

# TEXAS REGISTER

TEXAS STATE LIBRARY

FEB 02 1979

TEXAS DOCUMENTS

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# NOTES ON THE ISSUE

Procedures for hearing contested cases are being revised by the Comptroller of Public Accounts. A proposal to repeal existing rules of practice and procedure is also published in this issue. A major change included in the new rules is moving the hearings from the jurisdiction of the Legal Services Division to that of administrative law judges. The law judges are separate from all other divisions in the agency, reporting directly to the comptroller or his chief clerk. Three judges have been appointed to hear cases. Although the new rules outline procedures for formal hearings, their basic intent is to give the taxpayer a reasonable opportunity to resolve a case before it gets to the formal hearing stage. Emphasized in the rule subchapter is the preliminary conference, an informal hearing to try to resolve the controversy or to determine the facts and legal issues to be resolved if a formal hearing is necessary.

*Cover illustration represents Elisabet Ney's statue of Stephen F. Austin, which stands in the foyer of the State Capitol*

*Artwork Gary Thornton*

## TEXAS REGISTER



**George W. Strake, Jr.**  
Secretary of State

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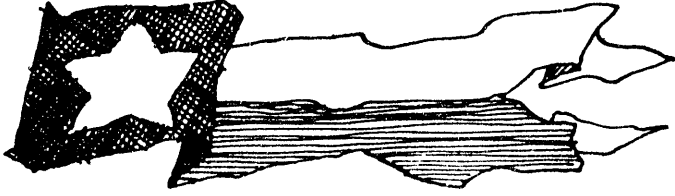
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## Appointments

The following appointments have been submitted to the Senate of the 66th Legislature, Regular Session, for confirmation:

### Adjutant General's Department

*To be adjutant general of Texas for a two-year term to expire January 16, 1981:*

Brigadier General Willie L. Scott of Austin, Travis County, is replacing General Thomas S. Bishop of Austin, Travis County, whose term expired.

### Texas Department of Community Affairs

*To be executive director for a term at the pleasure of the governor:*

Omar Harvey of Dallas, Dallas County, is replacing Ben McDonald of Austin, Travis County, whose term expired.

### Office of the Secretary of State

*To be secretary of state for a term at the pleasure of the governor:*

George W. Strake, Jr., of Houston, Harris County, is replacing Steven C. Oaks of Houston, Harris County, whose term expired.

Issued in Austin, Texas, on January 17, 1979.

Doc. No. 790453      William P. Clements, Jr.  
Governor of Texas

For further information, please call (512) 475-4571.

An agency may adopt emergency rules after determining what it considers to be an imminent peril to the public health, safety, or welfare. These rules may be effective immediately on filing with the secretary of state for no more than 120 days, renewable once for no more than 60 days. An agency must submit written reasons, published in the *Register*, for the emergency adoption of rules.

**Numbering System**—Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. The fourth unit (three digits) indicates the individual rule.

**Symbology**—Changes to existing material are indicated in *bold italics*. [Brackets] indicate deletion of existing material.

## Texas Parks and Wildlife Department

### Wildlife

#### Transporting, Shipping, and Exporting Bobcat Pelts 127.70.15

The Texas Parks and Wildlife Department is renewing the effectiveness of the emergency amendments to Rules 127.70.15.001, Definitions, and .002, Limitations, for a period of 50 days, effective February 10, 1979. The emergency promulgation of the amendments was published in the October 20, 1978, issue of the *Texas Register* (3 TexReg 3677).

Issued in Austin, Texas, on January 22, 1979.

Doc. No. 790449      Maurine Ray  
                                 Administrative Assistant  
                                 Texas Parks and Wildlife Department

Effective Date: February 10, 1979

Expiration Date: April 1, 1979

For further information, please call (512) 475-4971.

## Public Utility Commission of Texas

### Practice and Procedure 052.01.00

The Public Utility Commission of Texas proposes to amend its procedural Rule 052.01.00.085. The reason for the change is that the commission conducts public meetings for the consideration of final orders in dockets on a bi-monthly basis.

Emergency adoption of this rule is necessary to give all parties involved in each docket adequate due process notice that oral argument has been requested in their respective docket. This is done to avoid unnecessary and costly delay in the final disposition of cases before the commission. This is in accordance with Article III, Section 16, and Article XIII, Section 89, of the Public Utility Regulatory Act.

This rule is promulgated under the authority of Article 1446c, Section 16, Texas Revised Civil Statutes Annotated (Supplement 1975). This rule will become effective on an emergency basis January 30, 1979, after formal adoption of this rule by the commissioners. The amendment is as follows:

*.085. Oral Argument before the Commission.* Any party may request oral argument before the commission [before the final determination of any proceeding], but oral argument shall be allowed only at the discretion of the commission. A request for oral argument *shall* [may] be incorporated in the exceptions, reply to exceptions, [petition for reconsideration,] *motion for rehearing*, or in a separate *written* pleading, *filed with the commission and served upon all parties at least 72 hours in advance of the time at which the commission will consider the case. If all parties are present at the meeting at which the commission considers the case, the above service requirements may be waived and the commission may hear oral argument at its discretion.*

Issued in Austin, Texas, on January 19, 1979.

Doc. No. 790436      Philip F. Ricketts  
                                 Secretary of the Commission  
                                 Public Utility Commission of Texas

Effective Date: January 30, 1979

Expiration Date: May 30, 1979

For further information, please call (512) 458-0100.

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, except where a federal statute or regulation requires implementation of a rule on shorter notice.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

**Numbering System**—Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. The fourth unit (three digits) indicates the individual rule.

**Symbology**—Changes to existing material are indicated in *bold italics*. [Brackets] indicate deletion of existing material.

## Comptroller of Public Accounts

### Central Administration

#### Practice and Procedure 026.01.01

The Comptroller of Public Accounts proposes to adopt procedural rules to govern the disposition of all contested cases filed with the agency. Rules 026.01.01.001-.042. The proposed rules are filed in conjunction with the appointment of administrative law judges to hear cases and propose decisions for the comptroller. The administrative law judges are physically and organizationally separate from all other divisions in the agency and report directly to the comptroller or his chief clerk. A basic intent of the rules is to afford the taxpayer a reasonable opportunity to resolve his case short of formal hearing. At the same time, however, these rules permit the administrative law judge, a person independent of the Legal Services Division and operating divisions, to hear and decide the case in the event of a formal hearing.

The proposed rules contain no fiscal implications (source: revenue estimating staff, Comptroller of Public Accounts).

Public comment on the proposed rules is invited. Persons should submit their comments in writing to Fred Conder, chief administrative law judge, Drawer SS, Austin, Texas 78711.

The rules are proposed under the authority of Texas Taxation—General Annotated, Articles 1.10, 3.06, 4.11, 6.02, 6.06, 7.12, 7.35, 8.25, 9.19, 9.23, 10.21, 10.71, 12.12, 14.13, 18.02, 19.02, 20.11, 22.04, and 23.05 (Vernon 1969), and pursuant to Texas Revised Civil Statutes Annotated, Article 6252-13a, Section 4 (Vernon Supplement 1978-1979).

*.001. Intent and Scope of Rules.* The rules of practice and procedure are intended to provide a uniform process, and to provide the public with an understanding of the process by which certain disagreements with official actions of the

Comptroller of Public Accounts of the State of Texas are pursued. They shall govern all contested case proceedings before the comptroller or his designees.

*.002. Construction of Rules.* The rules of practice and procedure shall be given their most reasonable meaning taken in the total context, but will be construed to secure a just and proper resolution or decision for every controversy, and shall not be construed to limit or repeal rights afforded or requirements imposed by law. Unless otherwise expressly provided, the past, present, or future tense shall each include the other; the masculine, feminine, or neuter gender shall each include the other; and the singular and plural number shall each include the other. Definitions of words used in these rules are contained in Rule .042 of this subchapter.

*.003. Commencement of a Contested Case.* All contested cases must be commenced by the filing of a petition with the agency. When a petition for redetermination or refund is timely filed, the contested case is within the jurisdiction of the administrative law judges. Petitions asking for redetermination of a tax deficiency that has not been paid must be filed within the time period shown on the determination, should state the taxpayer's name and number, the type of tax and the audit number, and should briefly set out the reasons the taxpayer does not agree with the determination. When a petition for redetermination has not been timely filed, the petitioner is not entitled to a redetermination but must pay such determination and may request a refund. Claims for refund of taxes already paid must enumerate each and every ground upon which the claim is founded. To ensure access to the courts of Texas on a claim for refund of a tax other than sales tax, the claim for refund must be in the form of a written protest with each and every ground stated, must be accompanied by payment of the tax, and suit must be filed in a district court of Travis County within 90 days from the date the protest letter and payment was filed regardless of when a decision by the comptroller on the claim for refund is issued (Texas Taxation—General Annotated, Article 1.05 (Vernon 1969), and Texas Revised Civil Statutes Annotated, Article 7057b (Vernon 1960)). To ensure access to the courts of Texas on a claim for refund of sales tax, payment need not accompany the claim, but the claim must state the specific grounds upon which it is founded. Suit must be filed on the denial of a claim for refund of sales tax within 90 days of the mailing of the notice of the comptroller's decision (Texas Taxation—General Annotated, Article 20.10 (Vernon 1969)).

*.004. Numbering and Docketing of Cases.* Upon receipt of a timely petition, it shall be acknowledged and the matter will be reviewed by an operating division; if it becomes necessary to refer the matter to the Legal Services Division, it will be numbered and docketed there.

*.005. Representation and Participation.* In a contested case, a party may represent himself at any stage of proceedings or a party may be represented by his authorized representative at any stage. Proceedings are not open to the public. Any person not a party, not employed by a party, and not called as a witness who desires to observe or participate at any stage of proceedings must obtain the permission of an administrative law judge.

*.006. Comptroller's Request for Statement of Grounds.* Once a petition has been docketed, a hearings attorney from within the agency will be assigned to the case. The comptroller

ler will write the petitioner giving the name of the hearings attorney, setting out other pertinent information, and requesting a statement of grounds by a certain date. Any communications in the case should be directed to the hearings attorney.

*.007. Request for More Definite or Detailed Basis of Agency Action.* If a petitioner does not know the factual or legal basis of any agency action which is the subject of a contested case, he may ask the hearings attorney, in writing, for a more definite and detailed statement of the factual or legal basis of the action within 10 days from the date of the comptroller's request letter. The hearings attorney shall furnish a more definite and detailed statement. The petitioner shall then have 15 days from the date of the detailed statement to file his statement of grounds.

*.008. Content of Statement of Grounds.* The statement of grounds must contain the reasons petitioner disagrees with the action of the agency. The petitioner should: (1) list and number the items, individually or by category, with which there is disagreement; (2) list and number the factual and legal grounds why the tax should not be assessed or should be refunded with regard to each disagreed item or category; and, (3) submit any evidence to support each ground. Legal authority should be cited if petitioner disagrees with the interpretation of the law. Any controversy about sufficiency of content of the statement of grounds shall be resolved by appropriate motion filed with the administrative law judges.

*.009. Statement of Grounds Due Date.* The statement of grounds is due on the date specified in the comptroller's request letter. If the petitioner requires more time to prepare his statement of grounds, a date mutually agreeable to petitioner and the hearings attorney can be established and noted by letter from one party to the other. If no agreement can be reached, petitioner must file a motion for extension of the due date with the clerk of the administrative law judges prior to the due date specified in the comptroller's request letter. Failure to submit the statement of grounds on or before the due date may result in a motion to dismiss filed by the hearings attorney. (See Rule .039 below, in this subchapter.)

*.010. Preliminary Conference.* If both the hearings attorney and the petitioner feel that a preliminary conference would be beneficial, a conference shall be scheduled at a mutually agreeable time. This will be an informal conference, the purposes of the preliminary conference being to try to resolve the controversy, to narrow disagreement as to facts, and to define legal issues involved.

*.011. Position Letter.* Following the submission of the petitioner's statement of grounds and the preliminary conference, if one is held, the hearings attorney shall send to petitioner a position letter which will number and either accept or reject, in whole or in part, each contention of the petitioner. The position letter shall set forth what the hearings attorney, in consultation with the operating division, deems to be properly subject to or exempt from taxation in accordance with their understanding of the facts and the law. No position shall be taken on the basis of expediency, hazards of litigation, nuisance value, or other form of settlement, compromise, or abatement where not authorized by law. The position letter should be sent to the petitioner within 30 days after the petitioner's contentions are fully presented to the hearings attorney.

*.012. Acceptance or Rejection of Position (Motion to Dismiss Petition or to Set for Hearing).* Petitioner must accept or reject the position letter within 15 days after the date of the letter. A form for this purpose will be enclosed with the letter. Acceptance shall be indicated by signing the motion to dismiss portion and mailing; rejection shall be indicated by completing and signing the motion to set portion and mailing. Expiration of the 15-day period with no response from petitioner shall be deemed to be acceptance of the operating division's position. The 15-day period for acceptance or rejection may be extended by agreement of the parties to accommodate any modification in the position letter. All modifications of the position letter and any extensions of the time period shall be reduced to writing by the hearings attorney and sent to petitioner. The 15-day period for acceptance or rejection shall begin on the date of the last such modification.

*.013. Notice of Setting.* Upon receipt of a motion to set, the clerk of the administrative law judges shall acknowledge receipt of the motion and send notice to the parties giving:

- (1) the date, time, place, and nature of the hearing;
- (2) the legal authority and jurisdiction under which the hearing is to be held;
- (3) the particular statutes and rules involved;
- (4) a short and plain statement of the matters asserted; and
- (5) the date the reply to the position letter is due, if petitioner has indicated a desire to file one in the motion to set.

*.014. Person to Hear Case.* Hearings will be conducted by an administrative law judge, who shall have authority to examine witnesses, to rule on motions, and to rule upon the admissibility of evidence. He shall have the authority to continue or recess any hearing, to keep the record open for the submission of additional evidence, and to propose decisions to the Comptroller of Public Accounts. If for any reason an administrative law judge cannot continue on a contested case, another administrative law judge will become familiar with the record and perform any function remaining to be performed without the necessity of repeating any previous proceedings in the case.

*.015. Filing of Documents.* All documents submitted after the notice of setting in a contested case shall be filed with the clerk of the administrative law judges, with a copy to each party.

*.016. Petitioner's Reply to the Position Letter.* Where petitioner has indicated in the motion to set that he desires to present additional facts or legal arguments with respect to an issue or wishes to raise new issues, the reply to the position letter must be filed by the date specified by the administrative law judge in the notice of setting, and must be in the format of the position letter. If any issues are raised or presented for the first time at hearing, the hearings attorney may plead surprise and move for a continuance.

*.017. Response of Operating Division.* If petitioner files a reply to the position letter, the hearings attorney shall file a response within 15 days after the reply is filed. The response will state the legal position of the operating division and any factual disagreement with respect to each new issue or argument raised by the petitioner.



.018. *Inspection of File.* Each party to a contested case, any authorized representative of a party, and any person authorized under the Open Records Act, Texas Revised Civil Statutes Annotated, Article 6252-17a (Vernon Supplement 1978-1979), shall be permitted to inspect and copy, at their own expense and in the offices of the administrative law judges, all documents on file in the case permitted by law to be copied.

.019. *Continuances (Postponement of Hearing).* All motions for continuance of a contested case set for oral hearing shall be in writing and filed with the clerk of the administrative law judges at least seven days prior to the date that the matter is to be heard. In the event of an emergency occurring less than seven days prior, a motion will be accepted. The motion shall show that there is good cause for the continuance and that the need therefor is not caused by the neglect, indifference, or lack of diligence of the movant. A copy of any such motion shall be served upon all other parties of record at the time of filing. If the operating division increases the amount of tax deficiency at the time of hearing or within 10 days of hearing, the petitioner shall be entitled to a continuance sufficient to allow him to obtain and produce further evidence applicable to the items upon which the increase is based.

.020. *Conduct of Hearing.* The hearing will be convened by the administrative law judge, appearances will be noted, any motions or preliminary matters will be taken up, and then each party shall have opportunity to present its case on an issue-by-issue basis by calling and examining witnesses and introducing documentary evidence. Each party shall also have opportunity to cross-examine opposing witnesses on any matter relevant to the issues even though the matter was not covered in direct examination. Any objection to testimony or evidentiary offers should be made, and the basis of the objection stated. The administrative law judge may question any party or any witness for the purpose of clarifying his understanding or to clarify the record. The administrative law judge shall establish the order of proceeding, but regardless of the order, a petitioner is entitled to close. The record may be held open by the administrative law judge to receive additional evidence relevant to any issue in the case.

.021. *Rules of Evidence.* The rules of evidence set forth in the Administrative Procedure and Texas Register Act, Texas Revised Civil Statutes Annotated, Article 6252-13a (Vernon Supplement 1978-1979), shall apply to all contested cases. Section 14 of that act provides, in part: "(a) In contested cases, irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence as applied in nonjury civil cases in the District Courts of this State shall be followed. When necessary to ascertain facts not reasonably susceptible of proof under those rules, evidence not admissible thereunder may be admitted, except where precluded by statute, if it is of a type commonly relied upon by reasonably prudent men in the conduct of their affairs. Agencies shall give effect to the rules of privilege recognized by law. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, if a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form."

.022. *Oral Evidence, Witnesses, and Penalty for False Statements.* The testimony of witnesses, even if not made

under oath or affirmation, shall be true. The making of false statements in a contested case may subject a person to criminal prosecution under the provisions of Texas Taxation—General Annotated, Article 1.12 (Vernon 1969), or under Texas Penal Code Annotated, Sections 37.02 and 37.03 (Vernon 1974). Any party may request that an administrative law judge subpoena witnesses or require the production of documents related to the subject matter of the hearing, or he may do so on his own motion. An administrative law judge may require the parties in a case to indicate the persons they expect to call as witnesses.

.023. *Documentary Evidence.* Documentary evidence or exhibits will be marked for identification. Copies or excerpts of documents are permissible. If only some parts of a document or exhibit are admitted into evidence, only those parts will be considered by the administrative law judge.

.024. *Evidence by Official Notice.* The administrative law judge may take official notice, on request of a party or upon his own motion, of matters which trial judges can judicially notice and of facts within his personal knowledge or within the specialized knowledge of the agency. Such official notice must be stated on the record, and the parties must have an opportunity to contest the material noticed. If a party requests the official notice, he must give sufficient information to enable the administrative law judge to comply.

.025. *Transcription of Oral Hearings.* All contested cases heard by an administrative law judge will be recorded. A copy of the recording will be furnished to any party upon written request to the administrative law judge and payment of a reasonable fee. If one or more parties desire the hearing transcribed by a certified court reporter, they must make the necessary arrangements and bear the cost.

.026. *Proposed Decision.* An administrative law judge who heard the case shall prepare a proposed decision within 30 days after the record is closed. The proposed decision shall set out each finding of fact and conclusion of law necessary to the decision. The proposed decision will be served on the parties and any party adversely affected may file exceptions and briefs within 10 days, serving copies on all other parties. If a party so files, the other parties shall have 10 days after the filing to reply. Thereafter, the proposed decision will be reviewed in light of the exceptions, briefs, and replies.

.027. *Comptroller's Decision.* The proposed decision of an administrative law judge must be issued as the decision of the Comptroller of Public Accounts bearing his signature before it is given any effect. The comptroller's decision is final 15 days from the date it is issued, unless a motion for rehearing is filed on or before midnight of the 15th day. If the motion for rehearing is granted, the decision is vacated pending a subsequent decision upon rehearing. If the motion for rehearing is overruled, whether by order or operation of law, the decision is final on the date it is overruled.

.028. *Motion for Rehearing.* A motion for rehearing may be filed by any party, but must be filed with the clerk of the administrative law judges within 15 days from the date the comptroller's decision is issued to be timely. The motion must state the grounds upon which it is based. Any reply to a motion for rehearing must be filed within 25 days after the date the decision is issued. If the motion is not acted on within 45 days after the date the decision is issued, it will be overruled by operation of law. These times may be varied only in

accordance with Section 16, Subsections (e) and (f), of the Administrative Procedure and Texas Register Act. If a rehearing is granted, a notice will be issued to the parties setting out all pertinent information.

*.029. Court Suit for Refund.* To ensure access to the courts of Texas, any amount found due in the comptroller's decision must be paid and suit timely filed for its refund in a district court of Travis County, Texas, under the provisions of Texas Taxation—General Annotated, Article 1.05 (Vernon 1969), or, in the case of sales tax, under Texas Taxation—General Annotated, Article 20.10 (Vernon 1969). (See Rule .003 above, in this subchapter.)

*.030. Computation of Time.* In computing any period of time prescribed or allowed by these rules, by order of the agency, or by any applicable statute, the period shall begin on the day after the act, event, or default identified and shall conclude on the last day of such computed period, unless it be a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, nor a legal holiday. Documents, if sent by first-class United States mail, postage paid, and bearing a legible postmark affixed by the United States Postal Service, shall be deemed filed the date postmarked; in all other situations, documents are filed the date received.

*.031. Extensions of Time.* Unless otherwise provided by statute, the time for doing any act prescribed or allowed by these rules may be extended by order of an administrative law judge upon written motion filed prior to the expiration of the applicable period of time. The motion should show good cause for such extension of time and that the need therefor is not caused by the party's neglect, indifference, or lack of diligence. A copy of such motion shall be served upon all other parties at the time of filing.

*.032. Interested Parties.* Any person who has a direct pecuniary interest in the resolution of a contested case may be admitted as an interested party upon motion to be admitted duly filed with the administrative law judge and proof of service to all other parties. The administrative law judge will decide whether or not to admit the movant as an interested party. If admitted, the interested party's participation will be limited to the extent of his interest.

*.033. Service.* When any document is required to be served on other parties, this may be accomplished by personal delivery or by the mailing of such document address, postage paid. The document should bear a signed certification that copies have been served on parties of record, stating the names and addresses of those served and the date and manner of service.

*.034. Discovery.* An administrative law judge, upon his own motion or on motion of any party showing good cause, can (1) subpoena any person to appear and testify and to produce certain documents or other tangible items at an oral hearing, (2) commission the taking of an oral deposition in the witness' county of residence or county where he does business and require production of certain documents or other tangible items at the time of deposition, and (3) order any party to allow entry upon property under his control for the purpose of doing any act or making any inspection not protected by privilege which is reasonably calculated to lead to the discovery of evidence material to the contested case. Sec-

tions 14 and 14a of the Administrative Procedure and Texas Register Act as amended shall apply to matters of discovery.

*.035. Witness Fees.* Any witness who is not a party and who is subpoenaed or otherwise compelled to attend any proceeding is entitled to receive 18 cents a mile for going to and from any place more than 25 miles from the witness' place of residence and a fee of \$25 a day or any part of a day. If two or more witnesses travel in a single private automobile, only one may receive mileage reimbursement. At the time the request for a witness' attendance is filed, the requesting party is required to deposit the estimated amount to which the witness will be entitled with the clerk of the administrative law judges. Such deposit is not required when the agency is the requesting party.

*.036. Nonbinding Nature of Agreed Facts.* By use of the position letter and the reply thereto, or by means of agreed facts or stipulated facts, the parties are encouraged to narrow their disagreements prior to hearing; however, should the testimony or other evidence received prove a fact to be other than as agreed or stipulated, such agreement is not binding on either party. Stipulated facts are for purposes of resolution of the contested case before the agency only, and neither party will be bound by them thereafter.

*.037. Joint Hearings.* A party may file a written motion to have two or more cases joined for purposes of hearing, whether on written submission or oral; or an administrative law judge may, on his own motion, join two or more cases. The motion should state the basis for joinder.

*.038. Severance.* Where two or more cases have been joined for purposes of hearing, a party may move to sever his case for cause. Severance will lie within the discretion of the administrative law judges.

*.039. Dismissal of Case.* Motion to dismiss may be filed by a petitioner or respondent based upon agreement reached among the parties or his decision to abandon his case; such motion to dismiss will constitute a motion to dismiss with prejudice, and a decision will be entered and issued which conforms with the position last taken by the operating division. An operating division, acting through a hearings attorney, may move to dismiss a case based upon agreement reached among the parties or for want of prosecution, but such motion shall be served upon the parties by sending it to their last known address by certified mail. The chief administrative law judge may on his own motion move to dismiss a case, notifying the parties by certified mail. If there is no reply from the petitioner or respondent within 15 days, a decision will be entered and issued dismissing the case with prejudice, and fixing the deficiency as the amount determined by the operating division or otherwise disposing of the case according to the position last taken by the operating division.

*.040. Burden of Proof.* If the contested case involves the suspension or revocation of a permit, or the imposition of additional penalty for willful or fraudulent failure to pay tax, the agency shall have the burden to prove by a preponderance of the evidence that such action is warranted. In all other cases, unless otherwise provided by law, the burden of proof shall be upon the petitioner or applicant to show by a preponderance of the evidence in what respect the action or proposed action of the agency, as set out in the position letter, is incorrect.

*.041. Ex Parte Communications.* There shall be no verbal communications between any individual participating in the oral hearing of a contested case and the administrative law judge regarding any issue of fact or law in the case, except on notice and opportunity for all parties to participate; and there shall be no written communications that are not transmitted at the same time to all parties. An individual involved in rendering a decision in the case may communicate ex parte with employees of the agency who have not participated in any hearing in the case for the purpose of utilizing their special skills or knowledge in evaluating the evidence.

*.042. Definitions*

(a) "Administrative law judge" means an individual licensed to practice law in Texas and appointed by the comptroller to conduct hearings on matters within his jurisdiction and to prepare proposed decisions to properly resolve such matters. The administrative law judges are organizationally and physically separate from the Legal Services Division and all operating divisions and report directly to the comptroller or his chief clerk.

(b) "Agency" means the Office of the Comptroller of Public Accounts.

(c) "Applicant" means a party seeking a license or permit from the agency, or seeking a special reporting procedure or an exemption.

(d) "Authorized representative" means the individual who represents a party in a contested case unless the party represents himself, and may be any person other than the party, though a lawyer or a certified public accountant may be advisable.

(e) "Contested case" or "case" means a proceeding in which the legal rights, duties, or privileges of a party are to be determined by the agency after an opportunity for adjudicative hearing; it includes redetermination hearings, refund hearings, license hearings, permit hearings, and hearings on special reporting and exemption requests. It does not include forfeitures of rights to do business, of certificates of authority, or of articles of incorporation.

(f) "Determination" means a written notice from the agency that a person is required to pay to the State of Texas tax, penalties, or interest.

(g) "Hearings attorney" means an attorney assigned to represent an operating division in a contested case.

(h) "License" means the whole or any part of a permit, certificate, approval, registration, or similar form of permission, the issuance, renewal, amendment, suspension, or revocation of which is within the jurisdiction of the agency.

(i) "Licensing" means the agency process respecting the granting, denial, renewal, revocation, suspension, annulment, withdrawal, or amendment of a license.

(j) "Operating division" means that division within the agency responsible for the particular action or actions which are the subject of the contested case. Operating divisions include but are not limited to Field Operations Division, Sales and Tobacco Products Tax Division, Business Tax Division, Motor Vehicle Sales Tax Division, Inheritance Tax Division, Fuels Tax Division, and Minerals Tax Division.

(k) "Party" means any person filing a petition with the agency or asked by the agency to respond; means the agency, acting through its operating divisions; and shall include any other person admitted as a party under Rule .032.

(l) "Person" means any individual, partnership, corporation, association, governmental subdivision, or public or

private organization of any character. It may also include an estate, trust, receiver, assignee for benefit of creditors, trustee, trustee in bankruptcy, assignee, or any other group or combination acting as a unit.

(m) "Petitioner" means the person, or anyone directly interested, seeking redetermination of a tax liability previously assessed against him by the agency or a person seeking a refund of monies previously paid by him to the State of Texas.

(n) "Petition" means a request for relief or for hearing communicated to the agency by a petitioner or applicant. If the request is made orally, it must subsequently be reduced to writing.

(o) "Pleading" means any document filed by a party concerning his assertions in a contested case.

(p) "Respondent" means any person to whom a notice of a show cause hearing for the suspension or revocation of a license has been issued.

Doc No. 790497

### Legal Services Division 026.01.03

(Editor's note: The texts of the following rules proposed for repeal are not being published. The rules may be examined in the Office of the Comptroller of Public Accounts, L.B.J. State Office Building, Austin, or in the office of the Texas Register Division, 503E Sam Houston Building, Austin.)

The Comptroller of Public Accounts is proposing to repeal Rules .026.01.03 001-.045, regarding hearings procedures. The comptroller is establishing an independent group of administrative law judges to hear contested cases for the agency. The new procedure will completely supersede the existing rules for hearings.

There are no fiscal implications for the repeal (source: revenue estimating staff, Comptroller of Public Accounts).

The repeal is proposed under the authority of Texas Taxation—General Annotated, Article 1.10 (Vernon 1969).

- .001. *Definitions.*
- .002. *Filing of Documents.*
- .003. *Computation of Time*
- .004. *Agreements to Be in Writing.*
- .005. *Service in Nonrulemaking Proceedings.*
- .006. *Classification of Parties.*
- .007. *Parties in Interest.*
- .008. *Appearances Personally or by Representative.*
- .009. *Classification of Pleadings.*
- .010. *Form and Content of Pleadings.*
- .011. *Statement of Grounds.*
- .012. *Motions*
- .013. *Amendments*
- .014. *Incorporation by Reference of Agency Records.*
- .015. *Docketing and Numbering of Hearings.*
- .016. *Contested Proceedings.*
- .017. *Requests Not Timely Made.*
- .018. *Service.*
- .019. *Prehearing Conference.*
- .020. *Motions for Postponement, Continuance, Withdrawal, or Dismissal of Petitions or Other Matters before the Agency.*
- .021. *Joint Hearings.*

- .022. *Presiding Officer.*
- .023. *Order of Procedure.*
- .024. *Transcript*
- .025. *Formal Exceptions.*
- .026. *Rules of Evidence.*
- .027. *Documentary Evidence and Official Notice.*
- .028. *Prepared Testimony.*
- .029. *Oral Hearing Request.*
- .030. *Limitations on Number of Witnesses.*
- .031. *Exhibits*
- .032. *Offer of Proof.*
- .033. *Depositions.*
- .034. *Subpoenas.*
- .035. *Testimony under Oath.*
- .036. *Rendering of Final Decision or Order.*
- .037. *Final Decisions and Orders.*
- .038. *Administrative Finality.*
- .039. *Motions for Rehearing.*
- .040. *Appeal.*
- .041. *The Record*
- .042. *Show Cause Orders and Complaints.*
- .043. *Ex Parte Consultations.*
- .044. *Service and Notice in Rulemaking Proceedings*  
*Subsequent to January 1, 1976.*
- .045. *Effective Date.*

Doc No. 790498

## Tax Administration

### Business Tax Division 026.02.12

The Comptroller of Public Accounts is proposing to amend Rule 026.02.12.002, Optional Short Form Report. The proposed amendment will allow eligible corporations to change election of filing on short form or long form within three months after due date of the report. The cut-off date for the election is changed to September 15 to permit the taxpayer to make an informed election of reporting method since this date coincides with normal limits for an Internal Revenue Service extension.

There is no loss of revenue (source: revenue estimating staff, Comptroller of Public Accounts).

Public comment on the amendments to Rule .002 is invited. Persons should submit their comments in writing to Robert Storey, Drawer SS, Austin, Texas 78711.

The amendments are proposed under the authority of Texas Taxation—General Annotated, Article 12.19(e) (Vernon 1969).

#### 002. *Optional Short Form Report*

(a) *Eligibility to use optional short form report.* A short form annual franchise tax report [Section A, Form No. 2D-1.01] may be filed by a corporation whose total assets are less than \$150,000. The optional short form may not be used in a corporation's first-year report.

(b) *Income tax return must accompany report.* A signed copy of the corporation's federal income tax return (i.e., Form 1120 or 990) which contains a balance sheet showing total assets and liability must be furnished with the short form report. If a consolidated federal income tax return is

filed, the corporation also must furnish copies of all supporting schedules pertaining to the ending balance sheet for each corporation included in the consolidated return. The phrase "total assets" includes all items that are reported or should have been reported in the balance sheet on the federal return or in the balance sheet scheduled filed with a consolidated return, as of the last day of the corporation's income tax reporting period ending in the 12-month period preceding February 1st of the year in which the short form report is filed. In computing such total assets for short form reporting purposes, a cash deficit balance or some other asset account with a credit balance may not be used to reduce total assets.

(c) *Filing of Amended reports.* A corporation may file an amended report for the purpose of changing a long form report [Section B, Form No. 2D-1.01] to an optional short form report [Section A, Form No. 2D-1.01] or vice versa, provided the amended report is filed on or before **September 15** of the year in which the report is due. The comptroller will require the filing of an amended report on the long form by a corporation which has used the short form in its first-year franchise tax report, or whose total assets are \$150,000 or more, or in instances in which the corporation fails or refuses to submit with its short form report a copy of the federal income tax return and/or schedules as hereinabove required.

Issued in Austin, Texas, on January 24-26, 1979.

Doc. No. 790534

Bob Bullock  
Comptroller of Public Accounts

Proposed Date of Adoption: March 5, 1979

For further information please call (512) 475-1933



## Texas Department of Health Laboratories

Approved Laboratories Performing  
Premarital and Prenatal Syphilis  
Serology 301.37.01

The Texas Department of Health is proposing to amend Rules 301.37.01.003-.009 by making needed minor corrections and

updating the rules to make the program more smoothly handled and to provide for bench and correspondence training of those who have difficulty meeting the rules.

The staff of the department's Bureau of Laboratories has determined that these amendments will have no fiscal implications for the State of Texas or units of local government.

Public comment on the proposed amendments is invited and should be submitted in writing no later than March 31, 1979, to Charles E. Sweet, chief, Bureau of Laboratories, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756. A public hearing will be conducted in the auditorium of the Texas Department of Health, beginning at 9 a.m. on February 15, 1979.

The amendments are being proposed under authority of Article 4445a, Texas Revised Civil Statutes.

#### .003. Testing.

(a) New applicant laboratories must successfully test the initial set of 20 specimens sent to them using the test or tests for which they desire approval. Afterward, during each quarter (calendar year), a total of 10 (at least 20) specimens must be successfully tested. No more than two serological procedures may be listed as approved for these purposes for each laboratory, at least one of which must be a standard test. *Only the VDRL Slide Test and the RPR Circle Card (18 mm) Test are considered approved standard tests by this department. In addition to the approved standard tests, other tests which can be approved as one of the two tests include the FTA-ABS, ART, PCT, RPR Slide Test, RPR Circle Card (14 mm) Test, RPR Teardrop Card Test, RST, and Syphla-Chek Card Test.* (such as the RPR Circle Card Test, the VDRL Slide Test, the VDRL Tube Test, the USR Test, the Kline Test, the Kolmer Test, the Mazzini Test, the FTA-ABS Test, and the ART Test. If desired, one screening test may be listed, such as the RPR Teardrop Card Test, the RPR Slide Test, and the PCT Test.) A laboratory must test all evaluation unknowns with all tests for which they have been given approval.

(b) (No change.)

(c) Specimens may be sent in any combination of reactive, weakly reactive, or nonreactive. The acceptable reactive nature of the specimen will be based on this laboratory's findings and the findings of reference laboratories with the *VDRL Slide and the RPR Circle Card (18 mm) tests* (, the PCT, and the RPR Circle Card tests). No specimen will be sent without agreement among these laboratories. No specimen will be sent which will tend to trick the testing laboratory, such as those that are rough negative specimens or specimens with zone reactions.

(d) All serologists in a laboratory should test themselves on all unknown specimens, but only one report marked *in the appropriate column(s)* (on only one report form) as the laboratory's final decision on the specimen reactions should be returned to us.

(e) *Included in the approval notification will be the laboratory identification number and group number. These numbers must be shown on all proficiency test reports and correspondence with this bureau.*

.004. *Reporting.* Reports must be made using the terms reactive, weakly reactive, and nonreactive, as applicable, or else their abbreviations, R, WR, and N, respectively. Please note that *the FTA-ABS, ART, the RST, and the RPR Card Tests* have only two designations, reactive and nonreactive. If a "weakly reactive" report is given for any of *these tests* (the RPR Card Tests), the result will be graded as *incorrect* (if it were "reactive"). Reports must bear the actual signature of the laboratory director *or a rubber-stamped facsimile*. A due date will be placed on each mail-out, and the results must be received by us on or before that date *for the laboratory to avoid being placed on "verge of fail" status. Laboratories that fail to respond to delinquency notices will be dropped.* Please return specimen mailing cases to us. Reports must not be returned in the mailing cases because forms and mailers are handled by different divisions.

.005. *Grading.* Regardless of the total number of evaluation specimens sent to a laboratory, specimens will always be in sets of 10 (five). Each type of serological test in each set of 10 (five) specimens will receive a grade based on a possible 100. *Ten* (Twenty) points will be subtracted when a nonreactive specimen is reported reactive and when a reactive specimen is reported nonreactive. *Five* (Ten) points will be subtracted when a weakly reactive specimen is reported as nonreactive or reactive, when a nonreactive specimen is reported as weakly reactive, and when a reactive specimen is reported as weakly reactive. A minimum grade of 85 (80) on each set of 10 (five) specimens is acceptable. Failure on any one set when one or more than one set is sent at a time is considered unacceptable performance *for the individual test involved.* A copy of each report form showing a grade for that set is returned to the laboratory.

#### .006. Approval

(a) (No change.)

(b) Once each year in January, a complete list of approved laboratories will be mailed to all county clerks and to each participating laboratory. *Twice* (Once) each year (in July), a supplement with changes, additions, and deletions will be sent to the county clerks and to the participating laboratories experiencing changes.

(c) With the conclusion of the testing period in each calendar year, each laboratory will find a designation on the graded copy of their last report to the effect that approval is still in force into the following year.

(e)(d) Please note that approval is given to the laboratory only, not to serologists or to the laboratory director. A worker moving from an approved laboratory to one not on the approved list will not confer approval on the new laboratory. Only successful testing of unknown specimens will place a laboratory on the approved list.

(d)(e) Military installations participating in a government-conducted proficiency testing program and private laboratories participating in the Center for Disease Control proficiency testing program, *the program of another state health department*, or in an established professional society proficiency testing program (CAP, AAB) do not have to examine specimens in the health department approval program. Such laboratories may instead send to this office copies of their graded reports on a minimum of 40 (20) specimens per year (, at least 10 of which were tested in January, February, or March and at least 10 of which were tested during July, August, or September).

*.007. Disapproval.*

(a) If a laboratory fails to pass on its initial attempt to gain approval, it must wait 30 days before reapplying. Failure on second application or subsequent applications will preclude approval each time until *two* [three] months have expired. If a serologist from the laboratory *satisfactorily completes a self-instructional course for the VDRL Slide or RPR Circle Card (18 mm) Test* or attends a one-day workshop on syphilis serology conducted at the State Health Department Laboratory, re-examination will be permitted immediately.

(b) An approved laboratory that fails on a routine set of unknown specimens will be classified as "verge of fail." This laboratory will remain on the approved list; however, *the laboratory must pass the next set of 10 specimens in order to remain approved* [they will be sent an additional 10 specimens immediately for retesting]. A passing grade on these specimens will permit the laboratory's return to full approved status. *A laboratory that makes a score of 70 or less on a set of specimens must request and satisfactorily complete a self-instructional course for the VDRL Slide or RPR Circle Card (18 mm) Test with a grade of 85 or more before the next scheduled specimen shipment or be dropped from the approved list.*

(c) An approved laboratory on "verge of fail" status that subsequently fails on retesting is dropped from the approved list *for the test involved only*. Notification of that fact will be sent to county clerks. [Retesting is possible and 10 specimens will be sent automatically in 30 days. If testing is not done successfully, repeat testing.] *Reapplication* will not be permitted for *two* [three] months. Again, *participation in a self-instructional course or attendance* [by a serologist from a "fail" laboratory] in a workshop conducted by the State Health Department Laboratory will permit immediate *reapplication* [retesting].

