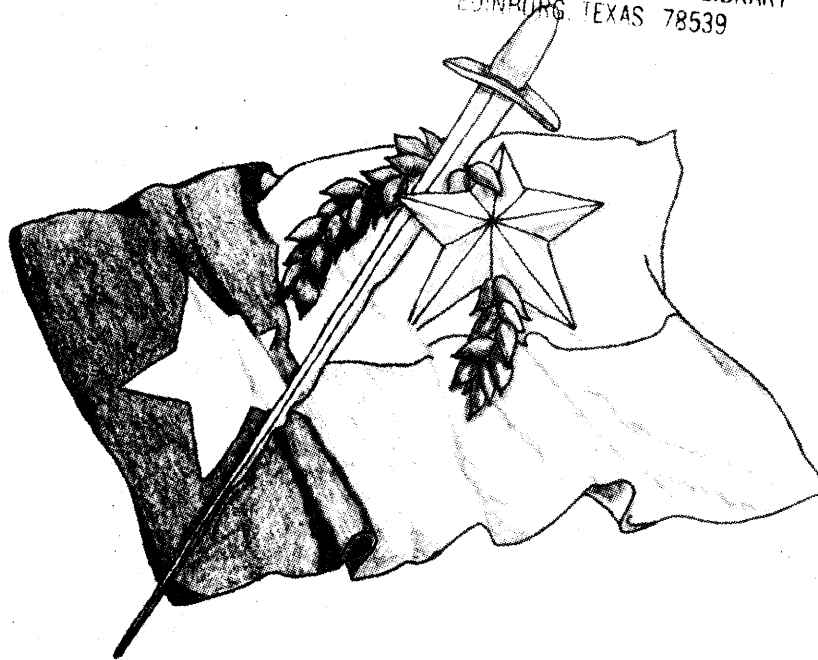


Texas Register

U.S. GOVERNMENT DOCUMENT
DEPOSITORY LIBRARY NO 610

SEP 1 1982

PAN AMERICAN UNIVERSITY LIBRARY
EDINBURG, TEXAS 78539



Highlights

- ★ Office of the Governor adopts on an emergency basis and also adopts on a permanent basis a new section concerning uniform grant and contract management standards for state agencies; effective date of the emergency adoption - September 1; effective date of the permanent adoption - September 15..... pages 3167 and 3172
- ★ Railroad Commission of Texas adopts amendments to sections concerning liquified petroleum gas; effective date - September 14..... page 3182

How To Use the Texas Register

Texas Register

The *Texas Register* (ISSN 0362 4781) is published twice a week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1982 with the exception of January 5, April 27, November 16, November 30, and December 28, by the Office of the Secretary of State, 201 East 14th Street, P.O. Box 13824, Austin, Texas 78711-3824, (512) 475-7886.

Material in the *Texas Register* is the property of the State of Texas. However, it may be copied, reproduced, or republished by any person for any purpose whatsoever without permission of the *Texas Register* director, provided no such republication shall bear the legend *Texas Register* or "Official" without the written permission of the director. The *Register* is published under Texas Civil Statutes, Article 6252-13a. Second class postage is paid at Austin, Texas, and additional entry offices.

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

Information Available: The nine sections of the *Register* represent various facets of state government. Documents contained within them include:

- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- 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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register Division six months after proposal publication date
- Adopted Rules—rules adopted following a 30-day public comment period
- Open Meetings—notices of open meetings
- In Addition—miscellaneous information required to be published by statute or provided as a public service

Specific explanations on the contents of each section can be found on the beginning page of the section. The division also publishes monthly, quarterly, and annual indexes to aid in researching material published.

How To Cite: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document

published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: page 2 in the lower left-hand corner of this page is written: "7 TexReg 2 issue date," while on the opposite page, in the lower right-hand corner, page 3 is written "issue date 7 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* (explained below), rule number, or TRD number.

Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved; collected volumes of Texas administrative rules currently being published by Shepard's/McGraw-Hill, in cooperation with this office.

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* (a listing of all the titles appears below);

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).

Latest Texas Code Reporter
(Master Transmittal Sheet): No. 8, February 1982

Table of TAC Titles

- TITLE 1. ADMINISTRATION
- TITLE 4. AGRICULTURE
- TITLE 7. BANKING AND SECURITIES
- TITLE 10. COMMUNITY DEVELOPMENT
- TITLE 13. CULTURAL RESOURCES
- TITLE 16. ECONOMIC REGULATION
- TITLE 19. EDUCATION
- TITLE 22. EXAMINING BOARDS
- TITLE 25. HEALTH SERVICES
- TITLE 28. INSURANCE
- TITLE 31. NATURAL RESOURCES AND CONSERVATION
- TITLE 34. PUBLIC FINANCE
- TITLE 37. PUBLIC SAFETY AND CORRECTIONS
- TITLE 40. SOCIAL SERVICES AND ASSISTANCE
- TITLE 43. TRANSPORTATION



Secretary of State
David A. Dean

Texas Register Staff
Charlotte Scroggins, Director

Dea Wright
Paula Pritchard
Virginia Gregory
Dave Harrell
Sue Bumpous
Donna Peacock

Catherine Turpin
Roberta Knight
Elise Karem
Tony Black
Connie Villec-Nemmers
Jane Hooks

Contents

The Attorney General

Open Records Decisions

3166 ORD-320 (RQ-383)

3166 ORD-321 (RQ-825)

Emergency Rules

Office of the Governor

3167 Budget and Planning Office

Texas Water Development Board

3167 Industrial Solid Waste

Proposed Rules

Texas Board of Licensure for Nursing Home Administrators

3168 Examination

Texas State Board of Pharmacy

3169 Licensing Requirements for Pharmacists

Withdrawn Rules

Finance Commission of Texas

3171 Regulated Loans Licenses

Texas Education Agency

3171 School Districts

3171 Student Attendance

Adopted Rules

Office of the Governor

3172 Budget and Planning Office

Railroad Commission of Texas

3182 Liquefied Petroleum Gas Division

Texas Water Development Board

3183 Regionalization

Open Meetings

3185 Texas Antiquities Committee

3185 State Banking Board

3185 Texas Conservation Foundation

3185 Texas State Board of Dental Examiners

3185 Office of the Governor

3186 Texas Department of Health

3186 Texas Health Facilities Commission

3186 University of Houston System

3186 Texas Department of Labor and Standards

3186 Lamar University

3186 Texas Parks and Wildlife Department

3187 State Board of Plumbing Examiners

3187 Public Utility Commission of Texas

3187 Texas Senate

3187 Texas Water Commission

3188 Regional Agencies

In Addition

Texas Energy and Natural Resources Advisory Council

3190 Consultant Proposal Request

Texas Department of Health

3192 Training Project for Unskilled Personnel of
Home Health Agencies

3192 Uranium By-Product Material License

Texas Health Facilities Commission

3193 Applications Accepted for Amendment,
Declaratory Ruling, and Notices of Intent

Texas State Board of Pharmacy

3194 Election of Officers

Railroad Commission of Texas

3194 Statewide Public Hearing on Federal Energy
Regulatory Commission Off-System Sales

Texas Real Estate Commission

3195 Correction of Error

Texas State Soil and Water Conservation Board

3195 Announcement of Vacancy

Office of the Secretary of State

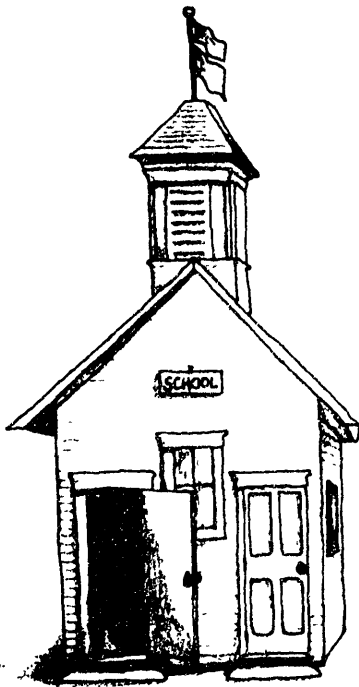
3196 Texas Register Publication Schedule

The Attorney General

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

Requests for opinions, opinions, and open record decisions are summarized for publication in the *Register*.

Questions on particular submissions, or requests for copies of opinion requests should be addressed to Susan L. Garrison, Opinion Committee chairwoman, Office of the Attorney General, Supreme Court Building, Austin, Texas 78711, (512) 475-5445. Published opinions and open records decisions may be obtained by addressing a letter to the file room, fourth floor, P.O. Box 12548, Austin, Texas 78711-2548, or by telephoning (512) 475-3744. A single opinion is free; additional opinions are \$1.00 a copy.



Open Records Decisions

ORD-320 (RQ-383). Request from Major General Willie L. Scott, adjutant general, TexARNG, Austin, concerning whether certain documents held by the Adjutant General's Department are public under the Open Records Act.

Summary of Decision. The Adjutant General received a request under the Open Records Act for information obtained in two investigations conducted by his office. Some of the information was excepted under §3(a)(11) of the Open Records Act because it consisted of "advice, opinion, and recommendations." Other information was excepted under §3(a)(1) as information deemed confidential by the informer's privilege. Under the facts presented, none of the information was excepted by a constitutional or common law right of privacy under §3(a)(1) or by §3(a)(8).

TRD-826712

ORD-321 (RQ-825). Request from Tim Shank, deputy director, Texas Department on Aging, Austin, concerning whether records of incomplete audit of county agent on aging by Texas Department on Aging are available to the public.

Summary of Decision. The Texas Department on Aging received a request under the Open Records Act for records of an incomplete audit. Section 6(1) of the Open Records Act expressly provides that completed audits are public information. However, the mere fact that an audit is incomplete does not except it from public disclosure. Since the department does not invoke any specific exception under §3(a) of the Open Records Act, the incomplete audit is open to the public. Attorney General Opinion H-90 (1973) is overruled to the extent of inconsistency.

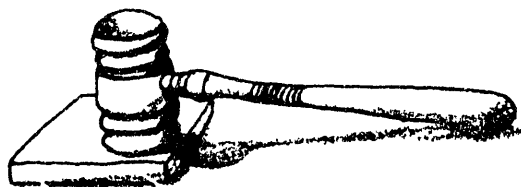
TRD-826713

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.

An agency must submit written reasons, published in the *Register*, for emergency action on a rule. The submission must also include a statement of the legal authority under which the emergency action is promulgated and the text of the emergency adoption. Following each published emergency document is certification information containing the effective and expiration dates of the action and a telephone number from which further information may be obtained.

Symbology in amended 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.

Emergency Rules



the state is mandated by the Act. The term "other political subdivisions" does not include school districts and other special purpose districts.

Issued in Austin, Texas, on June 25, 1982.

TRD-826737

Jarvis E. Miller
Director
Governor's Budget and Planning
Office

Effective date: September 1, 1982

Expiration date: September 14, 1982

For further information, please call (512) 475-3021.

TITLE 1. ADMINISTRATION

Part I. Office of the Governor

Chapter 5. Budget and Planning Office

Uniform Grant and Contract Management Standards for State Agencies

1 TAC §§5.141-5.167

(Editor's note: The Office of the Governor adopts on an emergency basis the new rules it adopts with changes in this issue. The text of the new rules is published in the Adopted Rules section.)

The Governor's Budget and Planning Office adopts on an emergency basis new §§5.141-5.167, due to the directive of the Uniform Grant and Contract Management Act of 1981, Texas Civil Statutes, Article 4413(32g), mandating implementation of these rules as of September 1, 1982, with changes to the proposed text published in the June 25, 1982, issue of the *Texas Register* (7 TexReg 2419).

The Uniform Grant and Contract Management Standards (UGCMS) for state agencies were developed under the directive of the Uniform Grant and Contract Management Act of 1981, Texas Civil Statutes, Article 4413(32g). Adherence to these standards by state agencies when administering grants or contracts with cities, counties, or other political subdivisions of

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part X. Texas Water Development Board

Chapter 335. Industrial Solid Waste Subchapter B. Hazardous Industrial Solid Waste Management General Provisions

31 TAC §335.51

The Texas Water Development Board is renewing the effectiveness of the emergency adoption of new §335.51 for a 60-day period, effective August 23, 1982. The text of the new rules, as originally adopted on an emergency basis, was published in the May 7, 1982, issue of the *Texas Register* (7 TexReg 1730).

Issued in Austin, Texas, on August 23, 1982.

TRD-826678

M. Reginald Arnold II
General Counsel
Texas Department of Water
Resources

Effective date: August 23, 1982

Expiration date: October 22, 1982

For further information, please call (512) 475-7851.

Proposed Rules

Thirty days before an agency intends to permanently adopt a new or amended rule, or repeal an existing rule, it must submit a proposal detailing the action in the *Register*. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the rule. A public hearing on the proposal may also be granted if such a procedure is requested by a governmental subdivision or agency, or by an association consisting of at least 25 members.

Unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice, the proposal may not be adopted until 30 days after publication. The document, as published in the *Register*, must include a brief explanation of the proposed action; a fiscal statement indicating effect on state or local government; a statement explaining anticipated public benefits and possible economic costs to individuals required to comply with the rule; a request for public comments; a statement of legal authority under which the proposed rule is to be adopted (and the agency's interpretation of the legal authority); the text of the proposed action; and a certification statement. The certification information which includes the earliest possible date that the agency may file notice to adopt the proposal, and a telephone number to call for further information, follows each submission.

Symbology in amended 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 22. EXAMINING BOARDS Part XII. Texas Board of Licensure for Nursing Home Administrators Chapter 245. Examination

22 TAC §§245.2-245.4

The Texas Board of Licensure for Nursing Home Administrators proposes amendments to §§245.2-245.4, concerning examinations administered by the Board of Licensure for Nursing Home Administrators to a qualified applicant in order that he/she may obtain a nursing home administrator's license. Emergency action was filed with the *Texas Register* and published on August 3, 1982, with the effective date of July 21, 1982.

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

Mr. Bishop has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be that applicants will be tested in areas particularized to Texas and that validation of this examination will be limited to this state. There will be no economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Karl E. Bishop, Executive Director, Texas Board of Licensure for Nursing Home Administrators, 3407 IH 35 North, Austin, Texas 78722, (512) 479-0922.

The amendments are proposed under Texas Civil Statutes, Article 4442d, §8, which provides the Texas Board of Licensure for Nursing Home Administrators with the authority to make rules and regulations not inconsistent with law as may be necessary or proper for the performance of its duties, and to take such other actions as may be necessary to enable the state to meet the requirements set forth in §1908 of the Social Security Act, the federal rules and regulations promulgated thereunder, and other pertinent federal authority; provided, however, that no rule shall be promulgated, altered, or abolished without the approval of a $\frac{2}{3}$ majority of the board.

