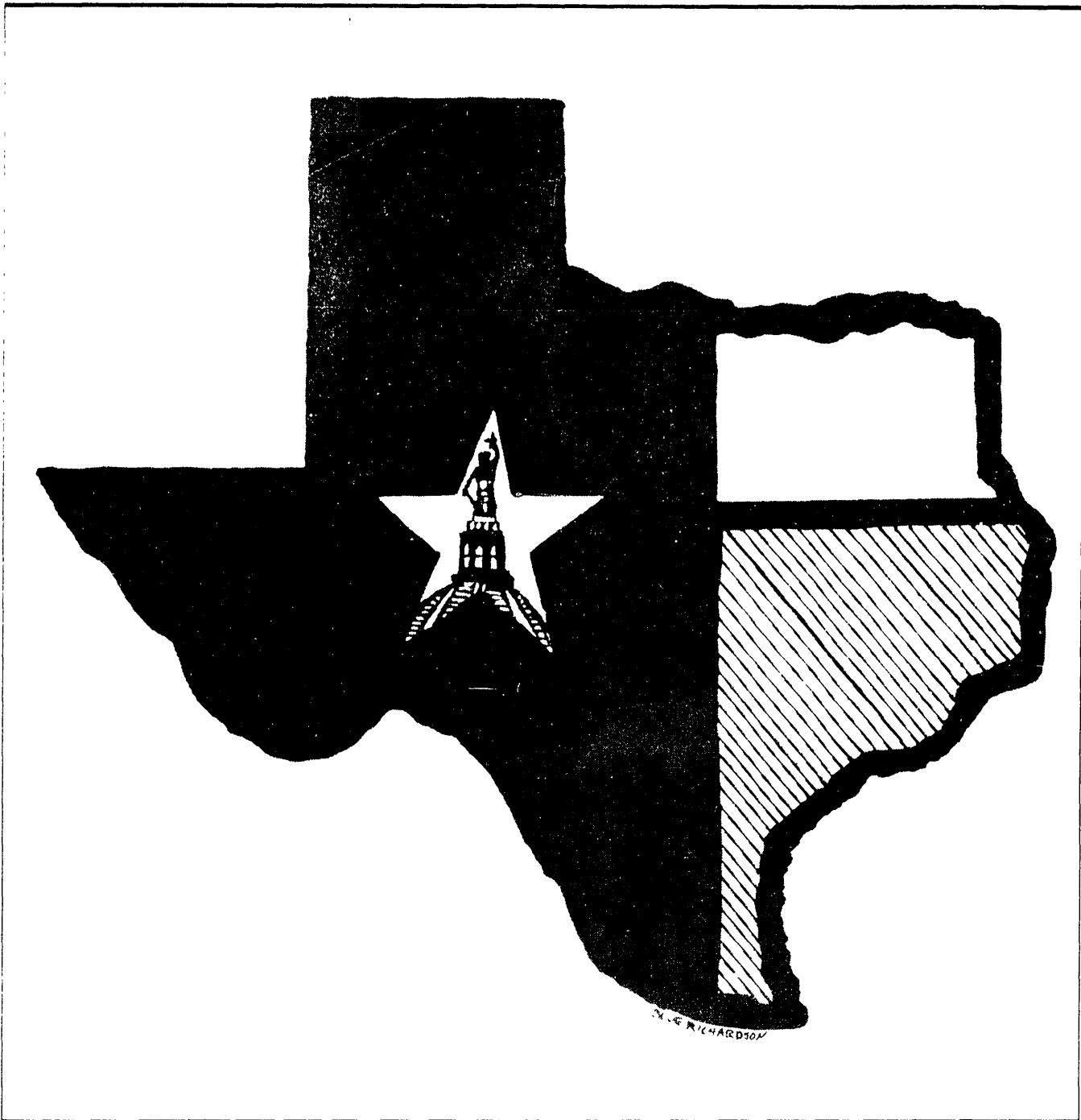


Texas Register

Volume 12, Number 26, April 7, 1987

Pages 1113-1135



Highlights

The **Railroad Commission of Texas** adopts on an emergency basis an amendment to the conservation rules and regulations concerning gas to be produced and purchased ratably. Effective date - March 30. . . **page 1117**

The **Parks and Wildlife Department** proposes amendments to wildlife rules regulating open seasons and bag limits on various game concern-

ing the Statewide Hunting and Fishing Proclamation. Earliest possible date of adoption - May 8 **page 1119**

The **Office of the Secretary of State** adopts an amendment to voter registration rules allowing the secretary of state to periodically obtain registration information from voter registrars. Effective date - April 20 . . . **page 1125**

**Office of
the Secretary
of State**

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice each week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1987 with the exception of January 6, September 1, December 1, and December 29 by the Office of the Secretary of State.

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POSTMASTER: Please send Form 3579 changes to the Texas Register, P.O. Box 13824, Austin, Texas 78711-3824.

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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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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.

How To Cite: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2, in the lower left-hand corner of the page, would be written: "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."

How To Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, 503E Sam Houston Building, Austin. Material can be found by using *Register* indexes, the *Texas Administrative Code*, rule number, or TRD number.

Texas Administrative Code

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

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

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

TAC stands for the *Texas Administrative Code*;

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



Texas Register Publications

a division of the
Office of the Secretary of State
P.O. Box 13824
Austin, Texas 78711-3824
512-463-5561

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Subscriptions—one year (96 regular issues and four index issues), \$80; six months (48 regular issues and two index issues), \$60. Single copies of most issues of the *Texas Register* are available at \$3.00 per copy.

Cover illustration by Blue Richardson, Sam Houston High School, Arlington, as part of the *Texas Register* Student Art Contributions.

TAC Titles Affected

TAC Titles Affected—April

The following is a list of the administrative rules that have been published this month.

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Part IV. Office of Secretary of State

- 1 TAC §81.71 1076, 1079
- 1 TAC §81.8 1125

Part X. Automated Information and Telecommunications Council

- 1 TAC §207.1 1083

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

- 16 TAC §3.34 1117

Part II. Public Utility Commission of Texas

- 16 TAC §23.25 1083

TITLE 22. EXAMINING BOARDS

Part XXII. Texas State Board of Public Accountancy

- 22 TAC §519.27 1076

TITLE 28. INSURANCE

Part I. State Board of Insurance

- 28 TAC §7.27 1085

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part I. General Land Office

- 31 TAC §1.61 1077, 1079
- 31 TAC §3.9 1080
- 31 TAC §3.13 1080
- 31 TAC §§4.1-4.6 1086
- 31 TAC §§4.11-4.16 1086
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- 31 TAC §§4.41-4.49 1088
- 31 TAC §4.41, §4.42 1088
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- 31 TAC §§4.61-4.69 1089
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- 31 TAC §§4.81-4.83 1089
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- 31 TAC §65.20 1123
- 31 TAC §65.27 1124
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TITLE 34. PUBLIC FINANCE

Part I. Comptroller of Public Accounts

- 34 TAC §§5.121-5.127 1093

Part IV. Employees Retirement System of Texas

- 34 TAC §81.3 1078

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

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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 REGULATION

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 adopts on an emergency basis an amendment to 16 TAC §3.34 (Statewide Rule 34), concerning gas to be produced and purchased ratably. An amendment to subsection (f) clarifies the requirement that if the first, second, or third priority category gas is being curtailed from a plant or a gathering system specified in subsection (f), the curtailment must be ratably with like priority gas which the first purchaser is purchasing and accepting delivery of from wells on its same pipeline system. The Railroad Commission is adopting this amendment on an emergency basis to protect the state's public welfare interest in the ratable production of natural gas and the conservation of natural resources and prevention of waste of gas.

The amendment is adopted on an emergency basis under the Texas Natural Resources Code, §§81.052, 85.202, 86.012, 86.041, 86.042, 111.083, 111.090, 111.133, which provides the Railroad Commission of Texas with the authority to adopt sections for the following purposes: to govern and regulate persons and their operations under the jurisdiction of the Railroad Commission; to prevent waste of oil and gas in drilling and producing operations; to effectuate the provision and purposes of the Texas Natural Resources Code, chapter 86; to conserve and prevent waste of gas; and to regulate common purchasers of oil and gas to achieve the prior purposes.

§3.34. *Gas to be Produced and Purchased Ratably.*

(a)-(e) (No change.)

(f) First purchasers of gas shall satisfy their pipeline system demand for gas by purchasing and accepting delivery of gas from the following priority categories in ascending numerical order. Lower priority category gas

is gas from a higher numerical category. A first purchaser shall not within its pipeline system curtail gas from a priority category if the purchaser is purchasing and accepting delivery of lower priority category gas as a first purchaser on its same pipeline system. A first purchaser's [purchaser] **purchases and acceptance of delivery of** [shall not within its pipeline system curtail] first, second, or third priority category gas [which it has been purchasing and accepting for delivery] under an obligation to purchase and accept delivery from the tailgate of a plant processing gas to extract liquids, or from a gathering system that purchases from wells and is required by contract or by its physical connections to sell its gas entirely to the purchaser, whether or not these purchases are made as a first purchaser, **shall not be curtailed** if the first purchaser is purchasing and accepting delivery of lower priority category gas as a first purchaser on its same pipeline system. **If curtailed, the curtailment must be ratably with like priority category gas which the first purchaser is purchasing and accepting delivery of from wells on its same pipeline system.**

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

(g)-(l) (No change.)

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

TRD-8702783 Mack Wallace
Chairman
Railroad Commission of
Texas

Effective date: March 30, 1987

Expiration date: July 28, 1987

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

★ ★ ★

The Railroad Commission of Texas adopts on an emergency basis an amendment to 16 TAC §3.34 (Statewide Rule 34), concerning gas to be produced and purchased ratably. An amendment to paragraph (4) of subsection (h) requires that the affidavit proof must be accompanied by supporting documentation, including data on well performance, and a statement that the affidavit proof has been served on the first purchaser on or before the date the affidavit proof has been mailed or delivered

to the commission, with the opportunity for the first purchaser to respond within five days of service. The Railroad Commission is adopting this amendment on an emergency basis to protect the state's public welfare interest in the ratable production of natural gas and the conservation of natural resources and prevention of waste of gas.

The amendment is adopted on an emergency basis under the Texas Natural Resources Code, §§81.052, 85.202, 86.012, 86.041, 86.042, 111.083, 111.090, and 111.133, which provides the Railroad Commission of Texas with the authority to adopt sections for the following purposes: to govern and regulate persons and their operations under the jurisdiction of the Railroad Commission; to prevent waste of oil and gas in drilling and producing operations; to effectuate the provision and purposes of the Texas Natural Resources Code, chapter 86; to conserve and prevent waste of gas; and to regulate common purchasers of oil and gas to achieve the prior purposes.

§3.34. *Gas to be Produced and Purchased Ratably.*

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

(h) If a first purchaser elects to qualify an affiliate as a separate first purchaser in §3.30(a)(1) of this title (relating to Gas Nominations Required) (Statewide Rule 30), the first purchaser may designate the affiliate as a special marketing program. The special marketing program must comply with the following with respect to the nomination, purchase, and acceptance of delivery of natural gas:

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

(4) If a well producing priority category 1, 2, or 3 gas is shut in or curtailed, and waste is found by the commission to exist, neither a special marketing program purchaser nor its affiliated first purchaser may purchase lower priority category gas until all the priority category 1, 2, and 3 gas is taken and resulting waste is prevented. The commission shall expedite determination of waste, and may enter an emergency, temporary, or interim order upon affidavit proof that waste is occurring. **The affidavit proof must be accompanied by supporting documentation, including data on well performance, and a statement that the affidavit proof has been served on the first purchaser on or before the date the affidavit proof has**

been mailed or delivered to the commission,
with the opportunity for the first purchaser
to respond within five days of service.

(5)-(7) (No change.)

(i)-(l) (No change.)

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

TRD-8702784

Mack Wallace
Chairman
Railroad Commission of
Texas

Effective date: March 30, 1987

Expiration date: July 28, 1987

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

★ ★ ★

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Proposed

Rules

Before an agency may permanently adopt a new or amended rule, or repeal an existing rule, a proposal detailing the action must be published in the *Register* at least 30 days before any action may be taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the rule. Also, in the case of substantive rules, a public hearing must be granted if requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members.

