacher Retirement System of Texas (TRS) proposes new §41.1, concerning the initial period of open enrollment in the Retired Public School Employees Group Health Insurance Program. The new section governs the periods of enrollment for those who become eligible after December 31, 1986, for coverage by the program.

Wayne Fickle, TRS controller, 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. Fickel 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 to end the initial period of open enrollment in the Retired Public School Employees Group Health Insurance Program on January 31, 1987, and to provide for and end the enrollment period for eligible participants in the plan thereafter. 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 Bruce Hineman, Executive Secretary, 1001 Trinity, Austin, Texas 78701

The new section is proposed under the Insurance Code, Article 3.50-4, §5(a), which provides the Board of Trustees of TRS with the authority to adopt rules necessary to implement the Texas Public School Retired Employees Group Insurance Program.

§41.1. *Enrollment Periods For the Texas Public School Retired Employees Group Insurance Program.*

(a) The initial enrollment period for eligible Teacher Retirement System retirees or their surviving spouses to elect coverage for themselves or their dependents under the Texas Public School Retired Employees Group Insurance Program (TRS-Care) including any increased level of coverage, shall end on January 31, 1987, if the retiree's effective date of retirement or date of death occurred before January 1, 1987.

(b) Such enrollment period for eligible Teacher Retirement System retirees who retire after December 31, 1986, or surviving spouses of eligible retirees who die after December 31, 1986, will end:

(1) for eligible retirees, 31 days after their effective retirement date; and

(2) for surviving spouses, 31 days after the end of the month in which the eligible retiree died.

(c) Notwithstanding the provisions of subsection (a) and (b) of this section:

(1) a participant in TRS-Care 1 will have coverage increased to TRS-Care 2 upon becoming eligible for Medicare;

(2) a retiree may elect coverage for a spouse within 31 days of the date on which the retiree is married;

(3) a retiree or surviving spouse may add coverage for children within 31 days after the date on which the retiree or surviving spouse first acquires a child eligible for coverage under TRS Care;

(4) a participant shall be entitled to all applicable rights under the Federal Public Health Service Act (COBRA), Title XXII.

(d) A participant's dependent coverage, if elected, will continue until the end of the month of the participant's death.

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

Issued in Austin, Texas, on February 3, 1987.

TRD-8701040 Bruce Hineman
Executive Secretary
Teacher Retirement
System of Texas

Earliest possible date of adoption.

March 13, 1987
For further information, please call
(512) 397-6478

★ ★ ★

★ 34 TAC §41.3

The Teacher Retirement System of Texas (TRS) proposes new §41.3, concerning the Group Insurance Advisory Committee. The new section will govern designation of the chairman and vice chairman of the committee; notice of the committee's meeting; what constitutes a quorum for the committee; calling of emergency

meetings by the committee; and custody of the records pertaining to the committee's meetings.

Wayne Fickel, TRS controller, 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. Fickel 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 efficient administration of the Group Insurance Advisory Committee's actions. 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 Bruce Hineman, Executive Secretary, 1001 Trinity, Austin, Texas 78701.

The new section is proposed under the Insurance Code, Article 3.50-4, §5(a), which provides the Board of Trustees of TRS with the authority to adopt rules necessary to implement the Texas Public School Retired Employees Group Insurance Program.

§41.3. *Group Insurance Advisory Committee.*

(a) The state board of trustees of the Teacher Retirement System of Texas will designate the chairman and vice chairman of the Group Insurance Advisory Committee.

(b) A majority of the committee will constitute a quorum.

(c) The executive secretary of the retirement system will provide a secretary to the committee to prepare minutes of the committee's meetings. The executive secretary shall be custodian of the records of the committee.

(d) The executive secretary may designate the time, dates, and place for the meetings of the committee.

(e) A majority of the committee may call an emergency meeting by notifying the executive secretary in writing of their action.

(f) The executive secretary shall file all meeting notices for the committee as required by the Texas Open Meetings Law.

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

Issued in Austin, Texas, on February 3, 1987

TRD-8701041 Bruce Hineman
Executive Secretary
Teacher Retirement
System of Texas

Earliest possible date of adoption

March 13, 1987
For further information, please call
(512) 397-6478

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★ 34 TAC §41.5

The Teacher Retirement System of Texas (TRS) proposes new §41.5, concerning the payment of contributions under the Texas Public School Retired Employees Group Insurance Program. The new section clarifies the need for payment of contributions and the methods to use in paying the contributions.

Wayne Fickel, TRS controller, 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. Fickel 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 clarification of when contributions are required and the method for paying the contributions.

The anticipated cost to individuals who are required to comply with the proposed section for a retiree and spouse who both have Medicare Parts A and B (or a surviving spouse who has Medicare) is the following: Under TRS—Care 2, the anticipated cost for each year from 1987-1992 is: \$0.00 for a retiree only; \$42.50 for a retiree and spouse; \$32.20 for a retiree and child(ren); \$77.70 for a retiree, spouse, and child(ren); \$42.50 for a surviving spouse only; and \$77.70 for a surviving spouse and child(ren). Under TRS—Care 3, the anticipated cost for each year from 1987-1992 is: \$25 for a retiree only; \$84 for a retiree and spouse; \$80.60 for a retiree and child(ren); \$139.60 for a retiree, spouse, and child(ren); \$59 for a surviving spouse only; and \$114.60 for a surviving spouse and child(ren).

When neither the retiree nor the spouse has Medicare Parts A and B (or the surviving spouse does not have Medicare), the anticipated cost for each year from 1987-1992 under TRS—Care 1 is: \$0.00 for a retiree only; \$69.10 for a retiree and spouse; \$23.70 for a retiree and child(ren); \$92.80 for a retiree, spouse and child(ren); \$69.10 for a surviving spouse only; \$92.80 for a surviving spouse and child(ren). Under TRS—Care 2 the anticipated cost for each year from 1987-1992 is: \$34 for a retiree only; \$131.10 for a retiree and spouse; \$69.20 for a retiree and child(ren); \$166.30 for a retiree, spouse, and child(ren); \$97.10 for a surviving spouse only;

and \$132.30 for a surviving spouse and child(ren). Under TRS—Care 3 the anticipated cost for each year from 1987-1992 is: \$75.40 for a retiree only; \$207.40 for a retiree and spouse; \$131 for a retiree and child(ren); \$263 for a retiree, spouse, and child(ren); \$132 for a surviving spouse only; and \$187.60 for a surviving spouse and child(ren).

For a retiree without Medicare Parts A and B whose spouse has Medicare, the anticipated cost for each year from 1987-1992 under TRS—Care 1 is: \$0.00 for the retiree only; \$29 for the retiree and spouse; \$23.70 for the retiree and child(ren); and \$52.70 for the retiree, spouse, and child(ren). Under TRS—Care 2, the anticipated cost for each year from 1987-1992 is: \$34 for the retiree only; \$76.50 for the retiree and spouse; \$69.20 for the retiree and child(ren); and \$111.70 for the retiree, spouse, and child(ren). Under TRS—Care 3, the anticipated cost for each year from 1987-1992 is: \$75.40 for the retiree only; \$134.40 for the retiree and spouse; \$131 for the retiree and child(ren); and \$190 for the retiree, spouse, and child(ren).

For a retiree with Medicare Parts A and B whose spouse does not have Medicare, the anticipated cost for each year from 1987-1992 under TRS—Care 2 is: \$0.00 for a retiree only; \$97.10 for a retiree and spouse; \$35.20 for a retiree and child(ren); \$132.30 for a retiree, spouse, and child(ren). Under TRS—Care 3, the anticipated cost for each year from 1987-1992 is: \$25 for the retiree only, \$157 for the retiree and spouse; \$80.60 for the retiree and child(ren); and \$212.60 for the retiree, spouse, and child(ren).

Comments on the proposal may be submitted to Bruce Hineman, Executive Secretary, 1001 Trinity, Austin, Texas 78701

The new section is proposed under the Insurance Code, Article 3.50-4, §5(a) which provides the Board of Trustees of TRS with the authority to adopt rules necessary to implement the Texas Public School Retired Employee Group Insurance Program.

§41.5 *Payment of Contributions.*

(a) Retirees shall pay monthly contributions to cover the cost of optional plans.

(b) Surviving spouses shall pay monthly contributions to cover the cost of insurance for the surviving spouse.

(c) Retirees and surviving spouses shall pay monthly contributions to cover the cost of insuring dependents.

(d) In order to be eligible for optional coverage a retiree or surviving spouse must authorize in writing the deduction by the trustee of the amount of the contributions from their annuity check. After authorization by the retiree or surviving spouse, the trustee shall deduct the amount of the contribution each month from the retiree's or surviving spouses annuity check.

