

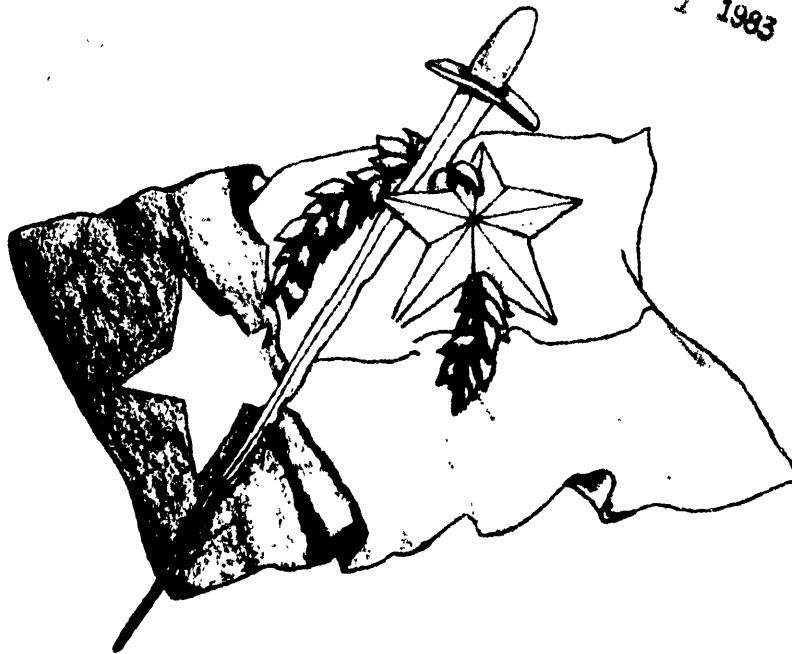
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Texas Register

REGISTRY OF
PUBLIC DOCUMENTS

MAY 31 1983



Highlights

- ★ The Texas Water Development Board adopts on an emergency basis an amendment to a rule concerning documentation of effluent reports; effective date - May 27 page 1727
- ★ The Texas Optometry Board proposes new rules concerning optometrist licensing procedures; proposed date of adoption - July 14 page 1729
- ★ The Texas State Board of Pharmacy proposes amendments to a rule concerning regulations governing the destruction of dangerous drugs and controlled substances; earliest possible date of adoption - June 27 page 1738

How To Use the Texas Register

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice a week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1983 with the exception of January 25, March 8, April 26, and November 29, by the Office of the Secretary of State, 201 East 14th Street, P.O. Box 13824, Austin, Texas 78711-3824, (512) 475-7886.

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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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after proposal publication date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: "8 TexReg 2 issue date," while on the opposite page, in the lower right-hand corner, page 3 is written "issue date 8 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. 10, December 1982

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As required by Texas Civil Statutes, Article 6252-13a, §6, the *Register* publishes executive orders issued by the Governor of Texas. Appointments made and proclamations issued by the governor are also published. Appointments are published in chronological order.

Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 475-3021.

The Governor

Appointments Made May 12

Texas Turnpike Authority

For terms to expire February 15, 1989:

C. C. Smitherman
855 Uvalde
Houston, Texas 77015

Mr. Smitherman is replacing Joe Foy of Houston, whose term expired.

Issued in Austin, Texas, on May 12, 1983.

TRD-833642 Mark White
Governor of Texas

R. J. (Dick) Lindley, Jr.
2007 Corral
Houston, Texas 77090

Mr. Lindley is replacing Beeman Fisher of Fort Worth, whose term expired.

Issued in Austin, Texas, on May 12, 1983.

TRD-833644 Mark White
Governor of Texas

Pecos River Compact

To be commissioner for a term to expire January 23, 1985:

Billy L. Moody
Route 1, Box 9
Fort Stockton, Texas 79735

Mr. Moody is being reappointed.

Issued in Austin, Texas, on May 12, 1983.

TRD-833643 Mark White
Governor of Texas

Appointments Made May 16

Coordinating Board, Texas College and University System

For a term to expire August 31, 1983:

George Bramblett, Jr.
4515 Highland Drive
Dallas, Texas 75205

Mr. Bramblett is replacing Charles C. Butt of Corpus Christi, who resigned.

Issued in Austin, Texas, on May 16, 1983.

TRD-833645 Mark White
Governor of Texas

For a term to expire August 31, 1987:

Leonard Childress
11518 Brighton
Stafford, Texas 77577

Mr. Childress is replacing Dr. Jarvis E. Miller of Bryan, whose appointment was returned to this governor.

Issued in Austin, Texas, on May 16, 1983.

TRD-833646 Mark White
Governor of Texas

Board of Vocational Nurse Examiners

For a term to expire September 6, 1987:

Jeff D. Sanders
1807 Garner Field Road
Uvalde, Texas 78801

Mr. Sanders is replacing Benton Luedecke of Cat Spring, whose appointment was returned to this governor.

Issued in Austin, Texas, on May 16, 1983.

TRD-833647 Mark White
Governor of Texas

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-375 (RQ-80). Request from Tom Bond, commissioner, State Board of Insurance, Austin, concerning whether a letter relative to termination of a licensed insurance agent pursuant to the Insurance Code, Article 21.07-1, is excepted from public disclosure.

Summary of Decision. The State Board of Insurance received a request under the Open Records Act for a letter relating to the termination of a licensed insurance agent. This subject was exempted from public disclosure under the Open Records Act, §3(a)(1), as information deemed confidential by law, in this case the Insurance Code, Article 21.07-1, §1.

TRD-833657

ORD-376 (RQ-56). Request from Marlin W. Johnston, commissioner, Texas Department of Human Resources, Austin, concerning whether memoranda prepared by the Texas Department of Human Resources concerning an investigation of nursing homes are available under the Open Records Act.

Summary of Decision. The Texas Department of Human Resources received a request under the Open Records Act for a memorandum prepared by the department concerning investigations of a nursing home. Quotations reportedly taken from these documents appeared in a newspaper article. However, the department never voluntarily or officially released or sanctioned the release of any of these memoran-

da to the newspapers. Thus, the memoranda are not automatically available to the general public. Portions of the various memoranda are excepted from public disclosure under the Open Records Act, §3(a)(1) and §3(a)(1).

TRD-833658

ORD-377 (RQ-66). Request from Lee Clark, assistant city attorney, Pasadena, concerning whether affidavits alleging criminal conduct by city employees are open to the public under the Open Records Act.

Summary of Decision. The City of Pasadena received a request under the Open Records Act for affidavits alleging criminal conduct by a city employee. The affidavits were excepted from public disclosure by the informer's privilege.

TRD-833659

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

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part X. Texas Water Development Board

Chapter 329. General Regulations Incorporated into Permits Monitoring and Reporting System

31 TAC §329.7

The Texas Water Development Board adopts on an emergency basis an amendment to §329.7, concerning documentation of effluent reports.

The Texas Department of Water Resources has discovered that it is impossible for regulatees to comply with the requirements of §329.7, which were adopted on April 14, 1983, and published in the May 13, 1983, issue of the *Texas Register* (8 TexReg 1593), by their effective date of May 27, 1983. These changes pertain to verification of analytical precision and/or accuracy, sampling and laboratory testing methods, and alternate sampling and laboratory testing methods. The agency finds that this situation creates an imminent peril to the public welfare.

These emergency changes will be effective for 60 days beginning on May 27, 1983, to provide a smooth transition and phase-in period for the new requirements. The effect of these changes will be that the amendment to §329.7(a)(5) and new §329.11 and §329.12, originally to be effective on May 27, 1983, will not become effective until 60 days after that date.

These amendments are adopted on an emergency basis under the Texas Water Code, Chapter 26, §§.131 and §§.132, which provides the department with the authority to promulgate rules.

§329.7. Documentation of Effluent Reports.

(a) The monthly effluent report consists of summarized data concerning the quality and quantity of the final effluent and contains no information regarding the records and laboratory control tests which should be performed in the interest of treatment plant process control. For each measurement or sample taken pursuant to the requirements of this report, the permittee shall record the following information:

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

(5) **the results of all required analyses.** [the results of adequate verifications of analytical precision and/or accuracy verified by means of the recommended guidelines in the Environmental Protection Agency manual, *Handbook for Analytical Quality Control in Water and Wastewater Laboratories*, to be determined on the day the analyses are performed.]

(b)-(d) (No change.)

Issued in Austin, Texas, on May 23, 1983.

TRD-833727

Susan Plettman
General Counsel
Texas Department of Water
Resources

Effective date: May 27, 1983

Expiration date: July 26, 1983

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

31 TAC §329.11, §329.12

(Editor's note: The text of the following rules being repealed on an emergency basis will not be published. The rules may be examined in the office of the Texas Water Development Board, Room 511, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, or in the Texas Register office, Room 503E, Sam Houston Building, 201 East 14th Street, Austin.)

The Texas Water Development Board adopts on an emergency basis the repeal of §329.11 and §329.12, concerning monitoring and reporting systems. The Texas Department of Water Resources has discovered that it is impossible for regulatees to comply with these new requirements, which were adopted on April 14, 1983, and published in the May 13, 1983, issue of the *Texas Register* (8 TexReg 1593), by their effective date of May 27, 1983. These changes pertain to verifications of analytical precision and/or accuracy, sampling and laboratory testing methods, and alternate sampling and laboratory testing methods. The agency finds that this situation creates an imminent peril to the public welfare.

These emergency changes will be effective for 60 days beginning on May 27, 1983, to provide a smooth transition and phase-in period for the new requirements. The effect of these changes will be that the

amendment to §329.7(a)(5) and new §329.11 and §329.12, originally to be effective on May 27, 1983, will not become effective until 60 days after that date.

These repeals are adopted on an emergency basis under the Texas Water Code, Chapter 26, §5.131 and §5.132, which provides the department with the authority to promulgate rules.

§329.11. *Sampling and Laboratory Testing Methods.*
§329.12. *Alternate Sampling and Laboratory Testing Methods.*

Issued in Austin, Texas, on May 23, 1983.

TRD-833728

Susan Plattman
General Counsel
Texas Department of Water
Resources

Effective date: May 27, 1983

Expiration date: July 26, 1983

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

fees, administration examinations, and re-examination requirements.

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

Ms. Ewald has also determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules as proposed will be that applicants will be fully informed of the board's requirements for licensure and that only those optometrists qualified for licensure will obtain a license, thereby fully protecting the public health and welfare. There is no anticipated economic cost to individuals who are required to comply with the rules as proposed.

Comments on the proposal may be submitted to Lois Ewald, Executive Director, Texas Optometry Board, 1300 East Anderson Lane, Suite C-240, Austin, Texas 78752.

The new sections are proposed under Texas Civil Statutes, Article 4552, §2.14, which provide the Texas Optometry Board with the authority to promulgate procedural rules

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

Act—The Texas Optometry Act, Texas Civil Statutes, Article 4552

APA—The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a.

Board—The Texas Optometry Board.

Executive director—Executive director of the Texas Optometry Board.

Respondent—A person against whom a formal charge has been made alleging conduct that violates the Act or rules, regulations, or orders of the board and whose legal rights are to be determined by the board after the opportunity for an adjudicative hearing in a contested case as defined by the APA.

§271.2. Applications.

(a) The applicant shall make application furnishing to the executive director, on forms to be furnished by the board, satisfactory sworn evidence that he has attained the age of 21 years, is of good moral character, and has at least graduated from a first grade high school or has a preliminary education equivalent to permit him to matriculate in the University of Texas, and that he has attended and graduated from a reputable university or college of optometry which meets with the requirements of the board and such other information as the board may deem necessary for the enforcement of the Act.

(b) Such application shall contain references as to good moral character from at least two optometrists licensed by the State of Texas and who are actively engaged in the practice of optometry in this state. In the event this is not possible, affidavits from two persons not related to the applicant or to each other, who have known the applicant for at least five years, attesting to the good moral character of the applicant, will be acceptable.

(c) In such application, the applicant shall state that he will abide by the laws of this state regulating the practice of optometry.

(d) Such application shall be subscribed by the applicant and sworn to be him before any officer legally qualified to administer oaths.

(e) Any person furnishing false information in such application shall be denied the right to take the examination, or if the applicant has been licensed before it is made known to the board of the falseness of such information, such license shall be subject to suspension, revocation, or cancellation in accordance with the Act, §4.04(a)(1).

(f) A certificate of graduation from a first grade high school and certified copies of the transcript of record from pre-optometry and optometry colleges attended by the applicant shall accompany each application, which certified transcript of record shall show the total number of hours of attendance, the subjects studied, the grades or marks given, and the date of graduation of the applicant.

(g) The completed application and examination fee must be filed with the executive director not later than 45 days prior to the date of the examination. In the event an applicant intends to retake the examination, the fee therefor and the notice of this intention to retake said examination must also be in the executive director's office 45 days prior to the date of the examination.

(h) The fee for taking the initial examination shall be \$55. Any applicant who is refused a license because of failure to pass the first examination shall be permitted to take a second examination on the payment of \$20, provided the second examination is taken within a period of one year.

(i) Any applicant required to take the examination any subsequent times after the second examination shall pay a \$55 fee to the board. No application fee for examination will be returned to any applicant after his application has been approved by the board, because of the decision of the applicant not to stand for the examination or his failure for any reason to take the examination.

§271.3. Examination Administration.

(a) Examination for a license to practice optometry in this state shall be conducted in the English language in writing and by such other means as the board shall determine adequate to ascertain the qualifications of the applicant. All applicants examined at the same time shall be given the same written examination. Each applicant shall be given due notice of the date and place of examination.

(b) Prior to an examination, the executive director or a member of the board designated by the chairman shall prepare a tentative schedule showing the time allotted to each subject and the order in which they will be given, said schedule to meet the approval of a majority of the members of the board. The tentative schedule of examination, and any changes made therein as the examination proceeds, shall be made known to the applicants during each day of the examination.