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

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part II. Parks and Wildlife Department

Chapter 65. Wildlife

Subchapter A. Statewide Hunting and Fishing

★ 31 TAC §§65.6, 65.11, 65.13,
65.32, 65.33, 65.38, 65.42, 65.44,
65.46, 65.62, 65.63, 65.71, 65.78

The Texas Parks and Wildlife Commission proposes amendments to §§65.6, 65.11, 65.13, 65.32, 65.33, 65.38, 65.42, 65.44, 65.46, 65.62, 65.63, 65.71, and 65.78, concerning the Statewide Hunting and Fishing Proclamation. The differences between the proposed amendments to the sections and the existing sections are briefly summarized in the following paragraph.

Section 65.6 provides game animal status for elk in six panhandle counties. Section 65.11 requires the head of deer accompany the deer carcass as a means of sex identification. Section 65.13 clarifies text relating to squirrels. Section 65.32 provides an open antelope season in Tom Green County. Section 65.33 provides that 80 counties may take antlerless deer without antlerless deer permits or antlerless deer tags; begins the hunting of deer with dogs, where legal, December 10 through the first Sunday in January; prohibits persons from possessing both archery equipment and firearms during the special antlerless deer and archery seasons in a portion of Polk and Trinity Counties; and provides either sex archery only bag limits in counties where during the previous general season antlerless deer permits were issued. Section 65.38 provides protection for elk in six panhandle counties. Section 65.42 closes the prairie chicken season in four counties and deletes the check station requirement but requires that prairie chicken hunters secure a permit to hunt prairie chickens. Section 65.44 opens the pheasant season in Crosby and Lubbock Counties. Section 65.46 lengthens the spring gobbler season to 23 days in counties with the Rio Grande turkey subspecies and provides a spring-gobbler-

only season in Colorado and Lavaca Counties. Section 65.62 removes the word "black" when referencing bass, which conforms with correct usage of common names; includes the word "Guadalupe" as a bass species; inserts the word "aggregate" when referencing daily bag and possession limits of different species of bass; places a minimum size limit of 16 inches on walleye; changes the name from freshwater trout to rainbow and brown trout; and places Lake Conroe under standardized statewide bag and possession limits on bass and crappie. Section 65.63 clarifies bass species names, prohibits trotlining in Pinkston Reservoir; and references rainbow and brown trout rather than freshwater trout in paragraph concerning fly fishing only. Section 65.71 places bag, possession, and size limits on striped bass and snook in saltwater; prohibits persons from continuing to fish while possessing a daily bag limit of fish; removes exceptions that headboats are exempted from minimum size limits of redsnapper; restricts the gear that may be used to take striped bass and snook, prohibits fish trawls in certain counties; amends circle hook citation to correctly define hooks that may be used; clarifies text defining inside waters of the Laguna Madre; and permits 20 foot minnow seines. Section 65.78 prohibits crab traps in excess of 18 cubic feet.

James E. Dickinson, director of finance, has determined that the first five-year period the proposed sections will be in effect, there will be no fiscal implications for state or local governments or small business as a result of enforcing or administering the sections.

Mr. Dickinson also has determined that for each year of the first five years the sections are in effect the public benefits anticipated will be to provide optimum hunting and fishing opportunity based upon acknowledged wildlife management tenets. There is no anticipated economic cost to individuals who are required to comply with the proposed sections.

Comments on the proposed amendments may be submitted to Phil Evans, Regulatory Coordinator, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744 (512) 389-4974 or 1-800-792-1112, extension 4974.

The amendments are proposed under the Uniform Wildlife Regulatory Act (Wildlife Conservation Act of 1983), the Texas Parks and Wildlife Code, Chapter 61, which provides the Texas Parks and Wildlife Commission with authority to establish wildlife resource regulations for this state

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

Game animals - Include the following:

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

(D) In Brewster, Culberson, Dallam, Deaf Smith, El Paso, Hartley, Hudspeth, Jeff Davis, Moore, Oldham, Pecos, Potter, Presidio, Reeves, and Terrell Counties wild elk are game animals (Texas Parks and Wildlife Code, §63.001).

§65.11. *Open Seasons: General Rules.*

(a)-(f) (No change).

(g) It is unlawful for a person who kills a deer, including axis deer taken in Bexar County that are not individually owned, to possess the deer or any part of the deer without the accompanying head with antlers attached or the head of an antlerless deer [antlers], antlerless permit (except as provided by §65.23 (h) and (i) of this title relating to Antlerless Deer Permits), or a receipt from a taxidermist for the head accompanying the deer or parts of the deer until the deer has been delivered to its final destination and is fully processed.

(h)-(m) (No change.)

§65.13. *Means and Methods.* It is unlawful to hunt any of the wildlife resources of this state, except by the means and methods authorized by this section; §65.14 of this title (relating to Firearms); §65.15 of this title (relating to Archery); §65.16 of this title (relating to Hunting from Vehicle); §65.17 of this title (relating to Hunting Deer with Dogs); §65.18 of this title (relating to Falconry); [and] §65.19 of this title (relating to Calling Devices); and §65.20 of this title (relating to Nuisance Squirrels).

§65.32. *Antelope: Open Seasons and Bag Limits.*

(a) In Andrews, Armstrong, Borden, Brewster, Carson, Cochran, Coke, Cottle, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Donley, Ector, El Paso, Floyd,

Gaines, Garza, Glasscock, Gray, Hansford, Hartley, Hemphill, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jeff Davis, Kent, Lipscomb, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Ochiltree, Oldham, Pecos, Potter, Presidio, Reagan, Reeves, Roberts, Scurry, Sherman, Sterling, Stonewall, Terrell, Terry, **Tom Green**, Winkler, and Yoakum Counties, there is an open season for antelope for nine consecutive days beginning the Saturday nearest October 1, and the bag limit is one antelope per season by permit only.

(b) (No change).

§65.33. *Deer.* No person may take more than the aggregate total of five deer per season; of which no more than two may be mule deer, only one of which may be a buck mule deer; no more than two white-tailed buck deer, or no more than four antlerless deer, both species combined.

(1) White-tailed deer: general open seasons, bag, and possession limits shall be as follows.

(A) In Anderson, Angelina, **Bell (east of IH 35)**, Bowie, [Cameron,] Cass, Cherokee, Comal (east of IH 35), Comanche, Crane, Ector, Freestone, Glasscock, Gonzales, Grimes, Guadalupe, Hardin, Harrison, **Hays (east of IH 35)**, Houston, **Howard (north of IH 20)**, Jackson, Jasper, Karnes, Leon, Liberty, Limestone, Loving, Marion, Matagorda, Midland, Mitchell (north of IH 20), Montgomery, Nacogdoches, Newton, Nolan (north of IH 20), [Nueces] Panola, Polk, Reagan, Robertson, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Taylor (north of IH 20), Travis (east of IH 35), Trinity, Tyler, Upton, Walker, Ward, Wharton, Williamson (east of IH 35) and Wilson Counties, there is an open season for white-tailed deer.

(i)-(ii) (No change).

(iii) Special exemption: In Hardin, that portion of Harrison County south of Interstate Highway 20 and east of State Highway 43, Jasper, Newton, Panola, Polk, Sabine, San Jacinto, and Tyler Counties only, hunting deer with dogs is permitted only during the period beginning on **December 10**[7] through the first Sunday in January.

(iv) Special season: In the portion of Polk and Trinity Counties bounded on the east by United States Highway 59 beginning at Corrigan thence south on United States Highway 59 to Livingston, thence northwestward on United States 190 to Onalaska, thence northwestward on F.M. Road 356 to Sebastopol, thence northward on F.M. Road 355 to Groveton, thence eastward on United States Highway 287 back to Corrigan, there is a special early antlerless only season beginning the third Saturday in October for 16 days. **During the period when the archery only season and this special season are concurrent, no person may possess both firearms and archery equipment while hunting.** The bag limit is four antlerless

white-tailed deer only, only by antlerless deer permit. The bag limit is not in addition to the general or archery only season bag limits.

(B) In Aransas, Atascosa, Bandera, Bee, Bell (west of IH 35), Bexar, Blanco, Bosque, Brewster, Brooks, Brown, Burnet, Calhoun, **Cameron**, Coke, Coleman, Comal (west of IH 35), [Comanche,] Concho, Coryell, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Gillespie, Goliad, Hamilton, Hays (west of IH 35), Hidalgo, **Howard (south of IH 20)**, Irion, [Jackson,] Jeff Davis, Jim Hogg, Jim Wells, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, Lampasas, LaSalle, Live Oak, Llano, McCulloch, McMullen, Mason, [Matagorda,] Maverick, Medina, Menard, Mills, Mitchell (south of IH 20) Nolan (south of IH 20), **Nueces**, Pecos, Presidio, Real, Reeves, Refugio, Runnels, San Patricio, San Saba, Schleicher, Starr, Sterling, Sutton, Taylor (south of IH 20), Terrell, Tom Green, Travis (west of IH 35), Uvalde, Val Verde, Victoria, Webb, [Wharton,] Willacy, Williamson (west of IH 35), Zapata, and Zavala Counties, there is an open season for white-tailed deer.

(i)-(iii) (No change.)

(iv) An antlerless deer tag is required except in Menard County by §65.27 of this title (relating to Antlerless Deer Tags) to take antlerless deer in counties listed within this subparagraph.

(v) Special exception: In Menard County, antlerless deer may be taken without an antlerless deer permit or tag required by §65.21 of this title (relating to Permits), §65.23 of this title (relating to Antlerless Deer Permits), and §65.27 of this title (relating to Antlerless Deer Tags.)

(C) No person may take or possess more than one white-tailed buck deer per season from counties, in the aggregate, listed within this subparagraph.

(i) In Archer, Armstrong, Austin, Bastrop, Baylor, Borden, **Brazoria**, Brazos, Briscoe, Burleson, Caldwell, Callahan, Camp, Carson, Chambers, Childress, Clay, Collingsworth, **Colorado**, Cooke, Cottle, Crosby, Delta, Denton, Dickens, Donley, Eastland, Ellis, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, **Fort Bend**, Franklin, Garza, Gray, Grayson (only on the Hagerman National Wildlife Refuge), Gregg, Hall, Hardeman, Harris, Hartley, Haskell, Hemphill, Hill, Hood, Hopkins, [Howard,] Hutchinson, Jack, Jefferson, Johnson, Jones, Kent, King, Knox, Lamar, **Lavaca**, Lee, Lipscomb, McLennan, Madison, Milam, Montague, Moore, Morris, Motley, Navarro, Ochiltree, Oldham, Orange, Palo Pinto, Parker, Potter, Rains, Randall, Red River, Roberts, Scurry, Shackelford, Smith, Somervell, Stephens, Stonewall, Swisher, Tarrant, Throckmorton, Titus, Upshur, Van Zandt, Waller, Washington, Wheeler, Wichita, Wilbarger, Wise, Wood, and Young Counties, there is an open season for white-tailed deer.

(I)-(III) (No change).

(IV) Special exemption: in Orange County only, hunting deer with dogs is permitted only during the period beginning **December 10** [7] through the first Sunday in January.

(ii) In Brazoria, Colorado, Fort Bend, and Lavaca Counties, there is an open season for white-tailed deer.

(I) Open season: second Saturday in November through the first Sunday in January.

(II) Bag limit: four white-tailed deer, no more than one buck.

(III) Antlerless deer may be taken without an antlerless deer permit required by §65.21 of this title (relating to Permits) and §65.23 of this title (relating to Antlerless Deer Permits).

(IV) An antlerless deer tag is required by §65.27 of this title (relating to Antlerless Deer Tags) to take antlerless deer in counties within this clause.]

(D) (No change.)

(E) In Dimmit, Duval, Maverick, Webb, Zapata, and Zavala Counties, there is an additional open season for white-tailed antlerless deer.

(i) (No change.)

(ii) Bag limit: four antlerless white-tailed deer only [only by antlerless deer tag]. **Antlerless deer may be taken without an antlerless deer permit required by §65.21 of this title (relating to Permits) and §65.23 of this title (relating to Antlerless Deer Permits).** The bag limit is not in addition to general or archery only seasons bag limits.

(F) (No change.)

(2) White-tailed deer: archery only open seasons, bag, and possession limits shall be as follows.