*.008 Changes*

(a) (No change.)

(b) If one test procedure is to be dropped, notification of this fact should be made to this office. Such a change is permissible as long as the remaining test is a standard procedure. In this case, no further action is necessary. However,

if a new procedure is to be added *or if the laboratory changes location*, an experimental study set must be requested. These 10 unknown specimens must be tested with the new test procedure only *or in the new location*. Successful completion of this study will permit *continued approval* or adding the new procedure, *as appropriate*. *Failure with a new test will preclude reapplication for use of that test for a period of two months.*

*.009 Forms Adopted by Reference*

(a) *The department adopts by reference Form G-44-A, the medical examination certificate. The first part is for the laboratory's statement and the second part is for the physician's statement.* [The medical examination certificate (Form G-44-A), one part of which is for the laboratory's statement and the second part of which is for the physician's statement.] *The certificate* is supplied on request by the State Health Department Laboratory. It is necessary for each laboratory to obtain its own individual test result reporting forms, copies of which go to the physician and *weekly* to the *Texas Department of Health, Bureau of Communicable Disease Services, Venereal Disease Control Program, when reactive results are obtained.* [Health Department. New laboratories are provided with a small, initial supply until they can obtain their own stocks.]

(b) *The department adopts by reference Form G-62, the Syphilis Serology Approval Program, which is referenced in Rule .002. This form is supplied on request by the State Health Department Laboratory.*

(c) *The department adopts by reference Form G-15, the Syphilis Serology Approval Program, which is referenced in Rule .006. This form is supplied on request by the State Health Department Laboratory.*

(Editor's note See forms, pages 291 - 294.)

Issued in Austin, Texas, on January 25, 1979.

Doc No 790533 Raymond T. Moore  
Commissioner  
Texas Department of Health

Proposed Date of Adoption March 1979 board meeting  
For further information, please call (512) 458-7318

**MEDICAL EXAMINATION CERTIFICATE  
REQUIRED FOR EACH APPLICANT  
TO OBTAIN A MARRIAGE LICENSE IN TEXAS**

**PART I - LABORATORY STATEMENT**

\_\_\_\_\_ (Name of Laboratory)

\_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State

This is to certify that the result of a \_\_\_\_\_ test, a standard serologic test for syphilis  
(Name of Test)  
as defined in H. B. No. 53 of the Sixty-First Legislature of the State of Texas performed  
\_\_\_\_\_ on a blood specimen submitted in the name of  
(Date)  
\_\_\_\_\_ (Exact Name of Applicant) (Must be Name in Full Without any Initials)

\_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State

has been reported to \_\_\_\_\_ (Name of Physician)

\_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State

\_\_\_\_\_ (Signature of Person Authorized to Sign for Laboratory)

**PART II - PHYSICIAN'S STATEMENT**

This is to certify that on \_\_\_\_\_ I performed a thorough examination for infectious  
(Date)  
venereal disease on the applicant named below.

\_\_\_\_\_ (Exact Name of Applicant) (Must be Name in Full Without any Initials)

\_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State

This examination included a standard serologic test for syphilis. The results of the examination, test,  
and history showed that, in the opinion of the examining physician, the applicant is free from any infec-  
tious condition of syphilis or other venereal disease.

I further certify that I hold an unrevoked license to practice medicine in \_\_\_\_\_ (State or Territory)

\_\_\_\_\_ (Signature of Examining Physician)

\_\_\_\_\_ Physician's Street Address \_\_\_\_\_ City \_\_\_\_\_ State

The marriage license issued under this certificate will expire at the end of the 21 day period following the date of the medical examination (or the earlier of the two examinations if they were conducted on different days), if the marriage ceremony has not been conducted within that period.

FORM NO. G-44-A  
REV. 1970





TEXAS DEPARTMENT OF HEALTH  
 BUREAU OF LABORATORIES  
 1100 WEST 49th STREET  
 AUSTIN, TEXAS 78756

SYPHILIS SEROLOGY  
 APPROVAL PROGRAM  
 REGISTRATION FORM

FORM NO. G-62  
 REV. 1/78

ENTER EXACT NAME OF LABORATORY  
 (Street address MUST be shown)

LAB. NAME \_\_\_\_\_  
 STREET ADDRESS \_\_\_\_\_  
 AND  
 P.O. BOX \_\_\_\_\_  
 CITY \_\_\_\_\_ TEXAS \_\_\_\_\_  
 (Zip Code)

Approval will be given for only two serological tests for premarital and prenatal purposes, at least one of which must be the VDRL Slide or the RPR Circle Card (18 mm) test. Indicate by check mark, the test(s) for which approval is requested.

APPROVED STANDARD TESTS

- \_\_\_\_\_ VDRL Slide Test
- \_\_\_\_\_ RPR Circle Card (18 mm) Test

OTHER ACCEPTABLE TESTS

- \_\_\_\_\_ FTA-ABS
- \_\_\_\_\_ ART
- \_\_\_\_\_ PCT
- \_\_\_\_\_ RPR Slide
- \_\_\_\_\_ RPR Card (14 mm)
- \_\_\_\_\_ RPR Teardrop Card
- \_\_\_\_\_ Syphla-Chek Card
- \_\_\_\_\_ Reagin Screen Test

All survey specimens must be examined with the test(s) for which approval is desired, as indicated above.

This application must be signed with the legal signature or a rubber-stamped facsimile of the signature of the Laboratory Director. If not, the form will be returned to you for proper signature.

\_\_\_\_\_  
 LABORATORY DIRECTOR'S SIGNATURE

# TEXAS REGISTER

Lab. Id. No. \_\_\_\_\_  
 Group No. \_\_\_\_\_

Texas Department of Health  
**LABORATORY**  
 1100 West 49th Street  
 Austin, Texas 78756

**Syphilis Serology  
 Approval Program**

Form No. G-15  
 Rev. 1/78

Results must be postmarked by: \_\_\_\_\_

1. Record your Lab. Id. No. and Group No. in the upper left-hand corner of this form.
2. Record your laboratory name and address as it is today in the space below.
3. If your laboratory name or address has changed since you last reported, put an X in the red box.

LAB. NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ TEXAS \_\_\_\_\_

(Zip Code)

Mark the red box for ANY address change.

Former name/address: \_\_\_\_\_

Specimen Number	VDRL Slide Test	18 mm RPR Circle Card Test	Other—Specify

For TDH use only:
<input type="checkbox"/> Entrance <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Passed – TDH <input type="checkbox"/> Passed – Other <input type="checkbox"/> Verge of Fail <input type="checkbox"/> Failed <input type="checkbox"/> Delinquent <input type="checkbox"/> Self-instructional course required <input type="checkbox"/> Experimental survey for new test <input type="checkbox"/> Passed <input type="checkbox"/> Failed
For specific requirements please refer to your pamphlet regarding this program.

For TDH use only: SCORE			
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\_\_\_\_\_  
 Laboratory Director's Signature

## Texas Department of Labor and Standards

### Mobile Home Division

#### Practice and Procedures 063.55.08

The Department of Labor and Standards is proposing an amendment to Rule 063.55.08.004, concerning security requirements for mobile home manufacturers, dealers, and salespersons. The reason for the amendment to the current rule is to comply with federal law.

The Department of Labor and Standards, Mobile Home Division, has determined that the adoption and implementation of this rule will have no fiscal implication on the state or the units of local government.

Public comment on this rule is invited, and should be submitted, in writing, no later than 30 days after publication of this rule in the *Texas Register*. Send all comments to Janice Kuntz, attorney, Mobile Home Division, Texas Department of Labor and Standards, P.O. Box 12157, Austin, Texas 78711.

The following rule is to be amended under authority of Articles 5221f and 6252 1a, Texas Civil Statutes.

#### .004. Security Requirements

(a) For purposes of meeting the security requirements of Section 13, "cash deposit or other security" means an assignment of a certificate of deposit for irrevocable letter of credit from or on a state or federally chartered bank or savings and loan association, properly signed and filed with the department. Such deposits for letters are hereinafter referred to as "security." Forms shall be furnished by the department for filing an assignment of such security. If such security is reduced by a claim, the depositor shall within 20 days make up the deficit as required by subsection (b). No advance notice is required by the department to the depositor, but the department shall verify receipt of the deposit.

(b) An assignment of such security, filed with the department for compliance with Section 13 of the act, shall remain on file with the department for two years after written notice to the department that the depositor has ceased doing business. An assigned certificate of deposit for irrevocable letter of credit deposited with the department may be withdrawn after two years following written notice by the depositor that: (1) the depositor has ceased doing business, or (2) the filing of a bond in lieu of or to replace the assigned security. In the event a bond is filed to replace the assigned security and the initial effective date of the bond is the same or prior to the date of the assignment of the security, such security or deposit may be immediately withdrawn upon written request.

Issued in Austin, Texas, on January 24, 1979.

Doc. No. 790503 G L Lynn Tate  
Commissioner  
Texas Department of Labor and Standards

Proposed Date of Adoption: March 5, 1979

For further information, please call (512) 475-5712.

## Texas Parks and Wildlife Department

### Wildlife

#### Red Drum Commercial Harvest Quota 127.70.18

The Texas Parks and Wildlife Commission proposes to amend Rule 127.70.18.001, which prescribes the annual commercial harvest quota for the taking of red drum for sale from each of the eight major bay systems and the Texas waters of the Gulf of Mexico. The Red Drum Conservation Act of the 65th Legislature requires that the commission establish a commercial quota for red drum within 1.4 to 1.6 million pounds during the period of October 1 of a year and extending through September 30 of the following year. The act further provides that the commission shall issue a proclamation closing a system to the taking of red drum for sale during the remainder of that year when 90 percent of the quota has been reached in that system.

Due to declining red drum relative abundance in the various areas, the base limit of 1.4 million pounds is proposed for the coast-wide quota. The percentage of the harvest limit established for each bay system and the Gulf of Mexico was derived from landing data provided by the commercial fishery to the department through "monthly marine products reports" for fiscal years 1975-76 and 1976-77, and "individual sales transactions forms" for January through October 1978.

The administrative and enforcement responsibilities of the proposed rule will not involve local agencies. A review of the Parks and Wildlife Department budget indicates that no additional funding or personnel will be required to administer or enforce this proposed rule (source: department staff).

Public comment on the proposed adoption of Rule 001 is invited. Public hearings will be scheduled in each coastal county during March 1979. Additional comments may be submitted by telephoning (512) 475-4835 or by writing to Gary Matlock, director of Finfish Programs, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744. Comments must be received within 30 days of publication of this proposal in the *Texas Register*.

This amendment is proposed under the authority of Chapter 61, Subchapter C-1, Texas Parks and Wildlife Code.

#### .001. Commercial Red Drum Quota

(a) The maximum number of pounds of red drum that may be taken for sale from each of the eight bay systems of the Texas coast and from the Gulf of Mexico within the state from October 1, 1979 [1978], through September 30, 1980 [1979], is as follows:

System	Maximum Number of Pounds	
Sabine Lake	1,400	
Galveston Bay	46,340	(55,020)
Matagorda (including East Matagorda) Bay	44,940	(46,760)
San Antonio Bay	80,760	(86,520)
Aransas Bay	253,640	(260,540)
Corpus Christi Bay	105,420	(119,280)
Upper Laguna Madre	219,940	(215,460)
Lower Laguna Madre	571,060	(544,460)
Gulf of Mexico	66,500	(70,560)
Total		1,400,000

(b) (No change).

Issued in Austin, Texas, on January 18, 1979.

Doc. No. 790459      Maurine Ray  
                                  Administrative Assistant  
                                  Texas Parks and Wildlife Department

Proposed Date of Adoption March 5, 1979

For further information, please call (512) 475-4835



TEXAS  
 DEPARTMENT  
 PUBLIC SAFETY

## Texas Department of Public Safety

### Traffic Law Enforcement

#### Accident Investigation 201.02.01

The Texas Department of Public Safety is proposing to amend Rule 201.02.01.007, which adopts by reference the Manual on Classification of Motor Vehicle Traffic Accidents in Texas. The manual, as amended in January 1979, contains definitions and examples based on Vernon's Civil Statutes and amendments to the American National Standards Institute D16.1 Manual on Classification of Motor Vehicle Traffic Accidents published by the National Safety Council.

The staff of the Texas Department of Public Safety has determined that there are no fiscal implications for the state or units of local government as this amendment applies to adoption of the Manual on Classification of Motor Vehicle Accidents in Texas by reference.

Comments on the proposed amendment of Rule .007 are invited. Comments may be submitted by contacting Norman V. Suarez, Texas Department of Public Safety, Box 4087, Austin, Texas 78773, telephone (512) 452-0331. Comments must be received within 30 days of the publication of this proposal in the *Register*.

The amendment is proposed pursuant to the authority of Vernon's Civil Statutes, 6701d, Article IV, and Article 6687b, Section 21.

.007. *Definitions and Classifications. The attached Manual on Classification of Motor Vehicle Traffic Acci-*

*idents in Texas, containing definitions and examples based on Vernon's Civil Statutes and the Manual on Classification of Motor Vehicle Traffic Accidents (American National Standards Institute D16.1) as amended, published by the National Safety Council, is adopted by reference as the source of definitions and classifications of accidents involving motor vehicles in Texas, effective January 1, 1979. The manual is available from Department of Public Safety Headquarters, 5805 North Lamar, Austin, Texas 78733. (The Manual on Classification of Motor Vehicle Traffic Accidents (American National Standards Institute D16.1) as amended, published by the National Safety Council, is adopted as the source of definitions and classifications of accidents involving motor vehicles.)*

(a) To maintain uniformity with the policy of the National Safety Council for accident records statistics, only those deaths that occur within 90 days after a motor vehicle accident and result from such accident will be counted as motor vehicle traffic accident fatalities.

(b) Motor vehicle traffic accident statistics for each calendar year will be closed on April 30 of the following year.

Issued in Austin, Texas, on January 19, 1979.

Doc. No 790438      Wilson E. Speir  
                                  Director  
                                  Texas Department of Public Safety

Proposed Date of Adoption March 5, 1979

For further information, please call (512) 452-0331

## Railroad Commission of Texas Transportation Division

### Certificated Interstate Operations by Intrastate Carriers 051.03.18

The Railroad Commission of Texas proposes to amend Rule 051.03.18.021, which provides for registration of Interstate Commerce Commission-certificated operations by intrastate carriers. This amendment will simplify and clarify registration procedures. Under the current rule, intrastate carriers file an application to amend their certificates or permits to show interstate-certificated operations. The proposed rule stipulates that the only form of registration required is the filing of notice with the Railroad Commission on a prescribed form.

The staff of the Transportation Division of the Railroad Commission of Texas has determined that the proposed amendment will have no fiscal impact on any unit of state or local government.

Public comment on the proposed amendment to Rule .021 is invited. Comments may be submitted in writing to Sandra K. Simmons, Transportation counsel, Railroad Commission of Texas, P.O. Drawer 12967, Austin, Texas 78711. Comments will be accepted for 30 days after publication in the *Texas Register*.

This amendment is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4(a) (Vernon 1964).

**.021. Certificated Interstate Operations by Intrastate Carriers. [Alternative Method of Registration.]**

(a) *By filing notice with the commission on the prescribed form, any intrastate motor carrier holding an active Texas certificate of public convenience and necessity or contract carrier permit may operate in Texas, pursuant to authority granted by the Interstate Commerce Commission (ICC), using equipment which has a current intrastate cab card and commission plate. No other form of registration is required. Such motor carrier shall comply with all insurance requirements of these regulations. Each motor carrier operating pursuant to this provision shall also carry in each vehicle being operated in Texas pursuant to authority granted by the ICC a copy of its ICC certificate authorizing such operations.*

(b) *Alternatively, an intrastate motor carrier may purchase identification stamps as provided in this subchapter.*

[A motor carrier whose Texas certificate or permit reflects both intrastate and interstate authority may secure a Texas intrastate cab card reflecting both classes of operation on or before September 1 of each year under existing provisions for obtaining intrastate cab cards. This cab card, reflecting both intrastate and interstate authority, may be used in Texas in lieu of the uniform identification stamp for the period authorized by the cab card. If a motor carrier desires to purchase identification stamps in lieu of or in addition to this type cab card, or for operations under interstate operating authority only, such stamps may be secured pursuant to the foregoing provisions of this regulation.]

Doc No 790480

**Exempt Interstate Operations by Intrastate Carriers 051.03.20**

The Railroad Commission of Texas proposes to amend Rule 051.03.20.022, which provides for registration of exempt interstate operations by intrastate carriers. This amendment will simplify and clarify registration procedures. Under the current rule, intrastate carriers file an application to amend their certificates or permits to show interstate exempt operations. The proposed rule stipulates that the only form of registration required is the filing of notice with the Railroad Commission on a prescribed form.

The staff of the Transportation Division of the Railroad Commission has determined that the proposed amendment will have no fiscal impact on any unit of state or local government.

Public comment on the proposed amendment to Rule .022 is invited. Comments may be submitted in writing to Sandra K. Simmons, Transportation counsel, Railroad Commission of Texas, P.O. Drawer 12967, Austin, Texas 78711. Comments will be accepted for 30 days after publication in the *Texas Register*.

This amendment is proposed under the authority of Texas Revised Civil Statutes Annotated, Article 911b, Section 4(a) (Vernon 1964).

**.022. Exempt Interstate Operations by Intrastate Carriers. [Alternate Method of Registration.]**

(a) *By filing notice with the commission on the prescribed form, any intrastate motor carrier holding an*

*active Texas certificate of public convenience and necessity or contract carrier permit may engage in exempt interstate operations in Texas using equipment which has a current intrastate cab card and commission plate. No other form of registration is required. Such motor carrier shall comply with all insurance requirements of these regulations.*

[A motor carrier which has a Texas certificate of public convenience and necessity may secure a Texas intrastate cab card reflecting both certificated intrastate operations and exempt commodity interstate operations on or before September 1 of each year under existing provisions for obtaining intrastate cab cards. This cab card, reflecting both intrastate authority and interstate exempt commodity operations, may be used in Texas in lieu of the uniform identification stamp for the period authorized by the cab card.]

(b) *Alternatively, an intrastate motor carrier may purchase identification stamps as provided in this subchapter.*

Issued in Austin, Texas, on January 22, 1979.

Doc. No. 790481      John G. Soule, Director  
 Transportation Division  
 Railroad Commission of Texas

Proposed Date of Adoption: March 5, 1979  
 For further information, please call (512) 475-3421

**Gas Utilities Division**

**Special Rules of Practice and Procedure and Substantive Rules 051.04.03**

The Railroad Commission of Texas is proposing to amend Rule 051.04.03.018 to modify or repeal the order in Docket 600, relating to the elimination of natural gas as a boiler fuel in Texas through a change in title and substitution in the text. The primary purpose for amending Rule .018 is to clarify any preemption difficulties created by the passage of the Power Plant and Industrial Fuel Use Act of 1978. It is intended by this repeal or modification that Texas energy users be allowed to make decisions on the use of energy without having sacrifices imposed upon them that are greater than those imposed upon energy users outside of Texas. Repeal or modification of this order will allow economic forces to govern allocation of natural gas and cause conversion of uneconomic applications of natural gas to other fuels in a more orderly and efficient manner than a conversion program prompted by administrative regulation.

This amendment has no anticipated or foreseeable fiscal impact on state government according to the staff of the Gas Utilities Division due to the fact that the proposed repeal or modification will result in no increase in workload on the Railroad Commission of Texas.

Public comment on the proposed amendments to Rule .018 and/or other alternative proposals are invited, including comments on the staff's May 1978 draft of the proposed rule in Docket 1055. Comments already submitted in Docket 1055 will be considered herein and do not need to be repeated. Interested persons should submit their comments in writing to Joseph J. Piotrowski, Jr., director, Gas Utilities Division, Railroad Commission of Texas, P.O. Drawer 12967, Austin, Texas 78711. Comments will be received until the latter of

30 days after publication in the *Texas Register* or February 28, 1979. Comments will be available for inspection at the offices of the Gas Utilities Division of the Railroad Commission of Texas. A public hearing will be held at 10 a.m. on March 15, 1979, in the third floor auditorium, Old American Bank Building, 111 West 6th Street, Austin, Texas. Participants may present their comments orally at that time or they may give brief summaries of their written presentations. Parties should be prepared to answer questions and discuss their written or oral comments. Amended Rule .018 is proposed under authority of Texas Revised Civil Statutes Annotated, Articles 6050-6066 (1962), inclusive.

**.018. Repeal of Order in Docket 600. [Elimination of Natural Gas as a Boiler Fuel in Texas.]**

(a) *The order in Docket 600 is hereby repealed including all restrictions promulgated pursuant to the provisions of the Docket 600 order, or imposed as part of exceptions to Docket 600.*

(b) *Notwithstanding Section (a) above, the commission may require gas utilities to report average or total boiler fuel deliveries to any or all facilities from time to time, on forms furnished by the commission or otherwise. [No gas utility within the jurisdiction of the Railroad Commission of Texas shall sell or transport more than 100 MCF/D of natural gas to any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character for use as a boiler fuel after the effective date of this order, except as provided herein.*

[All existing sales agreements for the use of natural gas as a boiler fuel are exempt from the provisions of this order so long as said agreements are not modified in any way to extend the term or quantities of said sale, and except as affected by Item 4 below.

[On or before January 1, 1981, gas deliveries to boiler fuel users who consumed an average of 3,000 MCF/D, or more, during calendar 1974 or 1975 will be reduced by 10 percent below that users' level of gas consumption in calendar 1974 or 1975, whichever is higher; and that on or before January 1, 1985, gas deliveries to such boiler fuel users will be reduced by 25 percent below the calendar 1974 or 1975 consumption, whichever year is higher.

[The commission reserves the right to grant exceptions to any provision of this order if it is determined, after notice and hearing, that it is in the public interest for natural gas to be used as a boiler fuel. The commission shall limit said exception in any way deemed necessary to protect the public interest.

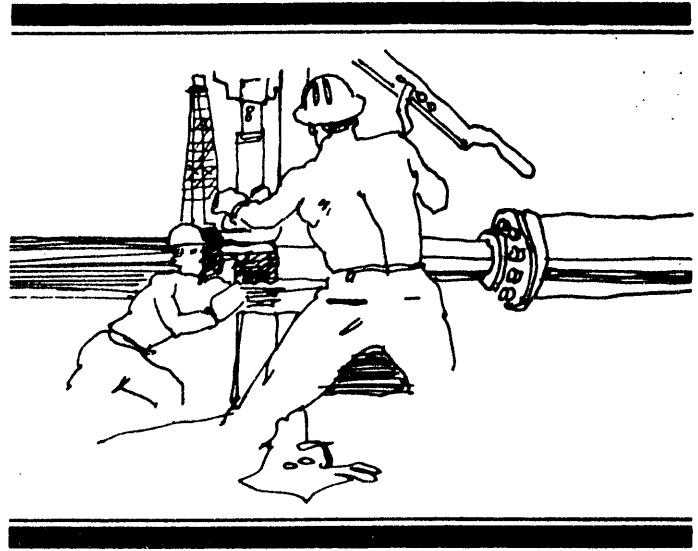
["Boiler fuel" as used in this order means natural gas used as a fuel for the generation of steam or electricity, including the utilization of gas turbines for the generation of electricity.

[This rule is made in order to comply with the order issued in Gas Utilities Docket No. 600, which is incorporated by reference into this rule.]

Issued in Austin, Texas, on January 23, 1979.

Doc. No. 790482 Joseph J. Piotrowski, Jr., Director  
Gas Utilities Division  
Railroad Commission of Texas

Proposed Date of Adoption: After March 15, 1979, hearing  
For further information, please call (512) 475-2747.



## Office of the Secretary of State

### Elections

#### Constitution 004.30.17

(Editor's note: The texts of the following rules proposed for repeal are not being published. The rules may be examined in the office of the Texas Register Division, 503E Sam Houston Building, Austin.)

The Elections Division of the Secretary of State's Office proposes the repeal of Rules 004.30.17.101-.102, since these rules are simply restatements of the current law.

The Elections Division has determined that the proposed repeal has no fiscal implications for the state or for units of local government.

Written comments are invited and may be sent to the Office of the Secretary of State, Elections Division, P.O. Box 12887, Austin, Texas 78711, or by phoning (512) 475-3091.

This repeal is proposed under the authority of Article 1.03, Vernon's Texas Election Code.

- .101. *Automatic Resignation from Office.*
- .102. *Residency Requirements for Statewide Office.*

Issued in Austin, Texas, on January 19, 1979.

Doc. No. 790437 Steven C. Oaks  
Secretary of State

Proposed Date of Adoption: March 5, 1979  
For further information, please call (512) 475-3091.

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, and the adoption may go into effect no sooner than 20 days after filing, except where a federal statute or regulation requires implementation of a rule on shorter notice.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

**Numbering System**—Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. The fourth unit (three digits) indicates the individual rule.

## Texas Department of Human Resources

### AFDC

#### Deprivation of Parental Support

326.10.28.003-.004

The Department of Human Resources adopts the following new rules and amendments regarding the child support requirements for the Aid to Families with Dependent Children (AFDC) Program. These rules were published in the September 19, 1978, issue of the *Texas Register* (3 TexReg 3297). The department is relocating its rules regarding child support in the AFDC Program to another subchapter, with the subchapter title changed from Foster Care to Child Support Program Requirements.

There were no comments received on the proposed rule changes. However, several changes were made to the proposed text as a result of changes in federal regulations received during the public comment period. The proposed Rules 326.10.61.002-.003, .005-.011, and .014 have been revised to reflect the federally mandated changes. Also, these rules were renumbered and reorganized in order to clarify the revised policies and procedures. In addition, Rules 326.10.28.003-.004, 326.10.71.002-.004, and 326.10.72.001 had to be amended as a result of the federally mandated changes and therefore added to the proposed text. The federal changes require that the client be informed of the Child Support Program requirements and his or her responsibilities to cooperate with the program requirements. Also, the client must prove a claim of good cause for not cooperating with the Child Support Program requirements within 20 days from the date of the claim. The worker has 45 days to verify the good cause claim.

These rules are adopted under the authority of Article 695c, Texas Revised Civil Statutes, with the approval of the Texas Board of Human Resources.

#### .003. *Absent from Home.*

(a) (No change.)

(c) If there is conflicting or inconsistent information which raises a question as to whether there is a break in the family relationship or whether the parent is away for a temporary purpose only, it may be necessary for the worker to write to the absent parent or send an OTI to determine the reason for the absence and the plans to return to determine whether deprivation actually exists. It is not the AFDC worker's responsibility to contact the absent parent to verify amounts of contributions or child support payments currently being received by the family. Upon referral to the child support unit, this information will be explored by specialized staff.

#### .004. *Desertion or Abandonment.*

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

(c) The worker must inform the applicant/recipient of his or her obligation to assist in identifying and locating the deserting parent and cooperating in obtaining child support payments.

Doc. No. 790526

#### 326.10.28.005, .007-.015, .037-.039

The Department of Human Resources adopts the repeal of its rules regarding the child support requirements for the Aid to Families with Dependent Children (AFDC) Program. Notice of the proposed repeals was published in the September 19, 1978, issue of the *Texas Register* (3 TexReg 3297). These rules are being relocated in another subchapter of the AFDC rules, and therefore are being adopted simultaneously as new rules in a new subchapter. No comments were received on the proposed repeals. Therefore, these rules are repealed with no changes.

The repeal of Rules 326.10.28.005, .007-.015, and .037-.039 has been approved by the Texas Board of Human Resources and is adopted under the authority of Article 695c, Texas Revised Civil Statutes.

Doc. No. 790526

#### Child Support Program Requirements

326.10.61

The Department of Human Resources adopts the following new rules and amendments regarding the child support requirements for the Aid to Families with Dependent Children (AFDC) Program. These rules were published in the September 19, 1978, issue of the *Texas Register* (3 TexReg 3297). The department is relocating its rules regarding child support in the AFDC Program to another subchapter, with the subchapter title changed from Foster Care to Child Support Program Requirements.

There were no comments received on the proposed rule changes. However, several changes were made to the proposed text as a result of changes in federal regulations received during the public comment period. The proposed Rules .002-.003, .005-.011, and .014 have been revised to reflect the federally mandated changes. Also, these rules were renumbered and reorganized in order to clarify the revised policies and procedures. In addition, Rules

326.10.28.003-.004, 326.10.71.002-.004, and 326.10.72.001 had to be amended as a result of the federally mandated changes and therefore added to the proposed text. The federal changes require that the client be informed of the Child Support Program requirements and his or her responsibilities to cooperate with the program requirements. Also, the client must prove a claim of good cause for not cooperating with the Child Support Program requirements within 20 days from the date of the claim. The worker has 45 days to verify the good cause claim.

These rules are adopted under the authority of Article 695c, Texas Revised Civil Statutes, with the approval of the Texas Board of Human Resources.

#### .002. *Assignment of Support Rights.*

(a) To meet the procedural requirements of the Child Support Enforcement Branch, an Assignment of Support Rights form must be executed in regard to each of the persons listed below. The caretaker relative completes the form, but a form should be completed by the minor mother if she is not the caretaker but is certified as a child.

(1) Each absent parent (legal or natural) involved in a case. This includes incarcerated parents.

(2) Each natural, nonlegal father living in the home.

(b) The Assignment of Support Rights form must be completed by the worker and the oath administered to the client according to forms instructions. It should be made clear to the client that this is a legally binding oath and that the absent parent may be contacted by specialized staff who will attempt to obtain child support for the children who are being certified.

(c) A separate Assignment of Support Rights form must be completed on each absent and natural, nonlegal parent in a case. The Assignment of Support Rights form must contain only the names of the children that belong to that parent. When an additional child is certified, a new Assignment of Support Rights form is required even though the recipient has already executed the form for other children of that parent.

(d) An assignment of support rights terminates upon the denial of the case; therefore, a new assignment must be made on all reapplications. This also applies to cases which are transferred from Type Program 07 back to Type Program 01, and cases in which the child is reinstated to the grant after having been removed.

(e) Since cases in which deprivation is based on incapacity or death of the parent are not generally referred to the child support unit, it is not usually necessary to complete an Assignment of Support Rights form for these cases. However, there may be situations in which the worker discovers the possibility of collecting support either from a deceased parent's estate or from a pending settlement for an incapacitated parent. When this occurs, the worker will execute an Assignment of Support Rights form and refer the case to the local child support unit.

#### .003. *Requirement to Cooperate in Identification and Location of the Absent Parent.*

(a) Each applicant, reapplicant, or recipient must cooperate with the Texas Department of Human Resources in locating an absent parent(s), in establishing paternity, and in obtaining support payments for the child for whom assistance is requested unless good cause for not cooperating ex-

ists. One of the ways in which this cooperation is demonstrated is by completion of the Parent Profile Questionnaire.

(b) A Parent Profile Questionnaire is completed by the caretaker for each of the following:

(1) Each absent parent (legal or natural) involved in a case. This includes incarcerated parents.

(2) Each natural, nonlegal father living in the home.

If the minor mother is not the caretaker, but is certified as a child, it is not necessary for her to complete a separate Parent Profile Questionnaire; however, she should provide the caretaker with information for proper completion of the form and sign it.

(c) As with the Assignment of Support Rights form, it is not usually necessary to complete a Parent Profile Questionnaire in incapacity or death situations, but if the worker has discovered the possibility of support in these cases, a Parent Profile Questionnaire should be completed and a referral made to the local child support unit. A Parent Profile Questionnaire is not required prior to filing the notice of application. A grant is not delayed pending the location of the absent parent.

(d) If the caretaker maintains that he or she does not know the name or address of the absent parent and cannot provide information on him or her, this does not necessarily constitute noncooperation. The department does not consider the client to be uncooperative unless evidence is available to indicate that the applicant/recipient does have information about the absent parent, or in some other way fails to cooperate. When the worker makes the determination that the client is not cooperating and good cause does not exist, a Parent Profile Questionnaire must be completed if the caretaker's needs are to remain or be included in the grant; referral is made to the child support unit if the case is certified.

#### .004. *Requirement to Remit Any Child Support Payments Received by the Family.*

Upon completion of the Assignment of Support Rights form and certification for assistance, the AFDC worker must explain to the client that no future payments received by the family from the absent parent can be legally retained. Any payments received must be remitted to the department. The worker will give the client a supply of payment-due notice cards and inform the client that a card must accompany any payments remitted to the department. The payment and the card may be hand carried or mailed to the local DHR child support office or contract child support agency by the client. Checks or money orders must be endorsed to the Texas Department of Human Resources before they are turned over to the department. The restrictive endorsement must read: "Pay to the Department of Human Resources," followed by the signature which corresponds to the name on the cashier's check or money order. A caretaker cannot be charged with noncooperation if after making an assignment of support rights, he or she states that any payments received will not be remitted to the department. However, if the client actually fails to remit these payments to the department, the child support unit will notify the AFDC worker of the amount and the months involved. Failure to remit these payments constitutes noncooperation. If this occurs, the worker must take the necessary action to determine if noncooperation has occurred, and if so, to remove the caretaker from the grant, obtain a protective payee, and pursue restitution of any grant overpayments.



Recoupment would not be applicable because this would be a noncaretaker case, and it is not permissible to recoup from the child(ren)'s grant. However, if the relative is again certified as a caretaker within 24 months of the original overpayment, recoupment would be authorized.

*.005. Good Cause for Refusing to Cooperate with Child Support Program Requirements.*

(a) According to federal regulations, a client has the right to refuse to cooperate with certain requirements of the child support agency if he or she can prove that cooperation would be against the best interest of the child. This good cause provision is not meant to be a blanket waiver of the child support requirements but is a means of protecting those families that run the risk of being physically or emotionally harmed because of these requirements. The assignment of support rights requirement cannot be waived.

(b) When good cause is claimed, the client will be given the opportunity to present evidence or substantiating information to prove the claim. The AFDC worker will then proceed with the good cause determination following the considerations outlined in the following rules. In multiple absent parent situations a claim of good cause for noncooperation affects only that absent parent. Appropriate child support procedures are followed for the other parent(s) involved.

(c) Federal regulations require that an explanation of the right to claim good cause be provided to the client. This requirement is met by the Child Support Program Information form and the client copy of the appropriate pages.

*.006. Client Notification Concerning Child Support Program.* Prior to requiring cooperation with the child support regulations outlined in Rule .003, the client must be notified of the benefits of the Child Support Program, his or her responsibility to cooperate with the program requirements, the details surrounding the right to claim good cause for not cooperating, and the possible penalties for not cooperating.

*.007. Situations, Evidence, and Considerations Involved in Good Cause Claim Determinations.*

(a) When good cause for not cooperating with child support regulations is claimed, the worker reminds the client that he or she is to provide corroborative evidence to support the claim. The client is given 20 days from the date the claim is received by the worker verbally or in writing from the client to provide the evidence. If the client has difficulty obtaining such evidence, the worker will allow the client a reasonable additional amount of time upon approval by the AFDC supervisor. The reason for the extension must be documented in the case folder.

(b) If after examining the corroborative evidence submitted by the client the worker determines that it is necessary to request additional evidence, the worker must notify the client promptly and specifically in writing the type of document(s) needed. The worker will assist the client in obtaining corroborative evidence that the client cannot reasonably be expected to obtain without assistance.

(c) The worker makes a determination of good cause based on the client's claim and the corroborative evidence. In most cases, the client's evidence alone will be used for the determination. However, if the evidence provided is not sufficient to make the determination, the worker may conduct an investigation of the good cause claim. In situations, except those involving anticipated physical harm, the investigation

is conducted at the discretion of the worker with the supervisor's approval. The investigation may include interviews with law enforcement officials, neighbors, social workers, mental health workers, and relatives.

(d) When a client's claim is based on anticipated physical harm and the client is unable to provide corroborating evidence for the claim, the worker must investigate the credibility of the client and the claim. If the worker is satisfied that the client and claim are credible, a determination that good cause exists may be made. Such a determination must be reviewed and approved by the AFDC worker's supervisor.

(e) In any case in which an investigation is conducted and the worker feels that contact with the absent parent or putative father is necessary to establish the good cause claim, the client is notified prior to making such a contact. This will enable the client to:

- (1) present additional corroborative evidence or information so that the contact becomes unnecessary;
- (2) request that the AFDC application/case be denied or withdrawn; or
- (3) have the good cause claim denied.

(f) Situations in which good cause may be claimed and the corroborative evidence which is acceptable to verify such claims are listed below. In addition to the specific types of evidence listed for each individual situation, statements from individuals, other than the client, with knowledge of the circumstances which provide the basis for the good cause claim may also be accepted as corroborative evidence.

(1) The child for whom support is sought was conceived as a result of incest or forcible rape. Evidence—birth certificates, medical or law enforcement records which indicate the circumstances surrounding the child's birth.

(2) Legal proceedings for the adoption of the child are pending before a court. Evidence—court documents or other records.

(3) The applicant/recipient is being assisted by a licensed or private social agency to resolve the issue of whether to keep the child or relinquish him or her for adoption. These discussions must not have gone on for more than three months. Evidence—a written statement of facts from a public or licensed private social agency.

(4) Physical harm may come to the child or caretaker relative of the child for whom support is sought. Evidence—court, medical, criminal, child protective services, social services, psychological, or law enforcement records which indicate that the alleged father or absent parent might inflict physical or emotional harm on the child or caretaker relative.

(5) Emotional harm may come to the child for whom support is sought and/or emotional harm may come to the caretaker relative of such a nature or degree that it reduces his or her capacity to care for the child adequately. Evidence—medical records which indicate emotional health history and present emotional health status of the caretaker relative or the child or written statements from a mental health professional indicating a diagnosis or prognosis concerning the emotional health of the caretaker relative or the child.

(g) In order to make a determination of good cause based on the possibility of emotional harm to the child or caretaker relative, the worker must take into consideration the following factors:

(1) the present emotional state of the child or caretaker relative;

(2) the emotional history of the child or caretaker relative;

(3) the intensity and probable duration of the emotional upset;

(4) the degree of cooperation that is required of the child or caretaker relative;

(5) the extent of involvement of the child in the paternity establishment or support enforcement to be undertaken.

(h) The worker must document in the case record every aspect taken into consideration in the good cause determination.

#### *.008. Procedures Followed in Processing Good Cause Determination.*

(a) When a client claims good cause at the time of application, the local child support unit must be notified of the claim.

(b) If a client claims good cause during the periodic review or anytime after a referral has been sent to the child support unit, the worker will notify the local child support unit of the client's claim of good cause immediately after the claim is made. The child support unit must stop all child support location or enforcement efforts pending a determination of good cause from the AFDC worker.

(c) An AFDC application or redetermination will not be denied or delayed pending a determination of good cause. However, if the caretaker relative fails to provide the necessary evidence or sufficient information to conduct an investigation within 20 days from the date of the claim without good reason, the sanctions specified in Rule .011 are imposed. In exceptional cases, when the worker determines the client requires additional time to obtain evidence, reasonable additional time will be allowed if approved by the supervisor. The good cause determination should be made within 45 days of the claim. This standard can be exceeded only when the case record documents that additional time is needed because the information required to verify the claim cannot be obtained within 45 days or that the client did not provide needed evidence within 20 days.

(d) Before making the final determination of good cause, the AFDC worker will notify local child support staff by memorandum of the findings and recommendations for the case. The worker has the following options:

(1) to recommend that the client does not have good cause for not cooperating and that child support location/enforcement efforts should be started or continued;

(2) to recommend that the client has good cause for not cooperating and child support location/enforcement efforts should not be started or continued.