(c) The examination shall be divided into two sections, one of which shall be practical and one of which shall be written. The passing grade for the practical shall be 70. The passing grade on each written test shall be 70. If an individual has failed to pass any single written test,

then such applicant must have an overall average of 75 on all written tests which were failed. Those applicants failing only the practical examination will be required to retake only the practical examination. Those applicants failing the practical and not having an overall average of 75 on the written tests must retake the practical examination and all written tests they failed.

(d) Applicants shall be permitted to bring table books, slide rules, and computer-calculators to the examination room. Applicants shall not communicate any words or sign with another applicant while the examination is in progress without the permission of the presiding examiner, nor leave the examination room except when so permitted by the presiding examiner. Violations of this rule shall subject the offender to expulsion.

(e) One member of the board shall at all times be in the examination room while the examination is in progress and no persons except applicants, board members, employees of the board or persons having the express permission of the board shall be permitted in the examination rooms.

(f) At the beginning of an examination each applicant shall be assigned a number. Applicants shall use the number assigned to them for purposes of identification throughout the examination, and no applicant shall enter his or her name or any other identification mark, other than his or her number, on any paper containing answers to the questions of an examination. Members of the board shall in every way endeavor to avoid identification of an applicant prior to the awarding of the general averages.

(g) When examination papers are delivered to the presiding examiner, they become the property of the board and shall not be returned to the applicant. Each board member shall be responsible for his own examination papers until after final grading and awarding of general averages. All test papers must, at this point, be retained in the board office to be preserved for a period of 30 days after final grading in order to allow an unsuccessful candidate the opportunity to request an analysis of such person's performance, which request must be made in writing within such 30-day period.

§271.4. Re-examinations.

(a) Any applicant taking the board examination for the second time who has failed to pass one or more of the written tests and does not have an overall average of 75 will be required to retake all written tests which were failed. An applicant failing the practical examination on the initial board examination will be required to retake the practical examination.

(b) Any applicant taking the board examination for the third time will be required to take all written tests that were not passed in the two previous examinations and the practical examination, if not passed previously.

(c) Any applicant taking the board examination for the fourth time must take the practical examination and all written tests previously failed and must score at least 70 on each to qualify for licensure. If a candidate has not passed the board after a fourth examination, he will be required to retake the entire exam, as if it were the first, with all applicable rules applying, as if it were a first examination.

(d) An applicant will be considered to be taking the board examination for the first time regardless of the

number of previous examinations taken if the examination is not taken within one year (two consecutive examinations as given by the board) following the last failure.

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 May 11, 1983.

TRD 833675 Lois Ewald
Executive Director
Texas Optometry Board

Proposed date of adoption:
July 14, 1983

For further information, please call (512) 835-1938.

Chapter 273. Guidelines

22 TAC §§273.1-273.3

(Editor's note. The text of the following rules being proposed for repeal will not be published. The rules may be examined in the offices of the Texas Optometry Board, 1300 East Anderson Lane, Austin, or in the Texas Register office, Room 503 E, Sam Houston Building, 201 East 14th Street, Austin.)

The Texas Optometry Board proposes the repeal of §§273.1-273.3, concerning examination, continuing education, and filing of charges.

Lois Ewald, executive director, has determined that for the first five-year period the repeals will be in effect there will be no fiscal implications to state or local government as a result of the repeals.

Ms. Ewald has also determined that for each year of the first five years the repeals are in effect the public benefit anticipated as a result of the repeals will be the deletion of existing sections to make way for new rules which will be proposed. There is no anticipated economic cost to individuals as a result of the repeals.

Comments on the proposal may be submitted to Lois Ewald, Executive Director, Texas Optometry Board, 1300 East Anderson Lane, Austin, Texas 78752.

The repeals are proposed under Texas Civil Statutes, Article 4552, §2.14, which provide the Texas Optometry Board with the authority to promulgate rules.

§273.1. Examination Guidelines.

§273.2. Continuing Education Guidelines.

§273.3. Guidelines Regarding Filing of Charges.

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 May 11, 1983.

TRD-833673 Lois Ewald
Executive Director
Texas Optometry Board

Proposed date of adoption:
July 14, 1983

For further information, please call (512) 835-1938.

(1) whether to drop the matter and take no further action;

(2) whether to send a letter to the person charged reciting that a complaint has been received and that while the investigating member cannot determine or pass upon the merits of the complaint without conducting further investigation that the person charged be asked to review his practice to insure that the Act is being complied with, and that if the allegations are true, to cease and desist from the alleged violations or words to that effect;

(3) whether to conduct further investigations, including conducting investigational hearings;

(4) whether to send the person charged a cease and desist letter;

(5) whether to forward to the chairman of the board the member's determination that a violation of the Act may have occurred together with a recommendation that proceedings be instituted to consider the cancellation, revocation, or suspension of a license or refusal to issue a license;

(6) whether to forward to the chairman of the board the member's determination that some person, firm, or corporation may be practicing optometry without a license or otherwise acting without compliance with the provisions of the Act, along with the member's recommendation that the board notify the attorney general or appropriate district attorney with accompanying request that appropriate action be taken in accordance with law.

(d) Complaints alleging violation of §5.12.

(1) As regards the Act, Article 5, §5.12, (relating to Basic Competence), the following combination of omissions shall determine the seriousness of the alleged violation. The alleged omission of the following combinations shall be reason for an investigational hearing:

(A) numbers four and five, plus one other finding.

(B) numbers four and six, plus near and far, plus one other finding.

(C) numbers five and six, near and far, plus two other findings.

(D) number four and three other findings.

(E) number five and three other findings.

(F) number six and three other findings.

(G) omission of a total of five findings.

(2) Basic competence includes the following findings (Article 5, §5.12):

(A) number one. Case history (ocular, physical, occupational, and other pertinent information);

(B) number two. Far point acuity, O.D., O.S., O.U., unaided; with old glasses, if available, and with new glasses, if any;

(C) number three. External examination (lids, cornea, sclera, etc.);

(D) number four. Internal ophthalmoscopic examination (media, fundus, etc.);

(E) number five. Static retinoscopy, O.D., O.S.;

(F) number six. Subjective findings, far point, and near point;

(G) number seven. Phorias or ductions, far and near, lateral and vertical;

(H) number eight. Amplitude or range of accommodation;

(I) number nine. Amplitude or range of convergence;

(J) number 10. Angle of vision, to right and left.

(3) All other omissions or combination of omissions of findings shall be reason to send letters pursuant to subsection (c)(2) of this section. Pupillary distance, lens prescription right and left, color and tint, segment type size or position, and the optometrist's signature shall be considered as omissions of findings when not properly done and recorded.

(4) When a previous letter pursuant to subsection (c)(2) of this section has been sent to a licensee for alleged violation of Article 5, §5.12, and a subsequent complaint is received against the same optometrist for alleged violation of Article 5, §5.12, an investigational hearing is required with respect to the second alleged violation. Likewise, if a licensee has had a previous investigational or formal disciplinary proceeding for alleged violation of Article 5, §5.12, and a subsequent complaint for alleged violation of Article 5, §5.12, is received, a formal disciplinary proceeding is required.

§277.2. *Disciplinary Proceedings*

(a) General statement. In a contested case before the board, proceedings shall be governed by the APA, except as specifically provided in the Act. In any contested case, opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved. Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

(b) Notice. In all contested cases, the respondent shall be entitled to reasonable notice of not less than 10 days. Notice shall include the matters specifically required by the APA, §13(b), to wit:

(1) a statement of the time, place, and nature of the hearing;

(2) a statement of the legal authority and jurisdiction under which the hearing is being held;

(3) a reference to the particular sections of the Act and rules involved; and

(4) a short and plain statement of the matters asserted.

(c) Service of notice. The notice of hearing and a copy of the formal complaint shall be served on the respondent's last known address at least 10 days prior to the hearing. Service on the respondent shall be complete and effective if the document to be served is sent by registered or certified mail to the respondent at the address shown on his or her most recent application for license or renewal certificate.

(d) Filing of documents. All pleadings and motions relating to any contested case pending before the board shall be filed with the executive director. They shall be deemed filed only when actually received.

(e) Motion for continuance.

(1) Continuances may be granted by the chairman of the board for good cause upon the filing of a written motion and affidavit complying with the requirements of paragraph (2) of this subsection; provided, however, that no motion for continuance shall be granted by the chairman of the board unless filed at least three days prior to the hearing.

ticipated economic cost to individuals who are required to comply with the rules as proposed.

Comments on the proposal may be submitted to Lois Ewald, Executive Director, Texas Optometry Board, 1300 East Anderson Lane, Suite C-240, Austin, Texas 78752.

The new sections are proposed under Texas Civil Statutes, Article 4552, §2.14, which provide the Texas Optometry Board with the authority to promulgate procedural and substantive rules.

§279.1. Board Interpretation Number One. A fully written contact lens prescription as referred to in the Texas Optometry Act, §1.02(3)(A), concerning the dispensing of contact lenses by ophthalmic dispensers must include the following:

- (1) hard contacts.
 - (A) base curve.
 - (B) power.
 - (C) diameter.
 - (D) optical zone.
 - (E) peripheral curve and width.
 - (F) secondary curve and width.
 - (G) blend.
 - (H) thickness.
 - (I) color.
 - (J) manufacturer, when needed.
 - (K) type of lens and material.
- (2) soft contacts.
 - (A) base curve.
 - (B) power.
 - (C) diameter when needed.
 - (D) manufacturer.
 - (E) water content, when needed.
 - (F) type.
 - (i) spherical.
 - (ii) toric.
 - (iii) extended wear.
 - (G) color.
 - (H) manufacturers' suggested sterilization or as specified by doctor.

§279.2. Board Interpretation Number Two. It is the interpretation of the board that the Texas Optometry Act requires that the fitting of contact lenses may be done only by a licensed physician or optometrist and that ophthalmic dispensers may make mechanical adjustments to contact lenses and dispense contact lenses only after receipt of a fully written contact lens prescription from a licensed optometrist (Texas Optometry Act, §1.02), or a licensed physician, that includes the specifications listed in §279.1 of this title (relating to Board Interpretation Number One) (Texas Optometry Act, §1.02), whereupon the ophthalmic dispenser may fabricate or order the contact lenses and dispense them to the patient with appropriate instructions for the care and handling of the lenses, but an ophthalmic dispenser shall make no measurement of the eye or the cornea or evaluate the physical fit of the contact lenses, by any means whatever, subject solely and only to the exception contained in §5.17 of the Act.

§279.3. Board Interpretation Number Three. The Texas Optometry Act, §5.07, relates to prescribing with-

out examination. It is the interpretation of this board that nothing in this section would prohibit a licensed optometrist from:

- (1) duplicating a patient's lenses or existing prescription;
- (2) filling or having filled a prescription that has been signed by an authorized practitioner; or
- (3) replacing or repairing frames or parts thereof.

§279.4. Board Interpretation Number Four.

(a) The Texas Optometry Act, §5.15(c), relating to relationships with dispensing opticians, states:

The purpose of this section is to insure that the practice of optometry shall be carried out in such a manner that it is completely and totally separated from the business of any dispensing optician, with no control of one by the other and no solicitation for one by the other (§5.15(a)).

(b) It is therefore the interpretation of this board that an optometrist practicing under his own name and dispensing, repairing, or duplicating lenses and/or frames in his own office as part of his optometric practice would not be required to keep separate records or books by virtue of the fact that it is all part of his practice of optometry and not a separate dispensing business.

§275.5. Board Interpretation Number Five.

(a) The Texas Optometry Act makes no provision for nonlicensed employees performing any of those acts defined as the practice of optometry which requires professional judgment but expressly forbids same. There is no such thing as supervision of nonlicensed employees by an optometrist while performing those acts which only optometrists can do under the Texas Optometry Act. For anyone other than an optometrist to do anything or act defined as the practice of optometry is in violation of §1.02(3)(c) of the Act, which states:

It shall be construed as a violation of this Act for any person not a licensed optometrist or a licensed physician to do any one thing or act or any combination of things or acts named or described in this article.

(b) Section 1.02 of the Act defines the practice of optometry, and only a licensed optometrist can do those things set out in that section.

(c) Assistants to optometrists are permitted to perform the following duties or acts, or both, under the direction and supervision of a licensed optometrist, when working in the same office, which do not necessarily require the use of a professional judgment:

- (1) case histories;
- (2) visual acuities;
- (3) angle of vision, to right and left;
- (4) visual skills;
- (5) instruction of the patient in the technique of insertion and removal of contact lenses and the proper hygiene, care, and storing of lenses;
- (6) tonometry;
- (7) visual training; and
- (8) other duties or acts as determined by the board.

(d) When done in strict conformity with subsection (c) of this section, these acts will be construed by the board to have been done by the optometrist.

(e) The optometrist shall, in the initial examination of the patient, make and record, if possible, the follow-

necessary hours to total 1,500 hours of internship experience required in a board-approved program.

(C) (No change.)

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

Issued in Austin, Texas, on May 12, 1983.

TRD-833620 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Earliest possible date of adoption:
June 27, 1983

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

Chapter 303. Regulations Governing the Destruction of Dangerous Drugs and Controlled Substances

22 TAC §303.1

The Texas State Board of Pharmacy proposes amendments to §303.1, concerning regulations governing the destruction of dangerous drugs and controlled substances. The proposed amendments outline the conditions under which the consultant pharmacist may destroy dangerous drugs and controlled substances in health care facilities or institutions.

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 the authorization of the consultant pharmacist, if in good standing with the Texas State Board of Pharmacy, to destroy dangerous drugs and controlled substances in health care facilities or institutions, under certain conditions, to protect the public health and welfare. 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, §17, which provide the Texas State Board of Pharmacy with the duties, powers, and authority necessary to administer the Act.

