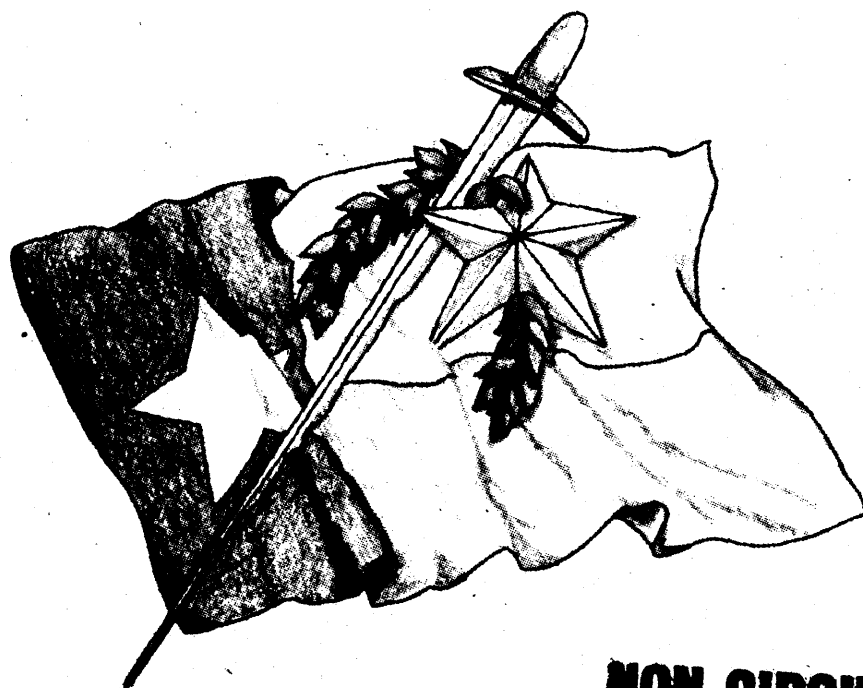


Texas Register



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Highlights

- ★ The Texas Department of Human Resources adopts on an emergency basis new rules concerning the Emergency Food Assistance Program; effective date - July 8 page 2627
- ★ The Railroad Commission of Texas proposes a new rule concerning cargo manifests; earliest possible date of adoption - August 15 page 2630
- ★ The State Board of Insurance proposes the repeal of rules concerning fire protection in nursing and convalescent homes; earliest possible date of adoption - August 15 . . . page 2631

How To Use the Texas Register

Texas Register

The *Texas Register* (ISSN 0362-4781) is published twice a week at least 100 times a year. Issues will be published on every Tuesday and Friday in 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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- 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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after proposal publication date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
- Legislature—Bills submitted to, signed by, and vetoed by the Governor and bills that are submitted to the Governor and enacted without his signature
- 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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John W. Fainter, Jr.
Secretary of State

Texas Register Staff Charlotte Scroggins, Director

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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.

Requests for Opinions

RQ-151. Request from Bruce Roberson, Ochiltree County attorney, Perryton, concerning expenditure of farm-to-market and lateral road tax funds.
TRD-835069

RQ-152. Request from Bob Glasgow, state senator, Austin, concerning the constitutionality of Senate Bill 1, relating to "per se" evidence of intoxication.
TRD-835070

RQ-153. Request from Ed Perry, office of the city attorney, Dallas, concerning the availability of computer programs under the Open Records Act.
TRD-835071

Opinions

JM-41 (RQ-102). Request from Mike Driscoll, Harris County attorney, Houston, concerning whether Pacifica Foundation radio station is entitled to ad valorem tax exemption for its personal property.

Summary of Opinion. The facts at hand do not indicate that the Pacifica Foundation, which operates radio station KPFT-FM in Houston, qualifies for an exemption

from ad valorem taxation under the Texas Tax Code, either §11.18 or §11.23(i).
TRD-835082

JM-42 (RQ-956). Request from John P. Parsons, commissioner, Credit Union Department, Austin, concerning whether certain school funds may be deposited in credit unions.

Summary of Opinion. Independent school districts may deposit "activity funds," as herein defined, in credit unions in Texas.
TRD-835083

Open Records Decisions

ORD-387 (RQ-70). Request from Frances M. Shuffield CTA/RPA, tax assessor-collector, Midland, concerning whether "division orders" relating to ownership of wells and leases on appraisal rolls are excepted from public disclosure by the Texas Tax Code, Article 22.27.

Summary of Decision. A governmental body may invoke the Act's exceptions to withhold information which the legislature has specifically declared to be confidential, when it is not the proper custodian of the information but possesses it without a transfer from the proper custodian. In this instance, information contained in the so-called "division order" book obtained pursuant to a confidentiality agreement authorized by the Texas Tax Code, §22.57, is ex-

cepted from public disclosure by the Open Records Act, §3(a)(1).
TRD-835084

ORD-388 (RQ-113). Request from John R. Marshall, director/chief appraiser, Dallas County Appraisal District, Dallas, concerning whether records regarding appraisal methods for new car dealerships are public information under the Open Records Act.

Summary of Decision. Materials consisting of manuals at cost schedules utilized by an appraisal district in the appraisal of automobiles and personal property are not excepted from public disclosure by the Open Records Act, Texas Civil Statutes, Article 6252-17a.
TRD-835122

ORD-389 (RQ-919). Request from James E. Darling, McAllen city attorney, McAllen, concerning whether report of investigation by McAllen Police Department of death of a juvenile is open under the Open Records Act.

Summary of Decision. Information subject to a protective order is excepted from disclosure by the Open Records Act, §3(a)(1), as long as the protective order is in force.
TRD-835093

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 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 11. Commodity Program Emergency Food Assistance Program

40 TAC §§11.6001-11.6004

The Texas Department of Human Resources adopts on an emergency basis new §§11.6001-11.6004 concerning the Emergency Food Assistance Program. Congress established the Emergency Food Assistance Program as part of Public Law 98-8 to help meet the needs of the unemployed and indigent people in the United States. Titles I and II of Public Law 98-8 authorize the distribution of United States Department of Agriculture surplus food to eligible recipient agencies. The Texas Department of Human Resources (DHR) is the agency designated in Texas. The DHR will contract with public or nonprofit, tax-exempt organizations to supply meals or distribute food to unemployed and indigent people.

The department adopts the new rules on an emergency basis to implement the Emergency Food Assistance Program immediately. Failure to implement the program would result in imminent peril to the public health, safety, and welfare.

The new rules are adopted on an emergency basis under the Human Resources Code, Title 2, Chapter 22, which authorizes the department to administer public assistance programs.

§11.6001. Purpose. Titles I and II of Public Law 98-8 authorize the distribution of United States Department of Agriculture (USDA) surplus food to approved recip-

ient agencies under the Emergency Food Assistance Program. The purpose of the program is to supply meals or distribute food to unemployed and indigent people.

§11.6002. Application.

(a) Public or nonprofit, tax-exempt organizations may apply to contract with the Texas Department of Human Resources to receive USDA-donated food. Organizations may apply to contract for the preparation of congregate meals for indigent people or the distribution of donated foods to low-income households. Approval is based on responses to a department application covering:

- (1) an organization's geographic location,
- (2) number of indigent people served,
- (3) food storage capacity,
- (4) submission of a budget if reimbursement of direct storage and distribution costs is requested, and
- (5) willingness and capacity to:
 - (A) serve all people in the area;
 - (B) handle food properly;
 - (C) publicize the availability of commodities;
 - (D) handle the administration, distribution, record keeping, and eligibility determination; and
 - (E) comply with all program requirements.

(b) Because of the limited supply of commodities available to the State of Texas, priority is given to organizations, in the areas of high unemployment and poverty, that can best serve the most people.

(c) Applications from organizations in areas of high unemployment and poverty received by July 1, 1983, are considered first. Applications received after that date are considered only if all the commodities have not been allocated or if additional commodities become available.

§11.6003. Eligibility.

(a) The Title II contracted organizations determine the eligibility of applicants by using income eligibility criteria provided by the Texas Department of Human Re-

sources. The income eligibility criteria are based on the amount of gross income for the entire household, unless the income is from farming or self-employment. If household income is from farming or self-employment, eligibility is based on net income.

| (b) A household of: | Is eligible to receive donated foods if its: | | |
|---|--|------------------------------|-----------------------------|
| | Yearly income is less than: | Monthly income is less than: | Weekly income is less than: |
| 1 | \$ 4,860 | \$ 405 | \$ 94 |
| 2 | \$ 6,540 | \$ 545 | \$126 |
| 3 | \$ 8,220 | \$ 685 | \$159 |
| 4 | \$ 9,900 | \$ 825 | \$191 |
| 5 | \$11,580 | \$ 965 | \$223 |
| 6 | \$13,260 | \$1,105 | \$256 |
| 7 | \$14,940 | \$1,245 | \$288 |
| 8 | \$16,620 | \$1,385 | \$320 |
| 9 | \$18,300 | \$1,525 | \$353 |
| 10 | \$21,660 | \$1,805 | \$416 |
| For each additional household member, add: | \$ 1,680 | \$ 140 | \$ 33 |

§11.6004. Amount of Commodities. The amount of commodities given to an eligible household is based on the number of people in the household. Distribution is based on the following chart.

| ITEM | PKG. SIZE | Number of people in Household | | | | | | | | | |
|------------------|-----------|-------------------------------|---|---|---|----|----|----|----|----|----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Butter | 1 lb. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Cheddar Cheese | 1 lb. | 2 | 4 | 6 | 8 | 10 | 12 | 14 | 16 | 18 | 20 |
| | 2 lb. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| | 5 lb. | 1 | 1 | 2 | 2 | 2 | 3 | 3 | 4 | 4 | 4 |
| Processed Cheese | 5 lb. | 1 | 1 | 2 | 2 | 2 | 3 | 3 | 4 | 4 | 4 |
| Cornmeal | 5 lb. | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 |
| Flour | 5 lb. | 1 | 1 | 2 | 2 | 3 | 3 | 4 | 4 | 5 | 5 |
| Honey | 3 lb. | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Dry Milk | 4 lb. | 1 | 1 | 2 | 2 | 3 | 3 | 4 | 4 | 5 | 5 |
| Rice | 2 lb. | 1 | 1 | 2 | 2 | 3 | 3 | 4 | 4 | 5 | 5 |

Issued in Austin, Texas, on July 8, 1983.

TRD-835111 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

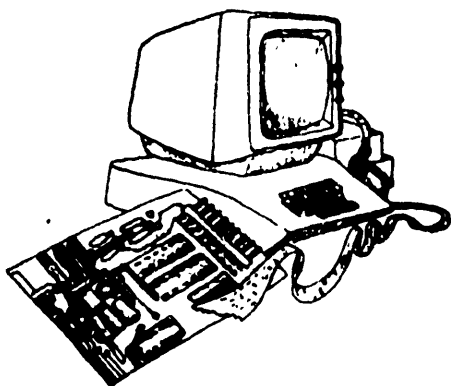
Effective date: July 8, 1983
Expiration date: November 6, 1983
For further information, please call (512) 441-3355
ext. 2037.

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

The proposal, as published in the *Register*, must include a brief explanation of the proposed action; a fiscal statement indicating effect on state or local government; a statement explaining anticipated public benefits and possible economic costs to individuals required to comply with the rule; a request for public comments; a statement of statutory authority under which the proposed rule is to be adopted (and the agency's interpretation of the statutory authority); the text of the proposed action; and a certification statement. The certification information, which includes legal authority, the proposed date of adoption or the earliest possible date that the agency may file notice to adopt the proposal, and a telephone number to call for further information, follows each submission.

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

Proposed Rules



TITLE 16. ECONOMIC REGULATION Part I. Railroad Commission of Texas

Chapter 3. Oil and Gas Division Conservation Rules and Regulations 16 TAC §3.72

The Railroad Commission of Texas proposes new §3.72, concerning cargo manifests to accompany the transport of liquid hydrocarbons. The proposed rule requires that all transport of unrefined liquid hydrocarbons by truck be accompanied by a cargo manifest identifying the quantity, origin, destination, and transporter of the liquid hydrocarbons. The proposed rule

also requires that vehicles used to transport liquid hydrocarbons bear identifying marks. This proposed rule replaces the proposed §3.72 published in the *Texas Register* on December 31, 1982, and implements House Bill 593, Chapter 114, enacted May 1983.

Patrick Thompson, Oil and Gas Division staff attorney, 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. Thompson also has 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 deterrence of oil theft. The proposed rule will provide a mechanism for tracing movement of oil throughout the state and a means of identifying oil carried by trucks which have been detained by law enforcement officials.

The anticipated economic cost to individuals who are required to comply with the rule as proposed will depend on the number of runs made by an oil transporter and whether or not that transporter already employs a run ticket system. The additional annual cost to a transporter without a run ticket system in place, making 10,000 runs per year, will be \$500 each year from 1983-1987, based on \$.05 per run ticket.

Comments on the proposal may be submitted to Patrick Thompson, Legal Section, Oil and Gas Division, Railroad Commission of Texas, P.O. Drawer 12967, Austin, Texas 78711.

The new section is proposed under the Texas Natural Resources Code, §85.042 and §85.201, which provides the Railroad Commission of Texas with the authority to adopt rules governing the production and transportation of oil.

§3.72. Manifest To Accompany Each Transport of Liquid Hydrocarbons by Vehicle.

(a) The following words and terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise:

(1) **Cargo manifest**—One or more documents that together contain the information required by subsection (c) of this section. That part of a manifest which contains information unique to the particular transport being described (such as date and time of removal) must be part of a book, tablet, or series, wherein the documents are sequentially numbered.

(2) **Commission**—The Railroad Commission of Texas.

(3) **Facility**—Any place used to store, process, refine, reclaim, dispose of, or treat liquid hydrocarbons.

(4) **Lease**—A well producing oil, gas, or oil and gas, and any group of contiguous wells producing oil, gas, or oil and gas of any number operated as a producing unit.

(5) **Liquid hydrocarbons**—Unrefined oil or condensate, and refined oil or condensate to be blended with unrefined liquid hydrocarbons.

(6) **Oil tanker vehicle**—A motor vehicle licensed for highway use on a public highway or used on a public highway:

(A) that is equipped with, carrying, pulling, or otherwise transporting an assembly, compartment, tank, or other container that is used for transporting, hauling, or delivering liquids; and

(B) that is being used to transport liquid hydrocarbons on a public highway.

(7) **Public highway**—A way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel, even if the way or place is temporarily closed for the purpose of construction, maintenance, or repair.

(8) **Transporter**—Each gatherer, storer, or other handler of liquid hydrocarbons who moves or transports those liquid hydrocarbons by truck or other motor vehicle.

(b) A cargo manifest must be carried in each oil tanker vehicle transporting liquid hydrocarbons on a public highway in this state and must be presented on request for inspection as provided by subsection (f) of this section.

(c) For each load of liquid hydrocarbons loaded onto and transported by an oil tanker vehicle, the cargo manifest must include:

(1) an identification of the lease or facility from which the liquid hydrocarbons were removed, which must include:

(A) the lease or facility name; and

(B) the name of the operator of the lease or facility.

(2) the total quantity of liquid hydrocarbons removed from the lease or facility and loaded onto the oil tanker vehicle;

(3) the date and hour when the liquid hydrocarbons were removed from the lease or facility and loaded onto the oil tanker vehicle;

(4) the identity of the transporter which must include:

(A) the company or individual transporter's name and address,

(B) the oil tanker vehicle driver's name; and

(C) a unique number for the oil tanker vehicle that for a truck tractor and semitrailer type oil tanker vehicle must include unique vehicle numbers for both truck tractor and semitrailer; and

(5) the intended point of destination for the liquid hydrocarbons, including the name of the receiving facility.

(d) Copy of manifest to be left at the lease.

(1) A copy of the cargo manifest must be left at the lease or facility from which the liquid hydrocarbons were removed or delivered to the lease or facility operator, his agent, or his representative.

(2) The requirements of this section may be met by leaving a separate document at the lease or facility from which the liquid hydrocarbons were removed or by delivering to the lease or facility operator a separate document that includes information required under paragraphs (1)-(3) and (4)(A) and (B) of subsection (c) of this section.

(3) If more than one load of liquid hydrocarbons is removed from a single tank or other container of liquid hydrocarbons within a period of 24 consecutive hours, paragraphs (2) and (3) of subsection (c) of this section may be met for purposes of this section by a separate document that includes:

(A) the total quantity of liquid hydrocarbons removed;

(B) the date and hour the first load was removed; and

(C) the date and hour the last load was removed.

(4) If the operator of a facility requires that a transporter leave at the facility or deliver to the operator a document other than the transporter's cargo manifest, a transporter may meet the requirements of this section by leaving those specified documents at an agreed location or delivering the document to the operator.

(e) After the delivery of all liquid hydrocarbons in an oil tanker vehicle is completed, the cargo manifest must be maintained in the records of the transporter for a period of not less than two years from the date the liquid hydrocarbons are removed from the oil tanker vehicle.

(f) Upon request from a commission agent or other law enforcement official the transporter must produce the cargo manifest for inspection immediately, whether it is on an oil tanker vehicle or in the records of the transporter. Copies of cargo manifests must be filed with the commission, upon request from the commission.