(e) The worker will recommend an action but will wait for child support staff recommendations before making the final determination. Child support staff must submit their recommendations and comments to the AFDC worker within seven working days.

(f) The AFDC worker will evaluate the recommendations of the child support unit and make the determination of whether or not good cause exists. If the child support unit's recommendations are contrary to the worker's recommendations, the AFDC supervisor will make the final decision. The final determination and the basis for the determination will be reported immediately to the child support unit. The

worker will document in the case record every aspect of the investigation, the determination, the basis for the determination, and the evidence provided.

(g) A reassessment of good cause must be made at each periodic review. This reassessment should be brief and is necessary only to ensure that the circumstances for which good cause was determined are still present.

(h) If the AFDC worker determines that the applicant/recipient does not have or no longer has good cause for not cooperating and the client still refuses to cooperate with the child support requirements, the worker will follow the steps outlined in Rule .011 and any available information concerning the absent parent or putative father is referred to the child support unit.

#### *.009. Sanctions.*

(a) The caretaker cannot be certified for AFDC if he or she:

(1) refuses to make an assignment of support rights;

(2) refuses to cooperate with other child support requirements and does not claim good cause; or

(3) refuses to cooperate with other child support regulations, claims good cause but the claim is not found to be valid.

(b) A protective payee must be obtained for these cases and the client is advised that the case will be referred to the local child support unit with or without his or her consent or assignment. Available information about the absent parent will be sent to the child support unit.

(c) If the caretaker initially cooperates but later refuses to cooperate with the child support representative in any of the requirements for which the child support unit is responsible, the child support representative notifies the local AFDC worker of that fact by written memorandum of non-cooperation. The notification should state the circumstances by which failure to cooperate occurred and if the client is claiming good cause for not cooperating. The decision of non-cooperation on the part of the client is always determined by the AFDC worker. This decision is based on the information received from the child support unit. The determination by the AFDC worker is final. If the worker has knowledge of special circumstances which may have prevented the client from cooperating with the child support unit, the worker will contact the client and discuss the situation. If the client is now willing to cooperate, the worker will notify the child support unit of the client's willingness to comply with their request. No further action is required unless the child support unit notifies the worker a second time that the client did not cooperate. If such notification is received, the worker will evaluate the circumstances and if good cause is not claimed, will take the appropriate action, notifying the client if a sanction is to be applied.

(d) A client whose needs have been removed due to noncooperation with the child support requirements must be reinstated as soon as he or she indicates a willingness to cooperate.

(e) Caretakers removed from or not included in a payment have the right to appeal. If an active case, assistance for the caretaker will be continued pending a hearing decision if it is appealed within the timely notice period. If the decision is sustained, the caretaker's needs will be removed but the overpayment will not be recouped. No protective payee will be appointed until after the appeal hearing.

*.010. AFDC-Child Support Information Exchange.* The financial services staff has the responsibility of reporting to the child support unit changes in the AFDC case that may affect the child support case. It is not necessary to notify the child support unit of grant denials, since this is done by a computer-generated notice.

*.011. Child Support Payment Received by IV-D Agency.* When child support payments have been transferred to the department and are paid directly to the Fiscal Division, the funds are disbursed according to provisions of federal law. Court orders may require an absent parent to pay both on child support arrearages and current month support obligations. When more than one absent parent is involved in an AFDC case, the child support agency may initiate collections to meet court-ordered monthly support obligations of one or all of the absent parents. Amounts collected on arrearages and in excess of the monthly support obligation will be used to reimburse the state for past assistance paid to the AFDC client.

*.012. Case Action Indicated by Receipt of Child Support.*

(a) When the computer report indicates that the collections received on the absent parent's support obligation equal or exceed the grant, the worker must investigate the circumstances, notify the client of any adverse actions, and take one of the following steps:

- (1) deny the grant;
- (2) increase the grant if recognizable needs have increased since the computer report was printed;
- (3) sustain the grant if the grant has already been increased;
- (4) remove from the grant the child(ren) for whom support is being paid if this option is available to and chosen by the client.

(b) When denial of a grant is indicated, the client is notified of the intended adverse action and the right to appeal on the notification letter. Established procedures to give the client the right to appeal the action will be followed. The payment should be received by the client the first month in which the AFDC grant is no longer received. If an evaluation of the case situation indicates that the amount of the grant is now higher than it was when the computer report was generated, the grant is not denied.

(c) A certified group may be comprised of children of more than one absent parent. When child support is received for the child(ren) of one absent parent and that support equals or exceeds the group's recognizable needs, the caretaker/payee must be given the option of having that child(ren)'s needs removed from the grant. (This child(ren) will no longer be eligible for Title XIX coverage.)

(d) When more than one child is receiving support from the same absent parent but the client wants only some of the children removed from the grant, the worker will check with the local child support unit to determine if the court order specifies an amount of support per child. If the court order does not specify the amount of child support designated for each child of that absent parent, the client cannot be allowed to individually opt out any of these children. If the client wishes to have the court order changed, he or she must obtain an attorney. Child support attorneys are not responsible for making these changes for the client.

(e) If a grant is adjusted because of the removal of the needs of some of the children for whom collections are received, the worker must inform the local child support unit.

(f) When a caretaker's needs are removed for failure to remit child support payments to the department, these payments are included as income in the budget and deducted from the recognizable needs in determining eligibility and the amount of assistance grant for the children. No amount of the child support obligation is diverted to meet the needs of the caretaker.

*.013. Distribution of Child Support Collections During Three Months Post Period.* The department will continue to make collections for three months following the denial of the AFDC grant. During this time, the client is forwarded the collections up to the amount of the monthly support obligation. Collections received in excess of the monthly support obligation are used to recover unreimbursed assistance or court-ordered payments on arrearages. After that time, the department will continue to collect the child support payments only upon request of the client. A fee is charged for this service.

*.014. Appeals Because of Child Support Adverse Actions.* If the client appeals the decision to remove or leave out his or her needs, the worker will notify the local child support unit of the appeal. The child support unit will be given the opportunity to participate in the hearing if they so choose. When a client appeals a denial or lowering of the grant due to the receipt of child support from the absent parent, the collections are held undistributed at State Office. If the absent parent stops making payments while the case is pending an appeal, this will not affect the original action taken.

Doc. No. 790527

## Process 326.10.71

The Department of Human Resources adopts the following new rules and amendments regarding the child support requirements for the Aid to Families with Dependent Children (AFDC) Program. These rules were published in the September 19, 1978, issue of the *Texas Register* (3 TexReg 3297). The department is relocating its rules regarding child support in the AFDC Program to another subchapter, with the subchapter title changed from Foster Care to Child Support Program Requirements.

There were no comments received on the proposed rule changes. However, several changes were made to the proposed text as a result of changes in federal regulations received during the public comment period. The proposed Rules 326.10.61.002-.003, .005-.011, and .014 have been revised to reflect the federally mandated changes. Also, these rules were renumbered and reorganized in order to clarify the revised policies and procedures. In addition, Rules 326.10.28.003-.004, 326.10.71.002-.004, and 326.10.72.001 had to be amended as a result of the federally mandated changes and therefore added to the proposed text. The federal changes require that the client be informed of the Child Support Program requirements and his or her responsibilities to cooperate with the program requirements. Also, the client must prove a claim of good cause for not cooperating with the Child Support Program requirements within 20 days from the date of the claim. The worker has 45 days to verify the good cause claim.

These rules are adopted under the authority of Article 695c, Texas Revised Civil Statutes, with the approval of the Texas Board of Human Resources.

*.002. Use of Parent Profile Questionnaire Form.*

(a) The client-completed Parent Profile Questionnaire is the client's statement of facts as to his or her marital status and the whereabouts of the absent parent. The information on the form serves to assist the worker in substantiating deprivation due to absence and is forwarded to the child support unit to be used in locating the absent parent, in establishing paternity, and in obtaining child support.

(b) Completion of the Parent Profile Questionnaire form is mandatory only in those situations described in Rule 326.10.61.003. If the form is not completed in these cases, the worker will inform the caretaker during the interview that a caretaker grant cannot be initiated unless the form is completed. An exception to this requirement is made when a client claims good cause for not cooperating.

*.003. Application Process.*

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

(c) Explanation of the requirements will be provided whether the application is made in person, by telephone, or letter. If the applicant wishes to file an application for AFDC, an applicant's statement form and Parent Profile Questionnaire will be furnished. The applicant will also be informed that non-AFDC parent locator/child support services are available for a fee. If he or she wishes to apply for non-AFDC child support services, a Parent Profile Questionnaire will be provided.

(d) The basic documents made available to prospective applicants include the appropriate informational pamphlet(s), an applicant's statement form, the appropriate number of Parent Profile Questionnaire attachments, a self-addressed stamped envelope, and a form letter acknowledging the desire of the person to file an application, urging that an applicant's statement form be completed and returned as soon as possible in order to file application, and explaining to the person that he or she may have assistance in completing the form. Department of Human Resources staff can assist in completing the form if the individual is unable to do so and cannot obtain help from another person.

(e) The date of filing is not entered on the applicant's statement form unless it is signed and completed by the applicant. If it is not completed and it appears that the applicant has not made an earnest effort to complete the form, it will be returned to him or her for completion. The date the completed form is returned is the date entered on the notice of application.

*.004. Periodic Review (Complete Review).*

(a) The applicant's statement form alone is used for periodic reviews. The Parent Profile Questionnaire is completed only on applications unless there is a new child by a different parent for whom a questionnaire is required. An Assignment of Support Rights form must be executed for any additional child prior to adding him or her to the certified group.

(b)-(h) (No change.)

## Receipt of Client-Completed Forms Procedure 326.10.72

The Department of Human Resources adopts the following new rules and amendments regarding the child support requirements for the Aid to Families with Dependent Children (AFDC) Program. These rules were published in the September 19, 1978, issue of the *Texas Register* (3 TexReg 3297). The department is relocating its rules regarding child support in the AFDC Program to another subchapter, with the subchapter title changed from Foster Care to Child Support Program Requirements.

There were no comments received on the proposed rule changes. However, several changes were made to the proposed text as a result of changes in federal regulations received during the public comment period. The proposed Rules 326.10.61.002-.003, .005-.011, and .014 have been revised to reflect the federally mandated changes. Also, these rules were renumbered and reorganized in order to clarify the revised policies and procedures. In addition, Rules 326.10.28.003-.004, 326.10.71.002-.004, and 326.10.72.001 had to be amended as a result of the federally mandated changes and therefore added to the proposed text. The federal changes require that the client be informed of the Child Support Program requirements and his or her responsibilities to cooperate with the program requirements. Also, the client must prove a claim of good cause for not cooperating with the Child Support Program requirements within 20 days from the date of the claim. The worker has 45 days to verify the good cause claim.

These rules are adopted under the authority of Article 695c, Texas Revised Civil Statutes, with the approval of the Texas Board of Human Resources.

*.001. Procedure after Receipt of Client-Completed Forms.*

(a) When an applicant returns the application form, it is reviewed for completeness. If the information omitted from the form is significant, it is returned to the client with a letter. Upon receipt of an acceptably completed applicant's statement form, the notice of application is filed. If only the Parent Profile Questionnaire is returned, it will be returned to the applicant with instructions to contact the local child support unit.

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

(e) At the time of the face-to-face interview, when all factors of eligibility appear to be met and if required by Rule 326.10.61.002, the worker will administer the oath and complete the Assignment of Support Rights form. The worker also reviews page 6c-6d of the application form to make sure the applicant has signed and dated the page; the worker then signs and dates the page and gives the client his or her copy of the page.

(f)-(q) (No change.)

Issued in Austin, Texas, on January 24, 1979.

Doc. No. 790529

Jerome Chapman  
Commissioner

Texas Department of Human Resources

Effective Date: February 14, 1979

For further information, please call (512) 475-4601.



## Texas State Board of Library Examiners

### Certification Requirements

#### County Librarian Certificates 385.10.01

The Texas State Board of Library Examiners has adopted the amendments to Rules 385.10.01.001-.005, which establish the types of certificates and the requirements for obtaining each certificate, with one change in the text proposed. As a result of comments received, Rule .001 has been changed to allow those persons holding a Grade I certificate on December 31, 1978, not to be affected by the amendment to the rule.

These amendments are promulgated under the authority of Article 1682, Vernon's Civil Statutes, and read as follows:

**.001. Grade I Certificate.** Graduation from a library school accredited by the American Library Association and four years postgraduate experience in a public library. Persons holding a Grade I Certificate on December 31, 1978, will not be affected by this rule.

**.002. Grade II Certificate.**

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

(c) Renewable with attendance at a minimum of one library-related workshop or professional meeting (i.e., TLA, SWLA, ALA, etc.) and two system meetings during the period of certification.

**.003. Grade III Certificate.**

(a) Graduation from an accredited college or university and attendance at a minimum of one library-related workshop or professional meeting (i.e., TLA, SWLA, ALA, etc.) and one system meeting.

(b) Renewable with attendance at a minimum of one library-related workshop or professional meeting (i.e., TLA, SWLA, ALA, etc.) and one system meeting.

**.004. Grade IV Certificate.**

(a) Graduation from high school (or GED) and successful completion of 30 hours in an accredited college or university; or

(b) Graduation from high school (or GED) and six years library experience within the past 10 years; or

(c) Graduation from high school (or GED) and three years library experience and attendance at four library-related workshops or professional meetings within the past five years; .

(d) Renewable annually with attendance at a minimum of one library-related workshop or professional meeting (i.e., TLA, SWLA, ALA, etc.) and one system meeting each year.

**.005. Term.**

(a) Grade I certificates are permanent.

(b) Grade II certificates are valid for four years from date of issue. Grade III certificates are valid for two years from date of issue.

(c) Grade IV certificates are valid for one year from date of issue.

Issued in Austin, Texas, on December 10, 1979.

Doc. No. 790515

Dorman H. Winfrey  
Director and Librarian  
Texas State Library

Effective Date: February 14, 1979

For further information, please call (512) 475-6652.

## Texas Parks and Wildlife Department

### Wildlife

#### Statewide Hunting, Fishing, and Trapping Proclamation, 1978-79 127.70.01

The Texas Parks and Wildlife Commission, at its regularly scheduled public hearing in Austin on January 16, 1979, has adopted an amendment to Rule 127.70.01.272(b)(1)(D) which is part of the Statewide Hunting, Fishing, and Trapping Proclamation, 1978-79, with no change in the proposed text. No comments were received from the public on the proposed amendment.

The amendment is adopted under the authority of Chapter 61, Texas Parks and Wildlife Code.

**.272. Saltwater Fish: Means and Methods.**

(a) (No change.)

(b) Only the following means and methods may be used for taking fish:

(1) Devices.

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

(D) Trammel nets and drag seines only may be used to take fish as provided herein; however, the use of trammel nets, gill nets, and drag seines is prohibited in the waters of Port Bay, St. Charles Bay, and those portions of Copano Bay and Redfish Bay in Aransas County; the waters of Sabine Pass leading from Sabine Lake to the Gulf of Mexico, or in the waters within one mile of Sabine Pass, or in or on any of the waters of any of the lakes, bays, streams, bayous, or canals of Jefferson and Orange Counties; and in the waters of Carancahua Bay and Swan Lake in Jackson County; and in the inside saltwater lakes, bays, streams, bayous, or canals in Brazoria County, it is unlawful to use or

possess any net except a shrimp trawl, cast net, or 20-foot minnow seine for taking bait; except that seines not more than 20 feet in length may be used for taking bait in these waters.

- (E) (No change.)  
(2)-(11) (No change.)

Issued in Austin, Texas, on January 16, 1979.

Doc. No. 790430      Maurine Ray  
                                 Administrative Assistant  
                                 Texas Parks and Wildlife Department

Effective Date: February 9, 1979

For further information, please call (512) 475-4835.

## Transporting, Shipping, and Exporting Bobcat Pelts 127.70.15

The Texas Parks and Wildlife Commission has adopted amendments to Rules 127.70.15.001-.002, concerning the tagging of bobcat pelts. As a result of comments received, the rules have been modified as follows: redefine "agent" to provide more flexibility if needed; change "harvest year" to "tagging period," since it is not the intent of these rules to establish a season on bobcat; define "dealer" and prohibit dealer from possessing untagged bobcat pelts taken in this state; authorize members of the immediate family to present pelts for tagging; change time for manning check stations; and delete the holiday provision. These rules, except for the stated modifications, have been in effect since they were filed on an emergency basis with the Office of the Secretary of State on October 12, 1978.

These amendments are adopted under the authority of Chapter 67, Texas Parks and Wildlife Code, and Executive Order D.B. No. 35.

### .001. Definitions.

- (a) "Agent" means any individual designated by the department to tag bobcat pelts.
- (b) "Commission" means the Texas Parks and Wildlife Commission.
- (c) "Dealer" means any individual, firm, or corporation accepting bobcat pelts for money or other considerations.
- (d) "Department" means the Texas Parks and Wildlife Department.
- (e) "ESSA" means the Endangered Species Scientific Authority as created by Presidential Executive Order 11911 dated April 13, 1976.
- (f) "Head" means the unfleshed skull, including the lower jaw of a bobcat.
- (g) "Immediate family" means father, mother, husband, wife, son, daughter, brother, sister, or grandparents.
- (h) "Person" means the individual who takes the pelts of bobcats for the purpose of sale.
- (i) "Tag" means a permanent, numbered metal marker issued and affixed by the department.
- (j) "Taking" means the pursuing, shooting, killing, or capturing by any means bobcat for the purpose of sale of the pelt.
- (k) "Tagging period" means from November 15 of one year to February 15 of the following year.

### .002. Limitations.

(a) The number of tags issued for the tagging period by the department will be limited to that authorized by the ESSA.

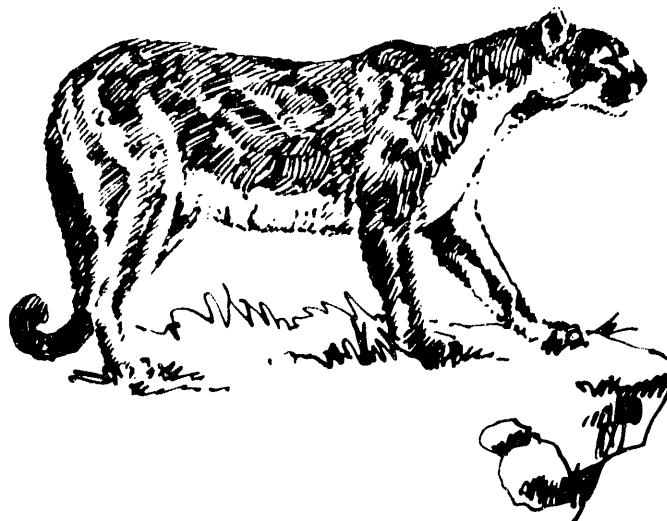
(b) Bobcat pelts taken in this state must be permanently tagged prior to purchase or sale. No dealer may possess pelts of bobcats taken in this state unless the pelt is permanently tagged. Each untagged bobcat pelt legally obtained in another state or country must be supported by documented proof of origin. Pelts to be tagged must be presented by the person taking the pelt or a member of the immediate family to the agent at locations specified by the department. No pelts brought in by a member of the immediate family will be tagged unless the following written information is provided for each pelt: date trapped, county where taken, sex of the animal, name and address of the person taking the pelt, and license type (if any) and number of the person taking the pelt. Individuals presenting the pelt for tagging, if not the person taking the pelt, must certify as to their familial relationship as defined in Rule .001(g). Agents will tag bobcat pelts only from 12:01 p.m. to 8 p.m. on each Tuesday of the tagging period. No pelts will be tagged unless the head is also presented. All heads presented will be marked by the agent for identification.

Issued in Austin, Texas, on January 22, 1979.

Doc. No. 790450      Maurine Ray  
                                 Administrative Assistant  
                                 Texas Parks and Wildlife Department

Effective Date: April 1, 1979

For further information, please call (512) 475-4971.



# Texas Water Development Board

## Financial Programs

### Expiration of Commitments for Financial Assistance 156.09.27

These rules are adopted under the authority of Sections 5.131 and 5.132, Texas Water Code.

*.001. Standard Deadline.* Each commitment of development funds for financial assistance made by the board shall expire 360 days after the board's action making the commitment unless another time for expiration of the commitment is stated by the board or the period of time for expiration of the commitment is extended by the board.

*.002. Development Fund Manager's Recommendations for Prior Commitments; Notice.*

(a) The development fund manager may recommend to the board that a date for expiration of a loan commitment heretofore made be established for any commitment not containing an express date of expiration, or that the board take action to terminate any commitment when it is determined that the project for which the funds were committed is no longer viable and that termination is in the best interest of the development fund.

(b) Thirty days prior to the board's consideration of the development fund manager's recommendation, the development fund manager shall give notice by certified mail, return receipt requested, to the applicant and notice by first-class mail to the applicant's financial advisor, legal counsel, bond counsel if other than legal counsel, and consulting engineer at the addresses reflected in the application for financial assistance which resulted in the commitment or in the records of the development fund manager. The notice shall include the date, time, and place for the board's action and a copy of the development fund manager's recommendation.

*.003. Board Consideration of Recommendation.*

(a) Before acting on the recommendation of the development fund manager, the board shall consider any evidence and argument presented by the applicant. The board may consider or reconsider all factors included within Rule 156.09.25.001(c), including but not limited to the economic and engineering feasibility of the project, changes in population within the area to be served by the project, changes in the ability of the project to serve the needs of the area, and adequacy of the project's source of water supply to meet the projected needs of the area to be served.

(b) Documentary evidence presented to the board by the applicant shall be signed and sworn to by a professional engineer registered in the State of Texas and certified as true and correct by the official representative of the participating political subdivision.

*.004. Action on the Recommendation.* Following consideration of the development fund manager's recommendation, and the evidence and argument presented, the chairman of the board shall entertain a motion for the adoption of a resolution regarding the recommendation. The board may find:

- (1) that the project is viable; or,
- (2) that the project is no longer viable and termination is in the interest of the development fund.

If the board finds that the project is viable, it shall by resolution establish a date for expiration of the commitment that would reasonably allow the applicant to meet all necessary conditions and prerequisites to closing. If the board finds that the project is no longer viable and termination is in the interest of the development fund, it shall by resolution terminate the commitment.

Doc. No. 790434

## Effluent Standards

### Domestic Wastewater Treatment Plants 156.18.05

These rules are adopted under the authority of Sections 5.131 and 5.132, Texas Water Code.

*.001. Introduction and Purpose.*

(a) From the standpoint of proper management of a system of permits and with the onset of federal regulations and standards for municipal effluents, it now appears appropriate to promulgate a set of effluent quality standards which would be consistent with given classes of treatment processes and which would be applied as necessary to meet treatment requirements based on water quality conditions. "Secondary treatment" by a publicly owned treatment plant is being defined by EPA, with exceptions applicable to certain oxidation pond processes, as reduction to the following effluent quality:

	30-Day Average	7-Day Average
BOD, mg/l	30	45
Suspended Solids (TSS), mg/l	30	45
pH, units	Within limits of 6.0-9.0	

Furthermore, in this definition, the reduction of BOD and TSS through a treatment plant shall be a minimum of 85 percent. For oxidation ponds meeting certain conditions, the EPA allows adjustment of suspended solids levels to conform to that achievable with best waste stabilization pond technology. In the EPA Region VI contiguous area, this level is 90 mg/l TSS.

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

*.002. Rationale for Effluent Sets.* (No change.)

*.003. Instructions.*

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

(d) Oxidation ponds. Use Set X for oxidation ponds that meet the following criteria:

- (1) oxidation ponds are the sole process used for secondary treatment;
- (2) the maximum facility design capacity is two million gallons per day or less;
- (3) operation and maintenance data for existing ponds indicate that the facility achieves the BOD level defined in Rule .001(a) of these rules; or in the case of new ponds, the design is in accordance with such criteria as to



assure that the BOD level defined in Rule .001(a) will be achieved;

(4) operation and maintenance data for existing ponds demonstrate that the facility cannot achieve a 30-day average TSS of 30 mg/l nor a 45-day average TSS of 45 mg/l; and

(5) for existing facilities, the ponds are properly designed and constructed in accordance with design criteria in effect at the time of construction.

Ponds not meeting the above requirements will be governed by Set O.

(e) The practice of utilizing sewage effluent for irrigation purposes is permitted when it can be shown that this practice will not alter the uses of the existing groundwaters or detrimentally affect the surface waters of the State of Texas. Each project will also be consistent with laws regulating water rights in the State of Texas. Project types will fall into three categories: irrigation, infiltration-percolation, or overland flow. The purpose of a project will be to dispose of treated effluent or to further enhance the quality of the effluent prior to discharge or a combination of the two. When land disposal systems will utilize lands to which the public has access for the ultimate disposal of effluent, the effluent

applied shall be treated to a degree equivalent to existing secondary level standards. When agricultural lands are to be irrigated, primary effluent may be utilized consistently with environmental safeguards and the protection of ground and surface water. Primary treatment means solids separation as may be accomplished by primary clarifiers, Imhoff tanks, and other units designed in accordance with all applicable requirements of the most recent design criteria for sewerage systems promulgated by the department.

*.004. Table 1, Effluent Standards for Domestic Wastewater Treatment Plants (Attached).*

(Editor's note: See table, page 309)

Issued in Austin, Texas, on January 16, 1979.

Doc. No. 790435      Bruce Bigelow  
   General Counsel  
   Texas Department of Water Resources

Effective Date: February 9, 1979

For further information, please call (512) 475-7836.



Table 1

Effluent Standards for Domestic Wastewater Treatment Plants

		30-Day Average		7-Day Average				24-Hr. Composite				Grab Samples										
				NH <sub>3</sub>				NH <sub>3</sub>				Column I(1)			Column II(2)							
		BOD	TSS	N	P	BOD	TSS	N	P	BOD	TSS	N	P	BOD	TSS	N	P	Q <sub>2</sub>	Cl <sub>2</sub>	l		
Oxygen Demand	X	30	90	.	.	45	.	.	70	.	.	.	50	.	.	.	100	.	.	(3)	(4)	
	0	30	30	.	.	45	45	.	70	70	.	.	50	50	.	.	100	100	.	.	.	
	1	20	20	.	.	30	30	.	45	45	.	.	35	35	.	.	65	65	.	.	.	
	2	10	15	.	.	15	25	.	25	40	.	.	20	25	.	.	35	60	.	2	.	
	3	5	10	.	.	10	20	.	20	35	.	.	10	20	.	.	30	60	.	4	.	
	4	5	5	.	.	10	10	.	20	20	.	.	10	10	.	.	30	30	.	4	.	
	2-N	10	15	5	.	15	25	10	25	40	15	.	20	25	15	.	35	60	15	2	.	
	3-N	5	10	5	.	10	20	10	20	35	15	.	10	20	15	.	30	60	15	4	.	
	4-N	5	5	3	.	10	10	6	20	20	10	.	10	10	8	.	30	30	15	4	.	
Disinfection	A(5)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1	20
Nutrient Removal	3-P	5	10	.	2	10	20	.	4	20	35	.	7	10	20	.	4	30	60	.	10	4
	4-P	5	5	.	1	10	10	.	2	20	20	.	4	10	10	.	2	30	30	.	6	4

- (1) When examining 5 consecutive grab samples randomly collected on separate days by the same entity, the pollutant concentration shall not exceed the specified level in more than 2 samples.
- (2) Single grab sample (instantaneous) limit
- (3) Not less than
- (4) Detention time in minutes
- (5) Any combination of detention time and chlorine residual where the product of Cl<sub>2</sub>(mg/l)xt(min.) equals or exceeds 20 is satisfactory except that the minimum detention time shall be 20 minutes and the minimum residual shall be 0.5 mg/l. Disinfection is not required where secondary treatment is provided by properly designed and constructed stabilization ponds unless: (1) the discharge is made within five miles of a reservoir or lake covered by a Septic Tank Board Order, or (2) it is deemed necessary to protect public health, or (3) it is necessary to meet the stream standards of the receiving waters.

Treatment Process Corresponding to Effluent Set

SET x - Oxidation ponds meeting requirements in Section .003(D) of these Rules.

- 0 - Other Oxidation Ponds
- 1 - secondary (conventional design)
- 2 - modified secondary (enhanced solids separation)
- 3 - set 2 with chemical addition
- 4 - set 3 with filters

- SET 2-N - set 2 with biological nitrification
- 3-N - set 3 with biological nitrification
- 4-N - set 4 with biological nitrification
- 3-P - chemical addition in biological process
- 4-P - chemical precipitation after biological treatment

# 310 OPEN MEETINGS

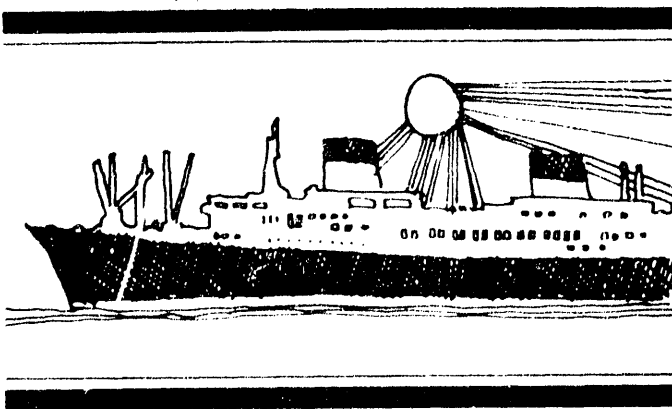
The Open Meetings Act (Article 6252-17, Texas Civil Statutes) requires that an agency with statewide jurisdiction have notice posted for at least seven days before the day of a meeting. A political subdivision covering all or part of four or more counties, or an institution of higher education, must have notice posted for at least 72 hours before the scheduled meeting time. Notice of an emergency meeting or an emergency addition or amendment to an agenda must be posted for at least two hours before the meeting is convened. Although some notices may be received and filed too late for publication before the meetings are held, all filed notices will be published in the *Register*. Each notice published includes an agenda or a summary of the agenda as furnished for publication by the agency and the date and time of filing. Notices are posted on the bulletin board outside the offices of the secretary of state on the first floor in the East Wing of the State Capitol. These notices may contain more detailed agendas than space allows to be published in the *Register*.

## Texas Department of Agriculture

*Tuesday, January 30, 1979, 1:30 p.m.* A meeting of the State Seed and Plant Board of the Texas Department of Agriculture was held in the Captain's Room of the Twin Sixties Inn, 606 North Central Expressway, Dallas. The agenda included consideration of new growers and consideration of various requests regarding cotton, peanut, rice, and soybean.

Additional information may be obtained from Don Ator, P.O. Box 12847, Austin, Texas, telephone (512) 475-2038.

Filed January 22, 1979, 4:50 p.m.  
Doc No 790462



## Battleship Texas Commission

*Thursday, February 15, 1979, noon.* The members of the Battleship Texas Commission will meet at 1600 River Oaks Boulevard, Houston, to discuss the minutes of the last meeting and a new project in progress; to review each department; and to discuss general matters.

Additional information may be obtained from Novella Seal, 3461 West Alabama, Suite C, Houston, Texas, telephone (713) 965-0838.

Filed: January 29, 1979, 11:39 a.m.  
Doc. No. 790586

## State Commission for the Blind

*Friday, January 26, 1979, 10 a.m.* A meeting of the Board of Directors of the State Commission for the Blind to have been held at the Criss Cole Rehabilitation Center, 4800 North Lamar, Austin, was cancelled.

Additional information may be obtained from Sue Whited, P.O. Box 12866, Austin, Texas 78711, telephone (512) 475-6810.

Filed: January 23, 1979, 4:12 p.m.  
Doc. No. 790477

## Texas Cosmetology Commission

*Monday, February 26, 1979, 9 a.m.* The Texas Cosmetology Commission will meet in the commission's office at 1111 Rio Grande, Austin, to act on the following agenda items: officer election; request by J. A. Newborn for a deviation of requirement of two instructors on duty; recommendations by the Examination Committee on Section 27, subsection 2, concerning two instructors on duty; clarification of Rules .011 and .018 on a creditable hour; and public hearing of Rule .046, the separation of barber shops and beauty salons.

For more information, contact Ron Resch, 1111 Rio Grande, Austin, Texas 78701, telephone (512) 475-3304.

Filed: January 26, 1979, 1:49 p.m.  
Doc. No. 790538

## Employees Retirement System of Texas

*Thursday, February 1, 1979, 9:30 a.m.* The Group Insurance Advisory Committee of the Employees Retirement System of Texas met in the third floor conference room of the Texas Rehabilitation Commission, 118 East Riverside Drive, Austin. The summarized agenda included discussion of all elements of the group insurance program which will become effective September 1, 1979.

Additional information may be obtained from Joseph N. Murphy, Jr., P.O. Box 12337, Austin, Texas 78711, telephone (512) 476-6431.

Filed: January 22, 1979, 4:01 p.m.  
Doc. No. 790461

**Thursday, February 1, 1979, 3 p.m.** The Board of Trustees of the Employees Retirement System of Texas met in emergency session at 1800 San Jacinto, Austin. The summarized agenda included consideration of recommendations of the Investment Advisory Committee, consideration of proposed change orders between system and contractor for addition to system's building, and other business.

Additional information may be obtained from Joseph N. Murphy, Jr., P.O. Box 12337, Austin, Texas 78711, telephone (512) 476-6431.

Filed: January 29, 1979, 10:14 a.m.  
Doc. No. 790580

## Texas Department of Health

**Public Hearings in February.** The Texas Department of Health will conduct public hearings in February, as summarized:

### **Wednesday, February 14, 1979**

1:30 p.m.—District Courtroom, Burnet County Courthouse, 220 South Pierce, Burnet; to consider the application of Burnet County to operate a proposed Type I municipal solid waste disposal site to be located one mile northeast of Burnet; 2.5 miles northeast of the junction of U.S. Highway 281 and F.M. Highway 963 just south of the existing City of Burnet disposal site in Burnet County.

### **Wednesday, February 21, 1979**

9 a.m.—Council Chambers, City Hall, 250 Ernest Avenue, Silsbee; to consider the application of the City of Silsbee to operate a proposed Type I municipal solid waste disposal site to be located one mile east of Silsbee, 1.4 miles east of the intersection of F.M. Highway 92 and F.M. Highway 418 and 1,400 feet north of F.M. Highway 418 in Hardin County.

9 a.m.—Commissioners Courtroom, Haskell County Courthouse, Haskell; to consider the application of the City of Rule to operate a municipal solid waste disposal site located southwest of Rule.

9:30 a.m.—Same location as above; to consider the application of the City of Benjamin to operate a municipal solid waste disposal site located south of the City of Benjamin.

10 a.m.—Same location as above; to consider the application of the City of Anson to operate a proposed Type II municipal solid waste disposal site to be located approximately four miles southeast of Anson, approximately 1.5 miles east of U.S. Highway 277/83, and at the end of a county road in Jones County.

### **Thursday, February 22, 1979**

1 p.m.—Hospitality Room, First State Bank, Main Street, Bandera; to consider the application of Bandera County W.C.I.D. No. 1 to operate a municipal solid waste disposal site located south of Bandera.

### **Tuesday, February 27, 1979**

9 a.m.—County Courtroom, Upshur County Courthouse, Gilmer; to consider the application of Ore City to operate a solid waste disposal site located in Ore City.

9:30 a.m.—Same location as above; to consider the application of the City of Big Sandy to operate a municipal solid waste disposal site located south of Big Sandy.

10 a.m.—Commissioners Courtroom, Williamson County Courthouse, Georgetown; to consider the application of Williamson County to operate a municipal solid waste disposal site located in Williamson County.

Additional information may be obtained from Jack C. Carmichael, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7271.

Filed: January 25, 1979, 4:21 p.m.  
Doc. No. 790521

**Thursday, February 15, 1979, 9 a.m.** The Texas Department of Health will conduct a public hearing in the auditorium, 1100 West 49th Street, Austin. The agenda includes discussion of proposed rule amendments to Approved Laboratories Performing Premarital and Prenatal Syphilis Serology.

Additional information may be obtained from Charles E. Sweet, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7318.

Filed: January 26, 1979, 1:49 p.m.  
Doc. No. 790539

**Friday, February 23, 1979, 10 a.m.** The Texas Department of Health will conduct a public hearing in the first floor auditorium, 1100 West 49th Street, Austin. The summarized agenda includes a discussion to determine if the department's rule on the preservation of dead bodies should be repealed.

Additional information may be obtained from Dan LaFleur, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7236.

Filed: January 25, 1979, 4:21 p.m.  
Doc. No. 790522

## Texas Health Facilities Commission

**Thursday, January 25, 1979, 10 a.m.** The Texas Health Facilities Commission made an emergency addition to the agenda of a meeting held in Suite 305, 1600 West 38th, Jefferson Building, Austin. The summarized additions were a motion to amend Certificate of Need AA78-0228-001 by Richmond State School in Richmond, Texas, and a petition for reissuance of Certificate of Need AA78-0228-001 by Richmond State School.

Additional information may be obtained from Dan R. McNery, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940.

Filed: January 24, 1979, 3:59 p.m.  
Doc No 790509

**Thursday, February 1, 1979, 10 a.m.** The Texas Health Facilities Commission held a meeting in Suite 305, 1600 West 38th, Jefferson Building, Austin. The summarized agenda included discussion of Certificate of Need AS78-1115-015 for Austin Diagnostic Clinic Renal Outpatient Center, Austin, and Exemption Certificate AN78-0816-015 for Anderson Nursing Home, Grand Saline.

Additional information may be obtained from Dan R. McNery, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940.

Filed: January 24, 1979, 4 p.m.  
Doc. No. 790507

**Thursday, February 8, 1979, 10 a.m.** The Texas Health Facilities Commission will meet in Suite 305, 1600 West 38th, Jefferson Building, Austin. The summarized agenda includes consideration of the following applications: Hotel Dieu Hospital and Medical Center, El Paso, Certificate of Need AH78-1106-005; Edinburg General Hospital, Edinburg, Certificate of Need AH78-0202-001; Midland Memorial Hospital, Midland, Certificate of Need AH78-0824-005; Christian Care Center Division, Mesquite, Administrative Order AN78-0517-015E(1)(122778); Houston Northwest Medical Center, Houston, Motion to Amend Certificate of Need AH76-1001-009; and Southwest Texas Methodist Hospital, San Antonio, Motion to Amend Declaratory Ruling AH75-0627-010E (021077).

Additional information may be obtained from Dan R. McNery, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940.

Filed: January 24, 1979, 4 p.m.  
Doc. No. 790508

## State Department of Highways and Public Transportation

**Wednesday and Thursday, January 31 and February 1, 1979, 9 a.m. daily.** The State Highway and Public Transportation Commission of the State Department of Highways and Public Transportation will meet in the large hearing room, first floor, and Room 207, second floor, of the State Highway Building, 11th and Brazos Streets, Austin.

As summarized, the agenda includes presentations in the large hearing room by the public for various highway, bridge, and farm to market road requests: Karnes and Atascosa Counties; Bell County to support a route from Lubbock to Interstate 10 through Killeen and Belton; Cooke County; Red River County; Dallas, Collin, and Denton Counties; and Nacogdoches Counties. The docket is available in the second floor commission office in the State Highway Building. Upon completion of public presentations, the commission will meet in Room 207 to execute contract awards and routine minute orders, consider decisions on presentations from public hearing dockets, and review staff reports on planning and construction programs and projects. The agenda is available in the second floor office of the minute clerk in the State Highway Building.

For more information, contact the Office of the Engineer-Director, Room 203, State Highway Building, 11th and Brazos Streets, Austin, Texas 78701, telephone (512) 475-3525.