§245.2. *Preexamination Requirements; Conditions Precedent.*

(a) (No change.)

(b) No person shall be admitted to or be permitted to take an examination for a nursing home administrator unless he has a completed application on file with the board office a minimum of three weeks prior to the scheduled examination. Applications submitted after the three-week deadline will be held for the next scheduled exam.

(1) Candidates for the **comprehensive exam** [N.A.B. examinations] must complete an application for exam, submit their application fee, not to exceed \$150,

and proof that they have completed the 200-hour course in nursing home administration if required.

(2) (No change.)

§245.3. *Requirements for Licensure.*

(a) Examinations to be given. The board shall administer examinations known as the state board examination and the **comprehensive exam** [National Association examination] for the purpose of determining those applicants who are qualified for licenses as administrators of nursing homes and shall issue an administrator's license to any person who passes said examinations, provided the person has met all other requirements for licensure.

(b) Narrative and interview. In lieu of the suitability examination (oral examination), each applicant shall submit a written narrative reflecting the applicant's interest and experience as it relates to the field of long-term health care.

(1) (No change.)

(2) Upon review of the narrative, if the Suitability Interview Committee deems necessary, applicants may be called to appear before the committee for interview prior to taking the state standards exam and **comprehensive exam** [NAB examinations].

(c) Requirements. Upon proper application for license and payment of the required application fee not to exceed \$150, the board shall administer the **comprehensive exam** [National Association Boards examination] and the state board examination (an examination designed to test the applicant's knowledge of laws, rules, and regulations relating to Texas nursing home programs), to any person who fulfills any one of the following requirements; except, however, effective July 1, 1986, each person must fulfill one of the requirements described in conditions (1)-(4) of this subsection:

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

(d)-(f) (No change.)

(g) Failure of **comprehensive exam** [National Association Board examination]. Any applicant, regardless of qualifications, who fails the **comprehensive exam** [National Association Board examination] is eligible to attempt to pass said examination two additional times in order to obtain an administrator's license. If the examination is not passed in these two additional attempts, the applicant is not eligible to take the examination again without petitioning the board for special consideration. The board in its discretion may impose upon such applicant whatever conditions the board deems appropriate under the circumstances in order to qualify such applicant for an administrator's license. No license shall be issued to any person who does not pass all required examinations.

(h) Passage of examinations. Any person who passes the **comprehensive exam** [National Association Board examination] and who has passed the state board examination shall be issued an administrator's license by the board, provided the applicant has met all other requirements for licensure.

§245.4. *Conditional Admission to Examination; Disqualification; Reexamination.*

(a) Any applicant who is required to take the 200-hour course may apply for and take the **comprehensive exam** [National Association Board Examination

(NAB exam)] upon completion of the required 200-hours. Any applicant who is required to complete the 26-week internship may take the state standards examination only after completion of 13 weeks of the 26-week administrator-in-training internship and after submitting three performance evaluation reports to the board; if he so desires, the administrator-in-training may apply for and take the state standards examination and the **comprehensive exam** [National Association Board Examination] together upon completion of 13 weeks of the 26-week internship and after filing three performance evaluation reports with the board.

(b)-(e) (No change.)

(f) Notwithstanding anything herein to the contrary, a candidate for an associate or higher degree in long term health care administration at a college or university approved by the board may apply for and take the **comprehensive exam** [NAB exam] after completion of the entire curriculum requirement for his degree except the internship program. Such individual may take the standards examination after 75% of such internship has been completed and will be eligible to receive his license as a nursing home administrator upon achievement of a passing score on the required examination after obtaining his degree.

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 August 24, 1982.

TRD 826722

Karl E. Bishop
Executive Director
Texas Board of Licensure for
Nursing Home Administrators

Proposed date of adoption. October 1, 1982

For further information, please call (512) 479-0922.

Part XV. Texas State Board of Pharmacy Chapter 283. Licensing Requirements for Pharmacists

22 TAC §283.9

The Texas State Board of Pharmacy proposes amendments to §283.9, concerning licensing requirements for pharmacists, specifically requirements for graduates of out-of-state colleges of pharmacy. In order to remain consistent with Texas Civil Statutes, Article 4542a-1, §20, this proposed amendment will modify the requirement affecting the completion of internship experience.

Fred S. Brinkley, Jr., R.Ph., executive director/secretary, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Brinkley has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing

the rule as proposed will be to ensure the competency of those applicants applying for licensure as pharmacists, by making the rules consistent with the language contained in the Texas Pharmacy Act. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Fred S. Brinkley, Jr., R.Ph., Executive Director/Secretary, 211 East Seventh Street, Suite 1121, Austin, Texas 78701.

The amendments are proposed under Texas Civil Statutes, Article 4542a-1, §20, which provides the Texas State Board of Pharmacy with the authority to regulate licensing requirements for pharmacists.

§283.9. Requirements for Graduates of Out-of-State Colleges of Pharmacy. Applicants who graduate from out-of-state colleges of pharmacy shall meet the following requirements for licensure by examination in Texas:

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

(3) if not licensed in a state(s) other than Texas, shall complete internship requirements as follows:

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

(C) Any required balance of the internship requirement not awarded shall be completed after the applicant [passes the required examinations and] is designated by the board as a pharmacist-intern.

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 August 20, 1982.

TRD-826682 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Proposed date of adoption: October 1, 1982
For further information, please call (512) 478-9827.

22 TAC §283.10

The Texas State Board of Pharmacy proposes new §283.10, concerning licensing requirements for pharmacists, specifically the requirements affecting the extended internship program. This proposed new rule will outline those requirements for graduates of Texas colleges of pharmacy and graduates of out-of-state colleges of pharmacy, who wish to register as a pharmacist-intern or extend their present registration. This proposed rule will also give the board the flexibility to approve a federal government pharmacy as a site for an internship program.

Fred S. Brinkley, Jr., R.Ph., executive director/secretary, has determined that for the first five-year period the rule will be in effect, there will be no

fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Brinkley has also determined that for each year of the first five years the rule as proposed is in effect, the public benefits anticipated as a result of enforcing the rule as proposed will be to ensure the competency of those graduates of Texas colleges of pharmacy and out-of-state colleges of pharmacy who wish to register with the board as a pharmacist-intern, or who wish to extend their internship. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Fred S. Brinkley, Jr., R.Ph., Executive Director/Secretary, 211 East Seventh Street, Suite 1211, Austin, Texas 78701.

The new section is proposed under Texas Civil Statutes, Article 4542a-1, §20, which provides the Texas State Board of Pharmacy with the authority to regulate licensing requirements for pharmacists.

§283.10. Extended Internship Program.

(a) Graduates of Texas colleges of pharmacy and graduates of out-of-state colleges of pharmacy who are registered with the board as a pharmacist-intern, may remain a pharmacist-intern until the earlier of the following occurs:

(1) the failure of the pharmacist-intern to take the next regularly scheduled examination after graduation; or

(2) the failure to pass the next regularly scheduled examination after graduation.

(b) Graduates of out-of-state colleges of pharmacy may register with the board as a pharmacist-intern only after application has been made to become licensed by examination in Texas and proof of graduation has been received by the board.

(c) The extended internship must be gained in a pharmacy licensed by and in good standing with the board, or a federal government pharmacy participating in a board-approved internship program.

(d) The pharmacist-intern must be in the presence of and under the direct supervision of a board-approved preceptor who is licensed by and in good standing with the board.

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 August 20, 1982.

TRD-826683 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Proposed date of adoption: October 1, 1982
For further information, please call (512) 478-9827.

An agency may withdraw proposed action or the remaining effectiveness of emergency action on a rule by filing a notice of withdrawal with the *Texas Register*. The notice is generally effective immediately upon filing with the *Register*.

If a proposal is not adopted or withdrawn within six months after the date of publication in the *Register*, it will automatically be withdrawn by the *Texas Register*. Notice of the withdrawal will appear in the next regularly scheduled issue of the *Register*. The effective date of the automatic withdrawal will appear immediately following the published notice.

No further action may be taken on a proposal which has been automatically withdrawn. However, this does not preclude a new proposal of an identical or similar rule following normal rulemaking procedures.

Withdrawn Rules

TITLE 7. BANKING AND SECURITIES

Part I. Finance Commission of Texas

Chapter 1. Regulated Loans Licenses

Collection Practices

7 TAC §1.151, §1.153

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed amendments to §1.151 and §1.153 submitted by the Finance Commission of Texas have been automatically withdrawn, effective August 24, 1982. The amendments as originally proposed appeared in the February 23, 1982, issue of the *Texas Register* (7 TexReg 726).

TRD-826689
Filed: August 24, 1982

7 TAC §1.152, §1.156

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed repeal of existing §1.152 and §1.156 and proposed new §1.152 and §1.156, submitted by the Finance Commission of Texas have been automatically withdrawn, effective August 24, 1982. The notice of repeal and new rules as proposed appeared in the February 23, 1982, issue of the *Texas Register* (7 TexReg 727).

TRD-826690, 826691
Filed: August 24, 1982

TITLE 19. EDUCATION

Part II. Texas Education Agency

Chapter 61. School Districts

Subchapter F. Responsibilities and Powers for Operation

19 TAC §61.163

The Texas Education Agency has withdrawn from consideration for permanent adoption proposed amendments to §61.163 (226.23.06.030), concerning responsibilities and powers for operation. The text of the rule as proposed appeared in the March 21, 1980, issue of the *Texas Register* (5 TexReg 1067).

Issued in Austin, Texas, on August 23, 1982.

TRD-826676 Raymond L. Bynum
Commissioner of Education

Filed: August 23, 1982
For further information, please call (512) 475-7077.

Chapter 129. Student Attendance Subchapter A. Student Attendance Allowed

19 TAC §129.1

The Texas Education Agency has withdrawn from consideration for permanent adoption proposed amendments to §129.1 (226.51.01.010) concerning student attendance. The text of the amended rule as proposed appeared in the February 19, 1980, issue of the *Texas Register* (5 TexReg 522).

Issued in Austin, Texas, on August 23, 1982.

TRD-826677 Raymon L. Bynum
Commissioner of Education

Filed: August 23, 1982
For further information, please call (512) 475-7077.

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.

The document, as published in the *Register*, must indicate whether the rule is adopted with or without changes to the proposal. The notice must also include paragraphs which: explain the legal justification for the rule; how the rule will function; contain comments received on the proposal; list parties submitting comments for and against the rule; explain why the agency disagreed with suggested changes; and contain the agency's interpretation of the statute under which the rule was adopted.

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. The text of the rule, as appropriate, will be published only if final action is taken with alterations to the proposal. The certification information, following the submission, contains the effective date of the final action, the proposal's publication date, and a telephone number to call for further information.

TITLE 1. ADMINISTRATION Part I. Office of the Governor Chapter 5. Budget and Planning Office Uniform Grant and Contract Management Standards for State Agencies

1 TAC §§5.141-5.167

The Governor's Budget and Planning Office adopts new §§5.141-5.167, with changes to the proposed text published in the June 25, 1982, issue of the *Texas Register* (7 TexReg 2419). These rules are being simultaneously adopted on an emergency basis in this issue.

The purpose of the Act is to establish uniform grant application and administration procedures in order to promote the efficient use of public funds in local government and in programs requiring cooperation among local, state, and federal agencies.

Pursuant to Texas Civil Statutes, Article 4413(32g), the following standard financial management conditions and uniform assurances shall be applicable to all grants and contracts executed between state agencies and local governments. These financial management conditions and uniform assurances shall be used by a state agency with respect to the subject matter contained herein, provided that a state agency may require additional financial management conditions or uniform assurances if the agency has complied with Texas Civil Statutes, Article 4413(g), §6. Each state agency shall apply each of these financial management conditions and uniform assurances the agency determines is appropriate to the grant or contract in question, considering such factors as the amount of

the grant or contract, the funding source, or the nature of the performance to be rendered under the grant or contract.

This office received several comments from organizations about the rules. The commentors were neither for nor against the rules, but offered recommendations for changes to the rules as proposed. The office's decisions about incorporation of the comments are stated in the discussion of each comment. Comments were received on the following sections of the rules.

§5.150. Uniform Cost Principles and Allocation Plans. Texas Department on Aging requested the rules include a clause contained in OMB Circular A-87 which allows federal grants with a statutory limitation on indirect cost to pay the lower of the statutory limitation or the approved rate. OMB Circular A-87, Attachment A, is adopted by reference in §5.144 of these rules, thus incorporating the requested clause.

§5.150(e). The Deep East Texas Council of Governments recommended that the term "previously" be changed to "most recently" in order that the state grantor agency is provided with, and thus maintains, the most current information regarding a grantee's cost allocation plan, and also recommended, the word "subsequent" be changed to "all" for clarification of meaning. The agency concurs with these recommendations, and has revised the section accordingly.

§5.164, Attachment M, Standard Forms for Applying for Assistance. The Texas Department on Aging requested flexibility in forms when state agencies are required to approve area plans for more than one year. OMB Circular A-102, Attachment M, is adopted by reference in §5.144 of these rules. Paragraphs 3 and 7 of this attachment allow for the flexibility requested. Table 1—Indirect Cost Computation Table. The Deep East Texas Council of Governments recommended

that a statement be added for clarification as to the implementation of Table 1. This agency concurs and a brief clarification statement has been added.

(3) This table is provided for use when the grantee:

(a) has no cost allocation plan, or

(b) has no direct administrative costs (salaries, fringe benefits, etc.) which are attributed to the grant or contract.

§5.162, Attachment K(b). The Texas Energy and Natural Resources Advisory Council proposed that this rule be expanded to read ". . . when the amount transferred exceeds 5.0% of the total budget or 10% of the individual itemized budget category." After discussion at length, this office did not accept this proposal because it would involve a significant change in scope of this rule. Significant changes in scope require prior approval by state agencies. Five percent is considered adequate for control of funds when coupled with project monitoring and performance reporting.

§5.167, Attachment P. The Texas Department of Health recommends that the following clarification be added: "The state agency may, at its option, require an annual audit." The office accepts this recommendation, and it appears in §5.167, paragraph (1).

Other comments. The Texas Department of Human Resources (TDHR) requested that the standards be changed to allow continued use of computerized reporting forms currently utilized by all contractors performing services for TDHR. OMB Circular A-102, Attachment H, is adopted by reference in §5.144 of these rules. Paragraphs 7 and 8 of this attachment allow for the use of computerized forms.