(g) Companies or individuals who do not have organization reports (Form P-5) on file with the Railroad Commission, as required by Rule 1, (§3.1 of this title (relating to Organization Name To Be Filed and Records To Be Kept)), may not issue cargo manifests.

(h) Every truck or other vehicle covered by this section shall bear on both sides thereof the name of the company or individual responsible for such transportation, the

number of the vehicle, and the number of the certificate or permit authorizing the service. In the case of vehicles not for hire, this number shall be the company's organizational report (P-5) number. The identifying signs shall be printed in letters not less than two inches in height, in sharp color contrast to the background, and shall be plainly legible for a distance of at least 50 feet.

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 July 5, 1983.

TRD-836050 Susan Cory
General Counsel
Oil and Gas Division
Railroad Commission of Texas

Earliest possible date of adoption:
August 15, 1983

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

TITLE 28. INSURANCE

Part I. State Board of Insurance

(Editor's note: Because the State Board of Insurance's rules have not yet been published in the Texas Administrative Code (TAC), they do not have designated TAC numbers. For the time being, the rules will continue to be published under their Texas Register numbers. However, the rules will be published under the agency's correct TAC title and part. The text of the following rules being proposed for repeal will not be published. The rules may be examined in the offices of the State Board of Insurance, 1110 San Jacinto Street, Austin, or in the Texas Register office, Room 503E, Sam Houston Building, 201 East 14th Street, Austin.)

Rating and Policy Forms

Duty of Fire Marshal

059.05.43.004, .006, .007

The State Board of Insurance proposes the repeal of Rules 059.05.43.004, .006, and .007. Rule 059.05.43.004 concerns fire protection in nursing and convalescent homes in Texas. Rule 059.05.43.006 concerns minimum fire safety for child care facilities in Texas. Rule 059.05.43.007 is the Fire Protection Handbook. These rules were erroneously filed with the *Texas Register*. The board's regulatory authority over the matters contained in these rules is not as broad as the rules themselves. The board has no present plans to adopt other rules on these subjects. These repeals will not alter or affect present board practices or requirements.

Louis V. di Donato, State Fire Marshal's Office attorney, 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.

Mr. di Donato also has 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 removal of rules on file with the *Texas Register*, which are broader than the board's authority. There is no anticipated economic cost to individuals as a result of the repeals.

Comments on the proposal may be submitted to Louis V. di Donato, Attorney, State Fire Marshal's Office, 1110 San Jacinto Street, Austin, Texas 78786.

These repeals are proposed under authority of the Texas Insurance Code, Article 1.09A, pursuant to which the State Board of Insurance supervises the state fire marshal, and the Texas Insurance Code, Article 5.44, pursuant to which the state fire marshal examines public buildings for fire hazards; and pursuant to the board's authority to repeal any rule it has previously adopted.

- .004. *Nursing and Convalescent Homes.*
- .006. *Child Care Facilities.*
- .007. *Fire Protection Handbook.*

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 July 7, 1983.

TRD-835076 James W. Norman
Chief Clerk
State Board of Insurance

Earliest possible date of adoption:
August 15, 1983

For further information, please call (512) 475-2950.

Fire Detection and Alarm Devices and Systems

059.05.43.201

The State Board of Insurance proposes the repeal of Rule 059.05.43.201, concerning fire detection and fire alarm devices and systems. This rule adopts by reference several Fire Protection Association pamphlets. This rule has been superceded by Rules 059.41.43.200-.244, which deal with the same subject matter. This repeal will not affect any present practice or requirement of the board.

Louis V. di Donato, State Fire Marshal's Office attorney, has determined that for the first five-year period the repeal will be in effect there will be no fiscal implications to state or local government as a result of the repeal.

Mr. di Donato also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of the repeal will be the elimination of a rule which has been superceded by other rules. There is no anticipated economic cost to individuals who are required to comply with the repeal.

Comments on the proposal may be submitted to Louis V. di Donato, Attorney, State Fire Marshal's Office, 1110 San Jacinto Street, Austin, Texas 78786.

This repeal is proposed under authority of the Texas Insurance Code, Article 5.43.2, which provides the board with authority to regulate sales, servicing, installation, and maintenance of fire detection and fire alarm devices and systems, and pursuant to the board's authority to repeal any rule it has previously promulgated

.201. Fire Detection and Alarm Devices and Systems.

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 July 7, 1983

TRD-835077 James W. Norman
 Chief Clerk
 State Board of Insurance

Earliest possible date of adoption.
August 15, 1983

For further information, please call (512) 475-2950.

**Accident and Sickness
Minimum Standards for Medicare
Supplement Expense Coverage**

059.37.01.078

The State Board of Insurance proposes the repeal of Rule 059.37.01.078, concerning minimum standards for Medicare supplement expense coverage. This rule has been superceded by Rules 059.03.74.001-.010, which are the board's rules for minimum standards for Medicare supplement policies. This repeal will not change any present practice or requirement of the board.

A. W. Pogue, Policy Approval division manager, has determined that for the first five-year period the repeal will be in effect there will be no fiscal implications to state or local government as a result of the repeal.

Mr. Pogue also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of the repeal will be the deletion of an outdated rule. There is no anticipated economic cost to individuals who are required to comply with the repeal.

Comments on the proposal may be submitted to A.W. Pogue, Division Manager, Policy Approval, State Board of Insurance, 1110 San Jacinto Street, Austin, Texas 78786.

This repeal is proposed under authority of the Texas Insurance Code, Article 3.70-.71, which provides the State Board of Insurance with authority to enact minimum standards and benefits and readability for individual accident and health insurance policies, and

pursuant to the board's authority to repeal any rule it has previously promulgated

078. Minimum Standards for Medicare Supplement Expense Coverage

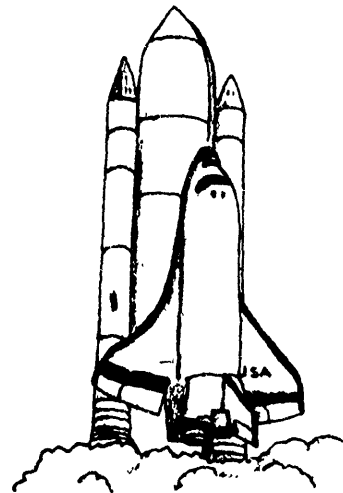
This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt

Issued in Austin, Texas, on July 6, 1983

TRD-835078 James W. Norman
 Chief Clerk
 State Board of Insurance

Earliest possible date of adoption
August 15, 1983

For further information, please call (512) 475-2950.



**TITLE 40. SOCIAL SERVICES AND
ASSISTANCE**

**Part I. Texas Department of
Human Resources**

Chapter 3. AFDC

The Texas Department of Human Resources proposes to repeal and add to its rules concerning citizenship requirements in the Aid to Families with Dependent Children (AFDC) Program. The department is deleting internal procedures from the citizenship rules and making clarification changes to the new rule. There are no policy changes included in this proposal.

David Hawes, programs budget and statistics director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implication to state or local government as a result of enforcing or administering the rule.

Mr. Hawes also has determined that for each year of the first five years the rule as proposed is in effect the public benefit will be a clearer understanding of the citizenship and alien status requirements in the AFDC Program. There is no anticipated economic cost to individuals who are required to comply with the rule.

Written comments may be sent to Susan L. Johnson, Administrator, Policy Development Support Division—201, Texas Department of Human Resources, 153-B, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Register*.

Citizenship

40 TAC §§3.2301-3.2306

(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 Department of Human Resources, 706 Banister Lane, Austin, or in the Texas Register office, Room 503E, Sam Houston Building, 201 East 14th Street, Austin.)

The repeal of the following rules is proposed under the Human Resources Code, Title 2, Chapter 33, which authorizes the department to administer public assistance programs.

- §3.2301. *Citizenship Requirements.*
- §3.2302. *Proof of Citizenship.*
- §3.2303. *Citizenship by Naturalization.*
- §3.2304. *Naturalization of Parent.*
- §3.2305. *Lawfully Admitted for Residence in Lieu of Citizenship.*
- §3.2306. *Proof of Lawful Residence.*

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 July 8, 1983.

TRD-835113 Martin W. Johnston
 Commissioner
 Texas Department of Human
 Resources

Earliest possible date of adoption:
August 15, 1983

For further information, please call (512) 441-3355,
ext. 2037.

Citizenship and Alien Status

40 TAC §3.2301

The new rule is proposed under the Human Resources Code, Title 2, Chapter 33, which authorizes the department to administer public assistance programs.

§3.2301. *Eligibility Criteria.* To receive AFDC, otherwise eligible applicants must be U.S. residents and also one of the following:

- (1) U.S. citizens.
- (2) aliens who present documents showing that they have been classified by the Immigration and Naturalization Service (INS) with reference to one of the following sections of the Immigration and Nationality Act:
 - (A) 101(a)(15) or 101(a)(20).
 - (B) 203(a)(7) (applicable to aliens admitted before April 1, 1980), 207(c) (applicable to aliens admitted after March 31, 1980), 208, 212(d)(5), or 243(h).
 - (C) 249.
- (3) aliens who present documents annotated by the INS with one of the following terms:
 - (A) refugee,
 - (B) parolee or paroled,
 - (C) conditional entry or entrant, or
 - (D) asylum.

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 July 8, 1983.

TRD-835112 Marlin W. Johnston
 Commissioner
 Texas Department of Human
 Resources

Earliest possible date of adoption:
August 15, 1983

For further information, please call (512) 441-3355,
ext. 2037.

Adopted Rules

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

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

If an agency adopts the rule without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. The text of the rule, as appropriate, will be published only if final action is taken with alterations to the proposal. The certification information, following the submission, contains the effective date of the final action, the proposal's publication date, and a telephone number to call for further information.

TITLE 31. NATURAL RESOURCES AND CONSERVATION Part II. Texas Parks and Wildlife Department Chapter 65. Wildlife

31 TAC §§65.6, 65.11, 65.33, 65.34, 65.45,
65.46, 65.62, 65.63

The Texas Parks and Wildlife Commission, in a regularly scheduled public hearing held April 30, 1983, adopted amendments to §§65.6, 65.11, 65.33, 65.34, 65.45, 65.46, 65.62, and 65.63. Sections 65.1-65.91 constitute the Statewide Hunting and Fishing Proclamation.

The Texas Parks and Wildlife Commission is responsible for regulating by proclamation the periods of time, means, methods, manners, and places for taking wildlife resources in counties where the Uniform Wildlife Regulatory Act applies. The Uniform Wildlife Regulatory Act enables the commission to deal effectively with changing conditions to prevent depletion and waste of wildlife resources.

In certain counties the Statewide Hunting and Fishing Proclamation is not effective unless it has been approved, in whole or in part, by the commissioners court of a county listed in the Texas Parks and Wildlife Code, §61.202 or §230.051. The following sections incorporate such action. The commissioners courts, except for Uvalde County, amended §65.6, 65.33, 65.34, and 65.46. Uvalde County elected to be governed by general law. Amendments made by the com-

missioners courts are summarized in the following paragraphs and incorporated into the text (except for Uvalde County) of this subchapter.

The commissioners court of Kendall County disapproved the definition of a buck deer; consequently "spike" bucks will not be legal deer in this county (see §65.6).

The commissioners court of Robertson County disapproved the taking of antlerless deer by permit (§65.33(1)(A)), consequently, antlerless deer may not be harvested (see §65.33(1)(M)).

The commissioners courts of Edwards and Real Counties disapproved the archery-only white-tailed deer season (§65.33(2)(A)); consequently, there will be no archery-only season in these counties (see §65.33(2)(H)).

The commissioners court of Kendall County disapproved the department's standard archery-only deer season (§65.33(2)(G)); consequently, Kendall County will have an archery-only season from October 1-31 (see §65.33(2)(G)), bag limit of three deer, no more than two bucks, no more than one antlerless deer in compliance with the Texas Parks and Wildlife Code, §230.012.

The commissioners courts of Edwards, Frio, and Real Counties disapproved the javelina season limit of two javelina (§65.34(b)); consequently, in these counties there will be no bag limit or closed season on javelina (see §65.34(f)).

The commissioners court of Medina County disapproved the javelina no closed season with a season

limit of two (see §65.34(b)), consequently, Medina County will have a season beginning October 1 through the first Sunday in January, unless that date falls after January 4, in which case the season will close January 1, and the bag limit is two javelina per season (see §65.34(g))

The commissioners courts of Edwards, Kendall, and Real Counties disapproved the archery only turkey season (§65.46(b)); consequently, there will be no archery-only turkey season in Edwards and Real Counties (see §65.46(d)(7)), and in Kendall County, the archery-only season will be October 1-31, in compliance with the Texas Parks and Wildlife Code, §230.012 (see §65.46(d)(9))

The commissioners courts of Bandera, Brooks, Edwards, Frio, Kendall, Kimble, Medina, Reagan, and Real Counties disapproved the spring gobbler season (§65.46(e)(1)), consequently, there will be no spring gobbler season in these counties

The commissioners court of Val Verde County disapproved the department's existing either sex deer hunting season (§65.33(1)(B)(iii) and §65.31(1)(E)), however, in compliance with Texas Parks and Wildlife Code, §61.202(d)(1), there can be no change. Val Verde County will have either sex white-tailed deer hunting seasons where no antlerless deer permit is required, but a landowner issued antlerless deer tag is required to take antlerless deer (see §65.33(1)(B)(iii) and §65.33(1)(E))

The commissioners court of Uvalde County disapproved the 1983-1984 Statewide Hunting and Fishing Proclamation and, under the authority of the Texas Parks and Wildlife Code, §65.202(d)(2), elected to return to applicable general law regulations. General law regulations are in the Texas Parks and Wildlife Code, Chapters 62, 63, 64, and 66. Uvalde County's hunting and fishing regulations do not appear in the following sections. Amendments were made to §65.11(b), 65.33(1)(A), 65.33(2)(A), 65.34(b), 65.45(a), 65.46(e)(1), 65.62(j), and 65.63(a)(3)

The commissioners courts of Comal and Hays Counties have not acted upon the Statewide Hunting and Fishing Proclamation. The regulations for Comal and Hays Counties are the same as the regulations for last year. There is no change in Hays County's regulations. In Comal County, spike bucks are protected (see §65.6), and there are no limits on red drum taken from Comal County (see §65.62(n)).

Fluctuations in wildlife resource populations required the Texas Parks and Wildlife Commission to adopt regulation changes for the 1983-1984 hunting and fishing seasons. The amendments provide harvest of wildlife resource populations consistent with recognized wildlife management principles.

Comments by the public concerning these adopted regulation changes were presented to the Texas Parks and Wildlife Commission at the public hearing in the form of county public hearing summaries, petitions, commissioners court resolutions, letters, and summaries of telephone calls. No comments were received

in response to publication of the rules in the *Texas Register*

The proposed changes were discussed at 139 of the 241 county public hearings where there was attendance during the week of March 21-25, 1983. 1,418 persons attended the meetings. Testimony obtained from the county public hearings is briefly summarized as follows. Most comments concerned the department's existing buck permit issuance system, continuing the netting of fish, the issuance of antlerless deer permits, the department's proposed and existing spring gobbler season, the taking of spike bucks, the setting of quail seasons and bag limits, split deer seasons, saltwater sail lines, and bag, size, and possession limits of saltwater and freshwater species of fish

Petitions were received requesting that the Franklin County deer season be the same as the Hopkins County deer season, 11 signatures, and that the Dimmit County deer season be extended, 803 signatures

Commissioners court resolutions were received requesting that the buck permit system be discontinued in Maverick County, that Morris County return to the split deer season, and that a lowered bag limit on quail of 10 per day and a shorter hunting season be observed in Garza County. A resolution presented by the mayor of Carrizo Springs requested that Dimmit County deer season be extended

Letters were received requesting a lowered bag limit on quail of 10 per day and a shortened hunting season and that, since there is an overabundance of spikes and does in Kendall County, the deer herd should be thinned

A telephone call was received requesting that a bonus tag for spike bucks be made available

In the public hearing, there were no persons speaking directly for or against the amendments

The Texas Parks and Wildlife Commission disagrees with the comments received because they are judged not to be consistent with recognized wildlife management principles. The commission must act to deal effectively with changing conditions to prevent depletion and waste of wildlife resources

The amendments are adopted under the Texas Parks and Wildlife Code, Chapter 61, which provides the Texas Parks and Wildlife Commission with authority to provide wildlife resource regulations in counties to which the Uniform Wildlife Regulatory Act applies.

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

Buck deer—A deer having a hardened antler protruding through the skin, except in Comal and Kendall Counties, where a buck deer is a deer with a forked antler.

§65.11. Open Seasons: General Rules.

(a) (No change.)

(b) There is no open season on game animals or game birds on state game preserves, statutory wildlife sanctuaries, United States wildlife refuges, and on public

roads and highways, or rights of way of such public roads and highways, and in the state owned riverbeds in Dimmit and Zavala Counties, including, but not limited to, the Nueces and Rio Rivers

(c) (M) (No change.)