(e) In order to pay for dependent coverage the retiree or surviving spouse shall authorize in writing the deduction of the contribution payment from their annuity check. After authorization by the retiree or surviving spouse, the trustee shall deduct the amount of the contribution each month from the retiree's or surviving spouse annuity check.

(f) In the event that the amount of the contribution is more than the amount of the annuity check the retiree or surviving spouse will be billed directly by the carrier for the entire amount.

(g) Failure to make any required contribution for coverage of a surviving spouse and/or a dependent will result in termination of coverage at the end of the month for which the last contribution was made.

(h) Failure to make any required contribution for coverage of a retiree under an optional plan will result in a decrease in coverage from the optional plan to the basic plan at the end of the month for which the last contribution was made.

(i) Disability retirees shall be required to pay monthly contributions to cover the cost of coverage during periods when their annuity payments are suspended. Failure to make said contributions will result in a decrease in coverage from the optional plan to the basic plan.

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

Issued in Austin, Texas, on February 3, 1987

TRD-8701042

Bruce Hineman
Executive Secretary
Teacher Retirement
System of Texas

Earliest possible date of adoption
March 13, 1987
For further information, please call
(512) 397-6478.

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 7. BANKING AND SECURITIES

Part IV. Texas Savings and Loan Department

Chapter 53. Additional Offices

★ 7 TAC §53.18

The Texas Savings and Loan Department adopts new §53.18, without changes to the proposed text published in the November 11, 1986, issue of the *Texas Register* (11 TexReg 4618).

The new section implements Senate Bill 31, Second Called Session, 69th Legislature, 1985, which allows Texas savings and loan associations to do business outside of Texas under certain circumstances.

The new section allows Texas savings and loan associations to do business outside of Texas, subject to laws of the state or territory in question and to this chapter.

No comments were received regarding adoption of the new section.

The new section is adopted under Texas Civil Statutes, Article 342-114, which provide the Savings and Loan Section of the Finance Commission of Texas with the authority to promulgate general rules and regulations not inconsistent with the constitution and statutes of this state and, from time to time to amend same, and Texas Civil Statutes, Article 852a, §8.01, which authorize the savings and loan commissioner to adopt rules relating to the fees and procedures for processing, hearing, and deciding applications filed with the commissioner of the Texas Savings and Loan Act.

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

Issued in Austin, Texas, on February 3, 1987

TRD-8701006 Russell R. Oliver
General Counsel
Texas Savings and Loan
Department

Effective date: February 24, 1987
Proposal publication date: November 11, 1986
For further information, please call
(512) 479-1250.

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Chapter 55. Agencies

★ 7 TAC §55.7

The Texas Savings and Loan Department adopts new §55.7, without changes to the proposed text published in the November 11, 1986, issue of the *Texas Register* (11 TexReg 4618-4619).

The new section implements Senate Bill 31, Second Called Session, 69th Legislature, 1985, which allows Texas savings and loan associations to do business outside of Texas, under certain circumstances.

The new section allows Texas savings and loan associations to do business outside of Texas, subject to laws of the state or territory in question and to this chapter.

No comments were received regarding adoption of the new section.

The new section is adopted under Texas Civil Statutes, Article 342-114, which provide the Savings and Loan Section of the Finance Commission of Texas with the authority to promulgate general rules and regulations not inconsistent with the constitution and statutes of this state and, from time to time to amend same, and Texas Civil Statutes, Article 852a, §8.01, which authorize the savings and loan commissioner to adopt rules relating to the fees and procedures for processing, hearing, and deciding applications filed with the commissioner of the Texas Savings and Loan Department pursuant to the Texas Savings and Loan Act.

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

Issued in Austin, Texas, on February 3, 1987

TRD-8701007 Russell R. Oliver
General Counsel
Texas Savings and Loan
Department

Effective date: February 24, 1987
Proposal publication date: November 11, 1986
For further information, please call
(512) 479-1250

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Chapter 69. Reorganization, Merger, Consolidation, and Acquisition

★ 7 TAC §69.10

The Texas Savings and Loan Department adopts new §69.10, without changes to the proposed text published in the November 11, 1986, issue of the *Texas Register* (11 TexReg 4619).

The new section implements Senate Bill 31, Second Called Session, 69th Legislature, 1985, which allows Texas savings and loan associations to do business outside of Texas, under certain circumstances.

The new section allows Texas savings and loan associations to do business outside of Texas, subject to laws of the state or territory in question and to this chapter.

No comments were received regarding adoption of the new section.

The new section is adopted under Texas Civil Statutes, Article 342-114, which provide the Savings and Loan Section of the Finance Commission of Texas with the authority to promulgate general rules and regulations not inconsistent with the constitution and statutes of this state and, from time to time to amend same, and Texas Civil Statutes, Article 852a, §8.01, which authorize the savings and loan commissioner to adopt rules relating to the fees and procedures for processing, hearing, and deciding applications filed with the commissioner or the Texas Savings and Loan Act.

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

Issued in Austin, Texas, on February 3, 1987.

TRD-8701008 Russell R. Oliver
General Counsel
Texas Savings and Loan
Department

Effective date: February 24, 1987
Proposal publication date: November 11, 1986
For further information, please call
(512) 479-1250

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TITLE 28. INSURANCE

Part I. State Board of

Insurance

Chapter 1. General

Administrative

Subchapter C. Maintenance Taxes

★ 28 TAC §1.405

The State Board of Insurance adopts new §1.405, without changes to the proposed text published in the January 2, 1987, issue of the *Texas Register* (12 TexReg 28).

This new section is necessary in order to record the rates of assessment which the board has adopted based on gross premium receipts for the 1986 calendar year to determine maintenance taxes for 1987. Timely payment of the taxes is necessary for adequate support of certain functions of the State Board of Insurance for proper functioning of the administrative regulation of the business of insurance in Texas.

In assessing maintenance taxes for 1986, the new section applies rates of assessment to automobile insurance; casualty insurance and other lines regulated under the Insurance Code, Chapter 5, Subchapter B; fire and allied lines insurance, including inland marine; workers' compensation insurance; title insurance; and prepaid legal services contracts.

No comments were received regarding adoption of the new section.

This new section is adopted under the Insurance Code, Articles 5.12, 5.24, 5.49, 5.68, 9.46, and 23.08, which provides that the State Board of Insurance shall annually determine a rate of assessment and collect a maintenance tax on the activities specified in the new section.

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

Issued in Austin, Texas, on February 3, 1987

TRD-8701034 Nicholas Murphy
 Chief Clerk
 State Board of Insurance

Effective date February 24, 1987
Proposal publication date January 2, 1987
For further information, please call
(512) 463-6327

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TITLE 31. NATURAL

RESOURCES AND

CONSERVATION

Part II. Texas Parks and

Wildlife Department

Chapter 57. Fisheries

Endangered Species

★ 31 TAC §§57.131-57.136

The Texas Parks and Wildlife Commission adopts the repeal of §§57.131-57.136, without changes to the proposed text as published in the November 28, 1986, issue of the *Texas Register* (11 TexReg 4835).

The repeals allow new sections to be adopted that reflect more closely the current status of species within Texas and transfers the endangered species listings from the agency's fisheries division to the wildlife division where the public will logically look for such listings.

The repeal of the existing sections permits new sections to be adopted that correspond to the United States Fish and Wildlife Service's list of endangered species.

No comments were received regarding adoption of the repeal.

The repeals are adopted under the Texas Parks and Wildlife Code, Chapters 43 and 68, Subchapter C, which provides the Texas Parks and Wildlife Commission with authority to adopt regulations concerning endangered species.

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

Issued in Austin, Texas, on February 4, 1987

TRD-8701043 Boyd M. Johnson
 General Counsel
 Texas Parks and Wildlife

Effective date March 1, 1987
Proposal publication date November 28, 1986
For further information, please call
(512) 389-4772

★ ★ ★

Protected, Threatened, and Endangered Native Plants

★ 31 TAC §§57.401-57.413

The Texas Parks and Wildlife Commission adopts the repeal of §§57.401-57.413, without changes to the proposed text published in the December 12, 1986, issue of the *Texas Register* (11 TexReg 4965).

The Texas Parks and Wildlife Code, Chapter 88, directs the commission to establish procedures for the issuance of permits and for identifying and listing endangered, threatened, and protected native plant species. These sections are repealed to adopt §§69.11-69.14.

The repeals enable the adoption of §§69.11-69.14 to establish a system for the issuance of scientific permits to authorize the taking of endangered and threatened plants from public lands for propagation, education, and scientific studies and for the taking of endangered and threatened plants from private lands for commercial sale.