§303.1 Drug Destruction. The consultant pharmacist, if in good standing with the Texas State Board of Pharmacy, is authorized to destroy dangerous drugs and controlled substances, in health care facilities or institutions, [in which] providing the following conditions are met:

(a) a formal agreement exists between the facility or institution and the consultant pharmacist; and

(b) [provided that] the actual destruction of these drugs be conducted in the presence of the consultant pharmacist and one of the following:

(1) a duly commissioned law enforcement officer;

(2) [or an officer or authorized agent of the Board of Pharmacy] an agent of the Texas State Board of Pharmacy;

(3) [or a Texas State Board of Pharmacy authorized agent of the Department of Health or the Department of Human Resources and the consultant pharmacist] an agent of the Texas Department of Human Resources, authorized by the Texas State Board of Pharmacy to destroy drugs;

(4) an agent of the Texas Department of Health, authorized by the Texas State Board of Pharmacy to destroy drugs; or

(5) both the facility administrator and the director of nursing.

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 May 12, 1983.

TRD-833621 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Earliest possible date of adoption:
June 27, 1983

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



TITLE 25. HEALTH SERVICES Part II. Texas Department of Mental Health and Mental Retardation

Chapter 405. Client (Patient) Care Subchapter A. Employment of Independent Contractors (Consultants)

25 TAC §§405.1, 405.4, 405.5, 405.7, 405.9

The Texas Department of Mental Health and Mental Retardation proposes amendments to §§405.1, 405.4, 405.5, 405.7, and 405.9, concerning employment of independent contractors (consultants).

The proposed amendments to §405.1 and §405.5 are grammatical and do not change the intent of the text. The proposed amendment to §405.4 would divide the existing text of this section into two subsections (a) and (b) and would add a new third subsection (c). New subsection (c) would add the requirement that the provisions contained in Texas Civil Statutes, Article 6252-11c, be followed in instances where it is reasonably foreseeable that the proposed use of an independent contractor (consultant) may involve a contract in excess of \$10,000. Proposed amendments to §405.4 and §405.9 would also update the revision date of Texas Department of Mental Health and Mental Retardation Form Number P-11.

Paul J. Mascot, Legal Services Division attorney, has determined that for the first five years the rules as proposed are in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rules.

Mr. Mascot has also determined that the public benefit anticipated as a result of enforcing the rules as proposed will be the assurance of compliance with Texas Civil Statutes, Article 6252-11c. No additional costs to individuals who are required to comply with the rules as proposed are expected.

Comments on the proposal may be submitted to Linda Logan, Rules Coordinator, P.O. Box 12688, Austin, Texas, 78711.

The amendments are proposed under Texas Civil Statutes, Article 5547-202, §2.11(b), which provide the commissioner with the authority to promulgate rules of the department subject to the basic policies formulated by the Texas Board of Mental Health and Mental Retardation.

§405.1. Purpose. The purpose of this subchapter is to ensure control and documentation of the expenditure of funds paid to independent contractors (consultants) [(consultant)].

§405.4. Employment of an Independent Contractor (Consultant).

(a) No independent contractor (consultant) will be employed by any facility of this department without written approval by the head of the facility prior to the rendition of any services; provided, however, that services may be rendered without the prior written approval of the head of the facility in emergency situations in which the well-being of a client or clients or the best interest of the State of Texas would be adversely affected by a failure to take immediate action; provided further, however, that if the services of a consultant are necessary in such an emergency, the contractual approval should be obtained as soon as practicable after the services have been rendered.

(b) Approval by the head of the facility shall be evidenced by a contract for consultant services (Texas Department of Mental Health and Mental Retardation Form Number P-11 as revised July 30, 1982 [June 8, 1979]) illustrated by Exhibit A, or in appropriate situations by an interagency contract between this department, acting through its individual facility, and the independent

contractor (consultant). An interagency contract used to evidence approval for consultant services must meet all of the requirements of this subchapter. The contract for consultant services or the interagency contract, as the case may be, is to be signed by the head of the facility employing such consultant, provided that any such contract for consultant services in an amount over \$1,000 shall be approved in advance by the commissioner if such services are required to study an existing or a proposed operation or project of the facility. In the case of the central office, the commissioner will sign the contract, and it will be forwarded to the chief of budgets and finance. This contract responsibility may not be delegated without written approval of the commissioner. All existing agreements through which independent contractors (consultants) are providing services to a facility of this department will, as soon as possible, be reduced to writing on Form Number P-11 (revised July 30, 1982 [June 8, 1979]) or on an interagency contract form, as appropriate. Form Number P-11 (Exhibit A) is available from the Texas Department of Mental Health and Mental Retardation, P.O. Box 12668, Austin, Texas 78711.

(c) If it is reasonably foreseeable that a proposed use of an independent contractor (consultant) may involve a contract in excess of \$10,000, the procedures in Texas Civil Statutes, Article 6252-11c, must be followed. This provision does not apply to employment of registered professional engineers or registered architects for architectural or engineering studies or for the design or construction of state facilities, to physicians or other medical service providers, or to dentists or other dental services providers.

§405.5. Documentation of Duties Performed by an Independent Contractor (Consultant). Except in cases of surgery and other physical treatment procedures performed off campus, each independent contractor (consultant) or a responsible individual who can certify to the presence of and the duties performed by the independent contractor (consultant) will record the information required on Texas Department of Mental Health and Mental Retardation Form Number P-11(A) (Revised March 15, 1975), "Independent Contractor (Consultant) Log," illustrated by Exhibit B [], which [Said Exhibit B] is available from the Texas Department of Mental Health and Mental Retardation, P.O. Box 12668, Austin, Texas 78711.

§405.7. Retention Period for Records. Texas Department of Mental Health and Mental Retardation Form Number P-11 (revised July 30, 1982 [June 8, 1979]), dealt with in §405.4 of this title (relating to Employment of an Independent Contractor (Consultant)), and Form Number P-11(A) (revised March 15, 1975), dealt with in §405.5 of this title (relating to Documentation of Duties Performed by an Independent Contractor (Consultant)), will be retained for five years. These forms have been produced and stocked in central office, subject to requisition. Forms on hand, altered as necessary, should be used before requisitioning new ones.

§405.9. Distribution.

(a) The provisions of this subchapter will be distributed to the members of the Texas Board of Mental Health and Mental Retardation [assistant commissioners,]

deputy commissioners [,] and directors [and section chiefs] of central office; and superintendents and directors of all department facilities.

(b) (No change.)

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

Issued in Austin, Texas, on May 20, 1983.

TRD-833680 Gary E. Miller, M.D.
Commissioner
Professional Services
Texas Department of Mental
Health and Mental Retardation

Earliest possible date of adoption:
June 27, 1983

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

25 TAC §405.10

(Editor's note: The text of the following rule being proposed for repeal will not be published. The rule may be examined in the offices of the Texas Department of Mental Health and Mental Retardation, 909 West 45th Street, Austin, or in the Texas Register office, Room 503E, Sam Houston Building, 201 East 14th Street, Austin.)

The Texas Department of Mental Health and Mental Retardation proposes the repeal of §405.10, concerning effective date.

The proposed repeal would delete unnecessary language regarding the effective date of the subchapter.

Sue Dillard, Office of Standards and Quality Assurance director, has determined that there will be no fiscal implications to state or local government as a result of the repeal.

Ms. Dillard has also determined that there will be a public benefit because unnecessary language is deleted. No additional costs to persons who are required to comply with the repeal are expected.

Comments on the proposal may be submitted to Linda Logan, Rules Coordinator, P.O. Box 12688, Austin, Texas, within 30 days after publication.

The repeal is proposed under Texas Civil Statutes, Article 5547-202, §2.11(b), which provide the commissioner with the authority to promulgate rules of the department subject to the basic policies formulated by the Texas Board of Mental Health and Mental Retardation.

§405.10. Effective Date.

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 May 20, 1983.

TRD-833681 Gary E. Miller, M.D.
Commissioner
Texas Department of Mental
Health and Mental Retardation

Earliest possible date of adoption:
June 27, 1983

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

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 19. EDUCATION Part II. Texas Education Agency Chapter 81. Instructional Resources State Textbook Contracts and Local Textbook Selection

19 TAC §81.152

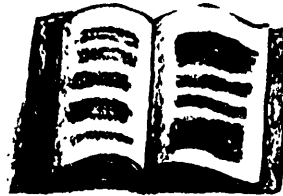
Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed amendments to §81.152 submitted by the Texas Education Agency have been automatically withdrawn, effective May 23, 1983. The amendments as proposed appeared in the November 23, 1982, issue of the *Texas Register* (7 TexReg 4068).

TRD-833717
Filed: May 23, 1983

19 TAC §§81.154-81.156

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed new §§81.154-81.156 submitted by the Texas Education Agency have been automatically withdrawn, effective May 23, 1983. The new sections as proposed appeared in the November 23, 1983, issue of the *Texas Register* (7 TexReg 4071).

TRD-833716
Filed: May 23, 1983

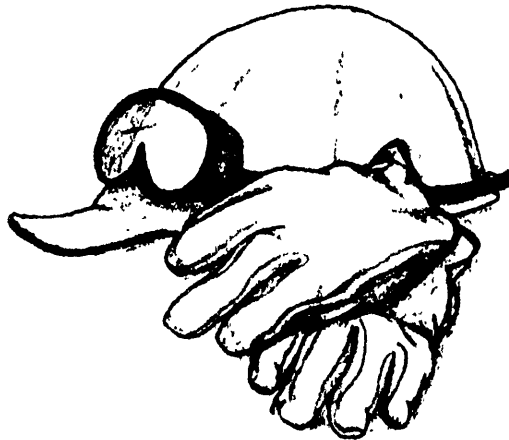


Adopted Rules

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.



There were no comments received from the public regarding adoption of the repeal.

The repeal is adopted under Texas Civil Statutes, Article 911b, §4, which provide the Railroad Commission of Texas with the authority to make reasonable regulations for motor carriers.

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 May 16, 1983.

TRD-833626

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

Effective date: June 8, 1983

Proposal publication date: February 18, 1983

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

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

Chapter 5. Transportation Division Subchapter U. General and Special Rules of Practice and Procedure

16 TAC §5.460

The Railroad Commission of Texas adopts the repeal of §5.460, without changes to the proposal published in the February 18, 1983, issue of the *Texas Register* (8 TexReg 549).

This section is unnecessary in light of recent amendments to §5.38 of this title, dealing with involuntary suspension, cancellation, and reinstatement.

TITLE 22. EXAMINING BOARDS Part V. Texas State Board of Dental Examiners

Chapter 109. Conduct Prohibitions

22 TAC §109.107

The Texas State Board of Dental Examiners adopts new §109.107, with changes to the proposed text published in the April 1, 1983, issue of the *Texas Register* (8 TexReg 1050).

This section is adopted for the benefit of the public (consumers). Only dentists who are qualified as specialists will be permitted to advertise as such; therefore, the public will be better able to determine who the qualified specialists are. The section sets out guidelines for advertising in a particular field of dentistry.

Dr. William J. Wise stated that this rule does not require a general dentist to state that he or she is a general dentist providing services in a particular field. He also stated that this rule does not require dentists announcing as specialists to limit their practices to that service alone. At the board's meeting in San Antonio on May 5-7, 1983, Dr. M. James Moritz requested that the board postpone the adoption because his attorney had not had time to review the proposed rule. Testifying in favor of the rule were Dr. Albert Tate, Jr., Dr. Bill Stutts, Dr. Jack Harris, Clecie Baker, and Mark Hanna.

In response to Dr. Wise's comment regarding general dentists, the board added subsection (e). The board did not agree with Dr. Wise's comment on requiring dentists announcing as specialists to limit their practices to that service alone. The purpose of this rule was geared more to restricting nonspecialists from advertising as specialists rather than restricting specialists to limit their practice. Also, most specialists adhere to the American Dental Society's guidelines which require specialists to limit their practice.

In response to Dr. Moritz's comments, the board stated that this section was first proposed back in December 1982. It has been discussed at board meetings in Dallas and Houston, and it has been properly published and mailed to the dental societies and organizations. Therefore, there has been sufficient time for all to review the proposed new section.

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

§109.107. Specialty Advertising or Listings/Limitation of Practice.

(a) Dentists may advertise as being a specialist in or practice limited to a particular field of dentistry, i.e., orthodontist, pedodontist, periodontist, prosthodontist, endodontist, oral and maxillofacial surgeon, oral pathology, or dental public health, provided they are a specialist as defined by the American Dental Association.

(b) The definition of a specialist as specified by this rule pertains to this and only this rule for the purpose of defining advertising and must not be randomly applied to any other law or rule of the Texas Dental Practice Act.

(c) This rule does not preclude or limit any dentist from offering and performing any treatment to any patient as prescribed by the Texas Dental Practice Act. This rule does not preclude any dentist from advertising to the public the availability of any dental service to the public

that a dentist may offer and perform as prescribed by the Dental Practice Act.

(d) All dentists who have claimed to be dental specialists, or hold themselves to be engaged in a dental practice limited to, without regard to the American Dental Association criteria of specialization, and can document such claim to have acted as such prior to January 1, 1965, may continue to act as such under the protection of this rule.

(e) General dentists who wish to announce the services available in their practices are permitted to announce the availability of those services so long as they avoid any communications that express or imply specialization. General dentists shall also state that the services are being provided by general dentists. No dentist shall announce available services in any way that would be false or misleading in any material respect.

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 May 17, 1983.

TRD-833630 William S. Nail
Executive Director
Texas State Board of Dental
Examiners

Effective date: June 9, 1983
Proposal publication date: April 1, 1983
For further information, please call (512) 475-2443.

Advertising

22 TAC §109.203

The Texas State Board of Dental Examiners adopts new §109.203, without changes to the proposed text published in the February 25, 1983, issue of the *Texas Register* (8 TexReg 630).

The board had proposed to repeal §109.201, concerning routine dental services, and replace it with the text of this new section. However, at the last meeting, the board did not adopt the proposed repeal of §109.201, but they did adopt the new section concerning definitions of false and misleading advertising. Therefore, the number of the new section is being changed from §109.201 as proposed to §109.203.