§6.33 Deer. The general statewide bag and possession limit is no more than four deer, no more than two mule deer, only one of which may be a buck mule deer, no more than two white tailed bucks, and no more than three antlerless deer of all species combined (see §65.6 of this title (relating to Definitions) and §65.26(d) and (e) of this title (relating to Buck Deer Permits for Duval, Maverick, Webb, and Zapata Counties), for definition of buck deer)

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

(A) In Anderson, Aransas, Bandera, Bee, Bosque, Brazoria, Brooks, Brown, Calhoun, Callahan, Cameron, Coleman, Comal, Comanche, Concho, Coryell, DeWitt, Dimmit, Duval, Eastland, Ector, Edwards, Erath, Fort Bend, Freestone, Frio, Gillespie, Glasscock, Goliad, Gonzales, Guadalupe, Hamilton, Hardin, Harris, Harrison, Hays, Hidalgo, Jackson, Jasper, Jefferson, Jim Wells, Karnes, Kendall, Kimble, Kinney, Kleberg, Lampasas, LaSalle, Liberty, Limestone, Live Oak, Llano, Mason, Matagorda, Maverick, Midland, Montgomery, Nacogdoches, Newton, Nueces, Orange, Panola, Polk, Reagan, Real, Refugio, Runnels, Rusk, San Augustine, San Patricio, San Saba, Shelby, Somervell, Starr, Taylor, Travis, Tyler, Upton, Victoria, Walker, Ward, Webb, Wharton, Willacy, Wilson, Zapata, and Zavala Counties, there is an open season for white-tailed deer beginning the Saturday nearest November 15 through the first Sunday in January. The bag limit is three white-tailed deer, no more than two bucks, antlerless by permit only.

(B) In Atascosa, Bell, Bexar, Blanco, Burnet, Coke, Crockett, Irion, McCulloch, Menard, Mills, Mitchell, Nolan, Schleicher, Sterling, Sutton, Tom Green, Val Verde (east of the Pecos River) and Williamson Counties, there is an open season for white-tailed deer beginning the Saturday nearest November 15 through the first Sunday in January.

(i) (No change.)

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

(iii) (No change.)

(C)-(D) (No change.)

(E) In Jeff Davis, Pecos, Terrell, and Val Verde (west of the Pecos River) Counties, there is an open season for white-tailed deer beginning the last Saturday in November through the first Sunday in January. The bag limit is three white-tailed deer, no more than two bucks. Antlerless deer may be taken without an antlerless deer permit required by §65.21 of this title (relating to Permits) and §65.23 of this title (relating to Antlerless Deer Permits). An antlerless deer tag is required by §65.27 of this title (relating to Antlerless Deer Tags) to take antlerless deer in counties listed within this subparagraph.

(F)-(L) (No change.)

(M) In Robertson County, there is an open season for white-tailed deer beginning the Saturday nearest November 15 through the first Sunday in January, unless that date falls after January 4, in which case the season will close January 1, and the bag limit is two white-tailed buck deer only.

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

(A) In Anderson, Aransas, Atascosa, Bandera, Bee, Bell, Bexar, Bosque, Brazoria, Brewster, Brooks, Brown, Calhoun, Callahan, Coke, Coleman, Comal, Comanche, Concho, Coryell, Crockett, Culberson, DeWitt, Duval, Eastland, Erath, Fort Bend, Freestone, Frio, Goliad, Gonzales, Guadalupe, Hamilton, Hardin, Harrison, Hays, Henderson, Hidalgo, Irion, Jackson, Jasper, Jeff Davis, Jim Wells, Kerr, Kimble, Kinney, Kleberg, Lampasas, LaSalle, Liberty, Live Oak, Matagorda, Maverick, Menard, Mills, Mitchell, Nolan, Pecos, Polk, Presidio, Reeves, Refugio, Runnels, San Patricio, Schleicher, Somervell, Starr, Sterling, Sutton, Taylor, Terrell, Tom Green, Tyler, Val Verde, Victoria, Walker, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, and Zavala Counties, there is an open season during which white-tailed deer of either sex may be taken with longbow and arrows beginning the first Saturday in October for 30 consecutive days. The bag limit is three white-tailed deer, either sex, no more than two bucks.

(B)-(F) (No change.)

(G) In Kendall County, there is an archery-only open season for white-tailed deer pursuant to the Texas Parks and Wildlife Code, §230.012. The bag limit is three deer, no more than two bucks, and no more than one antlerless deer by permit only.

(H) In Andrews, Bailey, Castro, Cochran, Collin, Dallam, Dallas, Dawson, Deaf Smith, Dimmit, Edwards, El Paso, Gaines, Grayson, Hale, Hartley, Hockley, Hudspeth, Hunt, Kaufman, Lamb, Lubbock, Lynn, Martin, Oldham, Parmer, Real, Rockwall, Terry, Winkler, and Yoakum Counties, there is no archery-only open season for white-tailed deer.

(I) (No change.)

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

§65.34. Javelina: Open Seasons and Bag Limits.

(a) (No change.)

(b) In Aransas, Atascosa, Bandera, Bee, Bexar, Brewster, Brooks, Cameron, Crockett, Culberson, Dimmit, Duval, El Paso, Hidalgo, Hudspeth, Jeff Davis, Jim Wells, Karnes, Kendall, Kerr, Kimble, Kinney, Kleberg, LaSalle, Live Oak, Maverick, Menard, Nueces, Pecos, Presidio, Reeves, San Patricio, Schleicher, Starr, Sutton, Terrell, Val Verde, Webb, Willacy, Wilson, Zapata, and Zavala Counties, there is no closed season and a bag limit of two javelina per season. The possession limit is two javelina.

(c)-(e) (No change.)

(f) In Edwards, Frio, and Real Counties, there is no closed season or bag limit for javelina.

(g) In Medina County, there is an open season for javelina beginning October 1 through the first Sunday in January, unless that date falls after January 4, in which case the season will close January 1. The bag limit is two javelina per season.

§65.45. Quail: Open Seasons, Bag, and Possession Limits.

(a) In Andrews, Aransas, Armstrong, Atascosa, Bailey, Bee, Bexar, Borden, Brewster, Briscoe, Cameron, Carson, Castro, Childress, Cochran, Coke, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dimmit, Donley, Duval, Ector, El Paso, Fisher, Floyd, Frio, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hartley, Haskell, Hemphill, Hidalgo, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jeff Davis, Jim Wells, Jones, Karnes, Kinney, Kleberg, Lamb, LaSalle, Lipscomb, Live Oak, Lubbock, Lynn, Martin, Maverick, Medina, Midland, Mitchell, Moore, Motley, Nolan, Nueces, Ochiltree, Oldham, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Reeves, Roberts, Runnels, Scurry, Sherman, Starr, Sterling, Swisher, Taylor, Terrell, Terry, Tom Green, Upton, Val Verde, Ward, Webb, Willacy, Wilson, Winkler, Yoakum, Zapata, and Zavala Counties, there is an open season for quail beginning the last Saturday in October through the Sunday nearest January 31. The commission has deferred adopting quail daily bag and possession limits until annual late summer production surveys are evaluated.

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

§65.46. Turkey.

(a) General open season. In all regulatory counties except as set out in subsection (d) of this section the season on turkey is the Saturday nearest November 15 through the first Sunday in January.

(b) Archery-only season. There is an open season on turkey in all regulatory counties, except as set out in subsection (d) of this section beginning the first Saturday in October for 30 consecutive days, during which turkey gobblers or bearded hens may be taken with longbow and arrows.

(c) Bag limit. The bag limit is two turkeys, gobblers or bearded hens, except as set out in subsection (d) of this section.

(d) Exceptions to general open season, archery-only season, or bag limits.

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

(7) In Dimmit, Edwards, and Real Counties, there is no archery-only season on turkey.

(8) (No change.)

(9) In Kendall County, there is an open archery season pursuant to the Texas Parks and Wildlife Code, §230.012, during which two turkeys, gobblers or bearded hens, may be taken only by longbow and arrows.

(e) Spring turkey gobbler season.

(1) In Archer, Armstrong, Atascosa, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Briscoe, Brown, Burnet, Caldwell, Callahan, Carson, Childress, Clay, Coke, Coleman, Collingsworth, Comal, Comanche, Concho, Corvell, Cottle, Crockett, Crosby, Dallam, Dawson, Donley, Eastland, Ector, Erath, Fisher, Floyd, Garza, Gillespie, Glasscock, Goliad, Gonzales, Gray, Hall, Hamilton, Hansford, Hardeman, Hartley, Haskell, Hays, Hemphill, Hidalgo, Hood, Howard, Hutchinson, Irion, Jack, Jim Wells, Jones, Karnes, Kent, Kerr, Kinney, Kleberg, Knox, Lampasas, LaSalle, Lipscomb, Live Oak, Llano, Lynn, Martin, Mason, McCulloch, Menard, Midland, Mills, Mitchell, Montague,

Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Pecos, Potter, Randall, Roberts, Runnels, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Stephens, Sterling, Stonewall, Swisher, Sutton, Taylor, Terrell, Throckmorton, Tom Green, Travis, Upton, Val Verde, Victoria, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wilson, Wise, Young, and Zavala Counties, there is a spring season on turkey gobblers beginning the Saturday nearest April 15 for 16 consecutive days during which one gobbler may be taken.

(2)-(4) (No change.)

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

(a)-(i) (No change.)

(j) In Atascosa, Atascosa, Bee, Bexar, Dimmit, Duval, Frio, Jim Wells, Karnes, Live Oak, Maverick, Medina, San Patricio, Wilson, Zapata, and Zavala Counties, the daily bag limit on minnows is 200, and there is no possession limit.

(k)-(m) (No change.)

(n) In freshwater impoundments, except in Comal County, the daily bag limit on red drum is 10, and the possession limit is 20. No person may retain or possess red drum less than 16 or more than 35 inches in length.

(o)-(q) (No change.)

§65.63. Freshwater Fish: Means and Methods.

(a) In regulatory counties, only the following means and methods may be used to take fish. It is unlawful to take or attempt to take fish by any means and methods, except as specifically allowed in this section.

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

(3) A spear gun and spear or bow and arrows for taking only rough fish, except in Live Oak County and the waters of Lake Corpus Christi in San Patricio and Jim Wells Counties, but it is unlawful to possess fish other than rough fish when using a spear gun and spear or bow and arrow.

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

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

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

Issued in Austin, Texas, on July 11, 1983.

TRD-835137

Maurine Ray
Administrative Assistant
Texas Parks and Wildlife
Department

Effective date: August 1, 1983

Proposal publication date: March 11, 1983

For further information, please call (512) 479-4974
or (800) 792-1112.



TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 9. Food Stamps

Subchapter Z. Changes

The Texas Department of Human Resources adopts new §§9.2512, 9.2726, and 9.2727, with changes to the proposed text published in the April 22, 1983, issue of the *Texas Register* (8 TexReg 1334). The department also adopts the repeal of §§9.2512, 9.2513, 9.2726, and 9.2727, without changes to the proposed notice of repeal published in the same issue. The Omnibus and Budget Reconciliation Act of 1981 requires the department to implement monthly reporting and retrospective budgeting in the Food Stamp Program. These rules provide the basis for the department's monthly reporting and retrospective budgeting system.

The department received comments from the Houston Welfare Rights Organization, Inc. The commentor was neither for nor against the proposed rules but had specific concerns and recommendations for changes to §9.2727.

The commentor stated that the department inadequately used its authority to exempt categories of households from monthly reporting and suggested that the department revise its proposed rule to require that only working food stamp recipients be required to file status reports. The commentor recommended exempting employed recipients who have literacy and mental health problems or other handicaps that impair their ability to report. Section 9.2727 states that only households meeting certain characteristics that indicate a high probability of frequent changes in factors affecting eligibility and a potential for errors are required to report monthly.

In developing the criteria for determining which households would be required to report, the department limited the requirement to households who meet the criteria and households for whom monthly reporting would be cost effective. All households with earned income will not be required to file monthly status reports. Based on the rule as proposed, fewer households will be required to file status reports than would be the case if the commentor's suggestion was adopted. The department believes it has used its authority appropriately in exempting households from the reporting requirement. The department, therefore, did not incorporate the suggestion.

The commentor supported the rule based on the understanding that the rule does not apply to Aid to Families with Dependent Children (AFDC) families. This is not the case. The AFDC families receiving public assistance food stamps will be required to submit monthly status reports for food stamps if they meet the characteristics that indicate the household has the potential for frequent changes that would affect eligibility and indicate a high potential for error.

The commentor suggested that the rule be expanded to state that if the family is required to report monthly, the family will not be required to report changes within 10 days. The rule has been changed to incorporate this suggestion.

The commentor also objected to the length of the department's monthly reporting form and the number of questions on expectations and anticipations. The commentor believed that the questions on expectations and anticipations could be limited to one question. Federal regulations contain specific requirements regarding the questions and information which must be contained in the report form. The department has made an effort to develop a report form that does not contain more questions and information than is required by federal regulations and has attempted to minimize, to the extent possible, the length of its report form. The department is revising its report form to include only one question on anticipated changes.

The department changed the language of the rules based on suggestions received from the United States Department of Agriculture.

40 TAC §9.2512, §9.2513

The repeals are adopted under the authority of the Human Resources Code, Title 2, Chapters 22 and 33, which authorize the department to administer public assistance programs.

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

Issued in Austin, Texas, on July 8, 1983.

TRD-835116 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 29, 1983
Proposal publication date: April 22, 1983
For further information, please call (512) 441-3355,
ext. 2037.

40 TAC §9.2512

The new rule is adopted under the authority of the Human Resources Code, Title 2, Chapters 22 and 33, which authorize the department to administer public assistance programs.

§9.2512. Changes in Households Not Reporting Monthly.

(a) Food stamp households must report to the department changes that affect eligibility or the amount of benefits. Changes that must be reported include:

(1) source of income or the amount of gross monthly income received if the amount of change exceeds \$25. Households are not required to report changes in their AFDC grant or across-the-board changes in Social Security and Supplemental Security Income (SSI) benefits.

(2) changes in household composition.

(3) changes in residence and any resulting changes in shelter costs.

(4) ownership of a licensed vehicle unless the vehicle is excluded as a resource.

(5) available cash, stocks, bonds, or money in a bank or savings account if the total is \$1,500 or more.

(6) monthly medical expenses if the amount changes by more than \$25.

(b) applicants for food stamps must report at the interview any changes to information reported on the application form. Applicants must report within 10 days of the date on their eligibility notice changes listed in subsection (a) of this section that occur after the interview and before the date on their eligibility notice.

(c) Households certified for food stamps must report to the department changes listed in subsection (a) of this section within 10 days after the household knows about the changes.

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 July 8, 1983.

TRD-835114 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 29, 1983
Proposal publication date: April 22, 1983
For further information, please call (512) 441-3355,
ext. 2037.



Subchapter BB. Joint AFDC/Food Stamp Applications

40 TAC §9.2726, §9.2727

The repeals are adopted under the authority of the Human Resources Code, Title 2, Chapters 22 and 33,

which authorize the department to administer public assistance programs.

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

Issued in Austin, Texas, on July 8, 1983.

TRD-835117 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 29, 1983
Proposal publication date: April 22, 1983
For further information, please call (512) 441-3355,
ext. 2037.

The new rules are adopted under the authority of the Human Resources Code, Title 2, Chapters 22 and 33, which authorize the department to administer public assistance programs.

§9.2726. Budgeting Principles.

(a) For nonpublic assistance (non-PA) households, the department uses the best estimate of the household's future income and circumstances to determine:

(1) eligibility.

(2) benefit amount for the first two months that the household receives benefits.

(b) The department bases the benefits for the third and following months on the household's income and circumstances that existed during the two months before the payment month.

(c) Exceptions to this rule are for:

(1) migrant households in the workstream, the department always bases eligibility and benefits by estimating future income and circumstances.

(2) public assistance (PA) food stamp households whose eligibility determinations are made after the month the household files an application, the department bases eligibility and benefits on the income and circumstances that existed during the month of application.

(3) households that receive AFDC, the department uses the AFDC grant amount received in the food stamp payment month.

§9.2727. Monthly Reporting.

(a) To receive food stamp benefits, a household that receives a status report form must correctly complete the form according to the instructions on the form and return it to the department so that the department receives it within the dates indicated on the form.

(b) The department sends status report forms to classes of households that have a high probability of frequent changes in factors affecting eligibility and a potential for errors.

(c) Households that are required to submit a status report form are provided an explanation of the requirements for reporting.

(d) The status report form includes questions about factors affecting eligibility and amount of benefits.

(e) If the department changes the household's eligibility or benefits because of information reported on

the status report form, the household has the right to receive adequate notice. Notice is adequate if the department mails or gives the notice to the household on the same date the department makes the change.

(f) The household is entitled to continued or reinstated benefits if the household requests a fair hearing within 10 days after the date they are notified. The department does not continue or reinstate benefits if the action is caused by the household's failure to return a correctly completed status report form.

(g) Households that do not comply with the requirements for reporting receive a notice stating the corrective actions needed and the due date for completing the action. If the household returns the status report form after the due date, the report is not timely and the household may lose the right to receive timely benefits.

(h) Households that are required to complete monthly status reports are not required to report changes within 10 days of the change.

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

Issued in Austin, Texas, on July 8, 1983.

TRD-835115 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: July 29, 1983
Proposal publication date: April 22, 1983
For further information, please call (512) 441-3355,
ext. 2037.

State Board of Insurance Exempt Filings

State Board of Insurance Notification

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

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

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

The State Board of Insurance has adopted amendments to Rule 124, Motorcycles of the Texas Automobile Manual (Rule 059.05.01.005).

The amendment adopted is the deletion of paragraphs (c) and (d) of the present rule and the addition of a new paragraph (c) incorporating the operator credits previously included in paragraphs (c) and (d).