TDHR requested clarification whether these rules apply to cost reimbursement contracts only, or if unit cost contracts are also covered by these rules. This office interprets that Attachment O—Procurement applies to unit rate contracts executed between state agencies and local governments. Therefore, no further modification of the rules is necessary.

Other changes made to these rules were for consistency and clarification purposes.

The following Uniform Grant and Contract Management Standards (UGCMS) for state agencies were developed under the directive of the Uniform Grant and Contract Management Act of 1981, Texas Civil Statutes, Article 4413(32g). Adherence to these standards by state agencies when administering grants or contracts with cities, counties, or other political subdivisions of the state is mandated by the Act. The term "other political subdivisions" does not include school districts and other special purpose districts.

§5.141. *Introduction.* The following Uniform Grant and Contract Management Standards (UGCMS) for state agencies were developed under the directive of the Uniform Grant and Contract Management Act of 1981, Texas Civil Statutes, Article 4413(32g). Adherence to these standards by state agencies when administering grants or contracts with cities, counties, or other political subdivisions of the state is mandated by the Act. The term

"other political subdivisions" does not include school districts and other special purpose districts.

§5.142. *Purpose, Applicability, and Scope.*

(a) The purpose of the Act is to establish uniform grant application and administration procedures in order "to promote the efficient use of public funds in local government and in programs requiring cooperation among local, state and federal agencies." Pursuant to Texas Civil Statutes, Article 4413(32g), the following standard financial management conditions and uniform assurances shall be applicable to all grants and contracts executed between state agencies and local governments. These financial management conditions and uniform assurances shall be used by a state agency with respect to the subject matter contained herein, provided that a state agency may require additional financial management conditions or uniform assurances if the agency has complied with Texas Civil Statutes, Article 4413(32g), §6.

(b) Each state agency shall apply each of these financial management conditions and uniform assurances the agency determines is appropriate to the grant or contract in question, considering such factors as the amount of the grant or contract, the funding source, or the nature of the performance to be rendered under the grant or contract.

§5.143. *Effective Date.* The effective date of these uniform standards is September 1, 1982. Grants and contracts awarded prior to this date will not be required to adhere to these standards.

§5.144. *Adoption by Reference.* As directed by the Uniform Grant and Contract Management Act, the Governor's Budget and Planning Office adopts Office of Management and Budget (OMB) Circulars A-87 and A-102 and Health and Human Services (HHS) Guide OASC-10 by reference, with the following exceptions as they appear in §5.150 of this title (relating to Uniform Cost Principles and Cost Allocation Plans); §5.151 of this title (relating to Uniform Administrative, Accounting, Reporting, and Auditing Standards); §5.152 of this title (relating to Attachment A of OMB Circular A-102—Cash Depositories); §5.153 of this title (relating to Attachment B of OMB Circular A-102—Bonding and Insurance); §5.154 of this title (relating to Attachment C of OMB Circular A-102—Retention and Custodial Requirements for Records); §5.156 of this title (relating to Attachment E of OMB Circular A-102—Program Income); §5.157 of this title (relating to Attachment F of OMB Circular A-102—Matching Share); §5.158 of this title (relating to Attachment G of OMB Circular A-102—Standards for Grantee Financial Management Systems); §5.159 of this title (relating to Attachment H of OMB Circular A-102—Financial Reporting Requirements); §5.160 of this title (relating to Attachment I of OMB Circular A-102—Monitoring and Reporting Requirements); §5.162 of this title (relating to Attachment K of OMB Circular A-102—Budget Revision Procedures); §5.163 of this title (relating to Attachment L of OMB Circular A-102—Grant Closeout Procedures); §5.164 of this title (relating to Attachment M of OMB Circular A-102—Standard Forms for Applying Assistance); §5.166 of this title (relating to Attachment O of OMB Circular A-102—Pro-

curement Standards); and §5.167 of this title (relating to Attachment P of OMB Circular A-102—Audit Requirements). Copies of these documents are available for inspection at the Governor's Budget and Planning Office in the Sam Houston Building, 201 East 14th Street, seventh floor, Austin, Texas, and also at the Secretary of State's Office, *Texas Register*, 503E Sam Houston Building, Austin, Texas.

§5.145. *Grants and Contracts.* The terms "grant" and "contract" as used in the Uniform Grant and Contract Management Act of 1981 are synonymous. They both are contractual agreements. It is noted that under all provisions of this Act and other authorizing statutes, the essential elements of a contract are present.

§5.146. *Standard Assurances.* The standard assurances to be used for grants and contracts are found in Chapter II, Attachment M, of OMB Circular A-102. There are separate lists of assurances for construction programs and for nonconstruction programs.

§5.147. *Variance from Standards.* State grantor agencies may vary from the standards contained in §§5.141-5.167 of this chapter (relating to Uniform Grant Management Standards for State Agencies) only when required to do so by federal legislation or regulations or by specific state legislation. State grantor agencies with mandated variances are required to publish the variance in the *Texas Register* and notify the Governor's Budget and Planning Office. State grantor agencies rules or regulations of themselves are not sufficient to authorize variance from the provisions contained herein.

§5.148. *Obtaining Copies of Standards.* The Governor's Budget and Planning Office will supply copies for state agency use. However, it is the responsibility of the state grantor agency to reproduce an adequate number of copies to fulfill grantee requirements. State grantor agencies may incorporate these uniform grant and contract management standards into their manuals either directly or by reference.

§5.149. *Recommendation for Change.* State grantor agencies and recipients of funds are requested to submit any recommended changes, or to note inconsistencies or conflicts, in writing to the Governor's Budget and Planning Office, P.O. Box 13561, Austin, Texas 78711.

§5.150. *Uniform Cost Principles and Cost Allocation Plans.*

(a) This chapter discusses the basic cost principles applicable to all grants administered by a state agency which are awarded to cities, counties, or other political subdivisions of the state. This chapter specifically includes, therefore, all federal categorical grants, federal block grants, and state grants.

(b) The basis of this chapter is OMB Circular A-87, formerly designated as FMC 74-4. OMB Circular A-87 designates the Department of Health and Human Services as the federal agency responsible for issuing instructions for use by grantees in the preparation of cost allocation plans. HHS Guide OASC-10, *Cost Principles and Procedures for Establishing Cost Allocation Plans and Indirect Cost Rates for Grants and Contracts With the Federal Government*, will therefore also serve as a basis

for this section. The introduction to each section of A-87 and OASC-10 sets out the modifications which must be made to facilitate their transition from federal to state use. Interpretations of, or deviations from, the original circulars will be referenced and stated immediately following the text of the section.

(c) Cities, counties, and other political subdivisions of the state seeking to establish a cost allocation plan and indirect cost rate should contact OMB for the assignment of a cognizant federal agency to review and approve the plan. Cities, counties, and other political subdivisions of the state which are funded solely by block grant funds or state funds should contact their assigned cognizant state audit agency. It should be noted that cognizant state audit agencies are assigned only after a request from the local entity for single audit coordinations.

(d) OMB Circular A-87 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) with the following modification: all references to "federal or federally" should be expanded to read "federal, federally, or state," as applicable.

(e) Paragraph (F)(2)(b) in Attachment A of OMB Circular A-87, is modified by adding: When negotiated lump sum for overhead is allowed, state grantor agencies are encouraged to use the amounts in Table 1, Indirect Cost Computation Table. This recommendation should not be construed to imply that state grantor agencies are required to negotiate an overhead rate. It is merely provided as a guide if grantor agencies voluntarily elect to provide a lump sum overhead amount. However, when a grantee or contractor has a cost allocation plan on file or has obtained approval of such plan by the appropriate cognizant agency, the most recently approved indirect cost and rate computation shall be accepted by all state grantor agencies, and the Table 1 amounts disregarded.

(f) Paragraph 10b in Attachment B of OMB Circular A-87, "Time and Attendance or Equivalent Records," Form 391-1 as follows, is recommended in those cases where grantees or contractors do not have an established method to document time and attendance, in order to meet the minimum documentation requirements.

(g) Paragraph 28 in Attachment B of OMB Circular A-87, "Travel," is amended by adding the following: In those instances where grantees or contractors do not have an established organization-wide written travel policy approved by the governing board of the local jurisdiction, the state travel regulation will prevail.

(h) Paragraph 10 is added to Attachment B, §D of OMB Circular A-87, as follows: Lobbying—Grant funds cannot be used to support political activity either directly or indirectly. This prohibition is not to be construed as limiting expenses for the purpose of testimony before legislative bodies.

(i) HHS Guide OASC-10 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) is with the following modification: All references to "federal or federally" should be expanded to read "federal, federally, or state," as applicable.

§5.151. *Uniform Administrative, Accounting, Reporting, and Auditing Standards.*

(a) This section and §5.152 of this title (relating to Attachment A of OMB Circular A-102—Cash Deposito-

ries); §5.153 of this title (relating to Attachment B of OMB Circular A-102—Bonding and Insurance); §5.154 of this title (relating to Attachment C of OMB Circular A-102—Retention and Custodial Requirements for Records); §5.156 of this title (relating to Attachment E of OMB Circular A-102—Program Income); §5.157 of this title (relating to Attachment F of OMB Circular A-102—Matching Share); §5.158 of this title (relating to Attachment G of OMB Circular A-102—Standards for Grantee Financial Management Systems); §5.159 of this title (relating to Attachment H of OMB Circular A-102—Financial Reporting Requirements); §5.160 of this title (relating to Attachment I of OMB Circular A-102—Monitoring and Reporting Requirements); §5.162 of this title (relating to Attachment K of OMB Circular A-102—Budget Revision Procedures); §5.163 of this title (relating to Attachment L of OMB Circular A-102—Grant Closeout Procedures); §5.164 of this title (relating to Attachment M of OMB Circular A-102—Standard Forms for Applying for Federal Assistance); §5.166 of this title (relating to Attachment O of OMB Circular A-102—Procurement Standards); §5.167 of this title (relating to Attachment P of OMB Circular A-102—Audit Requirements), promulgate standards for establishing consistency and uniformity among state agencies in the administration of grants and contracts to cities, counties, and other political subdivisions of the state.

(b) The basis of this section and the sections listed in subsection (a) of this section is OMB Circular A-102 which has been adopted by reference in §5.144 of this title (relating to Adoption by Reference), all references in the circulars' introduction to "federal" should be expanded to read "federal or state," as applicable. The introduction to each attachment sets out the modifications which must be made to the attachment to facilitate the transition from federal to state use. Interpretations of, or deviations from, the attachments will be referenced and stated immediately following the attachment.

§5.152. Attachment A.—Cash Depositories.

(a) Attachment A of OMB Circular A-102 is adopted by reference without modification in §5.144 of this title (relating to Adoption by Reference) into the Uniform Grant and Contract Management Standards (UGCMS) for state agencies.

(b) In reference to paragraph 3, it should be noted that the state financial mechanism does not authorize the use of a letter of credit agreement for state funds (Refer to Attachment J for payment process).

§5.153. Attachment B.—Bonding and Insurance.

(a) Attachment B of OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards with the modification and additions noted in subsection (b) of this section.

(b) In the first sentence of paragraph 2, "own requirements" is construed to mean "state policies and requirements" which are defined below.

(1) For construction contracts relating to buildings or other public work projects in excess of \$25,000, local governments are directed by Texas Civil Statutes, Article 5160, to require a performance bond and a payment bond from the contractor. These bonds shall be executed by corporate surety authorized to do business

in the State of Texas. (Administrative state agencies may obtain a list of companies authorized to do business in Texas from the State Board of Insurance.)

(2) A bid bond is not statutorily required for programs supported completely by state funds; however, a bid bond should be obtained by local governments as a matter of standard policy and good practice to protect both local and state interests by assuring that the bidder will, upon bid acceptance, execute all required contractual documents within the time period specified.

§5.154. Attachment C.—Retention and Custodial Requirements for Records.

(a) Attachment C of OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds or state grant funds," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) Paragraph 6 is amended by adding "and the Texas State Auditor" after "Comptroller General of the United States."

(c) Certain additional standards for retention of public records in Texas have been provided by Texas Civil Statutes, Article 5439, *et seq.* The Texas State Library, through the Records Preservation Advisory Committee, has established recommended retention periods longer than three years for many types of public documents whether in original hard copy or microfilm forms. State grantor agencies may obtain a copy of the recommended retention schedule by contacting the Director and Librarian, Texas State Library and Archives Commission, Lorenzo de Zavala State Archives and Library Building, Box 12927, Austin, Texas 78711.

§5.155. Attachment D.—Waiver of "Single" State Agency Requirements. Attachment D is not used when a state agency is administering federal or state funds.

§5.156. Attachment E.—Program Income.

(a) Attachment E of OMB Circular A-102 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds or state grant funds," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) In reference to paragraph 1, "gross income earned" is defined as "income received or generated from projects which are wholly or partially funded with grant funds in which case the payee or donor receives a direct benefit." An example of a direct benefit is when a program participant makes a donation for a meal.

(c) In reference to paragraph 5(a) "eligible program objective" is construed to mean any of the overall objectives defined in the program legislation. Thus, the use

of program income would not be limited solely to those objectives budgeted in the grant application. It should be noted that the use of these funds for unbudgeted objectives would constitute a change in scope and would require a budget revision.

§5.157. *Attachment F.—Matching Share.* Attachment F of OMB Circular A-102 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds or state grant funds," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) In reference to paragraphs 3(a)(2) and 3(b)(5), it should be noted that provisions of these paragraphs that require that the source of matching funds be from nonfederal sources will not apply to state-financed grant programs that require a matching contribution.

(c) In reference to paragraph 6(a), in order to meet the minimum documentation requirements, it is recommended Form 391-1 be utilized in cases where the grantees or contractors do not have an established method to document employee time and attendance. (Form 391-1 is shown under Chapter I, Attachment B, Paragraph 10b.)

§5.158 *Attachment G.—Standards for Grantee Financial Management Systems.*

(a) Attachment G of OMB Circular A-102 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds or state grant funds," all references to "federal awards" shall be expanded to read "federal awards or state awards," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) In reference to paragraph 2(e), it should be noted that the state financial mechanism does not authorize the use of a letter of credit agreement for state funds. (See Attachment J.)

§5.159. *Attachment H.—Financial Reporting Requirements.*

(a) Attachment H of OMB Circular A-102 is incorporated in the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal agencies, federal funds and federal government" shall be expanded to read "federal or state agencies, federal or state funds, and federal or state governments."

(b) In reference to paragraph 1, state agencies shall use the forms in this attachment for reporting unless specific federal or state law requires different reporting methods. Substitution and supplemental reporting forms are explained in other footnotes.