No comments were received regarding adoption of the repeals.

The repeals are adopted under the Texas Parks and Wildlife Code, Chapter 88, which provides the commission with authority to regulate the listing of and permitting the taking of endangered, threatened, and protected native plant species.

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701044 Boyd M. Johnson
 General Counsel
 Texas Parks and Wildlife
 Department

Effective date February 24, 1987
Proposal publication date December 12, 1986
For further information, please call
(512) 389-4724

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Chapter 65. Wildlife

Subchapter G. Regulations for Taking, Possessing, and Transporting Threatened Nongame Species

★ 31 TAC §§65.172-65.177

The Texas Parks and Wildlife Commission adopts §§65.172-65.177. Section 65.173 and §65.176 are adopted with changes to the proposed text published in the November 28, 1986, issue of the *Texas Register* (11 TexReg 4835). Sections 65.172, 65.174, 65.175, and 65.177 are adopted without changes and will not be republished. Changes to §65.173, included retention of nine whale and dolphin species that were proposed previously for deletion; the name Gulf Stream beaked whale was changed to Gervais' whale, addition of the piping plover, Pecos pupfish, and river goby; deletion of the Mexican milk snake, Trans-Pecos copperhead, and Baird's rat snake; and the addition of clarifying subheadings in the listing of threatened reptiles and amphibians. Text was added to §65.176 to establish July 15, 1987, as the

deadline for people legally possessing specimens of newly listed species to declare them to the department for documentation and issuance of special authorization. Relative to current rules, the amendments leave classification unchanged for 47 species, reduce protection for three species, establish new protective classification for 22 species, and delete 27 species from threatened classification. The changes to the proposal were made based on submission of public comments, additional review of biological data, and the need to enhance enforcement capabilities regarding declaration of specimens and prohibitions on sale of parts from certain marine mammals.

Changes in animal populations and distribution, habitat alteration, and changes in interests for exploiting nongame wildlife populations necessitate periodic review of species considered threatened by various biological and environmental factors, and the regulations that provide for management of those species.

The amendments will implement the terminology of threatened species in place of protected nongame, will establish a completely revised list of animals whose existence is considered threatened in Texas, and will strengthen procedures under which individuals may possess threatened animals. This classification and the associated regulations should promote conservation of these species through both public and private management programs.

Comments from the public concerning the amendments were received as 40 letters and seven telephone calls and were presented to the commission. Comments generally focused on disputes regarding the classification level for certain species or regarding broader program organization. All public comments are available for public inspection at the Texas Parks and Wildlife Headquarters Complex, 4200 Smith School Road, Austin, Texas 78744. (512) 389-4772.

At the public hearing, there were no comments against the amendments. Persons speaking for the amendments are: Ken Magnuson; Clark Hubbs, A. J. Seippel, Greater San Antonio Herpetological Society; and Stephen H. Hammack, Dallas Zoo/North Texas Herpetological Society. The Texas Parks and Wildlife Commission disagreed with several of the comments received because they were judged not to be compatible with the degree of protection acknowledged appropriate for the species. As a result of public comments the commission retained nine whale species; added piping plover, Pecos pubfish, and river goby; and deleted Trans-Pecos copperhead, Baird's rat snake, and Mexican milk snake.

The amendments are adopted under the Texas Parks and Wildlife Code, Chapters 67 and 43, Subchapter C, which provides the commission with the authority to regulate the taking, possession, transportation, exportation, and sale of nongame fish and wildlife as necessary to manage the species and for scientific purposes.

§65.173. Threatened Species.

The following species are hereby designated as threatened species:

Mammals

Bat, southern yellow	<i>Lasiurus ega</i>
Bat, Rafinesque's big-eared	<i>Plecotus rafinesquii</i>
Bat, spotted	<i>Euderma maculatum</i>
Dolphin, rough-toothed	<i>Steno bredanensis</i>
Dolphin, Atlantic spotted	<i>Stenella plagiodon</i>
Mouse, Palo Duro	<i>Peromyscus comanche</i>
Rat, Coues' Rice	<i>Oryzomys couesi</i>
Rat, Texas kangaroo	<i>Dipodomys elator</i>
Whale, dwarf sperm	<i>Kogia simus</i>
Whale, false killer	<i>Pseudorca crassidens</i>
Whale, goose-beaked	<i>Ziphius cavirostris</i>
Whale, Gervais' beaked	<i>Mesoplodon europaeus</i>
Whale, killer	<i>Orcinus orca</i>
Whale, short-finned pilot	<i>Globicephala macrorhynchus</i>
Whale, pygmy killer	<i>Feresa attenuata</i>
Whale, pygmy sperm	<i>Kogia breviceps</i>

Birds

Becard, rose-throated	<i>Pachyramphus aglaiae</i>
Egret, reddish	<i>Egretta rufescens</i>
Falcon, Arctic peregrine	<i>Falco peregrinus tundrius</i>
Hawk, common black-	<i>Buteogallus anthracinus</i>
Hawk, gray	<i>Buteo nitidus</i>
Hawk, white-tailed	<i>Buteo albicaudatus</i>
Hawk, zone-tailed	<i>Buteo albonotatus</i>
Ibis, white-faced	<i>Plegadis chihi</i>
Kite, American swallow-tailed	<i>Elanoides forficatus</i>
Owl, ferruginous pygmy-	<i>Glaucidium brasilianum</i>
Parula, tropical	<i>Parula pitiaiyumi</i>
Plover, piping	<i>Charadrius melodus</i>
Sparrow, Bachman's	<i>Aimophila aestivalis</i>
Sparrow, Botteri's	<i>Aimophila botterii</i>
Stork, wood	<i>Mycteria americana</i>
Tern, sooty	<i>Sterna fuscata</i>
Tyrannulet, northern beardless-	<i>Camptostoma imberbe</i>
Vireo, black-capped	<i>Vireo atricapillus</i>
Warbler, golden-cheeked	<i>Dendroica chrysoparia</i>

Reptiles

Turtles:

Tortoise, Texas	<i>Gopherus berlandieri</i>
Turtle, alligator snapping	<i>Macrochelys temminckii</i>
Turtle, Atlantic green	<i>Chelonia m. mydas</i>

Lizards:

Gecko, reticulated	<i>Coleonyx reticulatus</i>
Lizard, reticulate collared	<i>Crotaphytus reticulatus</i>

Snakes:

Rattlesnake, timber	<i>Crotalus horridus</i>
Snake, black-striped	<i>Coniophanes i. imperialis</i>
Snake, Big Bend blackhead	<i>Tantilla rubra</i>
Snake, northern scarlet	<i>Cemophora coccinea copei</i>
Snake, Texas indigo	<i>Drymarchon corais erebennus</i>
Snake, Texas lyre	<i>Trimorphodon biscutatus wilkinsonii</i>
Snake, Texas scarlet	<i>Cemphora coccinea lineri</i>
Snake, Brazos water	<i>Nerodia h. harteri</i>

Amphibians

Frogs and Toads:

Frog, sheep	<i>Hypopachus variolosus</i>
Toad, Mexican burrowing	<i>Rhinophrynus dorsalis</i>
Treefrog, Mexican	<i>Smilisca baudinii</i>

Salamanders:

Salamander, Cascade Caverns	<i>Eurycea latitans</i>
Salamander, Comal blind	<i>Eurycea tridentifera</i>
Salamander, San Marcos	<i>Eurycea nana</i>

Fishes

Blindcat, toothless	<i>Trogloglanis pattersoni</i>
Blindcat, widemouth	<i>Satan eurystomus</i>
Chub, Rio Grande	<i>Gila pandora</i>
Chubsucker, creek	<i>Erimyzon oblongus</i>
Darter, blackside	<i>Percina maculata</i>
Darter, Rio Grande	<i>Etheostoma grahami</i>
Goby, river	<i>Awaous tajasica</i>
Minnow, Devils River	<i>Dionda diaboli</i>
Pipefish, opossum	<i>Oostethus brachyurus</i>
Pupfish, Conchos	<i>Cyprinodon eximius</i>
Pupfish, Pecos	<i>Cyprinodon pecosensis</i>

Shiner, bluehead

Notropis hubbsi

Shiner, Chihuahua

Notropis chihuahua

Shiner, proserpine

Notropis proserpinus

Stoneroller, Mexican

Campostoma ornatum

Sucker, blue

Cycleptus elongatus

§65.176. *Rule Exception.* The provisions of this subchapter do not apply to the possession of live, mounted, or preserved specimens of listed threatened species acquired from the wild in this state prior to the effective date of this subchapter nor to offspring of those specimens born and raised in captivity provided that such animals legally obtained and possessed prior to the effective date are identified to designated department officials by July 15, 1987, for documentation and issuance of a special authorization. Upon request by the department, adequate proof must be provided to establish the date and circumstances regarding acquisition of any listed species.