Paragraphs (c) and (d) of the rule as they existed prior to adoption of this amendment permitted premium credits for operators completing certain operator training courses. The new paragraph (c) incorporates those same provisions and, in addition, includes provisions for a 10% premium credit for operators completing the Motorcycle Safety Foundation's Better Biking Course or Motorcycle

Rider Course. The additional premium credits will be available to individuals successfully completing the Better Biking Course or Motorcycle Rider Course on or after August 1, 1983.

The amendment is effective August 1, 1983. This notification is made pursuant to the Texas Insurance Code, Article 5.9. It is exempt from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on July 5, 1983.

TRD-835047 James W. Norman
Chief Clerk
State Board of Insurance

Filed: July 6, 1983
For further information, please call (512) 475-2950.

The State Board of Insurance has approved various agenda items presented at the June 8, 1983, annual fire hearing affecting the manual rules, rates, and policy and endorsement forms for the Texas standard policy (Rule 059.05.36.001), the Texas standard homeowners policy (Rule 059.05.36.002), the Texas standard farm and ranch owners policy (Rule 059.05.36.003), the Texas commercial multi-peril policy (Rule 059.05.81.001), the Texas commercial property policy (Rule 059.05.81.001), the electronic equipment protection policy (new policy) and the Texas general basis schedules (Rule 059.05.25.003), which is the manual governing the writing of said policies. The agenda items as approved are as follows:

Agenda Item 7-83 relates to the consideration of new policy and forms, the electronic equipment protection policy (new policy), designed to insure computers and related equipment. This provided a new promulgated policy, easily accessible to all companies, which broadened coverage for electronic equipment for both commercial and personal risks on a comprehensive form as well as providing a new limited coverage form for small computers and related equipment. The previous policy applicable to electronic equipment required special filing by individual companies and was basically designed for insuring large computers.

Agenda Item 11-83 is for the consideration of a new endorsement to the farm and ranch owners policy (Rule 059.05.36.003) to provide Section II (liability) coverage for custom farm work performed by the insured for others. Previously such coverage was provided by use of a general liability endorsement. The promulgation of a standard property endorsement provides for a simplified approach in issuing a farm and ranch owners policy.

Agenda Item 13-83 is for the purpose of revising Form FRO-465 (contained in Rule 059.05.36.003), including applicable manual rules (Rule 059.05.25.003), to allow replacement cost coverage to be optional with respect to Coverage B—unscheduled household goods and personal effects in a secondary dwelling. The purpose of this item is to clarify that replacement cost coverage is not automatic to a secondary dwelling, but rather an optional coverage requiring an indication on the endorsement if such replacement cost coverage is desired on the secondary dwelling.

Agenda Item 19-83 relates to amending the manual rules of the homeowners section of the Texas general basis schedules (Rule 059.05.25.003) to allow for increasing the limits on jewelry and furs under Endorsement HO-339 to a maximum of \$5,000. Currently the maximum increase of the limits is \$2,500, however, the need for higher limits on jewelry and furs, without the requirement to actually schedule the items, is sufficient to warrant a maximum increase to \$5,000.

Agenda Item 20-83 requests a revision of the Additional Limits Endorsement HO-339 (contained in Rule 059.05.36.002, relating to personal jewelry, watches, and furs) to indicate that the additional limits provided by this endorsement is in excess of the basic amount shown in the homeowners policy. This change clarifies the intent that the amount of insurance shown on Endorsement HO-339 is additional insurance to the basic amount provided in the policy, and the wording of the endorsement is amended to specifically state that the amount shown on the Endorsement HO-339 is additional insurance. With the new wording in the endorsement, there is no question as to the limit of liability applicable to personal jewelry, watches, and furs.

Agenda Item 22-83 provides for defining the types of farm or ranch personal property that is excluded from Coverage B in the standard coverage Forms FRO-A, FRO-B, and FRO-C (contained in Rule 059.05.36.003). Under the previously approved forms, all property pertaining to a ranch, farm, business, trade, profession or occupation was excluded from coverage. Because this exclusion is

unclear as to the type of property intended, specific types of property that are to be excluded are named in the exclusion (i.e., saddles, tack, tools and equipment, riding mowers, or tractors powered by over 12 horsepower motors).

Agenda Item 23-83 provides limited coverage under Forms FRO-A, FRO-B, and FRO-C (contained in Rule 059.05.36.003) for \$500 on property pertaining to a business, trade, profession, or occupation including farm or ranch office machinery, equipment, and supplies. This is a broadening of coverage that has for some years been available under the homeowners policy and is now extended to the farm and ranch owners policy.

Agenda Item 27-83 amends the Texas general basis schedules (Rule 059.05.25.003) standards for protection of hood and vent (duct) systems serving cooking equipment. The standards set forth in the Texas general basis schedules are based on the standards of the National Fire Protection Association and periodically those standards are upgraded by the National Fire Protection Association. In order to maintain equivalent standards for hood and vent systems, the board must also periodically upgrade the standards in the Texas general basis schedules to recognize the advanced technology.

Agenda Item 30-83 establishes an endorsement to increase the existing limit of liability for property in transit under Forms TxCMP-107, TxCMP-108, TxCMP-115, TxCMP-116, and TxCMP-124, (contained in Rule 059.05.81.001) for an additional premium charge. Under the current forms outlined above, a limit of \$2,500 is provided for coverage of property in transit. At times this limit is not sufficient to cover property in transit, however, the additional amount needed may not warrant the issuance of a separate transit policy. The new endorsement allows the existing limit of liability for transportation coverage to be increased by a maximum limit of \$2,500, providing a total limit of liability for transportation coverage of \$5,000. The increased amount is subject to a minimum rate of \$1 per \$100 of insurance.

Agenda Item 32-83 revises Form FRO-459 (contained in Rule 059.05.36.003) to include an insuring clause and to clarify the replacement cost coverage shown on page 1 of the endorsement as it relates to the provision for coverage on page 2. Previously Form FRO-459 required that either replacement cost or actual cash value be indicated on the endorsement for each building covered. In cases where neither block is checked, it is questionable as to whether the coverage was provided on a replacement cost basis or an actual cash value basis. In order that this be perfectly clear as to the valuation applicable at the time of policy issuance, the form was revised to show only a block to be checked if replacement cost coverage was desired with a statement that is not checked, the policy will be automatically issued on the basis of actual cash value.

Agenda Item 33-83 provides new premium charts for Texas tenant homeowners or homeowners condominiums (contained in Rule 059.05.36.002) and amends the Texas general basis schedules (Rule 059.05.25.003) rules to accommodate these new charts. This change to the rules in the Texas general basis schedules is necessary to set

forth the proper rating procedure under the new tenant homeowners charts previously adopted by the board.

Agenda Item 34-83 revises the method of calculating the premium reduction when Forms 224 and HO-361 are attached to a Texas standard homeowners (Rule 059.05.36.002) or Texas standard farm and ranch owners policy (Rule 059.05.36.003). The current method of determining the proper reduction in premium when the perils of windstorm and hail are excluded under a homeowners or farm and ranch owners policy is cumbersome and confusing, particularly when many of the policies issued today are issued by computers. This revision in the calculation of the premium reduction provides a standard method of calculation, adaptable to a computer system and further provides detailed examples in the manual.

Agenda Item 40-83 amends the manual rules of the Texas general basis schedules (Rule 059.05.25.003) to provide the proper method of adjusting the all other perils rate under a reporting form. Current reporting form rules require that the rate as of inception be used for increases in the limits of liability of the policy. This produces a problem when the all other perils rate is involved because the rate is an incremental rate, and as the limits of liability increase, the rate becomes less. If the reporting rule is followed, the rate as of inception must be used causing the insured to pay higher premiums for the all risk coverage than would otherwise be applicable. By making an exception under the reporting rules, the all other perils rate can be adjusted for any increase during the policy term, thereby allowing the insured to be charged an equitable premium rather than being penalized.

Agenda Item 41-82 revises Forms 75, 17-S, TxCMP-147, TxCMP-144, TxCMP-140, TxCMP-145, TxCMP-146, TCPP-65, and TCPP-60 (contained in Rules 059.05.36.001 and 059.05.81.001) to afford coverage for loss due to interruption by civil authority regardless of the location of the damage causing the loss. This change standardizes coverage for time element losses where a premises has been closed by order of civil authority because of damage that may have occurred on other premises.

Agenda Item 42-83 permits personal property in owner occupied duplexes, when written under a homeowners policy (Rule 059.05.36.002), to be insured for 20% of the dwelling amount or 30% of the dwelling amount when insured on a replacement cost basis. Current homeowners rules (contained in Rule 059.05.25.003) require that personal property be insured for 40% of the dwelling amount or 50% of the dwelling amount for replacement cost. These percentages are entirely too high when considering the value of a duplex versus the amount of personal property contained in one section of the duplex. It is more equitable to allow personal property in an owner occupied duplex to be insured at a lower percentage of the higher value dwelling amount.

Agenda Item 46-83 provides a new endorsement to delete the exclusion to loss of personal property by the peril of theft under the gross earnings endorsement TxCMP-140 (contained in Rule 059.05.81.001), for an additional premium. This change will allow insureds with a potential exposure for loss of earning because of theft to be able to purchase the coverage at additional premium charge.

Agenda Item 47-83 provides a mandatory endorsement to be attached to the Texas standard policy (Rule 059.05.36.001), Texas standard homeowners policy (Rule 059.05.36.002), Texas standard farm and ranch owners policy (Rule 059.05.36.003) and the Texas commercial multi-peril policy (Rule 059.05.81.001) to provide for 30 days' notice of cancellation to mortgagees. More mortgage companies are requiring 30 days' notice of cancellation under the conditions of a loan agreement, and previously the industry could not respond to such requirement. This change affects only the mortgagee named on the policy and would not affect any named insured.

Agenda Item 48-83 amends the Texas general basis schedules (Rule 059.05.25.003) to provide that the annual fire record adjustment be effective May 1 in lieu of April 1. Fire record credits or penalties are applicable to various cities and towns based on the premium and loss experience for peril of fire for each city or town. These changes occur annually and have in the past been made effective on April 1 of each year. The purpose of this change is to allow a 60-day notice to all agents and companies of the fire record changes rather than the current 30-day notice.

Agenda Item 49-83 requests that an endorsement be provided to permit gross earnings under Form TxCMP-140 (contained in Rule 059.05.81.003) to be written on a premium adjustment basis. This will allow risks with a large exposure for loss of earnings to be able to report earnings on a monthly basis and adjust the premium for such coverage based on the average monthly earnings at the expiration of the policy.

Agenda Item 50-83 revises Forms TxCMP-115 and TxCMP-116 (contained in Rule 059.05.81.001) to cover jewelry and watches on the same basis as Form TxCMP-107 (contained in Rule 059.05.81.001) by amending the limitation under these forms to provide full limits of coverage for jewelry and watches valued at \$25 or less per item. This change affords the same coverage to a manufacturing risk as is provided for a mercantile risk.

Agenda Item 54-83 amends the Texas general basis schedules (Rule 059.05.25.003) to permit the attachment of additional extended coverage Endorsement HO-366 (Rule 059.05.36.002) to a farm and ranch owners Form FRO-A (Rule 059.05.36.003). This change allows the same coverage afforded under the homeowners policy (Rule 059.05.36.002) to be provided under a farm and ranch owners Form FRO-A, thereby providing consistency in coverage.

Agenda Item 55-83 deletes the 200-foot limitation on replacement cost coverage in the farm and ranch owners forms (contained in Rule 059.05.36.003). Currently, replacement of destroyed property is required to be within 200 feet of the location of the destroyed property. Removal of this limitation broadens the conditions of the policy and allows the replacement of a destroyed building or any given area of the premises of the insured's farm and ranch property.

Agenda Item 57-83 amends the automatic sprinkler grading schedule section of the Texas general basis schedules (Rule 059.05.25.003) to permit omission of sprinklers in

fire resistive bank type storage vaults when the area of the vault is 4,000 square feet or less. Because fire resistive vaults are difficult to sprinker without violating the fire resistive nature of the vault and the burglary protection of the vault, such area can be treated as a nonsprinklered area with an appropriate charge in the rating schedule without disqualifying the entire building from receiving sprinkler credit.

These changes are to be effective October 1, 1983. This notification is filed pursuant to the Texas Insurance Code,

Article 5.96. It is exempt from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on July 7, 1983.

TRD-835079

James W. Norman
Chief Clerk
State Board of Insurance

Filed: July 7, 1983

For further information, please call (512) 475-2950.

Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. 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*.

Select Committee for Public Education

Wednesday, July 13, 1983, 10 a.m. The Select Committee for Public Education met in emergency session in the Brazos Room, Sheraton Crest Hotel, 111 East First Street, Austin. Items on the agenda include organization of the committee, staff briefings on past legislation, and studies concerning education. The emergency status was necessary to enable the committee to organize promptly and begin the work for which the committee was established.

Contact: Raymon L. Bynum, 201 East 11th Street, Austin, Texas 78701, (512) 475-3271.

Filed: July 11, 1983, 1:40 p.m.
TRD-835149

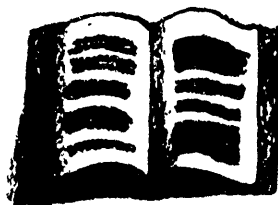
Texas Education Agency

Friday, July 8, 1983, 8:30 a.m. The State Board of Education Committee on Vocational Education and High Technology of the Texas Education Agency (TEA) made an emergency addition to the agenda of a meeting held in Room 101, TEA North Building, 1200 East Anderson Lane, Austin. The addition concerned a request by the

chairman of the State Board of Education to the Committee for Vocational Education and High Technology to examine that portion of the report of the Governor's Task Force on Emergency Jobs and Unemployment Trust Fund as it relates to education. This document will then be sent to the commissioner of education for his analysis. The emergency status was necessary because the material was not received in time for inclusion with the original notice of this meeting.

Contact: Raymon L. Bynum, 201 East 11th Street, Austin, Texas 78701, (512) 475-3271.

Filed: July 7, 1983, 2:50 p.m.
TRD-835081



Texas Employment Commission

Tuesday, July 19, 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 Docket 29 and set the date of the next meeting.

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

Filed: July 11, 1983, 1:51 p.m.
TRD-835148

Texas Department of Health

Saturday, July 16, 1983, 9:30 a.m. The Texas Board of Health of the Texas Department of Health will meet in Room T-610, 1100 West 49th Street, Austin. According to the agenda summary, the board will approve the June 18, 1983, minutes; hear reports of the commissioner, the Technical Advisory Committee concerning maternal and child health, the Budget Committee concerning a request for approval to transfer \$92,000 from veterinary public health and emergency management to the Immunization Division for purchase of hepatitis B vaccine and approval of the 1984 operating budgets for the San Antonio and Harlingen State Chest Hospitals, and the Personnel

Committee concerning an appointment to the Cardiovascular Advisory Committee; consider proposed amendments to rules on procedures in long-term care facilities, Texas Regulations for the Control of Radiation, Part 45, concerning licensing requirements for near-surface land disposal of radioactive waste, and solid waste technician training and certification rules, proposed rules on product labeling for hazardous substances, and registration of manufacturers of food as required by Senate Bill 59, 68th Legislature; emergency adoption of rules for migrant labor housing facilities as required by Senate Bill 579, 68th Legislature, rules relating to communicable diseases, repeal of existing rules, and adoption as proposed rules, as required by Senate Bill 1064, 68th Legislature, and rules relating to venereal diseases, repeal of existing rules, and adoption as proposed rules, as required by Senate Bill 258, 68th Legislature, final adoption of rules amending the fee schedule for professional counselors, the denial of licensure as professional counselors of persons with certain criminal backgrounds, and revision to the rules for the Newborn Screening Program, the approval of physicians, orthodontists, pedodontists, and hospitals to participate in the Crippled Children's Services Program, announcements and comments; and set the meeting date for August 1983.

Contact: Gary A. Fuchs, 1100 West 49th Street, Austin, Texas 78711, (512) 458-7484.

Filed: July 8, 1983, 4:09 p.m.
TRD-835130

Wednesday, July 20, 1983, 2 p.m. The Advisory Board of Athletic Trainers of the Texas Department of Health will meet in the convention center, 100 Washington Street, Waco. Items on the agenda include approval of the previous minutes, a report of the Committee on Temporary Licenses, a discussion of an increase in fees, and action on delinquent continuing education and delinquent renewals. The board also will meet in executive session.

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

Filed: July 8, 1983, 2:01 p.m.
TRD-835118

Thursday, July 21, 1983, 1:30 p.m. The Advisory Committee on Nursing Home Affairs will meet in Room 107, Texas Department of Health, 1100 West 49th Street, Austin. Items on the agenda include approval of the

minutes, a review of legislation affecting long-term care, discussion of amendments to minimum licensing standards for personal care homes and procedures on long-term care facilities, Medication Aide Training Program changes and permitting of medication aides, and setting the next meeting date.