(c) In reference to paragraph 3(a)(1), it should be

noted that state agencies may require grantees to complete the Financial Status Report Supplemental Form 269a which displays a breakdown of total outlays by budget categories when the Financial Status Report Form 269 is completed.

(d) In reference to paragraph 3(a)(1), it should be noted that state agencies may use the Advance or Reimbursement Form 270 instead of the Financial Status Report Form 269 if desired. In such case, the state supplemental Form 269a may be required along with the Form 270. However, the Form 269a may not be required more frequently than quarterly.

(e) In reference to paragraph 3(b) (Exhibit 2), it should be noted that state administering agency may use the Cash Transactions Report on an optional basis.

(f) In reference to paragraph 5(b), state agencies requiring additional financial information due to federal or state law shall publish notice in the *Texas Register* and notify the Budget and Planning Office. When a state agency determines that a grantee's accounting system does not meet standards identified in Attachment G, the state agency may require additional financial reports after notifying the Budget and Planning Office about the situation.

(g) In reference to paragraph 9, standard reporting forms can be obtained from state grantor agencies.

(h) In reference to paragraph 3(a) (Exhibit 1), 3(b) (Exhibit 2), 4(a) (Exhibit 3), 4(b) (Exhibit 4) in the block for federal employer identification number/employer identification number the state vendor identification number (14 digits) assigned by the Texas Comptroller of Public Accounts will be recorded.

§5.160. *Attachment I.—Monitoring and Reporting Requirements.*

(a) Attachment I of OMB Circular A-102 is incorporated in the Uniform Grant and Contract Management Standards for state agencies with the following modifications: all references to "federal agency(ies)" and "federal grants," shall be expanded to read "federal or state agency(ies)" and "federal or state grants," as applicable.

(b) In reference to paragraph 8, formats for technical and performance reports shall be designed by the state administering agency. No approval is necessary but the concept of simplification should be used as much as possible.

§5.161. *Attachment J.—Grant Payment Requirements.* Attachment J is not used when a state agency is administering federal or state funds. The grant payment procedures will be outlined by the state grantor agency and the comptroller of public accounts. Payment procedures and forms must be obtained from the state grantor agency.

§5.162. *Attachment K.—Budget Revision Procedures.*

(a) Attachment K of OMB Circular A-102 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds

or state grant funds," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) In reference to paragraph 4, for nonconstruction grants of \$100,000 or less, the state grantor agency may also, at its option, require prior approval of transfers of funds among direct cost categories when the amount transferred exceeds 5.0% of the total budget.

§5.163. Attachment L.—Grant Closeout Procedures. Attachment L of OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds or state grant funds," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

§5.164. Attachment M.—Standard Forms for Applying for Assistance.

(a) Attachment M of OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: All references to "federal grantor agency(ies)," shall be expanded to read "federal or state grantor agency(ies)." All references to "federal grant funds" shall be expanded to read "federal grant funds or state grant funds," and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) State agencies are prescribed to use the standard federal forms. Variations from the use of these standard forms (such as adoption of a shortened or simplified state application form for programs supported entirely by state funds) must be established as prescribed by §6 of the Uniform Grant and Contract Management Act of 1981.

(c) Standard Form 424 of OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards for state agencies with the following modifications.

(1) Caption for Block 22(b) is revised to read: "If required by OMB Circular A-95 or by Texas Civil Statutes, Articles 1011m, 4419h, or 4413(32a), this application was submitted pursuant to relevant instructions, to appropriate clearinghouses and all responses are attached."

(2) Caption for Block 5 is revised to read: "Federal Employer Identification No./State Vendor Identification No." The state vendor identification number is assigned by the Texas comptroller's office.

(3) Block 14 may be left blank for applications under programs supported entirely by state funds or block grants.

(4) Part V—Standard Assurances is amended by adding the following.

(A) "It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person related within the second degree by affin-

ity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree."

(B) "It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law."

(C) "It will comply with Texas Civil Statutes, Article 6252-17, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution."

(d) When incorporated into a grant award or contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and local grantees shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met. (See Attachment O, §14 and §15, for additional guidance on contract provisions.)

(e) The legal instrument for awarding grant funds, whether a contract or grant agreement, should be consistent with the standards prescribed herein; however these standard conditions or assurances may be incorporated into contracts or grant agreements by reference rather than being reproduced in their entirety.

(f) The preapplication forms and procedures described in this attachment provide a consistent method for state grantor agencies to use in seeking requests for proposals (RFP) from cities, counties, and political subdivisions of the state.

§5.165. Attachment N.—Property Management Standards.

(a) Attachment N of OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards for state agencies without modification.

(b) All local governments shall develop and use their own property management system which conforms with A-102 and reflects all other applicable federal, state, and local laws, rules, and regulations. If an adequate system for accounting for real and personal property owned by the local government is not in place, the Property Accounting System Manual of Instruction, which is issued by the Texas State Purchasing and General Services Commission, should be consulted and used as a guide. It is the responsibility of grantor agencies to reproduce sufficient copies of this manual of instructions to fulfill grantee requirements.

§5.166. Attachment O.—Procurement Standards.

(a) Attachment O of OMB Circular A-102 is adopted by reference in §5.144 of this title (relating to Adoption by Reference) into the Uniform Grant and Contract Management Standards with the following modifications: All references to federal grantor agency(ies)," shall be expanded to read "federal or state grantor agen-

cy(ies)." All references to "federal grant funds," or "federal assistance" shall be expanded to read "federal and state assistance;" "federal law" shall be expanded to read "federal or state law;" and all references to the "federal government" shall be expanded to read "federal or state government," as applicable.

(b) In reference to paragraph 1(c), it should be noted that all references to approvals by or compliance with the Office of Federal Procurement Policy (OFPP) are applicable only to federal funds administered by federal agencies.

(c) In reference to paragraph 6(a), it should be noted that in certain instances, state or local laws impose more stringent requirements on purchases or contracts made by a local government. In those instances, the state or local laws shall take precedence.

(d) In reference to paragraph 14, it should be noted that the state grantor agency shall be responsible for informing the grantee which of the contract provisions are required by the particular grant program.

§5.167. Attachment P.—Audit Requirements.

(a) Attachment P of the OMB Circular A-102 is incorporated into the Uniform Grant and Contract Management Standards for state agencies with the following modifications: when the word "federal" is used it shall be expanded to read "federal or state."

(b) The concept of single audit under the Uniform Grant and Contract Management Act is to provide local governments and political subdivisions of the state an opportunity for a coordinated single audit covering funds received directly from federal agencies as well as those federal or state funds received through state agencies. Under this concept, a federal cognizant agency will coordinate the state funding agencies' requirements. In all cases, the Uniform Grant and Contract Management Standards are meant to simplify the audit procedures. It should be thoroughly understood that the single audit process will not take the place of state agency program monitoring and review of recipient's compliance with contractual terms and conditions.

(c) In reference to paragraph 1, state agencies administering state funds to local grantees are responsible for preparing audit compliance requirements in accordance with state law. Audit compliance features for state grant programs will be issued as a supplement to these guidelines.

(d) In reference to paragraph 1(e), additional audit requirements of state agencies administering federal or state funds must be specifically required by state or federal law. Additional requirements must be posted in the *Texas Register* and filed with the Governor's Budget and Planning Office.

(e) In reference to paragraph 2, at the state level, the "cognizant agency" will be referred to as the state cognizant agency, designated by the Governor's Budget and Planning Office, which is responsible for coordinating the single audit effort among state agencies.

(f) In reference to paragraph 2, for state purposes, recipient organization is a local government which is defined by the Act to be "a city, county, or other political subdivision of the state, but does not include a school district or other special purpose district." State agencies may adopt the single audit concept on other types of recipient organizations for wholly state funded grants.

(g) In reference to paragraph 3, the local government shall notify the state cognizant agency that the scope of the audit is being formulated. The state cognizant agency shall have an opportunity to review the scope of the audit and participate in the engagement conference with the auditor.

(h) In reference to paragraph 13, the Governor's Budget and Planning Office will designate the state agency to assume the cognizant agency role within 30 days after receipt of a request from a local government for a single audit. This designation will be made after consultation with the state auditor and the nominated state agency. The following criteria will be used in selecting the appropriate state cognizant agency:

- (1) state agency request to be cognizant audit agency;
- (2) state agency capability;
- (3) amount and source of funds awarded to the grantee;
- (4) state agency workload;
- (5) grantee request.

(i) In reference to paragraph 14(b), the state cognizant agency will be responsible for the review of the audit report and the coordination of the distribution of audit reports among state agencies and to cooperate with the federal cognizant agency throughout the audit process.

(j) In reference to paragraph 14(e), the state cognizant agency will work with local governments, independent auditor, state funding agencies, and federal cognizant audit agency. The federal cognizant agency will be responsible for the coordination at the federal level.

(k) In reference to paragraph 14(f), the state cognizant agency shall be responsible for notifying the recipient as well as other state grantor agencies concerning audit exceptions. It is the responsibility of each state grantor agency to insure that all audit exceptions that relate to the agencies grant program are resolved.

(l) The state agency may, at its option, require an annual audit.

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 June 25, 1982.

TRD-826738

Jarvis E. Miller
Director
Governor's Budget and Planning
Office

Effective date: September 15, 1982
Proposal publication date: June 25, 1982
For further information, please call (512) 475-3021.

Table 1

Indirect Cost Computation Table

- (1) Total Project Cost (Round to nearest amount on schedule)
- (2) Maximum indirect cost allowable—State grantor agency funds
- (3) This table is provided for use when the grantee:
 - (a) has no cost allocation plan, or
 - (b) has no direct administrative costs (salaries, fringe benefits, etc.) which are attributed to the grant or contract.

(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
\$	\$	\$	\$	\$	\$	\$	\$
1,000	50	31,000	1,285	61,000	2,252	91,000	2,995
2,000	100	32,000	1,320	62,000	2,280	92,000	3,015
3,000	150	33,000	1,355	63,000	2,307	93,000	3,035
4,000	200	34,000	1,390	64,000	2,335	94,000	3,055
5,000	250	35,000	1,425	65,000	2,362	95,000	3,075
6,000	295	36,000	1,460	66,000	2,390	96,000	3,095
7,000	340	37,000	1,495	67,000	2,417	97,000	3,115
8,000	385	38,000	1,530	68,000	2,445	98,000	3,135
9,000	430	39,000	1,565	69,000	2,472	99,000	3,155
10,000	475	40,000	1,600	70,000	2,500	100,000	3,175
11,000	505	41,000	1,632	71,000	2,525	110,000	3,350
12,000	555	42,000	1,665	72,000	2,550	120,000	3,525
13,000	595	43,000	1,697	73,000	2,575	130,000	3,675
14,000	635	44,000	1,730	74,000	2,600	140,000	3,825
15,000	675	45,000	1,762	75,000	2,625	150,000	3,950
16,000	715	46,000	1,795	76,000	2,650	160,000	4,075
17,000	755	47,000	1,827	77,000	2,675	170,000	4,175
18,000	795	48,000	1,860	78,000	2,700	180,000	4,275
19,000	835	49,000	1,892	79,000	2,725	190,000	4,350
20,000	875	50,000	1,925	80,000	2,750	200,000	4,425
21,000	912	51,000	1,955	81,000	2,772	210,000	4,475
22,000	950	52,000	1,985	82,000	2,795	220,000	4,525
23,000	987	53,000	2,015	83,000	2,817	230,000	4,575
24,000	1,025	54,000	2,045	84,000	2,840	240,000	4,625
25,000	1,062	55,000	2,075	85,000	2,862	250,000	4,675
26,000	1,100	56,000	2,105	86,000	2,885	260,000	4,725
27,000	1,137	57,000	2,135	87,000	2,907	270,000	4,775
28,000	1,175	58,000	2,165	88,000	2,930	280,000	4,825
29,000	1,212	59,000	2,195	89,000	2,952	290,000	4,875
30,000	1,250	60,000	2,225	90,000	2,975	300,000	4,955

(Above 300,000 equals 4,925 - .005% of excess above 300,000)

Form 391-1

TIME AND ATTENDANCE REPORT

Name _____

Title _____

Period Ending _____

SOCIAL SECURITY NUMBER _____

DATE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Project Name and Number																
Sub-Total Chargeable Time																
Released Time																
Sick Leave																
Vacation																
Holiday																
Other (Describe)																
Sub-Total Released Time																
Total Chargeable and Released Time																

This is true and correct to the best of my knowledge.

Employee signature

Project director or supervisor

Financial Status Report State Supplemental Form 269a

1. State Agency Organizational Element To Which Report Is Submitted					
2. Grant Title		7. Basis <input type="checkbox"/> Cash <input type="checkbox"/> Accrual			
3. Employer Identification Number		5. Recipient Account Number on Identifying Number		6. Final Report <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Recipient Organization <i>(Name and complete address, including ZIP code)</i>		8. Project/Grant Period <i>(See instructions)</i>			
		From <i>(Month, day, year)</i>		To <i>(Month, day, year)</i>	
		Period Covered by this Report			
		From <i>(Month, day, year)</i>		To <i>(Month, day, year)</i>	
10. Budget Categories		(a) Approved Budget	(b) Project Cost This Report	(c) Cumulative Project Cost	(d) Balance
a Personnel (as of date)					
b Fringe Benefits					
c Travel					
d Equipment					
e Supplies					
f Contractual					
g Other					
h Total Direct (Sum of Lines (a)-(g))					
i Indirect Charges					
j Total (Sum of lines (h) and (i))					
13. Certification I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents		Signature of Authorized Certifying Official		Date Report Submitted	
		Typed or Printed Name and Title		Telephone <i>(Area code, number, and ext.)</i>	

**TITLE 16. ECONOMIC
REGULATION**
**Part I. Railroad Commission of
Texas**
**Chapter 9. Liquefied Petroleum Gas
Division**
**Subchapter A. General Applicability and
Requirements**

16 TAC §9.20

The Railroad Commission of Texas adopts amendments to §9 20 (051.05.03.302), without changes to the proposed text published in the July 20, 1982, issue of the *Texas Register* (7 TexReg 2690).

Amendment of the rule is necessary due to a statutory change which dispensed with any bonding requirement as a condition precedent to obtaining an LP-gas license. The amendment merely deletes the requirement of filing an amended bond or bond rider whenever an LP-gas licensee changes names. The amended rule will require a licensee to file an amended license application and any necessary insurance certificates evidencing any change in name of the licensee, but will no longer require an amended bond or bond rider to be filed.