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701045 Boyd M. Johnson
General Counsel
Texas Parks and wildlife

Effective date: March 1, 1987
Proposal publication date: November 28, 1986
For further information, please call
(512) 389-4772.

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★31 TAC §65.178

The Texas Parks and Wildlife Commission adopts the repeal of §65.178, without changes to the proposed text published in the November 28, 1986, issue of the *Texas Register* (11 TexReg 4839).

The repeal eliminates unnecessary text. The repeal eliminates the effective date of this subchapter which is governed by rules of the *Texas Register*

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Texas Parks and Wildlife Code, Chapter 43, Subchapter C, and Chapter 67, which provides the Texas Parks and Wildlife Commission with authority to repeal regulations concerning threatened species.

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701046 Boyd M. Johnson
General Counsel
Texas Parks and Wildlife
Department

Effective date: March 1, 1987
Proposal publication date: November 28, 1986
For further information, please call
(512) 389-4772.

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Subchapter G. Endangered
Species

★31 TAC §§65.181-65.184

The Texas Parks and Wildlife Department adopts new §§65.181-65.184. Section 65.182 and §65.183 are adopted with changes to the proposed text published in the November 28, 1986, issue of the *Texas Register* (11 TexReg 4840). The other sections are adopted without changes and will not be republished. The changes included adding new text to §65.182 for clarification and retention in §65.183 of four whale species and the margay cat which were proposed for deletion. The whales were retained after additional legal review revealed that endangered classification offered greater protection from commercial sale of parts of these animals than is offered under other protective statutes. Substantiation of the occurrence of the margay cat in Texas previously was lacking but evidence suggestive of its occurrence became available to the department after the proposal was published and retention was considered advisable until status is ascertained. Subheadings were added to the listing of reptiles and amphibians for clarification. These new sections update the endangered animal list and regulations to reflect changes in the biological status of various species and environmental conditions that require special protective recognition to ensure the future well being of these resources in Texas. The new sections provide strict prohibitions on actions that would be directly detrimental to the species and identify to the Texas public those sensitive species that require specific and immediate management attention to be maintained as part of the Texas Wildlife community.

The new sections are necessary to effectively identify and regulate those animal species for which protection from further

loss is critical to conservation of the remaining populations.

The new sections identify 54 species and subspecies of vertebrate animals whose populations, distribution, habitat quality, or susceptibility to overutilization by humans are such that additional changes may result in loss from the Texas fauna provide specific prohibitions on take, possession, transport, export, processing, and sale activities that would be detrimental to species listed in the section and transfer endangered animal listings to the wildlife chapter of the Natural Resources and Conservation Title where the public will logically look for such listings.

Comments from the public concerning the new sections were received as 40 letters and seven telephone calls and were presented to the commission. Comments generally focused on disputes regarding the classification level for certain species or regarding broader program organization. All public comments are available for public inspection at the Texas Parks and Wildlife Headquarters Complex, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4772.

At the public hearing, there were no comments against the new sections. Persons speaking for the new sections: Ken Magnuson; Clark Hubbs; A. J. Seippel, Greater San Antonio Herpetological Society; and Stephen H. Hammack, Dallas Zoo/North Texas Herpetological Society.

The Texas Parks and Wildlife Commission disagreed with several of the comments received because they were judged not to be compatible with the degree of protection acknowledged appropriate for the species. As a result of public comments the commission retained four whale species and the margay cat to the list of endangered species.

These new sections are adopted under the Texas Parks and Wildlife Code, Chapter 43, Subchapter C and Chapter 68, which provides the Texas Parks and Wildlife Commission with the authority to classify species of fish or wildlife that are endangered, provide necessary protection, and regulate the taking of such species as appropriate.

§65.182. *Permits to Take Certain Fish or Wildlife.* No person may take, possess, or transport fish or wildlife classified as endangered species and named in §65.183 of

this title (relating to Closed Seasons) for zoological gardens or scientific purposes, or take or transport fish or wildlife classified as endangered species from the wild or from their natural habitat, for propagation for commercial purposes, unless he has obtained a valid permit from the department as re-

quired by the Texas Parks and Wildlife Code, §§43.021-43.030.

§65.183. *Closed Seasons.* Except as provided by §65.182 of this title (relating to Permits to Take Certain Fish or Wildlife), it shall be unlawful for any person to take,

possess, transport, export, process, sell or offer for sale, or ship any species of fish or wildlife within this state listed following; and no person shall possess, transport, export, process, sell or offer for sale goods made from the fish and wildlife in the following list not born and raised in captivity:

Mammals

Blue whale	Balaenoptera musculus
Fin whale	Balaenoptera physalus
Black right whale	Balaena glacialis
Sperm whale	Physeter macrocephalus
Ferret, black-footed	Mustela nigripes
Jaguar	Felis onca
Jaguarundi	Felis yagouaroundi
Margay	Felis wiedii
Ocelot	Felis pardalis
Wolf, red	Canis rufus
Wolf, gray	Canis lupus
Bear, black	Ursus americanus
Coati	Nasua nasua
Manatee	Trichechus manatus

Birds

Pelican, brown	Pelecanus occidentalis
Eagle, bald	Haliaeetus leucocephalus
Falcon, Aplomado	Falco femoralis
Falcon, American peregrine	Falco peregrinus anatum
Prairie-chicken, Attwater's greater	Tympanuchus cupido attwateri
Crane, whooping	Grus americana
Curlew, Eskimo	Numenius borealis
Tern, interior least	Sterna antillarum athalassos
Woodpecker, ivory-billed	Campephilus principalis
Woodpecker, red-cockaded	Picoides borealis

Reptiles

Snakes:

Racer, speckled	Drymobius m. margaritiferus
Snake, Louisiana pine	Pituophis melanoleucus ruthveni
Snake, Concho water	Nerodia harteri paucimaculata
Snake, western smooth green	Opheodrys vernalis blanchardi
Snake, northern cat-eyed	Leptodeira s. septentrionalis

Turtles:

Turtle, Big Bend mud	Kinosternon hirtipes murrayi
Ridley, Atlantic	Lepidochelys kempfi
Hawksbill, Atlantic	Eretmochelys i. imbricata
Leatherback	Dermochelys coriacea
Loggerhead	Caretta caretta

Amphibians

Salamanders:

Newt, black-spotted	Notophthalmus meridionalis
Salamander, Blanco blind	Typhlomolge robusta
Salamander, Texas blind	Typhlomolge rathbuni
Siren, Rio Grande lesser	Siren intermedia texana

Frogs and Toads:

Toad, Houston	Bufo houstonensis
Frog, white-lipped	Leptodactylus fragilis

Fishes

Paddlefish	Polyodon spathula
Sturgeon, shovelnose	Scaphirhynchus platyrhynchus
Gambusia, Amistad	Gambusia amistadensis
Gambusia, blotched	Gambusia senilis
Gambusia, San Marcos	Gambusia georgei
Gambusia, Big Bend	Gambusia gaigei

Gambusia, Clear Creek
 Gambusia, Pecos
 Pupfish, Comanche Springs
 Pupfish, Leon Springs
 Darter, fountain
 Shiner, bluntnose
 Shiner, phantom
 Goby, blackfin

Gambusia heterochir
 Gambusia nobilis
 Cyprinodon elegans
 Cyprinodon bovinus
 Etheostoma fonticola
 Notropis simus
 Notropis orca
 Gobionellus atripinnis

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701047 Boyd M. Johnson
 General Counsel
 Texas Parks and Wildlife
 Department

Effective date: March 1, 1987
 Proposal publication date: November 28, 1986
 For further information, please call
 (512) 389-3772.

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**Chapter 69. Resource
 Protection**
**Subchapter A. Endangered,
 Threatened, and Protected
 Native Plants**

★ 31 TAC §§69.1-69.14

The Texas Parks and Wildlife Commission adopts §§69.1-69.14, without changes to the proposed text published in the December 12, 1986, issue of the *Texas Register* (11 TexReg 4965).

The Texas Parks and Wildlife Code, Chapter 88, directs the commission to adopt rules to establish procedures for the issuance of permits and for identifying and listing endangered, threatened, and protected native plant species.

These new sections establish a system for the issuance of scientific permits to authorize the taking of endangered and threatened plants from public lands for propagation, education, and scientific studies. Permit procedures, fees, and tag requirements are specified for the taking of endangered and threatened plants from private lands for commercial sale. Procedures for listing and amending the list of endangered, threatened, and protected plant species are provided by these new sections.