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

Filed: July 8, 1983, 2:02 p.m.
TRD-835119

Texas Health Facilities Commission

Friday, July 22, 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

Harrington Cancer Center, Amarillo
AH83-0323-186

San Antonio Eye Surgicenter,
San Antonio
AS83-0317-174

Medical Center Hospital, Tyler
AH83-0117-038

Normandy Terrace, Inc., San Antonio
AN82-1230-309

All Saints Episcopal Hospital,
Fort Worth
AH83-0214-120

Motions for Rehearing/Reconsideration
Memorial Hospital, Houston
AH82-0308-028

Alief General Hospital for Southwest
General Hospital, Houston
AH82-0728-091

Southwest Community Hospital,
Houston
AH82-0802-036

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

Filed: July 11, 1983, 9:12 a.m.
TRD-835134

Texas Historical Commission

Wednesday, July 20, 1983, 9:30 a.m. The National Register Committee of the Texas Historical Commission will meet on the second floor, 108 West 16th Street, Austin. Items on the agenda include potential appointments and proposed bylaws for the

State Board of Review, potential grant allocations of Texas historic preservation grants and National Register grants, and a review of federal projects.

Contact: Joe Oppermann, P.O. Box 12276,
Austin, Texas 78711, (512) 475-3094.

Filed: July 7, 1983, 4:45 p.m.
TRD-835086

State Board of Insurance

Tuesday, July 12, 1983, 9 a.m. The State Board of Insurance met in emergency session in Room 414, 1110 San Jacinto Street, Austin. Items on the agenda include the 1984 model private passenger automobile physical damage symbols regarding the Texas Automobile Manual. The emergency status was necessary because these are rating symbols for new cars which have come out or are coming out, and they must go into effect as soon as possible.

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

Filed: July 11, 1983, 9:40 a.m.
TRD-835138

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.

Monday, July 18, 1983, 9 a.m. Docket 7226—whether the Group I, legal reserve life insurance agent's license, the Group II, insurance agent's license, and the local recording agent's license held by James Hilton Hilliard, Houston, should be canceled or revoked.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 8, 1983, 9:04 a.m.
TRD-835087

Monday, July 11, 1983, 1:30 p.m. Docket 7227—whether the local recording agent's license held by Hilton Hilliard Insurance Designs, Inc., Houston, should be canceled or revoked.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 8, 1983, 9:04 a.m.
TRD-835088

Tuesday, July 19, 1983, 9:30 a.m. Docket 7231—application for approval of a charter amendment changing the name of Fort Sam

Texas Register

Life Insurance Company, Dallas, to Republicbank Life Insurance Company, Dallas.

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

Filed: July 11, 1983, 2:04 p.m.
TRD-835150

Tuesday, July 19, 1983, 1:30 p.m. Docket 7190—whether the Title Insurance agent's license held by Community Abstract & Title Company, Inc., Copperas Cove, should be canceled or revoked.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 11, 1983, 2:04 p.m.
TRD-835151

Wednesday, July 20, 1983, 9 a.m. Docket 7230—whether the certificate of authority of Chicago Insurance Company, Chicago, Illinois, should be revoked.

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

Filed: July 11, 1983, 2:04 p.m.
TRD-835152

Wednesday, July 20, 1983, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will meet in Room 353, 1110 San Jacinto Street, Austin. According to the agenda, the section will consider Docket 7234—application of Future Security Life Insurance Company, Austin, for approval of a charter amendment increasing the capital stock.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 11, 1983, 2:04 p.m.
TRD-835153

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

Wednesday, July 20, 1983, 1:30 p.m. Docket 7259—application for an original charter of Folio Mortgage Insurance Company, 2001 Bryan Tower, Dallas, to engage in the business of mortgage guaranty insurance.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 11, 1983, 2:04 p.m.
TRD-835154

Wednesday, July 20, 1983, 3:30 p.m. Docket 7264—whether the Title Insurance agent's license held by Stewart Title Com-

pany, Austin, should be canceled or revoked.

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

Filed: July 12, 1983, 8:13 a.m.
TRD-835184

Thursday, July 21, 1983, 9 a.m. Docket 7244—whether the Title Insurance agent's license held by James B. Dulaney and Betty T. Dulaney, doing business as Dulaney Abstract Company, Haskell, should be canceled or revoked.

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

Filed: July 11, 1983, 2:05 p.m.
TRD-835155

Thursday, July 21, 1983, 1:30 p.m. Docket 7222—application of ITT Life Insurance Corporation, Milwaukee, Wisconsin, for approval of Form 2313, a ten-year renewable and convertible life insurance plan.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 11, 1983, 2:05 p.m.
TRD-835156

Friday, July 22, 1983, 9 a.m. A rescheduled public hearing in Docket 7163—whether the Group I legal reserve life insurance agent's license and the local recording agent's license held by Steven Lewis Bergstrom should be canceled or revoked. The hearing was originally scheduled for June 22, 1983, at 8 TexReg 2088.

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

Filed: July 11, 1983, 2:05 p.m.
TRD-835157

Friday, July 22, 1983, 1:30 p.m. Docket 7245—whether the Title Insurance agent's license held by Abstract & Title Company, Dumas, should be canceled or revoked.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 11, 1983, 2:05 p.m.
TRD-835158

Monday, July 25, 1983, 9 a.m. Docket 7246—whether the Title Insurance agent's license held by Alcar Title Company, Giddings, should be canceled or revoked.

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

Filed: July 11, 1983, 2:05 p.m.
TRD-835159

Monday, July 25, 1983, 10:30 a.m. Docket 7247—whether the Title Insurance agent's license held by the Archer County Abstract Company, Inc., Archer City, should be canceled or revoked.

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

Filed: July 11, 1983, 2:05 p.m.
TRD-835160

Monday, July 25, 1983, 1:30 p.m. Docket 7256—application for original charter of Contractors Insurance Exchange of Texas, Houston.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: July 11, 1983, 2:05 p.m.
TRD-835161

Texas Commission on Jail Standards

Wednesday, July 20, 1983, 8:30 a.m. The Texas Commission on Jail Standards will meet in Room 206, Texas Law Center, 1414 Colorado Street, Austin. According to the agenda summary, the commission will approve the May 25, 1983, minutes; hear the director's report; and discussion of old business concerning Deaf Smith, Orange, Montgomery, and Val Verde Counties; a strip search rule, new business concerning Delta and Harris Counties, 37 TAC §259.64, §259.160, new construction, and §261.53, §261.149, existing construction, applications for variance(s) for Delta, Galveston, Hunt, Montgomery, Tarrant, Titus, and Val Verde counties. The commission also will meet in executive session.

Contact: Robert O. Viterna, 411 West 13th Street, Suite 900, Austin, Texas 78701, (512) 475-2716.

Filed: July 8, 1983, 9:19 a.m.
TRD-835092

Texas Juvenile Probation Commission

Friday, August 5, 1983, 10 a.m. The Texas Juvenile Probation Commission (TJPC) will meet at 2015 IH 35 South, Austin. Items on the agenda include approval of the June 10, 1983, minutes; the director's report; a training update; approval of Requisition JPC-03-0088, fiscal year 1983 state aid funds for training purposes and 1984

operational budget; and adoption of TJPC standards.

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

Filed: July 11, 1983, 9:40 a.m.
TRD-835139

Lamar University

Saturday, July 16, 1983, 8 a.m. The Building and Grounds Committee of the Lamar University Board of Regents will meet in the Lamar Room, Gray Library, Lamar University, Beaumont. According to the agenda, the committee will meet in executive session to review bids received.

Contact: Andrew J. Johnson, P.O. Box 10014, Beaumont, Texas 77710, (409) 838-8403.

Filed: July 11, 1983, 10:27 a.m.
TRD-835145

Saturday, July 16, 1983, 9 a.m. The Lamar University Board of Regents will meet in the Spindletop Room, Gray Library, Lamar University, Beaumont. According to the agenda summary, the board will approve the June 2, 1983, minutes, the state Equal Employment Opportunity Program, the retirement presentation policy, and receipt of small class reports for summer term I; hear reports and recommendations of the president and the Building Committee; and consider the 1983-1984 budgets and housing fees. The board also will meet in executive session.

Contact: Andrew J. Johnson, P.O. Box 10014, Beaumont, Texas 77710, (409) 838-8403.

Filed: July 11, 1983, 10:27 a.m.
TRD-835146

Texas Board of Land Surveying

Monday, August 15, 1983, 8 a.m. The Rules Committee of the Texas Board of Land Surveying will meet at the Marriott Hotel, 6121 IH 35 North at 290, Austin. Items on the agenda include a discussion and proposed revision of the general rules of procedures and practices.

Contact: Betty J. Pope, 1106 Clayton Lane, 210 West, Austin, Texas 78723, (512) 452-9427.

Filed: July 11, 1983, 9:40 a.m.
TRD-835140

Texas Legislative Council

Tuesday, July 26, 1983, 9 a.m. The Texas Legislative Council will meet in Room 301, State Capitol, Austin. According to the agenda, the council will approve the operating budget for fiscal year 1984, discuss interim projects, and consider other miscellaneous items.

Contact: Robert I. Kelly, P.O. Box 12128, Austin, Texas 78711, (512) 475-2736.

Filed: July 11, 1983, 3:20 p.m.
TRD-835163

Texas State Board of Medical Examiners

Sunday, July 31, 1983, 9 a.m. The Standing Delegation Orders Committee of the Texas State Board of Medical Examiners will meet at 1101 Camino LaCosta, Austin. According to the agenda, the committee will discuss correspondence. The committee also may meet in executive session under authority of Article 6252-17, as related to Texas Civil Statutes, Article 4495b, §5.06(e)(1), §4.05(d), and Attorney General Opinion H-484, 1974.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas.

Filed: July 8, 1983, 9:17 a.m.
TRD-835091

Saturday and Sunday, July 23 and 24, 1983, noon and 8 a.m., respectively. The Texas State Board of Medical Examiners will meet at 500 Padre Boulevard, South Padre Island. According to the agenda, the board will discuss committees, meetings, correspondence, and other usual and related business. The board also will meet in executive session under authority of Texas Civil Statutes, Article 6252-17, as related to Article 4495b, §5.06(e)(1), §4.05(d), and Attorney General Opinion H-484, 1974, to discuss the current status of cases in litigation.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas.

Filed: July 8, 1983, 9:16 a.m.
TRD-835090

Midwestern State University

Friday, July 8, 1983, 1:30 p.m. The Finance Committee of the Midwestern State University Board of Regents met in emergency session in the board room, Hardin Administration Building, Wichita Falls. According to

the agenda, the committee discussed the 1983-1984 operation budget. The emergency status was necessary because the board had to meet prior to the regular board meeting on July 15, 1983, and this was the only day they could meet with a quorum.

Contact: Dr. Louis J. Rodriguez, 3400 Taft Boulevard, Wichita Falls, Texas 76308, (817) 692-6611, ext. 4211.

Filed: July 7, 1983, 10:37 a.m.
TRD-835066

Friday, July 15, 1983, 10 a.m. The Board of Regents of Midwestern State University (MSU) will meet in the Hardin Administration Building Board Room, MSU, Wichita Falls. According to the agenda summary, the board will discuss the MSU operating budget, radio bids, an unmanned teller machine, the student center bond sale resolution, and other minor financial items.

Contact: Dr. Louis J. Rodriguez, 3400 Taft Boulevard, Wichita Falls, Texas 76308, (817) 692-6611, ext. 4211.

Filed: July 7, 1983, 10:37 a.m.
TRD-835067

Board of Pardons and Paroles

Monday-Friday, July 25-29, 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, Stephen F. Austin Building, Room 711, Austin, Texas 78701, (512) 475-3363.

Filed: July 12, 1983, 8:43 a.m.
TRD-835185

Public Utility Commission of Texas

Wednesday, July 13, 1983, 9 a.m. The Public Utility Commission made an emergency addition to the agenda of a meeting held in Suite 450N, 7800 Shoal Creek Boule-

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vard, Austin. The addition concerned an executive session to consider pending litigation. The emergency status was necessary for the commission to take immediate action on pending litigation.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 11, 1983, 2:53 p.m.
TRD-835162

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

Monday, July 18, 1983, 10 a.m. A hearing on the merits in Docket 2616—application of Lubbock Power and Light for an amended certificate of convenience and necessity within Lubbock County.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 7, 1983, 10:43 a.m.
TRD-835060

Monday, July 18, 1983, 10 a.m. A prehearing conference in Docket 5228—application of Lufkin Telephone Exchange for authority to change rates.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 7, 1983, 10:40 a.m.
TRD-835061

Wednesday, July 27, 1983, 1:30 p.m. A hearing in Docket 5213—inquiry into the rate of Coldspring Terrace Water Supply.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 11, 1983, 3:51 p.m.
TRD-835164

Wednesday, September 7, 1983, 10 a.m. A hearing in Docket 5117—application of Vornsand Enterprises, Inc., doing business as Arcadian Utility Company, for water and sewer certificate of convenience and necessity within Harris County.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 7, 1983, 10:39 a.m.
TRD-835062

Wednesday, September 28, 1983, 2 p.m. A hearing on the merits in Docket 5129—application of Military Highway Water Supply

Corporation to amend a certificate of convenience and necessity in Hidalgo County.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 7, 1983, 10:43 a.m.
TRD-835063

Thursday, September 29, 1983, 10 a.m. A hearing on the merits in Docket 5119—application of the City of Mercedes for a certificate of convenience and necessity within Hidalgo County and Docket 5126—application of Military Highway Water Supply Corporation to amend a certificate within Hidalgo County.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 7, 1983, 10:40 a.m.
TRD-835064

Thursday, September 29, 1983, 2 p.m. A hearing on the merits in Docket 5124—application of Military Highway Water Supply Corporation to amend a certificate of convenience and necessity within Cameron County.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: July 7, 1983, 10:43 a.m.
TRD-835065

State Purchasing and General Services Commission

Thursday, July 21, 1983, 10 a.m. The State Purchasing and General Services Commission will meet in Room 916, 111 East 17th Street, Austin. Items on the agenda include a review of the proposed operating budget for fiscal year 1984; establishing a study on methods of computer acquisition; reports on the computer output microfilm consultant contract, construction projects of the John H. Winters Human Services Center, William B. Travis Building, and renovation in the State Capitol; commission monthly reports; and setting a date and time of the next meeting. The commission also will meet in executive session to discuss personnel matters, acquisition of real property, and pending litigation.

Contact: Homer A. Foerster, P.O. Box 13047, Austin, Texas 78711, (512) 475-2211 or STS 822-2211.

Filed: July 12, 1983, 9:49 a.m.
TRD-835186

Railroad Commission of Texas

Monday, July 18, 1983, 9 a.m. Divisions of the Railroad Commission of Texas will meet at 1124 IH 35 South, Austin. Divisions, meeting rooms, and agendas follow.

The Administrative Services Division will meet in the first floor auditorium to consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Roger Dillon, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1211.

Filed: July 8, 1983, 10:47 a.m.
TRD-835098

The Automatic Data Processing Division will meet in the first floor auditorium to consider and act on the division director's report on division administration, budget, procedures, equipment acquisitions, and personnel matters.

Contact: Bob Kmetz, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1204.

Filed: July 8, 1983, 10:46 a.m.
TRD-835099

The Flight Division will meet in Room 107 to consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Ken Fossler, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1103.

Filed: July 8, 1983, 10:46 a.m.
TRD-835100

The Gas Utilities Division will meet in Room 107 to consider gas utilities Dockets 3987, 3757 consolidated, 4096, 4101-4104, 4095, 4097, 4100, 4105, 4063, 4106, and the director's report.

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

Filed: July 8, 1983, 10:48 a.m.
TRD-835101

The Office of Information Services will meet in the first floor auditorium to consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schaible, P.O. Drawer 12967, Austin, Texas 78711.

Filed: July 8, 1983, 10:45 a.m.
TRD-835102

The LP-Gas Division will meet in the first floor auditorium to consider and act on the division director's report on division ad-

ministration, budget, procedures, and personnel matters.

Contact: Hugh F. Keepers, P.O. Drawer 12967, Austin, Texas 78711, (512) 475-1301.

Filed: July 8, 1983, 10:44 a.m.
TRD-835103

The Oil and Gas Division will meet in the first floor auditorium to consider various matters falling within the Railroad Commission's oil and gas regulatory jurisdiction.

Contact: Jan Burriss, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1307.

Filed: July 8, 1983, 10:45 a.m.
TRD-835104

Additions to the above agenda:

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

Contact: Madalyn J. Girvin, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1273.

Filed: July 8, 1983, 10:45 a.m.
TRD-835105

Consideration of whether or not to institute legal action against H & J Drilling Company and Cher-Mac Operating.

Contact: Glenn Jordan, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1229.

Filed: July 8, 1983, 10:44 a.m.
TRD-835106

The Personnel Division will meet in the first floor auditorium to consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Herman L. Wilkins, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1120.

Filed: July 8, 1983, 10:47 a.m.
TRD-835107

The Office of the Special Counsel will meet in the third floor conference room to consider and act on the division director's report relating to pending litigation, state and federal legislation, and other budget, administrative, and personnel matters. The commission's recommendation is that the Travis Peak Formation be designated as a tight sands formation in Texas, RRC Docket 5-76,659, pending before the Federal Energy Regulatory Commission.

Contact: Walter Earl Lihle, 1124 IH 35 South, Austin, Texas 78701, (512) 445-1186.

Filed: July 8, 1983, 10:47 a.m.
TRD-835108

The Surface Mining and Reclamation Division will meet in the first floor auditorium to consider Docket 16—motion for rehearing in the permit application and the issuance of a permit to the Lower Colorado River Authority, and to consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: J. Randel (Jerry) Hill, 105 West Riverside Drive, Austin, Texas, (512) 475-8751.