Filed: January 23, 1979, 3:35 p.m.  
Doc. No. 790472



## University of Houston

**Monday, February 5, 1979, 9:30 a.m.** The Building Committee of the Board of Regents of the University of Houston will meet at 220 E. Cullen Building on the university campus, Houston. As summarized, agenda items for discussion include: ratification of fee bid; award of contracts; sale of land to city; construction status report; and information regarding emergency call boxes.

Additional information may be obtained from Philip G. Hoffman, University of Houston, Houston, Texas 77004, telephone (713) 749-2214.

Filed: January 29, 1979, 11:39 a.m.  
Doc. No. 790587

**Monday, February 5, 1979, 2 p.m.** The Board of Regents of the University of Houston will meet at 220 East Cullen Building on the university campus, Houston. As summarized, the agenda includes regular business as follows: personnel recommendations; academic recommendations; bank resolutions; reports of Building Committee and Investment Committee; and reports on gift income and research grants.

Additional information may be obtained from Philip G. Hoffman, University of Houston, Houston, Texas 77004, telephone (713) 749-2214.

Filed: January 29, 1979, 11:39 a.m.  
Doc. No. 790588

## Texas Department of Human Resources

**Tuesday and Wednesday, January 30-31, 1979, beginning at 1:30 p.m. January 30.** The Advisory Committee on Child Care Facilities of the Texas Department of Human Resources met in emergency session in Room 1-126, Joe C. Thompson Center, 26th and Red River, Austin. The summarized agenda included consideration of the following topics: legislative outlook; committee overview; reports from sections of the Licensing Branch; child-placing agency standards—specific

problems; citizens' involvement program; status report on 1978 annual report; status report on Texas Youth Council standards; and interpretive licensing materials. According to the department, the meeting was held on an emergency basis because of presentation and orientation of new members and an election of officers.

For more information, contact Anne Leatherman, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-7041.

Filed: January 26, 1979, 12:39 p.m.  
Doc. No. 790532

## Texas Industrial Commission

**Friday, January 26, 1979, 9 a.m.** The Board of Commissioners of the Texas Industrial Commission met in emergency session in the Hilton Inn, Austin, to conduct a quarterly meeting. The agenda, as summarized, included action on agency authorizations to sign vouchers; action on the financial statement; presentation to Reagan Brown; the Texas Industrial Development Council report; a status report on the Energy Program; a report from South Texas Cultural Basin Commission; a report on the Caracas Trade Show; and an update on oil seed procession for food industry. Other agenda items included action on a statement of advertising policy for the *Texas Register*; a report on the Pilot Cooperative Industrial Prospect Development Effort; a status report on start-up training; and selection of next meeting date.

For more information, contact Edwin Latta, 410 East 5th Street, Austin, Texas 78701, telephone (512) 472-5059.

Filed: January 23, 1979, 9:30 a.m.  
Doc. No. 790468

## State Board of Insurance

**Friday, February 2, 1979, 10 a.m.** The commissioner's hearing section of the State Board of Insurance will conduct a hearing in Room 343, 1110 San Jacinto, Austin, to consider the application of James A. Martin, Marshall, for local recording agent's license.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-4353.

Filed: January 23, 1979, 9:23 a.m.  
Doc. No. 790466

**Monday, February 5, 1979, 10 a.m.** The commissioner's hearing section of the State Board of Insurance will conduct a hearing in Room 343, 1110 San Jacinto, Austin, to consider the original charter of National Institute Life Insurance Company, Dallas.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-4353.

Filed: January 23, 1979, 9:23 a.m.  
Doc. No. 790465

**Monday, February 5, 1979, 2 p.m.** The commissioner's hearing section of the State Board of Insurance will conduct a hearing in Room 343, 1110 San Jacinto, Austin, to consider whether the Group I legal reserve life insurance agent's license of Larry E. Burklow, Big Spring, should be suspended or revoked.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-4353.

Filed: January 23, 1979, 9:23 a.m.  
Doc. No. 790464

**Tuesday, February 6, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the commissioner's report and to meet in executive session to discuss personnel matters.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790584

**Wednesday, February 7, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the fire marshal's report.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790579

**Thursday, February 8, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the request by Texas Legal Protection Plan, Inc., to continue current claims/expense ratio and termination of management agreement. This hearing date was changed from January 25.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 9:23 a.m.  
Doc. No. 790467

**Tuesday, February 13, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the commissioner's report and to meet in executive session to discuss personnel matters.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790583

**Wednesday, February 14, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the fire marshal's report.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790578

**Tuesday, February 20, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the commissioner's report and to meet in executive session to discuss personnel matters.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790582

**Wednesday, February 21, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the fire marshal's report.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790577

**Tuesday, February 27, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the commissioner's report and to meet in executive session to discuss personnel matters.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790581

**Wednesday, February 28, 1979, 2 p.m.** The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider the fire marshal's report.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

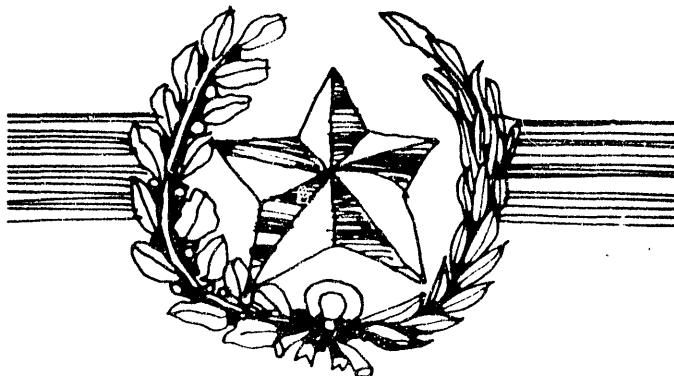
Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790576

## Texas Judicial Council

**Friday, February 9, 1979, 10 a.m.** The Texas Judicial Council will meet at 1414 Colorado, Austin, to consider the following agenda topics, as summarized: accreditation of courses and granting of waivers for the continuing legal education of municipal court judges; discussion of statutes requiring preferential court settings; report on staff activities; and discussion of proposed legislation.

For more information, contact C. Raymond Judice, P.O. Box 12066, Austin, Texas 78711, telephone (512) 475-2421.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790574



## Texas Department of Labor and Standards

**Tuesday, February 6, 1979, 10 a.m.** The meeting of the Auctioneer Division of the Texas Department of Labor and Standards in Room 316, Sam Houston Building, 14th and San Jacinto Streets, Austin, has been rescheduled. The agenda, as summarized, includes determining whether Texas Auctioneer License No. TxGS-039-0268 for Floyd Dale Hall should be suspended, revoked, or left in good standing.

For more information, contact the Department of Labor and Standards, P.O. Box 12157, Austin, Texas 78711, telephone (512) 475-4229.

Filed: January 25, 1979, 3:28 p.m.  
Doc. No. 790517

## Board of Examiners of Licensed State Land Surveyors

**Friday, February 16, 1979, 9 a.m.** The Board of Examiners of Licensed State Land Surveyors will meet in Room 831, Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes the conducting both a morning and afternoon written examination.

Additional information may be obtained from Herman Forbes, Room 812, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3145.

Filed: January 26, 12:39 p.m.  
Doc. No. 790531

## Legislative Audit Committee

*Wednesday, February 7, 1979, 9 a.m.* The Legislative Audit Committee will meet in the Speaker's Office, Room 241, State Capitol, Austin. The agenda includes election of committee officers, appointment of state auditor, and consideration of continuation of operating policies and operating budget transfer.

Additional information may be obtained from George W. McNeil, P.O. Box 12067, Austin, Texas 78711, telephone (512) 475-4115.

Filed: January 23, 1979, 4:39 p.m.  
Doc. No. 790479

## Merit System Council

*Monday, February 5, 1979, 2 p.m.* The Merit System Council will meet in Room 507, Brown Building, Austin. The summarized agenda includes discussion of rules changes.

Additional information may be obtained from Leo F. Brockmann, P.O. Box 1389, Austin, Texas 78767, telephone (512) 477-9665.

Filed: January 23, 1979, 10:16 a.m.  
Doc. No. 790470

## Natural Fibers and Food Protein Commission

*Thursday, February 1, 1979, at 10 a.m.* The Natural Fibers and Food Protein Commission will meet at the Textile Research Center, Texas Tech University, Lubbock. The summarized agenda includes a tour by the Natural Fibers and Executive Advisory Committees of research facilities and a review of current and proposed research projects.

Additional information may be obtained from J. L. VanDeLune, 17360 Coit Road, Dallas, Texas 75252, telephone (214) 231-0852.

Filed: January 29, 1979, 9:20 a.m.  
Doc. No. 790554

## Board of Pardons and Paroles

*Monday-Friday, February 5-9, 1979, 9 a.m. daily.* The Board of Pardons and Paroles will meet in Room 711, Stephen F. Austin Building, Austin. As summarized on the agenda, the board will review cases for 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.

Additional information may be obtained from Ken Casner, Room 711, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3363.

Filed: January 24, 1979, 9:19 a.m.  
Doc. No. 790485

*Wednesday, February 7, 1979, 9 a.m.* The Board of Pardons and Paroles will meet at the Diagnostic Unit, Texas Department of Corrections, Huntsville. As summarized on the agenda, a parole panel consisting of members of the Board of Pardons and Paroles and members of the Texas Parole Commission will conduct parole violation hearings.

Additional information may be obtained from Ken Casner, Room 711, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3363.

Filed: January 24, 1979, 9:19 a.m.  
Doc. No. 790486

## Texas Parks and Wildlife Department

*Tuesday, February 6, 1979, 2 p.m.* The Fisheries Division/Resources Protection Branch will meet in Room A-200, 4200 Smith School Road, Austin. The agenda includes consideration of the application of the City of Houston to remove approximately 7,000 cubic yards of sand per month by means of dragline from the Trinity River. The sand would be used for construction of a public access road to a pumping station. The project would be located at River Mile 62.5 approximately 11 miles north-northwest of Liberty, Liberty County, adjacent to the properties of Lakewood Estates to the north and Long Meadows Country Club to the south (Corps of Engineers Public Notice 13278).

Additional information may be obtained from Chester D. Harris, 4200 Smith School Road, Austin, Texas 78744, telephone (512) 475-4831.

Filed: January 23, 1979, 3:47 p.m.  
Doc. No. 790476

*Tuesday, February 13, 1979, 2 p.m.* The Fisheries Division/Resources Protection Branch will meet in Room A-200, 4200 Smith School Road, Austin. The agenda includes consideration of the application of the Texas Parks and Wildlife Department for a permit to remove approximately 10,000 cubic yards of marl (total) by means of hydraulic or mechanical dredge from Galveston Bay. The purpose of the work is to maintenance dredge an existing channel and harbor located adjacent to the applicant's Seabrook Marine Laboratory, 3rd Street and Toddville Road, Seabrook, Harris County. The dredged material would be placed on Corps of Engineers' Spoil Disposal Site No. 2, located approximately 500 feet southeast of the project area (Corps of Engineers Permit 5978).

Additional information may be obtained from Chester D. Harris, 4200 Smith School Road, Austin, Texas 78744, telephone (512) 475-4831.

Filed January 26, 1979, 1:49 p.m.  
Doc. No. 790540

## COMMUNICATIONS



## Public Utility Commission of Texas

**Tuesday, January 30, 1979, 9 a.m.** The Public Utility Commission of Texas met in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda included consideration of final orders and the hearing of oral argument in the following dockets: 1975, 1861, 2031, 2208, 2058, 2094, 1750, 1838, 1904, 2079, 2318, 2112, 2152, 967, 1637, 2217, 2048, 414, 1681, 2024, 1843, 2200, 2205, 2269, 2326, 585 and 685, 1749, 2241, 2188, 2330, 2349, 2363, 2091, 2262, 2304, 2306, 2308, 2312, 2315, 2316, 2328, 2333, 2335, 2336, 2337, 2342, 2344, 2345, 2353, 2355, and 2359. The commission will also consider adoption of emergency procedural Rule 052.01.00.085, previously submitted to the Secretary of State.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 22, 1979, 3:47 p.m.  
Doc. No. 790460

**Thursday, February 1, 1979, 1 p.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2221, the application of Lyndon Sanders Realty, Inc., for sale to Crystal Forest Water Company within Montgomery County.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 22, 1979, 2:14 p.m.  
Doc No 790451

**Monday, February 5, 1979, 1 p.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2113, the application of Acton Water Company for a rate increase in Hood County.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed: January 23, 1979, 3:45 p.m.  
Doc. No. 790474

**Thursday, February 8, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2203, the application of Crystal Springs Water Company for a rate increase within Montgomery County.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed: January 26, 1979, 12:40 p.m.  
Doc. No. 790530

**Thursday, February 8, 1979, 2 p.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket Nos. 2182 and 2331, the applications of Lone Oak Water Company for a Certificate of Convenience and Necessity and rate increase within Bexar County.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed: January 25, 1979, 9:23 a.m.  
Doc. No. 790512

**Tuesday, February 13, 1979, 10 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2154, the application of Bulverde Utility Company for a rate increase within Comal County.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed: January 29, 1979, 10:23 a.m.  
Doc. No. 790575

**Thursday, February 15, 1979, 1:30 p.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2151, the inquiry by the commission into the legality of rates charged by Double Lakes Club.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed: January 26, 1979, 1:49 p.m.  
Doc No 790537



**Wednesday, February 21, 1979, 9:30 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on the merits on Docket 2257, the application of La Ward Telephone Company, Inc., for a rate increase within Jackson and Calhoun Counties.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 23, 3:45 p.m.  
Doc. No. 790475

**Tuesday, March 6, 1979, 1:30 p.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2176, the application of Poetry Water Supply Corporation for a rate increase within Kaufman and Hunt Counties.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 25, 1979, 3:42 p.m.  
Doc No 790518

**Friday, March 9, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on the merits of Docket 2255, the application of Answer, Inc., of Houston to amend its Certificate of Convenience and Necessity within Harris, Galveston, Fort Bend, Chambers, Montgomery, Liberty, and Brazoria Counties.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 24, 1979, 9:19 a.m.  
Doc No. 790484

**Monday, March 12, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2305, the application of Page Communications, Inc., for a Certificate of Convenience and Necessity to provide radio-telephone service in Dallas and Tarrant Counties and appropriate surrounding counties.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 24, 1979, 9:19 a.m.  
Doc. No. 790483

**Monday, March 26, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a hearing on Docket 2247, the appeal by Pedernales Electric Cooperative, Inc., from rates set by the City of Marble Falls.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed: January 24, 1979, 1:40 p.m.  
Doc. No. 790492

**Tuesday, March 27, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes a prehearing conference on Docket 2299, the application of Walnut Creek Water Supply Corporation to amend its Certificate of Convenience and Necessity within Parker County.

Additional information may be obtained from Philip F. Ricketts, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-0100.

Filed January 25, 1979, 3:42 p.m.  
Doc. No. 790519

## Railroad Commission of Texas

**Monday, January 29, 1979, 9 a.m.** The Automatic Data Processing Division of the Railroad Commission of Texas met in emergency session in the 10th Floor Conference Room, E. O. Thompson Building, 10th and Colorado, Austin, to consider modifying an interagency agreement between the commission and the Department of Human Resources. According to the commission, consideration of the agenda topic on less than seven days' notice was necessary because of the February 1 deadline which could not be met, therefore creating an imminent public necessity.

For more information, contact David Garlick, P.O. Box 12967, Austin, Texas 78711, telephone (512) 475-4416.

Filed January 26, 1979, 3:32 p.m.  
Doc. No. 790548

**Monday, February 5, 1979, 9 a.m.** The Gas Utilities Division of the Railroad Commission of Texas has filed an addition to the agenda of a meeting to be held in the E. O. Thompson Building, 10th and Colorado, Austin. The agenda was amended to add the consideration of Gas Utilities Docket 1890, with Thomas H. Hill as examiner, on the application of Lone Star Gas Company for purchased gas cost recovery rule, and a request for a rulemaking proceeding.

For more information, contact Joy Wood, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-2747.

Filed: January 26, 1979, 3:32 p.m.  
Doc. No. 790545

**Monday, February 5, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will conduct hearings in the E. O. Thompson Building, 10th and Colorado, Austin. The summarized agenda includes decisions on applications for special allowables, show cause hearings on letters of credit, consolidation and adoption of field rules, unitization and secondary recovery, Rule 37 cases, proper pluggings, exception

to Statewide Rule 10, exceptions to Statewide Rule 14(B)(2), adoptions of net gas-oil ratio rule, adoption of field rules, gas field rules, and review and adoption of temporary rules. Administrative items for consideration are new oil and gas discoveries, exception to Statewide Rules 23, 14(B)(2), 10, and 8(c). The agenda also includes a director's report and an executive session.

For more information, contact Jan Burriss, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-3003.

Filed: January 26, 1979, 3:32 p.m.  
Doc No 790546

**Monday, February 5, 1979, 9 a.m.** The Surface Mining Division of the Railroad Commission of Texas will meet in the 10th Floor Conference Room, E. O. Thompson Building, 10th and Colorado, Austin. The agenda includes consideration of (1) the performance bond submitted for approval by Shell Oil Company, and issuance of a permit for Shell's lignite surface mining operation; and (2) approval and issuance of a permit and bonding for an in situ lignite gasification test project to be operated by the Texas A&M University System. Both are located near Rockdale in Milam County.

For more information, contact Chesley N. Blevins, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-6520.

Filed: January 26, 1979, 3:32 p.m.  
Doc No 790547

**Monday, February 5, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet in the E. O. Thompson Building, 10th and Colorado, Austin. The summarized agenda includes consideration of category determinations under Sections 102(c)(1)(B) and (C), 103, 107, and 108 of the Natural Gas Policy Act of 1978.

For more information, contact Linda D. Carr, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-0261.

Filed: January 26, 1979, 3:32 p.m.  
Doc No 790549

**Monday, February 5, 1979, 9 a.m.** The Gas Utilities Division of the Railroad Commission of Texas will meet in the E. O. Thompson Building, 10th and Colorado, Austin. The summarized agenda includes consideration of Gas Utilities Dockets 1081, 1660, 1881, 1668, and 1635; word processing matters; director's report; and an executive session to consider litigation and personnel matters.

For more information, contact Joy Wood, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-2747.

Filed: January 26, 1979, 3:31 p.m.  
Doc. No. 790551

**Monday, February 5, 1979, 9 a.m.** The Transportation Division of the Railroad Commission of Texas will meet in the 10th Floor Conference Room, E. O. Thompson Building, 10th and Colorado, Austin. The summarized agenda includes consideration of the following applications: new authority, truck

rate, new motor brokers license, consolidate authority, lease authority, name change, sell authority, voluntary suspension, amend authority, rail rate, dismiss rail rate application, and State Rail Plan briefing.

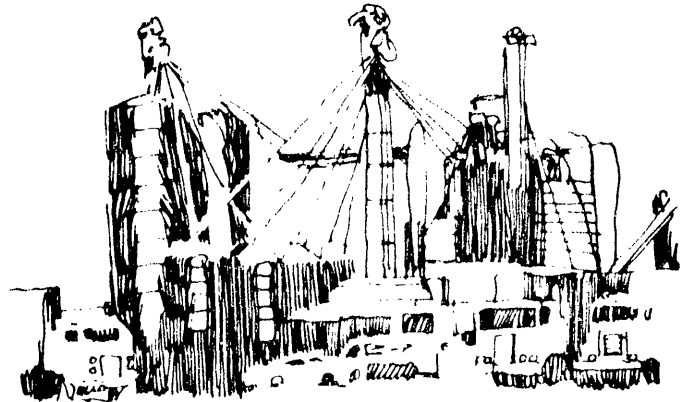
Additional information may be obtained from John G. Soule, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-4738.

Filed: January 26, 1979, 3:30 p.m.  
Doc No. 790552

**Tuesday, February 20, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will conduct statewide oil and hearings, as summarized on the agenda, at the Ramada Gondolier Inn, 1001 South Interregional Highway, Austin.

For more information, contact Don Jones, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-2726.

Filed: January 26, 1979, 3:31 p.m.  
Doc No 790550



## Texas Real Estate Commission

**Monday, February 5, 1979, 10 a.m.** The Texas Real Estate Commission will meet in Room 119, Stephen F. Austin Building, 17th and Congress, Austin, to consider proposed legislation by the Sunset Advisory Commission and to schedule the date and place of the next meeting.

For more information, contact Camilla S. Shannon, P.O. Box 12188, Austin, Texas 78711, telephone (512) 475-4250.

Filed: January 26, 1979, 4:38 p.m.  
Doc. No. 790553

## Texas State Board of Examiners in Social Psychotherapy

**Saturday, February 3, 1979, 10:30 a.m.** The Texas State Board of Examiners in Social Psychotherapy will meet in Conference Room T-604, Texas Department of Health, 1100 West 49th Street, Austin. As summarized, the agenda includes a report from the Application Screening Committee; matters relating to the licensure examination scheduled for February 10, 1979; matters relating to the licensure and regulation of social psychotherapists; and matters relating to a public hearing on proposed continuing education rules.

For more information, contact Daniel L. Boone, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7511.

Filed January 25, 1979, 4:20 p.m.  
Doc No 790523

## Tax Assessor Examiners Board

**Wednesday, March 14, 1979, 2 p.m.** The Tax Assessor Examiners Board will meet at the School Tax Assessment Practices Board office, 3301 Northland Drive, Suite 500, Austin. Agenda items include the following: treasurer's report; enforcement matters; approval of registered professional assessors; problem applications; renewal fees and processing; 1979 budget; legislation; an executive session; and other business.

Additional information may be obtained from Carl S. Smith, 1001 Preston, Houston, Texas 77002, telephone (713) 221-5288.

Filed January 29, 1979, 11:39 a.m.  
Doc. No. 790589

## Texas Southern University

**Thursday, February 1, 1979, 9 a.m.** The Building and Grounds Committee of Texas Southern University's Board of Regents met in Room 131, Hannah Hall, 3201 Wheeler, Houston. As summarized, the agenda included a closed session to consider real estate transactions.

For more information, contact Everett O. Bell, 3201 Wheeler, Houston, Texas 77004, telephone (713) 529-8911.

Filed January 24, 1979, 9:59 a.m.  
Doc. No. 790489

**Thursday, February 1, 1979, 9 a.m.** The Finance Committee of Texas Southern University's Board of Regents met in Room 121, Hannah Hall, 3201 Wheeler, Houston. As summarized, the agenda included consideration of monthly financial reports from the administration.

For more information, contact Everett O. Bell, 3201 Wheeler, Houston, Texas 77004, telephone (713) 529-8911.

Filed: January 24, 1979, 9:59 a.m.  
Doc. No. 790490

**Thursday, February 1, 1979, 10 a.m.** The Board of Regents of Texas Southern University met in Room 117, Hannah Hall, 3201 Wheeler, Houston. As summarized, the agenda included consideration of fiscal and curriculum reports from the administration and approval of short-term investments as recommended by the Finance Committee.

For more information, contact Everett O. Bell, 3201 Wheeler, Houston, Texas 77004, telephone (713) 529-8911.

Filed January 24, 1979, 9:59 a.m.  
Doc No 790488

## Texas Tech University

**Friday, February 2, 1979, 9 a.m.** The Board of Regents of Texas Tech University will meet in the Board of Regents Suite, Administration Building, Lubbock. As summarized, the agenda includes reports and action on the Committee of the Whole, minutes and items for ratification; academic and student affairs, campus and building, finance; and public affairs, development, and university relations.

For more information, contact Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, telephone (806) 742-2161.

Filed January 25, 1979, 9:34 a.m.  
Doc No 790514

**Friday, February 2, 1979, 9 and 10:40 a.m.** The Board of Regents of the Texas Tech University School of Medicine will meet in the Board of Regents Suite, Administration Building, on the Lubbock campus. As summarized, the agenda includes reports and action on the Committee of the Whole, minutes and items for ratification; and reports from the following committees: Committee of the Whole, Public Affairs, Development, and University Relations, Finance, Campus and Building, and Student Affairs.

For more information, contact Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, telephone (806) 742-2161.

Filed January 25, 1979, 9:34 a.m.  
Doc. No 790513

## Veterans Land Board

**Monday, February 5, 1979, 2 p.m.** The Veterans Land Board of the General Land Office will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes the receiving and opening of bids for the sale of Veterans Land Board bonds and awarding the sale of bonds and adoption of bond resolution; authorizing the issuance of the bonds; and authorizing execution and delivery of official information statement.

Additional information may be obtained from Richard Keahey, Room 738, Stephen F. Austin Building, Austin, Texas, telephone (512) 475-3766.

Filed: January 25, 1979, 4:09 p.m.  
Doc. No. 790520

## Texas Water Commission

**Monday, January 29, 1979, 10 a.m.** The Texas Water Commission made an emergency addition to the meeting held at the Stephen F. Austin Building, 1700 North Congress, Austin. The addition as summarized on the agenda, was the consideration of the motion to withdraw filed by Pope, Hardwicke, Christie, Montgomery, and Rehfeldt in the matter of Brown County Water Control and Improvement District No. 1 v. City of Coleman.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed January 25, 1979, 2:02 p.m.  
Doc. No. 790516

**Monday, February 5, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes applications for district bond issue, approval to use surplus funds, petitions for creation of district conversion, appointment of directors to the board of the San Jacinto River Authority, amendment to water quality permits, voluntary cancellation of water quality permit, reactivation of water quality permit, for filing and consideration: water rights amendments, extension of time, final decision on water rights permits, and the setting of hearing dates for applications.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514

Filed January 26, 1979, 2:15 p.m.  
Doc. No. 790541

**Thursday, February 8, 1979, 10 a.m.** The Texas Water Commission will meet in the third floor auditorium, Bank of the Southwest, 910 Travis Street, Houston. The summarized agenda includes the application by the Clear Lake City Water Authority, 900 Bay Area Boulevard, Houston 77058, for an amendment to Permit 10539 to accommodate plant expansion.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790499

**Thursday, February 8, 1979, 10 a.m.** The Texas Water Commission will meet in the third floor auditorium, Bank of the Southwest, 910 Travis Street, Houston. The summarized agenda includes the application by Harris County Water Control and Improvement District No. 21, 16229 Market, Channelview 77530, for an amendment to Permit 10105 to accommodate plant expansion.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790500

**Thursday, February 8, 1979, 10 a.m.** The Texas Water Commission will meet in the third floor auditorium, Bank of the Southwest, 910 Travis Street, Houston. The summarized agenda includes the application by the Aldine Independent School District (W. W. Thorne Stadium and School), 14910 Aldine Westfield Road, Houston 77037, for a permit to allow for a discharge of domestic sewage effluent from a sewage treatment plan to serve a population equivalent of 625 people.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790501

**Thursday, February 8, 1979, 10 a.m.** The Texas Water Commission will meet in the third floor auditorium, Bank of the Southwest, 910 Travis Street, Houston. The summarized agenda includes the application by Harris County Municipal Utility District No. 86, Houston, for a permit to allow for a discharge of domestic sewage effluent from a sewage treatment plan to serve a population equivalent of 8,500 people.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790502

**Thursday, February 8, 1979, 10 a.m.** The Texas Water Commission will meet in the third floor auditorium, Bank of the Southwest, 910 Travis Street, Houston. The summarized agenda includes the application by Morton Road Municipal Utility District, Houston, for a permit to authorize a new discharge. The applicant proposes construction of a sewage treatment facility in two stages to serve a projected residential population of 6,000 people.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790504

**Thursday, February 8, 1979, 10 a.m.** The Texas Water Commission will meet in the third floor auditorium, Bank of the Southwest, 910 Travis Street, Houston. The summarized agenda includes the application by the City of Clute, P.O. Box 997, Clute, Texas 77531, for an amendment to Permit 10044 to accommodate plant expansion.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790506

**Friday, February 9, 1979, 9 a.m.** The Texas Water Commission will meet in Room 124-A, Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes the application by the City of Boerne for an amendment to Permit 10066 to accommodate plant expansion.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: January 24, 1979, 3:54 p.m.  
Doc. No. 790505

**Thursday, February 22, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes a hearing on Wiggins Land Company of Texas, Inc. (Application 3952) for a permit to maintain four existing dams, creating five reservoirs on an unnamed tributary of Choates Creek and on Spring Branch, tributary Choates Creek, tributary Long King Creek, tributary Trinity River, Trinity River Basin, and to impound not to exceed a total of 185 acre-feet of water and to use the impounded waters for domestic and recreational purposes in Crystal Lake Estates, Polk County.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: January 23, 1979, 2:31 p.m.  
Doc. No. 790473

**Friday, February 23, 1979, 10 a.m.** The Texas Water Commission rescheduled a meeting to February 23. The meeting will be held at the Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes Application 3953 by Lakecroft, Inc., for a permit to maintain an existing dam on Long John Creek, tributary Gillen Bayou, tributary Trinity River, Trinity River Basin, and to impound water for recreational purposes in Liberty County.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: January 22, 1979, 2:45 p.m.  
Doc. No. 790454

**Tuesday, February 27, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes a hearing on the petition to create Lake Municipal Utility District situated wholly within Harris County, containing approximately 238,264 acres of land, and to be within the extraterritorial jurisdiction of Baytown.

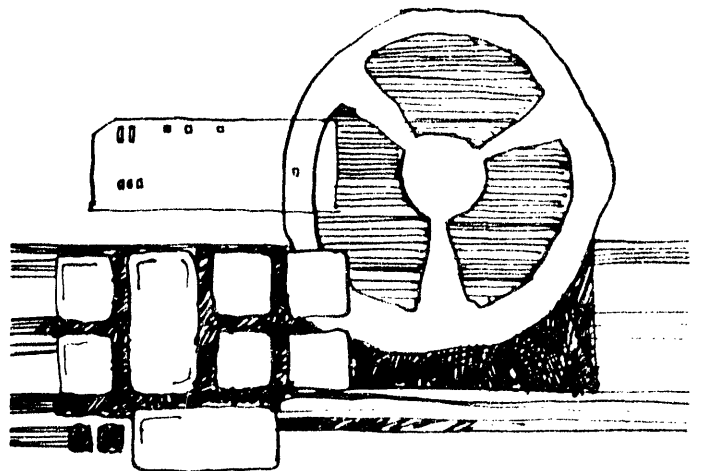
Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: January 22, 1979, 2:45 p.m.  
Doc. No. 790455

**Thursday, March 15, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. The summarized agenda includes a hearing on the application of West Keegans Bayou Improvement Association for approval of preliminary plans for construction of improvements on Keegans Bayou, tributary Brays Bayou in Fort Bend County, for the purpose of providing drainage for a development.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: January 22, 1979, 2:45 p.m.  
Doc. No. 790456



## West Texas State University

**Monday, January 29, 1979, 10 a.m.** An emergency addition was filed to the agenda of the West Texas State University Board of Regents meeting in Room 211, Activities Center, West Texas State University, Canyon. The election of a vice chairman was added to the agenda, which included an executive session as authorized by Article 6242-17, Sections 2f and 2g, Vernon's Annotated Texas Statutes, and discussion of intercollegiate athletics.

For more information, contact Texas Smith, Box 997, Canyon, Texas 79016, telephone (806) 656-3962.

Filed: January 24, 1979, 9:59 a.m.  
Doc. No. 790491

## Regional Agencies

### Meetings Filed January 22, 1979

*The Austin-Travis County MHMR Center*, Budget/Finance Committee, met at 1430 Collier, Austin, on January 25, 1979, at 6 p.m. The Board of Trustees met at 7 p.m. Further information may be obtained from Daniel Dierschke, 1430 Collier, Austin, Texas 78704, telephone (512) 447-4141.

*The Bexar-Medina-Atascosa Counties Water Improvement District No. 1*, Board of Directors, met in emergency session on January 23, 1979, at 8 a.m. Further information may be obtained from Charles W. Webb, P.O. Box 180, Natalia, Texas 78059, telephone (512) 663-2132.

Doc. No. 790457

### Meetings Filed January 23, 1979

*The Education Service Center, Region IX*, Board of Directors, met in emergency session at the Wichita Falls Country Club, Wichita Falls, on January 24, 1979, at noon. Further information may be obtained from H. M. Fullerton, P.O. Box 4086, Wichita Falls, Texas 76309, telephone (817) 322-6928.

*The Heart of Texas Council of Governments*, Board of Directors, met at the Bellmead Community Center, 2900 Parrish, Bellmead, on February 1, 1979, at 6:30 p.m. Further information may be obtained from Helen Zuehlke, 110 South 12th, Waco, Texas 76701, telephone (817) 756-6631.

*The Texas Municipal Power Agency*, Audit and Budget Committee, met in emergency session at the City Council Office, 200 North 5th, Garland, on January 24, 1979, at 2 p.m. Further information may be obtained from Danny Simmons, 600 Arlington Downs Tower, Arlington, Texas 76011, telephone (817) 461-4400.

*The San Antonio River Authority*, Board of Directors, met in the conference room, 100 East Guenther, San Antonio, on January 31, 1979, at 2 p.m. Further information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, Guilbeau Station, San Antonio, Texas 78204, telephone (512) 227-1373.

*The San Antonio River Authority Employees Retirement Trust*, Board of Trustees, met in the conference room, 100 East Guenther, San Antonio, on January 31, 1979, after 2 p.m. Further information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, Guilbeau Station, San Antonio, Texas 78204, telephone (512) 227-1373.

Doc. No. 790463

### Meetings Filed January 24, 1979

*Northeast Texas Health Systems Agency*, Executive Committee, met at the Marshall Civic Center, 2501 East End

Boulevard South, Marshall, on January 30, 1979, at 7 p.m. Further information may be obtained from Bayard S. Galbraith, Suite 201, 505 East Travis, Marshall, Texas 75670, telephone (214) 938-8331.

*The South Texas Development Council*, Regional Alcoholism/Drug Abuse Advisory Committee, met at the San Juan Plaza Community Center, Rio Grande City, on January 30, 1979, at 1 p.m. Further information may be obtained from Rosa Laura Marines, P.O. Box 2187, Laredo, Texas 78041, telephone (512) 722-3995.

Doc. No. 790487

### Meetings Filed January 25, 1979

*The Central Texas MHMR Center*, Board of Trustees, met at 308 Lakeway Drive, Brownwood, on January 30, 1979, at 4:30 p.m. Further information may be obtained from Janie Clements, P.O. Box 250, Brownwood, Texas 76801, telephone (915) 646-9574, extension 35.

*The Education Service Center, Region VIII*, Board of Directors, met at 100 North Riddle, Mt. Pleasant, on February 1, 1979, at 7 p.m. Further information may be obtained from Leroy Hendricks, 100 North Riddle, Mt. Pleasant, Texas 75455, telephone (214) 572-6676.

*The Golden Crescent Council of Governments*, Board of Directors, met in the Sam Houston Room, Victoria Bank & Trust, 120 South Main, Victoria, on January 31, 1979, at 5 p.m. Further information may be obtained from Robert W. Burr, P.O. Box 2028, Victoria, Texas 77901, telephone (512) 578-1587, extension 30.

*The South Texas Development Council*, Board of Directors, met at Zapata Civic Center, Zapata, on February 1, 1979, at 9 a.m. Further information may be obtained from Julie Saldana, P.O. Box 2187, Laredo, Texas 78041, telephone (512) 722-3995.

*The South Texas Health Systems Agency*, Plan Development Committee, met at Laredo-Webb County Health Department, 2600 Cedar Avenue, Laredo, on January 31, 1979, at 7 p.m. The agency's Nominating Committee will meet at the same location on February 5, 1979, at 5 p.m., and the South Texas Subarea Advisory Council will meet there on February 7, 1979, at 7 p.m. Further information may be obtained from Jorge Elizondo, Texas A&I University, Station 1, Box 2378, Kingsville, Texas 78363, telephone (512) 595-5545.

Doc. No. 790511

### Meetings Filed January 26, 1979

*The Ark-Tex Council of Governments*, Executive Committee, met at the Country Club, Paris, on February 1, 1979, at 5 p.m. The Board of Directors met in the Ballroom of Paris Junior College in Paris on February 1, 1979, at 7:30 p.m. For more information, contact Laura Jacobus, P.O. Box 5307, Texarkana, Texas 75501, telephone (214) 794-3481.

*The Middle Rio Grande Development Council, Consultant Selection Committee*, met in the City Council Chambers, City Hall, Uvalde, on January 30, 1979, at 1:45 p.m. Following this meeting was a meeting by the Criminal Justice Advisory Committee at 2 p.m. For more information, contact Elia G. Santos, P.O. Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

*The Panhandle Regional Planning Commission, Panhandle Health Systems Agency Review Committee*, met in Room 101, Texas Tech University School of Medicine, 1400 Wallace, Amarillo, on February 1, 1979, at 5 p.m. For more information, contact E. L. Melin, 730 Amarillo Building, Amarillo, Texas 79101, telephone (806) 372-3381.

Doc. No. 790536

### Meetings Filed January 29, 1979

*The Bexar-Medina-Atascosa Counties Water Improvement District No. 1, Board of Directors*, will meet at the district office, Natalia, on February 5, 1979, at 10 a.m. Further information may be obtained from Clifford Mueller, P.O. Box 180, Natalia, Texas 78059, telephone (512) 663-2132.

*The Brazos River Authority, Lake Management Committee* of the Board of Directors, will meet in the lake supervisor's office, Possum Kingdom Lake, on February 2, 1979, at 10:30 a.m. Further information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, telephone (817) 776-1441.

*The East Texas Council of Governments, Executive Committee*, met in the Blue Room, Allied Citizens Bank Building, Kilgore, on February 1, 1979, at 7 p.m. Further information may be obtained from Don R. Edmonds, 5th Floor, Citizens Bank Building, Kilgore, Texas 75662.

*The High Plains Underground Water Conservation District No. 1, Board of Directors*, will meet at 2930 Avenue Q, Lubbock, on February 5, 1979, at 10 a.m. Further information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, telephone (806) 762-0181.

*The Trinity River Authority of Texas, Huntsville Regional Water Supply System Right-of-Way Committee*, will meet at 1117 10th Street, Huntsville, on February 5, 1979, at 1 p.m. Further information may be obtained from Geri Elliott, P.O. Box 5768, Arlington, Texas 76011, telephone (817) 461-3151.

Doc. No. 790590

## Legislative Report

The legislative coverage in the *Register* will include notices on the introduction of each of the approximately 4,000 bills expected during the 140-day session, along with committee referrals. The legislative report will focus on proposed bills and resolutions which, if passed, will have a major impact on issues of concern to citizens on a statewide basis. Organized according to content, the coverage includes legislation regarding energy, environment, education, human services (health and welfare), insurance, economic development, taxes, criminal justice, state and local government, elections, constitutional revision, and consumer affairs. Also to appear in this section will be notices of committee meetings and a bill status list which will indicate the latest action on bills covered in the report.

The House is now introducing and referring bills to committee. In this report, the committee to which a bill is assigned is noted in parentheses beside the bill number. In addition to lists of bills introduced and meeting notices, a list of confirmed gubernatorial appointees also appears in this issue.

### Energy

SB 104 (Finance) and HB 564 (Ways and Means) would exempt solar and wind-powered energy devices from ad valorem taxation.

### Education

Proficiency testing of students would be required by HB 526 and HB 519 (both referred to Public Education). HB 526 would require proficiency testing in reading skills for 7th and 12th grade levels. HB 519 would require such testing in basic reading, writing, and mathematical skills for several grade levels.

Two more proposals regarding funding for institutions of higher learning have been introduced. SJR 26 (Education) would, by constitutional amendment, repeal all state ad valorem taxes on property and establish the State Higher Education Assistance Fund. HJR 47 (Constitutional Amendments) also proposes a constitutional amendment to repeal property taxes for higher education and to establish a special fund to finance permanent improvements at certain institutions of higher education.