(A) In Anderson, Angelina, Aransas, Atascosa, Bandera, Bee, Bell, Bexar, Blanco, Bosque, Bowie, Brewster, Brooks, Brown, Burnet, Calhoun, Cameron, Cass, Cherokee, Coke, Coleman, Comal, Comanche, Concho, Coryell, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Freestone, Frio, Gillespie, Glasscock, Goliad, Gonzales, Grimes, Guadalupe, Hamilton, Hardin, Harrison, Hays, Henderson, Hidalgo, Houston, **Howard**, Irion, Jackson, Jasper, Jeff Davis, Jim Hogg, Jim Wells, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, Lampasas, LaSalle, Leon, Liberty, Limestone, Live Oak, Llano, McCulloch, McMullen, Marion, Mason, Matagorda, Maverick, Medina, Menard, Mills, Mitchell, **Montgomery**, Nacogdoches, Newton, Nolan, Panola, Pecos, Polk, Presidio, Reagan, Real, Reeves, Refugio, Robertson, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, San Saba, Schleicher, Shelby, Starr, Sterling, Sutton, Taylor, Terrell, Tom Green, Travis, Trinity, Tyler, Uvalde, Val Verde, Victoria, Walker, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, and Zavala Counties, there is an open season during which white-tailed deer may be taken only with longbow and arrows.

(i)-(iii) (No change.)

(B) In Crane, Ector, Karnes, Loving, Midland, [Montgomery,] Nueces, Upton, and Ward Counties, there is an open season during which whitetailed buck deer may be taken only with longbow and arrows.

(i)-(iii) (No change.)

(C) No person may take or possess more than one white-tailed buck deer per season from counties, in the aggregate, listed within this subparagraph.

(i) In Austin, Brazoria, Brazos, Burleson, Callahan, Camp, Chambers, Colorado, Eastland, Erath, Falls, Fayette, Fisher, Fort Bend, Franklin, Grayson (only on the Hagerman National Wildlife Refuge), Gregg, **Harris**, Haskell, Hemphill, Hood, Hopkins, [Howard,] Jack, Jefferson, Kent, Lavaca, McLennan, Madison, Milam, Morris, Navarro, Orange, Palo Pinto, Parker, Red River, Scurry, Shackelford, Smith, Somervell, Stephens, Throckmorton, Titus, Upshur, Van Zandt, Wheeler, Wise, and Wood Counties, there is an open season during which white-tailed deer may be taken only with longbow and arrows.

(1)-(11) (No change.)

(ii) In Archer, Armstrong, Bastrop, Baylor, Borden, Briscoe, Caldwell, Carson, Childress, Clay, Collingsworth, Cooke, Cottle, Crosby, Delta, Denton, Dickens, Donley, Ellis, Fannin, Floyd, Foard, Garza, Gray, Grayson (except on Hagerman National Wildlife Refuge), Hall, Hardeman, [Harris,] Hartley, Hill, Hunt, Hutchinson, Johnson, Jones, Kaufman, King, Knox, Lamar, Lee, Lipscomb, Montague, Moore, Motley, Ochiltree, Oldham, Potter, Rains, Randall, Roberts, Stonewall, Swisher, Tarrant, Waller, Washington, Wichita, Wilbarger, and Young Counties, there is an open season during which white-tailed buck deer may be taken only with longbow and arrows.

(1)-(11) (No change.)

(D)-(E) (No change.)

(3)-(5) (No change.)

§65.38. Elk: Open Seasons and Bag Limits. Elk may be taken in Brewster, Culberson, **Dallam**, **Deaf Smith**, El Paso, **Hartley**, Hudspeth, Jeff Davis, **Moore**, **Oldham**, Pecos, **Potter**, Presidio, Reeves, and Terrell Counties, by permit only. There is no closed season on elk and the bag limit is one.

§65.42. Prairie Chicken: Open Seasons and Bag Limits.

(a) In Cochran, [Collingsworth, Donley, Gray,] Hemphill, Hockley, Lipscomb, Ochiltree, [Roberts,] Terry, Wheeler, and Yoakum Counties, there is an open season on prairie chicken.

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

(4) Special requirement: a permit, issued free of charge, is required of any person to hunt, shoot, or kill prairie chickens during the open season. Permits are issued upon request with no limitation on the number of permits that may be issued. [Each

prairie chicken must be presented at a department checking station for tagging prior to 10 p.m. on the date taken.]

(b) (No change.)

§65.44. Pheasant: Open Seasons, Bag, and Possession Limits.

(a) In Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Collingsworth, Cottle, **Crosby**, Dallam, Deaf Smith, Donley, Floyd, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lamb, Lipscomb, **Lubbock**, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler Counties, there is an open season for pheasants.

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

(b)-(c) (No change.)

§65.46. Turkey.

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

(d) Spring turkey gobbler season.

(1) In Aransas, Archer, Armstrong, **Atascosa**, Bandera, Bastrop, Baylor, **Bee**, Bell, Bexar, Blanco, Borden, Bosque, Briscoe, **Brooks**, Brown, Burnet, Caldwell, Calhoun, Callahan, Carson, Childress, Clay, Coke, Coleman, Collingsworth, **Colorado**, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Dawson, DeWitt, Dickens, **Dimmit**, Donley, **Duval**, Eastland, Ector, Edwards, Erath, Fisher, Floyd, Foard, **Frio**, Garza, Gillespie, Glasscock, Goliad, Gonzales, Gray, Guadalupe, Hall, Hamilton, Hardeman, Hartley, Haskell, Hays, Hemphill, **Hidalgo**, Hill, Hood, Howard, Hutchinson, Irion, Jack, **Jim Hogg**, **Jim Wells**, Johnson, Jones, Karnes, Kendall, **Kenedy**, Kent, Kerr, Kimble, King, Kinney, **Kleberg**, Knox, Lampasas, **Lasalle**, **Lavaca**, Lipscomb, **Liveoak**, Llano, Lynn, McCulloch, McLennan, **McMullen**, Martin, Mason, **Maverick**, Medina, Menard, Midland, Mills, Milam, Mitchell, Montague, Moore, Motley, Nolan, **Nueces**, Ochiltree, Oldham, Palo Pinto, Parker, Pecos, Potter, Randall, Reagan, Real, Refugio, Roberts, Runnels, **San Patricio**, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terrell, Throckmorton, Tom Green, Travis, Upton, Uvalde, Val Verde, Victoria, Ward, **Webb**, Wheeler, Wichita, Wilbarger, **Willacy**, Williamson, Wilson, Wise, [and] Young, **and Zavala** Counties, there is a spring season on turkey gobblers.

(A) Spring season: Saturday nearest April 1 for **23** [16] consecutive days.

(B) (No change.)

(2) In Atascosa, Bee, Brooks, Dimmit, Duval, Frio, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, LaSalle, Live Oak, McMullen, Maverick, Nueces, San Patricio, Webb, Willacy, and Zavala Counties, there is a spring season on turkey gobblers.

(A) Spring season: last Saturday in March for 16 consecutive days.

(B) Bag limit: two turkey gobblers.]

(2)[(3)] In Jasper, Newton, Polk, and Tyler Counties, there is a spring season on turkey gobblers.

(A)-(B) (No change.)

(3)[(4)] In Newton County, there is an additional area where one turkey gobbler may be taken during the spring season.

(A)-(B) (No change.)

(4)[(5)] In Anderson and Henderson Counties, there is a spring season on turkey gobblers.

(A)-(B) (No change.)

(5)[(6)] In Polk and Trinity Counties, there is an additional area where one turkey gobbler may be taken during the spring season.

(A)-(B) (No change.)

§65.62. Freshwater Fish: Bag, Possession, and Size Limits.

(a) (No change.)

(b) Provisions relating to **largemouth**, **spotted**, **guadalupe**, and **smallmouth** bass in public waters shall be as follows.

(1) Except as noted in this subsection, the minimum size limit is 10 inches for smallmouth, **guadalupe**, and spotted [black] bass and 14 inches for largemouth [black] bass. The daily bag limit is five and the possession limit is 10 in the aggregate.

(2) (No change.)

(3) In all waters north of United States Highway 70 from Oklahoma to New Mexico the minimum size limit on largemouth, smallmouth, **guadalupe**, and spotted [black] bass is 12 inches.

(4) In Squaw Creek (Comanche Peak) Reservoir in Hood and Somervell Counties, Coletto Creek Reservoir in Goliad and Victoria Counties, Tradinghouse Creek Reservoir in McLennan County, Lake Fairfield in Freestone County, [Lake] Pinkston Reservoir in Shelby County, and Aquilla Creek Reservoir in Hill County, it is unlawful to retain largemouth [black] bass less than 16 inches in length. The daily bag limit for largemouth, [spotted, and] smallmouth, **guadalupe**, and **spotted** [black] bass is five in the aggregate, of which no more than three may be largemouth [black] bass. The possession limit is 10 [black] bass in the aggregate, of which no more than six may be largemouth black bass.

(5) In Caddo Lake in Harrison and Marion Counties[, Lake Conroe in Montgomery and Walker Counties,] and Toledo Bend Reservoir in Newton, Sabine, and Shelby Counties, the minimum size limit on **largemouth**, **smallmouth**, **guadalupe**, and **spotted** [black] bass is 10 inches. The daily bag limit is 10 in the aggregate and the possession limit is 20 in the aggregate.

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

(8) In Gibbons Creek Reservoir in Grimes County, Fayette Power Project Cooling Pond in Fayette County, Houston County Lake in Houston County, and Nacogdoches City Lake in Nacogdoches County, it is unlawful to retain largemouth [black] bass between 15 and 21 inches in length.

Largemouth [black] bass less than 15 inches or greater than 21 inches long may be retained. The daily bag limit for largemouth, [spotted, and] smallmouth, **guadalupe, and spotted [black] bass** is five in the aggregate, of which no more than three may be largemouth [black] bass. The possession limit is 10 [black] bass in the aggregate of which no more than six may be largemouth [black] bass.

(9) In Lake Texoma in Cooke and Grayson Counties, the minimum size limit on largemouth, smallmouth, **guadalupe**, and spotted [black] bass is 14 inches, the daily bag limit is 10 in the aggregate, and the possession limit is 20 in the aggregate.

(c) (No change.)

(d) The daily bag limit on walleye is 10, [and] the possession limit is 20, **and the minimum size is 16 inches.**

(e) (No change.)

(f) The daily bag limit on **rainbow and brown [freshwater] trout** is five and the possession limit is 10.

(g)-(i) (No change.)

(j) Provisions relating to crappie (black and white) shall be as follows.

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

(4) In Caddo Lake in Harrison and Marion Counties[, in Lake Conroe in Montgomery and Walker Counties,] and Toledo Bend Reservoir in Newton, Sabine, and Shelby Counties, there is no bag, possession,

or size limit on crappie.

(k)-(l) (No change.)

§65.63. Freshwater Fish: Means and Methods.

(a) Only the following means and methods may be used to take or attempt to take fish.

(1) (No change.)

(2) Bait fish may be taken with unstaked seines, no more than 60 feet in length, with a mesh size no larger than one-fourth inch square, a common fruit jar trap or its metallic counterpart not longer than 24 inches with a throat not larger than one by three inches, dip net, cast net, umbrella net and shad trawl. **Largemouth, smallmouth, guadalupe, and spotted [Black] bass**, white bass, striped bass, hybrids of striped bass, crappie, walleye, trout, northern pike, channel, blue, and flathead catfish, and introduced marine game fish may not be used as bait fish.

(3) Freshwater trotlines, as defined, may be used in all waters unless specifically prohibited within this section.

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

(D) The use of trotlines is prohibited in Gibbons Creek Reservoir in Grimes County, Fayette power project cooling pond in Fayette County, Bryson Lake in Jack County, Cottonwood Lake in Wise County, Old Anson Lake in Jones County, **Pink-**

ston Reservoir in Shelby County, and Upper Waterworks, Lower Waterworks, Blue Lake, and Wolf Creek Lakes in Anderson County.

(E) (No change.)

(4) (No change.)

(5) In the Guadalupe River in Comal County between the first concrete dam (weir) below the easternmost State Highway 306 bridge and the Little Ponderosa bridge, freshwater trout may not be retained when taken by any method except fly fishing.

(A) (No change.)

(B) It is an offense to possess **rainbow and brown [freshwater] trout** while fishing with any other device in that part of the Guadalupe River defined in this paragraph.

(b)-(c) (No change.)

§65.71. Saltwater Fish.

(a) (No change.)