The board has adopted this rule to protect the public from false and misleading advertising. No dentist may advertise or solicit patients in any form of communication that is false or misleading. This rule defines false and misleading advertising.

No comments were received regarding adoption of the new rule.

This new rule is adopted under Texas Civil Statutes, Article 4551d, which provide the Texas State Board of Dental Examiners with the authority to adopt and enforce such rules and regulations not inconsistent with the laws of this state as may be necessary for the performance of its duties and to ensure compliance

with the state laws relating to the practice of dentistry to protect the public health and safety.

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 May 17, 1983

TRD-833631 William S. Nail
Executive Director
Texas State Board of Dental
Examiners

Effective date: June 9, 1983
Proposal publication date: February 25, 1983
For further information, please call (512) 475-2443.

**TITLE 25. HEALTH SERVICES
Part II. Texas Department of
Mental Health and Mental
Retardation.**

**Chapter 407. Internal Facilities
Management**

Personnel

25 TAC §§407.31-407.36

The Texas Department of Mental Health and Mental Retardation adopts the repeal of §§407.31-407.36,

without changes to the proposal published in the April 17, 1979, issue of the *Texas Register* (4 TexReg 1355).

The repeals are adopted because these rules govern the internal management of the department and are not required to be filed with the *Texas Register*.

No comments were received regarding the adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Article 5547-202, §2.11(b), which provide the commissioner with the authority to promulgate rules of the department subject to the general policies formulated by the Texas Board of Mental Health and Mental Retardation.

- §407.31. *Purpose.*
- §407.32. *Application for Employment.*
- §407.33. *Job Bidding Procedures.*
- §407.34. *Basic Criteria for Employment.*
- §407.35. *New Employee Investigations.*
- §407.36. *Disqualification for Employment.*

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 May 20, 1983.

TRD-833679 Gary E. Miller, M.D.
Commissioner
Texas Department of Mental
Health and Mental Retardation

Effective date: June 10, 1983
Proposal publication date: April 17, 1979
For further information, please call (512) 465-4670.

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

State Board of Barber Examiners

Tuesday, June 7, 1983, 8 a.m. The State Board of Barber Examiners will meet in Room C-275, 1300 East Anderson Lane, Austin. Items on the agenda include the previous meeting minutes, signing teacher and school certificates, interviewing out-of-state applicants, and letters and reports to the board by the executive director. The board will also meet in executive session.

Contact: Jo King McCrorey, 1300 East Anderson Lane, C-275, Austin, Texas 78752, (512) 835-2040.

Filed: May 20, 1983, 10:09 a.m.
TRD-833656

Texas School for the Deaf

Saturday, May 28, 1983, 9:30 a.m. The Governing Board of the Texas School for the Deaf will meet in the board room, south campus, Texas School for the Deaf, 1102 South Congress Avenue, Austin. Items on the agenda include approval of the April 16, 1983, minutes; amendments to Policy GK concerning community use of school facilities, first reading, and to Policy EIED and EIED-E concerning graduation requirements; confirmation of consultant con-

tracts; goal setting on a five year plan process; a health services report; summer maintenance needs; updates on the switchboard, a summer school program, and admissions policy; discussion of Policy BKA concerning an administrative organization plan, reports or requests from individuals from the audience; and reports from board members

Contact: Sheila O'Leary, P O Box 3538, Austin, Texas 78764, (512) 442-7821.

Filed: May 20, 1983, 2:24 p.m.
TRD-833693



Texas Education Agency

Friday, June 3, 1983, 8:30 a.m. The Ad Hoc Committee to Review and Make Recommendations on Textbook Adoption Procedure Rules of the State Board of Education of the Texas Education Agency (TEA) will

meet in Room 101-E, TEA North Building, 1200 East Anderson Lane, Austin. According to the agenda, the committee will review and make recommendations on textbook adoption procedure rules applicable for textbooks called for in Textbook Proclamation 60 and each one thereafter

Contact: Cis Myers, 201 East 11th Street, Austin, Texas 78701, (512) 475-4536.

Filed: May 19, 1983, 1:22 p.m.
TRD-833641

Texas Employment Commission

Tuesday, May 31, 1983, 9 a.m. The Texas Employment Commission (TEC) will meet in Room 644, TEC Building, 15th Street and Congress Avenue, Austin. According to the agenda summary, the commission will consider and act on higher level appeals in unemployment compensation cases listed on Dockets 22 and 22A and set the date of the next meeting.

Contact: Courtenay Browning, TEC Building, Room 608, Austin, Texas 78711, (512) 397-4415.

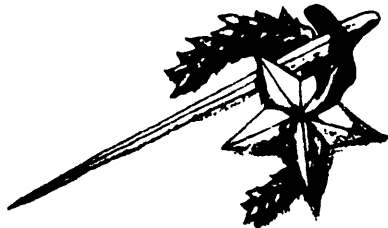
Filed: May 23, 1983, 3:36 p.m.
TRD-833725

Texas Department of Health

Friday, June 3, 1983, 10:30 a.m. The Texas Occupational Safety Board of the Texas Department of Health will meet in Room G-107, Texas Department of Health, 1100 West 49th Street, Austin. According to the agenda summary, the board will approve the March 11, 1983, minutes; review a request by Harry Hubbard, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), regarding the Occupational Safety and Health Administration (OSHA) Act, State Plan for Texas, §18(b); hear a Sunset Committee request and follow-up report and board member reports; and discuss and propose approaches to Governor White concerning a potential task force and action plan for safety in the State of Texas.

Contact: Walter G. Martin, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7287.

Filed: May 20, 1983, 2:24 p.m.
TRD-833684



**Texas Health Facilities
Commission**

Friday, June 3, 1983, 9:30 a.m. The Texas Health Facilities Commission will meet in Suite 305, Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the commission will consider the following applications.

Certificate of Need

The Downtown Surgical Center, San Antonio
AS82-0917-041

New Boston General Hospital, New Boston
AH82-1221-279

Fort Worth Osteopathic Medical Center, Fort Worth
AH82-0920-047

Lifemark Recovery Center—Chocolate Bayou, Liverpool
AO82-1115-189

Contemporary Psychiatric Hospital, Webster
AH82-1109-167

Contact: John R. Neel, P.O. Box 50049, Austin, Texas 78763.

Filed: May 23, 1983, 9:22 a.m.
TRD-833697

University of Houston System

Monday, May 23, 1983. Committees of the Board of Regents of the University of Houston System and the full board met in Room 510, Enterprise Bank Building, 4600 Gulf Freeway, Houston. Times, committees, and agendas are as follows

8:30 a.m. The Facilities, Planning, and Building Committee discussed and/or approved the schematic architectural presentation of the proposed College of Architecture Building.

9 a.m. The University Community Committee discussed and/or approved the acquisition of real property in University Park and reviewed future University Park housing and property acquisition and demolition programs.

9:45 a.m. The Board of Regents discussed and/or approved the awarding of contracts, restriping of 10 major parking lots, and a rebid on chiller equipment for University Park and the awarding of a contract and a new 450-space parking lot for Clear Lake.

10:15 a.m. The University Relations Committee discussed and/or approved gift acceptance reports for the system and the four university campuses, the KUHT quarterly report, an update on fund raising activities for KUHT and KUHF, reports from the Development Office and the University Relations Office, and a legislative report.

11 a.m. The Academic Affairs Committee discussed and/or approved personnel recommendations, the commissioning of peace officers, a continuance beyond retirement age, promotion and tenure, grants and contracts, a bachelor of science in information science degree, a bachelor of science in business administration degree, a master of education degree in curriculum and instruction with a major in special education, and a memorial resolution.

Contact: Patricia A. Bailey, 4600 Gulf Freeway, Suite 500, Houston, Texas 77023, (713) 749-7545.

Filed: May 19, 1983, 10:03 a.m.
TRD-833634-833638

State Board of Insurance

Tuesday, May 24, 1983, 10 a.m. The State Board of Insurance met in emergency session in Room 414, 1110 San Jacinto Street, Austin. According to the agenda, the board conducted a meeting with the attorney general's office respecting pending litigation.

The emergency status was necessary because of time constraints.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: May 23, 1983, 4:43 p.m.
TRD-833729

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

Tuesday, May 31, 1983, 9 a.m. Docket 7162—whether the title insurance agent's license held by Statewide Title of Chambers County, Inc., should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:54 a.m.
TRD-833706

Tuesday, May 31, 1983, 2 p.m. Docket 7174—whether the title insurance agent's license held by Security Abstract and Title of Crosby County, Lubbock, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:54 a.m.
TRD-833707

Wednesday, June 1, 1983, 10:30 a.m. Docket 7165—whether the certificate of authority to do business in Texas held by Hill Country Life Insurance Company, Austin, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:55 a.m.
TRD-833708

Thursday, June 2, 1983, 9 a.m. Docket 7160—approval of the articles of agreement of Security Capital Lloyd's, Houston.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:55 a.m.
TRD-833709

Thursday, June 2, 1983, 1:30 p.m. Docket 7166—whether the certificate of authority to do business in Texas held by South Texas Bankers Life Insurance Company, Beeville, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:56 a.m.
TRD-833710

Friday, June 3, 1983, 9 a.m. Docket 7177—whether the title insurance agent's license held by Peoples Abstract Company, Huntsville, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:56 a.m.
TRD-833711

Friday, June 3, 1983, 1:30 p.m. Docket 7167—whether the certificate of authority to do business in Texas held by Galaxia Life Insurance Company, Bossier City, Louisiana, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:57 a.m.
TRD-833712

Friday, June 3, 1983, 3 p.m. Docket 7178—whether the title insurance agent's license held by Palo Pinto County Abstract Company, Mineral Wells, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:57 a.m.
TRD-833713

Monday, June 6, 1983, 9 a.m. Docket 7168—whether the certificate of authority to do business in Texas held by Rushco Life Insurance Company, Oakdale, Louisiana, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:57 a.m.
TRD-833714

Monday, June 6, 1983, 1:30 p.m. Docket 7169—whether the certificate of authority to do business in Texas held by Navton Life Insurance Company, Hye, should be canceled or revoked.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: May 23, 1983, 10:58 a.m.
TRD-833715

Texas Juvenile Probation Commission

Friday, June 10, 1983, 10 a.m. The Texas Juvenile Probation Commission will meet at 2015 IH 35 South, Austin. Items on the agenda include approval of the April 22, 1983, minutes; the director's report; a legislative update; approval of a board

training grant amendment, state aid fund distribution, a policy on unexpended state aid funds in 1982 and 1983 budgets, and a policy on use of discretionary funds, and a work session on standards

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

Filed: May 20, 1983, 2:21 p.m.
TRD-833685

Texas Department of Labor and Standards

Wednesday and Thursday, June 8 and 9, 1983, 9 a.m. daily. The Texas Department of Labor and Standards will meet in Room 105, E. O. Thompson Building, 920 Colorado, Austin. Items on Wednesday's agenda include a hearing by the Manufactured Housing Division, including review of the status of registrations for several manufactured home manufacturing concerns. Items on Thursday's agenda include hearings by the Manufactured Housing Division and the Labor/Licensing Enforcement Division, including review of the status of registrations for other manufactured housing, manufacturing plants, and license revocations, suspensions, reprimands, etc., for holders of licenses.

Contact: Allen Parker, Sr., P.O. Box 12157, Austin, Texas, (512) 475-0155.

Filed: May 23, 1983, 8:37 a.m.
TRD-833694

Lamar University

Lamar University Board of Regents will meet at the Plummer Administration Building, main campus, Lamar University, Beaumont. Dates, times, and agendas follow.

Friday, May 27, 1983, 9 a.m. The board will meet in emergency executive session to review bids received. The emergency status is necessary because the schedule prevents a quorum at the regular date.

Thursday, June 2, 1983, 1 p.m. The board will consider approval of the April 27, 1983, minutes; the report of the president and the financial report of April 1983; Tennis Center policy; confirmation of appointments; and review the admission standards, retirement plan, and a review of bids received for construction programs.

The board will also meet in executive session.

Contact: Andrew Johnson, P.O. Box 10015, Beaumont, Texas 77710, (409) 838-8403.

Filed: May 24, 1983, 9:26 a.m.
TRD-833737, 833738

Natural Fibers and Food Protein Commission

Thursday, May 26, 1983, 9 a.m. The Industry Advisory Committee of the Natural Fibers and Food Protein Commission (NFFPC) met in emergency session at the Texas A&M Agricultural Research and Extension Center, 17360 Coit Road, Dallas. According to the agenda summary, the committee examined the final approval of the legislature's budget figures for the NFFPC and compiled the Advisory Committee's recommendations for project amounts to the NFFPC. The emergency status was necessary because it was the only time to meet with the presidents of the universities.

Contact: Robert N. Manley, 17360 Coit Road, Dallas, Texas 75252, (214) 231-0852, or (214) 231-5362, ext. 254.

Filed: May 20, 1983, 10:35 a.m.
TRD-833668

Board of Pardons and Paroles

Monday-Friday, June 6-10, 1983, 9 a.m. daily. The Board of Pardons and Paroles will meet in Room 711, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the board will review cases of inmates for parole consideration, act on emergency reprieve requests and other acts of executive clemency, review reports regarding persons on parole, review procedures affecting the day-to-day operation of support staff, review and initiate needed rule changes relating to general operation, executive clemency, parole, and all hearings conducted by the agency, and take action upon gubernatorial directives.

Contact: John W. Byrd, 711 Stephen F. Austin Building, Austin, Texas, (512) 475-3363.

Filed: May 24, 1983, 8:45 a.m.
TRD-833735

Texas Register

Public Utility Commission of Texas

Monday, June 6, 1983, 10 a.m. The Hearings Division of the Public Utility Commission of Texas rescheduled a hearing to be held in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda, the commission will consider the merits in Docket 4975—complaint of Enfield Corporation against Barlett Electric Cooperative, Inc. The hearing was originally scheduled for May 20, 1983, as published at TexReg 1348.