SB 260 (Education) creates the Texas Public Telecommunications Authority to plan and implement two pilot projects of telecommunication networks connecting and serving educational facilities across the state.

### Human Services

Three bills have been introduced dealing with workers' compensation. SB 240 (Jurisprudence) and HB 486 (Employment Practices) extend application of the workers' compensation law to farm and ranch laborers. SB 239 (Jurisprudence) provides state funding for workers' compensation and unemployment compensation for school districts.

Other proposals regarding human services include: SB 292 (Jurisprudence), creating the Texas Medical Disclosure Panel, which would consider risks and hazards related to medical care; and HB 554 (Health Services), exempting certain educational facilities and religious organizations from licensing requirements for child care facilities.

### Insurance

Proposed legislation dealing with medical liability, group insurance programs, and motor vehicle rates have been introduced in the last week. SB 291 (Jurisprudence) would exempt from liability a physician who renders emergency medical care to a person who is not his patient and who will not be billed for such services. HB 161 (State Affairs) and SB 222 (Economic Development) would create the Texas Public School Employees Group Insurance Program. HB 529 (Insurance) prohibits an insurer from increasing the motor vehicle insurance rate for an individual who was involved in an accident without a final determination by the Department of Public Safety of the insured's fault.

### Economic Development

SB 205 (Finance) sets out provisions for creation, investment, and use of a natural resources depletion fund. According to this bill, a portion of the state's surplus funds would be invested to provide long-term financial security for the state.

SB 271 (same as HB 432), the Texas Foreign Investment Disclosure Act, provides for disclosure of foreign investment in real property in Texas. SB 271 was referred to the Economic Development Committee.

### Taxes

Several additional bills and resolutions have been introduced regarding ad valorem taxation. SJR 30 proposes, by constitutional amendment, to exempt at least \$10,000 of the market value of residential homesteads of persons 65 years of age and older from certain property taxes; SB 262 (Finance) would allow this exemption for persons 65 years of age or older or disabled persons. HB 610 (Ways and Means) exempts from school district taxes part of the value of the residential homestead of disabled individuals; HB 609 (Ways and Means) would provide similar exemptions for persons 65 years of age or older or disabled.

Other proposals dealing with ad valorem taxation include: HB 568 and HB 573 (both referred to Ways and Means), exempting certain intangible property from taxation; HJR 61, exempting all household goods not used for business purposes from taxation; and HB 625 (Ways and Means) and HJR 59 (Constitutional Amendments), exempting property of certain fraternal organizations.

### Criminal Justice

Bills have been introduced regarding a wide range of criminal justice issues. HB 599 (Criminal Jurisprudence) provides for certain circumstances when oral statements of an accused may be admissible against him or her. HB 539 (Criminal Jurisprudence) sets out conditions under which wiretapping may be used in gathering evidence. HB 626 (Criminal



Jurisprudence) increases penalties for crimes against elderly citizens. HB 600 (Criminal Jurisprudence) provides for restitution to a victim of a crime as a possible condition of probation or parole.

Regarding driving while intoxicated, HB 423 (Transportation) provides for the suspension of a driver's license, permit, or privilege of a minor who drives while intoxicated. HB 587 (Criminal Jurisprudence) makes injury to another person, due to driving while intoxicated, a form of aggravated assault and a third degree felony.

Other proposals regarding criminal justice include: HB 590 (State Affairs), allowing persons convicted of a crime and having completed probation or parole to obtain occupational licenses, with certain exceptions; and HB 602 (Security and Sanctions), moving the Board of Pardons and Paroles headquarters from Austin to Huntsville.

## State and Local Government

Several bills have been introduced making changes in the organization or duties of certain state agencies. HB 637 (State Affairs) changes the name of the Texas Commission on the Arts and Humanities to the Texas Commission on the Arts. HB 644 creates the Texas Board of Irrigators and sets out registration requirements for individuals or businesses that provide certain irrigation and yard sprinkler systems. HB 585 (State Affairs) and SB 312 give the Public Utility Commission original jurisdiction over all rate operations and services of electric utilities, except municipally owned electric utility systems. SB 313 consolidates the State Board of Registration for Public Surveyors and the State Board of Examiners for Licensed State Land Surveyors into the Texas Board of Land Surveying. SB 299 removes the prohibition against advertising by dentists and allows the Texas State Board of Dental Examiners to regulate such advertising and professional conduct of dentists. SB 248 (Economic Development) continues the existence of the Texas Motor Vehicle Commission until 1991; HB 586 (Government Organization) continues the Texas Real Estate Commission until 1991.

In response to recommendations by the Sunset Advisory Commission, proposed changes in organization of agencies include: SB 282 (State Affairs), amending the Public Accountability Act; SB 276 (Human Resources), amending the Texas Nursing Home Administrators Licensure Act; SB 277 (Human Resources), transferring duties previously held by the State Board of Morticians to the Department of Health; SB 283 (Economic Development), regarding the Texas Real Estate Commission; SB 279 (Economic Development), amending the Texas Motor Vehicle Commission Code; and SB 278 (Human Resources), abolishing the Burial Associate Rate Board and transferring its duties to the State Board of Insurance.

SB 280 and SB 281, both referred to the Jurisprudence Committee, deal with the State Bar. SB 280 designates the powers and responsibilities of the bar. SB 281 provides for regulation of lawyers by the Supreme Court and the Board of Law Examiners.

Other bills introduced deal with a variety of issues at the state level. HB 578 (State Affairs) provides for the election, rather than appointment, of commissioners to the Public

Utility Commission. HB 594 (State Affairs) would require that all agency rules and proposed rules be reviewed by the appropriate standing committees of each house of the legislature. SJR 28 (State Affairs) would limit the terms of office for members of the legislature and raise their salaries to \$1,500 per month during the session and to \$750 per month during the interim. HB 651 would set a limit on the growth rate of legislative appropriations based on the estimated rate of growth for personal income in Texas. SB 297 prohibits discrimination in public employment because of age. HB 612 (State Affairs) raises the mandatory retirement age to 70 for public employees.

Three bills dealing with local government include: HB 654, allowing cities and counties to regulate the location of certain sexually-oriented commercial activities; SB 256 (Intergovernmental Relations) and HB 596 (Judicial Affairs), expanding the jurisdiction of county courts at law to matters involving as much as \$20,000; and HB 557 (Intergovernmental Affairs), allowing a city to annex adjacent territory without obtaining the consent of the residents or property owners of the territory.

## Elections

HB 647 is another bill designed to change the dates of primary elections and to make other changes regarding conventions by political parties.

SJR 27 (State Affairs) limits the number of times a person may be elected governor or lieutenant governor. HJR 48 and HJR 49 (both referred to Constitutional Amendments) limit the number of times a person can be elected governor. HJR 56 (Constitutional Amendments) limits the number of consecutive terms that a person may be elected governor.

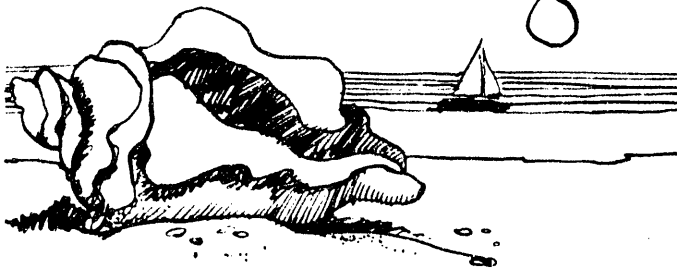
## Constitutional Revision

Additional constitutional amendments have been proposed concerning several issues. All of the following resolutions have been referred to the Committee on Constitutional Amendments. HJR 60 would prohibit the imposition of a personal income tax. HJR 52 would limit the number of times a person could be elected speaker of the House of Representatives. HJR 57 and HJR 55 would grant initiative and referendum powers to the electorate.

## Consumer Affairs

Several more bills have been introduced regarding product liability. HB 670 and SB 265 (Economic Development) would allow the state of the art as a defense in product liability suits. SB 264 (Economic Development) places time limitations on action by an injured party in a product liability suit, if based on the theory of strict liability in tort or implied warranty. HB 631 (State Affairs) allows a system of comparative fault in product liability suits.

Other proposals regarding consumer issues include: HB 642, the Motor Vehicle Repair and Disclosure Act; SB 311 (similar to HB 50), requiring labeling indicating country of origin on each agricultural product that is prepared, delivered, shipped, transported, or sold in Texas; and HB 593 (Business and Industry), allowing voters of a county to approve or disapprove use of the "blue law" in their county.



## House of Representatives

### Bills Introduced

#### Committee Referrals

The following are bills filed for action during the 66th Legislative Session. Each bill is followed in parentheses by the committee to which it has been assigned. In the following list, the bill number appears first, the author(s) second, and the subject of the bill. HB indicates house bill; HJR indicates house joint resolution; HCR indicates house concurrent resolution; and HR indicates house simple resolution.

For copies of bills, call Bill Distribution (512) 475-2073.

- HR 1 Ezzell—Limiting individuals from the floor of the House, with certain exceptions.
- HR 2 Nabers and Rains—Calling for nominations for speaker of the House
- HR 3 Nabers and Rains—Directing the speaker of the House of Representatives be elected by secret ballot. (Rules)
- HR 4 Laney—Regarding appropriations for House.
- HR 5 Close—Relating to the election of the speaker of the House of Representatives. (Rules)
- HR 6 Davis—Regarding contest of the general election for state representative from District 57H
- HR 7 Slack—Regarding House rules.
- HR 8 R. Wilson and Davis—Regarding House rules.
- HR 9 Delco—In memory of Charles L. Blair.
- HR 10 Atkinson—Appointing committees to notify the governor and the Senate that the House is organized and prepared to transact business.
- HR 11 R. Wilson and Washington—Congratulating Vernon E. Jordan, Jr. (Rules)
- HR 12 Hudson—Removing HB 75 and HB 104 from the files and records of the House. (Rules)
- HR 13 G. Hill—Granting permission to the Boy Scouts to use the House chamber. (House Administration)
- HR 14 Watson—Welcoming Glenn E. Watts on his visit to the state.
- HR 15 Bock—Creating the General Investigating Committee.
- HR 16 Coleman—Creating a special interim committee to study the feasibility of conforming all the state's criminal provisions to the offense classification system of the Penal Code. (Criminal Jurisprudence)

HR 17 Rains—Concerning health of Mrs. Pat Atkinson, Mrs. Ouida Smith, and Mrs. Ruth Brown.

HR 18 Hollowell—Listing the members of the House of Representatives.

HR 20 Collazo—Recognizing the 50th anniversary of Robert E. Lee Elementary School of Port Arthur. (Rules)

HR 21 Hudson—Creating a subcommittee to conduct an interim study to determine whether state laws relating to eminent domain insure just compensation and adequate protection of the rights of Texas citizens. (Judicial Affairs)

HR 22 Looney and Martin—In memory of Dudley Tarlton Dougherty.

HR 23 Bode and Sharp—Commending the Ladies Auxiliary of the Veterans of Foreign Wars.

HR 24 Wieting, Berlanga, W. N. Hall, Rangel, Gonzales, and Harrison—Declaring January 24, 1979, to be University System of South Texas Day.

HR 25 Hartung and Maloney—Congratulating Milton Fox and Martin Fox.

HR 27 Healy—Commending John Mason Mings III.

HR 28 L. Hall and Evans—Commending Wiley G. Thomas, Jr.

HR 29 Hudson—Directing the Committee on Intergovernmental Affairs to create a subcommittee to study during the interim whether political subdivisions of the state engage in tactics which destroy the integrity of the neighborhoods. (Intergovernmental Affairs)

HR 30 Fox—Congratulating the members and coaching staff of the Stratford High School Spartans.

HR 31 Bode, Delco, and G. Hill—Welcoming the Honorable Wilbur Mills on the occasion of his visit to Austin.

HR 32 Denton, et al.—Commending LULAC and its Council No. 273.

HCR 1 Head—Requesting the Department of Human Resources to make payments to rural health clinics for health care services. (Health Services)

HCR 2 Barrientos, B. Clark, and Lee—Declaring February 6, 1979, Earl Campbell Day in Texas. (Rules)

HCR 3 Grant—Memorializing Congress of the United States to take affirmative action to induce the Internal Revenue Service to speed up the processing of estate tax returns. (Ways and Means)

HCR 4 Bock—Naming a committee to select Texas State Artist for 1979 and 1980. (Rules)

HCR 5 Simpson—Creating a committee to designate a poet laureate of the State of Texas for 1979 and 1980. (Rules)

HCR 6 Grant—Calling a joint session for January 31, 1979, to hear Chief Justice Joe R. Greenhill deliver "state of the judiciary" address.

HCR 7 Lyon—Memorial resolution for T. H. McDonald.

HCR 9 Bush—Commending Judge Les Tribble.

HCR 10 Bush—Requesting the governor to appoint a study committee on alcohol and drug abuse. (Health Services)

HCR 11 Davis—Adopting the joint rules of the two houses for the 66th Legislature. (Rules)

HCR 12 R. Wilson, Washington, Reyes—Extending an invitation to Barbara Jordan to address a joint session. (Rules)

HCR 13 Hudson—Endorsing the Statement of Concerns for Texas Higher Education issued by the Association of Texas Colleges and Universities. (Higher Education)

HCR 14 G. Hill—Granting permission to the Texas Jaycees to use the chambers of the House of Representatives and Senate on Saturday, January 27 and Sunday, January 28, 1979, for their traditional legislative seminar.

HCR 15 G. Hill—Granting permission to the YMCA Youth and Government Program to use the chambers of the House and Senate. (House Administration)

HCR 16 S. Thompson—Creating a special committee to assist the governor and Coordinating Board, Texas College and University System, in establishing policies that will bring Texas' system of higher education into full compliance with the Civil Rights Act. (Rules)

HCR 17 Blythe and Polumbo—Creating a special interim committee to study the aspects of regional government in Texas. (Rules)

HCR 18 Criss—Granting permission to Grace Nunez to sue the state. (Judiciary)

HCR 19 Evans—Creating a committee to designate a Texas State Artist for 1979-1981.

HCR 21 Smothers—Memorializing Congress to direct federal agencies to take action against Iranian students and any other foreign persons who destroy property or violate laws and statutes of the country.

HCR 22 Smothers—Rescinding the state's ratification of the amendment proposed in 1972 by U.S. HJR 208 and hereby declare that SCR 1 be repealed. (Constitutional Amendments)

HCR 23 R. Wilson—Inviting President Carter to address a joint session. (House Administration)

HCR 24 W. T. Hall—Declaring January 21 through January 29, 1979, to be Beta Club Week in Texas. (Public Education)

HCR 25 Bush—In memory of Charles E. Hughes.

HCR 26 Simpson—Requesting implementation of the 1977 Farm Program to its fullest extent. (Agriculture and Livestock)

HCR 27 Delco—Directing the Board of Control to provide a women's restroom on the fourth floor of the capitol. (House Administration)

HCR 28 Whitehead—Memorializing Congress to initiate an amendment to the constitution to provide for the election of federal district court judges by the people of the district for six-year terms. (State Affairs)

HCR 30 Allred—Exempting the Department of Public Safety's supervisory vehicles from hearing the inscription of the agency's name. (Transportation)

HCR 31 Kubiak—Requesting Congress to implement the 1977 farm program to its fullest extent.

HCR 32 Washington—Granting permission to Thomas, Richardson, Runden, and Company, Inc., to sue the state. (Judiciary)

HCR 33 J. A. Clark—Congratulating Mickey Gilley.

HB 1 Close—Relating to the provision and use of natural gas for certain agricultural purposes. (Agriculture and Livestock)

HB 2 Evans—Relating to the establishment of a substation of The University of Texas M. D. Anderson Hospital and Tumor Institute. (Higher Education)

HB 3 B. Clark—Relating to elections to reduce local increases in effective property tax rates. (Intergovernmental Affairs)

HB 4 Hartung—Relating to the investment and deposit of state funds. (Financial Institutions)

HB 5 Hartung—Decreasing the rate of the Limited Sales, Excise, and Use Tax to three percent. (Ways and Means)

HB 6 Smith—Relating to the offenses of arson, criminal mischief, and reckless damage or destruction of property. (Criminal Jurisprudence)

HB 7 Smith—Relating to notice of certain insurance rate and coverage changes. (Insurance)

HB 8 Smith—Relating to the removal of an incorrigible pupil from a public school classroom. (Public Education)

HB 9 Smith—Relating to the regulation of telephone solicitation and providing a penalty. (Transportation)

HB 10 Smith—Relating to minimum standards for county jails. (Security and Sanctions)

HB 11 Allee and Hartung—Relating to protective headgear for motorcycle operators and passengers. (Transportation)

HB 12 Allee—Relating to a standard for determining death. (Health Services)

HB 13 Allee—Relating to certificates of title for construction equipment. (Transportation)

HB 14 Allee—Relating to the duty of landlord and tenant to maintain residential rental premises in a fit and habitable condition. (Business and Industry)

HB 15 Jackson and G. Green—Relating to contracts covered by the Texas General Arbitration Act. (Judiciary)

HB 16 Smith—Relating to the Mountain Creek State Park and its acquisition, development, operation, and maintenance. (Environmental Affairs)

HB 17 G. Green—Relating to a performance bond by a contractor or builder who secures a lien on a homestead for improvements, repairs, or additions to the homestead. (Business and Industry)

HB 18 G. Green—Relating to contracts creating liens on homesteads for labor and materials used in constructing improvements on the homestead. (Business and Industry)

HB 19 G. Green—Relating to the identification of horses. (Agriculture and Livestock)

HB 20 G. Green—Relating to possession of intoxicating beverages on public school grounds. (Public Education)

HB 21 G. Green—Relating to family allowance, homestead, and property exempt from estate debts under the Texas Probate Code. (Judiciary)

HB 22 G. Green—Relating to compulsory liability insurance for certain vehicles. (Insurance)

HB 23 G. Green—Relating to acquisition of errors and omissions policies by certain insurance agents. (Insurance)

HB 24 G. Green—Relating to status of coverage under the motor vehicle assigned risk plan. (Insurance)

HB 25 G. Green—Relating to the penalty for certain unfair or deceptive acts by insurers. (Insurance)

HB 26 G. Green—Relating to itemized premium statements for certain motor vehicle insurance coverages. (Insurance)

HB 27 G. Green—Relating to fair trade practices in the insurance business. (Insurance)

HB 28 Chavez—Relating to recovery of attorney's fees in delinquent tax suits of municipal utility districts. (Natural Resources)

HB 29 Grant—Relating to modification of court orders appointing a managing conservator in a suit affecting the parent-child relationship. (Judicial Affairs)

HB 30 Grant—Relating to venue in certain tort actions. (Judiciary)

HB 31 Grant—Relating to compensation from the state for district attorneys and their staffs. (Judicial Affairs)

HB 32 Grant—Relating to the establishment, jurisdiction, and operation of municipal courts of record in the incorporated cities, towns, and villages in this state. (Criminal Jurisprudence)

HB 33 Grant—Relating to the appointment, duties, and staff of presiding judges of the administrative judicial districts, and the duties of the chief justice of the supreme court. (Judicial Affairs)

HB 34 Grant—Relating to the office of bailiff of each district court and statutory county court. (Judiciary)

HB 35 Grant—Relating to warning labels on certain alcoholic beverage containers. (Liquor Regulation)

HB 36 Close—Relating to protective headgear for persons riding motorcycles. (Transportation)

HB 37 Coleman—Relating to the election, salary, and expenses of members of the state board of education. (Public Education)

HB 38 Gonzales—Relating to guaranteed student loans. (Higher Education)

HB 39 Chavez—Relating to statewide juvenile services and probation, making changes in the name, membership, administration, powers, and duties of the Texas Adult Probation Commission. (Security and Sanctions)

HB 40 Chavez—Relating to the powers and duties of juvenile boards and the establishment of a juvenile board in counties where none exists and to standards for juvenile probation officers and personnel. (Security and Sanctions)

HB 41 Looney—Relating to the time interest accrues on open accounts. (Financial Institutions)

HB 41 Looney—Relating to certain improperly made tax levies. (Ways and Means)

HB 43 Bird—Relating to sexual contact with the breast of a female. (Criminal Jurisprudence)

HB 44 Bock, McBee, Keese, Pierce, and Nabers—Relating to the creation of the School Property Tax Relief Fund. (Ways and Means)

HB 45 Bock, McBee, Keese, Pierce, and Nabers—Relating to the creation and distribution of the School Property Tax Relief Fund. (Ways and Means)

HB 46 Bock, McBee, Keese, Pierce, and Nabers—Relating to the creation and distribution of the School Property Tax Relief Fund. (Ways and Means)

HB 47 Criss—Relating to the selection and qualifications of jurors. (Judiciary)

HB 48 Kubiak—Relating to competitive bids for work on highways in the state highway system. (Transportation)

HB 49 Kubiak—Relating to the rate of and the allocation of revenue derived from the Limited Sales, Excise, and Use Tax. (Ways and Means)

HB 50 Kubiak and Sharp—Relating to the labeling and transportation of agricultural products. (Agriculture and Livestock)

HB 51 Bird—Relating to a preference on court dockets for certain workers' compensation cases. (Employment Practices)

HB 52 Bird—Relating to exemptions from jury service. (Judicial Affairs)

HB 53 Smith—Relating to the licensing and regulation of public adjusters and providing penalties. (Insurance)

HB 54 Smith—Relating to the creation, financing, and use of the Texas park, recreation, and open space fund. (Ways and Means)

HB 55 Keller—Relating to the administrative reorganization of state government. (State Affairs)

HB 56 G. Hill—Relating to the firemen's relief and retirement fund in certain cities. (Employment Practices)

HB 57 Bush—Relating to the public school program on the dangers and prevention of crime and alcohol, narcotic, and drug abuse. (Public Education)

HB 58 Waters—Relating to the amount of land that may be selected for purchase under the veterans land program. (Environmental Affairs)

HB 59 Waters—Relating to the regulation of educational testing service. (Higher Education)

HB 60 Jackson—Relating to the imposition, administration, collection, and enforcement of a local option county sales and use tax for the benefit of counties, cities, and school districts. (Ways and Means)

HB 61 Washington—Relating to the discharge of persons committed to the Texas Youth Council. (Security and Sanctions)

HB 62 Washington—Relating to the organization and duties of the State Commission for the Deaf. (Human Services)

HB 63 Evans and L. Hall—Relating to the acceptance by the Parks and Wildlife Department of certain land for park purposes. (Environmental Affairs)

HB 64 Smith—Providing for the establishment of a criminal history record system with the Texas Department of Public Safety. (Security and Sanctions)

HB 65 Head—Relating to establishment of The University of Texas Medical School at Tyler. (Higher Education)

HB 66 Head—Relating to the eligibility of medical students for student loans. (Higher Education)

HB 67 Head—Relating to contracts with certain medical students to engage in family practice in rural and underserved urban areas. (Higher Education)

HB 68 Head—Relating to restrictions on the authority of conference committees appointed to resolve disagreements between the Senate and the House of Representatives with regard to appropriations bills and tax bills. (Rules)

HB 69 Head—Relating to an open season for the hunting of deer and turkey by the use of muzzle-loading firearms. (Environmental Affairs)

HB 70 G. Hill—Relating to the deposit of state salary warrants in accounts with certain financial institutions. (Ways and Means)

HB 71 Hudson—Relating to participation of certain persons in medical research projects, experimental medical treatment, and certain surgical procedures. (Security and Sanctions)

HB 72 Hudson—Relating to the liability in civil damages of a person who makes certain threats. (Criminal Jurisprudence)

HB 73 Hudson—Relating to the statute of limitations in paternity suits. (Judicial Affairs)

HB 74 Hudson—Exempting employees of the State of Texas from payment of tuition and fees in Texas institutions of higher education. (Higher Education)

HB 75 Hudson—Relating to civil liability, damages, and attorney's fees for interfering with radio or television reception. (Business and Industry)

HB 76 Hudson—Relating to the state minimum wage. (Employment Practices)

HB 77 Hudson—Relating to creation of a school of medicine at Prairie View A&M University. (Higher Education)

HB 78 Hudson—Relating to creation of a school of law by Texas Southern University. (Higher Education)

HB 79 Hudson—Relating to establishment of a law school in Dallas County. (Higher Education)

HB 80 Hudson—Relating to right of a landlord to remove property from abandoned premises. (Business and Industry)

HB 81 Hudson—Relating to certain duties of landlords. (Business and Industry)

HB 82 Hudson—Relating to civil liability for certain conditions or uses of land. (Agriculture and Livestock)

HB 83 Hudson—Authorizing Texas Southern University to establish a night law school in the Dallas-Fort Worth metroplex. (Higher Education)

HB 84 Hudson—Relating to a tenant's covenant not to sue. (Business and Industry)

HB 85 Gonzales—Relating to the possession of certain outboard motors without a manufacturer's serial number and to related criminal penalties. (Environmental Affairs)

HB 86 Gonzales—Relating to proof of the payment of sales and use taxes before the issuance of a certificate of title for a motorboat. (Environmental Affairs)

- HB 87 Madla—Relating to allocation of funds under the foundation school program for educational programs for gifted and talented students. (Public Education)
- HB 88 Madla—Relating to safety regulations for school buses. (Transportation)
- HB 89 Hudson—Relating to the making of grants to certain veterans. (Human Services)
- HB 90 Hudson—Relating to the written notice of sale of real estate under a deed of trust and the manner of advertising the sale by publication in a newspaper. (Judiciary)
- HB 91 Hudson—Relating to paralegals. (Judiciary)
- HB 92 Hudson—Relating to searches of private residences by employees or agents of public utilities. (State Affairs)
- HB 93 Hudson—Relating to equal educational opportunities for public school students. (Public Education)
- HB 94 Hudson—Relating to wrongful death actions by brothers or sisters of a deceased person. (Judicial Affairs)
- HB 95 Hudson—Relating to appeals from justice court in actions for forcible entry and detainer. (Judiciary)
- HB 96 Hudson—Relating to the delegation of tasks to a paralegal. (Judiciary)
- HB 97 Hudson—Relating to the disqualification of a trial judge because of political endorsement by a party or an attorney representing a party in a case. (Judicial Affairs)
- HB 98 Hudson—Relating to review of previous awards by the Industrial Accident Board. (Employment Practices)
- HB 99 Hudson—Relating to the duty of care owed to a social quest. (Judiciary)
- HB 100 Hudson—Relating to various offenses involving the wearing of masks or disguises; providing penalties. (Criminal Jurisprudence)
- HB 101 Hudson—Relating to an exemption from the franchise tax for nonprofit corporations the purpose of which is neighborhood improvement, the prevention of crime, or the reduction of unemployment. (Ways and Means)
- HB 102 Hudson—Relating to failure to settle a tort claim by certain insurers. (Insurance)
- HB 103 Hudson—Relating to the creation of community service authorities and providing for the issuance of bonds by the authorities. (Intergovernmental Affairs)
- HB 104 Hudson—Relating to required disclosure of financial interests, activities, and gifts by members of and candidates for the governing body in certain cities. (Intergovernmental Affairs)
- HB 105 Hudson—Relating to abolition of the death penalty. (Criminal Jurisprudence)
- HB 106 Hudson—Relating to the liability of the owner of a motor vehicle when certain other persons operate the vehicle. (Judiciary)
- HB 107 Hudson—Relating to title insurance coverage for certain interests. (Insurance)
- HB 108 Hudson—Relating to civil liability for a violation of an individual's right of privacy. (Judiciary)
- HB 109 Hudson—Relating to venue in libel and slander cases. (Judiciary)
- HB 110 Hudson—Relating to grants to Vietnam-era veterans. (Human Services)
- HB 111 Hudson—Relating to the fraudulent concealment of a cause of action. (Judiciary)
- HB 112 Hudson—Relating to the duty of a landlord to maintain a dwelling unit in safe condition; providing a cause of action. (Business and Industry)
- HB 113 Blythe and Caraway—Relating to required disclosure of financial interests, activities, and gifts by members of and candidates for the governing body in certain cities; providing a penalty. (Intergovernmental Affairs)
- HB 114 Keller—Relating to primary elections and conventions held by political parties. (Elections)
- HB 115 Lalor and Untermeyer—Relating to deferral of taxes and abatement of tax suits on homesteads of senior citizens and their surviving unmarried spouses. (Ways and Means)
- HB 116 Wright—Relating to the regulation of vehicles hauling loose materials. (Transportation)
- HB 117 Grant—Relating to the number of trial jurors in the district court. (Judiciary)
- HB 118 Grant and Head—Relating to administrative aides for district judges. (Judicial Affairs)
- HB 119 Grant—Relating to the accessibility of information held by certain governmental bodies. (State Affairs)
- HB 120 Ragsdale—Relating to prevention of certain discriminatory practices in the employment of persons because of race, color, religion, sex, age, or national origin. (Employment Practices)
- HB 121 Ragsdale—Creating a Texas Equal Employment Opportunity Commission. (Employment Practices)
- HB 122 Ragsdale—Creating a Texas Human Relations Commission. (State Affairs)
- HB 123 Ragsdale—Relating to prevention of certain discriminatory practices in employment, places of public accommodation, educational institutions, real property transactions, and awarding of public contracts on the basis of race, color, religion, sex, age, or national origin. (Employment Practices)
- HB 124 G. Green—Relating to the sale and use of certain fireworks in counties having a population of 1,700,000 or more according to the last preceding federal census. (Business and Industry)
- HB 125 G. Green—Relating to the rights of a living fetus removed from the body of a woman and to the protection of a living fetus born as a result of an abortion. (Judicial Affairs)
- HB 126 G. Green—Relating to the jurisdiction and permit procedures of the Harris-Galveston Coastal Subsidence District. (Natural Resources)
- HB 127 G. Green—Making it an offense to employ an illegal alien. (Employment Practices)
- HB 128 G. Green—Relating to service of citation by serving the insurer under certain circumstances. (Insurance)
- HB 129 G. Green—Relating to underwriting guidelines for certain types of insurance. (Insurance)
- HB 130 G. Green—Relating to mailing cancellation and nonrenewal notices on certain policies of insurance. (Insurance)
- HB 131 G. Green—Relating to credits on unearned premiums or reduction of premiums for certain insurance. (Insurance)
- HB 132 G. Green—Relating to authorizing and regulating group marketing of motor vehicle insurance. (Insurance)
- HB 133 G. Green—Relating to restrictions on conduct of the members of the State Board of Insurance, the Commissioner of Insurance, and certain persons and entities. (Insurance)
- HB 134 G. Green—Relating to the creation and operation of the Texas Tort Claims Self-Insurance Fund. (State Affairs)
- HB 135 G. Green—Relating to the percentage of damages to be paid insured on delay in payment of claims under certain policies of insurance. (Insurance)
- HB 136 G. Green—Relating to retail sellers of motor fuel providing compressed air and water at no charge. (Business and Industry)
- HB 137 G. Green and McBee—Relating to abandoned mineral estates. (Energy Resources)
- HB 138 Ragsdale—Relating to the delivery of handguns. (State Affairs)
- HB 139 Ragsdale—Relating to an assigned risk procedure to provide performance and payment bonds for prime contractors making contracts with the state or a political subdivision. (Insurance)

HB 140 Ragsdale—Removing the prohibition against compensation for trustees of independent school districts. (Public Education)

HB 141 Ragsdale—Relating to state contracts with an purchases from small businesses, including those owned by minority group members. (State Affairs)

HB 142 Keese and Kubiak—Relating to the taxation of certain motor fuel containing alcohol. (Ways and Means)

HB 143 Keese—Relating to legislative approval for disposal of certain nuclear waste. (Energy Resources)

HB 144 Maloney—Fixing maximum rates of interest for certain loans or other extensions of credit of \$250,000 or more. (Financial Institutions)

HB 145 Gaston—Relating to employment contracts for faculty members at institutions of higher education. (Higher Education)

HB 146 Close, Wieting, and Bode—Relating to the disclosure of foreign investment in agricultural land in Texas and providing a penalty. (Agriculture and Livestock)

HB 147 Bird—Relating to permits for interwatershed transfers of water. (Natural Resources)

HB 148 Bode and Criss—Relating to a system student council and student representation on the board of regents of The University of Texas System. (Higher Education)

HB 149 Berlanga—Relating to the creation of a county civil service system. (Intergovernmental Affairs)

HB 150 Berlanga—Relating to exemptions from the requirement of a sport fishing license. (Environmental Affairs)

HB 151 S. Thompson—Relating to the designation of January 15th as "Martin Luther King, Jr., Day." (State Affairs)

HB 152 S. Thompson—Relating to maximum liability for damages under the Texas Tort Claims Act. (State Affairs)

HB 153 S. Thompson—Relating to use of Available University Fund money. (Higher Education)

HB 154 S. Thompson—Relating to Prairie View A&M University. (Higher Education)

HB 155 Coler—Relating to conversion privileges under certain health insurance policies. (Insurance)

HB 156 S. Thompson—Relating to the appointment and use of the Available University Fund. (Higher Education)

HB 157 S. Thompson—Relating to the reporting of all federal funds received and expended by institutions of higher education. (Higher Education)

HB 158 Evans—Relating to the establishment in certain counties of auxiliary courts outside the county seat for nonjury proceedings. (Intergovernmental Affairs)

HB 159 Delco and Bode—Relating to pilot programs for parent education in public schools. (Public Education)

HB 160 Cartwright—Relating to school bus routes. (Public Education)

HB 161 Cartwright—Relating to the creation, administration, powers, duties, and financing of the Texas Public School Employees Group Insurance Plan. (State Affairs)

HB 162 Bode—Relating to medical conditions preventing issuance or causing cancellation of a driver's license and preventing operation of a motor vehicle. (Transportation)

HB 163 Willis—Relating to the establishment of a substation of The University of Texas M.D. Anderson Hospital and Tumor Institute. (Higher Education)

HB 164 Willis—Relating to special license plates for disabled veterans. (Transportation)

HB 165 McLeod—Relating to the rights, powers, authority, privileges, and functions of the Galveston County Water Authority. (Natural Resources)

HB 166 R. Wilson—Relating to age requirements for certain peace officers. (Intergovernmental Affairs)

HB 167 R. Wilson—Relating to permits for solid waste disposal sites within the city limits of certain cities. (Natural Resources)

HB 168 R. Wilson—Relating to the penalty for the offense of injury to a child. (Criminal Jurisprudence)

HB 169 Semos, Lewis, Pierce, and Brown—Relating to compensation of certain resident physicians. (Higher Education)

HB 170 Smith—Relating to minimum standards for county jails. (Security and Sanctions)

HB 171 Glossbrenner—Relating to a three-member board of trustees for certain independent school districts. (Public Education)

HB 172 S. Thompson—Relating to minority performance on professional examinations. (Higher Education)

HB 173 Coleman—Relating to the protection of eagles and related penalties. (Environmental Affairs)

HB 174 Hudson—Relating to a bond for the construction of a swimming pool. (Business and Industry)

HB 175 Hudson—Relating to the right of recovery of a parent or a spouse for the wrongful death of a child or a spouse. (Judicial Affairs)

HB 176 Hudson—Relating to the record on appeal in a civil case. (Judiciary)

HB 177 Hudson—Relating to the suspension of execution of a judgment in a civil suit pending appeal. (Judiciary)

HB 178 Hudson—Relating to the carrying of weapons by taxicab drivers. (Criminal Jurisprudence)

HB 179 Hudson—Relating to the offense of interference with emergency communications. (Transportation)

HB 180 Hudson—Relating to the duties and powers of state agencies to assist small businesses. (State Affairs)

HB 181 Hudson—Relating to notice of a sheriff's sale. (Judiciary)

HB 182 Hudson—Relating to the correction of judgments and orders and the relieving of parties from their operation. (Judiciary)

HB 183 Hudson—Relating to rules governing action taken by a court on a motion for summary judgment. (Judicial Affairs)

HB 184 Hudson—Relating to attorney's fees in certain suits arising from a violation of a statute, ordinance, or regulation. (Judiciary)

HB 185 Hudson—Relating to an answer by mail to a suit in justice court. (Judicial Affairs)

HB 186 Hudson—Relating to certain sales of television receivers that are not equipped with interference filters. (Business and Industry)

HB 187 Hudson—Relating to the measure of damages that may be recovered in certain cases of fraud. (Judiciary)

HB 188 Hudson—Relating to certain duties of landlords. (Business and Industry)

HB 189 Hudson—Relating to the offense of terroristic threat. (Criminal Jurisprudence)

HB 190 Hudson—Relating to proof of a person's inability to pay costs of suit or appeal. (Judiciary)

HB 191 Hudson—Relating to notice of foreclosure of a vendor's lien on real property. (Business and Industry)

HB 192 Hudson—Relating to establishment of a law school in Dallas County. (Higher Education)

HB 193 Hudson—Relating to the implementation of family planning services. (Human Services)

HB 194 Hudson—Requiring trial courts to send a copy of certain judgments and orders to the parties and attorneys in the suite. (Judicial Affairs)

HB 195 Hudson—Relating to the disposal of abandoned motor vehicles. (Transportation)

HB 196 Hudson—Relating to voter registration in connection with driver's license applications. (Transportation)