(b) Bag, possession, and size (length) limits.

(1) (No change.)

(2) No person may possess fish taken from saltwater less than the minimum size or greater than the maximum size limits or more fish than the daily bag or possession limits listed in §65.62 of this title (relating to Freshwater Fish: Bag, Possession, and Size Limits) or in this paragraph as follows.

<u>Species</u>	<u>Daily Bag</u>	<u>Possession</u>	<u>Maximum Length</u>	<u>Minimum Length</u>
Cobia	No Limit	No Limit	No Limit	37 inches
Red drum	5	10	30 inches	18 inches
Red snapper	No Limit	No Limit	No Limit	13 inches
Spanish mackerel	No Limit	No Limit	No Limit	14 inches
Spotted seatrout	10	20	No Limit	14 inches
King mackerel	2	2	No Limit	No Limit
STRIPED BASS	<u>5</u>	<u>10</u>	NO LIMIT	<u>18</u> INCHES
SNOOK	<u>5</u>	<u>10</u>	<u>30</u> INCHES	<u>18</u> INCHES

(3) The exceptions listed in this paragraph apply only to red snapper:

(A) (No change.)

(B) Persons on vessels legally operating trawls [or on licensed recreational headboats (see §65.6 of this title (relating to Definitions) for definition of headboat)] are excluded from the minimum size limits.

(4)-(5) (No change.)

(6) **It is unlawful for any person while actually fishing on the public waters of this state to have in their immediate possession fish in excess of the daily bag limit or fish within a protected size limit as established for public waters by this section and §65.62 of this title relating to Freshwater Fish: Bag, Possession, and Size Limits).**

(c) Means and Methods.

(1) (No change.)

(2) Only the following means and methods may be used for taking fish except where noted in §65.81 of this title (relating to Special Coastal Laws):

(A) Devices.

(i) Pole and line, rod and reel, artificial and natural baits, trotline with the main fishing line and attached hooks and stagings under the water's surface, sail line, spear gun and spear, bow and arrow, and gig [, except]. It is unlawful to use a spear gun and spear, bow and arrow, or gig to take red drum and spotted seatrout. **It is unlawful to take striped bass and snook on any gear except pole and line and rod and reel.** Cast nets and 20-foot minnow seines may be used for taking bait. Dip nets and gaffs may be used only in aiding to land fish caught on other legal devices except that gaffs may not be used to land fish below the minimum or above the maximum size limits. Snagging or jerking fish (see §65.6 of this title (relating to Definitions)) is specifically defined as an illegal method for taking saltwater fish, artificial lures not included.

(ii) (No change.)

(iii) Fish trawls with a webbing size of not less than two inches square mesh are permitted only in gulf waters of Aransas, Brazoria, Jefferson, Matagorda, and Willacy Counties.]

(iii)(iv) Fish taken incidental to legal shrimping operations may be retained, except that red drum and spotted seatrout may not be retained as provided under Texas Parks and Wildlife Code, §77.0191.

(iv)(v) Trammel nets and drag seines only may be used to take fish as provided in this paragraph; however, the use of trammel nets, gill nets, and drag seines is prohibited in the waters of Port Bay, St. Charles Bay, Copano Bay, and Redfish Bay; all remaining saltwaters of Aransas County are closed to the use of gill nets. In the waters of Sabine Pass leading from Sabine Lake to the Gulf of Mexico, or in the waters within one mile of Sabine Pass, or in or on any of the waters of any of the lakes, bays, streams, bayous, or canals of Jefferson and Orange Counties; and in the waters of Carancahua Bay; and Swan Lake in Jackson County, and

in the inside saltwater lakes, bays, streams, bayous, or canals of Brazoria County, it is unlawful to use or possess any net except a shrimp trawl, cast net, or 20-foot minnow seine for taking bait; except that seines not more than 20 feet in length may be used for taking bait in these waters.

(v)(vi) The use of airboats or jet driven devices to pursue and harass or harry are specifically prohibited as a means for the taking of red drum or spotted seatrout.

(vi)(vii) Trammel nets, gill nets, and drag seines may be used in or on the coastal waters where presently legal, except between the hours of 1 p.m. on Friday through 1 p.m. on Sunday of each week.

(B) (No change.)

(C) Trotlines.

(i)-(ix) (No change.)

(x) All hooks used on trotlines shall be tuna circle-type hooks with points curved in (such as the Mustad Part 39960ST or a comparable type hook) and having a gap (**distance from point to shank**) of no less than one-half inch [for example, such as the Mustad-Viking 8 or larger)]. Attended sail lines are excluded from the restrictions imposed by this clause.

(xi) (No change.)

(D) Laguna Madre. In the inside waters of [the Laguna Madre in] Cameron, Kenedy, [and] Kleberg [Counties,] and [the inside waters of] Willacy Counties [County] (as defined in the Texas Parks and Wildlife Code, §77.001(2) [Chapter 77]), it is unlawful to use a net or seine, except a dip net, cast net, minnow seine **not more** [less] than 20 feet in length for catching bait, or shrimp net or trawl as provided by the Texas Parks and Wildlife Code, Chapter 77. In Willacy County, it is unlawful to possess a net or seine; except a dip net, cast net, minnow seine **not more** [less] than 20 feet in length for catching bait, or shrimp net or trawl, within ½ mile of the inside waters of Willacy County. Black drum and sheepshead fish may be taken between November 1 and March 31 with nets, but only when under contract with the department, as set forth in contract regulations provided by law.

(E)-(J) (No change.)

§65.78. *Crabs.*

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

(d) Devices, manners, and methods.

(1) (No change.)

(2) Crab trap restrictions.

(A) No crab fisherman may fish more than 300 crab traps. No crab trap may be placed within 200 feet of a marked navigable channel in Aransas County or in Little Bay in Aransas County and the water area of Aransas Bay within ½ mile of the line from Hail Point on the Lamar Peninsula, then direct to the eastern end of Goose Island, then along the southern shore of Goose Island, then along the causeway between Lamar Peninsula and Live Oak Peninsula, then along the eastern shoreline of the

Live Oak Peninsula past the town of Fulton, past Nine-Mile Point, past the town of Rockport to a point at the east end of Talley Island and including that part of Copano Bay within 1,000 feet of the causeway between Lamar Peninsula and Live Oak Peninsula.

(B) **Crab traps may not exceed 18 cubic feet.**

(3)-(4) (No change.)

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

Issued in Austin, Texas, on March 30 1987

TRD-8702760

Boyd M. Johnson
General Counsel
Texas Parks and Wildlife
Department

Earliest possible date of adoption

May 8, 1987

For further information, please call
(512) 389-4974.

★ ★ ★

★ 31 TAC §65.20

The Texas Parks and Wildlife Commission proposes new §65.20, concerning the Statewide Hunting and Fishing Proclamation. The commission proposes to allow the live trapping and relocation of squirrels who are causing damage to personal property. Live trapping and relocation of squirrels will become a legal means and methods provided by §65.13 of this title (relating to Means and Methods).

James E. Dickinson, director of finance, 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. Dickinson 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 provide homeowners in urban areas, where shooting of squirrels is prohibited, a legal method they may use to remove squirrels that are damaging their property. 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 Phil Evans, Regulatory Coordinator, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744 (512) 389-4974 or 1-800-792-1112, extension 4974.

The new section is proposed under the Uniform Wildlife Regulatory Act (Wildlife Conservation Act of 1983), the Texas Parks and Wildlife Code, Chapter 61, which provides the Texas Parks and Wildlife Commission with authority to establish seasons,

bag limits, means, and methods for taking wildlife resources of this state

Room 503F, Sam Houston Building, 201 East 14th Street, Austin.)

Subchapter S. Nongame: Elk

★ 31 TAC §65.500

§65.20. Nuisance Squirrels.

(a) Squirrels causing damage to personal property may be live trapped, transported, and released by the landowner or his agent, if local ordinances prohibit the use of other means and methods provided by §65.13 of this title (relating to Means and Methods).

(b) A permit, issued by the department, must be obtained by the landowner or his agent prior to trapping operations.

(c) The permit is valid for 30 days from the date of issuance.

(d) A report listing number captured and released, date and location of capture, and date and location of release must be submitted to the department not later than 10 days following the expiration date of the permit.

(e) Squirrels may not be released on property without the landowner's permission.

(f) Personnel of the Texas Animal Damage Control Program (Animal Plant Health Inspection Service—United States Department of Agriculture) may take squirrels without a permit in those areas specified by subsection (a) of this section in the fulfillment of their responsibility mandated by state laws. Squirrels taken pursuant to this subsection must be accounted for in a report filed with the department by January 31 following the year of handling.

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

Issued in Austin, Texas, on March 30, 1987

TRD-8702761 Boyd M. Johnson
General Counsel
Texas Parks and Wildlife
Department

Earliest possible date of adoption:

May 8, 1987
For further information, please call
(512) 389-4974.

★ ★ ★

★ 31 TAC §65.27

(Editor's note: The text of the following section proposed for repeal will not be published. The section may be examined in the offices of the Texas Parks and Wildlife Commission, 4200 Smith School Road, Austin, or in the Texas Register office,

The Texas Parks and Wildlife Commission proposes the repeal of §65.27, concerning the Statewide Hunting and Fishing Proclamation.

The repeal is appropriate as the commission will no longer require antlerless deer tags to take antlerless deer. Antlerless deer permits will still be required in certain counties to take antlerless deer.

James E. Dickinson, director of finance, has determined that for the first five-year period the proposed repeal 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 repeal.

Mr. Dickinson also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will be to remove an administrative restriction upon landowners who want to manage their deer herds appropriate to the carrying capacity of the habitat. There is no anticipated economic cost to individuals who are required to comply with the proposed repeal.

Comments on the proposal may be submitted to Phil Evans, Regulatory Coordinator, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4974 or 1-800-729-1112, extension 4974.

The repeal is proposed under the Uniform Wildlife Regulatory Act (Wildlife Conservation Act of 1983), the Texas Parks and Wildlife Code, Chapter 61, which provides the Texas Parks and Wildlife Commission with the authority to establish wildlife resource regulations for this state.

§65.27. Antlerless Deer Tags.

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

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

TRD-8702762 Boyd M. Johnson
General Counsel
Texas Parks and Wildlife
Department

Earliest possible date of adoption:

May 8, 1987
For further information, please call
(512) 389-4974.

★ ★ ★

The Texas Parks and Wildlife Commission proposes new §65.500, concerning the protection of free ranging elk in certain panhandle counties. The public's nongame elk resource is being depleted by landowners who are protecting their crops. The new section will protect elk in Dallam, Deaf Smith, Hartley, Moore, Oldham, and Potter Counties. The new section containing identical text was adopted on an emergency basis by the Texas Parks and Wildlife Commission in the January 16, 1987, issue of the *Texas Register* (12 TexReg 166).

James E. Dickinson, director of finance, 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. Dickinson 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 provide protection for a small free ranging elk herd. 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 Phil Evans, Regulatory Coordinator, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744 (512) 389-4974 or 1-800-792-1112, extension 4974.

The new section is proposed under the Texas Parks and Wildlife Code, Chapter 67, which provides the Texas Parks and Wildlife Commission with the authority to establish any limitations on the taking, possession, transportation, exportation, sale, and offering for sale of nongame.

§65.500. Nongame: Elk. Elk may not be hunted (Texas Parks and Wildlife Code, §1.101(1)) in Dallam, Deaf Smith, Hartley, Moore, Oldham, and Potter Counties.

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

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

TRD-8702763 Boyd M. Johnson
General Counsel
Texas Parks and Wildlife
Department

Earliest possible date of adoption:

May 8, 1987
For further information, please call
(512) 389-4974.

★ ★ ★

Adopted

Rules An agency may take final action on a rule 30 days after a proposal has been published in the *Register*. The rule becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

If an agency adopts the rule without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. If an agency adopts the rule with changes to the proposed text, the proposal will be republished with the changes.

TITLE 1.

ADMINISTRATION

Part IV. Office of the

Secretary of State

Chapter 81. Elections

Voter Registration

★1 TAC §81.8

The Office of the Secretary of State adopts an amendment to §81.8, without changes to the proposed text published in the February 27, 1987, issue of the *Texas Register* (12 TexReg 630).

The amendment is necessary so that the secretary of state may periodically obtain registration information from voter registrars for maintenance of the Registration Service Program authorized by the Texas Election Code, §18.061.