No public comments were received regarding the adoption of the new sections. Two telephone calls were received prior to the public hearing regarding the omission of the word "not" by the *Texas Register* from the definition of private land in §69.01(8). This definition should read, "Land not owned by the state or by local governmental entity."

These new sections are adopted under the Texas Parks and Wildlife Code, Chapter 88, which provides the commission with authority to regulate the listing of and permitting the taking of endangered, threatened, and protected native plant species.

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

Issued in Austin, Texas, on February 4, 1987.

TRD-8701048 Boyd M. Johnson
 General Counsel
 Texas Parks and Wildlife
 Department

Effective date: February 25, 1987
 Proposal publication date: December 12, 1986
 For further information, please call
 (512) 389-4724.

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Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. Some notices may be received too late to be published before the meeting is held, but all notices are published in the *Register*.

Emergency meetings and agendas. Any of the governmental entities named above must have notice of an emergency meeting, an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. Emergency meeting notices filed by all governmental agencies will be published.

Posting of open meeting notices. All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol, Austin. These notices may contain more detailed agendas than what is published in the *Register*.

Texas Department of Agriculture

Wednesday, February 18, 1987.

The Texas Department of Agriculture will meet in the Texas Department of Agriculture District Office, Expressway 83, two blocks west of Morningside Road, San Juan. Times and agendas follow.

11 a.m. The department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001 by Boler Farms as petitioned by Carl Shuster.

Contact: Margo P. Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: February 5, 1987, 8:56 a.m.
TRD-8701084

1 p.m. The department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001 by Dewey Boyd doing business as Dixie Produce Sales as petitioned by Sun Valley Foods, Inc..

Contact: Margo P. Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583..

Filed: February 5, 1987, 8:55 a.m.
TRD-8701085

2 p.m. The department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001 by Manuel Cantu doing business as Green Gold Produce as petitioned by Raymond Euler.

Contact: Margo Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: February 5, 1987, 8:55 a.m.
TRD-8701086

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Texas Employment Commission

Wednesday, February 11, 1987, 8:30 a.m.

The Texas Employment Commission will meet in Room 644, TEC Building, 101 East 15th Street, Austin. According to the agenda summary, the commission will consider internal procedures of commission appeals, action on higher level appeals in unemploy-

ment compensation cases on commission Docket 6, and set date of next meeting.

Contact: Courtenay Browning, 101 East 15th Street, Austin, Texas 78778, (512) 463-2226.

Filed: February 3, 1987, 5:10 p.m.
TRD-8701035

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Texas Department of Health

Wednesday, February 18, 1987, 9:30 a.m.

The Nursing Home Committee of the Texas Board of Health of the Texas Department of Health will meet in Room T-610, Texas Department of Health, 1100 West 49th Street, Austin. According to the agenda, the committee will consider proposed revisions of minimum licensing standards for nursing homes and construction standards for new nursing homes.

Contact: Howard Allen, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7706.

Filed: February 4, 1987, 4:14 p.m.
TRD-8701076

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Texas Health and Human Services Coordinating Council

Friday, February 13, 1987, 9:30 a.m. The Public/Privacy Policy Group Meeting of the Texas Health and Human Services Coordinating Council will meet in the Senate Reception Room, State Capitol, Austin. According to the agenda summary, the group will hear reports from meeting of committee chairs, the Program Committee, Cost Committee, Common Documents Committee, Council, legislative update on RCC by agency representatives and by provider representatives, report on Sunset Commission recommendations for youth, and consider timeline for implementation.

Contact: Patrice Thomas, 311-A East 14th Street, Austin, Texas 78701, (512) 463-2195.

Filed: February 3, 1987, 11:17 a.m.
TRD-8701012

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Texas Industrial Accident Board

Monday, February 9, 1987, 9:30 a.m. The

Texas Industrial Accident Board met in Room 107, First Floor, Bevington A. Reed Building, 200 East Riverside Drive, Austin. According to the agenda, the board discussed the possible legislation to expand the power of the board to correct clerical errors made in awards. The board will also meet in executive session pursuant to workers' compensation statutes to review board files.

Contact: Inez "Tippy" Foster, 200 East Riverside Drive, Austin, Texas 78704, (512) 448-7960.

Filed: February 4, 1987, 3:59 p.m.
TRD-8701071

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Texas Juvenile Probation Commission

Friday, February 20, 1987, 10 a.m. The Texas Juvenile Probation Commission will meet at 2015 South IH-35, Austin. According to the agenda, the commission will approve minutes of the October 10, 1986, meeting, hear the legislative report, the director's report, a discussion of a study of juvenile court commitments in Texas, review and discuss the annual financial report, approve border children justice projects in El Paso and Webb Counties, consider appointment of a subcommittee to recommend candidates for advisory council on juvenile services, hear the education in detention report, and consider the endorsement of State Board of Education legislative initiative to fund education in detention.

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

Filed: February 4, 1987, 1:12 p.m.
TRD-8701062

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Texas Optometry Board

Thursday, February 12, 1987, 8:30 a.m. The Texas Optometry Board will meet in the Doubletree Hotel, 8250 North Central Expressway, Dallas. According to the agenda summary, the board will consider reports of secretary-treasurer, committees, counsel, and executive director; consider matters regarding requests for duplicate licenses, license renewal for individuals who have not satisfied the continuing education requirements for license renewal, and hear from the vice-president of Health Pearle Services; and consider examination matters. The board will also meet in executive session in compliance with the Open Meetings Act, Texas Civil Statutes, Article 6252-17, §2(e).

Contact: Lois Ewald, 1300 East Anderson Lane, Austin, Texas 78752, (512) 835-1938.

Filed: February 3, 1987, 2:27
TRD-8701017

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Public Utility Commission of Texas

The Hearings Divisions of the Public Utility Commission of Texas met in emergency sessions in Suite 450N, 7800 Shoal Creek Boulevard, Austin. Dates, times, and agendas follow.

Wednesday, February 4, 1987, 3 p.m. The division held an emergency meeting to elect a chairman of the Public Utility Commission of Texas. The emergency status was necessary because the current chairman does not represent the majority's views on fundamental agency issues. The future direction and effectiveness of the agency depends upon the chairman's effective representation before the legislature in deliberations which are imminent.

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

Filed: February 4, 1987, 12:43 p.m.
TRD-8701061

Tuesday, February 10, 1987, 9 a.m. A prehearing conference in Docket 7286—application of Texas on line company for determination of correct rate and request for emergency relief. The emergency status was necessary because of statutory deadlines.

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

Filed: February 3, 1987, 2:41 p.m.
TRD-8701024

Divisions of the Public Utility Commission will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. Divisions, Dates, times, and agendas follow.

Wednesday, February 11, 1987, 9 a.m. The Hearings Division will consider the following Dockets: 7122, 7123, 7124, 7152, 7027,

7193, 6450, 7008, 5307, 6488, 6841, 7334, 7023, 7173, 7174, 7181, 7199, and 7202; the division will also consider permanent adoption of substantive rule §23.21(c) cost of service, concerning fossil/fuel plant in service; whether or not to publish a proposed amendment to §23.21(b) concerning equitable forms of non-accelerated depreciation for electric generating plants; the request of Texas state agencies for statement of reasons for adoption of substantive rule §23.23. The division will also meet in executive session to consider the General Telephone Company of the Southwest, Inc. v. Public Utility Commission of Texas, City of Austin v. Public Utility Commission of Texas (appeal of Docket 6560).

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

Filed: February 3, 1987, 2:41 p.m.
TRD-8701025

Thursday, February 12, 1987, 9 a.m. The Administrative Division will meet in Hearing Room D to have a work session and discuss the commission's budget.

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

Filed: February 4, 1987, 4:01 p.m.
TRD-8701074

Thursday, February 12, 1987, 9 a.m. The Hearings Division will hold a prehearing conference in Docket 6992—application of Texas New Mexico Power Company for certification of a lignite fired electrical generation station in Robertson County.

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

Filed: February 3, 1987, 2:42 p.m.
TRD-8701026

Wednesday, February 18, 1987, 10 a.m. The Hearings Division will hear proposals and select consultant for Phase II of Prudence Audit of South Texas Nuclear Project, proposals and select consultant for Management Audit of United Telephone Company of Texas, and authorize staff to begin negotiations for the above audits, as well as for a further contract on the Phase I of the South Texas Project.

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

Filed: February 3, 1987, 2:41 p.m.
TRD-8701027

Thursday, February 19, 1987, 9 a.m. The Administrative Division will meet in Hearing Room D to have a work session and discuss commissions budget.