- HB 197 Hudson—Relating to fees to be paid by a defendant for the issuance of a transcript. (Criminal Jurisprudence)
- HB 198 Hudson—Relating to certain inspections of the transmission lines and equipment of a telecommunications utility. (State Affairs)
- HB 199 Hudson—Relating to authorizing the Texas Department of Human Resources to establish pilot day-care programs for certain children. (Human Services)
- HB 200 Hudson—Relating to civil liability for damage or injuries caused by certain pets. (Judiciary)
- HB 201 Hudson—Relating to the practice of medicine, exempting the practice of acupuncture. (Health Services)
- HB 202 Hudson—Relating to day-care centers for certain children. (Human Services)
- HB 203 Hudson—Relating to the compensation by the state of victims of certain crimes. (Criminal Jurisprudence)
- HB 204 Blythe—Relating to substitution of reappraised values of property for existing values on the tax roll. (Intergovernmental Affairs)
- HB 205 Blythe—Relating to deposits paid to certain public utilities as a condition precedent to furnishing utility service. (State Affairs)
- HB 206 Ragsdale—Relating to a state agency's publication of notice of an invitation for bids. (State Affairs)
- HB 207 G. Hill and Head—Relating to chemical tests for intoxication. (State Affairs)
- HB 208 G. Hill and Head—Relating to civil and criminal sanctions against persons committing the offense of driving while intoxicated or under the influence of alcohol. (Criminal Jurisprudence)
- HB 209 Lator—Relating to the expenditure of government construction funds for fine arts projects. (State Affairs)
- HB 210 Madia—Relating to eligibility of public school students for transportation cost allotments under the Foundation School Program. (Public Education)
- HB 211 Close—Relating to the creation, establishment, administration, maintenance, operation, and financing of the Dallam-Hartley Counties Hospital District of Dallam and Hartley Counties. (Intergovernmental Affairs)
- HB 212 Close—Relating to punishment for the offense of fleeing a police officer. (Criminal Jurisprudence)
- HB 213 Patterson—Relating to conversion privileges under certain accident and sickness insurance policies. (Insurance)
- HB 214 J. A. Clark and Bush—Relating to inclusion of certain coverage in an insurance contract and providing for endorsement. (Insurance)
- HB 215 Waters—Relating to warranty of habitability of a residential unit and prohibiting retaliatory conduct. (Business and Industry)
- HB 216 S. Thompson—Relating to establishment of an executive management intern program. (State Affairs)
- HB 217 McLeod—Relating to the maximum rate of interest on loans. (Financial Institutions)
- HB 218 Lator, Ceverha, and Jackson—Relating to the operation of the Texas Turnpike Authority. (Government Organization)
- HB 219 Lator—Relating to the prohibition of possession of burning tobacco products or smoking tobacco in certain public places. (Health Services)
- HB 220 Lator—Relating to the holding of presidential primary elections and the selecting of delegates to national nominating conventions by political parties holding presidential primaries. (Elections)
- HB 221 Mankins—Relating to lump-sum payments in workers' compensation cases and review of certain worker's compensation awards of judgments. (Employment Practices)
- HB 222 Ragsdale—Relating to prevention of certain discriminatory practices in employment, places of public accommodation, educational institutions, real property transactions, and awarding of public contracts on the basis of race, color, religion, sex, age, or national origin. (Employment Practices)
- HB 223 Jackson—Relating to the establishment of school volunteer programs. (Public Education)
- HB 224 Jackson—Relating to abolition of the Board of County and District Road Indebtedness and the lateral road account. (Government Organization)
- HB 225 Lator—Relating to regulation of motor vehicle manufacturers and distributors and their dealers and representatives. (Government Organization)
- HB 226 Evans—Relating to receivers of mineral interests owned by nonresident or unknown owners. (Energy Resources)
- HB 227 Moreno and A. Garcia—Relating to agricultural labor. (Agriculture and Livestock)
- HB 228 A. Garcia—Defining the term "eligible city" as any city or town in this state, including Home Rule Cities, whose corporate limits are within a distance of 15 miles from a river between the State of Texas and the Republic of Mexico, authorizing each eligible city to acquire, purchase, construct, improve, enlarge, equip, operate, and maintain any toll bridge or bridges or parts thereof, buildings, structures, activities, operations, or other facilities, for any public purpose. (Intergovernmental Affairs)
- HB 229 Uribe—Relating to application of the open meetings law to certain organizations supported by public funds. (State Affairs)
- HB 230 Delco—Relating to discrimination by alcoholic beverage licensees and permittees. (Liquor Regulation)
- HB 231 Laney—Changing the name of Texas Tech University School of Medicine to Texas Tech University Health Sciences Center. (Higher Education)
- HB 232 Lator—Relating to the regulation of real estate brokers and salesmen. (Government Organization)
- HB 233 Lator and Henderson—Relating to acquisition, development, operation, and maintenance of parks, recreational areas, and open space areas in urban areas and to the creation and use of the Texas local parks, recreation, and open space fund. (Environmental Affairs)
- HB 234 Lator, G. Hill, and Allee—Relating to the jurisdiction of the justice court and the small claims court. (Judiciary)
- HB 235 Waters—Relating to state purchases from and contracts with minority business. (State Affairs)
- HB 236 Waters—Relating to the time limits for the state to be ready for trial in certain misdemeanor offenses. (Criminal Jurisprudence)
- HB 237 Ragsdale—Relating to the maximum length of time for payment of supplies and services purchased by contract with the State Board of Control. (State Affairs)
- HB 238 Ragsdale—Relating to a change of the name of the State Board of Control. (State Affairs)
- HB 239 Jones—Relating to exemption of the home addresses and home telephone number of peace officers from the open records act. (State Affairs)
- HB 240 Sullivant—Relating to the valuation of open-space land used to support the raising of livestock or to produce farm crops or forest products or used by colleges or universities for certain purposes. (Ways and Means)
- HB 241 Sullivant—Relating to the allocation of state funds and to limitations upon local funds used for the support of public primary and secondary education. (Ways and Means)
- HB 242 Blythe—Relating to required disclosure of financial interests, activities, and gifts by county judges, county commissioners, and candidates for those offices in certain counties. (Intergovernmental Affairs)



- HB 243 Keese—Relating to payment by the state of part of the attorney's fees and expenses for representation of indigent criminal defendants. (Criminal Jurisprudence)
- HB 244 Jones—Relating to the obligations and liability of parents and others for the conduct of certain children and the authority of juvenile courts to make orders for the payment of certain fees and for the welfare of children. (Judicial Affairs)
- HB 245 Hudson—Relating to the kinds of personal property exempt from attachment, execution, and seizure for satisfaction of liabilities. (Judiciary)
- HB 246 Hudson—Relating to development and coordination of the athletic resources of the state. (State Affairs)
- HB 247 Hudson—Relating to a moratorium on the execution of convicts. (Criminal Jurisprudence)
- HB 248 Hudson—Relating to notice to the defendant and his attorney of record in a criminal case of court settings pertaining to that case. (Criminal Jurisprudence)
- HB 249 Hudson—Relating to commissioning certain housing security officers as peace officers. (Intergovernmental Affairs)
- HB 250 Hudson—Relating to an increase in the membership of the Texas Indian Commission. (State Affairs)
- HB 251 Hudson—Relating to creation of the Racial and Ethnic Historical Contributions Commission. (State Affairs)
- HB 252 Hudson—Relating to creation of the Racial and Ethnic Goodwill Commission. (State Affairs)
- HB 253 Hudson—Relating to the composition of the Texas Indian Commission. (State Affairs)
- HB 254 Hudson—Relating to creation of the Advisory Committee on Multi-Ethnic Historical Contributions. (State Affairs)
- HB 255 Hudson—Relating to the functions of the Texas Indian Commission. (State Affairs)
- HB 256 Hudson—Relating to regulation of professional liability insurance. (Insurance)
- HB 257 Close—Relating to the investment of funds of soil and water conservation districts. (Agriculture and Livestock)
- HB 258 Bock—Relating to compensation of the directors of the Edwards Underground Water District. (Natural Resources)
- HB 259 Bock—Relating to separate ballots for submission of propositions. (Elections)
- HB 260 Fox—Relating to placement of names of candidates on the official ballot for a public election. (Elections)
- HB 261 Cain—Creating a public agency of the State of Texas to be known as the Texas Housing Finance Agency, and prescribing its purposes. (State Affairs)
- HB 262 A Hill—Relating to the use of audible signals by emergency vehicles. (Transportation)
- HB 263 Ceverha—Relating to fees for certified copies of death certificates. (Intergovernmental Affairs)
- HB 264 Ceverha—Repealing the prohibition of the sale of certain items on both the consecutive days of Saturday and Sunday. (Business and Industry)
- HB 265 Blythe—Relating to the approval of claims against a county by the county auditor. (Intergovernmental Affairs)
- HB 266 Blythe—Relating to denial, nonrenewal, cancellation, and increase in rates for motor vehicle insurance. (Insurance)
- HB 267 Blythe—Relating to the decentralization of certain school districts. (Regions, Compacts, and Districts)
- HB 268 Blythe and Caraway—Relating to the election of the governing bodies of certain cities from single-member districts. (Regions, Compacts, and Districts)
- HB 269 Lewis—Relating to the authority of the Texas Department of Community Affairs to contract with and dispense money to Big Brothers/Big Sisters of America. (Human Services)
- HB 270 Lalor—Relating to the development and maintenance of friendly relations between this state and Latin American countries. (Government Organization)
- HB 271 Willis—Relating to retail sales on Saturday and Sunday. (Business and Industry)
- HB 272 Davis—Relating to grants and loans by the Texas Aeronautics Commission. (Transportation)
- HB 273 Uribe—Relating to the time for appeals from unemployment compensation determination. (Employment Practices)
- HB 274 Lalor—Relating to establishing the offense of aggravated official oppression. (Criminal Jurisprudence)
- HB 275 S. Thompson—Relating to legislators' access to certain confidential information concerning convicts. (Security and Sanctions)
- HB 276 S. Thompson—Relating to the use of private consultants by state agencies and regional councils of government. (State Affairs)
- HB 277 S. Thompson—Relating to the commitment of a child in need of supervision to the Texas Youth Council. (Security and Sanctions)
- HB 278 Cofer—Relating to information requirements for certain female inpatients in hospitals. (Health Services)
- HB 279 W. T. Hall, Willis, A. Hill, G. Green, and Collazo—Relating to salary and benefits for certain officers of the Department of Public Safety. (State Affairs)
- HB 280 Gonzales—Relating to discrimination against certain handicapped persons in rates and availability of automobile insurance. (Insurance)
- HB 281 Gonzales—Relating to social psychotherapeutic, psychological, and psychiatric treatment and counseling for minors. (Judicial Affairs)
- HB 282 Gonzales—Relating to employment contracts of independent school district superintendent. (Public Education)
- HB 283 Uher—Relating to bonds required by certain counties for the construction of streets and roads in subdivisions. (Intergovernmental Affairs)
- HB 284 Uher—Relating to the duties of the district attorney of the 23rd Judicial District. (Judicial Affairs)
- HB 285 Fox—Relating to unitization of oil and gas reservoirs. (Energy Resources)
- HB 286 Simpson—Relating to admission of certain evidence in appeals from decisions of the Industrial Accident Board. (Employment Practices)
- HB 287 Simpson—Relating to average weekly wages used in computing workers' compensation benefits. (Employment Practices)
- HB 288 Simpson—Relating to service, benefits, and contributions of elected state officials in the state employees retirement system. (State Affairs)
- HB 289 Simpson—Relating to participation in the state employees retirement system by persons in the elective state official class. (State Affairs)
- HB 290 Kubiak, Sharp, D. Hill, and McBee—Relating to the requirement that certain school districts participate in the national school breakfast program. (Public Education)
- HB 291 A. Hill—Relating to insurance coverage for services of certain doctors of chiropractic medicine. (Insurance)
- HB 292 Presnal—Relating to a supplemental appropriation to the State Board of Registration for Professional Engineers for construction of a building and related expenses. (Appropriations)
- HB 293 Collazo—Relating to issuance of information contained in driver's license records. (Transportation)
- HB 294 Watson—Relating to establishing the liability of school districts for certain medical expenses incurred by students injured in certain school athletic programs and requiring school districts to carry insurance to cover their liability. (Public Education)



- HB 295 Watson—Relating to vocational teachers credit for prior experience in a trade or industry for the purpose of determining minimum salary increments and retirement service credits. (Public Education)
- HB 296 S. Thompson—Relating to a pilot program to deal with problems associated with family violence. (Human Services)
- HB 297 Close—Relating to primary elections and conventions held by political parties. (Elections)
- HB 298 Lalor—Relating to personal emergency leave for public school teachers. (Public Education)
- HB 299 Willis—Relating to longevity pay for commissioned law enforcement personnel of certain state agencies and institutions. (State Affairs)
- HB 300 J. Wilson—Relating to the creation, establishment, administration, maintenance, operation, and financing of the Elgin Hospital District of Bastrop, Travis, and Lee Counties. (Intergovernmental Affairs)
- HB 301 Bode and Denton—Relating to the taxation of commercial uses of gas and electricity. (Ways and Means)
- HB 302 Bode—Relating to vehicle registration and parking privileges for disabled persons. (Transportation)
- HB 303 Mayes—Relating to creation of the 269th Judicial District, composed of Erath and Hood Counties, and the office of district attorney for the 269th District and reorganization of the 29th Judicial District. (Judicial District)
- HB 304 Jones—Relating to a family farm security program to encourage loans for farm real estate. (Agriculture and Livestock)
- HB 305 Whitehead—Relating to the sale and conveyance of certain surplus land by the Texas Department of Mental Health and Mental Retardation with the proceeds to be used for the renovation of ward buildings at the Rusk State Hospital. (State Affairs)
- HB 306 Whitehead—Relating to benefits payable by the Employees Retirement System of Texas to certain annuitants. (State Affairs)
- HB 307 Whitehead—Relating to the sale and conveyance of certain surplus land by the Parks and Wildlife Department with the proceeds to be used for the Texas State Railroad. (State Affairs)
- HB 308 Coleman—Relating to inspection of certain motor vehicles before registration. (Transportation)
- HB 309 Coleman—Relating to the boundaries of state representative Districts 72A and 72B. (Regions, Compacts, and Districts)
- HB 310 S. Thompson—Relating to regulation of persons engaged in attending or caring for sick people. (Health Services)
- HB 311 Jones—Relating to damages, fees, and costs recoverable in certain consumer actions. (Business and Industry)
- HB 312 Hudson—Relating to recovery of damages and attorney's fees from insurers who engage in certain unfair claims settlement practices. (Insurance)
- HB 313 Hudson—Relating to service retirement allowance under the Employees Retirement System of Texas for certain law enforcement officers. (State Affairs)
- HB 314 Hudson—Relating to the use of certain off-campus facilities by the University of Texas at Dallas. (Higher Education)
- HB 315 Hudson—Relating to economic education in the public schools. (Public Education)
- HB 316 Hudson—Relating to the right of certain adult groups to organize classes at institutions of higher education. (Higher Education)
- HB 317 Hudson—Relating to programs for the prevention and control of venereal disease. (Health Services)
- HB 318 Hudson—Relating to election contests for the office of precinct chairman of a political party. (Elections)
- HB 319 Hudson—Conferring jurisdiction on the district courts to hear and determine election contests relative to boards of certain agencies. (Elections)
- HB 320 Bush—Relating to blood alcohol content tests as part of required autopsies. (Criminal Jurisprudence)
- HB 321 Grant—Relating to civil and criminal sanctions against persons who drive while intoxicated or under the influence of alcohol. (Criminal Jurisprudence)
- HB 322 Grant—Relating to irrevocable prepaid burial contracts. (Insurance)
- HB 323 Grant—Relating to the codification and clarification of the Texas Law of nontestamentary transfers. (Judiciary)
- HB 324 Grant—Relating to the joint use of an existing easement under certain circumstances by a utility with the power of eminent domain. (State Affairs)
- HB 325 Grant—Relating to the applicability of laws prohibiting driving while intoxicated or under the influence of alcohol. (Criminal Jurisprudence)
- HB 326 Grant—Relating to limitations on the number of personnel employed by certain state agencies, departments, or institutions. (Appropriations)
- HB 327 Grant—Relating to pre-sentence investigations of the defendant in certain felony cases. (Criminal Jurisprudence)
- HB 328 Grant—Relating to license plates for disabled persons. (Transportation)
- HB 329 Grant—Relating to the clarification, revision, and amendment of the Texas Probate Code and the amendment of certain other statutes that relate to probate. (Judiciary)
- HB 330 Hudson—Relating to the punishment for a capital offense. (Criminal Jurisprudence)
- HB 331 Hudson—Relating to agricultural labor. (Agriculture and Livestock)
- HB 332 Grant—Relating to regulation of franchises. (Business and Industry)
- HB 333 G. Green—Relating to the regulation of vehicles hauling loose materials and the measure of damages resulting from violations. (Transportation)
- HB 334 G. Green—Relating to rating, issuance, refusal to renew, and cancellation of certain automobile insurance. (Insurance)
- HB 335 Head—Making a supplemental appropriation to the Texas Department of Human Resources. (Appropriations)
- HB 336 Head—Relating to the duty of the attorney general to give legal opinions to city attorneys. (Judiciary)
- HB 337 Mayes—Relating to the payment to the royalty owners for the production and sale or use of oil of gas. (Energy Resources)
- HB 338 Hollowell—Relating to exemption of certain school district appointments from the nepotism law. (Public Education)
- HB 339 Bode—Relating to the assignment of a former district judge to sit in a district court. (Judiciary)
- HB 340 Bode—Relating to the creation, membership, duties, and powers of the Texas Juvenile Standards Commission. (State Affairs)
- HB 341 Head—Relating to emergency medical services provided by the Department of Public Safety. (Transportation)
- HB 342 Barrientos—Relating to the penalty for the offense of official oppression. (Criminal Jurisprudence)
- HB 343 Grant—Relating to the jurisdiction of the justice court and the small claims court. (Judiciary)
- HB 344 Gonzales—Relating to insurance coverage for motor vehicles that are modified to compensate for a physical handicap. (Insurance)
- HB 345 Kubiak—Relating to damages recoverable by certain defendants in consumer actions. (Business and Industry)
- HB 346 Bock—Relating to the jurisdiction of the County Court at Law of Comal County. (Judicial Affairs)
- HB 347 Uher, Collazo, Head, B. Clark, Benedict, and G. Green—Relating to supplemental service retirement benefits for certain peace officers and custodial officers. (State Affairs)

HB 348 Hollowell—Relating to the hunting of turkey in Van Zandt County and related criminal penalties. (Environmental Affairs)

HB 349 Browder—Relating to the assignment of certain insurance agent's commissions. (Insurance)

HB 350 Gilley—Relating to the acquisition, lease, and disposal of real property by the Sabine River Authority. (Natural Resources)

HB 351 Gilley—Relating to the distribution of motor vehicle registration fees. (Ways and Means)

HB 352 Smothers—Relating to protection headgear for persons riding motorcycles. (Transportation)

HB 353 Hollowell—Relating to the boundaries, taxing power, directors, and bonds of the Wood County Central Hospital District of Wood County, Texas. (Intergovernmental Affairs)

HB 354 Bush—Relating to clarifying and procedural changes to the Texas Controlled Substances Act. (Criminal Jurisprudence)

HB 355 McLeod—Relating to a system of grievance committees to handle complaints about attorneys and the unauthorized practice of law. (Government Organization)

HB 356 McLeod—Relating to the functions of the State Bar. (Government Organization)

HB 357 McLeod—Relating to the payment and disposition of fees and other revenue of the State Bar. (Government Organization)

HB 358 McLeod—Relating to the expenditure of the State Bar's funds for political purposes. (Government Organization)

HB 359 McLeod—Relating to complaints about attorneys or the unauthorized practice of law. (Government Organization)

HB 360 McLeod—Relating to the educational requirements for taking the state bar examination. (Government Organization)

HB 361 McLeod—Relating to sanctions imposed on attorneys under the State Bar Act. (Government Organization)

HB 362 McLeod—Relating to regulation of attorneys. (Government Organization)

HB 363 Hanna—Relating to the authority of the Railroad Commission of Texas to promulgate rules necessary to implement state responsibility under federal law or rules. (Appropriations)

HB 364 Cain—Relating to enhanced penalties for offenses against the elderly. (Criminal Jurisprudence)

HB 365 Cain—Relating to the identification and preservation of certain natural areas in this state. (Environmental Affairs)

HB 366 Cain—Relating to the compensation by the state of victims of certain crimes. (State Affairs)

HB 367 Jones and Denton—Relating to the longevity pay for commissioned law enforcement personnel of certain state agencies and institutions. (State Affairs)

HB 368 Beck—Relating to the transcription of proceedings for the statement of facts in appeals of criminal cases. (Criminal Jurisprudence)

HB 369 Lewis—Relating to the mixed beverage gross receipts tax. (Ways and Means)

HB 370—Relating to payment of costs for an autopsy ordered by a justice of the peace. (Intergovernmental Affairs)

HB 371 Reyes and Washington—Relating to the establishment of penalties and definition of official oppression. (Criminal Jurisprudence)

HB 372 Heally—Relating to the establishment, administration, maintenance, operation, and financing of the Chillicothe Hospital District of Hardeman County, Texas, by authority of Article IX, Section 9, of the Texas Constitution. (Intergovernmental Affairs)

HB 373 McLeod—Relating to evidence that a product complies with federal or state standards or regulations in certain actions for damages based on strict tort liability. (State Affairs)

HB 374 McLeod—Relating to the qualifications of certain expert witnesses in an action based on strict liability in tort or implied warranty. (State Affairs)

HB 375 McLeod—Relating to misuse as a defense in product liability suits. (State Affairs)

HB 376 McLeod—Relating to certain alterations and modifications of a product as a defense in a product liability suit. (State Affairs)

HB 377 McLeod—Relating to the time for filing certain lawsuits against manufacturers, suppliers, sellers, lessors, and bailors. (State Affairs)

HB 378 Semos—Relating to district clerk fees that previously was impliedly repealed. (Intergovernmental Affairs)

HB 379 Grant—Relating to regional programs and grants for the treatment and prevention of alcoholism. (Health Services)

HB 380 Sharp—Relating to exempting certain motor vehicles from ad valorem taxation. (Ways and Means)

HB 381 Moreno—Relating to employer bans on communication in Spanish and other languages by employees. (Employment Practices)

HB 382 Moreno—Relating to the election of the board of trustees of certain junior college districts. (Regions, Compacts, and Districts)

HB 383 Gonzales and Wieting—Relating to the taking of blue crabs. (Environmental Affairs)

HB 384 R. Wilson—Relating to elimination of junkyards from certain metropolitan areas. (Intergovernmental Affairs)

HB 385 Fox—Relating to the rate of the state inheritance tax. (Ways and Means)

HB 386 B. Clark—Relating to certificates of title for certain farm equipment. (Agriculture and Livestock)

HB 387 D. Hill—Relating to the disposition of assets of a corporation, derivative suits, and certain corporate mergers. (Business and Industry)

HB 388 Hudson—Relating to conjugal visitation of prison inmates. (Security and Sanctions)

HB 389 Salinas—Relating to exempting certain automobiles from ad valorem taxation and from forced sale for debt. (Ways and Means)

HB 390 Salinas—Relating to making the murder of an elected public official or a public schoolteacher a capital offense in certain circumstances. (Criminal Jurisprudence)

HB 391 Blythe, et al.—Amending Chapter 19 of the Water Code. (Appropriations)

HB 392 G. Hill—Relating to discrimination in rates charged certain persons for automobile insurance. (Insurance)

HB 393 Lyon—Relating to creating a State Formulary Commission, allowing prescription drug product selections by pharmacists. (Health Services)

HB 394 Benedict and Peveto—Regarding payment of money of all money received by the state treasurer. (Ways and Means)

HB 395 Valles—Relating to contracts for the education of Texas resident medical students attending the Medical College of El Paso. (Higher Education)

HB 396 Evans—Relating to an election in Tarrant County to consolidate the offices of county auditor and county treasurer. (Intergovernmental Affairs)

HB 397 Von Dohlen and Sharp—Relating to creation of the 270th Judicial District, composed of Calhoun, Dewitt, Goliad, Jackson, Refugio, and Victoria Counties, and reorganization of the 135th Judicial District. (Judicial Affairs)

HB 398 Lalor—Relating to the number of licenses to make regulated loans that may be issued to one individual or other legal entity. (Financial Institutions)

HB 399 Grant—Relating to the certification of court reporters and the regulation of shorthand reporting for use in litigation. (Judiciary)

- HB 400 S. Thompson—Relating to the regulation of discrimination in the sale or service of alcoholic beverages. (Liquor Regulation)
- HB 401 S. Thompson—Relating to a mandatory retirement age for public employees. (State Affairs)
- HB 402 S. Thompson—Relating to exempting certain motor vehicles from ad valorem taxation. (Ways and Means)
- HB 403 Haley—Relating to compensation of the Sabine River Compact commissioners. (Natural Resources)
- HB 404 Rains—Relating to creation of the County Court at Law of Medina County. (Judicial Affairs)
- HB 405 Glossbrenner—Relating to circumstances under which lighted lamps are required on vehicles. (Transportation)
- HB 406 Presnal—Making a supplemental appropriation to the Texas Animal Health Commission. (Appropriations)
- HB 407 Willis—Repealing an Act authorizing certain municipal courts of record in the city of Fort Worth. (Judicial Affairs)
- HB 408 Willis—Relating to the pay of election judges and clerks. (Elections)
- HB 409 Donaldson—Relating to the rate of interest on loans secured by certain residential property. (Financial Institutions)
- HB 410 J. A. Clark and Caraway—Relating to forfeiture money derived from violations of the Controlled Substances Act. (Criminal Jurisprudence)
- HB 411 Coody—Relating to primary elections and conventions held by political parties. (Elections)
- HB 412 Simpson—Relating to the statute of limitations in certain actions. (Judiciary)
- HB 413 McLeod—Relating to an official state play. (State Affairs)
- HB 414 Benedict—Relating to the preference of veterans in public employment. (State Affairs)
- HB 415 Benedict—Relating to credit in the Employees Retirement System of Texas for certain service performed for a county child welfare board. (State Affairs)
- HB 416 Benedict—Relating to regulation of mobile home insurance written by county mutual insurance companies. (Insurance)
- HB 417 Benedict—Relating to delinquent children and children in need of supervision. (Judicial Affairs)
- HB 418 Benedict—Relating to residency requirements for appointive municipal officers. (Intergovernmental Affairs)
- HB 419 Presnal—Relating to the number of days of service required of personnel who are employed for 11 and 12 months under the foundation school program. (Public Education)
- HB 420 Cartwright—Relating to increasing the penalty for violating the provisions of the Texas Controlled Substances Act involving phencyclidine. (Criminal Jurisprudence)
- HB 421 Cartwright—Relating to social security contributions for employees of political subdivisions. (Intergovernmental Affairs)
- HB 422 Rudd—Relating to rights, privileges, duties, and powers of spouses. (Judicial Affairs)
- HB 423 R. Wilson—Relating to the lease of office space for state agencies. (State Affairs)
- HB 424 R. Wilson—Relating to the purchasing authority of state agencies. (State Affairs)
- HB 425 R. Wilson—Relating to acquisition of telephone services by state agencies. (State Affairs)
- HB 426 Ezzell—Relating to exemption of certain elderly persons from jury service. (Judiciary)
- HB 427 Ezzell—Relating to disclosure of records of deceased mentally retarded persons. (Health Services)
- HB 428 Ezzell—Relating to consent for disclosure of information about deceased mental patients. (Health Services)
- HB 429 J. A. Clark and Watson—Relating to group marketing of motor vehicle insurance. (Insurance)
- HB 430 Price—Relating to regulation of motor carriers. (Transportation)
- HB 431 Patterson—Relating to the ownership of real property by nonresident aliens. (Agriculture and Livestock)
- HB 432 Kubiak—Relating to the disclosure of foreign investment in real property and providing a penalty. (Agriculture and Livestock)
- HB 433 McBee—Relating to the pay of election officers. (Elections)
- HB 434 McBee—Relating to voting absentee by persons involved in administering an election. (Elections)
- HB 435 McBee—Relating to notification of appointment as an election judge. (Elections)
- HB 436 McBee—Relating to the quantity of ballots to be furnished to voting precincts. (Elections)
- HB 437 Browder—Relating to venue in certain suits affecting the parent-child relationship and in certain hearings on motions to modify a court's order affecting the parent-child relationship. (Judicial Affairs)
- HB 438 Henderson and Atkinson—Relating to workers' compensation self-insurance. (Employment Practices)
- HB 439 Evans—Relating to the jurisdiction of an electrician who is licensed by a political subdivision. (Intergovernmental Affairs)
- HB 440 Evans—Relating to the punishment for using or exhibiting a firearm or explosive weapon during the commission of certain felonies. (Criminal Jurisprudence)
- HB 441 Nowlin—Relating to the Uniform Foreign Country Money-Judgement Recognition Act and the recognition of money judgments by courts of foreign countries. (Judiciary)
- HB 442 Willis—Relating to the civil service system in certain counties. (Intergovernmental Affairs)
- HB 443 Smothers—Relating to exemption of certain child care facilities and child caring institutions. (Health Services)
- HB 444 Smothers—Relating to classes of persons not qualified to vote. (Elections)
- HB 445 Webber—Relating to selection by pharmacists of drugs requiring a prescription. (Health Services)
- HB 446 Fox—Relating to the appointment of campaign treasurers and assistant campaign treasurers. (Elections)
- HB 447 Evans—Relating to jurisdiction of the municipal court over certain water safety offenses. (Environmental Affairs)
- HB 448 Evans—Relating to the requirement of possession of hunting and fishing licenses. (Environmental Affairs)
- HB 449 Evans—Relating to traffic offenses committed by certain minors. (Transportation)
- HB 450 Evans—Relating to the elimination of obsolete requirements regarding speeding arrests. (Transportation)
- HB 451 Cartwright—Relating to permissible charges on certain regulated loans. (Financial Institutions)
- HB 452 D. Hill—Relating to increases in motor vehicle insurance rates for certain violations. (Insurance)
- HB 453 D. Hill—Relating to representation of court reporters in certain suits by district, county, or private attorneys. (Intergovernmental Affairs)
- HB 454 Whitehead—Relating to longevity pay for certain state employees. (State Affairs)
- HB 455 Peveto—Relating to the requirement that school bus drivers give bond. (Public Education)
- HB 456 Berlanga—Relating to the regulation under motor carrier law of persons transporting certain agricultural commodities. (Transportation)

- HB 457 Berlanga—Relating to certain precinct maps furnished to the secretary of state by the county clerk. (Election)
- HB 458 Berlanga—Relating to jurisdiction over rates, operations, and services of electric utilities in the extraterritorial jurisdiction of certain municipalities. (State Affairs)
- HB 459 Berlanga—Relating to eligibility for participation in a special program for non-English speaking children. (Public Education)
- HB 460 Jones—Relating to collective bargaining for firemen and policemen. (Employment Practices)
- HB 461 Willis—Relating to the authority to create municipal courts of record in the city of Fort Worth and prescribing the appeals from the municipal courts of record. (Judicial Affairs)
- HB 462 Keese—Relating to the imposition, administration, collection, and enforcement of a local option county sales and use tax. (Ways and Means)
- HB 463 Keller—Relating to eligibility to take the bar examination. (Judiciary)
- HB 464 Keller—Relating to electioneering near a polling place. (Elections)
- HB 465 G. Green—Relating to the appointment of presiding judges and clerks in certain elections in counties with populations greater than 1,500,000. (Election Code)
- HB 466 Close—Relating to the authority of a county to provide an office building or jail away from the county seat. (Intergovernmental Affairs)
- HB 467 Ezzell—Relating to the appointment, duties, and powers of masters in certain suits affecting the parent-child relationship and certain contempt of court proceedings. (Judicial Affairs)
- HB 468 Ezzell—Relating to assignment of rights of support by applicants for and recipients of aid to families with dependent children. (Human Services)
- HB 469 Ezzell—Relating to limitation of actions in suits to establish paternity. (Judicial Affairs)
- HB 470 Ezzell—Relating to probation for persons in contempt of court for the failure or refusal to make court ordered child support payments. (Judicial Affairs)
- HB 471 Ezzell—Relating to blood tests in suits to establish paternity. (Judicial Affairs)
- HB 472 Ezzell—Relating to the voluntary assignment of wages for the payment of child support. (Judicial Affairs)
- HB 473 Head—Relating to voluntary membership in the State Bar. (Government Organization)
- HB 474 Head—Relating to the payment and disposition of fees and other revenue of the State Bar. (Government Organization)
- HB 475 Head—Relating to the expenditure of the State Bar's funds for political purposes. (Government Organization)
- HB 476 Head—Relating to temporary speed limits set by the State Highway and Public Transportation Commission. (Transportation)
- HB 477 Head—Relating to the regulation of county mutual insurance companies. (Insurance)
- HB 478 Looney—Relating to hazardous duty pay for law enforcement personnel of certain state agencies. (State Affairs)
- HB 479 Price—Relating to the prohibition of penalties for the prepayment of certain loans. (Financial Institutions)
- HB 480 Smith—Relating to the apportionment of funds by the State Library System. (State Affairs)
- HB 481 Smith—Relating to the apportionment of funds by the State Library System. (State Affairs)
- HB 482 Bird—Relating to the sale of property of a minor in an estate by a parent without appointment as a guardian. (Judiciary)
- HB 483 Bird—Relating to the transfer of property of a decedent to the distributees of the estate after an independent executor closes an estate by affidavit. (Judiciary)
- HB 484 Watson—Relating to the effects of certain speeding violations on drivers' licenses and motor vehicle insurance. (Transportation)
- HB 485 Bock—Relating to uniform procedural rules for the district courts. (Judicial Affairs)
- HB 486 Chavez, et al—Relating to application of the workers' compensation law to farm and ranch laborers. (Employment Practices)
- HB 487 Nabers, et al—Relating to regulation of funeral directors, embalmers, and funeral homes. (Government Organization)
- HB 488 Simpson—Relating to a derivative suit brought by a creditor of a corporation. (Judiciary)
- HB 489 Simpson—Relating to the dissolution of a domestic corporation and the withdrawal of a foreign corporation. (Judiciary)
- HB 490 Simpson—Relating to an alien owning land in Texas. (Agriculture and Livestock)
- HB 491 Rains and Untermeyer—Relating to homestead exemptions. (Financial Institutions)
- HB 492 Hernandez—Relating to deposits required by municipal corporations and other entities for installing certain services. (Intergovernmental Affairs)
- HB 493 Brown—Relating to exempting volunteer fire fighters from tuition requirements for certain courses in state-supported institutions of higher education. (Higher Education)
- HB 494 Brown—Relating to competitive bidding on community college contracts for certain purchases. (Higher Education)
- HB 495 Brown—Relating to the employment of certain children in the entertainment industry. (Employment Practices)
- HB 496 Brown—Relating to certain administrative, license, and exemption provisions in the law regulating private investigators and private security agencies. (State Affairs)
- HB 497 Brown—Relating to the taxation of motor fuels used in certain motor vehicles owned or leased by a school district. (Ways and Means)
- HB 498 Brown—Relating to the advertising of beer. (Liquor Regulation)
- HB 499 McBee—Relating to breakfast programs for public school students from low income families. (Public Education)
- HB 500 McBee—Relating to office hours of certain officials involved with the administration of elections. (Elections)
- HB 501 Cartwright—Relating to exemption from ad valorem taxation of nonprofit homes for the elderly or the handicapped that are exempt from federal income tax. (Ways and Means)
- HB 502 Benedict—Relating to a defendant's right to a speedy trial in a criminal case. (Criminal Jurisprudence)
- HB 503 Lauhoff, et al—Relating to limitations on reevaluations of property for ad valorem tax purposes. (Intergovernmental Affairs)
- HB 504 Berlanga—Relating to taxation of dance halls, night clubs, and like places of amusement. (Ways and Means)
- HB 505 D. Hill—Relating to the offenses of arson and criminal mischief. (Criminal Jurisprudence)
- HB 506 Untermeyer and Lalor—Relating to the use, allocation, and distribution of revenue from the state hotel occupancy tax. (Ways and Means)
- HB 507 Polumbo—Relating to the regulation of personnel employment services. (Business and Industry)
- HB 508 Polumbo—Relating to the operation of public schools on a semester basis. (Public Education)
- HB 508 Polumbo—Relating to the operation of public schools on a semester basis. (Public Education)
- HB 509 Polumbo—Relating to shining lights on public roadways. (Transportation)

- HB 510 Polumbo—Relating to the authority of certain counties to contract for and finance water and sewage services. (State Affairs)
- HB 511 Polumbo—Relating to the authority of certain counties to contract for and finance water and sewage service. (Intergovernmental Affairs)
- HB 512 Polumbo—Relating to an exemption from the limited sales, excise, and use tax for certain telephone equipment for the deaf. (Ways and Means)
- HB 513 Von Dohlen, Schlueter, and Rains—Relating to costs incurred in the defense of certain claims for pecuniary damages in civil actions and the awarding of such costs by the court. (State Affairs)
- HB 514 Blythe and Waters—Relating to policemen's retirement systems in certain cities. (Employment Practices)
- HB 515 Ezzell—Relating to regulation of barbers. (Government Organization)
- HB 516 Wieting—Relating to the use of push nets for taking shrimp or other edible aquatic life. (Environmental Affairs)
- HB 517 Wieting—Relating to the use of county equipment for soil conservation work on private property. (Agriculture and Livestock)
- HB 518 Haley—Making an appropriation to pay the additional cost of purchased utilities at Stephen F. Austin State University. (Appropriations)
- HB 519 Jackson—Relating to the assessment of student skills. (Public Education)
- HB 520 Wilhs—Relating to the Board of Hospital Managers of the Tarrant County Hospital District. (Intergovernmental Affairs)
- HB 521 Caraway—Relating to the allocation, transfer, and use of state funds for capital acquisitions and improvements by certain colleges and universities. (Ways and Means)
- HB 522 Head—Relating to the qualifications of certain medical students for admission to supervised clinical training programs in Texas medical schools. (Higher Education)
- HB 523 Head—Relating to the suspension of driver's license, permit, or privilege of a minor who drives while intoxicated or while under the influence of alcohol. (Transportation)
- HB 524 Head—Relating to the requirement of a public hearing in the exercise of the right of eminent domain. (State Affairs)
- HB 525 Close—Relating to the penalty for the offense of bail jumping and failure to appear. (Criminal Jurisprudence)
- HB 526 Smothers—Relating to assessment of student proficiency in reading. (Public Education)
- HB 527 Haley—Relating to the authority of the Texas Department of Health to regulate the humane care and treatment of certain animals. (Agriculture and Livestock)
- HB 528 Smothers—Relating to the annual state fee for a private club registration permit. (Liquor Regulation)
- HB 529 Collazo—Relating to limitations on motor vehicle insurance rate increases. (Insurance)
- HB 520 Harlung—Relating to the registration fee for certain securities. (Financial Institutions)
- HB 531 Laney—Relating to the per diem and mileage expenses of soil and water conservation district supervisors. (Agriculture and Livestock)
- HB 532 Nowlin—Relating to work requirements for unemployment compensation benefits. (Employment Practices)
- HB 533 McLeod—Relating to disbarment of an attorney or suspension of the attorney's license after a trial. (Government Organization)
- HB 534 Close—Relating to validation of certain acts and proceedings of school districts. (Public Education)
- HB 535 Hudson—Relating to the period for vesting of benefits in the Texas County and District Retirement System. (Employment Practices)
- HB 536 Hudson—Relating to extension courses offered by Texas Southern University in Dallas and Tarrant Counties. (Higher Education)
- HB 537 Hudson—Relating to notice of the time and place of a foreclosure sale. (Business and Industry)
- HB 538 Hudson—Relating to the record on appeal in a civil case. (Judicial Affairs)
- HB 539 Fox—Relating to the interception and use of wire or oral communications. (Criminal Jurisprudence)
- HB 540 Evans—Relating to evidence in a civil action of necessity or services and reasonableness of charges by a person or institution licensed by the state. (Judiciary)
- HB 541 Evans—Relating to the taxation of airline passenger transportation services. (Ways and Means)
- HB 542 Waters—Relating to use of various types of voting systems in the same election. (Elections)
- HB 543 Waters—Relating to notice given to certain election officials of changes in county election precinct boundaries. (Elections)
- HB 544 Waters and McBee—Relating to recounts of paper ballots. (Elections)
- HB 545 Alfred—Relating to tuition and other fees paid by certain public school personnel who enroll in courses at state institutions of higher education. (Higher Education)
- HB 546 Rains—Relating to membership on the board of trustees of the Teacher Retirement System of Texas. (State Affairs)
- HB 547 Collazo—Relating to the issuance and renewal of motorboat certificates of number and title. (Environmental Affairs)
- HB 548 Keller—Relating to health services for persons with cystic fibrosis. (Health Services)
- HB 549 Bock—Relating to repeal of certain obsolete statutes. (State Affairs)
- HB 550 Close and Rudd—Relating to county authority to own or care for a cemetery. (Intergovernmental Affairs)
- HB 551 B. Clark—Relating to the possession of a firearm and certain lights on the public roads at night. (Environmental Affairs)
- HB 552 B. Clark—Relating to regulation of the taking of fur-bearing animals. (Environmental Affairs)
- HB 553 B. Clark—Relating to bonds filed to indemnify against certain loans. (Judiciary)
- HB 554 Rains and A. Hill—Relating to exemption of certain educational facilities and religious organizations from licensing requirements for child care facilities. (Health Services)
- HB 555 Whitehead—Relating to transfer of the Crockett State School from the Texas Youth Council to the Texas Department of Mental Health and Mental Retardation. (State Affairs)
- HB 556 Lauhoff—Relating to the transportation of ready mix concrete and loose materials in a single load having an overall gross weight in excess of certain limitations, providing the measure of damages resulting from the violations. (Transportation)
- HB 557 Rudd—Relating to consent requirements for municipal annexation. (Intergovernmental Affairs)
- HB 558 Presnall—Appropriating money for the support of the judicial, executive, and legislative branches of the state government, for the construction of state buildings, and the state aid to public junior colleges, for the period beginning September 1, 1979, and ending August 31, 1981. (Appropriations)
- HB 559 Slack—Relating to conditions for sale of certain public land. (State Affairs)
- HB 560 Bird—Relating to teacher contracts. (Public Education)
- HB 561 Bird—Relating to the jurisdiction of the County Court at Law No. 2 of Bexar County. (Judicial Affairs)
- HB 562 Benedict—Relating to the authority of commissioners court to enact ordinances. (Intergovernmental Affairs)