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

Filed: May 19, 1983, 2:28 p.m.
TRD-833648

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

Friday, June 10, 1983, 1:30 p.m. A hearing on the merits in Docket 4954—application of Bayshore Water Services, Inc., for a certificate of convenience and necessity to provide water utility service within the City of Pasadena in Harris County.

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

Filed: May 19, 1983, 10:26 a.m.
TRD-833639

Tuesday, June 14, 1983, 10:30 a.m. A prehearing conference in Docket 4964—inquiry into the water rates of the Double Lakes Club.

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

Filed: May 19, 1983, 2:28 p.m.
TRD-833649

Friday, June 17, 1983, 10 a.m. A rescheduled prehearing conference in Docket 4581—application of Valley Municipal District 2 for certificates of convenience and necessity for water and sewer service within Cameron County. The prehearing conference was originally scheduled for May 27, 1983.

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

Filed: May 23, 1983, 10:17 a.m.
TRD-833702

Monday, June 20, 1983, 9 a.m. A rescheduled prehearing in Docket 5022—application of Valley Hills Water Supply Company for a certificate of convenience and necessity within Brown County. The prehearing was originally scheduled for June 13, 1983.

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

Filed: May 20, 1983, 2:23 p.m.
TRD-833686

Monday, June 20, 1983, 10 a.m. A rescheduled hearing in Docket 4965—complaint of Charles A. Voigt against Southwestern Bell Telephone Company. The hearing was originally scheduled for June 8, 1983, as published at 8 TexReg 1601.

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

Filed: May 19, 1983, 2:28 p.m.
TRD-833650

Tuesday, June 28, 1983, 10 a.m. A §43(g) rate hearing in Docket 5142—inquiry into the rates of J&M Water System.

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

Filed: May 20, 1983, 10:32 a.m.
TRD-833660

Monday, July 11, 1983, 10 a.m. A rescheduled hearing conference in Docket 5100—application of Associates Utility Company for a water rate increase.

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

Filed: May 20, 1983, 2:20 p.m.
TRD-833687

Railroad Commission of Texas

Monday, May 23, 1983, 9 a.m. Divisions of the Railroad Commission of Texas made emergency additions to the agendas of meetings held in the first floor auditorium, Room 107, 1124 IH 35 South, Austin. Divisions and additions are as follows.

The Gas Utilities Division also considered gas utilities Docket 4033—statement of intent filed by U-Grove Corporation to change rates in an unincorporated area adjacent to the City of Stinnet. The emergency status was necessary because this item was

properly noticed for the meeting of May 16, 1983, and was passed.

Contact: Lucia Sturdevant, P.O. Drawer 12967, Austin, Texas 78711, (512) 475-0461.

Filed: May 20, 1983, 12:08 p.m.
TRD-833671

The Transportation Division also considered various matters falling within the commission's transportation regulatory jurisdiction. The emergency status was necessary because of the need to offset reductions in service by regular route passenger carriers under the Federal Bus Regulatory Reform Act of 1982 to insure the availability of public transportation to and from places of employment, medical facilities, and other essential services. The peril is made imminent by provisions of House Bill 593, which will make certificates issued after June 1, 1983, retroactively void as of September 1, 1983, thereby discouraging commencement of new service prior to September 1, 1983, unless certificates are issued on or before June 1, 1983.

The Transportation Division also considered Docket 024452ZZT—application of Frozen Food Express for consideration of changing levels of existing fuel adjustment charges to reflect current fuel prices for Tariff 52 Series. The emergency status was necessary because the matter was properly noticed for the May 16, 1983, meeting and was passed.

Contact: Sandy Yates, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1330.

Filed: May 20, 1983, 12:09 p.m.
TRD-833669, 833670

Texas Rehabilitation Commission

Friday, June 3, 1983, 8:30 a.m., and Saturday, June 4, 1983, 9:30 a.m. The Governor's Planning Council for Developmental Disabilities of the Texas Rehabilitation Commission will meet at the AMFAC Hotel, Dallas. Items on the agenda include approval of the minutes; the introduction of guests; Manuel Soto, director, Region VI Office for Developmental Disabilities, Department of Health and Human Services; Jean K. Elder, Ph.D., commissioner, Administration for Developmental Disabilities, Washington, D.C.; the executive director's report; Senate Concurrent Resolution 98 Report by Emily Untermeyer, Senate Committee on Health and Human Resources; grants management report by W. D. Niel-

son; reports by the council chairman, Becky Brandon, and the council vicechairman, Mary Brock; community residential options report by Bill Dillard, Texas Department of Mental Health and Mental retardation; the state plan draft; Concurrent Senate House Bill 1985 concerning the Developmental Disabilities Council enabling legislation; travel information by Shirley Edwards; a memorandum of understanding; new business items; announcements of council awards and business cards; and a site visit at Lynne Developmental Center, Richardson.

Contact: Joellen Flores Simmons, 118 East Riverside Drive, Austin, Texas 78704, (512) 445-8873.

Filed: May 20, 1983, 2:36 p.m.
TRD-833683

Board for Lease of University Lands

Tuesday, May 31, 1983, 10 a.m. The Board for Lease of University Lands will meet in the board of regents' meeting room, ninth floor, Ashbel Smith Hall, 201 West Seventh Street, Austin. According to the agenda summary, the board will approve the minutes; determine the effective date of collection of royalties on tax reimbursements; consider the settlement of a gas royalty involving Gulf Oil Corporation; recommend to dissolve Unit Agreements 180 and 167; and discuss the status of permit leases, litigation involving the validity of the Texas Natural Resources Code, §52.221 *et. seq.*, the possible sale of oil and leases on university lands, and the status of current legislation.

Contact: Maxine R. Dean, 210 West Sixth Street, Austin, Texas 78701, (512) 471-5781.

Filed: May 19, 1983, 3:43 p.m.
TRD-833682

Texas Water Commission

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

Thursday, June 9, 1983, 10 a.m. An application of the City of Carthage, P.O. Box 400, Carthage, Texas 75633, to the Texas

Department of Water Resources for a temporary order which would authorize the discharge of partially treated domestic wastewater effluent at a volume not to exceed a daily average flow of one million gallons per day (two million gallons per day maximum) from its publicly-owned sewage treatment plant.

Contact: Carl X. Forrester, P.O. Box 13087, Austin, Texas 78711, (512) 475-7851.

Filed: May 23, 1983, 3:13 p.m.
TRD-833718

Wednesday, June 29, 1983, 10 a.m. A hearing on petition for creation of Harris County Municipal Utility District 247, containing 204.3953 acres of land.

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

Filed: May 23, 1983, 3:13 p.m.
TRD-833719

Thursday, July 7, 1983, 9 a.m. The Texas Water Commission will meet in the Odessa City Hall Council Chambers, 411 West Eighth Street, Odessa. According to the agenda summary, the commission will consider an application of the City of Odessa, P.O. Box 4398, Odessa, Texas 79760, to the Texas Department of Water Resources for a renewal of Permit 10238-01, which authorizes a discharge of treated wastewater effluent at a volume not to exceed a maximum flow of 11.8 million gallons per day from the South Dixie Water Reclamation Plant.

Contact: Kaylene Ray, P.O. Box 13087, Austin, Texas 78711, (512) 475-1339.

Filed: May 19, 1983, 3:13 p.m.
TRD-833652

Addition to the above agenda:

An application of the City of Odessa, P.O. Box 4398, Odessa, Texas 79760, to the Texas Department of Water Resources for a renewal of Permit 10238-02, which authorizes a discharge of treated wastewater effluent at a volume not to exceed a maximum flow of 6.26 million gallons per day from the East Water Reclamation Plant.

Contact: Kaylene Ray, P.O. Box 13087, Austin, Texas 78711, (512) 475-1339.

Filed: May 19, 1983, 3:14 p.m.
TRD-833653

Wednesday, July 13, 1983, 9 a.m. The Texas Water Commission will meet in the conference room, 3701 West Alabama, Houston. According to the agenda summary, the commission will consider applications of the United States Postal Service, 1411 Wunsche Loop, Spring, to the Texas

Department of Water Resources for a permit (proposed Permit 12666-01) to authorize a discharge of treated domestic sewage effluent at a volume not to exceed an average flow of 4,000 gallons per day from the wastewater treatment plant which serves the needs of postal service employees, and of Vanmark Enterprises, Inc., 8700 Commerce Park, Suite 200, Houston, to the Texas Department of Water Resources for a permit (proposed Permit 12678-01) to authorize a discharge of treated domestic sewage effluent at a volume not to exceed an average flow of 15,000 gallons per day from the proposed Hartwick Place mobile home park. **Contact:** James Larkins, P.O. Box 13087, Austin, Texas 78711, (512) 475-1468.

Filed: May 20, 1983, 3:09 p.m.
TRD-833691, 833692

Thursday, July 21, 1983, 9 a.m. The Texas Water Commission will meet in the city hall council chambers, fourth floor, College at Irvin Streets, San Angelo. According to the agenda summary, the commission will consider an application of Ben O'Neal, 3002 West Harris, San Angelo, to the Texas Department of Water Resources for a permit (proposed Permit 12695-01) to authorize the disposal by irrigation of treated domestic sewage effluent at a volume not to exceed an average flow of 20,000 gallons per day to 5.4 acres of land adjacent to the plant site.

Contact: Joe O'Neal, P.O. Box 13087, Austin, Texas 78711, (512) 475-2711.

Filed: May 23, 1983, 3:13 p.m.
TRD-833720

Wednesday, August 10, 1983, 10 a.m. The Texas Water Commission will meet in Room 124A, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will conduct a hearing on Application 265B of the heirs and successors of J. E. Broussard and B. C. Hebert for an amendment to Permit 246, as amended, to increase the amount of water authorized to be diverted from Taylor Bayou in the Neches-Trinity Coastal Basin in one year from 7,000 to 17,000 acre-feet. The applicants also seek to increase the maximum diversion rate and increase the number of acres to be irrigated in Jefferson County.

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

Filed: May 19, 1983, 3:15 p.m.
TRD-833654

Texas Register

The Texas Water Commission will meet in Room 618, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, at 10 a.m. Days and agendas follow.

Friday, August 12, 1983. According to the agenda, the commission will conduct a hearing on Application 4358 of McCart 85 acres joint venture for a permit to impound and use 4.29 acre-feet of water in seven proposed reservoirs to be created by overflow dams to be constructed on Edgecliff Branch, tributary of Sycamore Creek, tributary of West Fork Trinity River, tributary of Trinity River, Trinity River Basin for recreational purposes in Tarrant County. Also scheduled is a hearing on application 4360 of Leland L. Westphall for a permit to divert and use 117.5 acre-feet per annum from the Rio Grande, Rio Grande Basin for irrigation purposes in Cameron County.

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

Filed: May 23, 1983, 3:14 p.m.
TRD-833721, 833722

Thursday, August 18, 1983. According to the agenda, the commission will conduct a hearing on Application 516B of the City of Wichita Falls and Wichita County Water Improvement District 2 for an amendment to Permit 504, as amended, to authorize the diversion from Lake Kemp and Lake Diversion, both located on the Wichita River, tributary of the Red River, Red River Basin in Baylor and Archer Counties, respectively, for the diversion of 5,850 acre-feet for recreational purposes.

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

Filed: May 19, 1983, 3:14 p.m.
TRD-833655

Thursday, August 25, 1983. According to the agenda, the commission will conduct a hearing on Application 4359 of G. Kent Rider, *et al* for a permit to directly divert and use 34 acrefeet of water per annum from the Colorado River, Colorado River Basin for irrigation purposes in Travis County.

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

Filed: May 23, 1983, 3:15 p.m.
TRD-833723

Friday, August 26, 1983. According to the agenda, the commission will conduct a hearing on Application ACF757B of the City of Fort Worth seeking to amend Certified Filing 757, as amended, to divert its 13,393 acre-feet per year from Lake Worth on the

West Fork Trinity River in various quantities for industrial, irrigation, and municipal purposes in Tarrant County.

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

Filed: May 23, 1983, 3:15 p.m.
TRD-833724

Regional Agencies Meetings Filed May 19

The Amarillo Mental Health and Mental Retardation Center. Executive Committee, met in Room G-15, Psychiatric Pavilion, 7201 Evans, Amarillo, on May 26, 1983, at noon. The Board of Trustees met in Room J-13 at the same location on the same day at 1 p.m. Information may be obtained from Claire Rigler, P.O. Box 3250, Amarillo, Texas 79116-3250, (806) 353-7235.

The Dallas Area Rapid Transit, Communications and Community Involvement Committee, met in emergency session in Suite 406, Love Field Terminal Building, Dallas, on May 20, 1983, at 1:30 p.m. The board met in Room 6ES, Dallas City Hall, 1500 Marilla, Dallas, on May 23, 1983, at 8 a.m. Information may be obtained from Cinde Weatherby, Love Field Terminal Building, Lock Box 12, Dallas, Texas 75235, (214) 358-3217

The Mental Health and Mental Retardation Center of East Texas, Board of Trustees, met in the board room, 2323 West Front Street, Tyler, on May 26, 1983, at 4 p.m. Information may be obtained from Richard J. DeSanto, P.O. Box 4730, Tyler, Texas 75712, (214) 597-1351.

The Heart of Texas Council of Governments, Executive Committee, met at 320 Franklin Avenue, Waco, on May 26, 1983, at 12:30 p.m. Information may be obtained from Mary McDow, 320 Franklin Avenue, Waco, Texas 76701, (817) 756-6631.

The Hickory Underground Water Conservation District 1 met in the council chambers, city hall, 105 East Main Street, Brady, on May 26, 1983, at 7 p.m. Information may be obtained from Terry R. Norman, 101 East First Street, Brady, Texas 76825, (915) 597-0334.