No comments were received regarding adoption of these amendments

These amendments are adopted under the authority of Texas Natural Resources Code, Chapter 113, §113.051, which authorizes the Railroad Commission of Texas to promulgate and adopt rules relating to all aspects of the LP-gas industry that will protect or tend to protect the health, welfare, and safety, of the general public.

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 August 23, 1982.

TRD-826717 Jim Nugent, Chairman
Mack Wallace and Buddy
Temple, Commissioners
Railroad Commission of Texas

Effective date: September 14, 1982
Proposal publication date: July 20, 1982
For further information, please call (512) 445-1186.

Subchapter B. Basic Rules

16 TAC §9 49

The Railroad Commission of Texas adopts amendments to §9.49 (051.05.03.039), without changes to the proposed text published in the July 20, 1982, issue of the *Texas Register* (7 TexReg 2691).

The amendment is necessary to prevent the hazardous practice of venting LP-gas to the atmosphere, which could result in fire should the gas come in contact with any source of ignition. As amended, the rule will prohibit the venting of LP gas to the atmosphere before,

during, or after the process of transferring LP-gas from one container to another. Prior to this amendment, the rule prohibited such venting during or following the transfer process, but failed to cover the time before the transfer started. No comments were received regarding adoption of these amendments.

These amendments are adopted under the authority of Texas Natural Resources Code, Chapter 113, §113.051, which authorizes the Railroad Commission of Texas to promulgate and adopt rules relating to all aspects of the LP-gas industry that will protect or tend to protect the health, welfare, and safety, of the general public.

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 August 23, 1982.

TRD-826718 Jim Nugent, Chairman
Mack Wallace and Buddy
Temple, Commissioners
Railroad Commission of Texas

Effective date: September 14, 1982
Proposal publication date: July 20, 1982
For further information, please call (512) 445-1186.

Subchapter K. Division IX

16 TAC §9.265

The Railroad Commission of Texas adopts amendments to §9.265 (051.05.03.240), without changes to the proposed text published in the July 20, 1982, issue of the *Texas Register* (7 TexReg 2691).

This amendment is intended to promote uniformity throughout the various divisions of the LP-gas safety rules. The amended rule will require all LP-gas service station and bottle filling storage containers to be mounted on substantial masonry footings. Storage containers in excess of 1,200 w.g. capacity will be required to be supported through an arc of 120°.

No comments were received regarding adoption of these amendments.

These amendments are adopted under the authority of Texas Natural Resources Code, Chapter 113, §113.051, which authorizes the Railroad Commission of Texas to promulgate and adopt rules relating to all aspects of the LP-gas industry that will protect or tend to protect the health, welfare, and safety, of the general public

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 August 23, 1982.

TRD-826719 Jim Nugent, Chairman
Mack Wallace and Buddy
Temple, Commissioners
Railroad Commission of Texas

Effective date: September 14, 1982
Proposal publication date: July 20, 1982
For further information, please call (512) 445-1186.

Subchapter M. Division XI

16 TAC §9.301

The Railroad Commission of Texas adopts amendments to §9.301 (051 05 03 275), without changes to the proposed text published in the July 20, 1982, issue of the *Texas Register* (7 TexReg 2692).

This amendment is intended to promote uniformity throughout the various divisions of the LP-gas safety rules. The amended rule will require all LP-gas fuel storage containers for industrial fork lifts to be mounted on substantial masonry footings. Storage containers in excess of 1,200 w.g. capacity will be required to be supported through an arc of 120°.

No comments were received regarding adoption of these amendments

These amendments are proposed under the authority of Texas Natural Resources Code, Chapter 113, §113.051, which authorizes the Railroad Commission of Texas to promulgate and adopt rules relating to all aspects of the LP-gas industry that will protect or tend to protect the health, welfare, and safety, of the general public.

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 August 23, 1982

TRD-826720 Jim Nugent, Chairman
Mack Wallace and Buddy
Temple, Commissioners
Railroad Commission of Texas

Effective date: September 14, 1982
Proposal publication date: July 20, 1982
For further information, please call (512) 445-1185.

Subchapter N. Appendices

16 TAC §9.323

The Railroad Commission of Texas adopts amendments to §9.323, without changes to the proposed text published in the July 23, 1982, issue of the *Texas Register* (7 TexReg 2727).

The rule is being amended to correct two scrivener's errors. "Volume Correction Factor" was mistakenly transcribed as "Volume Gravity Factor," and the number "1.020" was erroneously entered in place of "1.031." The rule sets forth the method for calculating length of fixed tubes to be used in gauging maximum volume of LP gas containers. The rule also gives a table of volume correction factors for LP-gas of various specific gravities.

No comments were received regarding adoption of these amendments

These amendments are adopted under the authority of the Texas Natural Resources Code, Chapter 113, §113.051, which authorizes the Railroad Commission of Texas to promulgate and adopt rules relating to all aspects of the LP-gas industry that will protect or tend

to protect the health, welfare, and safety of the general public

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 August 23, 1982.

TRD-826721 Jim Nugent, Chairman
Mack Wallace and Buddy
Temple, Commissioners
Railroad Commission of Texas

Effective date: September 14, 1982
Proposal publication date: July 23, 1982
For further information, please call (512) 445-1186.

**TITLE 31. NATURAL RESOURCES
AND CONSERVATION**

**Part X. Texas Water Development
Board**

**Chapter 351. Regionalization
Harris County Fresh Water Supply
District 63**

31 TAC §351.51

The Texas Department of Water Resources adopts amendments to §351.51, without changes to the proposed text published in the April 9, 1982, issue of the *Texas Register* (7 TexReg 1461). This rule is already in effect on an emergency basis.

Texas Water Quality Order 75-0189-19 originally designated and described an area including and adjacent to Harris County Fresh Water Supply District 63 and Rosewood Municipal Utility District as a regional area. Following reorganization of the state water agencies, Session Laws 1977, Chapter 870, §9 at 2207, the Texas Water Development Board proposed this board order as Texas Department of Water Resources §351.51-351.54, in the December 20, 1977, issue of the *Texas Register* (2 TexReg 4884). When finally promulgated in the February 14, 1978, issue of the *Texas Register* (3 TexReg 606), however, several lines from the original board order area description were dropped. As a result, the perimeter of the described regional area did not close. These amendments will correct the typographical errors in the regional area perimeter description on a permanent basis.

Comments on the proposed final rule were received from Harris County Municipal Utility District 218 and from Gulf Coast Waste Disposal Authority. Harris County Municipal Utility District 218 opposed the amendments on the ground that the former rule was void and thus could not be corrected by amendment. Gulf Coast Waste Disposal Authority supported the amendment, stating that the former rule was not voided as a result of the clerical errors, and that correction of such errors was proper under existing Texas case law. The Texas Department of Water Resources

agrees with the reasoning of Gulf Coast Waste Disposal Authority and chooses to correct the typographical errors on a permanent basis

These amendments are adopted under the authority of the Texas Water Code, §§5 131, 5 132, and 26.081, which provides the Texas Water Development Board with the authority to issue rules concerning implementation of state policy to encourage and promote development and use of regional and area-wide waste collection, treatment, and disposal systems.

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 August 23, 1982

TRD-826693

M Reginald Arnold II
General Counsel
Texas Department of Water
Resources

Effective date September 14, 1982

Proposal publication date April 9, 1982

For further information, please call (512) 475-7845.

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. Although some notices may be received too late for publication before the meeting is held, all those filed are published in the *Register*. Notices concerning state agencies, colleges, and universities must contain the date, time, and location of the meeting, and an agenda or agenda summary. Published notices concerning county agencies include only the date, time, and location of the meeting. These notices are published alphabetically under the heading "Regional Agencies" according to the date on which they are filed.

Any of the governmental entities named above must have notice of an emergency meeting, or 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. However, notices of emergency additions or revisions to a regional agency's agenda will not be published since the original agenda for the agency was not published.

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. These notices may contain more detailed agendas than space allows to be published in the *Register*.

Open Meetings

Texas Antiquities Committee

Friday, September 3, 1982, 9:30 a.m. The Texas Antiquities Committee will meet in Rooms 206 and 207, Texas Law Center, 1414 Colorado, Austin. According to the agenda, the committee will approve minutes of meeting 56; designate the Old Main Building, Southwest Texas State University, as a state archeological landmark; vote on significant anomaly definition (proposed 13 TAC §45.2); Jim Morgan contract; antiquities code; Lubbock Lake site boundaries and master plan discussion; review permit form for historic preservation and possible agency rule adjustments; state archeological landmark nomination of Kent-Crane site; fiscal year 1983 operating budget; 1,554 collections; Lubbock Lake site update of Permit 320; old business and staff activities: Matagorda Bay report, DeShazo Volume I, and casting of Platoro artifacts.

Contact: Cindy Smetak, 105 West 16th Street, Austin, Texas, (512) 475-6328.

Filed: August 26, 1982, 9:04 a.m.
TRD-826759

State Banking Board

Wednesday, August 25, 1982, 2 p.m. The State Banking Board made emergency additions to the agenda of a meeting held at

2601 North Lamar Boulevard, Austin. The additions concerned the motion for rehearing in the matter of the charter application of Community State Bank of Onalaska; the rescission of the domicile change approval of Allied Merchants Bank of Port Arthur; and a complaint against First Bank and Trust of Bryan concerning the sharing of unmanned teller machines. The emergency status was necessary in order that the affected projects be most efficiently and economically implemented.

Contact: O. A. Cassity, 2601 North Lamar, Austin, Texas 78705, (512) 475-4451.

Filed: August 24, 1982, 12:58 p.m.
TRD-826710

Texas Conservation Foundation

Wednesday, September 8, 1982, 9 a.m. The Board of the Texas Conservation Foundation will meet at Indian Lodge, Davis Mountains State Park, Fort Davis. Items on the agenda include minutes of the last meeting, director's report, Chinati Mountains, conservation easement legislation, and lignite mining impact.

Contact: M. J. Hutchinson, 1300 Guadalupe, Suite 105, Austin, Texas 78701, (512) 475-4941.

Filed: August 25, 1982, 11:24 a.m.
TRD-826742

Texas State Board of Dental Examiners

Thursday, August 26, 1982, 4 p.m. The Texas State Board of Dental Examiners met in emergency session in the board hearing room, Baylor College of Dentistry, Dallas. According to the agenda, the board considered the motion for continuance in the Kauffman case. The emergency status was necessary because this case is scheduled for September 23, 1982, and involves approximately 15 witnesses and large amounts of agency money to reimburse witnesses; it is imperative that the board make a ruling at this point as to whether or not the case will be continued.

Contact: William S. Nail, 718 Southwest Tower, Austin, Texas 78701, (512) 475-2443.

Filed: August 25, 1982, 9:03 a.m.
TRD-826730

Office of the Governor

Tuesday, August 31, 1982, 10 a.m. The Executive Funding Committee of the Governor's Office of General Counsel and Criminal Justice rescheduled a meeting to be held in the lieutenant governor's committee room, State Capitol. Items on the agenda include review of criminal justice grants recommended by the Criminal Justice Advisory Board and funding of

Texas Register

criminal justice grants. The meeting was originally scheduled for August 31, 1982, at 11 a.m.

Contact: Joe Pearce, P.O. Box 12428, Austin, Texas 78711, (512) 475-3001.

Filed: August 24, 1982, 3:26 p.m.
TRD-826724

Thursday, September 2, 1982, 1 p.m. The Governor's Task Force on Water Resources Use and Conservation of the Office of the Governor will meet in emergency session in Room 118, Stephen F. Austin Building, Austin. Items on the agenda include introductions and opening remarks by Chairman Louis A. Beecherl, Jr.; review of water planning activities; public involvement and input on water issues; TENRAC participation; public opinion poll by Belden Associates; committee activities; reports from the Committee on Finance by Josiah Wheat, Committee on Resource Use and Conservation by Fred Pfeiffer, and Committee on Importation by K. B. "Tex" Watson; task force recommendations and report; and future task force activities. The emergency status is necessary because the chairman was not able to formulate the agenda prior to September 2, 1982.

Contact: Louis A. Beecherl, Jr., 2750 Bryan Tower, Dallas, Texas 75201, (214) 747-4116.

Filed: August 25, 1982, 10:29 a.m.
TRD-826739

Texas Department of Health

Saturday, September 4, 1982, 9:30 a.m. The Congenital Heart Disease Program Technical Advisory Committee of the Texas Department of Health will meet in Room G-107, 1100 West 49th Street, Austin. Items on the agenda include discussion of Diagnostic and Treatment Center on-site review activities; consideration of applications from physicians and hospitals seeking approval for program participation; and program reports from staff.

Contact: Jim Rambin, 1100 West 49th Street, Austin, Texas, (512) 458-7241.

Filed: August 25, 1982, 9:02 a.m.
TRD-826732

Friday, September 10, 1982, 10 a.m. The Home Health Advisory Committee of the Texas Department of Health will meet in Conference Room T-604, 1100 West 49th Street, Austin. Items on the agenda include discussion of proposed rules; comments from special interest groups and the public

regarding proposed rules; and discussion of rules for the Home Health Advisory Council.

Contact: Maurice B. Shaw, 1100 West 49th Street, Austin, Texas, (512) 458-7538.

Filed: August 25, 1982, 9:02 a.m.
TRD-826733

Texas Health Facilities Commission

Friday, September 3, 1982, 9:30 a.m. The Texas Health Facilities Commission will meet in Suite 305, the Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the commission will consider the following applications:

Amendment of Certificate of Need
Arlington Community Hospital,
Arlington
AH81-0424-024A(071482)
Dallas County Hospital
District/Parkland Memorial Hospital
Chronic Dialysis Center, Dallas
AH81-0710-010A(072382)
Mesquite Memorial Hospital, Mesquite
AH78-0605-001A(061782)

Notices of Intent to Acquire Existing Health Care Facilities

Christian Village of Abilene, Inc.,
Abilene
AN82-0730-022
William E. Campbell, Dallas
AN82-0727-083
Kenneth C. Roberts, San Antonio
AN82-0727-085
Grapevine Convalescent Center, Inc.,
John E. Arthur, and Terry J. Barcelo,
Grapevine
AN82-0730-026
United Convalescent of Big Spring, Inc.,
Big Spring
AN82-0730-028
United Convalescent of Post, Inc., Post
AN82-0730-020

Contact: John R. Neel, P.O. Box 15023, Austin, Texas 78761.

Filed: August 25, 1982, 9:11 a.m.
TRD-826731

University of Houston System

Monday, August 30, 1982, 9 a.m. The Budget and Finance Committee of the University of Houston System Board of Regents met in Room 510, Enterprise Bank Building, 4600 Gulf Freeway, Houston. According to the agenda, the committee discussed and/or approved banking resolutions; comptroller resolutions; quarterly in-

vestment report; and gift acceptance reports.