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

Filed: February 4, 1987, 4:01 p.m.
TRD-8701075

Friday, March 6, 1987, 10 a.m. The Hearings Division will hold a prehearing conference in Docket 7147—application of Gulf States Utilities Company for approval of a joint venture cogeneration project and treatment of revenues.

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

Filed: February 3, 1987, 2:41 p.m.
TRD-8701028

Monday, April 13, 1987, 10 a.m. The Hearings Division will hold a hearing on the merits in Docket 7309—application of Gulf States Utilities Company for approval of an experimental rider to schedules lps and lis for industrial service to qualify energy users.

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

Filed: February 3, 1987, 2:41 p.m.
TRD-8701029

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Texas Water Commission

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

Tuesday, February 24, 1987, 2:30 p.m. The commission will consider the executive director's petition for a Texas Water Commission order assessing administrative penalties against, and requiring certain action of the City of Houston (permits 10495-001 through 10495-119).

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

Filed: February 3, 1987, 11:36 a.m.
TRD-8701013

Tuesday, March 17, 1987, 2 p.m. The commission will consider petition for creation of Harris County Municipal Utility District 306, containing 148.5963 acres of land.

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

Filed: February 4, 1987, 4:14 p.m.
TRD-8701077

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Regional Agencies Meetings Filed February 3

The Dewitt County Appraisal District, Appraisal Review Board, met at 103 Bailey Street, Cuero, on February 11, 1987, at 9 a.m. Information may be obtained from Wayne K. Woolsey, P.O. Box 4, Cuero, Texas 77954, (512) 275-5753.

The Henderson County Appraisal District, Board, met at 101 East Corsicana, Athens, On February 9, 1987, at 7:30 p.m., and will meet at the same location on February 11, 1987, at 9:30 a.m., respectively. Information may be obtained from Helen Marchbanks, 101 East Corsicana, Athens, Texas 78751, (214) 675-9296.

TRD-8701004

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Meetings Filed February 4

The Bosque County Appraisal District, Board of Directors, will meet in the Bosque County Courthouse, Meridian, on February 12, 1987, at 7 p.m. Information may be obtained from David G. Cooper, P.O. Box 393, Meridian, Texas 76665, (817) 435-2304.

The Brazos Valley Development Council, Executive Committee, will meet in the Council Offices, 3006 East 29th Street, Bryan, on February 12, 1987, at 1:30 p.m. Information may be obtained from Glenn J. Cook, P.O. Drawer 4128, Bryan, Texas 77805, (409) 776-2277.

The Concho Valley Council of Governments, Executive Committee, will meet at 5002 Knickerbocker Road, San Angelo, on February 11, 1987, at 7 p.m. Information

may be obtained from Robert R. Weaver, P.O. Box 60050, San Angelo, Texas 76906, (915) 944-9666.

The Deep East Texas Council of Governments-Area Agency on Aging, Regional Advisory Council, will meet in the Angelina County Senior Citizens' Activities Center, 2801 Valley Avenue, Lufkin, on February 13, 1987, at 1:30 p.m. Information may be obtained from Martha Jones, 274 East Lamar Street, Jasper, Texas 75951, (409) 384-5704.

The Lampasas County Appraisal District, Board of Directors, will meet at 109 East Fifth Street, Lampasas, on February 11, 1987, at 3 p.m. Information may be obtained from Dana Ripley, P.O. Box 175, Lampasas, Texas 76550, (512) 556-8058.

The Nolan County Central Appraisal District, Board of Directors, will meet in the Holiday Inn Restaurant, Sweetwater, on February 10, 1987, at 7 p.m. Information may be obtained from Patricia Davis, P.O. Box 1256, Sweetwater, Texas 79556, (915) 235-8421.

The Panhandle Ground Water Conservation District Number Three, Board of Directors, met in the Water District Office, 300 South Omohundro, White Deer, on February 9, 1987, at 10 a.m. Information may be obtained from Gary L. Walker, P.O. Box 637, White Deer, Texas 79097, (806) 883-2501.

The Tax Appraisal District of Bell County, Board of Directors, will meet in the Tax Appraisal District Building, 411 East Central, Belton, on February 18, 1987, at 7 p.m. Information may be obtained from Tolly Moore, P.O. Box 390, Belton, Texas 76513-0390, (817) 939-3521 ext. 410.

TRD-8701038

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Meetings Filed February 5

The Heart of Texas Region MHMR, Board of Directors, will meet at 110 South 12th Street, Waco, on February 17, 1987, at 11:45 a.m. Information may be obtained from Helen Shedfield, 110 South 12th Street, Waco, Texas 76701, (817) 752-3451, ext. 213.

The San Antonio River Authority, Board of Directors, will meet at 100 East Guenther Street, San Antonio, on February 11, 1987, at 1 p.m. and 4 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, San Antonio, Texas 78204, (512) 227-1373.

TRD-8701080

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In Addition

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

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

Texas Air Control Board Extension of Deadline for Written Comments

In the December 26, 1986, issue of the *Texas Register* (11 TexReg 5147), the Texas Air Control Board (TACB) published a notice of public hearing on proposed rule amendments to be held in Arlington on January 27, 1987. The hearing was held, as scheduled, to receive public testimony concerning revisions to TACB Regulation V (control of air pollution from volatile organic compounds) regarding a compliance date extension for the General Motors Corporation plant in Arlington.

The deadline for receipt of written comments stated in the notice has been extended to February 11, 1987. Testimony presented at the hearing and all written comments received by 4 p.m. on February 11, 1987, at the TACB central office in Austin will be considered by the board prior to any final decision on the proposed changes.

Copies of the proposed revisions are available from the TACB Central Office, 6330 U.S. Highway 290 East, Austin, Texas 78723, and at the TACB regional office in Fort Worth. For further information, call Lane Hartsock at (512) 451-5711, ext. 262.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701032 Allen Eli Bell
Executive Director
Texas Air Control Board

Filed: February 3, 1987
For further information, please call (512) 451-5711, ext. 354.

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Banking Department of Texas Notice of Applications

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

On January 6, 1987, the banking commissioner received an application to acquire control of the First State Bank, Hubbard, by Bill Holman, Henrietta and Joe Bevering and Charles Bevering of Wichita Falls.

On February 3, 1987, notice was given that the application would not be denied.

Additional information may be obtained from William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 479-1200

Issued in Austin, Texas, on February 3, 1987.

TRD-8701015 William F. Aldridge
Director of Corporate Activities
Banking Department of Texas

Filed: February 3, 1987
For further information, please call (512) 479-1200.

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

On December 31, 1986, the banking commissioner received an application to acquire control of the Southwest Bank-Garland, Garland, by James D. Yoo, Dallas; Elmer B. Jenkins, Richardson; Cheol H. Nam, Carrollton; Don S. Kim, Arlington; Young K. Moon, Carrollton; Samuel S. K. Hong, Garland; Hee D. Lee, Mesquite; Jeffrey S. Gibbens, Plano; Chung Hui Cho, Dallas; James P. Lee, Dallas; American Religious Town Hall Meeting, Inc., Dallas; Robert W. Leisek, Dallas; Gerald J. LaFountain, Dallas; Thomas L. Fiedler, Richardson; Dr. Jerry B. Cotner, Dallas; and S. L. Hutcheson, Dallas.

On January 30, 1987, notice was given that the application would not be denied.

Additional information may be obtained from William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 479-1200.

Issued in Austin, Texas, on January 30, 1987.

TRD-8701016 William F. Aldridge
Director of Corporate Activities
Banking Department of Texas

Filed: February 3, 1987
For further information, please call (512) 479-1200.

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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 Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
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Indicated (Weekly) Rate—Article 1.04(a)(1) 02/09/87-02/15/87	18.00%	18.00%
Monthly Rate— Article 1.04(c)(1) 02/01/87-02/28/87	18.00%	18.00%
Standard Quarterly Rate—Article 1.04(a)(2) 01/01/87-03/31/87	18.00%	18.00%
Retail Credit Card Quarterly Rate— Article 1.11(3) 01/01/87-03/31/87	18.00%	N/A
Lender Credit Card Quarterly Rate— Article 15.02(d)(3) 01/01/87-03/31/87	14.00%	N/A
Standard Annual Rate—Article 1.04(a)(2)(2) 01/01/87-03/31/87	18.00%	18.00%
Retail Credit Card Annual Rate— Article 1.11(3) 01/01/87-03/31/87	18.00%	N/A
Annual Rate Applicable to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card Balances with Annual Implementation Dates from 01/01/87-03/31/87	18.00%	N/A
Judgment Rate—Article 1.05, §2 02/01/87-02/28/87	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 February 2, 1987.