Filed: July 8, 1983, 10:44 a.m.
TRD-835109

The Transportation Division will meet in the first floor auditorium, Room 107, to consider various matters falling within the commission's transportation regulatory jurisdiction.

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

Filed: July 8, 1983, 10:48 a.m.
TRD-835110

Addition to the above agenda:

Consideration of a recommendation that the commission authorize the expenditure of rail planning funds to partially fund a project to demonstrate the effectiveness of a train monitoring system in Conroe.

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

Filed: July 8, 1983, 2:32 p.m.
TRD-835121

State Rural Medical Education Board

Saturday and Sunday, July 16 and 17, 1983, 9 a.m. and 8 a.m., respectively. The State Rural Medical Education Board will meet on the second floor, Southwest Tower Building, 211 East Seventh Street, Austin. According to the agenda, the board will review financial and statistical reports, approve supplemental loans, discuss the purchase of a computer and legislative actions, review the status of participants in program and potential defaults, and interview new applicants for loans.

Contact: Duane Keeran, 211 East Seventh Street, Fourth Floor, Austin, Texas 78701, (512) 475-0801.

Filed: July 8, 1983, 2:12 p.m.
TRD-835120

School Land Board

Tuesday, July 19, 1983, 10 a.m. The School Land Board will meet in Room 831, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Items on the agenda include approval of the previous board minutes; application for suspension of state leases; pooling agreement amendments and applications, excess acreage applications; coastal public lands items concerning cabin permit transfers, alterations, terminations, rate reduction requests, and a coastal public land report concerning cabin permit renewals.

Contact: Linda K. Fisher, 1700 North Congress Avenue, Room 835, Austin, Texas 78701, (512) 475-4307.

Filed: July 11, 1983, 4:05 p.m.
TRD-835165

Texas State Soil and Water Conservation Board

Thursday, July 21, 1983, 8 a.m. The Texas State Soil and Water Conservation Board will meet at 1006 First National Building, Temple. Items on the agenda summary include the May 19, 1983, minutes; district director appointments, the 1983 state meeting Planning Committee report; guidelines for technical assistance funds, matching fund allocations regarding supplemental criteria, Floyd County 104 matching funds, 1984-1985 regular matching fund allocations; soil survey development contracts for 1984, Senate Bill 663 by Armstrong (sodbuster bill); a travel policy, reauthorization of the Clean Water Act; the 1984 operating budget, a proposed teacher-student workshop at Stephen F. Austin State University, service awards to the Soil and Water Conservation District directors, a change in district subdivision boundaries, a report on salinity study; Public Law 83-566 watershed activities; a soil conservation service report, and consideration of purchase of Mobile Field water lab. The board also will meet in executive session.

Contact: Harvey Davis, 1002 First National Building, Temple, Texas, (817) 773-2250 or STS 820-1250.

Filed: July 7, 1983, 10:38 a.m.
TRD-835059

University Interscholastic League

Wednesday, July 13, 1983, 2 p.m. The State Executive Committee of the University In-

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terscholastic League met in Room 2.110, Joe Thompson Conference Center, University of Texas Campus, Austin. Items on the agenda included consideration of the Westlake soccer case, the Region IV spring meet site assignment, interpretation of Amateur Rule 8-9-1 and Soccer Rule 25-7-3, and additional items for discussion. The committee also met in executive session regarding pending litigation.

Contact: Bailey Marshall, P.O. Box 8028, Austin, Texas 78712.

Filed: July 8, 1983, 4:47 p.m.
TRD-835131

Wednesday, July 13, 1983, 2 p.m. The State Executive Committee of the University Interscholastic League made an emergency revision to the agenda of a meeting held in Room 2.110, Joe Thompson Conference Center, University of Texas campus, Austin. The revision concerned the replacement of an interpretation of Amateur Rule 8-9-1 with Amateur Rule 24-3-5(2) and Awards Rule 16-1-1. The emergency status was necessary because an incorrect rule was cited on the agenda.

Contact: Bailey Marshall, Box 8028, Austin, Texas 78712, (512) 471-5883.

Filed: July 12, 1983, 9:45 a.m.
TRD-835187

Texas Water Commission

Monday, July 18, 1983, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Items on the agenda include applications for district bond issues, release from escrow, use of surplus funds, district creation, water quality permits, amendments and renewals, water rights application, an amendment, a levee matter rescinding order, the filing and setting of a hearing date, and final adoption of amendments to commission rules.

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

Filed: July 8, 1983, 3:16 p.m.
TRD-835125

Wednesday, July 27, 1983, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider Application 3234A of the Sabine River Authority of Texas to amend Permit

2948 to authorize construction and maintenance of a 675,819 acre-foot capacity reservoir on Lake Fork Creek, tributary of the Sabine River, Sabine River Basin, Wood County, and divert 44,940 acre-feet per year for municipal purposes and 120,000 acre-feet per year for industrial purposes.

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

Filed: July 8, 1983, 3:17 p.m.
TRD-835126

Wednesday, July 27, 1983, 2 p.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will consider the application of the Public Utilities Board of Brownsville, P.O. Box 3270, Brownsville, Texas 78520, to the Texas Department of Water Resources for a temporary order which would authorize the discharge of partially treated domestic wastewater at a volume not to exceed a flow of 7.8 million gallons per day, daily average, 10 million gallons per day, daily maximum, to install new aeration systems in two aeration basins.

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

Filed: July 7, 1983, 11:23 a.m.
TRD-835075

Wednesday, September 7, 1983, 10 a.m. The Texas Water Commission has rescheduled a meeting to be held in Room 119, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider Application 2584A of Mike Adams and Charles B. Ranely, doing business as Webb Hill Country Club, for an amendment to Permit 2348 to increase the storage capacity of the permitted reservoir by an additional 21 acre-feet of water. The reservoir is located on an unnamed tributary of the South Sulphur River, Sulphur River Basin, in Hunt County. Diversion from the reservoir for irrigation purposes. The meeting was originally scheduled for June 23, 1983, as published at 8 TexReg 1571.

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

Filed: July 8, 1983, 3:17 p.m.
TRD-835127

Thursday, October 6, 1983, 10 a.m. The Texas Water Commission will meet in Room 618, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider Application 1615A of Jewel Fitz-

gerald to amend Permit 1502 to increase diversion and use of 275 acre-feet per year to 1,400 acre-feet per year, 700 acre-feet from Cane Bayou Ditch and 700 acre-feet from Willow Marsh Ditch, tributary of Robinson Lake, Neches-Trinity Coastal Basin, for irrigation purposes in Chambers County.

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

Filed: July 8, 1983, 3:17 p.m.
TRD-835128

Texas Department of Water Resources

Thursday, July 21, 1983, 9 a.m. The Texas Water Development Board of the Texas Department of Water Resources will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the board will consider approval of the minutes, the development fund manager's report; amendments to water and sewer contracts which secure the payment on \$4 million of Greater Texoma Municipal Utility District bonds; extensions of commitments to the Cities of Crockett and Springtown; financial assistance to Harris County Water Control Improvement District I, disbursement of \$300,000 from the commitment to the City of New Waverly, adoption of new rules relating to water quality management in the Lake Austin and Lake Travis watersheds; amendments relating to flood control planning rules, contracts for laboratory services with the Corpus Christi-Nueces County Health Department, Sabine River Authority, San Antonio River Authority, Trinity River Authority, and the Texas Department of Health, new rules and amendments to underground injection control rules, appointment of board members for the Lower Neches Valley Authority; and a contract for office space with the State Employees Retirement System.

Contact: Charles E. Nemir, P.O. Box 13087, Austin, Texas 78711, (512) 475-3187.

Filed: July 11, 1983, 11:19 a.m.
TRD-835147

Thursday, August 18, 1983, 1:30 p.m. The Texas Department of Water Resources will meet in the auditorium, Health Occupations Building, Grayson County College, 6101 Grayson Drive, Denison. According to the agenda summary, the department will conduct a public hearing to receive testimony

concerning the draft summary report on the Lake Texoma septic tank study.

Contact: Danna Stecher, P.O. Box 13087, Austin, Texas 78711, (512) 475-3454.

Filed: July 7, 1983, 10:42 a.m.
TRD 815068

Regional Agencies Meetings Filed July 7

The Coryell County Appraisal District, Appraisal Review Board, met in the district office, 105 North Seventh, Gatesville, on July 12, 1983, at 9:30 a.m. Information may be obtained from Darrell Eisebe, 105 North Seventh, Gatesville, Texas 76528, (817) 865-6593.

The Region VI Education Service Center, Board of Directors, met at 3332 Montgomery Road, Huntsville, on July 12, 1983, at 5 p.m. Information may be obtained from M. W. Schlotter, 3332 Montgomery Road, Huntsville, Texas, (409) 295-9164.

The Middle Rio Grande Development Council, Area Advisory Council on Aging, will meet in the reading room, Uvalde Civic Center, Uvalde, on July 21, 1983, at 1:30 p.m. Information may be obtained from Anna M. Howenstine, P.O. Box 702, Carrizo Springs, Texas 78834, (512) 876-3533.
TRD-835058

Meetings Filed July 8

The Dallas Area Rapid Transit, Special Service Needs Committee, met in emergency session in Suite 406, Love Field Terminal Building, Dallas, on July 8, 1983, at 4:30 p.m. Information may be obtained from Cinde Weatherby, Love Field Terminal Building, Lock Box 12, Dallas, Texas 75235, (214) 358-3217.

The Dawson County Central Appraisal District, Board of Directors, rescheduled a meeting held at the Pheasant Restaurant, 611 North Dallas Avenue, Lamesa, on July 14, 1983, at 7 a.m. The meeting was originally scheduled for July 7, 1983. Information may be obtained from Mike Watson, Box 797, Lamesa, Texas 79331, (806) 872-7060.

The Region IV Education Service Center, Board of Directors, will meet in the board room, 7200 West Tidwell, Houston, on July

20, 1983, at 6 p.m. Information may be obtained from Dr. Tom Pate, Jr., P.O. Box 863, Houston, Texas 77001, (713) 462-7708.

The Fannin County Appraisal District, Board of Review, met in emergency session at 401 North Main, Bonham, on July 8, 1983, at 6 p.m. Information may be obtained from Joe Hart, 401 North Main, Bonham, Texas 75418, (214) 583-9546.

The Hansford County Appraisal District, Appraisal Review Board, met at 13 West Kenneth Avenue, Spearman, on July 12, 1983, at 9 a.m. Information may be obtained from Alice Peddy, Box 567, Spearman, Texas 79081, (806) 659-5575.

The Texas Municipal Power Agency, Board of Directors, met at the Gibbons Creek steam electric station, Carlos, on July 14, 1983, at 10 a.m. Information may be obtained from Frank H. Bass, 2225 East Randolph Mill Road, Suite 600, Arlington, Texas 76011.

The South Plains Association of Governments, Executive Committee, met at 3424 Avenue H, Lubbock, on July 12, 1983, at 9 a.m. The Board of Directors also met at the same location on the same day at 10 a.m. Information may be obtained from Jerry D. Casstevens, P.O. Box 2787, Lubbock, Texas 79408, (806) 762-8721.

The Swisher County Appraisal District, Board of Directors, met at the central office, 130 North Armstrong, Tulia, on July 14, 1983, at 8 p.m. Information may be obtained from Nan Davis, 130 North Armstrong, Tulia, Texas 79088, (806) 995-3015.
TRD-835089

Meetings Filed July 11

The Austin-Travis County Mental Health and Mental Retardation Center, Board of Trustees, met in emergency session in Room 295, 45th Street and Lamar Boulevard, Austin, on July 14, 1983, at 8:30 a.m. Information may be obtained from Debbie Sandoval, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141.

The Brazos River Authority, Board of Directors, will meet at 4400 Cobbs Drive, Waco, on July 18, 1983, at 9 a.m. Information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, (817) 776-1441.

The Central Counties Center for Mental Health and Mental Retardation Services,

Board of Trustees, will meet at 302 South 22nd Street, Temple, on July 21, 1983, at 7:45 p.m. Information may be obtained from Steven B. Schnee, P.O. Box 518, Temple, Texas 76503, (817) 778-4841.

The Comal County Appraisal District, Board of Review, met at 103 East Mill Street, New Braunfels, on July 12, 1983, at 9 a.m. The board also will meet on July 18, 20, 25, and 26, 1983, at 9 a.m. daily. Information may be obtained from Glenn L. Brucks, P.O. Box 1222, New Braunfels, Texas 78130, (512) 625-8597.

The DeWitt County Appraisal District, Board of Directors, will meet at 103 Bailey Street, Cuero, on July 20, 1983, at 7:30 p.m. Information may be obtained from Wayne K. Woosley, P.O. Box 4, Cuero, Texas 78767, (512) 275-5753.

The Region XII Education Service Center, Board of Directors, will meet at 401 Franklin, Waco, on July 19, 1983, at 7:30 p.m. Information may be obtained from Dr. Jack M. Ross, P.O. Box 1249, Waco, Texas 76703, (817) 756-7494.

The Region XVI Education Service Center, Board of Directors, will meet at the Amarillo Club, American National Bank Building, Amarillo, on July 28, 1983, at 12:45 p.m. Information may be obtained from Kenneth M. Laycock, Box 30600, Amarillo, Texas 79120, (806) 376-5521.

The Edwards County Appraisal District, Appraisal Review Board, met in emergency session at the new county office building, Rocksprings, on July 12, 1983, at 9:30 a.m. Information may be obtained from Glen T. Whitehead, new county office building, Rocksprings, Texas, Texas 78880.

The Fisher County Appraisal District, Appraisal Review Board, will meet in the Hospitality Room, Fisher County Courthouse, Roby, on July 19, 1983, at 8 p.m. The board also will meet in the district courtroom at the same location on July 20-22, July 25 and 26, 1983, at 9 a.m. daily. Information may be obtained from Ginger Green, P.O. Box 516, Roby, Texas 79543, (915) 776-2733.

The Gillespie County Appraisal Review Board, Board of Directors, will meet in the district courtroom, County Courthouse, Fredericksburg, on July 25, 1983, at 8:30 a.m. Information may be obtained from Rolan Schmidt, P.O. Box 429, Fredericksburg, Texas 78624, (512) 997-4269.

Texas Register

The Gray County Appraisal District, Board of Directors, met in Suite 196-A, Hughes Building, 400 West Kingsmill, Pampa, on July 14, 1983, at 5:30 p.m. Information may be obtained from Charles Buzzard, P.O. Box 836, Pampa, Texas 79066-0836, (806) 665-0791.

The Heart of Texas Region Mental Health and Mental Retardation Center, Board of Trustees, will meet in the conference room, second floor, Cameron Building, 110 South 12th Street, Waco, on July 21, 1983, at 11:30 a.m. Information may be obtained from Sue Richardson, P.O. Box 1277, Waco, Texas 76703, (817) 752-3451.

The Hockley County Appraisal District, Board, will meet at 913 Austin Street, Levelland, on July 18, 1983, at 7 p.m. Information may be obtained from Keith Toomire, P.O. Box 1090, Levelland, Texas 79336, (806) 894-9654.

The Central Appraisal District of Johnson County, Board of Directors, met in emergency session at 109 North Main Street, Cleburne, on July 12, 1983, at 10 a.m. Information may be obtained from Don Gilmore, 109 North Main Street, Cleburne, Texas 76051, (817) 645-3986.

The Central Appraisal District of Johnson County, Appraisal Review Board, will meet at 109 North Main Street, Cleburne, on July 20-22, 1983, at 9 a.m. daily. Information may be obtained from Don Gilmore, 109 North Main Street, Cleburne, Texas 76051, (817) 645-3986.

The Lamar County Appraisal District, Board of Directors, will meet at 1523 Lamar Avenue, Paris, on July 18, 1983, at 4 p.m. Information may be obtained from L. F. Ricketson, 1523 Lamar Boulevard, Paris, Texas 75460, (214) 785-7822.

The Leon County Central Appraisal District, Board of Directors, will meet at the Leon County Courtroom, Centerville, on July 25, 1983, at 6:30 p.m. Information may be obtained from Mabel Watson, P.O. Box 536, Centerville, Texas 75833, (214) 536-2252.

The Lower Neches Valley Authority, Board of Directors, will meet at 7850 Eastex Freeway, Beaumont, on July 19, 1983, at 10:30 a.m. Information may be obtained from J. D. Nixon, P.O. Drawer 3464, Beaumont, Texas 77704, (713) 892-4011.

The Middle Rio Grande Development Council, A-95 Project Review Committee, met in emergency session in the Reading Room, Civic Center, Uvalde, on July 13, 1983, at 2 p.m. Information may be obtained from Oraba Saldua, Del Rio National Bank Building, Room 307, Del Rio, Texas 78840, (512) 774-4949.

The Nortex Regional Planning Commission, Executive Committee, will meet at McBride Seafood & Steak, 5400 Seymour Highway, Wichita Falls, on July 21, 1983, at noon. Information may be obtained from Edwin B. Daniel, 2101 Kemp Boulevard, Wichita Falls, Texas 76309, (817) 322-5281.