- HB 563 Sharp—Relating to the creation of the Matagorda Island State Park. (Environmental Affairs)
- HB 564 Elizondo—Relating to exemption of solar and wind-powered energy devices from ad valorem taxation. (Ways and Means)
- HB 565 Waters—Relating to the investigatory power of the secretary of state. (Elections)
- HB 566 Waters—Relating to a limitation on certain political contributions. (Elections)
- HB 567 Bock—Relating to the membership, liability of members, and powers of a partnership. (Judiciary)
- HB 568 Jones—Relating to exemption of certain intangible property from ad valorem taxation. (Ways and Means)
- HB 569 Criss—Relating to the power of an incorporated city, town, or village to maintain a nonperpetual care cemetery within its boundaries. (Intergovernmental Affairs)
- HB 570 Bush—Relating to the Natural Death Act. (Health Services)
- HB 571 Bush—Relating to directives under the Natural Death Act. (Health Services)
- HB 572 Bush—Relating to exemption from property taxation of property of nonprofit corporations sponsoring certain youth development programs. (Ways and Means)
- HB 573 Bush—Relating to exemption of certain intangible property from ad valorem taxation. (Ways and Means)
- HB 574 McBee, Massey, and Bode—Relating to the counting of votes for write-in candidates and elimination of write-in filing requirements. (Elections)
- HB 575 McBee and Bode—Relating to informal application for an absentee ballot. (Elections)
- HB 576 Blythe and Bird—Relating to denial, nonrenewal, cancellation, and increase in rates for motor vehicle insurance. (Insurance)
- HB 577 Simpson—Relating to proof of a contract to make or not to revoke a will or devise or to die intestate. (Judiciary)
- HB 578 Head—Relating to election of commissioners of the public utility commission. (State Affairs)
- HB 579 McLeod—Relating to minimum shrimp size restrictions in outside water. (Environmental Affairs)
- HB 580 G. Green—Relating to the regulation of the practice of plumbing. (State Affairs)
- HB 581 Salinas—Relating to medical malpractice coverage for the medical staff and students of the Texas Tech University School of Medicine at Lubbock. (Higher Education)
- HB 582 Benedict and Uribe—Relating to the bay shrimping season. (Environmental Affairs)
- HB 583 W. N. Hall—Relating to the hunting of predators from aircraft in Zapata County. (Environmental Affairs)
- HB 584 Patterson—Relating to notice of cancellation of certain life and accident and sickness insurance. (Insurance)
- HB 585 Donaldson and Nabers—Relating to jurisdiction of the Public Utility Commission over electric utility rates, operations, and services. (State Affairs)
- HB 586 Donaldson—Relating to continuation of the Texas Real Estate Commission. (Government Organization)
- HB 587 D. Hill—Relating to the offense of aggravated assault when driving while intoxicated. (Criminal Jurisprudence)
- HB 588 D. Hill—Relating to eligibility for and conditions of misdemeanor probation. (Criminal Jurisprudence)
- HB 589 Benedict—Relating to shrimping in inside water. (Environmental Affairs)
- HB 590 Benedict—Relating to the rights of former convicts to obtain occupational licenses. (State Affairs)
- HB 591 Sharp—Relating to the practice of law by a person retired under the Judicial Retirement System of Texas. (Judicial Affairs)
- HB 592 Slack—Relating to regulation of certain water supply or sewer service corporations. (Natural Resources)
- HB 593 Valles—Relating to the authority of the voters of a county to decide by election if the law prohibiting certain sales on consecutive Saturdays and Sundays applies in the county. (Business and Industry)
- HB 594 Wright—Relating to legislative review and disapproval of rules and proposed rules of state agencies. (State Affairs)
- HB 595 Donaldson—Relating to the recovery of a claim against a unit of government based on a contract. (State Affairs)
- HB 596 Donaldson—Relating to the civil jurisdiction of the county courts at law. (Judicial Affairs)
- HB 597 Donaldson—Relating to wrongful death actions. (Judicial Affairs)
- HB 598 Wieting—Relating to compensation for assessment and collection of taxes in the San Patricio County Drainage District. (Intergovernmental Affairs)
- HB 599 Close—Relating to the admission in evidence in a criminal proceeding of oral statements of an accused. (Criminal Jurisprudence)
- HB 600 Close—Relating to restitution to victims of crime as a condition of probation or parole. (Criminal Jurisprudence)
- HB 601 Washington—Relating to preschool screening of children for visual handicaps. (Human Services)
- HB 602 Washington—Relating to the location of the headquarters of the Board of Pardons and Paroles. (Securities and Sanctions)
- HB 603 Haley—Relating to a university center student fee for Stephen F. Austin State University. (Higher Education)
- HB 604 Nabers—Relating to a criminal offense involving tampering with identification markings on personal property or possession of property on which those numbers have been tampered with. (Criminal Jurisprudence)
- HB 605 Lator—Relating to the preservation of campaign contribution records. (Elections)
- HB 606 Nabers—Relating to the regulation of attorneys. (Government Organization)
- HB 607 Keller—Relating to fees allowed to sheriffs and constables. (Intergovernmental Affairs)
- HB 608 B. Clark—Relating to penalties for second and subsequent convictions of crimes defined by the Parks and Wildlife Code. (Environmental Affairs)
- HB 609 J. A. Clark—Relating to exemption from school district ad valorem taxes of part of the value of the residence homestead of an individual who is 65 years of age or older or who is disabled. (Ways and Means)
- HB 610 J. A. Clark—Relating to exemption from school district ad valorem taxes of part of the value of the residence homestead of an individual who is disabled. (Ways and Means)
- HB 611 Untermeyer—Relating to the name of certain water districts. (Natural Resources)
- HB 612 Allred—Relating to mandatory retirement of public employees because of age. (State Affairs)
- HB 613 Lauhoff—Relating to a possessory lien for the repairer of a household appliance. (Business and Industry)
- HB 614 McFarland—Relating to the use of live animals as a lure or quarry in a dog race or in dog coursing. (Criminal Jurisprudence)
- HB 615 McFarland—Relating to the determination of the legal rate of interest on certain loans. (Financial Institutions)
- HB 616 McFarland—Providing for forfeiture of certain interest charges. (Financial Institutions)
- HB 617 J. Edwards—Relating to consent of counties to inclusion of land in municipal utility districts. (Natural Resources)

- HB 618 J. Edwards—Relating to expenditures by the director of corrections for burial expense of an inmate of the penitentiary. (Securities and Sanctions)
- HB 619 J. Edwards—Relating to branch county office buildings outside the county seat. (Intergovernmental Affairs)
- HB 620 J. Edwards—Relating to juvenile boards in the counties comprising the 9th, Second 9th, and 221st Judicial Districts. (Judicial Affairs)
- HB 621 J. Edwards—Relating to the compensation of the judges of the district courts having jurisdiction in Montgomery County. (Judicial Affairs)
- HB 622 J. Edwards—Relating to the reorganization of the 9th Judicial District. (Judicial Affairs)
- HB 623 J. Edwards—Relating to creation of the 266th Judicial District, composed of Walker County, and reorganization and terms of court of the 12th Judicial District; providing a prosecuting attorney for the Second 9th District Court in Trinity County. (Judicial Affairs)
- HB 624 J. Edwards—Relating to annexation by a municipality or territory outside the county in which a plurality of its population resides. (Intergovernmental Affairs)
- HB 625 Presnal—Relating to exempting property of fraternal organizations from ad valorem taxation in certain circumstances. (Ways and Means)
- HB 626 Tejeda and Madla—Relating to enhanced penalties for offenses against the elderly. (Criminal Jurisprudence)
- HB 627 Tejeda, Madla, Elizondo, and Chavez—Relating to tuition exemptions for children of certain veterans. (Higher Education)
- HB 628 Tejeda, Madla, Chavez, and Elizondo—Relating to the qualifications of peace officers. (State Affairs)
- HB 629 Hudson—Relating to the state's peremptory challenges of prospective jurors who belong to racial minorities in certain criminal cases. (Criminal Jurisprudence)
- HB 630 Watson—Relating to location of certain pipelines. (Transportation)
- HB 631 McFarland—Relating to a system of comparative fault in product liability suits. (State Affairs)
- HB 632 Berlanga—Relating to consent by a minor for family planning services. (Judicial Affairs)
- HB 633 Ceverha—Invalidating provisions for indemnity in certain contracts where there is negligence attributable to the indemnitee. (Business and Industry)
- HB 634 Ceverha—Relating to the imposition, collection, administration, civil, and criminal enforcement, and allocation and distribution of additional taxes on alcoholic beverages. (Ways and Means)
- HB 636 Delco—Relating to school lunches for senior citizens. (Public Education)
- HB 637 Delco—Relating to a change of the name of the Texas Commission on the Arts and Humanities. (State Affairs)
- HB 638 Ezzell—Relating to weight and length requirements for vehicles transporting seed cotton modules. (Agriculture and Livestock)
- HJR 1 Schlueter and Davis—Proposing a constitutional amendment to repeal the state ad valorem tax for permanent improvements at institutions of higher education. (Constitutional Amendments)
- HJR 2 Smith and DeLay—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum with respect to the power of taxation by the state or by political subdivisions. (Constitutional Amendments)
- HJR 3 Smith and DeLay—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum. (Constitutional Amendment)
- HJR 4 Close—Proposing a constitutional amendment relating to an individual's right to work. (Constitutional Amendment)
- HJR 5 Collazo and Browder—Proposing a constitutional amendment exempting from taxation the residence homesteads of veterans of the First World War or of the Spanish-American War and their surviving spouses. (Constitutional Amendments)
- HJR 6 S. Thompson—Ratifying a proposed amendment to the constitution of the United States providing for representation of the District of Columbia in the United States Congress. (Constitutional Amendments)
- HJR 7 Close—Proposing a constitutional amendment prohibiting the imposition of net income taxes. (Constitutional Amendments)
- HJR 8 Head—Proposing a constitutional amendment authorizing loans from the Texas Opportunity Plan Fund to students attending certain medical schools located outside the United States. (Constitutional Amendments)
- HJR 9 Cartwright—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum. (Constitutional Amendment)
- HJR 10 Caraway—Proposing a constitutional amendment prohibiting the imposition of net income taxes on individuals. (Constitutional Amendments)
- HJR 11 McLeod—Proposing a constitutional amendment prohibiting the imposition of net income taxes on individuals. (Constitutional Amendments)
- HJR 12 Hudson—Proposing a constitutional amendment authorizing grants of public money to veterans of the armed forces of the United States. (Constitutional Amendments)
- HJR 13 Schlueter—To repeal and prohibit all state ad valorem taxes on any property within this state, to establish the State Higher Education Assistance Fund. (Constitutional Amendments)
- HJR 14 R. Wilson, Washington, Delco, Price, Cofer, Webber, Lee, and Cary—Ratifying a proposed amendment to the constitution of the United States providing for representation of the District of Columbia in the United States Congress. (Constitutional Amendments)
- HJR 15 Wright—Proposing a constitutional amendment providing for the selection of the elective judges and justices of the courts of this state, with certain exceptions, at nonpartisan elections in the odd-numbered years. (Constitutional Amendments)
- HJR 16 Grant—Proposing a constitutional amendment to authorize the legislature to provide for juries in the district court. (Constitutional Amendments)
- HJR 17 Grant—Proposing constitutional amendments to change the name of the Courts of Civil Appeals to Courts of Appeals and to prescribe their jurisdiction. (Constitutional Amendments)
- HJR 18 Berlanga—Proposing a constitutional amendment relating to the division of counties into commissioners precincts. (Constitutional Amendments)
- HJR 19 S. Thompson—Proposing a constitutional amendment relating to distribution of the Permanent University Fund. (Constitutional Amendments)
- HJR 20 Willis—Proposing a constitutional amendment relating to the ad valorem tax exemption on the residential homesteads of elderly persons. (Constitutional Amendments)
- HJR 21 Willis—Proposing a constitutional amendment to authorize bingo games conducted by certain religious, veterans, or fraternal organizations. (Constitutional Amendments)
- HJR 22 Wright—Proposing a constitutional amendment guaranteeing the right of a person to work for an employer without regard to whether the person is a member of or makes a payment to a labor organization. (Constitutional Amendments)
- HJR 23 Wright—Proposing a constitutional amendment restricting the power of the legislature and the political subdivisions of the state to increase taxes. (Constitutional Amendments)
- HJR 24 S. Thompson—Proposing a constitutional amendment abolishing the Permanent University Fund. (Constitutional Amendments)

HJR 25 W. T. Hall—Proposing a constitutional amendment to authorize the legislature to exempt from property taxes certain motor vehicles owned by a church or religious organization. (Constitutional Amendments)

HJR 26 Evans—Proposing a constitutional amendment to abolish the office of county treasurer in Tarrant County. (Constitutional Amendments)

HJR 27 Close—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum. (Constitutional Amendments)

HJR 28 Blythe—Proposing a constitutional amendment relating to the removal of county auditors. (Constitutional Amendments)

HJR 29 Simpson—Proposing a constitutional amendment to permit the legislature to give budget execution authority to the governor. (Constitutional Amendments)

HJR 30 Simpson—Proposing an amendment to the Texas Constitution to limit the length of time that a person may hold the office of state senator or state representative. (Constitutional Amendments)

HJR 31 Close—Amending the constitution to repeal the state ad valorem tax for permanent improvements at institutions of higher education. (Constitutional Amendments)

HJR 32 Jones—Proposing a constitutional amendment authorizing the legislature to provide for the guarantee of loans used to purchase farm real estate. (Constitutional Amendments)

HJR 33 Grant—Proposing a constitutional amendment to change the name of the Courts of Civil Appeals and the names and qualifications of the justices of the Supreme Court, and to prescribe the jurisdiction and authority of the appellate courts. (Constitutional Amendments)

HJR 34 Grant—Proposing a constitutional amendment to increase the membership of the State Commission on Judicial Conduct. (Constitutional Amendments)

HJR 35 Simpson—Proposing a constitutional amendment to give the governor limited powers to remove appointed officers. (Constitutional Amendments)

HJR 36 Sharp—Proposing a constitutional amendment authorizing exemption from ad valorem taxation of motor vehicles that are not used in business. (Constitutional Amendments)

HJR 37 Jones—Proposing a constitutional amendment relating to voter qualifications and elections. (Constitutional Amendments)

HJR 38 Close—Proposing a constitutional amendment to require a two thirds vote in each house of the legislature to adopt a new or additional state tax or to increase the rate of an existing state tax. (Constitutional Amendments)

HJR 39 Close—Proposing a constitutional amendment to require a majority vote in each house of the legislature to adopt a new or additional state tax or to increase the rate of an existing state tax. (Constitutional Amendments)

HJR 40 Grant—Proposing a constitutional amendment to create a commission to provide for congressional and legislative redistricting. (Constitutional Amendments)

HJR 41 Rains and Peveto—To repeal and prohibit all state ad valorem taxes on any property within this state; to establish the State Higher Education Assistance Fund. (Constitutional Amendments)

HJR 42 Simpson—Proposing a constitutional amendment relating to the duration of regular sessions of the legislature. (Constitutional Amendments)

HJR 43 Fox—Proposing a constitutional amendment to increase the salary and per diem for legislators. (Constitutional Amendments)

HJR 44 Caraway—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum. (Constitutional Amendments)

HJR 45 Rains and Untermeyer—Proposing a constitutional amendment to provide for refinancing of a homestead. (Constitutional Amendments)

HJR 46 Blythe, Lauhoff, and Caraway—Proposing a constitutional amendment to require property tax relief comparable to that available to elderly homeowners for elderly persons who rent their residences. (Constitutional Amendments)

HJR 47 Caraway—Proposing a constitutional amendment to establish a fund to finance permanent improvements at certain state institutions of higher education and repealing the state property tax for higher education. (Constitutional Amendments)

HJR 48 Grant—Proposing a constitutional amendment to limit the number of times that a person may be elected to the office of governor. (Constitutional Amendments)

HJR 49 Schlueter—Proposing a constitutional amendment to limit the number of times that a person may be elected to the office of governor. (Constitutional Amendments)

HJR 50 Elizondo, Hernandez, Carlwright, Madla, Tejeda, Sutton, Rains, and M. Garcia—Proposing a constitutional amendment to allow The University of Texas at San Antonio and The University of Texas Health Science Center at San Antonio to benefit from the Permanent University Fund. (Constitutional Amendments)

HJR 51 Salinas—Proposing a constitutional amendment to permit use of public funds and credit for payment of premiums on certain insurance contracts of mutual insurance companies authorized to do business in Texas. (Constitutional Amendments)

HJR 52 M. Garcia—Proposing a constitutional amendment to limit the number of times a person may be elected speaker of the House of Representatives. (Constitutional Amendments)

HJR 53 Donaldson and Nabers—Proposing a constitutional amendment to authorize refinancing of a residential homestead. (Constitutional Amendments)

HJR 54 D. Hill—Proposing a constitutional amendment allowing spouses to agree that income from separate property is to be separate property. (Constitutional Amendments)

HJR 55 Wright—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum. (Constitutional Amendments)

HJR 56 Kubiak—Proposing a constitutional amendment to limit the number of consecutive terms that a person may be elected governor. (Constitutional Amendments)

HJR 57 Kubiak—Proposing a constitutional amendment to reserve in the people the powers of initiative and referendum. (Constitutional Amendments)

HJR 58 J. Edwards—Proposing a constitutional amendment authorizing county commissioners courts to establish separate boards of equalization. (Constitutional Amendments)

HJR 59 Presnall—Proposing a constitutional amendment to authorize exemption from ad valorem taxation of property of fraternal organizations. (Constitutional Amendments)

HJR 60 Sharp—Proposing a constitutional amendment prohibiting the imposition of personal income taxes. (Constitutional Amendments)

## Weekly Committee Schedule

Monday, January 29, 1979

*Ways and Means*, 9:30 a.m., Room E, John H. Reagan Building, to consider revenue and tax projects and to hear testimony from comptroller and Legislative Budget Board.

*Business and Industry*, 2 p.m., Speaker's Committee Room, State Capitol, to consider organizational matters.

*Criminal Jurisprudence*, 2 p.m., Room 100C, John H. Reagan Building, to consider organizational matters.



**Health Services**, 3 p.m., Room 345, State Capitol, to consider organizational matters.

**Higher Education**, 3 p.m., Room 346, State Capitol, to consider organizational matters.

## Tuesday, January 30, 1979

**Agriculture and Livestock**, 9 a.m., Room 346, State Capitol, to consider organizational matters.

**Agriculture and Livestock, Subcommittee on Appropriative Matters**, 9:15 a.m., Room 346, State Capitol, to review budgets of Soil and Water Conservation Board, Natural Fibers and Food Protein Committee, and Department of Health's Meat Inspection Program.

**Appropriations**, 2 p.m., Room 309, State Capitol, to consider SB 140 (Schwartz), HB 406 (Presnal), HB 363 (Hanna), and HB 558 (Presnal).

**Criminal Jurisprudence**, 2 p.m., Speaker's Committee Room, State Capitol, to consider HB 327 (Grant), HB 368 (Bock), HB 440 (Evans), and HB 604 (Nabers).

**Elections**, 2 p.m., Room C, John H. Reagan Building, to consider HB 408 (Willis), HB 436 (McBee), HB 542 (Waters), and organizational matters.

**Energy Resources**, 2 p.m., Room 345, State Capitol, to consider organizational matters.

**Financial Institutions**, 2 p.m., Room G13-A3 (Representative Donaldson's office), State Capitol, to consider organizational matters.

**Government Organization**, 2 p.m., Room 100F, John H. Reagan Building, to consider organizational matters.

**Insurance**, 2 p.m., Room 100E, John H. Reagan Building, to consider organizational matters.

**Intergovernmental Affairs**, 2 p.m., Room 346, State Capitol, to consider HB 166 (R. Wilson), HB 211 (Close), HB 263 (Ceverha), HB 300 (J. Wilson), HB 370 (Close, et al.), HB 372 (Heatly), HB 378 (Semos), HB 453 (D. Hill), and HB 466 (Close).

**Public Education**, 2 p.m., Room 100B, John H. Reagan Building, to consider organizational matters.

**Health Services, Subcommittee on Appropriative Matters**, 2:30 p.m., Room 100D, John H. Reagan Building, to discuss budgets of Board of Examiners in the Basic Sciences, Board of Chiropractic Examiners, Governor's Commission on Physical Fitness, Board of Examiners in the Fitting and Dispensing of Hearing Aids, Board of Vocational Nurse Examiners, Board of Physical Therapy Examiners, Board of Examiners of Psychologists, Office of the Governor's Committee on Aging, Board of Dental Examiners, Board of Medical Examiners, Texas Optometry Board, Health Facilities Commission, and Texas Commission on Alcoholism.

**Judicial Affairs**, 2:30 p.m., Room G-B, John H. Reagan Building, to consider HB 52 (Bird), HB 284 (Uher), HB 364 (Bock), HB 485 (Bock), and HB 561 (Bird).

**Judiciary**, 2:30 p.m., Room G-A, John H. Reagan Building, to consider HB 336 (Head), HB 463 (Keller), HCR 18 (Criss), HB 30 (Grant), and HB 399 (Grant).

## Wednesday, January 31, 1979

**Appropriations**, 2 p.m., Room 309, State Capitol, to consider HB 391 (Blythe, et al.)

**State Affairs, Subcommittee on Appropriative Matters II**, 2 p.m., Room B, John H. Reagan Building, to consider Adjutant General, National Guard Armory Board, Commission on Law Enforcement Office Standards and Education, and Amusement Machine Commission.

**Agriculture and Livestock, Subcommittee on Appropriative Matters**, 2:30 p.m., Speaker's Committee Room, State Capitol, to consider Board of Veterinary Medical Examiners, Texas Veterinary Medical Diagnostic Laboratory, Texas Forest Service, and Structural Pest Control Board.

**Constitutional Amendments**, 3 p.m., Room 346, State Capitol, to consider organizational matters

**State Affairs, Subcommittee on Appropriative Matters I**, 7:30 p.m., Room B, John H. Reagan Building, to consider Board of Control, Public Utility Commission, and Texas Indian Commission

**Transportation**, 7:30 p.m., Room C, John H. Reagan Building, to consider HB 272 (Davis).

**Natural Resources**, 7:30 p.m., Room G-B, John H. Reagan Building, to consider HB 258 (Bock) and HB 165 (McLeod)

## Senate

### Bills Introduced

### Committee Referrals

The following are bills and resolutions filed for action during the 66th Legislative Session. Each bill and resolution is followed in parentheses by the committee to which it has been assigned. In the following list, the bill number appears first, the author(s) second, and the subject of the bill. SB indicates senate bill; SJR indicates senate joint resolution; SCR indicates senate concurrent resolution; and SR indicates senate resolution.

For copies of bills, call Senate Bill Distribution (512) 475-2520.

SR 17 Moore—Announcement of Sergeant-at-Arms.

SR 18 Truan—Extending congratulations to Robstown High School Band, their principal, Frank Perez, and their band director, Eugene Rhemann.

SR 19 Truan—Extending congratulations to Ben F. McDonald, Jr.

SR 20 Jones of Taylor—Providing for the Intent Calendar during the 66th Legislature. (Administration)

SR 21 Clower—Extending welcome to Judge Clarence A. Guttard, Judge Spencer Carver, and Jeanette Johnson.

SR 22 Clower—Extending congratulations to Mr. and Mrs. Robert H. Block, Jr.

SR 23 Williams—Extending congratulations to E. A. "Squatty" Lyons.

- SR 24 Truan—Recognizing the University System of South Texas as a new and significant addition to the total network of higher education in this state.
- SR 25 Jones of Harris—Regarding photographs of certain officials and honoring the children of the members of the Senate and Lieutenant Governor.
- SR 26 Jones of Harris—Congratulating Lieutenant Governor William P. Hobby on his birthday.
- SR 27 Parker—Extending congratulations to City of Cleveland.
- SR 28 Snelson—Memorial resolution for James N. Allison, Jr.
- SR 29 Snelson—Memorial resolution for Alvin D. "Mel" Butler.
- SR 30 Snelson—Memorial resolution for Mrs. Joyce H. Krusekopf.
- SR 31 Schwartz—Extending congratulations to Sam Bazaman.
- SR 32 Schwartz—Memorial resolution for Isadore M. Luper.
- SR 33 Truan—Expressing appreciation to Lauro Cruz for his contributions to the State of Texas.
- SR 34 Clower—Extending congratulations to Texas Jaycees and especially the Jaycees of Garland, Mesquite, and Rowlett.
- SR 35 Doggett and Truan—Extending congratulations to Bart Hodges.
- SR 36 Snelson—Memorial resolution for William A. "Bill" Griffiths.
- SR 37 Snelson—Memorial resolution for Mrs. R. Matthew (Tommy) Lynn.
- SR 38 Snelson—Memorial resolution for W. M. Day, Jr.
- SR 39 Williams—Extending congratulations to all Veterans of Foreign Wars Auxiliary members and their National President, Mrs. Arlene McDermott.
- SR 40 Clower—Extending welcome to Dr. Bob Day, Dr. William Pittman, and Dr. Kenneth Biles.
- SR 41 Clower—Extending welcome to Mr. and Mrs. Ralph W. Zabel.
- SR 42 Clower—Extending welcome to Mrs. Lois Tanner Green Page.
- SR 43 Clower—Extending congratulations to Reverend and Mrs. W. O. Estes.
- SR 44 Clower—Extending congratulations to Mr. and Mrs. Archie Rahauser.
- SR 45 Clower—Extending congratulations to Mitzi McKool and Richard George Datoe.
- SR 46 Snelson—Memorial resolution for Robert Marion Minton.
- SR 47 Snelson—Memorial resolution for Tom Neel.
- SR 48 Snelson—Memorial resolution for Frederic Ernest Oheim.
- SR 49 Farabee—Memorial resolution for Professor Emeritus Juanita Kinsey.
- SR 50 Farabee—Memorial resolution for Alma De Holland.
- SR 51 Farabee—Memorial resolution for former Plainview Mayor, John D. Stoneham.
- SR 52 Snelson—Memorial resolution for Mary Blanche King.
- SR 53 Snelson—Memorial resolution for Mrs. Dwight L. Hunter.
- SR 54 Snelson—Memorial resolution for Julian F. Cole.
- SCR 9 Parker—Commending Robert E. Lee Elementary School and its staff on their 50th anniversary.
- SCR 10 Braecklein—Inviting Governor Clements to speak to joint session on January 23.
- SCR 11 Jones of Harris—Adjourning from Wednesday, January 17 until Monday, January 22.
- SCR 12 Mengden—Rescinding this state's ratification of the amendment proposed in 1972 by U.S. HJR 208 and declaring that SCR 1 (62nd Legislature, 2nd Called Session) is repealed. (Jurisprudence)
- SCR 13 Mengden—Memorializing Congress to initiate an amendment to the United States Constitution to provide for the election of federal district court judges by the people of the district for six-year terms. (Jurisprudence)
- SCR 14 Longoria—Extending invitation to President Lopez Portillo to address the legislature in joint session.
- SCR 15 Schwartz—Granting Grace Nunez permission to sue the State of Texas. (Administration)
- SCR 17 Vale—Directing the State Board of Control to reassign rooms presently occupied by the Secretary of State to the Senate of the State of Texas. (Administration)
- SCR 18 Santiesteban—Providing for the appointment of a committee to designate the Texas State Artist. (Administration)
- SCR 19 Price—Expressing appreciation to John "Duke" Wayne for the tremendous pleasure he has provided through his screen portrayals and extending sincere wishes for a speedy recuperation and an early return to film work.
- SB 153 Harris—Relating to the authority to create mutual trust investment companies. (Economic Development)
- SB 154 Harris—Permitting a person who holds a package store permit to have an interest in a retail beer dealer's off-premise license at a separate location. (State Affairs)
- SB 155 Doggett—Relating to regulation of political activity of state employees. (State Affairs)
- SB 156 Farabee—Relating to creation of the County Court at Law of Wichita County. (Intergovernmental Relations)
- SB 157 Moore—Relating to treatment for persons convicted of alcohol and drug related offenses. (Jurisprudence)
- SB 158 Moore—Making an appropriation to Sam Houston State University. Submitted by governor as an emergency. (Finance)
- SB 159 Moore—Relating to costs incurred in the defense of certain claims for pecuniary damages in civil actions and the awarding of such costs by the court. (Economic Development)
- SB 160 Moore—Relating to the lease of certain property by the Texas Board of Corrections. (State Affairs)
- SB 161 Moore—Relating to the replatting of part of a real estate subdivision. (Intergovernmental Relations)
- SB 162 Moore—Relating to the manufacture and sale of items made by prisoners of the Department of Corrections. (State Affairs)
- SB 163 Williams—Relating to residency requirements for city employees. (Intergovernmental Relations)
- SB 164 Ogg—Relating to the regulation of the practice of plumbing. (Economic Development)
- SB 165 Doggett—Relating to regulation of monopolies, contracts, combinations, or conspiracies in restraint of trade or commerce. (Jurisprudence)
- SB 166 Santiesteban—Relating to the regulation of pawnshops, pawnbrokers, and employees of pawnshops. (Economic Development)
- SB 167 Mengden—Relating to exemption of certain educational facilities and religious organizations from licensing requirements for child care facilities. (Human Resources)
- SB 168 Williams—Relating to forfeiture of money derived from violations of the Texas Controlled Substances Act. (Jurisprudence)

- SB 169 Traeger—Relating to workers' compensation self-insurance. (Economic Development)
- SB 170 Williams—Relating to the regulation of the use of automated telephone dialing devices. (Jurisprudence)
- SB 171 Williams—Relating to continuation of the Texas Real Estate Commission. (Economic Development)
- SB 172 Doggett—Relating to the appointment of conservators of children. (Jurisprudence)
- SB 173 Moore—Relating to creation of the 272nd Judicial District, composed of Brazos County. (Intergovernmental Relations)
- SB 174 Jones of Harris—Relating to personal leave for public employees. (State Affairs)
- SB 175 Parker—Relating to credit in the Employees Retirement System of Texas for certain service performed for a county child welfare board. (State Affairs)
- SB 176 Parker—Relating to the offense of theft of service. (Jurisprudence)
- SB 177 Doggett—Relating to the procedure for the dissolution of a domestic corporation and for the withdrawal of a foreign corporation. (Jurisprudence)
- SB 178 Doggett—To provide that a court may take judicial knowledge of certain matters in setting amounts of attorney's fees. (Jurisprudence)
- SB 179 Doggett—Relating to a derivative suit brought by a creditor of a corporation. (Jurisprudence)
- SB 180 Braecklein—Relating to taxation of public airport facilities that are leased to private air carriers. (State Affairs)
- SB 181 Ogg—Relating to multipurpose service centers for displaced homemakers. (Human Resources)
- SB 182 Ogg—Relating to the establishment and funding of battered spouse pilot centers and establishing certain penalties. (Human Resources)
- SB 183 Mauzy—Relating to local governments through agreement to provide all forms of insurance including self-insurance. (Intergovernmental Relations)
- SB 184 Mauzy—Relating to a general charge to the jury by a district court, county court, or county court at law and evidence to support certain judgments. (Jurisprudence)
- SB 185 Mauzy—Relating to the prohibition of the requirement that licensed attorneys pay dues as a prerequisite to the right to practice law. (Jurisprudence)
- SB 186 Mauzy—Relating to the compensation of the judge of the County Criminal Court of Appeals of Dallas County. (Intergovernmental Relations)
- SB 187 Mauzy—Relating to prima facie evidence of reasonable and necessary medical and hospital expenses. (Jurisprudence)
- SB 188 Mauzy—Relating to the right of an injured party against an insurance company which is a real party in interest. (Economic Development)
- SB 189 Mauzy—Relating to the establishment of school volunteer pilot programs financed under the Foundation School Program. (Education)
- SB 190 Mauzy—Prohibiting the use of state funds for the acquisition or construction of facilities at upper-level centers or upper-level extension centers operated by institutions of higher education. (Education)
- SB 191 Mauzy—Relating to terminating the authority of certain state institutions of higher education to pledge tuition to the payment of bonded indebtedness incurred for the construction of facilities. (Education)
- SB 192 Mauzy—Relating to the allocation of tax revenue, state money, and other property to or for the benefit of the foundation school fund. (Education)
- SB 193 Farabee—Authorizing the head of a mental hospital to disclose information concerning a deceased patient upon the consent of certain persons. (Human Resources)
- SB 194 Farabee—Authorizing the disclosure of records concerning a deceased mentally retarded person upon the consent of certain persons. (Human Resources)
- SB 195 Truan—Relating to bilingual education programs in public schools. (Education)
- SB 196 Truan—Relating to payments for the benefit of hard-to-place adopted children. (Human Resources)
- SB 197 Truan—Relating to services and programs for children and youth. (Human Resources)
- SB 198 Truan—Making an appropriation to pay a claim against the state. (Finance)
- SB 199 Truan—Relating to the exemption of elderly persons from the purchase of fishing licenses. (Natural Resources)
- SB 200 Truan—Relating to a medical screening, diagnosis, and treatment program for certain children. (Human Resources)
- SB 201 Truan—Relating to creation of a state office of early childhood development. (Human Resources)
- SB 202 Truan—Relating to the creation of the Texas Civil Rights Commission. (Human Resources)
- SB 203 Mengden—Relating to the application of the sales and use tax imposed within a rapid transit authority in taxable items delivered to a point outside the county or counties in which a transit authority has adopted the tax. (Finance)
- SB 204 Vale—Relating to exemption of solar and wind-powered energy devices from ad valorem taxation. (Finance)
- SB 205 Vale—Relating to creation, investment, and use of the natural resources depletion fund. (Finance)
- SB 206 Traeger—Relating to the application of the state sales and use tax to certain medical products and appliances. (Finance)
- SB 107 Mauzy—Relating to damages that certain beneficiaries may recover in an action for wrongful death. (Jurisprudence)
- SB 208 Mauzy—Relating to the requirement that certain contracts relating to real property and certain sales, releases, or assignments of those contracts be recorded with the county clerk. (Jurisprudence)
- SB 209 Mauzy—Relating to the examination of hospital records concerning personal injuries by parties to suits based on those personal injuries. (Jurisprudence)
- SB 210 Mauzy—Relating to the appointment of members of the board of managers of the Dallas County Hospital District. (Intergovernmental Relations)
- SB 211 Mauzy—Relating to service of certain insurance. (Jurisprudence)
- SB 212 Mauzy—Relating to appointment of the county auditor by district and county judges. (Intergovernmental Relations)
- SB 213 Short—Authorizing the board of regents of Texas Tech University to convey certain property. (Intergovernmental Relations)
- SB 214 Short—Relating to medical malpractice coverage for the medical staff and students of the Texas Tech University School of Medicine at Lubbock. (Education)
- SB 215 Mengden—Relating to submission of proposed platform measures to the voters of a political party at its general primary election. (State Affairs)
- SB 216 Longoria—Relating to venue for trial of marijuana offenses. (Jurisprudence)
- SB 217 Longoria—Relating to acquisition and disposition of land by Pan American University. (Education)
- SB 218 Schwartz—Relating to the municipal control of unkept cemeteries. (Intergovernmental Relations)

- SB 219 Parker—Relating to credit property insurance and credit casualty insurance. (Economic Development)
- SB 220 Jones of Harris—Relating to the Uniform Foreign Country Money-Judgment Recognition Act and the recognition of money judgments by courts by foreign countries. (Jurisprudence)
- SB 221 Jones of Harris—Relating to the right of an accused to an examining trial. (Jurisprudence)
- SB 222 Longoria and Traeger—Relating to the creation, administration, powers, duties, and financing of the Texas Public School Employees Group Insurance Program. (Economic Development)
- SB 223 Schwartz—Relating to the compensation, expenses, and allowances of official shorthand reporters who are paid wholly from county funds. (Intergovernmental Relations)
- SB 224 Mauzy—Relating to tuition fees for certain public school transfer students. (Education)
- SB 225 Mauzy—Relating to higher education to the Coordinating Board, Texas College and University System. (Education)
- SB 226 Vale—Relating to allocations for capital outlay under the Minimum Foundation School Program. (Education)
- SB 227 Vale—Relating to student service fees for a student union at The University of Texas at San Antonio. (Education)
- SB 228 Farabee—Relating to the power of the probate court to grant independent administration of decedents' estates. (Jurisprudence)
- SB 229 Farabee—Relating to the creation, establishment, administration, maintenance, operation, and financing of the Chillicothe Hospital District of Hardeman County. (Intergovernmental Relations)
- SB 230 Mauzy—Relating to workers' compensation insurers' appointment of an agent for service of process and for receiving other communications. (Jurisprudence)
- SB 231 Mauzy—Relating to workers' compensation death benefits. (Jurisprudence)
- SB 232 Mauzy—Relating to the effect of sick leave and emergency leave on workers' compensation for state employees. (Jurisprudence)
- SB 233 Mauzy—Relating to notice of cancellation of policies by insurance companies writing workers' compensation insurance. (Jurisprudence)
- SB 234 Mauzy—Relating to workers' compensation settlement agreements. (Jurisprudence)
- SB 235 Mauzy—Relating to workers' compensation law. (Jurisprudence)
- SB 236 Mauzy—Relating to payment of charges of medical witnesses in cases under the workers' compensation law. (Jurisprudence)
- SB 237 Mauzy—Relating to workers' compensation awards. (Jurisprudence)
- SB 238 Mauzy—Relating to the weekly compensation benefits paid to injured employees or their beneficiaries under the workers' compensation law. (Jurisprudence)
- SB 239 Mauzy—Relating to state funding for school district workers' compensation and unemployment compensation. (Jurisprudence)
- SB 240 Mauzy—Relating to the application of the workers' compensation law to farm and ranch laborers. (Jurisprudence)
- SB 241 Mauzy—Relating to the power of the Industrial Accident Board to order the association to make compensation and medical benefit payments in cases of emergency or impending necessity. (Jurisprudence)
- SB 242 Mauzy—Relating to workers' compensation law. (Jurisprudence)
- SB 243 Moore—Relating to the authority of the Railroad Commission to set certain rates. (Economic Development)
- SB 244 Moore—Relating to the conveyance of certain state-owned land by the Texas Board of Corrections in exchange for land belonging to Walker County. (State Affairs)
- SB 245 Moore—Relating to the sale of certain property by the Texas Board of Corrections and the purchase of new land with proceeds from the sale, or to the exchange of the property for other land. (State Affairs)
- SB 246 Farabee—Relating to the determination of the legal rate of interest on certain loans. (Economic Development)
- SB 247 Farabee—Providing for forfeiture of certain interest charges. (Economic Development)
- SB 248 Moore—Relating to regulation of motor vehicle manufacturers and distributors and their dealers and representatives. (Economic Development)
- SB 249 Brooks—Authorizing honorably retired peace officers to carry handguns. (Jurisprudence)
- SB 250 Brooks—Relating to the authority of the State Board of Education to allocate and distribute certain federal funds to the public junior colleges. (Finance)
- SB 251 Brooks—Relating to the length of contract for school district vocational supervisors. (Education)
- SB 252 Brooks—Relating to jurisdiction over industrial solid waste. (Natural Resources)
- SB 253 Creighton—Relating to the issuance of certificates of obligation, competitive bidding requirements for issuers of certificates of obligation, and the validation of previously authorized certificates of obligation. (Intergovernmental Relations)
- SB 254 Jones of Harris—Relating to the offenses of arson, criminal mischief, and reckless damage or destruction of property. (Jurisprudence)
- SB 255 Jones of Harris—Relating to appeals from certain interlocutory orders in class action suits. (Jurisprudence)
- SB 256 McKnight—Relating to the civil jurisdiction of the county courts at law. (Intergovernmental Relations)
- SB 257 McKnight—Relating to the definition of common reservoir of an oil, gas, or oil and gas field. (Natural Resources)
- SB 258 Mauzy—Relating to payments to the workers' compensation second injury fund. (Jurisprudence)
- SB 259 McKnight—Relating to the regulation of certain irrigators. (State Affairs)
- SB 260 Santiesteban—Relating to establishment of a state telecommunications network. (Education)
- SB 261 Harris—Setting the limits permitted for group life insurance coverage for officials, employees, and retirees of county and political subdivisions of the state at the amounts authorized for coverage under group life insurance plans in general. (Economic Development)
- SB 262 Vale—Relating to exemption from school district ad valorem taxes of part of the value of the residence homestead of an individual who is 65 years of age or older or who is disabled. (Finance)
- SB 263 Meier—Relating to the time for filing certain lawsuits against manufacturers, suppliers, sellers, lessors, and bailors. (Economic Development)
- SB 264 Meier—Relating to the tort theory of recovery in an action for damages resulting from a defectively designed product. (Economic Development)
- SB 264 Meier—Relating to the state of the art as an absolute defense in actions for damages based on strict liability in tort, negligence or implied warranty. (Economic Development)
- SB 266 Brooks—Relating to disclosure by certain professions and occupations of name and net amount paid for tests by laboratories. (Human Resources)
- SB 267 Harris—Providing that domestic life insurance companies may loan any of their funds and accumulations on first liens upon real estate, setting certain limitations and conditions upon such loans. (Economic Development)