TRD-8701039 Al Endsley
Consumer Credit
Commissioner

Filed: February 4, 1987
For further information, please call (512) 479-1280.

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Texas Economic Development Commission Private Activity Bond Allocation Report

The Tax Reform Act of 1986 (the Tax Act) imposes a volume ceiling on the aggregate principal amount of private activity bonds that may be issued within the State of Texas during any calendar year. The state ceiling for Texas, imposed by the Tax Act for calendar year 1987 is \$1,227,750,000.

The Tax Act and the Internal Revenue Code of 1986 authorize the governor of a state to proclaim a formula for allocating the state ceiling among the governmental units (or other authorities) in such state having authority to issue private activity bonds. Executive Order MW-40A establishes the procedures for the 1987 allocation for the state ceiling on private activity bonds.

It specifies that no more than an aggregate amount of \$327,750,000 may be reserved by local housing finance corporations for the purpose of issuing qualified mortgage bonds, no more than an aggregate amount of \$200 million may be reserved by issuers of state-voted issues (no more than \$100 million of which may be reserved by any one such issuer), and no more than an aggregate of \$700 million may be reserved for all other bonds requiring an allocation.

Generally, the state ceiling will be allocated on a first-come, first-served basis within the applicable subceiling, with the Texas Economic Development Commission (the commission) administering the allocation system.

The information that follows is a summary report of the allocation activity for the period, January 26—January 30, 1987.

Total unreserved principal amount of private activity bonds authorized to be allocated as per the Tax Reform Act of 1986 for the \$327,750,000 subceiling for housing finance corporations through January 30, 1987:
\$327,750,000.

Comprehensive listing of bond issues which have received a reservation date as per Executive Order MW-40A for the \$327,750,000 subceiling for housing finance corporations from January 26—January 30, 1987:
None.

Total unreserved principal amount of private activity bonds authorized to be allocated as per the Tax Reform Act of 1986 for the \$200 million subceiling for state-voted issues through January 30, 1987:
\$200,000,000.

Comprehensive listing of bond issues which have received a reservation date as per Executive Order MW-40A for the \$200 million subceiling for state-voted issues from January 26—January 30, 1987:
None.

Total unreserved principal amount of private activity bonds authorized to be allocated as per the Tax Reform Act of 1986 for the \$700 million subceiling for all other bonds requiring an allocation through January 30, 1987:
\$450,775,000.

Comprehensive listing of bond issues which have received a reservation date as per Executive Order MW-40A for the \$700 million subceiling for all other bonds requiring an allocation from January 26—January 30, 1987:
None.

Total principal amount of bonds issued and delivered through January 30, 1987, for the \$327,750,000 subceiling for housing finance corporations:
None.

Comprehensive listing of bonds issued and delivered as per Executive Order MW-40A for the \$327,750,000 subceiling for housing finance corporations from January 26—January 30, 1987:
None.

Total principal amount of bonds issued and delivered through January 30, 1987, for the \$200 million subceiling for state-voted issues:
None.

Comprehensive listing of bonds issued and delivered as per Executive Order MW-40A for the \$200 million subceiling for state-voted issues from January 26—January 30, 1987:
None.

Total principal amount of bonds issued and delivered through January 30, 1987, for the \$700 million subceiling for all other bonds requiring an allocation:

None.

Comprehensive listing of bonds issued and delivered as per Executive Order MW-40A for the \$700 million subceiling for all other bonds requiring an allocation from January 26—January 30, 1987:

None.

The allocations were granted by the commission in accordance with the procedures set forth in Executive Order MW-40A, signed by Governor Mark White on January 6, 1987.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701088 David V. Brandon
Executive Director

Filed: February 4, 1987
For further information, please call (512) 472-5059.

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Texas Education Agency Consultant Proposal Requests

This request is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

The Texas Education Agency is requesting proposals for research projects related to the further development and refinement of the Texas Teacher Appraisal System (TTAS). The purpose of this request for proposal is to investigate specific aspects of the TTAS and to provide information for use by Texas Education Agency staff and the State Board of Education in future revisions. The specific aspects chosen for emphasis relate to using student progress data in the evaluation process, remediation practices for teachers, and applicability of TTAS for all teaching fields.

Selection of a consultant will be made through a review process. Reviewers will rate the proposals on criteria specified in the request for proposal. The contract period for the studies will be from March 25, 1987, through August 31, 1987. Three to five proposals, not to exceed \$25,000 each, will be funded for a total amount not to exceed \$75,000. The deadline for receipt of an intent to submit is February 25, 1987. The final deadline for receipt of proposals by the Texas Education Agency is March 13, 1987.

Copies of the request for proposal may be obtained by calling or writing Dr. Susan Barnes, Director of Teacher Education, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9327.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701018 W. N. Kirby
Commissioner of Education

Filed: February 3, 1987
For further information, please call (512) 463-9212.

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This request is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

The Texas Education Agency is requesting proposals for a study to examine cost effective methods of delivering ed-

ucational programs and services to small districts. Research is needed to help small districts provide a uniform curriculum in an effective way. Alternatives include delivering instruction by distance or other technologies, providing incentives to encourage sharing facilities and other resources, and reorganizing instructional or administrative units.

Selection of a consultant will be made through a review process. Reviewers will rate the proposals on criteria specified in the request for proposal. The contract period for the study will be from March 25, 1987, through August 31, 1987. Cost of the study will not exceed \$25,000. The deadline for receipt of an intent to submit is February 25, 1987. The final deadline for receipt of proposals by the Texas Education Agency is March 13, 1987.

Copies of the request for proposal may be obtained by calling or writing Cynthia Levinson, Department of Research and Information, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701019 W. N. Kirby
Commissioner of Education

Filed: February 3, 1987
For further information, please call (512) 463-9212.

★ ★ ★

This request is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

The Texas Education Agency is requesting proposals for a study to develop indicators for performance based accreditation. The purpose of this request for proposal is to utilize the framework of effective schools research to develop a series of very basic and practical ways to measure school effectiveness. Objectives of the study include: a comprehensive review of effective schools literature and research; the development of indicators for the effective schools criteria identified in the review; the development of data required to define and accredit effective schools; and the field testing/piloting of the indicators in a minimum of three schools—an urban school, a suburban school, and a rural school.

Selection of a consultant will be made through a review process. Reviewers will rate the proposals on criteria specified in the request for proposal. The contract period for the study will be from March 25, 1987, through August 31, 1987. One to three proposals may be funded, for a total amount not to exceed \$50,000. The deadline for receipt of an intent to submit is February 25, 1987. The final deadline for receipt of proposals by the Texas Education Agency is March 13, 1987.

Copies of the request for proposal may be obtained by calling or writing Dr. Carl Candoli, Department of Educational Quality, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8998.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701020 W.N. Kirby
Commissioner of Education

Filed: February 3, 1987
For further information, please call
(512) 463-9212.

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This request is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

The Texas Education Agency is requesting proposals for a study to investigate information delivery needs of the public school system and to recommend alternative engineering and governing configurations for possible technology-based information delivery systems to service the public school system. Research and recommendations are needed to aid the state in developing an efficient information delivery system for extensive instructional and administrative services over the next decade.

Selection of a consultant will be made through a review process. Reviewers will rate the proposals on criteria specified in the request for proposal. The contract period for the study will be from March 25, 1987, through August 31, 1987. One to three proposals, not to exceed \$50,000 each, will be funded for a total amount not to exceed \$100,000. The deadline for receipt of an intent to submit is February 25, 1987. The final deadline for receipt of proposals by the Texas Education Agency is March 13, 1987.

Copies of the request for proposal may be obtained by calling or writing Geoffrey Fletcher, Division of Educational Technology, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9087.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701021 W.N. Kirby
Commissioner of Education

Filed: February 3, 1987
For further information, please call
(512) 463-9212.

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This request is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

The Texas Education Agency is requesting proposals for a study to develop alternative methodologies, research, and analyses related to the Annual Performance Report (APR), a report required under state statute. The primary purpose of this report is to educate and inform local communities of the overall condition of the public education program in their respective districts. The purposes of this request for proposal are to evaluate the current methodologies and analyses used by the Texas Education Agency to meet current statutory requirements for an annual performance report and changes in current statute proposed by the State Board of Education. Additionally, recommendations should be made concerning alternative methodologies, research, and analyses as appropriate.

Selection of a consultant will be made through a review process. Reviewers will rate the proposals on criteria specified in the request for proposal. The contract period for the study will be from March 25, 1987, through August 31, 1987. Cost of the study will not exceed \$25,000. The deadline for receipt of an intent to submit is February 25, 1987. The final deadline for receipt of proposals by the Texas Education Agency is March 13, 1987.