The amendment requires voter registrars to deliver lists to the secretary of state showing each new registration, cancelled registration, and change in registration. The lists must be submitted in odd numbered years on or after March 1 but before March 16, on or after June 1 but before June 16, on or after September 1 but before September 16, and on or after December 1 but before December 16.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Election Code, §18.061, which authorizes the secretary of state to maintain a registration service program and in connection therewith to periodically obtain registration information from voter registrars.

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

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

TRD-8702772 Randall Erben
Assistant Secretary of
State

Effective date. April 20, 1987

Proposal publication date: February 27, 1987

For further information, please call
(512) 463-5701

★ ★ ★



Name: Atsushi Ikeda
Grade: 7
School: Wilson Middle School, Plano

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

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

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

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

The State Board of Insurance has adopted on an emergency basis amendments to Rule 120 of the *Rules and Rates Governing the Insuring of Automobile and Standard Endorsements*.

The board has amended Rule 120, §1, so that the first sentence of §1.—Mobile Homes and Recreational Trailers which read: "In order to be eligible under automobile policies, mobile homes, and recreational trailers must have wheels, and not be based on a permanent foundation" is deleted.

The board has amended Rule 120, §IV, so that the first sentence of §IV—Mobile-owners Policy which read "In order to be eligible under Mobileowners Policy, mobile homes must have wheels, and not be based on a permanent foundation" is deleted.

The board finds that market conditions and time constraints have created a clear and compelling necessity that requires the foregoing amendments to be effective April 1, 1987, and thereafter for 120 days.

This notification is made pursuant to the Insurance Code, Article 5.96, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on March 31, 1987.

TRD-8702806 Nicholas Murphy
 Chief Clerk
 State Board of Insurance

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



The endorsement supplement of the *Texas Automobile Manual* has been amended to include a new endorsement designated as 575. Texas Personal Auto Policy—Amendatory Endorsement. This endorsement amends Part A—Liability Coverage of the Texas Personal Auto Policy by adding a new exclusion which elim-

inates liability coverage if the claimant is the spouse or other family member of the insured.

The *Standard Provisions for Automobile Policies (June 1, 1981 edition)* has been amended by adopting a new exclusion which eliminates liability coverage afforded under a Texas personal auto policy, if the claimant is the spouse or other family member of the insured.

The symbol and identification section of the *Texas Automobile Manual* has been amended by eliminating the reduction of symbols for automobiles of the pickup, panel truck, jeep, or van type when they are classified and rated as private passenger automobiles.

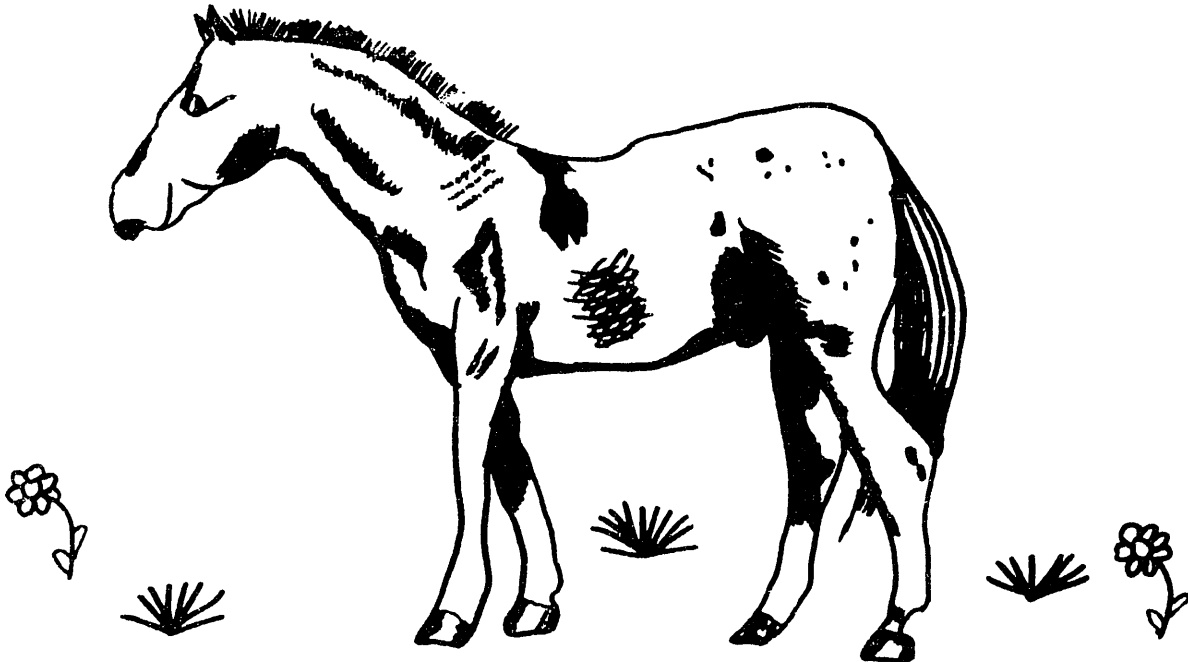
These amendments are effective at 12:01 a.m., May 1, 1987.

This notification is made pursuant to the Insurance Code, Article 5.96, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on March 27, 1987.

TRD-8702781 Nicholas Murphy
 Chief Clerk
 State Board of Insurance

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



Name: Leslie Bell
Grade: 8
School: Wilson Middle School, Plano

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 Adult Probation Commission

Committees of the Texas Adult Probation Commission will meet in Suite 600, Building B, 8100 Cameron Road, Austin. Committees, dates, times, and agendas follow.

Thursday, April 9, 1987, 2 p.m. The Program Services Committee will consider supplemental funding requests for Pecos County, and San Patricio County; restitution center budget adjustments of Cass County, Ector County, El Paso County, Harris County, and Midland County; court residential treatment center application for Jefferson County; expansion of community based correctional programs through Senate Bill 215 progress reports, ISP expansion information only, and specialized caseloads budget adjustments (ratification) for Harris County, Nueces County, Tarrant County, and Travis County; contract residential services grants (ratification) for Bastrop County, Travis County, Bexar County-budget adjustment, San Patricio County-budget adjustment; and Tarrant County-budget adjustment; surveillance probation program description grants (ratification) for Dallas County, El Paso County, Harris County, and Tarrant County; and waivers.

Contact: Virginia Grote, 8100 Cameron Road, Suite 600, Building B, Austin, Texas 78753, (512) 834-8188.

Filed: April 1, 1987, 1:55 p.m.
TRD-8702831

Thursday, April 9, 1987, 2 p.m. The Audit Review Committee will consider final reviews for Bell County, Brown County, Ector County, Hockley County, Hopkins County, Hutchinson County, Jones County, Navarro County, Nolan County, Orange County, Pecos County, Potter County, Rusk County, Smith County, Tom Green County, Val Verde County, Van Zandt County, Webb County, and Wichita County; and initial reviews for Brazos County, Gray County, Hunt County, Lamar County, Mason County, Midland County, Nueces County,

Red River County, Tarrant County, and Walker County.

Contact: Virginia Grote, 8100 Cameron Road, Suite 600, Building B, Austin, Texas 78753, (512) 834-8188.

Filed: April 1, 1987, 1:54 p.m.
TRD-8702832

Thursday, April 9, 1987, 2 p.m. The Planning and Development Committee will consider appropriateness of electronic monitoring in adult probation report, the supervision and incapacitation continuum in probation report, and committee objectives discussion.

Contact: Virginia Grote, 8100 Cameron Road, Suite 600, Building B, Austin, Texas 78753, (512) 834-8188.

Filed: April 1, 1987, 1:54 p.m.
TRD-8702833

Friday, April 10, 1987, 9 a.m. The commission will introduce guests; approve minutes; take oath of office; hear financial report; consider providing services report, supplemental funding requests for Pecos County, and San Patricio County, restitution center budget adjustment for Cass County, Ector County, El Paso County, Harris County, and Midland County; court residential treatment center application for Jefferson County; expansion of community based correctional programs through Senate Bill 215, progress reports, ISP expansion information only, specialized caseloads budget adjustment (ratification) for Harris County, Nueces County, Tarrant County, and Travis County; contract residential services grants (ratification) for Bastrop County, Travis County, Bexar County budget adjustment, San Patricio County budget adjustment, and Tarrant County budget adjustment; surveillance pro program description grants (ratification) for Dallas County, El Paso County, and Harris County; data services report, fiscal services report, and executive division report.

Contact: Virginia Grote, 8100 Cameron Road, Suite 600, Building B, Austin, Texas 78753, (512) 834-8188.

Filed: April 1, 1987, 1:56 p.m.
TRD-8702830

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Texas Commission on the Arts

Tuesday, April 14, 1987, 2 p.m. The Assistance Review Committee of the Texas Commission on the Arts will meet in the Capital A Ballroom, Radisson Plaza Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the committee will discuss a public hearing; minutes of the November 19, 1986, Assistance Review Committee meeting; panel selection; and state plan revisions. The committee will meet in executive session to consider the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: April 1, 1987, 10:12 a.m.
TRD-8702823

Wednesday, April 15, 1987, 9 a.m. The Texas Commission on the Arts will meet in the Capital A Ballroom, Radisson Plaza Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the commission will discuss a public hearing; consent agenda; items for individual consideration; and informational items. The committee will meet in executive session to consider the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: April 1, 1987, 10:12 a.m.
TRD-8702824

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Texas School for the Blind

Tuesday, April 7, 1987, 8:30 a.m. The Local Board of Trustees of the Texas School for the Blind will meet at 1100 West 45th Street, Austin. According to the agenda, the board will consider board training, facilitated by TASB board strengths and goals; organizational structure of the school district and communication with the community; and proposed legislation.

Contact: Ann Kennedy, 1100 West 45th Street, Austin, Texas 78756-3494, (512) 454-8631 ext. 133.

Filed: April 1, 1987, 9:18 a.m.
TRD-8702814

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Texas Education Agency

Friday, April 10, 1987, 9 a.m. The Committee of the Whole of the State Board of Education will meet in Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will consider appraisal of certified personnel, approval of amendments to the teacher appraisal system instrument, scoring procedures, and forms, and discussion of the development and approval of the 29 tests in phase II of the Examination for the Certification of Educators in Texas Program. The committee will also meet in executive session to discuss pending litigation in accordance with Texas Civil Statutes, Article 6252-17, §2(e).

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

Filed: April 1, 1987, 9:42 a.m.
TRD-8702815

Friday, April 10, 1987, 10:30 a.m. The Committee for Finance and Programs of the State Board of Education will meet in Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will consider permanent school fund, price differential index, textbooks, large type textbooks for visually handicapped, procedural irregularities in textbook process, State Textbook Committee, community education, adult education, vocational education, criminal justice education, Summer Institute for Language Proficiency Development, federal education of the handicapped, statement of intent to bid textbooks, Price Differential Index and Accountable Cost Study Advisory Committees, and discussion of pending litigation.

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

Filed: April 1, 1987, 9:41 a.m.
TRD-8702816

Friday, April 10, 1987, 10:30 a.m. The Committee for Personnel of the State Board of Education will meet in Room 1-109, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will consider teacher appraisal procedures, requirements for alternative certification of teachers, request for approval of extension for alternative teacher certification programs, appraisal of certified personnel, amendments to teacher appraisal system instrument, scoring procedures, and forms, teacher education, general management training and administrator appraisal, and discussion of pending litigation.

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

Filed: April 1, 1987, 9:41 a.m.
TRD-8702817

Friday, April 10, 1987, 10:30 a.m. The Committee for Students of the State Board of Education will meet in Room 1-111, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will consider alternatives for at risk students, criteria for identification of at risk students, pilot and demonstration projects in concurrent enrollment in institutions of higher education, services for autistic students, University Interscholastic League 1987-1988 constitution and contest rules, community education, general education development test essays, effectiveness of "no pass-no play" rule, effective practices in selected programs for special populations, and discussion of pending litigation.

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

Filed: April 1, 1987, 9:41 a.m.
TRD-8702818

Friday, April 10, 1987, 3:30 p.m. The Committee for Long-Range Planning of the State Board of Education, will meet in Room 1-110, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will consider goals, presentation on community involvement in education, industrial areas foundation, status report on the accreditation of school districts, and discussion of pending legislation.