The Palo Pinto Appraisal District, Board of Directors, met in the county courtroom, Courthouse, Palo Pinto, on July 14, 1983, at 3 p.m. Information may be obtained from John R. Winters, Courthouse, Palo Pinto, Texas 76072, (817) 659-3651.

The Rusk County Appraisal District, Appraisal Review Board, will meet at the administrative offices, 107 North Van Buren, Henderson, on July 18, 1983, at 7 p.m. Information may be obtained from Melvin R. Cooper, P.O. Box 7, Henderson, Texas 75653-0007, (214) 657-9697.

The San Antonio River Authority, Board of Directors, will meet in the conference room, 100 East Guenther Street, San Antonio, on July 20, 1983, at 2 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, San Antonio, Texas 78204, (512) 227-1373.

The San Patricio County Appraisal District, Appraisal Review Board, will meet in Room 226, Courthouse Annex, Sinton, on July 22, 1983, at 9 a.m. Information may be obtained from Bennie L. Stewart, Box 938, Sinton, Texas 78387, (512) 364-5402.

The Scurry County Appraisal District, Appraisal Review Board, will meet at 2612 College Avenue, Snyder, on July 15, 1983, at 8 p.m. Information may be obtained from I. R. Peveler, 2612 College Avenue, Snyder, Texas 79549, (915) 573-8549.

The Wise County Appraisal District, Board of Directors, met at 206 South State, Decatur, on July 14, 1983, at 9:30 a.m. Information may be obtained from Angela Caraway, P.O. Box 509, Decatur, Texas 76234, (817) 627-3081.

TRD-835141

Meeting Filed July 12

The West Texas Council of Governments, Board of Directors, will meet in emergency session on the eighth floor, Two Civic Center Plaza, El Paso, on July 15, 1983, at 9:30 a.m. (MST). Information may be obtained from Bernie Guy, Two Civic Center Plaza, El Paso, Texas 79999, (915) 541-4689.

TRD-835188

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.

The Legislature

Bills Signed by the Governor

July 7

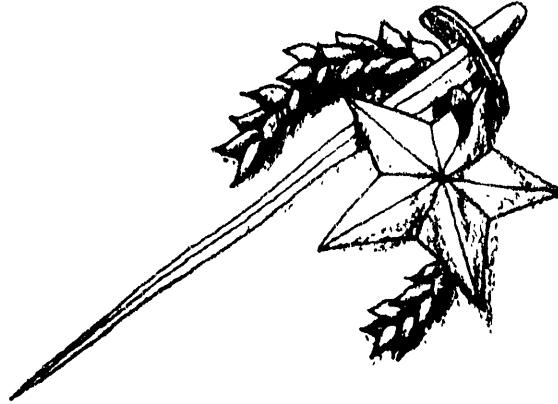
HB 14 Relating to the prohibition of discrimination in certain transactions concerning employment.

Effective Date: September 24, 1983

July 8

SB 22 Relating to an appropriation for operation of the State Ethics Advisory Commission.

Effective Date: September 24, 1983



In Addition

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

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



Texas Air Control Board Applications for Construction Permits

The Texas Air Control Board gives notice of applications for construction permits received during the period of June 20-July 1, 1983.

Information relative to the applications listed below, including projected emissions and the opportunity to comment or to request a hearing, may be obtained by contacting the office of the executive director at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

A copy of all material submitted by the applicant is available for public inspection at the central office of the Texas Air Control Board at the address stated above, and at the regional office for the Air Quality Control Region within which the proposed facility will be located.

Listed are the names of the applicants and the cities in which the facilities are located; type of facilities; location of the facilities (if available); permit numbers; and type of application—new source or modification.

Pioneer Overseas Corporation, Weslaco; shelled seed corn dryer; Highway 1015; 3067A; modification

Shell Oil Company--Deer Park Manufacturing Complex, Deer Park, aromatic concentration unit; (location not available); 9334; modification

Eurecat U.S., Inc., Pasadena, catalyst regeneration facilities, 13100 Baypark Road, 9335; new source

Jobe Materials, Inc., El Paso; sand and gravel plant; Loop 375; 3239; modification

Phillips Pipe Line Company, Pasadena; petroleum; Deep Water Road; 9336; new source

Issued in Austin, Texas, on July 5, 1983

TRD-835053 Ramon Dasch
Director of Hearings
Texas Air Control Board

Filed: July 6, 1983
For further information, please call (512) 451-5711,
ext. 354.

Contested Case Hearings

Pursuant to the authority provided in the Texas Clean Air Act, Texas Civil Statutes, Article 4477-5, §§3.15, 3.16, and 3.17, the procedural rules of the Texas Air Control Board (TACB), 31 TAC §§103.11(3), 103.31, and 103.41, an examiner for the TACB will conduct a hearing to consider whether a construction permit or exemption is required, and if so, should be issued to General Portland, Inc., (the company) to authorize the burning of hazardous waste as a supplemental kiln fuel at its existing Dallas cement plant. The cement plant is located on approximately 872 acres of land between U.S. Highway 80 and IH 30 in Dallas, Dallas County.

The company is directed to appear at the time and place shown below and demonstrate by preponderance of evidence that the requested authorization satisfies the requirements of the TACB and the Act for the issuance of a construction permit, or, in the alternative, an exemption from permitting requirements.

The record of this hearing will be used by the TACB in determining the appropriate actions to take concerning the company's proposal.

Information regarding the proposal and copies of the board's rules are available at the regional office located at 6421 Camp Bowie Boulevard, Suite 312, Fort Worth, Texas 76116, the central office of this agency located at 6330 Highway 290 East, Austin, Texas 78723, and the Dallas Public Library, 1515 Young, Dallas, Texas 75201. Members of the public who wish to examine the information at the Dallas Public Library should go to the information desk of the General Reference Section located on the first floor.

The examiner has set the hearing to begin at 6 p.m. on September 26, 1983, in the auditorium, Dallas Public Library, 1515 Young, Dallas, Texas 75201. At this time parties to the hearing are the TACB staff and the company. Any other persons desiring to be made a party must specifically apply in writing for party status to Kenneth E. Davison, Jr., Examiner, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723. No other persons will be admitted as parties unless the request is actually received at the previously stated address by July 29, 1983. Previous correspondence with the TACB is not effective for this purpose. A final determination regarding party status will be made at the prehearing conference on the date set out below. At the hearing on the merits, only those persons admitted as parties will be permitted to present evidence and argument and to cross examine witnesses. Any person who desires to give testimony at the hearing, but who does not desire to be a party may call the Legal Division of the TACB, (512) 451-5711, ext. 353, to determine the names and addresses of all admitted parties. These parties may then be contacted about the possibility of presenting testimony.

Pursuant to 31 TAC §103.46 of the procedural rules of the TACB, the examiner has scheduled a prehearing conference on August 2, 1983, at 6 p.m. in the auditorium, Dallas Public Library, 1515 Young, Dallas, Texas 75201. All persons wishing to be admitted as parties must attend the conference. Proposed written disputed issues for consideration at the hearing on the merits and written requests for official notice should be made at the prehearing conference. At this conference a specific date prior to the hearing on the merits will be established for the exchange of witness lists, short summaries of their prospective testimony, and copies of written and documentary evidence pursuant to 31 TAC §103.46(2).

Members of the general public who plan to attend the hearing are encouraged to telephone the central office of the TACB in Austin at (512) 451-5711, ext. 353, or the regional office in Fort Worth at (817) 732-5531 a day or two prior to the hearing date to confirm the setting, since continuances are granted from time to time.

Issued in Austin, Texas, on July 7, 1983.

TRD-835142 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Filed: July 11, 1983
For further information, please call (512) 451-5711,
ext. 354.

Pursuant to the authority provided in the Texas Clean Air Act, Texas Civil Statutes, Article 4477-5, §§3.15, 3.16, and 3.17, and the procedural rules of the Texas Air Control Board (TACB), 31 TAC §§103.11(3), 103.31, and 103.41, an examiner for the TACB will conduct a hearing to consider whether an operating permit should be issued to Permian Chemical Company, Inc., (the company) for the operation of a facility to produce hydrochloric acid (HCl) and potassium sulfate (K₂SO₄) based upon existing construction Permit C-5717A or whether construction Permit C-5717A should be revoked; and whether or not an amended construction permit or exemption should be issued to the company.

The staff of the TACB is directed to appear at the following time and place shown and demonstrate by preponderance of evidence that construction Permit C-5717A should be revoked pursuant to the authority and provisions in the Act, §3.27(e).

The company is directed to appear at the following time and place shown and demonstrate by preponderance of evidence that it has satisfied all of the requirements of the TACB rules and the Act for the issuance of an operating permit based upon previously issued construction Permit C-5717A. In the event the company desires to be granted a new construction permit or exemption, the company is directed to demonstrate at the hearing, by preponderance of evidence, that the company has satisfied all of the requirements of the TACB rules and regulations and the Act for the issuance of a new construction permit or exemption.

The record of this hearing will be used by the TACB in determining the appropriate actions to take concerning the matters set out previously.

Information regarding these matters and copies of the board's rules are available at the regional office of this agency located at 1901 East 17th Street, Suite 101, Odessa, Texas 79762, the central office of this agency located at 6330 Highway 290 East, Austin, Texas 78723, and the office of the city secretary, 411 West Eighth, Odessa, Texas 79764.

The examiner has set the hearing to begin at 6 p.m. on August 24, 1983, in the community room, Odessa College Administration Building, 201 West University, Odessa, Texas 79764. At this time parties to the hearing are the TACB staff and the company. Any other persons desiring to be made a party must specifically apply in writing for party status to Kenneth E. Davison, Jr., Examiner, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723. No other persons will be admitted as parties unless the request is actually received at the previously stated address by July 25, 1983. Previous correspondence with the TACB is not effective for this purpose. A final determination regarding party status will be made at the prehearing conference on the following date. At the hearing on the merits, only those persons admitted as parties will be permitted to present evidence and arguments and to cross-examine witnesses. Any person who desires to give testimony at the hearing, but who does not desire to be a party may call the Legal Division of the TACB, (512) 451-5711, ext. 353, to determine the names and ad-

dresses of all admitted parties. These parties may then be contacted about the possibility of presenting testimony.

Pursuant to 31 TAC §103.46 of the procedural rules of the TACB, the examiner has scheduled a prehearing conference on July 27, 1983, in the community room, Odessa College Administration Building, 201 West University, Odessa, Texas 79764. All persons wishing to be admitted as parties must attend the conference. Proposed written disputed issues for consideration at the hearing on the merits and written requests for official notice should be made at the prehearing conference. At this conference a specific date prior to the hearing on the merits will be established for the exchange of witness lists, short summaries of their prospective testimony and copies of written and documentary evidence pursuant to 31 TAC §103.46 (2).

Members of the general public who plan to attend the hearing are encouraged to telephone the central office of the TACB in Austin at (512) 451-5711, ext. 353, or the regional office in Odessa at (915) 367-3871 a day or two prior to the hearing date to confirm the setting since continuances are granted from time to time.

Issued in Austin, Texas, on July 7, 1983

TRD-835143 Bill Stewart, P E
Executive Director
Texas Air Control Board

Filed: July 11, 1983
For further information, please call (512) 451-5711,
ext. 354.

Texas Commission on Alcoholism Public Meeting

A group appointed by the Texas Commission on Alcoholism will meet on Friday, July 15, 1983, at 9 a.m. in the eighth floor conference room, Sam Houston Building, 201 East 14th Street, Austin, to review the projection of funds available for grants and contracts for fiscal year 1984.

Issued in Austin, Texas, on July 6, 1983.

TRD-835046 Jane C. Maxwell
Planner
Texas Commission on
Alcoholism

Filed: July 6, 1983
For further information, please call (512) 475-2577.

Banking Department of Texas Applications To Acquire Control of State Banks

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 July 5, 1983, the banking commissioner received an application to acquire control of First State Bank, Avenger, by Billy Gibson of Lone Star and David Bear of Ore City.

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

Issued in Austin, Texas, on July 5, 1983.

TRD-835094 Archie P. Clayton III
General Counsel
Banking Department of Texas

Filed: July 8, 1983
For further information, please call (512) 475-4451.

On July 5, 1983, the banking commissioner received an application to acquire control of LaMarque United Bank, LaMarque, by T. D. Smith, Bob C. Fairchilds, and Firmin LePort, Jr., all of Houston.

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

Issued in Austin, Texas, on July 5, 1983

TRD-835095 Archie P. Clayton III
General Counsel
Banking Department of Texas

Filed: July 8, 1983
For further information, please call (512) 475-4451.

On July 6, 1983, the banking commissioner received an application to acquire control of the Bevans State Bank of Menard by Jack Bleakley, Omer Albert Dreiling, Frank Junell, S. Lon Slaughter, Robert A. Junell and Lester E. Smith, Jr., trustees, and 4-C Distributing Co., Inc., all of San Angelo; Dennis C. Grafa of Menard; and Bill J. Parsley of Lubbock.

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

Issued in Austin, Texas, on July 6, 1983

TRD-835096 Archie P. Clayton III
General Counsel
Banking Department of Texas

Filed: July 8, 1983
For further information, please call (512) 475-4451.

Texas Department of Community Affairs Consultant Contract Award

This consultant contract award notice is filed under the provisions of Texas Civil Statutes, Article 6252-11c.

Contractor. The Texas Department of Community Affairs announces that Southwest Research Institute has been awarded a contract for the period of June 15, 1983, through November 15, 1983, to develop building and safety standards and enforcement procedures. The consultant proposal request appeared in the October 22, 1983, issue of the *Texas Register* (7 TexReg 3804). The business address of Southwest Research Institute is P.O. Drawer 28510, San Antonio, Texas 78284

Contract Amount. The total cost of the consulting services to be provided under this contract is \$18,270.

Description of Services. Southwest Research Institute shall:

(1) develop safety standards covering structural, fire, electrical, heating, ventilation and air conditioning, plumbing, and environmental conditions for facilities of the following types:

(a) residential-dormitory type facilities housing coherent, mobile clients who live-in for an extended period of time;

(b) clinics providing out-patient treatment 8 to 15 hours per day; and

(c) institutional facilities providing in-patient treatment of possibly immobile or incoherent patients with physical or mental problems.

(2) develop definitions of specific terms used in the safety standards and procedures for monitoring the enforcement of such standards.

(3) develop standards aimed at providing a minimum level of safety which can be applied to a variety of existing structures.

Due Dates for Reports. A monthly narrative status report which shall consist of progress to date on objectives and discussion of any significant problems encountered during the month. A draft of the safety standards and enforcement procedures is due by November 4, 1983, and the final products are due by November 15, 1983.

Issued in Austin, Texas, on July 11, 1983.

TRD-835133 Douglas C. Brown
General Counsel
Texas Department of Community
Affairs

Filed: July 11, 1983
For further information, please call (512) 443-4100,
ext. 210.

Comptroller of Public Accounts Decision 12,737

For copies of the following opinion, contact Bob Bullock, Comptroller of Public Accounts, Attention: Administrative Law Judges, 111 East 17th Street, Austin, Texas 78774. Copies will be furnished without charge and edited to comply with confidentiality statutes.

Summary of Decision. Taxpayer argued that fees received from its subsidiaries for administrative work and

management advice it provides directly or via third-party suppliers should not be considered a part of its business receipts for purposes of franchise tax allocation (Texas Tax Code, §171.106). The comptroller held that those services rendered by the taxpayer or procured by it from third-party suppliers are resold to its subsidiaries, and receipts therefrom were properly included in allocating its taxable capital.

Issued in Austin, Texas, on July 8, 1983.

TRD-835123 Bob Bullock
Comptroller of Public Accounts

Filed: July 8, 1983
For further information, please call (512) 475-1938.

Decision 13,652

For copies of the following opinion, contact Bob Bullock, Comptroller of Public Accounts, Attention: Administrative Law Judges, 111 East 17th Street, Austin, Texas 78774. Copies will be furnished without charge and edited to comply with confidentiality statutes.

Summary of Decision. The taxpayer, a company exempt from federal income tax under the Internal Revenue Code, §501(c)(2), argued for exemption from franchise tax under the Texas Tax Code, §171.057, on grounds that it was created by and controlled by a company that qualified under that exemption. The comptroller held that the taxpayer was not exempt, since the legislature did not specifically exempt corporations that qualify under the Internal Revenue Code, §501(c)(2), and such exemption "cannot be raised by implication." *Bullock v. National Bancshares Corp.*, 584 S.W. 2d 268 (Tex. 1979).

Issued in Austin, Texas, on July 1, 1983

TRD-835080 Bob Bullock
Comptroller of Public Accounts

Filed: July 7, 1983
For further information, please call (512) 475-1938.