The Palo Pinto Appraisal District met in the county courtroom, Palo Pinto Courthouse,

Palo Pinto, on May 23, 1983, at 3 p.m. Information may be obtained from John R. Winters, P.O. Box 250, Palo Pinto, Texas 76072, (817) 659-3651

The Panhandle Regional Planning Commission, Board of Directors, met in the first floor conference room, Briercroft Building, Eighth and Jackson Streets, Amarillo, on May 26, 1983, at 1:30 p.m. Information may be obtained from Polly Jennings, P.O. Box 9257, Amarillo, Texas 79101, (806) 372-3381.

TRD-833633

Meetings Filed May 20

The Mental Health and Mental Retardation Authority of Brazos Valley, Board of Trustees, Executive Committee, met at the Brazos Center, 3232 Briarcrest Drive, Bryan, on May 26, 1983, at 1 p.m. Information may be obtained from Ann Pye Shively, Ph.D., Suite 225-C, 707 South Texas Avenue, College Station, Texas 77840.

The Coastal Bend Council of Governments will meet in the central jury room, Nueces County Courthouse, 901 Leopard, Corpus Christi, on May 27, 1983, at 2 p.m. Information may be obtained from John P. Buckner, P.O. Box 9909, Corpus Christi, Texas 78408, (512) 883-5743

The Region II Education Service Center, Board of Directors, will meet in the administrative conference room, 209 North Water, Corpus Christi, on June 7, 1983, at 6:30 p.m. Information may be obtained from Gerald V. Cook, 209 North Water, Corpus Christi, Texas 78401-2599, (512) 883-9288.

The Fannin County Appraisal District, Board of Directors, met in emergency session at 401 North Main, Bonham, on May 20, 1983, at 5 p.m. Information may be obtained from Bettye Manning, 401 North Main, Bonham, Texas 75418, (214) 583-9546

The Hale County Appraisal District, Board of Directors, will meet at the central appraisal office, 302 West Eighth Street, Plainview, on May 27, 1983, at 11 a.m. Information may be obtained from Linda Jaynes, P.O. Box 29, Plainview, Texas 79072, (806) 293-4226.

The Hunt County Tax Appraisal District, Board of Directors, will meet in the board

room, 4815-B King Street, Greenville, on June 2, 1983, at 7 p.m. Information may be obtained from Henry J. Popp or Jeanne Penney, 4815-B King Street, Greenville, Texas 75401, (214) 454-3510.

The Leon County Central Appraisal District, Board of Directors, met in emergency session at the Leon County Courtroom, Centerville, on May 23, 1983, at 6:30 p.m. Information may be obtained from Mabel Watson, P.O. Box 536, Centerville, Texas 75833, (214) 536-2252.

The Middle Rio Grande Developmental Council met at the civic center, Del Rio, on May 25, 1983, at 1:30 p.m. Information may be obtained from Paul A. Edwards, P.O. Box 702, Carrizo Springs, Texas 78834, (512) 876-5533.

The North Central Texas Council of Governments, Executive Board, met in Suite 200, Centerpoint Two Building, 616 Six Flags Drive, Arlington, on May 26, 1983, at 12:30 p.m. Information may be obtained from Linda Keithley, P.O. Drawer COG, Arlington, Texas 76005-5888, (817) 461-3300.

The Central Appraisal District of Rockwall County, Board of Directors, will meet at 106 North San Jacinto, Rockwall, on May 31, 1983, at 7:30 p.m. Information may be obtained from Eugene "Bo" Daffin, 106 North San Jacinto, Rockwall, Texas 75087, (214) 722-2034.

TRD-833661

Meetings Filed May 23

The Austin-Travis County Mental Health and Mental Retardation Center, Finance and Control Committee, met in the board

room, 1430 Collier Street, Austin, on May 26, 1983, at 11:30 a.m. The Board of Trustees met at the same location on the same day at noon. Information may be obtained from Debbie Sandoval, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141.

The Edwards County Appraisal District, Board, will meet at the new county building, Rocksprings, on June 3, 1983, at 10 a.m. Information may be obtained from Judge R. L. Fred, Box 348, Rocksprings, Texas, (512) 683-6590.

The Lower Rio Grande Valley Development Council, Board of Directors, met at the Harlingen Chamber of Commerce, 311 East Tyler, Harlingen, on May 26, 1983, at 1 p.m. Information may be obtained from Robert A. Chandler, 207 Texas Commerce Bank Building, McAllen, Texas 78501, (512) 682-3481.

The Texas Municipal Power Agency, Board of Directors, met at the Gibbons Creek steam electric station, Carlos, on May 26, 1983, at 10 a.m. Information may be obtained from Frank H. Bass, 2225 East Randolph Mill Road, Suite 600, Arlington, Texas 76011, (817) 461-4400.

The South Texas Development Council, STED Corporation Board of Trustees, will meet at the Zapata Community Service Center, Zapata, on May 31, 1983, at 10:30 a.m. Information may be obtained from Roberto Mendiola, P.O. Box 2187, Laredo, Texas 78041, (512) 722-3995.

The Wise County Appraisal District, Board of Directors, met in emergency session at 206 South State, Decatur, on May 26, 1983, at 9:30 a.m. Information may be obtained from Angela Caraway, P.O. Box 509, Decatur, Texas 76234, (817) 627-3081.

TRD-833696

Meetings Filed May 24

The Edwards County Appraisal District, Appraisal Review Board, met in emergency session in the new county office building, Rocksprings, on May 26, 1983, at 10 a.m. Information may be obtained from Glen T. Whitehead, Box 378, Rocksprings, Texas 78880, (512) 683-2337.

The Central Appraisal District of Erath County, Appraisal Review Board, will meet at 1191 South Loop, Stephenville, on May 30 and 31, 1983, at 9 a.m. daily. Information may be obtained from Freccia Perales, 1191 South Loop, Stephenville, Texas 76401, (817) 965-5434.

The Fannin County Appraisal District, Board of Directors, met in emergency session at 401 North Main, Bonham, on May 24, 1983, at 5 p.m. Information may be obtained from Bettye Manning, 401 North Main, Bonham, Texas 75418, (214) 583-9546.

The Tarrant County Appraisal District, Board of Directors, met in emergency session at 1701 River Run, Fort Worth, on May 26, 1983, at 10 a.m. The Board of Directors also conducted a work session at the same location following the 10 a.m. meeting. Information may be obtained from Ceal Mae Perrin, 1701 River Run, Suite 200, Fort Worth, Texas 76107, (817) 332-8522.

The Wise County Appraisal District, Appraisal Review Board, met at 206 South State, Decatur, on May 26, 1983, at 2 p.m. Information may be obtained from Angela Caraway, P.O. Box 509, Decatur, Texas 76234, (817) 627-3081.

TRD-833736

The Legislature

For the purpose of public information, the *Register* publishes a listing of the bills that have been submitted to the governor and the status of these bills.

A bill will be listed after the bill has passed both the House and the Senate and again when the Governor acts upon the bill.

Bills Submitted to the Governor

May 19

HB 872 Relating to the requirements for obtaining a certificate of title to a vehicle that has not been previously registered or titled in any state.

Sponsors: Moreno, Alejandro, *et al*

SB 396 Relating to the establishment of the Board of Pardons and Paroles as a statutory agency and to the membership, terms, and power of the board to determine, continue, modify, or revoke paroles and releases to mandatory supervision.

Sponsor: Farabee

SB 578 Relating to the authority of the Board of Regents of the Texas A&M University System to grant, sell, lease, or otherwise dispose of certain Texas A&M University System property.

Sponsor: Caperton

SB 727 Relating to measures designed to reduce the prison population during periods of emergency overcrowding.

Sponsor: Caperton

SB 911 Relating to creation of a Criminal Justice Policy Council and its functions, administration, and funding; organization of the Criminal Justice Coordinating Council and the elimination of the Criminal Justice Advisory Board.

Sponsor: Farabee

SB 969 Relating to the authority of certain counties to contract for the improvement of highways in the counties and to assess the cost of the improvements to the owners of property benefited by the improvements.

Sponsor: Henderson

SB 1030 Relating to the creation and establishment of a conservation and reclamation district, known as San Jacinto Place Municipal Utility District 2.

Sponsor: Williams

SB 1270 Relating to the name and powers and duties of the Greater Texoma Utility Authority, as renamed; providing for validation of certain contracts and bonds.

Sponsor: Farabee

May 20

HB 2437 Relating to a pilot program for experimental liver transplants for infants and small children.

Sponsor: Lewis

Bills Signed by the Governor

May 20

HB 46 Relating to execution of a directive under the Natural Death Act.

Effective Date: August 29, 1983

HB 94 Relating to the right of a possessory conservator of a child to the child's medical, dental, and educational records.

Effective Date: May 20, 1983

HB 131 Relating to workers' compensation funeral benefits.

Effective Date: August 29, 1983

HB 266 Relating to the appointment of guardians *ad litem* and attorneys *ad litem* in probate proceedings.

Effective Date: August 29, 1983

HB 276 Relating to the person authorized to request an autopsy.

Effective Date: August 29, 1983

HB 553 Relating to sale of property of a minor by a parent without guardianship.

Effective Date: September 1, 1983

HB 797 Relating to exemptions from licensing requirements for insurance adjusters.

Effective Date: May 20, 1983

HB 1231 Relating to correcting patents.

Effective Date: September 1, 1983

HB 1255 Relating to the powers of an electric cooperative corporation.

Effective Date: August 29, 1983

HB 1346 Relating to regulation of the *in situ* recovery of tar sands.

Effective Date: September 1, 1983

HB 1389 Relating to the apportionment of the state into representative districts.

Effective Date: August 29, 1983

HB 2437 Relating to a pilot program for experimental liver transplants for infants and small children.

Effective Date: May 20, 1983

SB 221 Relating to the fee charged for an ad valorem tax certificate.

Effective Date: September 1, 1983

SB 246 Relating to the establishment, personnel, compensation, powers and duties, and financing of a juvenile board for Milam, Robertson, and Falls Counties; providing for cooperation by political subdivisions and associations.

Effective Date: August 29, 1983

SB 261 Relating to the perfection of a security interest in a motor vehicle.

Effective Date: August 29, 1983

SB 262 Relating to security interests and other liens in motor boats and outboard motors.

Effective Date: August 29, 1983

SB 281 Relating to a supplemental appropriation to the Board of Pardons and Paroles for certain expenses associated with relocating to different office space to alleviate current overcrowded conditions.

Effective Date: May 20, 1983

SB 384 Relating to the guarantee of certain school district bonds; prescribing certain powers and duties of the State Board of Education, the commissioner of education, and the state auditor; providing for enforcement proceedings.

Effective Date: Upon adoption of SJR 12.

SB 392 Relating to an exemption of certain property from charges for fees for services, support, and maintenance of residents of residential care facilities operated by the Texas Department of Mental Health and Mental Retardation.

Effective Date: August 29, 1983

SB 393 Relating to representation of the state in filing claims in court for support, maintenance, and treatment of patients in certain state hospitals or residential care facilities and procedure therefor.

Effective Date: August 29, 1983

SB 394 Relating to the establishment and allocation of charges for support of patients of state mental hospitals and residential care facilities operated by the Texas

Department of Mental Health and Mental Retardation and the utilization of court-ordered child support payments.

Effective Date: August 29, 1983

SB 420 Relating to state regulation of corporations; requiring filing of certain notices and statements with the secretary of state and placing certain duties on the secretary of state; increasing certain fees.

Effective Date: May 20, 1983

SB 438 Relating to the authority of a state bank to invest in another bank or a bank holding company.

Effective Date: May 20, 1983

SB 439 Relating to the adoption of the Uniform Child Custody Jurisdiction Act, to jurisdiction, to notice and joinder requirements, and to general powers and duties of courts in suits affecting the parent-child relationship or custody.

Effective Date: September 1, 1983

SB 442 Relating to a supplemental appropriation to the Texas State Board of Public Accountancy.

Effective Date: May 20, 1983

SB 460 Relating to temporary licensing requirements for certain life insurance agents.

Effective Date: May 20, 1983

SB 466 Relating to an appropriation to the Texas Board of Architectural Examiners to pay the increased costs of purchasing examinations.

Effective Date: May 20, 1983

SB 469 Making supplemental appropriations for the expenses of the Judiciary.

Effective Date: May 20, 1983

SB 510 Relating to the requirement of an annual report from the secretary of state concerning the reporting of contributions and expenditures of political funds and activities in carrying out his duties.

Effective Date: August 29, 1983

SB 517 Relating to the powers and duties of the board of regents of Texas Tech University and the Texas Tech University Health Sciences Center to accept donations, grants, endowments, and gifts and manage certain real property.

Effective Date: May 20, 1983

SB 582 Relating to the rate and application of the motor vehicle sales and use tax to certain exported motor vehicles and to certain imported motor vehicles.

Effective Date: May 20, 1983

SB 619 Relating to the taxable business of a telegraph company.

Effective Date: September 1, 1983

SB 636 Relating to the regulation of real estate brokers and salesmen, to certain duties of the Texas Real Estate Commission, and to the appointment, membership, and powers and duties of a Texas Real Estate Broker Lawyer Committee.

Effective Date: May 20, 1983

SB 670 Making supplemental appropriations to Texas A&M University and to the Texas Agriculture Experiment Station to replace property destroyed by fire.

Effective Date: May 20, 1983

SB 749 Relating to weight limitations for certain vehicles.

Effective Date: May 20, 1983

SB 861 Relating to the responsibility of the Texas Department of Human Resources to provide protective services to elderly and disabled persons.

Effective Date: September 1, 1983

SB 897 Relating to the authority of the comptroller to charge bingo licensees an audit or investigation fee.

Effective Date: May 20, 1983

SB 1224 Relating to establishment, personnel, compensation, powers and duties, and financing of a juvenile board in Culberson and Hudspeth Counties.

Effective Date: May 20, 1983

May 21

HB 962 Relating to taxation of sample packages of cigarettes.