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

Filed: April 1, 1987, 9:42 a.m.
TRD-8702819

Friday, April 10, 1987, 4:30 p.m. The Ad Hoc Committee on Awards and Recognition of the State Board of Education will meet in Room 2-115, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda, the committee will

discuss possible ways to recognize and provide awards for achievement in education.

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

Filed: April 1, 1987, 9:42 a.m.
TRD-8702820

Friday, April 10, 1987, 7 p.m. The State Board of Education will meet in the Palmwood Room, Embassy Suites Hotel South, 300 South Congress Avenue, Austin. According to the agenda, the board will hold a dinner meeting to receive reports from the chairmen of the State Board of Education committees (Committee for Finance and Programs, Committee for Students, Committee for Personnel, Committee for Long-Range Planning, and Committee of the Whole) concerning items discussed in Friday, April 10, 1987, committee meetings.

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

Filed: April 1, 1987, 9:41 a.m.
TRD-8702821

Saturday, April 11, 1987, 8:30 a.m. The State Board of Education will meet in Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the board will consider appraisal of certified personnel, teacher appraisal system, permanent school fund, price differential index, textbooks, large type textbooks for visually handicapped, State Textbook Committee, community education, adult education, vocation education, criminal justice education, Summer Institute for Language Proficiency Development, Education of the Handicapped Act, alternatives for at risk students, criteria for identification of at risk students, pilot and demonstration projects in concurrent enrollment in institutions of higher education, services for autistic students, University Interscholastic League, teacher appraisal procedures, alternative certification of teachers, alternative teacher certification programs, and goals.

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

Filed: April 1, 1987, 9:42 a.m.
TRD-8702822

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Texas Employment Commission

Friday, April 10, 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 approve minutes of the previous meeting, hear public comments, discuss Advisory Council statutory responsibilities (Barnes), TEC program overview

(Grossenbacher), current issues/program update (include legislative and trust fund updates), reports/open forum (council and commissioners/staff resource input), and date and time for next Advisory Council meeting.

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

Filed: April 2, 1987, 9:54 a.m.
TRD-8702912

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Texas State Board of Examiners of Professional Counselors

Saturday, April 11, 1987, 9 a.m. The Texas State Board of Examiners of Professional Counselors, will meet at the La Mansion Hotel, 6505 IH-35 North, Austin. According to the agenda summary, the board will approve of minutes of the January 24, 1987, meeting; hear committee reports from Examination, Continuing Education, and Complaint and Budget; consider cancellation of licenses due to nonrenewal; board newsletter; licensure applications and procedures including reviews of disapproved files (applicants with disapproved files may appear for review of their applications); ruling on requests for reciprocal licensing; and other matters relating to the licensure and regulation of professional counselors not involving board action.

Contact: Daniel L. Boone, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7511.

Filed: March 31, 1987, 2:04 p.m.
TRD-8702802

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Office of the Governor-Criminal Justice Division

Thursday, April 9, 1987, 6:30 p.m. The Texas Crime Stoppers Advisory Council of the Office of the Governor-Criminal Justice Division will meet at the Dallas Marriott Park Central, 7750 I.B.J. Freeway at Coit Road, Dallas. According to the agenda, the council will introduce council members and guests, approve minutes of the previous meeting, hear reports of staff, special committees, consider unfinished business, and new business concerning employment or designation of a director for the TX CSAC pursuant to Texas Civil Statutes, Article 4413(50).

Contact: Anne Jones, 201 East 14th Street, Austin, Texas 78711, (512) 463-1784.

Filed: March 31, 1987, 2:10 p.m.
TRD-8702798

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Texas Department of Health

Thursday, April 16, 1987, 10 a.m. The Advisory Committee on Nursing Home Affairs of the Texas Department of Health will meet in Room G-107, 1100 West 49th Street, Austin. According to the agenda summary, the committee will approve minutes of the previous meeting; Bureau of Long Term Care report concerning status of amendments to licensing standards for nursing homes; administrative penalties; ombudsman training program; distribution of nursing home drugs to foreign countries; social services in nursing homes; legislative update; subcommittee reports on do no resuscitation codes and chairman and chairman elect; and next scheduled meeting.

Contact: Howard Allen, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: March 31, 1987, 2:04 p.m.
TRD-8702799

Sunday, April 26, 1987, 9:30 a.m. The Texas Radiation Advisory Board of the Texas Department of Health will meet in the Conference Room, Bureau of Radiation Control, 1212 East Anderson Lane, Austin. Items on the agenda summary include approval of minutes; chairman's report; update on Texas Low-Level Radioactive Waste Disposal Authority activities; reports from the executive, radioactive waste, medical, x-ray in the hearing arts and veterinary nuclear medicine; rules and regulatory guide update; program activities on general activity; Compliance and inspection, Environmental programs, Licensing, Registration and Standards Divisions; and the board will determine the next meeting date and location.

Contact: David Cochran, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7538.

Filed: March 31, 1987, 2:04 p.m.
TRD-8702800

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Texas Hospital Equipment Financing Council

Friday, April 10, 1987, 2 p.m. The Texas Hospital Equipment Financing Council will meet in Room 503G, Sam Houston Building, 14th and San Jacinto Streets, Austin. Items on the agenda include consideration of liquidity facility; council administrative procedures; program administration; and other business.

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

Filed: March 31, 1987, 3:08 p.m.
TRD-8702805

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Texas Industrial Accident Board

Tuesday, April 7, 1987, 9:30 a.m. The Texas Industrial Accident Board will meet in Room 107, First Floor, Bevington A. Reed Building, 200 East Riverside Drive, Austin. According to the agenda, the board will approve minutes of the previous meeting, discuss Senate Bill 1355 by Senator Kent Caperton and House Bill 2258 by Representative Tom Uhr relating to fee schedule. The board will also meet in executive session to review board files pursuant to workers' compensation statute.

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

Filed: April 2, 1987, 9:17 a.m.
TRD-8702888

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State Board of Insurance

The State Board of Insurance will meet at 1110 San Jacinto Boulevard, Austin. Dates, rooms, times, and agendas follow.

Thursday, April 9, 1987, 9 a.m. The board will meet in room 342, to consider Docket 9518—Whether disciplinary action should be taken against Charles Leon Hill, Texas City, who holds a group I legal reserve life insurance agent's license, a group II health and accident insurance agent's license and a fire and casualty local recording agent's multiple line license issued by the State Board of Insurance.

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

Filed: March 31, 1987, 12:13 p.m.
TRD-8702796

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Board for Lease of State-Owned Lands

Tuesday, April 7, 1987, 1:30 p.m. The Board for Lease of Texas Department of Corrections of the Board for Lease of State-Owned Lands will meet in emergency session in Room 833, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the board will approve minutes of the previous meeting, and consider and approve of bids for the April 7, 1987, lease sale. The emergency status is necessary because of the need to approve bids received for the April 7, 1987, lease sale.

Contact: Linda K. Fisher, 1700 North Congress Avenue, Austin, Texas 78701, (512) 463-5016.

Filed: April 2, 1987, 8:43 a.m.
TRD-8702882

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Texas National Guard Armory Board

Sunday, April 5, 1987, 11 a.m. The Texas National Guard Armory Board made an emergency addition to the agenda of a meeting held in the Conference Room, Building 64, Camp Mabry. According to the agenda summary, the board considered old business, Houston OST property, and request to lease land at Mexia. The emergency status was necessary because the City of Houston is going to acquire acreage by imminent domain.

Contact: Sandra Hille, P.O. Box 5218, Austin, Texas 78763, (512) 451-6394/6143.

Filed: April 2, 1987, 9:03 a.m.
TRD-8702911

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Texas Board of Licensure for Nursing Home Administrators

Wednesday, April 15, 1987, 10 a.m. The Texas Board for Nursing Home Administrators will meet in the Commission for the Blind Administrative Building, 4800 North Lamar Boulevard, Suite 355, Austin. According to the agenda, the board will consider agenda approval; minutes of the January 14, 1987, meeting; hear the following reports: Suitability Committee, Education Committee, Texas Department of Human Services, Texas Department of Health, executive director, and chair; election of officers for 1987; and discuss personal appearances. The board also will meet in executive session to discuss oral examination questions.

Contact: Dottie Mathieson, 4800 North Lamar Boulevard, Suite 355, Austin, Texas 78756, (512) 458-1955.

Filed: April 31, 1987, 2:05 p.m.
TRD-8702801

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Texas State Board of Pharmacy

Wednesday, April 8, 1987, 2 p.m. The Texas State Board of Pharmacy will meet in the TSBP Boardroom, Suite 110, 8505 Cross Park Drive, Austin. According to the agenda, the board will conduct a telephonic conference to consider the motion for reconsideration or rehearing in the matter of Texas State Board of Pharmacy vs. Jack Wesner Seely and Texas State Board of Pharmacy vs. A Little Walnut Pharmacy, Inc.

Contact: Fred S. Brinkley, Jr., R. PH., 8505 Cross Park Drive, Suite 110, Austin, Texas 78754-4533, (512) 832-0661.

Filed: March 31, 1987, 1:30 p.m.
TRD-8702797

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Texas Pork Producers Board

Friday, April 10, 1987, 1 p.m. The Department of Agriculture of the Texas Pork Producers Board will meet in the Seguin-Guadalupe County Coliseum, 810 Guadalupe Street, Seguin. According to the agenda, the department will discuss minutes of the last meeting; reports from the treasurer, Research Committee, Education Committee, and Promotion Committee, hear executive report; and consider new business and announcements.

Contact: Ken Horton, P.O. Box 10168, Austin, Texas 78766, (512) 453-0615.

Filed: March 31, 1987, 2:42 p.m.
TRD-8702804

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Texas State Board of Public Accountancy

Wednesday, April 8, 1987, 1:30 p.m. The Examination Committee of the Texas State Board of Public Accountancy will meet in Suite 340, 1033 La Posada, Austin. According to the agenda summary, the committee will review information relating to the May, 1987, uniform CPA examination; information relating to future examinations; and other topics coming before the committee.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: March 31, 1987, 3:44 p.m.
TRD-8702807

Friday, April 10, 1987, 9 a.m. The Committee on Technical Standards Review of the Texas State Board of Public Accountancy will meet in Suite 340, 1033 La Posada, Austin. According to the agenda, the committee will discuss recommendations regarding specific complaints against licensees; February status report; items coming before the committee; backlog of complaints; processing §8 complaints; Attorney General representation; constructive enforcement program; data processing developments in enforcement area; and other matters coming before the committee.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: March 31, 1987, 3:44 p.m.
TRD-8702808

Friday, April 10, 1987, 10 a.m. The Texas State Board of Public Accountancy will meet in Suite 340, 1033 La Posada, Austin. According to the agenda, the board will hold informal conferences in regard to the following complaints against licensees: Complaints 85-04-16L, at 10 a.m.; 86-02-16L, 86-0217L, and 86-02-20L, at 11 a.m.; 86-07-07L and 86-07-08L at 1 p.m.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: March 31, 1987, 3:43 p.m.
TRD-8702810

Friday, April 17, 1987, 8:30 a.m. The Enforcement Committee of the Texas State Board of Public Accountancy will meet in Suite 340, 1033 La Posada, Austin. According to the agenda, the committee will review February status report; recommendations regarding specific complaints against licensees; will discuss items coming before the committee; backlog of complaints; processing §8 complaints; Attorney General representation; constructive enforcement program and other matters coming before the committee.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: March 31, 1987, 3:43 p.m.
TRD-8702809

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Public Utility Commission of Texas

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

Monday, April 27, 1987, 10 a.m. The Hearings Division has rescheduled a prehearing conference in Docket 7393—Application of Southwestern Bell Telephone Company for approval of its high voltage protection tariff. The meeting was originally scheduled for Tuesday, March 31, 1987, 10 a.m.

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

Filed: March 31, 1987, 2:22 p.m.
TRD-8702803

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State Rural Medical Education Board

Friday, April 3, 1987, 10 a.m. The State Rural Medical Education Board met in emergency session in Suite 408, Southwest Tower Building, 211 East Seventh Street, Austin. According to the agenda, the board considered requests for supplemental loans and other business. The emergency status was necessary because of emergency requests for supplemental loans.

Contact: Renee Luckie, 211 East Seventh Street, Austin, Texas 78701, (512) 463-5501.