Office of Consumer Credit Commissioner Rate Ceilings

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

| Type of Rate Ceilings | Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ | Commercial ⁽⁴⁾ |
|-----------------------|--|---------------------------|
| Effective Period | thru \$250,000 | over \$250,000 |
| (Dates are Inclusive) | | |

Indicated (Weekly)

Rate—Article 1.04(a)(1)

7/18/83-7/24/83

18.5%

18.5%

| Type of Rate Ceilings Effective Period (Dates are Inclusive) | Consumer ⁽¹⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000 | Commercial ⁽⁴⁾ over \$250,000 |
|--|---|--|
| Monthly Rate— Article 1.04(c) ⁽¹⁾ 7/01/83-7/31/83 | 18.00% | 18.00% |
| Standard Quarterly Rate—Article 1.04(a)(2) 7/01/83-9/30/83 | 18.00% | 18.00% |
| Retail Credit Card Quarterly Rate— Article 1.11 ⁽¹⁾ 7/01/83-9/30/83 | 18.00% | N/A |
| Lender Credit Card Quarterly Rate— Article 15.02(d) ⁽¹⁾ 7/01/83-9/30/83 | 16.69% | N/A |
| Standard Annual Rate— Article 1.04(a)(2) ⁽²⁾ 7/01/83-9/30/83 | 18.00% | 18.00% |
| Retail Credit Card Annual Rate— Article 1.11 ⁽¹⁾ 7/01/83-9/30/83 | 18.00% | N/A |
| Annual Rate Applicable to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card Balances with Annual Implementation Dates from 7/01/83-9/30/83 | 18.31% | N/A |
| Judgment Rate — Article 1.05 | Becomes effective 9/01/83 | |

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

Issued in Austin, Texas, on July 11, 1983

TRD-835136 Sam Kelly
Consumer Credit Commissioner

Filed: July 11, 1983
For further information, please call (512) 475-2111.

Texas Energy and Natural Resources Advisory Council Consultant Contract Awards

In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Energy and Natural Resources Advisory Council hereby furnishes this notice of contract award. The consultant proposal request appeared at 7 TexReg 4504. A description of the study follows.

Project 82-L-8-1 covers geophysical logging of water test wells drilled as a part of hydrologic testing at site HTS-1 in Shelby County in the Sabine Uplift Wilcox region. This

forms a part of the ongoing Project 80-L-7-9c for the evaluation of deep lignite resources (deeper than 200 feet) by establishing their hydrologic setting and characterization of their chemical and physical properties.

The contractor is Century Geophysical Corporation, 6650 East Apache, Tulsa, Oklahoma 74115. The total value of the contract is \$20,000. The beginning date of the contract is July 1, 1983, and the ending date of the contract is August 31, 1983.

The report required of the contractor shall include, but not be limited to, field prints of all logs run (six copies each), daily time sheets, and transcribed nine-track digital tape (per contract) containing all the logs run for each hole.

Issued in Austin, Texas, on July 5, 1983

TRD-835073 M Lee Wilson
Director
Technology Development Division
Texas Energy and Natural Resources Advisory Council

Filed: July 7, 1983
For further information, please call (512) 475-0414.

In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Energy and Natural Resources Advisory Council (TENRAC) hereby furnishes this notice of contract award. The consultant proposal request appeared at 7 TexReg 4504. A description of the study follows.

Project 82-L-7-2 covers hydrologic testing (comprised of drilling and conducting well pumping tests) in the deep lignite environment in the Sabine Uplift Wilcox region of east Texas, at site HTS-1 in Shelby County. This is a part of the continuing TENRAC deep basin lignite evaluation program which will generate public information about the depositional and hydrologic setting of deep lignites on a regional level and characterize their chemical and physical properties.

The contractor is Andrews & Foster Drilling Company, Box 348, Athens, Texas 75751. The total value of the contract is \$75,000. The beginning date of the contract is July 1, 1983, and the ending date of the contract is August 31, 1983.

Reports required of the contractor shall include, but not be limited to, duplicates of the driller's log for each drilled hole, the daily time sheet/progress report for each "tour" (as set out in contract Appendix B), and the work summary for each 10-day work period.

Issued in Austin, Texas, on July 5, 1983

TRD-835074 M Lee Wilson
Director
Technology Development Division
Texas Energy and Natural Resources Advisory Council

Filed: July 7, 1983
For further information, please call (512) 475-0414.

Texas Department of Health Request for Public Comment

The Texas Department of Health made application to the U.S. Public Health Service for funds to implement the maternal and child health services block grant for fiscal year 1983. As required, the department developed a 1983 intended use of funds report. This report included a description of intended expenditures and a statement of assurances that the state would expend the funds in a fair and equitable manner and in accordance with federal program requirements. The Texas Department of Health was granted funds to implement this block grant.

In April 1983, the Emergency Expenditures To Meet National Needs Act, Public Law 98-8, commonly known as the "Jobs Bill," made available emergency federal funds to supplement the maternal and child health services block grant for fiscal year 1983. Therefore, the 1983 intended use of funds report for the maternal and child health services block grant is amended to show the intended use of these monies.

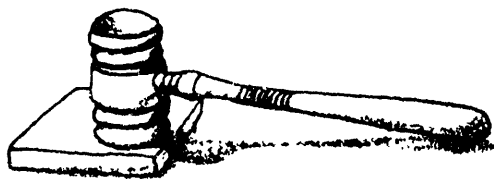
The purpose of this notice is to request public comment from any person (including federal, state, local or other public agency) on the revised report. Comments may be sent to Clift Price, M.D., Associate Commissioner for Personal Health Services, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7321. Comments will be accepted until 5:00 p.m. on Monday, August 15, 1983.

Issued in Austin, Texas, on July 8, 1983

TRD-835132 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: July 11, 1983

For further information, please call (512) 458-7321.



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

Notice is hereby given by the Texas Health Facilities Commission of applications accepted as of the date of this publication. In the following list, the applicant is listed first, file number second, the relief sought third, and a description of the project fourth. DR indicates declaratory ruling; AMD indicates amendment of previously issued commission order; CN indicates certificate of need; PFR indicates petition for reissuance, NIE indicates notice of

intent to acquire major medical equipment; NIEH indicates notice of intent to acquire existing health care facilities; NIR indicates notice of intent regarding a research project; NIE/HMO indicates notice of intent for exemption of HMO-related project; and EC indicates exemption certificate.

Should any person wish to become a party to any of the above-stated applications, that person must file a proper request to become a party to the application within 15 days after the date of this publication of notice. If the 15th day is a Saturday, Sunday, state or federal holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, state or federal holiday. A request to become a party should be mailed to the chair of the commission at P.O. Box 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 the application 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.

Diagnostic Center Hospital Corporation of Texas,
a wholly-owned subsidiary of Hospital
Corporation of America, Houston
AH78-1227-005A(070183)

CN/AMD—Request for an increase in the project cost from \$13,970,359 to \$18,648,876 in Certificate of Need AH78-1227-005, as amended by AH78-1227-005A(050681) and AH78-1227-005A(052182), which authorized a large scale remodeling and expansion project at Diagnostic Center Hospital in Houston.

Richard Brame, Floyd Addington, and Charles T. Smith, Conroe
AN83-0701-011

NIEH—Request for a declaratory ruling that a certificate of need is not required for Richard Brame, Floyd Addington, and Charles T. Smith, or a to-be-formed corporation called Care Inn of Conroe, Inc., to acquire by lease with option to purchase Villa Inn of Conroe (to be renamed Care Inn of Conroe), an existing 150-bed ICF nursing facility located in Conroe from Lone Star Nursing Homes, Inc., a Texas corporation.

Stonebrook Properties, Inc., Arlington
AN83-0701-004

NIEH—Request for a declaratory ruling that a certificate of need is not required for Stonebrook Properties, Inc., to acquire by lease Shady Oaks Lodge #1, an existing 114-bed ICF nursing facility located in Abilene, from James F. Cotter.

Stonebrook Properties, Inc., Arlington
AN83-0701-005

NIEH—Request for a declaratory ruling that a certificate of need is not required for Stonebrook Properties, Inc., to acquire by lease Shady Oaks Lodge #2, an existing 100-bed skilled nursing facility located in Abilene, from James F. Cotter.

Humana of Texas, Inc., doing business as Medical City Dallas Hospital and Medical City Dallas Limited, Dallas

AH80-0905-029A(062383)

CN/AMD—Correction of notice published in the July 5, 1983, issue of the *Texas Register*. Request for an extension of the completion deadline from August 31, 1983, to July 31, 1984, in Certificate of Need AH80-0905-029, which authorized the certificate holder to conduct a construction and renovation project involving the construction of a new seven-floor building addition containing 173,405 square feet and the renovation of 45,330 square feet in the existing facility.

Issued in Austin, Texas, on July 11, 1983

TRD-835135

John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed: July 11, 1983

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

Texas Department of Mental Health and Mental Retardation Demonstration Projects for Persons with Autism and other Pervasive Developmental Disorders

The 68th Legislature appropriated \$1,745,000 to the Texas Department of Mental Health and Mental Retardation (TDMHMR) for the continuation of projects developed during fiscal years 1982 and 1983 for persons with autism and other pervasive developmental disorders as cited in the *Diagnostic and Statistical Manual of Mental Disorders* (Third Edition). In addition to continuing projects developed in fiscal years 1982 and 1983, approximately \$160,000 will be available for new projects and/or expansion of existing projects.

Representatives of the TDMHMR, the Texas Society for Autistic Citizens, other professionals, and consumer representatives have convened during the 1982-1983 biennium to provide guidance and recommendations to the autism demonstration projects. The TDMHMR Task Force on Autism and the Professional Advisory Committee on Autism have developed parameters for the distribution of the funds appropriated to the TDMHMR.

It appears that only two or three additional projects will be funded and evaluated effective September 1, 1983 through August 31, 1984. Grant applications for these demonstration projects will be available from the central office of the TDMHMR. Interested facilities who do not wish to compete for fiscal year 1984 funds may submit a letter of intent to include a one page-budget and program abstract should additional funds become available at a later date.

Copies of grant applications may be obtained by contacting Michael Carter, Coordinator for Autism Services, P.O. Box 12668, Austin, Texas 78711, (512) 465-4639. Grant applications and letters of intent will be due on August 15, 1983, and decisions on which projects will be funded will be made by August 22, 1983.

Issued in Austin, Texas, on July 8, 1983

TRD-835129

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

Filed: July 8, 1983

For further information, please call (512) 465-4591.

State Board of Morticians Fee Increase

By authority of the 68th Legislature and Senate Bill 876, the State Board of Morticians gives notice of its intent to raise the following fees as of September 1, 1983.

- (1) Establishment of renewal and penalty fees; from \$50 to \$62.50 annually.
- (2) Individual single license renewal and penalty fees; from \$40 to \$45 biennially.
- (3) Individual dual license renewal and penalty fees; from \$80 to \$90 biennially.
- (4) Reciprocal licenses; from \$50 to \$62.50 per license.

Comments may be directed to John W. Shocklee, Executive Secretary, State Board of Morticians, 1513 IH 35 South, Austin, Texas 78741, (512) 442-6721.

Issued in Austin, Texas, on July 7, 1983

TRD-835085

John W. Shocklee
Executive Secretary
State Board of Morticians

Filed: July 7, 1983

For further information, please call (512) 442-6721.

Texas Rehabilitation Commission Consultant Proposal Request

The Extended Rehabilitation Services Program of the Texas Rehabilitation Commission, under the authority of its enabling legislation, the Human Resources Code, Title 7, Subchapter D, is serving notice of an invitation for offers of services for a personal visit to not more than 14 nonprofit facilities that provide permanent sheltered employment for severely disabled individuals to evaluate each facility program in terms of type work performed, equipment available, potential to expand, diversification of products, and identification of products to be produced and placed on the state set-aside procurement list. The total cost of the study is not to exceed \$20,000. Completion of the study is to be no later than August 31, 1984.

The funds for the contract come from state funds authorized by the Human Resources Code, Title 7, Subchapter D. This consultant proposal request is being filed pursuant to Texas Civil Statutes, Article 6252-11c. This invitation for offer is a continuation of consultant services currently performed by Bill Powers. The Extended Rehabilitation Services Program is most satisfied with the work of its current contractor; however, applicants interested in making application may do so. The Extended Rehabilitation Services Program intends to award the contract to the present contractor unless a better offer is submitted.

The Extended Rehabilitation Services Program reserves the right to accept or reject any or all applications submitted under the announcement and to negotiate modifications to improve the quality or cost effectiveness of any applications. The Extended Rehabilitation Services Program is under no legal requirement to execute a resulting contract, if any, on the basis of this announcement and intends any material provided only as a means of identifying the services sought by the Extended Rehabilitation Services Program. This announcement does not obligate the Extended Rehabilitation Services Program to pay for any costs incurred prior to the execution of a contract and is subject to the availability of appropriated funds.

The Extended Rehabilitation Services Program does not have the staff to provide the detailed study, do research on equipment requirements, suppliers, costs, and research items to be set aside on the state purchasing commodities list. No other state agency employs individuals to provide the type of service needed.

The selection of the successful consultant will be on the basis of demonstrated ability to meet the completion date; ability, knowledge, and experience in sheltered employment facilities, and reasonableness of the proposed fee for services.

The closing date for receipt of offers is August 8, 1983.

Further information may be obtained by writing or calling Roy Riggans, Extended Rehabilitation Services Program, Texas Rehabilitation Commission, 118 East Riverside Drive, Austin, Texas 78704, (512) 445-8354.

Issued in Austin, Texas, on July 5, 1983

TRD-835052 Vernon H. Newman
General Counsel
Texas Rehabilitation Commission

Filed July 6, 1983

For further information, please call (512) 445-8354.

Texas Tourist Development Agency Consultant Contract Award

This consultant contract award is filed by the Texas Tourist Development Agency (TTDA) in accordance with the provisions of Texas Civil Statutes, Article 6252-11c. The consultant proposal request appeared in the April 22, 1983, issue of the *Texas Register* (8 TexReg 1361).

The study is to produce, edit, and distribute 50 videotapes on Texas tourism to 12 television stations. The name and business address of the private consultant selected is Bob Griffin, Box 4812, Shreveport, Louisiana 71104.

The total value of the study is \$34,125, payable in 12 equal payments of \$2,843.75. The contract is dated July 6, 1983. The project will begin September 1, 1983, and conclude August 31, 1984. There is no specific due date, however, the 50 videotapes are to be produced and distributed to the 12 television stations between the beginning date and the termination date of the contract. The TTDA receives reports each month from each of the 12 television stations indicating which videotapes were used during that particular month.

Issued in Austin, Texas, on July 6, 1983

TRD-835072 Frank Hildebrand
Executive Director
Texas Tourist Development
Agency

Filed July 7, 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 July 4-8, 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 July 4-8, 1983

Langham Creek Utility District, Houston; treated wastewater, 17255 Glenmorris Drive along the south

bank of Langham Creek, approximately one mile south of FM 529 and 1¼ mile west of Highway 6 in Harris County; 11682-01; amendment

E.I. duPont Nemours & Company, Inc., Orange; treated process wastewater/stormwater runoff; on FM Road 1006 approximately three miles southwest of the City of Orange in Orange County; 00475; renewal

Hunterwood Municipal Utility District, Houston; treated wastewater, approximately 1,200 feet southeast of the intersection of Normandy Road and South Lake Houston Parkway, on the south bank of Little Gulch Creek in Harris County; 11355-01; renewal

University Savings Association, Austin; treated domestic sewage; approximately 3,200 feet east of Brodie Lane and 5,000 feet southwest of Riddle Road in Travis County, 11728-01; amendment

Pennwalt Corporation, Crosby; waste disposal well; at a point 3,874 feet southeast of the northwest line and 532 feet northeast of the southwest line, Abstract 17, M. Duncan Survey, three miles northeast of Crosby in Harris County; WDW-122; amendment

Pennwalt Corporation, Crosby; waste disposal well; at a point 3,874 feet southeast of the northwest line and 1,132 feet northeast of the southwest line, Abstract 17, M. Duncan Survey, three miles northeast of Crosby in Harris County; WDW-230; new permit

Rohm & Haas Bayport, Inc., LaPorte; solid waste storage; on a 60 155 acre tract of land on the east side of Bay Area Boulevard, 1,000 feet south of Fairmont Parkway in the City of LaPorte in Harris County; HW-50028-000; new permit

Firstbelt Enterprise, Inc., Kingwood; treated domestic sewage; on the right-of-way of U.S. Highway 59 approximately 2,500 feet south-southwest of the intersection of Northbelt and U.S. Highway 59 in Harris County; 12766-01; new permit

Texas TXTX Corporation, Port Arthur; treated wastewater; on the south bank of Sims Bayou, approximately 2,500 feet from the intersection of Sims Bayou and the Houston Ship Channel in Harris County; 02659; new permit

The City of Lufkin; treated domestic sewage, approximately 1,600 feet northwest of a point where Hurricane Creek intersects FM Road 324, south of the City of Lufkin in Angelina County; 10214-01; amendment

Issued in Austin, Texas, on July 8, 1983

TRD-835124 Mary Ann Hefner
 Chief Clerk
 Texas Water Commission

Filed: July 8, 1983

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

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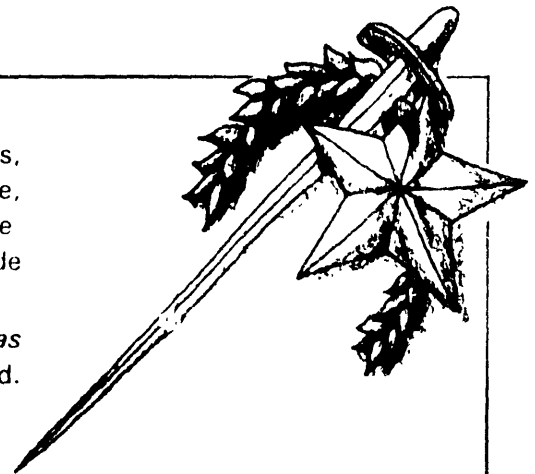
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