Effective Date: May 21, 1983

SB 222 Relating to temporary registration permits for certain motor vehicles not registered in this state.

Effective Date: August 29, 1983

Bills Vetoed by the Governor

May 21

SB 319 Relating to the regulation of nepotism in government.

SB 1221 Relating to certain state purchase vouchers and invoices and to certain powers and duties of the State Purchasing and General Services Commission and of the comptroller.

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.

In Addition



Banking Department of Texas Applications to Acquire Control of a State Bank

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

On May 11, 1983, the banking commissioner received an application to acquire control of Security Bancshares, Inc./City State Bank in Wellington, Wellington, by Don Donaldson of Bartlesville, Oklahoma.

On May 16, 1983, notice was given that the application would not be denied.

Additional information may be obtained from Robert E. Stewart, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on May 16, 1983.

TRD-833622 Archie P. Clayton III
General Counsel
Banking Department of Texas

Filed: May 18, 1983
For further information, please call (512) 475-4451.

On May 18, 1983, the banking commissioner received an application to acquire control of DeLeon Bancshares, Inc./Farmers & Merchants Bank, DeLeon, by Stephen Lee Brannan of Odessa.

Additional information may be obtained from Robert E. Stewart, 2601 North Lamar, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on May 18, 1983.

TRD-833689 Archie P. Clayton III
General Counsel
Banking Department of Texas

Filed: May 20, 1983
For further information, please call (512) 475-4451.

On May 18, 1983, the banking commissioner received an application to acquire control of Ranger Bancshares, Inc./First State Bank, Ranger, by Stephen Lee Brannan of Odessa.

Additional information may be obtained from Robert E. Stewart, 2601 North Lamar, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on May 18, 1983.

TRD-833688 Archie P. Clayton III
General Counsel
Banking Department of Texas

Filed: May 20, 1983
For further information, please call (512) 475-4451.

Office of Consumer Credit Commissioner Rate Ceilings

Pursuant to the provisions of House Bill 1228, 67th Legislature of Texas, Regular Session, 1981, the consumer credit commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Article 1.04, as amended Texas Civil Statutes, Article 5069-1.04.

Effective Period ⁽¹⁾	Type of Transaction	
	Commercial ⁽³⁾ Consumer ⁽²⁾ /thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Indicated Rate		
Weekly Rate Ceiling		
05/30/83-06/05/83	18.00%	18.00%
Monthly Rate Ceiling		
(Variable Commercial Only)		
05/01/83-05/31/83	18.00%	18.00%
Quarterly Rate Ceiling		
04/01/83-06/30/83	18.00%	18.00%
Annual⁽⁵⁾ Rate Ceiling		
04/01/83-06/30/83	20.48%	20.48%

- (1) Dates set out above are inclusive
- (2) Credit for personal, family, or household use.
- (3) Credit for business, commercial, investment, or other similar purpose.
- (4) Same as (3) above, except excluding credit for agricultural use.
- (5) Only for open end as defined in Texas Civil Statutes, Article 5069-1.01(f).

Issued in Austin, Texas, on May 23, 1983.

TRD-833695 Sam Kelly
Consumer Credit Commissioner

Filed: May 23, 1983
For further information, please call (512) 475-2111.

Texas Department of Community Affairs Request for Proposals

The Texas Department of Community Affairs (TDCA), under the authority of Texas Civil Statutes, Article 4413 (201), and the Texas Controlled Substance Act, Article 4476-15, announces a request for proposals (RFP) from its Drug Abuse Prevention Division. The TDCA is soliciting proposals for the provision of training to minority executive directors and boards of directors of drug abuse prevention and treatment programs. The TDCA is seeking offerors with training experience to develop and conduct training in the area of management and marketing for nonprofit organizations which manage drug abuse prevention or treatment programs. Performances shall include conducting one training of trainers (TOT) workshop for persons identified by the TDCA, developing a training and resource manual specifically designed for minority executive directors and boards of directors of nonprofit organizations, and conducting field testing of the training materials to be developed under this project.

General Information. To be eligible, offerors must document at least two years experience in training drug abuse prevention and/or treatment courses and development of training materials and training designs, in addition to knowledge and experience of grantsmanship and marketing strategies for nonprofit organizations. Offerors must also document previous experience in the development of drug abuse training materials which have cultural relevance to black and brown residents of Texas.

Offerors should propose to develop these training materials and deliver the training over a three-month

period beginning June 17, 1983. Offerors should submit all requested materials by the deadline for accepting proposals, June 9, 1983. The following materials should be submitted:

- (1) a record of the offeror's credentials and documented qualifications;
- (2) a brief description of the offeror's experience in developing training;
- (3) a sample of training materials and a training design previously developed by the offeror;
- (4) a description of the process and timetable to be followed in the development of the materials and in the delivery of training; and
- (5) a detailed budget reflecting the cost of developing, designing, and delivery of training and training materials.

The TDCA may select one or more offerors to perform the services solicited under this RFP. The total award of any contract executed pursuant to this RFP is not anticipated to exceed \$9,000. The TDCA reserves the right to accept or reject any or all proposals submitted under this announcement and to negotiate modifications to improve the quality or cost effectiveness of any proposal. The TDCA is under no legal requirement to execute a resulting contract, if any, on the basis of this announcement and intends the material provided in this notice only as a means of identifying the services sought by the TDCA. This announcement does not commit the TDCA to pay for any costs incurred prior to the execution of a contract and is subject to the availability of appropriate funds. Issuance of this material in no way obligates the TDCA to award a contract.

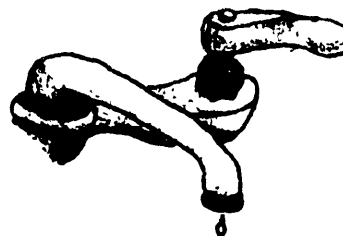
Deadline for Submission of Proposals. Proposals submitted in response to this RFP will not be accepted after 5 p.m. on Thursday, June 9, 1983. Proposals received after June 9, 1983, will be accepted only if postmarked on or before June 7, 1983.

Two copies of the proposal should be sent by certified mail to Contracts Office, Drug Abuse Prevention Division, Texas Department of Community Affairs, P.O. Box 13166, Austin, Texas 78711, (512) 443-4100. Any questions regarding the intent of the RFP and the services requested should be directed to Mary Gay Maxwell, Manager, Education and Training Branch, Drug Abuse Prevention Division, at the previously stated address.

Issued in Austin, Texas, on May 19, 1983

TRD-833640 Doug Brown
General Counsel
Texas Department of Community Affairs

Filed: May 19, 1983
For further information, please call (512) 443-4100, ext. 210.



**Texas Energy and Natural
Resources Advisory Council
Award of Contract**

The Texas Energy and Natural Resources Advisory Council hereby furnishes this notice of contract award. The request for proposals appeared in the August 28, 1981, issue of the *Texas Register* (6 TexReg 3194). This notice of contract award does not come under Texas Civil Statutes, Article 6252-11c, but is furnished as public information. A description of the project is as follows.

This contract for Project 80-B-3-1c will provide the following services

- (1) collect raw manure and digester effluent samples for starch concentration analysis;
- (2) modify one reactor of the Del Valle Hog Farm Alcohol Facility to accept a slurry feedstock;
- (3) Conduct test runs on raw manure and digester effluent; and
- (4) analyze results of test runs against the use of milo grain to determine the technical and economical feasibility of the alternate feedstocks

The contractor is SV&G Energy Resources, Inc., 9705 Burnet Road, #209, Austin, Texas 78758. The total value of the contract is \$9,935.20. The beginning date of the contract is May 1, 1983, and the ending date of the contract is August 31, 1983.

A draft final report is due August 1, 1983, and the final report is due on August 31, 1983.

Issued in Austin, Texas, on May 19, 1983

TRD-833662 M. Lee Wilson
Director
Technology Development
Division
Texas Energy and Natural
Resources Advisory Council

Filed: May 20, 1983
For further information, please call (512) 475-0414.

north of the intersection of State Highway 158 and the AT&SF Railroad in Bronte, in Coke County. The public hearing will be held on Tuesday, June 28, 1983, at 9 a.m., at the city hall, Bronte

(3) Application 1505 of Browning-Ferris, Inc., to operate a proposed Type I municipal solid waste disposal site to be located approximately 1.5 miles south of the south city limits of Houston, approximately 4.5 miles east of Missouri City, approximately 1.25 miles north of Fresno, 1.2 miles southwest of the junction of FM Highway 2234 with FM Highway 521, and on the west side of FM Highway 521 and Missouri Pacific Railroad in Fort Bend County. The public hearing will be held on Tuesday, June 28, 1983, at 9:30 a.m., in the auditorium-cafeteria of the Blue Ridge Elementary School, 6241 McHard Road (FM 2234), Houston

(4) Application 1571 of The City of Iowa Park to operate a proposed Type I municipal solid waste disposal site to be located approximately 800 feet southwest of the west city limits of Iowa Park, approximately 1,200 feet south of the Fort Worth and Denver Railroad to the northeast corner of the proposed site, and 1,600 feet south of the intersection of Smith Road and Johnson Road to the northwest corner of the site, in Wichita County. The public hearing will be held on Thursday, June 30, 1983, at 9:30 a.m., at the council chambers, city hall, 103 North Wall Street, Iowa Park

(5) Application 754 of Gray Container Service to operate an existing Type III municipal solid waste disposal site located about 4.7 miles east-southeast of the intersection in Springtown of State Highway 199 and FM Highway 51, on the east side of and adjacent to Tower Road, 0.9 mile north of its intersection with State Highway 199, in Parker County. The public hearing will be held on Wednesday, July 6, 1983, at 1:30 p.m., in the city hall, Azle

Issued in Austin, Texas, on May 19, 1983

TRD-833666 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: May 20, 1983
For further information, please call (512) 458-7271.

**Texas Department of Health
Public Hearings**

The Texas Department of Health will conduct hearings on the following five municipal solid waste disposal sites.

(1) Application 1532 of Bastrop County to operate a Type III municipal solid waste disposal site located approximately 5.8 miles east of the junction of FM Road 153 and State Highway 71, adjacent to the north side of FM Road 153, approximately 7.1 miles northeast of Smithville, in Precinct 2 of Bastrop County. The public hearing will be held on Tuesday, June 14, 1983, at 10:30 a.m., in the commissioners courtroom, Bastrop County courthouse, 804 Pecan Street, Bastrop

(2) Application 1580 of The City of Bronte to operate a proposed Type III municipal solid waste disposal site to be located north of Bronte, adjacent to and on the east side of the AT&SF Railroad, approximately one mile

The Texas Department of Health will conduct a public hearing on proposed amendments to §§145.181-145.183, concerning minimum licensing standards for personal care homes. The amendments are to encourage the use of small facilities for certain types of care, to assure appropriate fire safety for all personal care homes consonant with the latest state of the art, and to clarify the requirements and allowances involved with the handling of and assistance with medications. The May 10, 1983, issue of the *Texas Register* (8 TexReg 1553) contains these proposed amendments

The public hearing will be held on Friday, June 3, 1983, at 9:30 a.m., at the Texas Department of Health auditorium, 1100 West 49th Street, Austin, Texas.

For further information, please contact Howard C. Allen, Acting Chief, Bureau of Long Term Care, Texas Depart-

ment of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7706

Issued in Austin, Texas, on May 19, 1983

TRD-833667 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: May 20, 1983
For further information, please call (512) 458-7706.

Uranium By-Product Material License Amendment

The Texas Department of Health gives notice that Radioactive Material License 9-2663, issued to Everest Minerals Corporation for its Hobson Project located in Karnes County (mailing address: Everest Minerals Corporation, P. O. Box 1339, Corpus Christi, Texas 78403), has been amended. The amendment will authorize the installation of a yellowcake drying and packaging system at the Hobson facility, increase the annual maximum quantity of yellowcake to be possessed from 200,000 pounds to 600,000 pounds due to the production of dried yellowcake from yellowcake slurry received from the licensee's Las Palmas facility, and authorize the possession and use of a nuclear gauge containing a sealed source for level determination of yellowcake in drums from the drying and packaging system.

The Texas Department of Health, Bureau of Radiation Control, has determined that the amendment has no significant impact on the human environment, and the licensee is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with these regulations in such a manner as to minimize danger to public health and safety, and the environment. The licensee's equipment, facilities, and procedures are adequate to minimize danger to public health and safety and the environment. The issuance of the license amendment will not be inimical to public health and safety or have a detrimental impact on the environment. The licensee satisfies any applicable special requirements in the Texas Regulations for Control of Radiation (TRCR), Parts 41 and 43.

The basis for these conclusions is contained in a document titled *Evaluation of Potential Environmental Impacts Related to a Yellowcake Drying and Packaging System at Everest Minerals Corporation's Hobson Facility (License 9-2663) Karnes County, Texas*. 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 a public hearing upon written request by a person affected as required by Texas Civil Statutes, Article 4590f, §11(b), as amended, and as set out in TRCR Part 43.100(d). A written hearing request must be received within 30 days from the date of this notice by David K. Lacker, Director, Radiation Control Program, 1100 West 49th Street, Austin, Texas,

78756. Should no request for a public hearing be filed on time, the license amendment will remain in effect.

Information relative to the amendment of this specific radioactive material license may be obtained by contacting Mr. Lacker. For further information please call (512) 835-7000.

Issued in Austin, Texas, on May 19, 1983

TRD-833665 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: May 20, 1983
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, ME 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, NH-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 50049, Austin, Texas 78763, 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 TAC §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.

Gladewater Hospital Authority for Gladewater
Municipal Hospital, Gladewater
AH83-0505-468
DR—Request for a declaratory ruling that a certificate of need is not required for Gladewater Municipal Hospital to continue to provide obstet-

rical services to its patients. Gladewater Municipal Hospital discontinued its obstetrical service in August 1979; however, all equipment was retained, and the obstetrical department has remained set-up and available. No capital expenditure will be involved.