Filed: April 1, 1987, 1:38 p.m.
TRD-8702829

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Texas Southern University

Friday, April 10, 1987, 9:30 a.m. The Board of Regents for Texas Southern University will meet in Room 203, Sterling Student Life Center, 3100 Cleburne Avenue, Houston. According to the agenda, the board will consider matters concerning university owned radio station; dormitory renovation and rehabilitation; construction contracts; personnel actions; summer school (1987) budget; policy on drug abuse; and fiscal reporting and budget changes.

Contact: Everett O. Bell, Executive Director for Board Relations, Houston, Texas 77004, (713) 529-8911.

Filed: April 31, 1987, 10:36 a.m.
TRD-8702812

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University System of South Texas Thursday, April 9, 1987

Committees of the Board of Directors of the University System of South Texas will meet in the Center for the Arts Building, Corpus Christi State University, 6300 Ocean Drive, Corpus Christi. Committees, times, rooms, and agendas follow.

8:30 a.m. The Academic Programs Review Committee will meet in Room 136 to consider new programs at Laredo State University which include Bachelor of Arts in Mathematics, Legal Studies, Inter-American Studies, and Art.

Contact: Frederick D.C. Bigelow, P.O. Box 1238, Kingsville, Texas 78363, (512) 595-2208.

Filed: April 2, 1987, 8:56 a.m.
TRD-8702884

9 a.m. The Building Committee will meet in Room 136, to consider final approval for repair and renovation of the Biology-Earth Science Building, Kleberg Engineering Building, and the Bailey Art Building at Texas A&I University, and final approval for repair and maintenance for the roofs of Corpus Christi Hall and the Center for the Arts Building at Corpus Christi State University.

Contact: Frederick D.C. Bigelow, P.O. Box 1238, Kingsville, Texas 78363, (512) 595-2208.

Filed: April 2, 1987, 8:56 a.m.
TRD-8702885

9:30 a.m. The Planning Committee will meet in Room 136 to consider resolution regarding legislation for the University System of South Texas.

Contact: Frederick D.C. Bigelow, P.O. Box 1238, Kingsville, Texas 78363, (512) 595-2208.

Filed: April 2, 1987, 8:57 a.m.
TRD-8702886

10 a.m. The Board of Directors will meet in Room 127, to approve minutes of the February 12, 1987, meeting; hear small class reports, Spring Semester 1987; consider budget changes; signature changes, Professor Emeritus appointments at Texas A&I; gifts and donations; personnel action; hear reports from standing committees, presidents and interim chancellor; discussion of personnel matters, acquisition of real estate and legal matters within the University System of South Texas.

Contact: Frederick D.C. Bigelow, P.O. Box 1238, Kingsville, Texas 78363, (512) 595-2208.

Filed: April 2, 1987, 8:56 a.m.
TRD-8702887

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Texas Water Commission

Monday, April 13, 1987, 10 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet in Room 512, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will require Reily Land Company to appear and show cause why an unsafe dam known as Bear Foot Lake Dam should not be modified to a safe condition.

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

Filed: March 31, 1987, 11:39 a.m.
TRD-8702789

Wednesday, April 29, 1987, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider assessing administrative penalties and requiring certain actions of Donald B. Copeland, commission order assessing administrative penalties and requiring certain actions of City of Orange (permit 10626-01), and application 5064 of Jay Charles Svoboda for a \$11,121 permit to divert 160 acre-feet of water from an unnamed tributary of Flores Bayou, San Jacinto-Brazos River Basin, Brazoria County.

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

Filed: April 1, 1987, 11:35 a.m.
TRD-8702826

Wednesday, April 29, 1987, 10:30 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet in Room 4100A, City of Houston City Hall Annex, 900 Bagby Street, Houston. According to the agenda, the commission will consider a permit (Proposed Permit 02895) from Cargill, Inc., Steel and Wire Division, 2002 Brittonmoore Road, Houston, Texas 77043, to authorize a discharge of process wastewater effluent at a colume not to exceed an average flow of 36,000 gallons per day. The appli-

cant operates the Houston Plant which produces steel wire, nail stick, chain-link fencing, mesh, galvanized products and other steel materials.

Contact: Joe O'Neal, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7875.

Filed: March 31, 1987, 11:39 a.m.
TRD-8702790

The Office of Hearings Examiners of the Texas Water Commission will meet in the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Dates, agendas, and room numbers follow.

Tuesday, May 5, 1987, 10 a.m. In Room 512, the commission will hold a hearing with regard to a rate increase of Wiedenfeld Water Works, doing business as Center Point-Wiedenfeld System, Docket 7182-G.

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

Filed: March 31, 1987, 11:39 a.m.

Thursday, May 7, 1987, 10 a.m. In Room 618, the commission will hold a hearing with regard to appeals of Hill Country Waterworks from the rate making ordinance of the City of Hill Country Village and the City of Hollywood Park in Bexar County, Docket 7172-W.

Contact: Cynthia Hayes, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7875.

Filed: March 31, 1987, 11:40 a.m.

Tuesday, June 16, 1987, 10 a.m. In Room 512, the commission will hold a public hearing on an application for a water rate change in Polk County by Yaupon Cove Water System, Docket 7203-R.

Contact: Claire Patterson, P.O. Box 13087, Capitol Station, Austin, Texas 78701, (512) 463-7875.

Filed: March 31, 1987, 11:40 a.m.
TRD-8702793

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Regional Agencies

Meetings Filed March 31

The Brazos Valley Development Council, Executive Committee, will meet in Suite 6, 3006 East 29th, Bryan, on April 9, 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 Central Texas Mental Health and Mental Retardation Center, Board of Trustees, met at 408 Mulberry Drive, Brownwood, on April 6, 1987, at 4:30 p.m. Information may be obtained from Don Jones, P.O. Box 250, Brownwood, Texas 76804, (915) 646-9574, ext. 102.

The Gonzales County Appraisal District, Board of Directors, will meet at 928 St. Paul Street, Gonzales, on April 9, 1987, at 7 p.m. Information may be obtained from Glenda Strackbein, P.O. Box 867, Gonzales, Texas 78629, (512) 672-2879.
TRD-8702788

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Meetings Filed April 1

The Ark-Tex Council of Governments, Board of Directors, will meet at the River Crest Power Plant, west off Highway 271 between Bogata and Talco, on April 11, 1987, at 10 a.m. Information may be obtained from Susan J. Rice, P.O. Box 5307, Texarkana, Texas 75505, (214) 832-8636.

The Tax Appraisal District of Bell County, Board of Directors, will meet at 411 East Central, Belton, on April 15, 1987, at 7 p.m. Information may be obtained from Tolly Moore, P.O. Box 390, Belton, Texas 76513-0390, (817) 939-3521, ext. 301.

The Brazos Higher Education Authority, Inc., Board of Directors, will meet in the Civic Room, Third Floor, MBank Building, Waco, on April 3, 1987, at 10:30 a.m. Information may be obtained from Murray Watson, Jr. 2600 Washington Avenue, Waco, Texas 76710, (817) 753-0913.

The Brazos Student Finance Corporation, Board of Directors, will meet in the Civic Room, Third Floor, MBank Building, Waco, on April 3, 1987, at 11 a.m. Information may be obtained from Murray Watson, Jr., 2600 Washington Avenue, Waco, Texas 76710, (817) 753-0913.

The Education Service Center, Region II, Board of Directors, will meet in the Administrative Conference Room, 209 North Water, Corpus Christi, on April 14, 1987, at 6:30 p.m. Information may be obtained from Gerald V. Cook, 209 North Water, Corpus Christi, Texas 78401, (512) 883-9288.

The Education Service Center, Region IV, Board of Directors, will meet in the boardroom, 7145 West Tidwell, Houston, on April 14, 1987, at 6 p.m. Information may be obtained from Tom Pate, Jr., P.O. Box 863, Houston, Texas 77001, (713) 462-7708.

The Guadalupe-Blanco River Authority, Board of Directors, will meet at the Four Seasons Hotel, Austin, on April 9, 1987, and April 10, 1987, at 4 p.m., and 8 p.m., respectively. Information may be obtained from John H. Specht, P.O. Box 271, Seguin, Texas 78156-0271, (512) 379-5822.

The Henderson County Appraisal District, Board of Directors, will meet at 101 East Corsicana, Athens, on April 13, 1987, at 7:30 p.m. Information may be obtained from Helen Marchbanks, 101 East Corsi-

cana, Athens, Texas 75751, (214) 675-9296.

The Lavaca County Central Appraisal District, Board of Directors, will meet at 113 North Main, Hallettsville, on April 13, 1987, at 4 p.m. Information may be obtained from Diane Munson, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396.
TRD-8702811

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Meetings Filed April 2

The Eastland County Appraisal District, Board of Directors, will meet in the Commissioner's Courtroom, Eastland County Courthouse, Eastland, on April 15, 1987, at 1 p.m. Information may be obtained from Steve Thomas, P.O. Box 914, Eastland, Texas 76448, (817) 629-8597.

The Golden Crescent Service Delivery Area, Private Industry Council, Inc., will meet at 1301 East Rio Grande, Victoria, on April 8, 1987, at 6:30 p.m. Information may be obtained from Cleve F. Schoener, P.O. Box 2149, Victoria, Texas 77902, (512) 578-0341.

The Hays County Central Appraisal District, Appraisal Review Board, will meet on the First Floor, County Courthouse Annex, San Marcos, on April 22, 1987, at 9 a.m. Information may be obtained from Lynnell Sedlar, 102 LBJ Courthouse Annex, San Marcos, Texas 78666, (512) 396-4777.
TRD-8702883

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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 Cancer Council Job Announcement

Interested persons should submit a letter of application with a detailed resume or, in lieu thereof, prepare a letter of application accompanied by other evidence of qualification for the position. These documents shall be submitted to the Texas Cancer Council, P.O. Box 12097, Austin, Texas 78711, marked to the attention of the chairman, Search Committee.

Position title: Executive Director.

Salary: Ranges from \$3,000 to \$3,804 per month, depending on qualifications.

Headquarters: Austin.

Contact: Acting Executive Director, Texas Cancer Council, P.O. Box 12097, Austin, Texas 78711, (512) 463-3190.

Date opened: March 23, 1987.

Date closed: April 13, 1987.

Job description: The executive director shall perform those duties assigned by the council and assume responsibility for functions delegated by the council. The executive director shall implement actions of the council, coordinate preparation of reports, supervise staff, recommend administrative procedures, and maintain liaison with the legislature, the many health organizations involved in the implementation of the Texas Cancer Plan, and other organizations or agencies as directed by the council. This may include travel approximately 15% of the time.

Minimum educational qualifications and experience: Bachelor's degree from an accredited college or university. Comprehensive knowledge of or experience in one or more of the following fields: public health, public administration, governmental operations, or business administration.

Knowledge required to perform in the position:

(1) knowledge of principles and practices of public administration, public information, and community relations.

(2) knowledge of community resources, interrelationships between organizations, and current trends in cancer control programs.

Skills required to perform in the position:

- (1) sound communication skills;
- (2) excellent writing skills;
- (3) sound public speaking skills;
- (4) administration and management skills;
- (5) supervisory skills.

Abilities required to perform in the position:

(1) deal tactfully with the public and public officials, express ideas clearly and concisely, and address audiences effectively;

(2) ability to plan and supervise programs and analyze and evaluate conditions;

(3) establish and maintain effective working relationships with council members and staff members;

(4) assume and carry continuing responsibilities;

(5) travel approximately 15% of the time away from headquarters.

Remarks: All qualified applicants will be reviewed by the Executive Committee of the council, which will conduct such interviews as the committee may deem necessary and make a final selection. The Executive Committee of the Texas Cancer Council may request an applicant to submit additional information relevant to the applicant's qualification for the position.

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

TRD-8702785 James D. Dannenbaum
Chairman
Texas Cancer Council

Filed: March 31, 1987

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



State Board of Insurance Company Licensing

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

(1) Application for admission to do business in Texas of Hamilton National Life Insurance Company, a foreign life insurance company. The home office is in Farmington Hills, Michigan.

(2) Application for incorporation of American Casualty and Surety Company, to be a domestic casualty insurance company. The home office is in Amarillo.

(3) Application for a name change by Progressive Mutual Life Insurance Company, a domestic life insurance company. The home office is in Richardson. The proposed new name is Mutual Life Insurance Company of Texas.