Contact: Patricia A. Bailey, 4600 Gulf Freeway, Suite 510, Houston, Texas 77023, (713) 749-7545.

Filed: August 26, 1982, 9:03 a.m.
TRD-826760

Texas Department of Labor and Standards

Thursday and Friday, September 2 and 3, 1982, 2 p.m., daily. The Boiler Division of the Texas Department of Labor and Standards will meet in Room 103, E. O. Thompson Building, 10th and Colorado, Austin. Items on the agenda include update on Computer in Services in Boiler Program, update on certificates of operation for boilers, reports from Task Forces on Pressure and Temperature of Relief Valves, Pressure Vessel Legislature, Texas Valve Repair, and Nuclear Boilers.

Contact: Steven Matthews or Dianne Hudson, P.O. Box 12157, Austin, Texas 78711, (512) 475-4799.

Filed: August 24, 1982, 4:13 p.m.
TRD-826727

Lamar University

Thursday, September 2, 1982, 9:30 a.m. The Building and Grounds Committee of Lamar University Board of Regents will meet in the board room, Plummer Administration Building, main campus, Lamar University, Beaumont. According to the agenda, the committee will review bid proposals and construction programs and will meet in executive session.

Contact: Andrew J. Johnson, P.O. Box 10014, Beaumont, Texas 77710, (713) 838-8404.

Filed: August 25, 1982, 9:47 a.m.
TRD-826761

Texas Parks and Wildlife Department

Wednesday and Thursday, September 1 and 2, 1982, 7 p.m. and 7:30 a.m., respectively. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet in the Hyatt Regency Hotel, Austin. According to the agenda summary, commission members plan to have dinner at 7 p.m., September 1, 1982, and breakfast at 7:30 a.m., September 2, 1982. Although these functions are primarily social events and no formal action is planned, the com-

mission may discuss items on the public hearing agenda scheduled for 9 a.m., September 2, 1982.

Contact: Maurine Ray, 4200 Smith School Road, Austin, Texas 78744, (512) 479-4806.

Filed: August 24, 1982, 4:29 p.m.
TRD-826728

Thursday, September 2, 1982. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet in Building "B", Parks and Wildlife Headquarters Complex, 4200 Smith School Road, Austin. The times and agendas follow.

9 a.m. The commission will discuss approval of May 13, 1982, public hearing court reporter minutes; presentation of retirement certificates and service plaques; lease agreement for new saltwater fish hatchery; presentation by Jack Elliott, president, Texas Migratory Gamebird Association; permanent adoption of emergency amendment to Statewide Fur-Bearing Animal and Trapping Proclamation; quail bag limits; Hunting, Fishing and Trapping Proclamation, 1982-1983, wildlife management areas; farming lease—Sheldon Wildlife Management Area; use permit request—Mountain Zone Television Supply—Black Gap Wildlife Management Area; permanent Early Season Migratory Game Bird Proclamation 1982-1983; migratory game bird regulations—1982-1983; non-toxic shot zone for waterfowl hunting; Aoudad Hunt—Caprock Canyons State Park, Briscoe County; grazing lease—Arroyo Colorado State Park Site; Cameron County; grazing lease—Lyndon B. Johnson State Historical Park, Blanco and Gillespie Counties; capitol improvement project—Enchanted Rock State Natural Area; restoration—bulkhead and breakwater, Lake Livingston State Recreation Area, Polk County; proposed development for three state parks, one historic site, and three new park sites; interim recreational uses—Franklin Mountains State Park; fiscal year 1983 operational plan and operating budget; pending land offers; dredging policy and litigation settlement; white winged dove habitat acquisition in Cameron County; lease agreement—Franklin Mountains Park Site, El Paso County; land acquisition—Franklin Mountains Park Site, El Paso County; and status of the Menhaden Fishery in Texas.

Noon. The commission will discuss potential donations, acquisitions, and/or land offers regarding historic sites or state parks,

and settlement of pending litigation matters and personnel matters.

Contact: Maurine Ray, 4200 Smith School Road, Austin, Texas 78744, (512) 479-4806.

Filed: August 25, 1982, 2:14 p.m.
TRD-826745-826747

State Board of Plumbing Examiners

Monday, August 30, 1982, 9 a.m. The State Board of Plumbing Examiners made an emergency addition to the agenda of a meeting held at 929 East 41st Street, Austin. The addition concerned approval for administrator and chief examiner to attend Southern Building Code Conference and International Association of Plumbing and Mechanical Officials. The emergency status was necessary because this item was inadvertently left off the agenda, and since these two code meetings will occur before the next board meeting it is essential to obtain approval at this meeting.

Contact: Lynn Brown, 929 East 41st Street, Austin, Texas 78765, (512) 458-2145.

Filed: August 25, 1982, 10:29 a.m.
TRD-826740

Public Utility Commission of Texas

The Hearings Division of the Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. The days, times, and dockets follow.

Friday, September 3, 1982, 9 a.m. A prehearing conference in Docket 4662—application of Cumby Telephone Cooperative, Inc., for a systemwide rate increase.

Contact: Carolyn E. Shellman, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 25, 1982, 9:02 a.m.
TRD-826734

Tuesday, September 28, 1982, 9 a.m. A hearing in Docket 4611—application of Apache Shores Utility Corp., for a rate increase.

Contact: Carolyn E. Shellman, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 24, 1982, 2:29 p.m.
TRD-826714

Friday, October 1, 1982, 9:30 a.m. A prehearing conference in Docket 4631—complaint of the Estate of Herndon Scott,

et al, against Victoria County, for failure to provide sewer service.

Contact: Carolyn E. Shellman, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 24, 1982, 2:29 p.m.
TRD-826715

Texas Senate

Tuesday, September 7, 1982, 9 a.m. The Senate Task Force on New Federalism of the Texas Senate will meet in Room 31, San Antonio Convention Center, San Antonio. Items on the agenda include presentations on the effects of federal budget cuts, by mayors, school board presidents, county judges, members of regional councils, and representatives of the United Ways from the San Antonio area.

Contact: Camilla Bordie, P.O. Box 12068, Austin, Texas 78711, (512) 475-0296.

Filed: August 24, 1982, 3:38 p.m.
TRD-826725

Texas Water Commission

Monday, August 30, 1982, 2 p.m. The Texas Water Commission met in emergency session in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission discussed the application of the City of Stephenville, *et al*, for a permit to construct and maintain a dam on the Paluxy River, tributary of Brazos River, Brazos River Basin, and create an impoundment in Somervell and Hood Counties and to divert water for municipal purposes in Erath, Hood, and Somervell Counties. The emergency status was necessary because, inasmuch as a possible competing application in the Brazos River Basin will be considered on August 30, 1982, it was necessary that the referenced application be rescheduled for consideration on the same date.

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

Filed: August 24, 1982, 3:07 p.m.
TRD-826723

Wednesday, September 8, 1982, 1:30 p.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will consider application 4128 of the Water Works Board of Trustees of San Antonio for authority to construct and maintain a dam and reser-

voir (Appleshite Reservoir) on the Medina River, tributary of the San Antonio River, San Antonio River Basin; to construct and maintain a diversion dam and reservoir on Leon Creek, tributary of Medina River, and to divert water from the two reservoirs for municipal purposes in Bexar County. The matter was taken under advisement on January 27, 1982

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

Filed: August 24, 1982, 11:39 a.m.
TRD-826699

Tuesday, September 21, 1982, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will consider an application by the City of San Antonio for an amendment to Permit 10137-03 to include the terms and conditions for the operation of the sludge disposal system. The plant is located east of Blue Wing Road, in Bexar County. The effluent is discharged to the San Antonio River in Segment 1901 of the San Antonio River Basin.

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

Filed: August 24, 1982, 11:39 a.m.
TRD-826700

Wednesday, September 29, 1982, 10 a.m. The Texas Water Commission will meet in Room 618, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will consider Application 4231 of W. A. Moncrief for a permit to impound 3,606 acre-feet of water in an existing reservoir located on Burgess Creek, tributary of South Fork Trinity River, tributary of Clear Fork Trinity River, tributary of Trinity River Basin, for recreation purposes and also divert water for irrigation purposes in Parker County; and Application 4232 of the City of Garland for a permit to construct a dam and reservoir on an unnamed tributary of Duck Creek, tributary of East Fork Trinity River, tributary of Trinity River, Trinity River Basin, for recreational purposes in Dallas County.

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

Filed: August 24, 1982, 11:39 a.m.
TRD-826701, 826702

Thursday, September 30, 1982, 10 a.m. The Texas Water Commission will meet in Room 618, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will consider an

application by the City of Dallas for an amendment to Certified Filing 75 to change the authorized purpose of use from municipal to irrigation purposes for 3,000 acre-feet of water per annum out of the 8,696.80 acre-feet of water recognized for diversion and use from White Rock Reservoir on White Rock Creek, tributary of Trinity River, Trinity River Basin in Dallas County; and an application by Jerry Alvis Bush, Ellen Ann Weaver, and Judy Karen Loudermilk, doing business as JFB Farms, a partnership, for an amendment to Permit 2646, to add an existing 10 acre-foot capacity off-channel reservoir, to increase acreage authorized to be irrigated, and to use the water for discharge back into the presently authorized on-channel reservoir for irrigation purposes. The diversion is from Copperas (Rush) Creek, tributary of Leon River, tributary of Little River, tributary of Brazos River, Brazos River Basin, in Comanche County.

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

Filed: August 24, 1982, 11:40 a.m.
TRD-826703, 826705

Thursday, September 30, 1982, 10 a.m. The Texas Water Commission will meet in the Tyler City Council room, second floor, city hall, 212 North Bonner Avenue, Tyler. According to the agenda summary, the commission will consider the application of Resort Vacations International, P.O. Box 358, Dallas, Texas 75221, to the Texas Department of Water Resources for a permit (Proposed Permit 12469-01) to authorize disposal by irrigation of treated domestic sewage effluent at a volume not to exceed an average flow of 116,000 gallons per day from the Southcreek sewage treatment plant, to irrigation holding lagoons and approximately 46 acres of green belt.

Contact: Larry R. Soward, P.O. Box 13087, Austin, Texas 78711, (512) 475-2678.

Filed: August 24, 1982, 11:40 a.m.
TRD-826704

Friday, October 1, 1982, 10 a.m. The Texas Water Commission will meet in Room 618, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will consider Application 4234 of John W. Barfield and wife, Jean Barfield for a permit to maintain an existing 75 acre-foot reservoir on an unnamed tributary of Colorado River and to divert and use 95 acre-feet of water per annum from the Colorado River for irrigation purposes in San Saba County; and Application 4233 of University of Texas at Austin for

a permit to maintain an existing concrete overflow dam and reservoir on Waller Creek, tributary of Colorado River, Colorado River Basin, to impound not to exceed 0.22 acre-feet of water and divert water for industrial (cooling towers) purposes within the limits of the City of Austin, Travis County.

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

Filed: August 24, 1982, 11:41 a.m.
TRD-826706, 826707

Wednesday, October 6, 1982, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will consider and adopt the final determination of rights and consideration of exceptions to the proposed final determination for the Trinity-San Jacinto Coastal Basin.

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

Filed: August 24, 1982, 11:38 a.m.
TRD-826708

Regional Agencies Meetings Filed August 24

The Austin-Travis County Mental Health and Mental Retardation Center, Board of Trustees, met in emergency session in the board room, 1430 Collier Street, Austin, on August 26, 1982, at noon. Information may be obtained from Debbie Sandoval, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141, ext. 27.

The Comal County Appraisal District, Board of Review, will meet at 130 East Mill Street, New Braunfels, on September 1-3, and September 7-10 at 9 a.m., daily. Information may be obtained from Glenn L. Brucks, P.O. Box 1222, New Braunfels, Texas 78130, (512) 625-8597.

The Concho Valley Council of Governments, General Assembly, will meet at the Texas Tech University Center, Junction, on September 11, 1982, at 6 p.m. Information may be obtained from Robert R. Weaver, 5002 Kinckerbocker Road, San Angelo, Texas, 76901, (915) 944-9666.

The Eastland County Appraisal District will meet in the commissioner's courtroom, Eastland County Courthouse, Eastland, on September 3, 1982, at 9 a.m. Information may be obtained from Steve Thomas, P.O. Box 914, Eastland, Texas 76448, (817) 629-8597.

The Edwards County Appraisal District, Appraisal Review Board, met in the meeting room, new county office building, Rocksprings, on August 27, 1982, at 10 a.m. Information may be obtained from Jack Weldon, Box 348, Rocksprings, Texas 78880, (512) 683-2337.

The Heart of Texas Council of Governments, Executive Committee, met in emergency session in the conference room, 320 Franklin Avenue, Waco, on August 26, 1982, at 12:30 p.m. Information may be obtained from Mary A. McDow, 320 Franklin Avenue, Waco, Texas 76701, (817) 756-6631.

TRD-826716

Meetings Filed August 25

The Angelina and Neches River Authority, Board of Directors, will meet at the Crown Colony Country Club, 900 Crown Colony Drive, Lufkin, on August 31, 1982, at 11 a.m. Information may be obtained from Angela Quillin, P.O. Box 387, Lufkin, Texas 75901, (713) 632-7795.

The Archer County Appraisal District, Appraisal Review Board, met in the Archer County courthouse, Archer City, on August 30, 1982, at 9 a.m. Information may be obtained from Pat Wachsman, P.O. Box 1141, Archer City, Texas 76351, (817) 574-2172.

The Central Texas Mental Health and Mental Retardation Center, Board of Trustees, will meet at 408 Mulberry, Brownwood, on August 31, 1982, at 4:30 p.m. Information may be obtained from Janie Clements, P.O.

Box 250, Brownwood, Texas 76801, (915) 646-9574, ext. 35.

The Hale County Appraisal District, Appraisal Board of Review, will meet at 302 West Eighth Plainview, on September 1, 1982, at 10 a.m. Information may be obtained from Larry Hamilton, Box 29, Plainview, Texas 79072, (806) 293-4226.

The Hamilton Appraisal District will meet at the Hamilton County Courthouse, Hamilton, on September 2, 1982, at 7:30 p.m. Information may be obtained from Doyle Roberts, P.O. Box 446, Hamilton, Texas 76531, (817) 386-8418.

The Hansford County Appraisal District, Board of Review, will meet at 13 West Kenneth Avenue, Spearman, on September 2, 1982, at 10 a.m. Information may be obtained from Bill Pittman, Box 1018, Spearman, Texas 79081, (806) 659-3731.