Beverly Enterprises, Inc., doing business as Leisure Lodge Tyler, Tyler
AN82-0630-070A(051683)

CN/AMD—Request to extend the completion deadline from May 15, 1983, to August 15, 1983, in Certificate of Need AN82-0630-070A(051683), which authorized the certificate holder to reclassify 32 beds to skilled for a total of 164 intermediate care beds and 32 skilled nursing beds.

Baptist Memorial Hospital System for Northeast Baptist Hospital, San Antonio

AH81-0312-032A(051683)

CN/AMD—Request to extend the completion deadline from May 31, 1983, to April 1, 1984, in Certificate of Need AH81-0312-032, which authorized the certificate holder to construct building additions totaling 50,325 square feet, add 85 beds, to renovate 14,574 square feet, and to provide in-patient acute hemodialysis as a new service.

Baptist Memorial Hospital System for Baptist Medical Center (formerly Baptist Memorial Hospital), San Antonio

AH81-0423-004A(051683)

CN/AMD—Request for an extension of the completion deadline from June 30, 1983, to June 1, 1984, in Certificate of Need AH81-0423-004, which authorized the certificate holder to conduct a construction and renovation project involving the construction of two additional floors, containing 33,892 square feet, to provide 52 additional beds.

Summit Care Corporation, a California corporation, Burbank, California

AN83-0517-498

NIEH—Request for a declaratory ruling that a certificate of need is not required for Summit Care Corporation, a California corporation, to acquire by purchase Mansfield Nursing Home, an existing 127-bed skilled nursing facility located in Mansfield, from Valley Grande Manor Association of Seventh Day Adventist, Inc., a Texas corporation.

Summit Care Corporation, a California corporation, Burbank, California

AN83-0517-500

NIEH—Request for a declaratory ruling that a certificate of need is not required for Summit Care Corporation, a California corporation, to acquire by purchase Irving Convalescent Center, an existing 360-bed skilled nursing facility located in Irving, from International Health Care Corporation, a wholly-owned subsidiary of Consolidated Convalescent Center, Inc.

Summit Care Corporation, a California corporation, Burbank, California
AN83-0517-502

NIEH—Request for a declaratory ruling that a certificate of need is not required for Summit Care Corporation, a California corporation, to acquire by purchase Francis Southwood Nursing Home, an existing 120-bed ICF nursing facility located in Austin, from Francis Southwood Nursing Home, Inc., a wholly-owned subsidiary of Consolidated Convalescent Center, Inc.

Summit Care Corporation, a California corporation, Burbank, California

AN83-0517-504

NIEH—Request for a declaratory ruling that a certificate of need is not required for Summit Care Corporation, a California corporation, to acquire by purchase Carriage Square Nursing Home, an existing 143-bed skilled nursing facility located in San Antonio, from Med-Care, Inc., a wholly-owned subsidiary of Consolidated Convalescent Center, Inc.

Summit Care Corporation, a California corporation, Burbank, California

AN83-0517-506

NIEH—Request for a declaratory ruling that a certificate of need is not required for Summit Care Corporation, a California corporation, to acquire by purchase Colonial Manor Nursing Home, an existing 160-bed nursing facility with 112 ICF and 48 skilled beds located in New Braunfels, from Colonial Manor Nursing Home, Inc., a wholly-owned subsidiary of Consolidated Convalescent Center, Inc.

Summit Care Corporation, a California corporation, Burbank, California

AN83-0517-508

NIEH—Request for a declaratory ruling that a certificate of need is not required for Summit Care Corporation, a California corporation, to acquire by purchase Francis Hospitality House, an existing 110-bed ICF nursing facility located in Lubbock, from Francis Hospitality House, Inc., a wholly-owned subsidiary of Consolidated Convalescent Center, Inc.

Issued in Austin, Texas, on May 23, 1983

TRD-833698

John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed: May 23, 1983

For further information, please call (512) 475-8940.

Texas Indian Commission Correction of Error

An open meeting notice submitted by the Texas Indian Commission and published in the May 13, 1983, issue of

Respondents must be willing to abide by all the applicable regulations of the Urban Mass Transportation Administration, U.S. Department of Transportation, including inspection and audit. The ability of the NCTCOG to enter into a contract for performance of the proposed program will be dependent on the timely receipt of funds from the Urban Mass Transportation Administration. The NCTCOG reserves the right to reject, in total or in part, any and/or all proposals should it be advantageous to do so.

Since the maximum amount available for this project is \$12,000, project cost will be an item of evaluation. An Office of Management and Budget Optional Form 60 contract pricing proposal will be required for negotiation of reasonable costs.

Respondents should indicate proprietary interests where applicable. The contractor will comply with all federal and state laws applicable to subcontractors, including, but not limited to, equal employment opportunity, Davis-Bacon Act, and records management.

Issued in Arlington, Texas, on May 17, 1983.

TRD 833664 William J. Pitstick
Executive Director
North Central Texas Council of
Governments

Filed: May 20, 1983

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



Texas Department of Public Safety Public Information

With more people taking to the highways during the summer months for vacation, Memorial Day weekend represents the beginning of increased dangers to motorists. The Texas Department of Public Safety urges drivers to exercise caution during the holiday weekend as well as throughout the summer.

"During the vacation season, more motorists will be exposed to highway driving hazards," DPS director Colonel Jim Adams said. "Heeding the traffic laws, wearing seat belts, and staying alert for drunk drivers is the best defense for avoiding an accident."

Last year 58 people died in Texas during the Memorial Day weekend, and Adams requests the assistance of state drivers in minimizing traffic deaths this year.

"Statewide traffic fatalities are now about 13% below the number for the same period last year," he said. "But we also have to remember that the potential for additional fatalities during any holiday weekend is great. We must adjust our driving habits and attitudes accordingly."

Adams added that highway patrolmen will be particularly on the lookout for drunk drivers and speeders, as these two violators are the cause of most Texas traffic deaths.

Texas Tourist Development Agency Consultant Proposal Request

In accordance with the provisions of Texas Civil Statutes, Article 6252-11c, the Texas Tourist Development Agency serves notice of an invitation for offers of consulting services on the following project. This is an extension of the May 2, 1983, deadline previously prescribed in the April 8, 1983, issue of the *Texas Register* (8 TexReg 1191).

Contact Person. Persons wishing to make an offer on this project should contact Phil Davis, Chief of Community Relations, P.O. Box 12008, Austin, Texas 78711, (512) 475-4326.

Closing Date. Consultant proposals must be received by June 3, 1983.

Method of Selection. Interested parties will need to demonstrate the capability of providing 1982 calendar year estimates of the economic impact of travel on each of the 254 counties of Texas as well as a statewide total. The research must include estimates of travel expenditures, travel generated payroll, travel generated employment, state and local tax receipts for each county, as well as the state as a whole. In addition, the percent change in each category for each county (based on the 1981 results) will be needed.

Also required will be an addendum providing estimates of the impact of travel by business and personal trips, out-of-state and resident travelers, travel industry categories, and types of lodging used.

Completion Date. The study must be delivered to the Texas Tourist Development Agency not later than mid-September 1983.

Issued in Austin, Texas, on May 19, 1983.

TRD-833651 Frank Hildebrand
Executive Director
Texas Tourist Development
Agency

Filed: May 19, 1983

For further information, please call (512) 475-4326.

Texas Water Commission Applications for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of May 6-20, 1983

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

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

Listed are the name(s) of the applicants and the city in which the facilities are located; type of facility, location of the facility; permit number, and type of application—new permit, amendment, or renewal

Period of May 6-20, 1983

Herndon Marine Products, Inc., Aransas Pass, shrimp unloading and transfer facility; 170 Huff Street in the City of Aransas Pass in Aransas County; 02010; renewal

Temple-Eastex, Inc.; Diboll, wood and wood products manufacturing plant, approximately 1/4 mile west of U.S. Highway 59 in the City of Diboll in Angelina County; 01153; amendment

Airport Utilities, Inc.; Houston; wastewater treatment plant; in the southeast corner of the intersection of North Beltway and Drummet Boulevard, south of the Houston International Airport in Harris County; 11159-01; renewal

West Point Pepperell, Inc., New Braunfels; textile mill (process wastewater); on the north side of the Guadalupe River at Broadway, Rusk, and Porter Streets in the City of New Braunfels, Comal County; 00335; renewal

Rohm and Haas Texas, Inc.; Deer Park; chemical manufacturing plant (process wastewater); north of State Highway 225 and adjacent to Old Battleground Road in the City of Deer Park in Harris County; 00458; renewal

J. M. Tipps; Houston; treated wastewater; on the north side of Neb Road and the west side of Fry Road in Harris County; 12189-01; amendment

Spring Independent School District; Spring; wastewater treatment plant; 922 Wunsche Loop Road west of the City of Spring in northern Harris County; 11811-01, renewal

Well Tech, Inc., Columbus; disposal by evaporation; southeast of the corner of the intersection of IH 10 and FM Road 949, approximately 4.5 miles east of the City of Alleyton in Colorado County; 02639; new permit

W. F. Meads, Jr., doing business as The Country Kitchen; College Station; treated wastewater; one mile southwest of the intersection of FM Road 60 with FM Road 2818 in the City of College Station in Brazos County, 02641; new permit

U S S. Chemicals; La Porte; polypropylene manufacturing plant (treated wastewater), on the north side of Strang Road with State Highway 225 in Harris County; 02107; renewal

Harris County Municipal Utility District 26; Houston; treated wastewater, approximately 3,500 feet east of the confluence of Springs Creek and Cypress Creek and 9,400 feet north of FM Road 1960 in Harris County; 11406-01, renewal

Brownsville Public Utilities Board; Brownsville; treated wastewater, adjacent to and east of Robindale Road approximately one mile north of the intersection of Robindale Road and FM Road 802 in Cameron County, 11803-01, renewal

City of Froup, treated wastewater; approximately 0.25 mile south of the Cherokee-Smith County line and 0.38 mile east of State Highway 110 in Cherokee County; 10304-01, amendment

El Paso Chemical Company, Odessa, uncontaminated stormwater runoff; between South Grandview and South Dixie Streets adjacent to the southeast city limits of the City of Odessa in Ector County, 01304; renewal

Positive Feeds, Inc., Sealy; disposal by irrigation; on the east side of State Highway 36 approximately one mile north of the City of Sealy in Austin County; 02314; amendment

City of Katy, 25839 Katy Freeway on the east bank of Cane Island Branch of Buffalo Bayou, approximately 1,000 feet south of IH 10 in the City of Katy in Fort Bend County, 10706-01; amendment

Ferguson & Company, Inc.; Houston; treated wastewater; approximately 1 1/2 miles west-northwest of the intersection of IH 45 and League Line Road, approximately 1 1/4 miles southeast of River Road and Egypt Road in Montgomery County; 12746-01; new permit

City of Denton; treated domestic sewage; east of the City of Denton along Pecan Creek, approximately 5,700 feet east of State Highway 288 and approximately two miles upstream from Lake Lewisville in Denton County; 10027-03; renewal

City of Gatesville; treated wastewater; south of the City of Gatesville on the north bank of the Leon River at a point approximately eight blocks south of Main Street in Coryell County; 10176-01; renewal

Walter Randig; Manor; disposal by irrigation; approximately 3,200 feet north of Melber Lane and 4,100 feet

west of Engerman Lane in Travis County; 02652; new permit

Orange County Water Control and Improvement District 3; Bridge City; treated domestic sewage; Bower Drive, approximately 2,000 feet southeast of the State Highway 87 bridge over Cow Bayou within Bridge City in Orange County; 10051-01; renewal

Needville Independent School District; Needville; treated wastewater; approximately three miles southeast of the City of Needville on State Highway 36 in Fort Bend County; 12010-01; renewal

Tofigh Shirazi; Houston; treated domestic wastewater; along the north bank of Greens Bayou, approximately 3,000 feet southeast of the intersection of FM Road 1960 and Mills Road in Harris County; 12745-01; new permit

City of Humble; treated wastewater; approximately 3,000 feet south of the intersection of Jetero Boulevard and U.S. Highway 59 on the western bank of Garner's Bayou and within the city limits of Humble in Harris County; 10763-02; amendment

John Jamail; Houston; treated domestic sewage; on the north side of Northville Road, east of Stuebner-

Airline Road and west of the intersection of Deertail and Northville Road in Harris County; 12729-01; new permit

William S. Bell; Houston; treated wastewater; on the east side of the Katy-Hockley Cutoff Road, approximately six mile north of the City of Katy in Harris County; 02645; new permit

Harris County Municipal Utility District 24; Bellaire; treated wastewater; 450 feet north of the intersection of Theisswood Road and Theiss Gully in Harris County; 11988-01; renewal

St. Regis Paper Company, Houston; treated wastewater; north side of U.S. Highway 90 between the San Jacinto River and Sheldon Road in Harris County; 01160; renewal

Issued in Austin, Texas, on May 20, 1983.

TRD-833690

Mary Ann Hefner
Chief Clerk
Texas Water Commission

Filed: May 20, 1983

For further information, please call (512) 475-4514.

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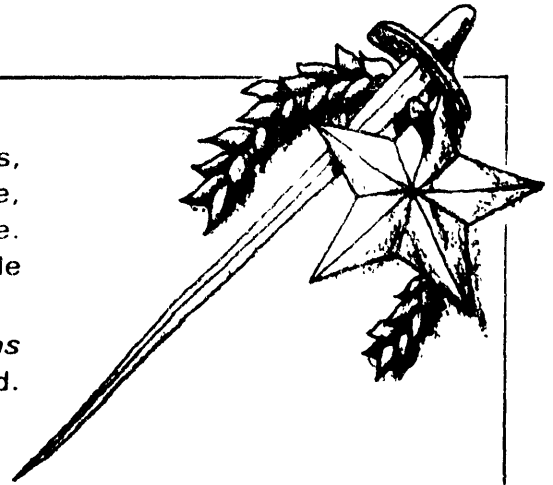
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