Copies of the request for proposal may be obtained by calling or writing Robert Barker, Division of Policy Analysis, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9014.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701022 W.N. Kirby
Commissioner of Education

Filed: February 3, 1987
For further information, please call (512) 463-9212.

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This request is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

The Texas Education Agency is requesting proposals for a study of teacher supply. The study is needed to identify the supply characteristics of the teacher labor market for a comprehensive study of teacher supply and demand. The purposes of this request for proposal are: to quantify the expected teacher supply for the next five years, particularly the supply of teachers with certain high demand certifications; and to identify the relationship between teacher supply and related aspects of education reform.

Selection of a consultant will be made through a review process. Reviewers will rate the proposal on criteria specified in the request for proposal. The contract period for the study will be from March 25, 1987, through August 31, 1987. Cost of the study will not exceed \$25,000. The deadline for receipt of an intent to submit is February 25, 1987. The final deadline for receipt of proposals by the Texas Education Agency is March 13, 1987.

Copies of the request for proposal may be obtained by calling or writing Dr. Charles Aki, Division of Resource Planning, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9704.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701023 W.N. Kirby
Commissioner of Education

Filed: February 3, 1987
For further information, please call
(512) 463-9212.

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Public Utility Commission of Texas Least Cost Planning Task Force

A meeting of the Task Force on Least-Cost Planning will be held on February 19, 1987, at 10 a.m. in Hearing Room C at the Public Utility Commission of Texas, 7800 Shoal Creek Boulevard, Austin, Texas 78757. At this meeting the task force will address whether or not additional rulemaking is necessary to work toward least-cost planning for electric utilities in Texas.

Issued in Austin, Texas, on February 3, 1987.

TRD-8701030 Phillip A. Holder
Secretary
Public Utility Commission of Texas

Filed: February 3, 1987
For further information, please call (512) 458-0100.

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Texas Water Commission Notice of Applications for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of January 26-30, 1987.

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

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 463-7905.

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

Period of January 26-30, 1987

City of La Port, La Porte; sewage treatment plant; 1301 South Fourth Street, near the intersection of South Fourth Street and West L Street, in the southern portion of La Port in Harris County; 10206-01; amendment

Refined Solvents, Inc., Gonzales; Class I hazardous/industrial solid waste storage and processing facility; on a 6.557-acre tract of land in Gonzales, approximately

two miles northeast of the intersection of U.S. Highway 90A and U.S. Highway 183 in Gonzales County; HW-50198-001; new

Quality Service Railcar Repair Corporation, Ranger; tank car washing and refurbishing facility; approximately 2.5 miles northeast of the intersection of U.S. Highway 80 and FM Road 101 in the City of Ranger in Eastland County; 01782; amendment

Uranium Resources, Inc., San Diego; in situ uranium mining (Rosita Mining Project); approximately 11 miles northwest of the City of San Diego, off State Highway 44 in northern Duval County; UR02880; new

Occidental Electrochemicals Corporation, Gulf Coast Area Waste Management Facility, La Porte; industrial solid waste management facility; on a 58-acre tract of land approximately 1.7 miles northeast of the intersection of Miller Cutoff Road and Texas Highway 134, and approximately 1.3 miles south southeast of the San Jacinto Monument in La Porte, in Harris County; HW-50079-001; new

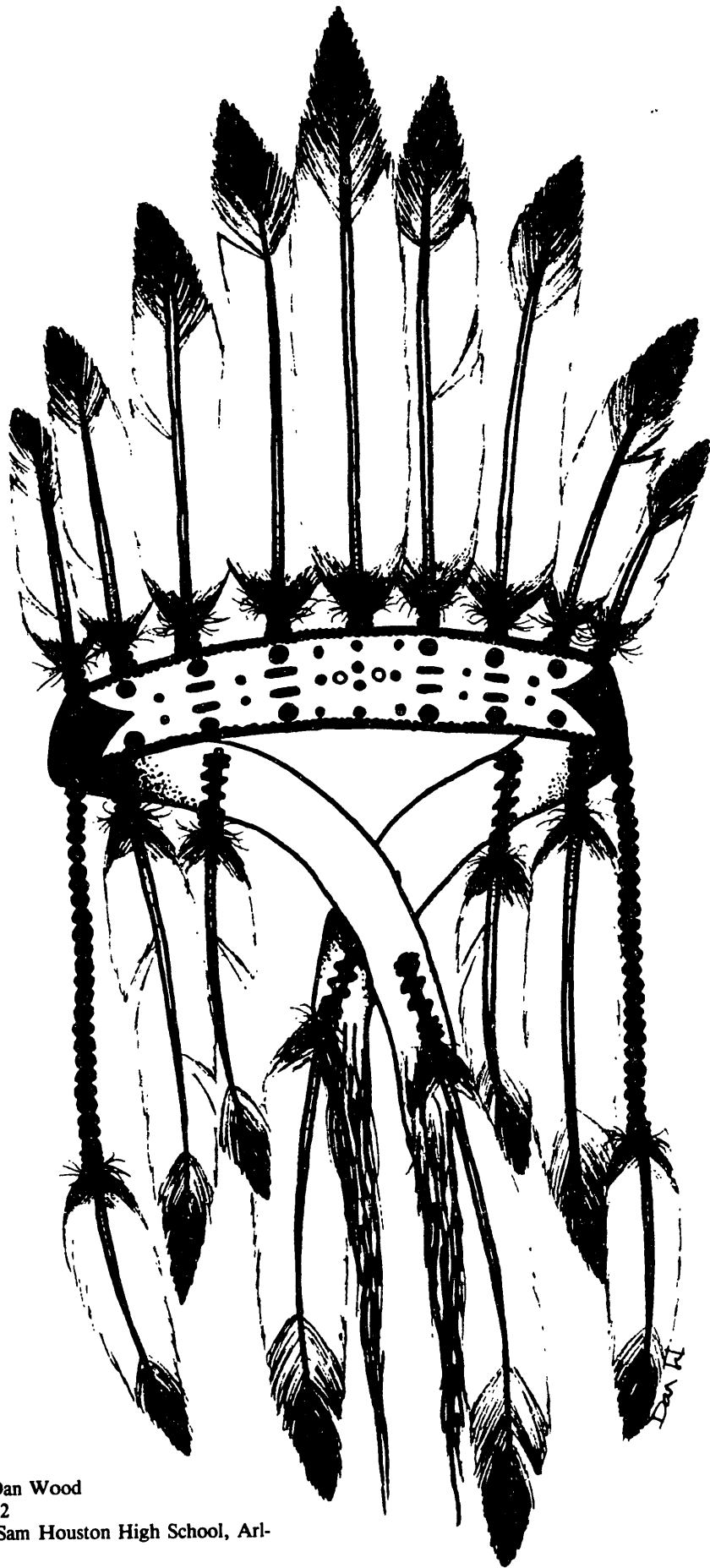
Issued in Austin, Texas, on January 30, 1987.

TRD-8701003 Mary Ann Hefner
 Chief Clerk
 Texas Water Commission

Filed: February 2, 1987

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

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Name: Dan Wood
Grade: 12
School: Sam Houston High School, Ar-
lington



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10 Community Development	1 - \$ 45	\$ 30.00	\$ 30.00
31 Cultural Resources	1 - \$ 45	\$ 30.00	\$ 30.00
26 Economic Regulation	2 - \$ 35	\$ 30.00	\$ 30.00
19 Education	2 - \$ 35	\$ 30.00	\$ 30.00
22 Examining Boards	1 - \$ 105	\$ 75.00	\$ 75.00
25 Health Services	3 - \$ 125	\$ 100.00	\$ 100.00
24 Insurance	1 - \$ 105	\$ 75.00	\$ 75.00
31 Natural Resources and Conservation	2 - \$ 135	\$ 80.00	\$ 80.00
34 Public Finance	1 - \$ 135	\$ 80.00	\$ 80.00
37 Public Safety and Corrections	2 - \$ 135	\$ 80.00	\$ 80.00
40 Social Services and Assistance	1 - \$ 90	\$ 50.00	\$ 50.00
41 Transportation	1 - \$ 45	\$ 30.00	\$ 30.00

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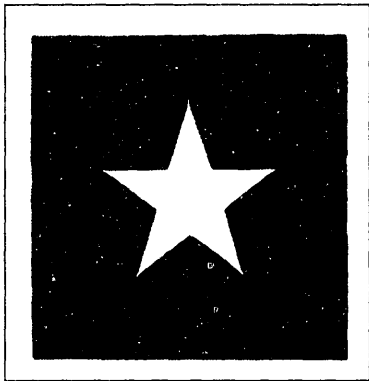
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