The Hockley County Appraisal District, Board of Directors, met in emergency session in the board room, 913 Austin Street, Levelland, on August 27, 1982, at 2 p.m. Information may be obtained from Keith Toomire, P.O. Box 1090, Levelland, Texas 79336, (806) 894-9654.

The Interim Regional Transportation Authority, Ad Hoc Committee Reviewing Candidates, will meet in Suite 201, Love Field Terminal Building, Dallas, on August 31, 1982, at 3 p.m. The same committee will also meet at the same location at the following days and times.

September 7, 1982, 3 p.m.

September 14, 1982, 2:30 p.m.

Information may be obtained from Cinde Weatherby, Lock Box 12, Love Field Terminal Building, Dallas, Texas 75235, (214) 358-3217.

The Limestone County Appraisal District, Board of Directors, will meet in Room 6, Mexia City Hall, Mexia, on September 1, 1982, at 7 p.m. Information may be obtained from Clydene Hyden, P.O. Box 266, Mexia, Texas 76667, (817) 562-5385, ext. 35.

The South Plains Health Systems, Inc., Executive Committee, met in the community room, Mahon Library, Lubbock, on August 26, 1982, at 7 p.m. Information may be obtained from Jim Lock, 1217 Avenue K, Lubbock, Texas 79401, (806) 747-0181.

TRD-826735

Meetings Filed August 26

The Dallas County Appraisal District, Board of Directors, will meet in the board room, 2601 Live Oak, Dallas, on September 1, 1982, at 7:30 a.m. Information may be obtained from Jerry Yeatts, 2601 Live Oak, Dallas, Texas 75204, (214) 826-0030.

The West Central Texas Municipal Water District will meet in conference Room 314, Cypress Building, 174 Cypress Street, Abilene, on September 2, 1982, at 9:30 a.m. Information may be obtained from Virginia Duncan, P.O. Box 2362, Abilene, Texas 79604, (915) 673-8254.

TRD-826749

In Addition

The *Register* is required by statute to publish applications to purchase control of state banks (filed by the banking commissioner); notices of rate ceilings (filed by the consumer credit commissioner); changes in interest rate and applications to install remote service units (filed by Texas Savings and Loan commissioner), and consultant proposal requests and awards (filed by state agencies, regional councils of government, and the Texas State Library and Archives Commission)

In order to aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows. This often includes applications for construction permits (filed by the Texas Air Control Board); applications for amendment, declaratory ruling, and notices of intent (filed by the Texas Health Facilities Commission); applications for waste disposal permits (filed by the Texas Water Commission), and notices of public hearing

Texas Energy and Natural Resources Advisory Council Consultant Proposal Request

Description. Texas Energy and Natural Resources Advisory Council (TENRAC) is soliciting proposals for carrying out drilling, coring, and logging of deep-basin lignite (deeper than 200 feet below earth surface) in the East Central Wilcox region of Texas. The work covered by this Statement of Program Intent (SPI) forms a part of the TENRAC deep-basin lignite evaluation program.

This solicitation is issued in accordance with the Texas Energy Development Act of 1977, Texas Civil Statutes, Article 4413(47b), as amended by Senate Bill 921, 66th State Legislature of Texas, Regular Session, and pursuant to the rules adopted for administration of the Energy Development Act (4 TexReg 4604) and under the provisions of Texas Civil Statutes, Article 6252.11c. Furthermore, the investigation described herein is in general conformity with the philosophy of spending state funds for the collection of needed energy data in cooperation with the private sector to generate public information essential for the state to foster an equitable development climate and to fulfill its responsibilities relative to environmental protection and optimal resource recovery.

Lignite resources in Texas are currently estimated at 58 billion short tons (75 quadrillion Btu's or Quads), constituting just over 4 or 26% of the state's total energy endowment of 2,915 Quads. Near-surface lignite resources, or those at depths between 20 and 200 feet, are about 23 billion tons (300 Quads), of which some 8.6 to 11.1 billion tons are exploitable by current surface mining methods. Projections are that approximately six to seven billion tons of lignite must be committed by the year 2000 to meet the needs of the electric and industrial sectors in Texas. Near-surface reserves are adequate to meet the energy needs of this century. Meeting demand in the early decades of the 21st century and beyond will require the recovery of deep-basin lignite, or that occurring at more than 200 feet below the surface.

Deep-basin lignite resources at exploitable depths between 200 and 2,000 feet and in seams greater than five feet thick are about 35 billion tons (455 Quads) or 16% of the state's energy endowment. They occur mainly north of the Colorado River in two geologic units, primarily the Wilcox Group and secondarily the Jackson Group. Approximately 200 Quads of energy are potentially recoverable by deep-recovery technology or more than twice the energy equivalent of Texas' proven oil and gas reserves (95 Quads). However, at this time these resources are not economically extractable. Small tonnages are now technically exploitable by in situ gasification, and large tonnages are potentially recoverable by deep-surface mining or in situ gasification or other methods. Few details are known about the deep-basin lignite. In fact, lack of data is perhaps a major factor contributing to industry's reluctance at this time to make major commitments in Texas to in situ gasification, a very site-specific technology. There is concern over the economics of deep recovery and whether deep lignite is a reserve.

Therefore in 1981, TENRAC ventured on a multi-year program to collect, at a regional level, hydrogeologic, chemical, physical property, and engineering data about the deep lignite resources of the state. Such data will facilitate the assessment of exploitability of deep-basin lignite and facilitate identification of areas with high potential for deep recovery. Just as earlier public sector research on near-surface lignite did, this research is expected to ultimately stimulate private exploration and exploitation by providing valuable reference data. It could also form a base for feasibility studies and large-scale field testing of recovery technologies such as in situ gasification.

The overall program will be carried out by the Texas University Coal Research Consortium presently comprising of Texas A&M University, Texas Tech University, University of Houston, and University of Austin. The drilling, coring, and logging work covered by this SPI is being carried out under the project direction of the Bureau of Economic Geology, University of Texas at

Austin (UTBLG). The present SPI covers drilling, coring, and logging to be carried out in the East Central Wilcox region of the lignite belt. The same work is currently in progress in the East Texas Sabine Uplift region of Wilcox. Eventually similar work will be conducted over the rest of the Texas lignite belt on a region by region basis.

Specific Areas of Work. Proposals for the following work are requested. Additional proposals may be solicited at a later date for hydrologic testing in the region, and for drilling, coring, and logging in other lignite regions. Proposals may be submitted on either or both of the two SPI's specified below. The work will be carried out under site management by UTBLG. Hence, management proposals which include drilling, coring, and logging work as subcontracts are not encouraged.

SPI Number 82-L-5. Drilling and Coring for Deep Wilcox Lignite in the East Central Region of Texas.

(i) **Equipment.** The drilling contractor shall furnish the following equipment: truckmounted rotary rig (state the type and age) capable of drilling a 6¼-inch diameter hole to a maximum depth of 2,000 feet, 5½ by 8-inch mud pump or equivalent (state the type and number of hours) able to bring cuttings to the surface in reasonable time, water truck of 1,000 to 1,500 gallon capacity, backhoe, sufficient 2-7/8-inch by 20-foot good quality drill pipe, drill collars and tools. Coring is anticipated with a 4½-inch (OD) by 10 feet solid or split core barrel and openface discharge tungsten carbide bit. Alternate borehole sizes, core size, and drilling/coring components may be proposed and may be accepted if considered adequate by the project director.

(ii) **Experience.** The contractor shall have experience with mud systems, coring lignite, setting downhole cement plugs according to the Railroad Commission of Texas or equivalent requirements, and completing water well, and shall hold a water well license. The contractor's experience with Gulf Coast lignite, particularly deep Wilcox, will be a major consideration.

(iii) **Performance.** The contractor shall drill 12 to 24 holes (5.0% tolerance subject to deviation survey) to a minimum depth of 1,000 feet and a maximum depth of 2,000 feet, provide one experienced driller and two helpers, collect samples at five-foot intervals, guarantee loggability of holes, and maximize recovery of core (three inch minimum diameter). All work shall conform to industry practice and standards. The contractor shall provide evidence of insurance coverage on equipment and employees.

(iv) **Location.** Work shall be confined to the East Central Texas counties of Anderson, Freestone, Leon, Robertson, Milam, Burleson, Lee, and Bastrop to test the Calvert Bluff formation (Wilcox Group). The drilling, coring, and logging work is envisioned to be a continuous activity once begun.

(v) **Bidding basis.** Bids should be on an hourly rate basis. Include rates for rig time, standby time, travel time, backhoe rental, core barrel rental, and crew per diem. Also include rates for the following contingencies: bad weather, lost circulation, equipment breakdown, and moving to job site. Estimate the cost to drill a 1,750 feet

hole. In making the estimate, assume rig is on location; consider site preparation, rigging up, drilling time, and rigging down.

SPI Number 82-L-6. Logging in the Drilled Holes in East Central Texas Region of Wilcox. The logging contractor shall provide an experienced lignite logging engineer. For each hole, gamma-gamma density, natural gamma, focused resistivity, resistivity (64-inch or 16-inch normal or induction), neutron-neutron, spontaneous potential, and caliper logs will be run. The logs shall be recorded digitally in a format compatible with the University of Texas' Cyber 150/750 computer. Bids shall be in terms of monthly rate for the logging unit. Include probe, footage, loss charges and optional services. Estimate the cost to log a 1,750 feet hole and specify number of runs through a hole to obtain desired logs. Assume monthly rates, no loss charges, and that unit is on location.

Funding. Funding under this SPI will cover only the above named lignite region. Cost sharing either by providing field services or through contributions of funds or facilities is encouraged and will strengthen a proposal's potential for selection. The reasonableness of the budget and the experience of the proposer will be considered in proposal evaluation. TENRAC reserves the right not to fund any proposal if no satisfactory proposal is received.

Eligibility. The following criteria are established for acceptability of proposers:

- (1) Texas-based proposers will be given priority consideration and only in unusual circumstances will this priority be disregarded.
- (2) Individual members of the council, TENRAC staff, or their immediate families are not eligible.
- (3) Individuals who are part of the TENRAC review team are eligible and their review function will be appropriately limited.

State Universities and State Agencies. TENRAC cannot contract to pay indirect costs for state universities and state agencies who may respond to this SPI. However, the full federally audited equivalent indirect costs would be listed as matching funds. This restriction does not apply to other proposers.

Proposal Content. Voluminous proposals are not desired. The proposal should include a cover page, including title, SPI number, name and address of the proposer(s), name, address, and telephone number of the person(s) to be contacted concerning technical and contractual questions; and the signature of the proposer's authorized representative(s); a proposal summary; a technical section; an administrative section; a financial section; an experience and qualifications section; and appendices. Appendices should be included as appropriate.

Review Criteria and Procedures. Evaluation of the submitted proposals will be in accordance with the rules adopted for the administration of the Energy Development Act cited above. A copy of the rules will be provided upon request.

Deadline and Address for Proposal Submission. In order to be considered for funding in December 1982, 10 copies of a proposal must be received at TENRAC,

Technology Development Division, Room 506, Employees Retirement System Building, 200 East 18th Street, Austin, Texas 78701, no later than 5 p.m., October 1, 1982.

Contract Terms. The detailed terms of contract will be negotiated with the selected proposer. A blank contract form with standard terms and condition will be supplied to interested proposers upon request.

Schedule for Completion. Work to be compensated with the current funding must be completed no later than the end of the present State of Texas funding biennium, i.e., August 31, 1983.

Target Date for Contract Awards. It is anticipated that the contract awards will be made in January, 1983.

Designation of Contact Person for Additional Information. Address questions and requests for additional information pertaining to contractual matters to C. D. Rao, Texas Energy and Natural Resources Advisory Council, 200 East 18th Street, Room 506, Austin, Texas 78701, (512) 475-0236 or STS 822-0236, and those relating to the actual drilling, coring, and logging to W. R. Kaiser, Bureau of Economic Geology, The University of Texas at Austin, Geology Building, Room 523, Austin, Texas 78712, (512) 471-1534 or STS 821-1534.

Issued in Austin, Texas, on August 24, 1982

TRD-826709 M Lee Wilson, Director
Technology Development
Division
Texas Energy and Natural
Resources Advisory Council

Filed: August 24, 1982
For further information, please call (512) 475-0414.



Texas Department of Health Training Project for Unskilled Personnel of Home Health Agencies

During federal fiscal year 1983, beginning October 1, 1982, the Texas Department of Health will fund a training project for unskilled personnel of home health agen-

cies. These nonrecurring funds are available through the Preventive Health and Health Services Block Grant. The amount will be limited to \$45,000 to \$50,000.

Those interested in applying for these nonrecurring funds should submit a letter of intent to the Department of Health by October 1, 1982, outlining an intended program and giving a brief explanation of how such a proposed training course is to be established and what is expected to be accomplished. Please address your letter of intent to Maurice B. Shaw, Chief, Bureau of Licensing and Certification, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756.

Issued in Austin, Texas, on August 23, 1982

TRD-826711 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: August 24, 1982
For further information, please call (512) 458-7538.

Uranium By-Product Material License

The Texas Department of Health, Bureau of Radiation Control, has reviewed the license application of Anaconda Minerals Company to operate a surface mine and conventional uranium mill on Rhode Ranch in southeastern McMullen County, approximately 25 miles southeast of Tilden. The Radiation Control Agency has determined that:

- (a) the activities which are proposed to be licensed will have no significant impact on the human environment;
- (b) the applicant is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with *Texas Regulations for Control of Radiation* in such a manner as to minimize danger to public health and safety and the environment;
- (c) the applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety and the environment;
- (d) the issuance of the license will not be inimical to public health and safety, or have a long-term detrimental impact on the environment;
- (e) the applicant has demonstrated financial capability to conduct the proposed activity including all costs associated with decommissioning, decontamination, disposal, reclamation, and long-term care and maintenance; and
- (f) the applicant satisfies applicable special requirements of the *Texas Regulations for Control of Radiation*, Parts 41 and 43.

The basis for these conclusions is set out in a document titled Environmental Assessment and Safety Evaluation Report. Copies of this document are available upon written request from the Bureau of Radiation Control, 1100 West 49th Street, Austin, Texas 78756.

This notice affords the opportunity for written comments regarding this report and for hearing upon the written request of a person affected as required by Texas Civil Statutes, Article 4590f, §11(a), as amended, and as set

out in *Texas Regulations for Control of Radiation*, §43.100(a). A written hearing request must be received by David K. Lacker, Director, Radiation Control Program, 1100 West 49th Street, Austin, Texas 78756, by 5 p.m. on or before Thursday, October 7, 1982. Should no request for hearing be timely filed, the license for the construction and operation of the proposed uranium processing facility will be issued on Monday, October 25, 1982.