(4) Application for admission to do business in Texas of National Assurance Underwriters, Inc., a foreign fire and casualty insurance company. The home office is in Earth City, Missouri.

(5) Application for admission to do business in Texas of Connecticut General Fire and Casualty Insurance company, a foreign fire and casualty insurance company. The home office is in Bloomfield, Connecticut.

(6) Application for admission to do business in Texas of CIS Insurance Company, a foreign fire and casualty insurance company. The home office is in Old San Juan, Puerto Rico.

(7) Application for admission to do business in Texas of Agri General Insurance Company, a foreign casualty

insurance company. The home office is in West Des Moines, Iowa.

(8) Application for a name change by Scor Re Life Insurance Company, a domestic life insurance company. The home office is in Irving. The proposed new name is Optimum Re Insurance Company.

Issued in Austin, Texas, on March 27, 1987.

TRD-8702782 Nicholas Murphy
 Chief Clerk
 State Board of Insurance

Filed: March 30, 1987

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

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Structural Pest Control Board Corrections of Error

An adopted section submitted by the Structural Pest Control Board contained errors as published in the March 17, 1987, issue of the *Texas Register* (12 TexReg 901).

In §599.4, subsection (b)(3)(A) should read "if the warranty does not include the entire structure treated, the areas excluded must be listed;"

In §599.6, subsection (d) should read "For each inspection, copies of the completed form shall be prepared for the:"

In §599.7, the title should read "Posting Notice of Inspection."

Texas Water Commission Application for Provisionally- Issued Temporary Permits

Notice is given by the Texas Water Commission of provisionally issued temporary permits issued during the period of March 16-27, 1987.

These permits were issued without notice and hearing pursuant to the Texas Water Code, §11.138, and commission rules 31 TAC §§303.91-303.93.

The executive director has reviewed each application and found that sufficient water was available at the proposed point of diversion to satisfy the requirements of the applications as well as all existing water rights. It is further noted that these diversions are for not more than 10 acre-feet of water and for a period of not more than one year. If a complaint is received before or after diversions are commenced, a preliminary investigation shall be made by the executive director to determine whether there is a reasonable basis for such complaint. Should the investigation indicate that there is a probability that diversions could result in injury to the complainant, the permit will be cancelled, and the application will revert to the status of a pending application and no further diversions may be made until a public hearing is held. Notice of the hearing shall then be sent to the complaining person.

Information concerning any aspect of these permits may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8218.

Listed are the names of the permittees, diversion point, watercourse, amount of water authorized, period of time of the permit, permit number, and the date issued/administratively-complete.

Jones Brothers Dirt and Paving Contractors; from the stream crossing of FM Road 1217, approximately 28 miles northeast of Sanderson, Terrell County; Independence Creek, tributary Pecos River, tributary Rio Grande; two acre-feet; one-year period; TP-5651; March 19, 1987

Reynolds-Land, Inc.; from the stream crossing of FM Road 449, approximately 12 miles west of Marshall, Harrison County; Gum Creek, tributary Little Cypress Bayou, tributary Big Cypress Creek; 10 acre-feet; eight month period; TP-5652; March 20, 1987

Koch Gathering Systems, Inc.; from the stream crossing of a pipeline near U.S. Highway 821, approximately 8½ miles northwest of George West, Live Oak County; Nueces River; three acre-feet; six month period; TP-5653; March 20, 1987

Olmos Construction Company; from the reservoir in the vicinity of FM Road 1327, approximately 12½ miles south of Austin, Travis County; Unnamed creek, tributary Maha Creek, tributary Cedar Creek, tributary Colorado River; three acre-feet; one-year period; TP-5654; March 20, 1987

The R. E. Hable Company; from two stream crossings of State Highway 31, approximately 7½ and 11½ miles west of Corsicana, Navarro County; Briar Creek and Rush Creek both tributaries of Richland Creek, tributary Trinity River; 10 acre-feet; one-year period; TP-5655; March 20, 1987

Stockton Bridge Company; from a reservoir in the vicinity of State Highway 97, approximately two miles northeast of Jourdanton, Atascosa County; tributary of Frio River, Nueces River; three acre-feet; one-year period; TP-5656; March 23, 1987

The R. E. Hable Company; from a reservoir in the vicinity of State Highway 19 and two stream crossings near State Highway 19, approximately four, five, and 10 miles northeast of Huntsville, Walker County; unnamed creek, tributary Tanyard Creek, tributary Harmon Creek, Harmon Creek and Caney Creek, tributary Harmon Creek, tributary Trinity River; 10 acre-feet; one-year period; TP-5657; March 20, 1987

A. C. Brooks Construction Company; from the stream crossing of FM Road 350, approximately 18 miles north of Livingston, Polk County; Burnett Creek, tributary Long King Creek, tributary Trinity River; one acre-foot; six month period; TP-5658; March 23, 1987

The R. E. Hable Company; from three stream crossings of U.S. Highway 75 and a reservoir in the vicinity of U.S. Highway 75, approximately 6.8 to 8.62 miles north of Sherman, Grayson County; unnamed creeks, tributary Iron Ore Creek, tributary Red River; four acre-feet; one-year period; TP-5659; March 20, 1987

Exxon Corporation; from the stream crossing between State Highway 79 and FM Road 747, approximately 18 to 20 miles northwest of Rusk, Cherokee County; Neches River; 10 acre-feet; one-year period; TP-5660; March 19, 1987

Issued in Austin, Texas, on March 27, 1987.

TRD-8702795 Mary Ann Hefner
 Chief Clerk
 Texas Water Commission

Filed: March 31, 1987

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

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Correction of Error

An adopted section submitted by the Texas Water Commission contained an error as published in the March 17, 1987, issue of the *Texas Register* (12 TexReg 907).

In §321.37, subsection (a)(1)(B) should read "when irrigation disposal of wastewater is used, tailwater facilities shall be provided as necessary to prevent the release of applied wastewater."

Enforcement Order

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

An enforcement order was issued to Mike D. Lloyd Dairy, on March 30, 1987, assessing \$17,500 in administrative penalties.

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

Issued in Austin, Texas, on March 31, 1987.

TRD-8702794 Mary Ann Hefner
 Chief Clerk
 Texas Water Commission

Filed: March 31, 1987
For further information, please call (512) 463-7898.

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Public Hearing

The Texas Water Commission (TWC) will conduct a public hearing to receive comments on the proposed amendments to 31 TAC Chapter 335, Subchapter G, titled "Location Standards for Hazardous Waste Storage, Processing, or Disposal." The proposed amendments were published in the February 13, 1987, issue of the *Texas Register* (12 TexReg 492).

The proposed amendments to 31 TAC §§335.201, 335.202, and 335.204 seek to implement the directives in the Texas Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7, §4(c)(7), to define the characteristics that make areas unsuitable for a hazardous waste management facility, including consideration of areas of direct drainage within one mile of a lake used to supply public drinking water, active geological processes, coastal high hazard areas, and critical habitat of endangered species. The Solid Waste Disposal Act and the existing commission regulations also contain other considerations and prohibitions concerning the issuance of permits for new hazardous waste management facilities or the areal expansion of existing facilities according to site characteristics.

The hearing will be held at 9 a.m. on April 23, 1987, in Room 118 of the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Austin. Oral and written comments on the proposed revisions are invited at the public hearing. The hearing is structured for the receipt of narrative comments, and cross-examination or interrogation is not permitted. Persons participating in the public hearing are encouraged to summarize their testimony in written presentations.

Written comments not presented at the hearing may be submitted to Cynthia C. Smiley, Legal Division, Texas Water Commission, P.O. Box 13087, Capitol Station, Austin, Texas 78711-3087. Comments received by 5 p.m. on April 30, 1987, will be considered by the commission prior to any final action on the proposed revisions.

For further information, please call Cynthia C. Smiley at (512) 463-8069.

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

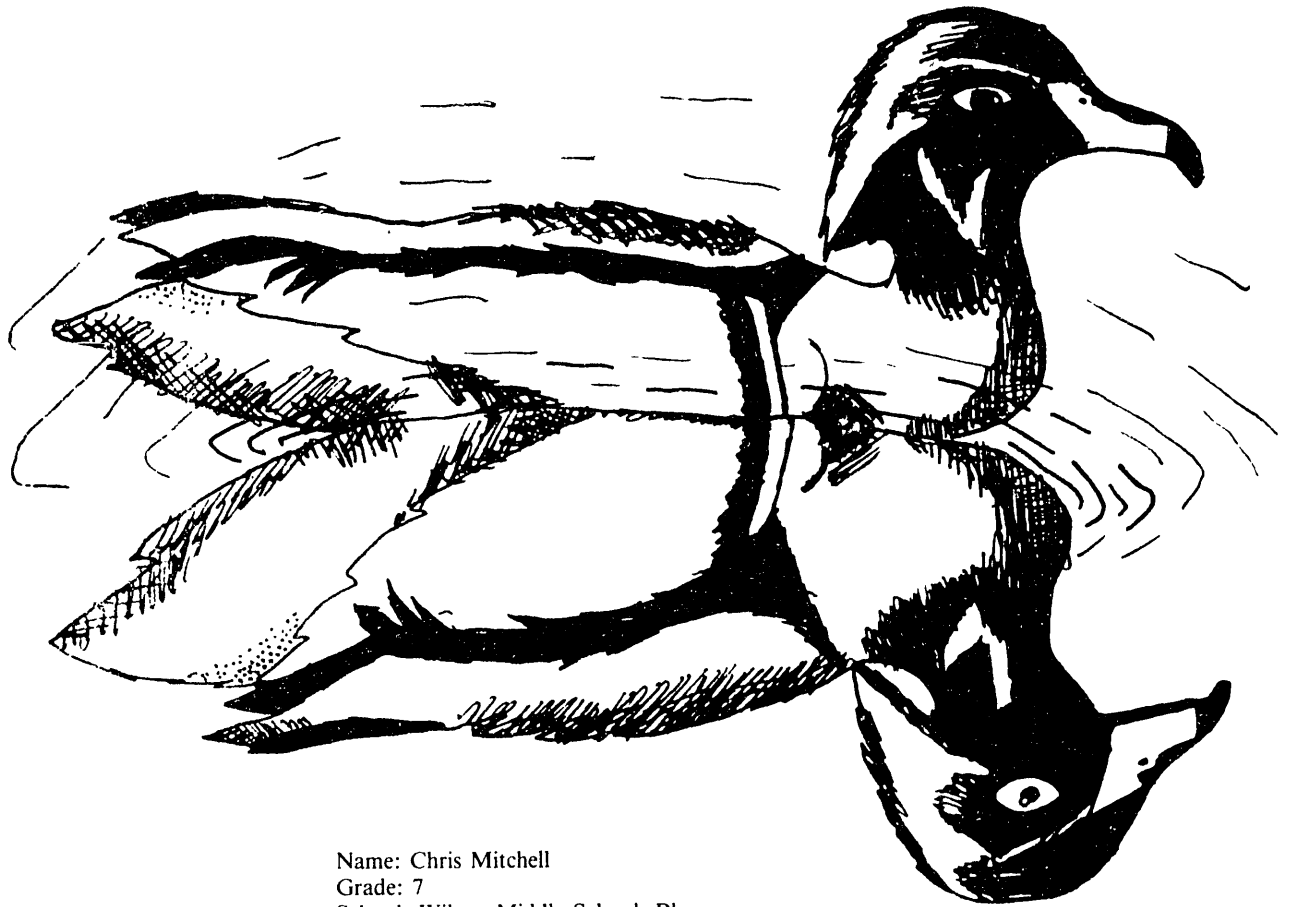
TRD-8702787 J. D. Head
 Director
 Legal Division
 Texas Water Commission

Filed: March 31, 1987
For further information, please call (512) 463-8078.

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Name: Michelle Lepp
Grade: 7
School: Wilson Middle School, Plano



Name: Chris Mitchell
Grade: 7
School: Wilson Middle School, Plano



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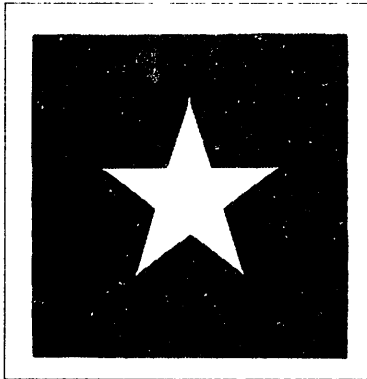
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