A copy of all material submitted by the applicant is available for public inspection at the Bureau of Radiation Control, 1212 East Anderson Lane, Austin, Texas. Information relative to the application for this specific radioactive material license may be obtained by contacting David K. Lacker, Director, Radiation Control Program, 1100 West 49th Street, Austin, Texas 78756. For further information, please call (512) 835-7000.

Issued in Austin, Texas, on August 23, 1982

TRD-826726 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: August 24, 1982

For further information, please call (512) 835-7000.

Texas Health Facilities Commission Applications Accepted for Amendment, Declaratory Ruling, and Notices of Intent

Notice is hereby given by the Texas Health Facilities Commission of applications accepted as of the date of this publication. In the following list, the applicant is listed first, file number second, the relief sought third, and a description of the project fourth. DR indicates declaratory ruling; AMD indicates amendment of previously issued commission order; CN indicates certificate of need; PFR indicates petition for reissuance; NIE indicates notice of intent to acquire major medical equipment; NIEH indicates notice of intent to acquire existing health care facilities; NIR indicates notice of intent regarding a research project; NIE/HMO indicates notice of intent for exemption of HMO-related project; and EC indicates exemption certificate.

Should any person wish to become a party to any of the above-stated applications, that person must file a proper request to become a party to the application within 15 days after the date of this publication of notice. If the 15th day is a Saturday, Sunday, state or federal holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, state or federal holiday. A request to become a party should be mailed to the chair of the commission at P.O. Box 15023, Austin, Texas 78761, and must be received at the commission no later than 5 p.m. on the last day allowed for filing of a request to become a party.

The contents and form of a request to become a party to any of these applications must meet the criteria set out

in 25 IAC §515.9. Failure of a party to supply the necessary information in the correct form may result in a defective request to become a party.

Peter and Violet Yap, Richardson

AN82-0820-044

NIEH—Request for a declaratory ruling that a certificate of need is not required for Peter Yap and his wife, Violet Yap, to acquire by purchase Magic Plains Nursing Home, an existing 58-bed ICF nursing facility located in Borger, from Sunburst Health Care, Inc.

Central Care Systems, Inc., Richardson

AN82-0820-042

NIEH—Request for a declaratory ruling that a certificate of need is not required for Central Care Systems, Inc., to acquire by lease, Magic Plains Nursing Home, an existing 58-bed ICF nursing facility located in Borger, from Peter Yap and his wife, Violet Yap.

Central Care Systems, Inc., Richardson

AN82-0820-040

NIEH—Request for a declaratory ruling that a certificate of need is not required for Central Care Systems, Inc., to acquire by lease, Celina Nursing Center, an existing 88-bed ICF nursing facility located in Celina, from Celina Nursing Center, Inc.

Beverly Enterprises, Central Division for Stanford Convalescent Center, Bedford

AN82-0820-010

DR—Request for a declaratory ruling that a certificate of need is not required to seek Medicare certification of 70 skilled beds (these include 60 existing skilled beds and the conversion of 10 private beds to 10 skilled beds).

Sunburst Health Care, Inc., Richardson

AN82-0820-046

NIEH—Request for a declaratory ruling that a certificate of need is not required for Sunburst Health Care, Inc., to acquire by purchase Magic Plains Nursing Home, an existing 58-bed ICF nursing facility located in Borger, from Magic Plains Nursing Homes, Inc.

D & B Associates for Oakhaven Nursing Center, Austin

AN80-1231-042A(082382)

CN/AMD—Request to extend the completion deadline from September 31, 1982, to July 31, 1983; and to increase the project cost from \$500,000 to \$681,000 in Certificate of Need AN80-1231-042 which authorized the construction of a 12,580 square foot building addition to provide 30 additional semi-private rooms for an increase in the licensed capacity by 60 skilled beds.

Issued in Austin, Texas, on August 25, 1982.

TRD-826736 John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed August 25, 1982

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

Texas State Board of Pharmacy Election of Officers

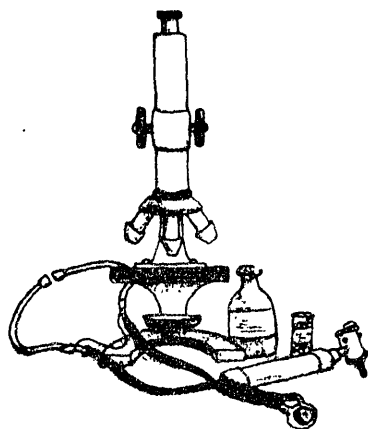
The Texas State Board of Pharmacy announces the election of the following officers for fiscal year 1983 (September 1, 1982-August 31, 1983): Bill C. Pittman, R.Ph., Amarillo, President, R. F. Post, Jr., R.Ph., Houston, Vice President, and Jerry Hodge, R.Ph., Amarillo, Treasurer.

Issued in Austin, Texas, on August 20, 1982

TRD-826681 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Filed: August 23, 1982

For further information, please call (512) 478-9827.



Railroad Commission of Texas Statewide Public Hearing on Federal Energy Regulatory Commission Off-System Sales

The Railroad Commission of Texas has set a statewide public hearing to review the impact of the Federal Energy Regulatory Commission (FERC) Off-System Sales Program on the Texas intrastate market. The hearing will be convened at 9 a.m. on Wednesday, September 8, 1982, in the auditorium, Room 107, of the Railroad Commission at 1124 IH 35 South, Austin.

The commission will examine and evaluate the FERC's existing program whereby interstate pipeline companies may sell natural gas to new customers in the intrastate market. This practice is generally known as the off-system sales program. The commission will review the extent to which the FERC off-system sales program affects the Texas intrastate natural gas market. The commission seeks the views of end-users, producers, pipelines, distributors, municipalities and other local regulatory bodies, state agencies, and the general public regarding the extent to which the FERC off-system sales program affects these groups in particular and the Texas intrastate market in general.

Notices of intent to present data or views at this hearing are due on or before September 3, 1982. Six copies of any prepared statement are requested to be filed by 10 a.m., September 7, 1982. After the hearing, additional information may be filed by the participants no later than 5 p.m. on September 15, 1982.

All notices and filing should refer to the Railroad Commission Docket 82-01, and should be addressed to Office of Special Counsel, Railroad Commission of Texas, 1124 IH 35 South, Room 317, P.O. Drawer 12967, Austin, Texas 78711.

Requests for additional information regarding this hearing should be referred to Walter E. Lihle, special counsel, (512) 445-1186.

Background Information. Following the passage of the Natural Gas Policy Act of 1978 some interstate natural gas pipeline companies experienced a surplus of available natural gas supplies. The FERC responded to this surplus supply situation by initiating an off-system sales program which allowed interstate pipelines to find new markets for natural gas in the intrastate arena. The FERC is presently reviewing this off-system sales program in Docket GP82-47-000 and is soliciting views on whether the program should be continued, modified, or eliminated. Since interstate pipelines are seeking new customers historically served by intrastate pipelines, the Railroad Commission intends to formulate comments and testimony regarding the FERC's off-system sales program.

Issues to be Addressed. In order for the Railroad Commission to formulate its comments and testimony on this important issue, it would like to receive comments on the procedural and/or substantive aspects of the FERC's off-system sales program. The commission seeks comments on the following questions.

(1) Are the criteria used by the FERC to allow an off-system sale appropriate? The FERC presently uses the following criteria to evaluate each proposal for an off-system sale:

(a) the proposed sale should stimulate domestic natural gas exploration and development;

(b) the selling pipeline should demonstrate an on-system gas surplus;

(c) the proposed sale should help ameliorate a pipeline's take-or-pay exposure;

(d) the proposed sales rate should be equivalent to at least a 100% load factor rate and must exceed the seller's system-wide average purchased gas costs;

(e) the term of sale should generally not exceed one year;

(f) there should be an appropriate treatment of the revenues received by the selling pipeline;

(g) the purchaser should demonstrate a need for the gas;

(h) the sale should be interruptible;

(i) the gas should not displace coal or other abundant and/or renewable energy resources.

(2) What are the specific effects of the above criteria on the following groups

(a) residential and commercial customers?

(b) industrial customers?

- (c) electric utilities?
- (d) agricultural customers?
- (e) producers?
- (f) intrastate pipelines?
- (g) distribution companies?
- (h) state agencies?

(3) What is the general effect of the above criteria on the Texas intrastate natural gas market?

(4) Which criteria would the participant recommend be continued, modified, or eliminated? Why?

(5) Does the participant have alternative criteria to recommend? If so, what are they?

(6) How would your alternative criteria affect:

- (a) You?
- (b) The respective groups mentioned above?
- (c) The Texas intrastate market in general?

(7) If off-system sales were not allowed, significantly reduced, or significantly increased, what would be the effect on:

- (a) You?
- (b) The respective groups mentioned above?
- (c) The Texas intrastate market in general?

All comments and recommendations should be supported by verifiable data and studies to the maximum extent possible.

Procedure. Any person wishing to present data or views to the commission must so notify the Office of Special Counsel of the commission by 5 p.m. on Friday, September 3, 1982. Each participant should also submit on that date a brief summary of the issues to be addressed by the participant. A schedule of participants will be issued in advance of the hearing.

The hearing will commence at 9 a.m. on Wednesday, September 8, 1982, in the auditorium, Room 107, of the Railroad Commission, 1124 IH 35 South, Austin. Participants will have a maximum of 10 minutes to present their oral testimony; however, written statements may be of any desired length. Participants should be prepared for extensive examination of the conclusions and arguments contained in their prepared statements. Participants may be questioned on any issue raised in this hearing, even if not addressed in the participant's prepared statement. Conclusory statements should be supported by verifiable data.

After the hearing, participants may file additional statements responding to positions of other participants or to questions or requests of the commission. This additional information should be filed with the Office of Special Counsel by 5 p.m. on Wednesday, September 15, 1982.

The Railroad Commission expects to utilize the information and views presented in this hearing to formulate its comments and testimony before the FERC in Docket GP82-47 000 relating to the FERC's review of its off-system sales policy. This FERC docket is presently set for informal public conference on October 20, 1982.

Issued in Austin, Texas, on August 25, 1982

TRD-826741

Walter Earl Lile
Special Counsel
Office of Special Counsel
Railroad Commission of Texas

Filed: August 25, 1982

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

Texas Real Estate Commission Correction of Error

An adoption submitted by the Texas Real Estate Commission, which appeared in the August 24, 1982, issue of the *Texas Register* (7 TexReg 3101), contained errors as published. The rule titles of §§537.12-537.23 should have the abbreviation "No." inserted after "TREC," to indicate the specific name of the forms being adopted by reference. The abbreviation "No." should also appear after "TREC" in reference to standard contract forms within the text of the rules.

Texas State Soil and Water Conservation Board Announcement of Vacancy

The State Soil and Water Conservation Board, headquartered in Temple, is accepting applications for the position of executive director. Interested persons should send a resume stating qualifications and background to Joe Antilley, Chairman of the State Soil and Water Conservation Board, Route 2, Box 789, Abilene, Texas 79601. Resumes must be received by November 8, 1982.

Issued in Temple, Texas, on August 25, 1982.

TRD-826729

John W. Millican
Acting Executive Director
Texas State Soil and Water
Conservation Board

Filed: August 25, 1982

For further information, please call (817) 773-2250.

Office of the Secretary of State
Texas Register Publication Schedule

Listed below are the deadline dates of the September 1982 issues of the *Texas Register*. Because of printing

schedules, material received after the deadline for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the *Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication.

September Publication Schedule for the *Texas Register*

FOR ISSUE PUBLISHED ON	ALL COPY EXCEPT NOTICES OF OPEN MEETINGS BY 10 A.M.	ALL NOTICES OF OPEN MEETINGS BY 10 A.M.
Friday, September 3	Monday, August 30	Tuesday, August 31
Tuesday, September 7	Wednesday, September 1	Thursday, September 2
Friday, September 10	Friday, September 3	Tuesday, September 7
Tuesday, September 14	Wednesday, September 8	Thursday, September 9
Friday, September 17	Monday, September 13	Tuesday, September 14
Tuesday, September 21	Wednesday, September 15	Thursday, September 16
Friday, September 24	Monday, September 20	Tuesday, September 21
Tuesday, September 28	Wednesday, September 22	Thursday, September 23

Second Class Postage

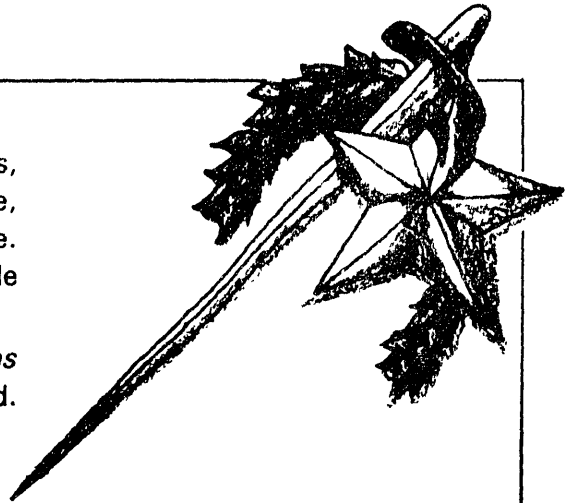
PAID

Austin, Texas
and additional entry offices

75345712 INTER-AGENCY
TEXAS STATE LIBRARY
PUBLICATION CLEARINGHOUSE 303
LIBRARY AND ARCHIVES BLDG
AUSTIN, TX 78711

... a new subscription, or to indicate a change of address,
please use this form. When notifying us of an address change,
please attach the mailing label from the back of a current issue.
Questions concerning existing subscriptions should also include
the subscription number from the mailing label.

You may also use this form to request back issues of the *Texas Register*. Please specify the exact dates of the issues requested.
Each copy of a back issue is \$2.00.



**Please enter my subscription to the *Texas Register* as indicated below.
(I will look for my first issue in about two weeks.)**

- 1 year (100 issues) \$70 6 months (50 issues) \$50

(Please print or type.)

Mr. Miss

Ms. Mrs.

Name _____

Organization _____

Occupation _____ Telephone _____

Address _____

City _____ State _____ ZIP CODE _____

Payment Enclosed

Bill Me

Change of Address
(Please attach mailing label.)

Back issues requested
(Please specify dates.)

Please make checks payable to the Secretary of State.
Subscription fees are not refundable.

For office use only.

For information concerning the *Texas Register*,
please call (512) 475-7886,
or write P.O. Box 13824, Austin, Texas 78711-3824.