- SB 268 Harris—Increasing the amount of salary, compensation, or emolument authorized by law to be paid to any officer, trustee, or director of a domestic insurance company, or to any person, firm, or corporation, without a vote of the board of directors of such company. (Economic Development)
- SB 269 Santiesteban—Relating to hunting and fishing licenses for disabled residents. (Natural Resources)
- SB 270 Santiesteban—Relating to the periodic review of placements of children under the care, custody, or conservatorship of the Texas Department of Human Resources. (Jurisprudence)
- SB 271 Short—Relating to the disclosure of foreign investment in real property. (Economic Development)
- SB 272 Short—Relating to payment of court appointed counsel by the state. (Jurisprudence)
- SB 273 Santiesteban—Relating to the practice of professional nursing. (Human Resources)
- SB 274 Harris—Relating to the number of members on the board of trustees of a street transportation system. (Intergovernmental Relations)
- SB 275 Farabee—Relating to the issuance of subpoenas by local school boards. (Education)
- SB 276 Doggett—Relating to regulation of nursing home administrators. (Human Resources)
- SB 277 Doggett—Relating to funerals and embalming. (Human Resources)
- SB 278 Doggett—Relating to abolition of the Burial Association Rate Board and transfer of its powers, duties, and functions. (Human Resources)
- SB 279 Doggett—Relating to regulation of motor vehicle manufacturers and distributors and their dealers and representatives. (Economic Development)
- SB 280 Doggett and Schwartz—Relating to regulation of attorneys. (Jurisprudence)
- SB 281 Doggett and Schwartz—Relating to regulation of lawyers by the Supreme Court and the Board of Law Examiners. (Jurisprudence)
- SB 282 Doggett and Schwartz—Relating to regulation of persons who practice public accountancy. (State Affairs)
- SB 283 Doggett—Relating to the regulation of real estate brokers and salesmen. (Economic Development)
- SB 284 Short—Relating to the expulsion of certain foreign students from public institutions of higher education. (Education)
- SB 285 Harris—Relating to grants and loans by the Texas Aeronautics Commission. (Economic Development)
- SB 286 Jones of Harris—Relating to the regulation, possession, and sale of live wild animals. (Natural Resources)
- SB 287 Meier, Longoria, Jones of Harris, Santiesteban, Parker, Traeger, Ogg, Braecklein, Harris, Moore—Relating to the regulation of attorneys. (Jurisprudence)
- SB 288 Mengden—Relating to charges and fees of certain water control and improvement districts and municipal utility districts. (Natural Resources)
- SB 289 Mauzy—Providing that boards of trustees consult with representatives of teachers and groups of auxiliary personnel employed in a school district under certain conditions. (Education)
- SB 290 Mauzy—Recognizing the educational and public service resources represented by the public television stations of Texas. (Education)
- SB 291 Farabee—Amending the Medical Liability and Insurance Improvement Act, relating to emergency care. (Jurisprudence)
- SB 292 Farabee—Amending the Medical Liability and Insurance Improvement Act, relating to the Medical Disclosure Panel. (Jurisprudence)
- SB 293 Farabee—Relating to regulation of the offer and sale of securities. (Economic Development)
- SB 294 Doggett—Relating to creation of the County Court at Law Number 4 of Travis County. (Intergovernmental Relations)
- SB 295 Doggett—Relating to allowing certain cities to establish a separate retirement system for police department employees. (Intergovernmental Relations)
- SB 296 Parker—Relating to the establishment of a housing program for families and individuals of low income and families of moderate income. (Human Resources)
- SJR 23 Traeger—Proposing a constitutional amendment authorizing county commissioners courts to establish separate boards of equalization. (Finance)
- SJR 24 Vale—Proposing a constitutional amendment to allow The University of Texas at San Antonio and The University of Texas Health Science Center at San Antonio to benefit from the Permanent University Fund. (Education)
- SJR 25 Mengden—Proposing a constitutional amendment to provide for enforcement of the prohibition against legislation during a special session on subjects other than those designated by the governor. (State Affairs)
- SJR 26 Parker—To repeal and prohibit all state ad valorem taxes on any property within this state; to establish the State Higher Education Assistance Fund. (Education)
- SJR 27 Mengden—Proposing a constitutional amendment to limit the number of times that a person may be elected governor or lieutenant governor. (State Affairs)
- SJR 28 Mengden—Proposing a constitutional amendment relating to terms of office and salary of members of the legislature. (State Affairs)
- SJR 29 Parker—Proposing a constitutional amendment authorizing the issuance of general obligation bonds to provide housing assistance for certain families and individuals. (Human Resources)

## Meetings

### Notices Filed January 22, 1979

*Senate Administration Committee*, Tuesday, January 23, 1979, 3 p.m., Senate Reception Room, State Capitol, to consider administrative matters and SB 16 (Gene Jones) and SB 20 (Grant Jones).

*Senate Committee on Natural Resources*, Wednesday, January 24, 1979, 3 p.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 40 (Traeger), SB 41 (Traeger), SB 42 (Traeger), SB 50 (Traeger), SB 64 (Schwartz), SB 78 (Schwartz), and SB 81 (Schwartz).

*Senate Subcommittee on Nominations*, Tuesday, January 23, 1979, 9 a.m., Lieutenant Governor's Committee Room, State Capitol, to consider appointments. A list is available in the Secretary of Senate's office.

### Notices Filed January 23, 1979

*Senate Finance Committee*, Wednesday, January 24, 1979, 9:30 a.m., Senate Finance Committee Room, State Capitol, to conduct budget hearings. A list of items to be considered is available in the Secretary of the Senate's office.

**Senate Finance Committee**, Wednesday, January 24, 1979, 2 p.m., Senate Finance Committee Room, State Capitol, to conduct budget hearings and to consider SB 126 (Schwartz) and SB 83 (McKnight).

**Senate Committee on Human Resources**, Wednesday, January 24, 1979, 4:30 p.m., Lieutenant Governor's Committee Room, State Capitol, to consider interim staff reports and SB 85 (Braecklein).

**Senate Committee on Intergovernmental Relations**, Thursday, January 25, 1979, 9 a.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 67 (Ogg), SB 109 (Grant Jones), and SB 123 (Creighton).

**Senate Subcommittee on Nominations**, Wednesday, January 24, 1979, 9 a.m., Senate Reception Room, State Capitol, to consider appointments. A list of nominees is available in the Secretary of the Senate's office.

## Notices Filed January 24, 1979

**Senate Committee on Economic Development**, Monday, January 29, 1979, 9 a.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 127 (Schwartz), SB 10 (Harris), SB 96 (Traeger), SB 108 (Brooks, et al.), SB 159 (Moore), and SB 166 (Santiesteban).

## Notices Filed January 25, 1979

**Senate Education Committee**, Wednesday, January 31, 1979, 9 a.m., Lieutenant Governor's Room, State Capitol, to consider SJR 3 (Andujar), SJR 7 (Schwartz), SJR 15 (Kothman), SJR 24 (Vale), and SJR 26 (Parker).

**Senate Finance Committee**, January 25, 1979, 9:30 a.m., Senate Finance Committee Room, to conduct budget hearings. A list of items to be considered is available in the Secretary of the Senate's office.

**Senate Finance Committee**, Monday, January 29, 1979, 2 p.m., Senate Finance Committee Room, State Capitol, to conduct budget hearings. A list of items to be considered is available in the Secretary of the Senate's office.

**Senate Committee on Human Resources**, Monday, January 29, 1979, 4 p.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 63 (Mengden) and SB 139 (Brooks).

**Senate Committee on Intergovernmental Relations**, Tuesday, January 30, 1979, 3 p.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 9 (Doggett), SB 156 (Farabee), SB 229 (Farabee), and SB 150 (Price).

**Senate Committee on Intergovernmental Affairs**, Thursday, February 1, 1979, 9 a.m., Lieutenant Governor's Room, State Capitol, to consider SB 49 (Traeger), SB 12 (Traeger), SB 186 (Mauzy).

## Notices Filed January 26, 1979

**Senate Committee on Jurisprudence**, Tuesday, January 30, 1979, 2 p.m., Senate Chamber, State Capitol, to consider SB 116 (Meier), SB 21 (Clower), SB 170 (Williams), SB 172 (Doggett), SB 177 (Doggett), SB 208 (Mauzy), SB 211 (Mauzy), SB 216 (Longoria), and SB 228 (Farabee).

**Senate Committee on State Affairs**, Monday, January 29, 1979, 2 p.m., Senate Chamber, State Capitol, to consider SB 51 (Traeger), SB 43 (Traeger), SB 160 (Moore), SJR 6 (Mengden), SB 162 (Moore), SB 80 (Brooks), SB 99 (Mengden), SB 19 (Doggett), and SJR 22 (Farabee).

## Notices Filed January 30, 1979

**Senate Administration Committee**, Tuesday, January 30, 1979, 3 p.m., Senate Reception Room, State Capitol, to consider SCR 15 (Schwartz).

**Senate Subcommittee on Civil Matters**, Tuesday, January 30, 1979, upon adjournment, Senate Chamber, State Capitol, to consider SB 16 (Mengden), SB 104 (Doggett), SB 142 (Ogg), SB 143 (Ogg), and SB 179 (Doggett).

**Senate Finance Committee**, Tuesday, January 30, 1979, 9:30 a.m., Finance Committee Room, State Capitol, to conduct budget hearings. A list of items to be considered is available in the Secretary of the Senate's office.

**Senate Finance Committee**, Tuesday, January 30, 1979, 2 p.m., Senate Finance Committee Room, State Capitol, to conduct budget hearings and to consider SB 158 (Moore).

## Confirmations of Gubernatorial Appointees

### Confirmed January 10, 1979

The following is an additional list of gubernatorial appointees confirmed by the Texas Senate on January 10, 1979. A list of confirmations appeared in the issue of January 19 (3 TexReg 194). However, one correction must be made to the previous list. The appointment of Steven C. Condos (Dallas County) as judge of the 330th Family District Court is still pending.

**Texas Commission on Services to Children and Youth**  
Nan Nugent, Kerr

**Radiation Advisory Board**  
Ralph L. Buell, Brazoria

**Rio Grande Valley Municipal Water Authority**  
Dr. Charles F. Calderoni, Cameron

**Rio Grande Valley Pollution Control, Board of Directors**  
M. James Gray, Hidalgo  
Lloyd Hawkins, Hidalgo  
Graham McCullough, Cameron

**Sabine River Authority of Texas**  
Charlie C. Rice, Sabine  
Eugene A. Meek, Newton  
James E. Campbell, Shelby

**Texas Sabine River Compact Commission**  
Neilson Davis, Shelby  
James Matthew Syler, Newton

**Division of the State-Federal Relations, Director**  
David S. Nesenholtz, Travis

**11th Supreme Judicial District, Associate Justice of the Court of Civil Appeals**  
Charles Robert Dickenson, Taylor

## Confirmed on January 17, 1979

### *Secretary of State*

George W. Strake, Jr., Harris

### *Adjutant General of Texas*

Brigadier General Willie L. Scott, Travis

### *Governor's Committee on Aging*

Alton O. Bowen, Travis

### *Texas Air Control Board*

Dr. Otto R. Kunze, Brazos

### *Angelina and Neches River Authority, Board of Directors*

Chester H. Moore, Angelina

### *Texas Animal Health Commission*

James D. Sartwelle, Sr., Austin

### *Texas Commission on the Arts and Humanities*

Leon P. Gilvin, Randall

### *Commission for the Blind*

Charles Sapp, Harris  
Walter Musler, Bexar

### *Central Colorado River Authority, Board of Directors*

Bill D. Sneed, Coleman  
Louis Pittard, Coleman  
Ralph M. Edens, Coleman

### *Commission on Services to Children and Youth*

Eleanor Tinsley, Harris  
Susan Roach, Potter  
Laurie Myers, Lubbock  
Don Haggerton, Jr., Kleberg

### *Texas Conservation Foundation*

Robert R. Norris, Lubbock

### *Texas County and District Retirement System, Board of Trustees*

Clinton W. Uhr, Bexar  
Clyde Anderson, El Paso  
Paul Hopkins, Galveston  
Norment Foley, Uvalde  
J. C. DuVall, Tarrant

### *Criminal District Attorney for Brazoria County*

Doyle W. Neighbours, Brazoria

### *District Review Committees*

Dr. Phillip E. Williams, Jr., Dallas  
Dr. Arthur Milton Jansa, Sr., Harris  
Dr. Joaquin B. Gonzalez, Bexar  
Dr. Grant F. Begley, Tarrant

### *Texas Employment Commission*

Kenyon F. Clapp, Bell  
A. C. Shirley, Travis

### *Evergreen Underground Water Conservation District, Board of Directors*

Charles H. Freeman, Jr., Wilson

### *Texas Board of Health*

E. Jack Brown, Lubbock

### *Hospital Licensing Advisory Council*

Sidney M. Wieser, Lampasas  
Marcella V. Henke, Lavaca  
Dr. Van Goodall, Bosque

### *University of Houston, Board of Regents*

Joel M. Cummings, Harris  
James A. Elkins, Jr., Harris

### *Texas Industrial Commission*

Jim S. Sale, Dallas  
Ray Clymer, Wichita

### *Texas Advisory Commission on Intergovernmental Relations*

David H. Brune, Tarrant  
James D. Dannenbaum, Harris

### *Commission on Jail Standards*

Albert G. Bustamante, Bexar  
Fidencio G. Garza, Jr., Brooks

### *Texas Judicial Council*

A. M. Vogel, Harris  
Harold Hudson, Ochiltree  
Judge Ross E. Doughty, Jr., Uvalde  
Judge William J. Cornelius, Bowie

### *57th Judicial District, District Judge*

John G. Yates, Bexar

### *66th Judicial District, District Attorney*

Neal Thomas Jones, Jr., Hill

### *Lavaca County Flood Control District No. 3, Board of Directors*

Robert Joseph Pesek, Lavaca  
J. W. Hermes, Lavaca

### *Texas Advisory Council of the Legal Services Corporation*

Lewis T. Sweet, Jr., Dallas  
Brett A. Ringle, Dallas  
Jack B. Miller, San Saba  
J. E. Middleton, Sr., Harris  
Dean M. Kilgore, Travis  
Kenneth L. Greer, Jr., Tom Green  
David Escobar, El Paso  
L. Clifford Davis, Tarrant

### *Lower Concho River Water and Soil Conservation Authority*

Benjamin Orland Sims, Concho

Scott L. Hartgrove, Concho

Emmett H. Brosig, Jr., Concho

### *Matagorda Ship Channel, Branch Pilot*

Captain Steve Gibson, Calhoun

### *Texas Board of Mental Health and Mental Retardation*

A. L. Mangham, Jr., Nacogdoches

### *Metric System Advisory Council*

Tom E. Elliott, Lubbock

### *Municipal Retirement System, Board of Trustees*

Jerry H. Hodge, Potter  
Ernest M. Briones, Nueces  
George Dibrell, Jefferson

### *Nueces River Authority, Board of Directors*

Gen. John W. White, Uvalde

### *Pan American University, Board of Regents*

William R. Parker, Jr., Harris

### *Polygraph Examiners Board*

Travis E. Knowlton, Harris  
James E. Hood III, Dallas

### *Texas Board of Private Investigators and Private Security Agencies*

C. William Rider, Galveston

### *Railroad Commission of Texas*

James E. Nugent, Kerr

### *Texas Rehabilitation Commission*

Murray Watson, McLennan  
Jess M. Irwin, Jr., Travis

### *Runnels County Water Authority Board*

George A. Ruppert, Runnels  
Barney C. Puckett, Runnels  
James J. Mueller, Runnels  
Charles Thomas Boecking, Runnels

### *State Rural Medical Education Board*

Mrs. Billie Marie Veach, Burnet  
Dr. Edwin W. Schmidt, Reeves

### *Statewide Health Coordinating Council*

Esther Rice, Galveston

### *Teacher Retirement System of Texas, Board of Trustees*

Lee R. Williamson, Wichita  
Edward H. Wicker, Bee

**Advisory Council for Technical-Vocational Education in Texas**

Mario Yzaguirre, Cameron  
 D. L. Willis, Midland  
 Sherry L. Townsend, Denton  
 Dr. Milton J. Schiller, McLennan  
 Victor Rodriguez, Bexar  
 Dorothy R. Robinson, Anderson  
 James Martin, Tarrant  
 Mary Mahoney, Brazos

**Texas A&M University, Board of Regents**

Clyde H. Wells, Hood  
 Norman Moser, Bowie  
 Royce Wisenbaker, Smith

**Texas State Technical Institute**

H. W. "Pete" Monzingo, Val Verde

**Texas Tech University, Board of Regents**

Lee Stafford, Lubbock

**Upper Colorado River Authority, Board of Directors**

Homer J. Hodge, Runnels  
 Victor Wayne Choate, Tom Green  
 William H. Allen, Coke

**Upper Guadalupe River Authority**

Harry Schwethelm, Kerr  
 Guy Cade Jackson, Jr., Kerr  
 Frank Harrison, Kerr

**Upper Neches River Municipal Water Authority, Board of Directors**

C. L. Hamilton, Anderson

**Veterans Affairs Commission**

Joe L. Matthews, Tarrant

**Veterans Land Board**

Henry Hilliard Cannady, Jefferson

**Texas Water Well Drillers Board**

Murray Don McKinley, Sr., Frio  
 Richard B. Holton, Hansford

**West Texas State University, Board of Regents**

Tully R. Currie, Potter

**Advisory Council on Youth Camp Safety**

Olen S. Miles, Travis

## Legislative Information System of Texas

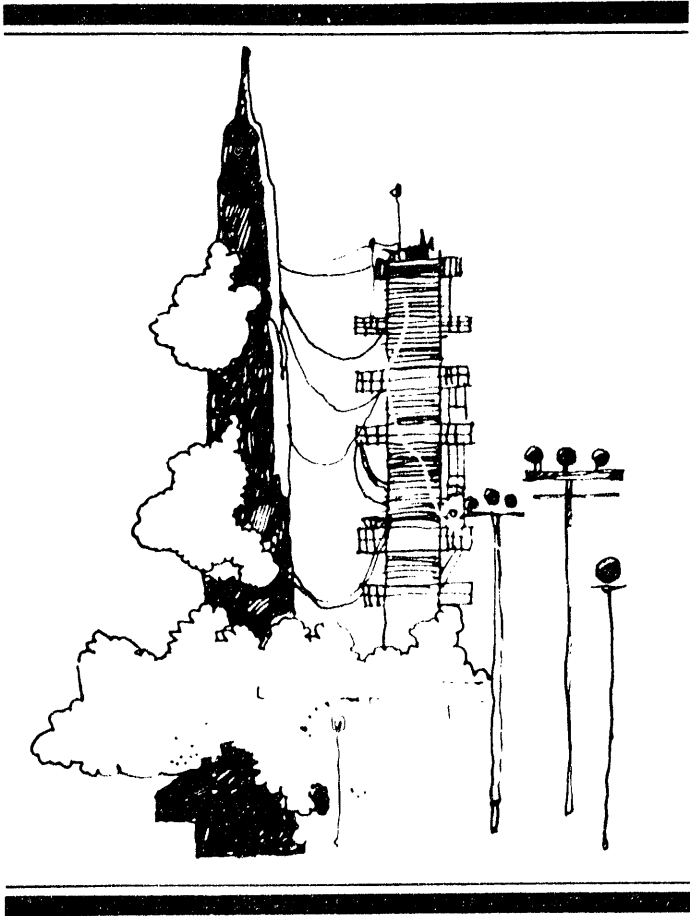
### Toll-Free Telephone Number

The Texas Senate and House of Representatives are providing information on the activities of the 66th Legislature through a toll-free statewide WATS line to the Legislative Information System of Texas (LIST).

Information available includes bill status, schedules and agendas of committee meetings and hearings, and lists of bills by author, committee, and subject.

The LIST statewide toll-free telephone number is **1-800-252-9693** for calls from outside the Austin area. For calls originating in Austin, the telephone number is (512) 475-3026.





## Texas Air Control Board Applications for Construction Permits

Notice is given by the Texas Air Control Board of applications for construction permits received during the period of January 15-19, 1979.

Information relative to these applications, 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, 8520 Shoal Creek Boulevard, Austin, Texas 78758.

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 name of the applicant and the city in which the facility is located; type of facility; location of the facility (if available); permit number; and type of application—new source or modification.

### Week Ending January 19, 1979

Atlantic Richfield Co., Houston; gasoline storage tank; 12000 Lawndale; C-7270; new source

C.O.D. Concrete, Inc., Barker; ready-mix concrete plant; 17113 Interstate 10; C-7271; new source

Texas Material Co., Inc., Houston; concrete batch plant; 1300 Block Holmes Road; C-7272; new source

Maywood, Inc., Amarillo; manufacture of wood products; 1003 East 2nd; C-3734B; modification

Diamond Shamrock Corp., Sunray; dimersol facility; McKee Plant; C-7275; new source

W-K-M Bryan, Inc., ACF Industries, Inc., Bryan; product phosphatizing, 909 Industrial Boulevard at Independence Avenue; C-7274; new source

XYZ Reddi Mix, Houston; ready-mix concrete, 910 Barker Clodine Road; C-5755A; new source

Bloch Metals, Inc., Tyler; aluminum reclaiming by sweating, Gladewater Highway; C-7273; new source

Direcon Corp., Electra; crushing plant, Rodgers Plant; C-2947B

Mobay Chemical Corp., Baytown; thionyl chloride manufacturing; C-7277; new source

Strube Enterprises, Inc., Pittsburg; cage layer production and processing unit, Route 2; C-7276; new source

S&S Trucking Co., Rockdale; ready mix concrete plant; C-7282; new source

Mobil Oil Corp., Marshall; tank battery, Blocker Unit I; C-7281; new source

Sebastian Cotton and Grain Corp., Sebastian; cotton ginning facility; C-7279; new source

Texas Dog Food Co., Weatherford; meat packing plant for processing dog food, Oliver Street; C-7280; new source

Ethyl Corp., Houston; hexene storage facility; C-7278; new source

Issued in Austin, Texas, on January 22, 1979.

Doc No 790452      John B. Turney  
Hearing Examiner  
Texas Air Control Board

Filed January 22, 1979, 2:16 p.m.

For further information, please call (512) 451-5711

## Department of Banking Notice of Application

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

On January 19, 1979, the banking commissioner received an application to acquire control of Frontier State Bank, Eagle Pass, by Louis Rochester, Odessa, and Luther May, Jr.,

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

Issued in Austin, Texas, on January 22, 1979.

Doc No 790469 Robert E Stewart  
Banking Commissioner

Filed January 23, 1979, 9 30 a m

For further information, please call (512) 475-4451.

## State Bar of Texas

### Institute Series

#### How to Determine and Set Proper Attorney's Fees

The State Bar of Texas in conjunction with the Dallas, Fort Worth, Lubbock, El Paso, Houston, San Antonio, and Travis County Bar Associations are co-sponsoring a seven city institute series on how to determine and set proper attorney's fees. The institutes will highlight major factors to consider when determining and setting proper attorney's fees: statutory fees, economic factors, ethics standards, costs, etc. The extensive written material and lectures offer the condensed results of hundreds of hours of study by experts in these areas.

Lawyers may choose from seven different institute cities and dates which include Lubbock—February 8, El Paso—February 9, Dallas—February 15, Fort Worth—February 16, Houston—February 22, San Antonio—February 23, and Austin—March 9, 1979. Mr. William M. Boyd, McKinney, is chairman of the Planning Committee. The speakers will vary at each institute, however, the topics and authors of the written material, included as part of the registration fee and handed out the day of the institute, are as follows:

Statutory Authority Covering Attorney's Fees—Joe Lea, Jr., El Paso

What Inflation Has Done to Lawyers in the Last Ten Years (and a Look at the Future)—Dr. Floyd Durham, Fort Worth

How to Account for and Control Costs in Providing Legal Services—Don Akins, Dallas

How to Avoid Illegal or Unethical Attorney's Fees—John Nichols, Houston

Factors to Consider in Setting Attorney's Fees and Satisfying the Client—J. Harris Morgan, Greenville

How to Prove Attorney's Fees to Judges and Juries—Jack Brady, Dallas

Registration begins at 8:30 a.m. the morning of the institute date. Preregistration is \$35 and registration at the door is \$40. No refunds of registration fees can be granted after 5 p.m. of the day preceding this institute. Advanced registration may be made by sending a check payable to the State Bar of Texas, "Fees," P.O. Box 12487, Capitol Station, Austin,

Texas 78711. Be sure to include the institute city and date that you are planning to attend.

Issued in Austin, Texas, on January 19, 1979.

Doc. No. 790432 Kathy Fly  
Institute Facilities Coordinator  
State Bar of Texas

Filed January 19, 1979, 3 49 p m

For further information, please call (512) 475-6842

## Comptroller of Public Accounts

### Administrative Decisions

For copies of the following opinions selected and summarized by the Legal Services Division, contact Harriet Burke, Legal Services Division, P.O. Box 13528, Austin, Texas 78711. Copies will be edited to comply with confidentiality statutes.

#### Summary of Administrative Decision 9002

**Summary of Decision:** Chrome plating of aircraft cylinders by a corporation for its customers is a service and not a sale for franchise tax purposes, and receipts from this service should be included as part of the corporation's Texas receipts to the extent the services are performed in Texas.

#### Summary of Administrative Decision 9968

**Summary of Decision:** To obtain a sales and use tax refund pursuant to a claim filed under the language in Texas Taxation—General Annotated, Article 20.10(B), "within six months from the date of overpayment with respect to such determination," the claimant must otherwise be entitled to the refund, must pay the determination within six months after it becomes final, and must then file the refund claim within six months from the date of payment.

#### Summary of Administrative Decision 10254

**Summary of Decision:** The one-year limitation period in Texas Taxation—General Annotated, Article 10.14, and not the seven-year period in Texas Taxation—General Annotated, Article 1.045, applies to a claim for refund for diesel fuel taxes paid on fuel purchased in Texas and used in off-road equipment.

#### Summary of Administrative Decision 10337

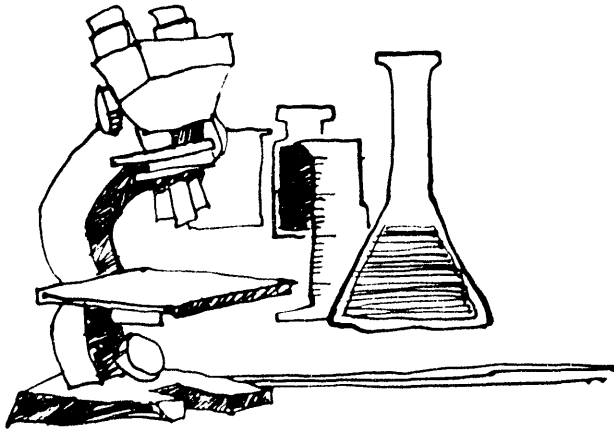
**Summary of Decision:** Purchases by entities set out in Texas Taxation—General Annotated, Article 20.04(H), are exempt from sales and use tax; however, sales by the same entities are subject to sales and use tax unless otherwise exempt under a specific provision in Texas Taxation—General Annotated, Article 20.04.

Issued in Austin, Texas, on January 24, 1979.

Doc. No. 790493- Harriet Burke  
790496 Hearings Section  
Comptroller of Public Accounts

Filed: January 24, 1979, 3 32 p.m.

For further information, please call (512) 475-2148.



## Texas Department of Health Modification of Controlled Substances

The Texas Controlled Substances Act, Article 4476-15, Texas Revised Civil Statutes, contains a schedule of controlled substances, i.e., drugs and chemical entities which have potential for addiction or items being abused or having the potential for abuse. The Texas Legislature originated the list, but the act gives the Texas commissioner of health the power to add to or delete from the list. Most of the decisions follow those made on the federal level by the Drug Enforcement Agency of the U.S. Justice Department.

The act also requires the commissioner, whenever he makes a change to the list, to file a notice of this change with the Texas Secretary of State's Office (notice goes to the attention of Administrative Division). Furthermore, so that the public can be informed of these changes, the commissioner files notice of the changes in the "In Addition" section of the *Texas Register*.

The latest changes to the act were made by the commissioner on January 10, 1979, and are listed below.

### I.

A new subsection (f) has been added to Schedule IV, Section 2.06, to read as follows:

#### Schedule IV, Section 2.06

(f) Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone.

(1) Not more than 1 miligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

### II.

A new subsection (6) has been added to Schedule V, Section 2.07 (b), to read as follows:

(b) Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone.

(6) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

Copies of these changes are available for public inspection in the Food and Drug Division, Texas Department of Health, 1100 West 49th Street, Austin, Texas.

Issued in Austin, Texas, on January 24, 1979.

Doc No 790510      Dan LaFleur, Attorney  
Legal and Claims Services  
Texas Department of Health

Filed January 24, 1979, 4:55 p.m.

For further information, please call (512) 458-7111

## Texas Health Facilities Commission

### Notice of Applications

Notice is given by the Texas Health Facilities Commission of applications (including a general project description) for declaratory rulings, exemption certificates, or administrative orders accepted January 16-22, 1979.

Should any person wish to become a formal party to any application for a declaratory ruling, exemption certificate, or administrative order, that person must file a notice of intent to become a party to the application with the chairman of the commission within 12 days after the enclosed listing is published. The first day for calculating this 12 day period is the first calendar day following the dating of this publishing. The 12th day will expire at 5 p.m. on the 12th consecutive day after said publishing if the 12th day is a working day. If the 12th day is a Saturday, Sunday, or state holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, or state holiday. When notice of intent to become a party is mailed to the chairman of the commission, P.O. Box 15023, Austin, Texas 78761, it must be postmarked no later than the day prior to the last day allowed for filing notice of intent to contest.

The contents and form of a request to become a party to an application for a declaratory ruling, exemption certificate, or administrative order must meet the minimum criteria set out in Rule 315.20.01.050. Failure of a party to supply the minimum necessary information in the correct form by the 12th day will result in a defective request to become a party and such application will be considered uncontested.

The fact that an application is uncontested will not mean that it will be approved. The application will be approved only if the commission determines that it qualifies under the criteria of Sections 3.02 or 3.03 of Article 4418(h), Vernon's Annotated Civil Statutes, and Rules 315.17.04.010-.070, 315.17.05.010-.030, 315.18.04.010-.040, and 315.18.05.010-.030.

In the following notice, the applicant is listed first, the file number second, and the relief sought and description third. EC indicates exemption certificate, DR indicates declaratory ruling, and AO indicates administrative order.

Uvalde County Hospital Authority, Uvalde  
AH79-0122-015

EC - Add diagnostic ultrasound to the radiology department by contract

Lavaca Hospital District, doing business as Lavaca Medical Center, Hallettsville  
AH79-0119-001

EC - Add diagnostic ultrasound to the radiology department by contract

Issued in Austin, Texas, on January 25, 1979.

Doc. No 790524      Dan R. McNery  
                                 General Counsel  
                                 Texas Health Facilities Commission

Filed January 25, 1979, 4 24 p.m.

For further information please call (512) 475-6940

## Notice of Continuance of Hearing

The application of National Medical Hospital of Texas, Inc., doing business as Sierra Medical Center, El Paso, for a certificate of need to: convert eight postpartum patient rooms to eight labor rooms; convert three postpartum patient rooms to two ten bassinet normal nurseries; convert a pediatric play room to a postpartum patient room; construct OB supervisor's office; convert one labor room to anesthesiology work area; convert a shower room to a formula storage area; establish a nurses' lounge and locker area; convert two labor rooms to doctors' lounge and locker area, and relocate corridor doors to new location in the OB suite is scheduled to be continued to February 2, 1979, at 9 a.m., in the offices of the Texas Health Facilities Commission. Sierra Medical Center (THFC File No. AH78-1012-005) is represented by Richard Munzinger, attorney, 11th floor, El Paso National Bank Building, El Paso, Texas 79901.

Issued in Austin, Texas, on January 22, 1979.

Doc. No 790458      Dan R. McNery  
                                 General Counsel  
                                 Texas Health Facilities Commission

Filed January 22, 1979, 3 42 p.m.

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

## Texas Industrial Commission Request for Proposal

**Background of the State of Texas Energy Conservation Plan.** In August 1976, President Ford signed the Energy

Conservation and Production Act which requested state participation in developing state energy conservation programs. Those states which chose to participate were to address five mandatory conservation areas plus any additional areas where significant savings could be achieved within the state. The five mandatory areas are:

- (1) thermal standards;
- (2) lighting standard;
- (3) vanpools-carpools;
- (4) government purchasing; and
- (5) right turn on red.

The optional programs identified by the State of Texas Energy Conservation Plan are:

- (1) industrial processes;
- (2) new commercial;
- (3) existing commercial;
- (4) new residences;
- (5) existing residences;
- (6) agriculture;
- (7) local energy conservation;
- (8) public schools; and
- (9) coordination and monitoring

Under the direction of the Governor's Office of Energy Resources, the State of Texas Energy Conservation Plan was completed in June 1977, and approved by the Federal Energy Administration in August 1977. Copies of the plan may be obtained from the Governor's Office of Energy Resources.

This RFP deals only with the optional program "industrial processes." The objective of the Industrial Processes Program is to conserve 283.81 trillion BTU's of energy in 1980 (3.04 percent of Texas' 1980 projected consumption) by increasing the efficiency of industrial processes in Texas. Industry is Texas' largest consumer of energy (46 percent of total), and while industry's overall record of conservation may be good, such a large consumer must receive serious attention in any plan aimed at improving the overall efficiency of energy use in the state.

The Industrial Processes Program will direct its efforts toward two major types of activities:

- (1) promotion of the exchange of technical information, both within industry groups and among the groups, and
- (2) direct outreach programs to provide low technology industry with information related to particular end uses which are common to several industrial groups.

Under the first activity, there would be four programs:

- (1) technical information exchange;
- (2) industrial information center;
- (3) an annual technical conference; and
- (4) regional energy conservation groups.

Under the second activity, the outreach program would include:

- (1) industry-specific workshops;
- (2) process equipment/specific workshops;
- (3) coordination with federal programs; and
- (4) voluntary training and certification program.

**Proposal.** The Governor's Office of Energy Resources and the Texas Industrial Commission request proposals for the development of a process equipment workshop manual which meets all stated objectives and deadlines. Any firm responding should direct its proposal to the following objectives:

(1) Prepare a workbook which would provide plant personnel with technical information related to the specific topic. Topics for process manual are:

- (a) industrial heating, ventilating, and air conditioning;
- (b) industrial lighting; and
- (c) in-plant energy management.

The Texas Industrial Commission reserves the right to negotiate proposals.

(2) The manual should be suitable for use by plant personnel to inform them of the methods of and potential for increasing the energy efficiency of the process or item of equipment. Such manual should contain basic data acquisition instructions, procedures for carrying out calculations, advice on how to determine and interpret cost information, and how to carry out economic calculations. The manual should be suitable for use in training workshops directed at the process equipment piece identified. The manual should be in an 8-1/2 X 11, camera-ready format.

Responding firms may offer additions and/or modifications they feel would benefit the program. The preceding objectives should be viewed in conjunction with the following timetable.

February 1979	Award contract and begin development of process workbook
May 1, 1979	Deliver draft copy of workbook to the Texas Industrial Commission
June 25, 1979	Deliver camera ready copy to the Texas Industrial Commission

**Methods.** Responding firm should

- (1) describe the methods and procedures to be used to accomplish the aforementioned objectives;
- (2) discuss the value of all proposed methods and procedures; and
- (3) show, in detail, the specific budgeting of funds.

**Capability (attach as appendix).** All responding firms should provide a history of the firm's experience in related types of work, including the experience of those persons who will be assigned to this project, and show the management structure to be used, and the specific staff and management personnel to be assigned and the percentage of time to be utilized by each.

**Contact.** Lance dePlante will be available should any questions arise regarding the proposal at: Texas Industrial Commission, P.O. Box 12728, Capitol Station, Austin, Texas 78711, telephone (512) 472-5059.

**Selection Criteria.** Project selection criteria will be based primarily on those factors which indicate the excellence of work or products that is offered and the ability of the respondent to produce what is actually proposed. Final selection will be made by the Texas Industrial Commission and the Governor's Office of Energy Resources based upon staff recommendations.

**Budget.** Total expenditures for development of the process/equipment workbook shall not exceed \$3,000 for the workbook. Responding firms should submit a complete budget including cost for preparation of camera-ready workbook. Three copies of complete proposal and budget should be submitted.

Those firms not located in Austin that wish to respond should note that all travel expenses incurred traveling to and from Austin for consultation with the Texas Industrial Commission or the Governor's Office of Energy Resources shall be included in the contract amount. No additional travel costs will be authorized.

**Lecture Services.** The attached agreement for the preparation of lecture materials and the services of the selected engineering firm to lecture at workshops on the designated subject shall be considered as a part of the contract.

Issued in Austin, Texas, on January 22, 1979

Doc No 790471      Lance E dePlante  
 Manager, Energy Utilization Department  
 Texas Industrial Commission

Filed: January 23, 1979, 11:32 a.m.

For further information, please call (512) 472-5059

## School Tax Assessment Practices Board

### Consultant Proposal Request

**Background and Scope of Project.** Sections 11.77, 11.84, and 11.85, Texas Education Code, require the School Tax Assessment Practices Board to prepare and issue appraisal manuals, prescribe the contents of all forms necessary for the administration of the property tax system, and provide professional and technical assistance related to tax administration for school districts. To complete these responsibilities, this agency requires the assistance of individuals or firms who are highly experienced in the area of methods of valuation of mineral, utility, and industrial properties. In addition, individuals or firms should have experience in property tax administration. Included in the scope of the project will be the development of methods and procedures for use in the valuation of mineral, utility, and industrial properties, the identification and development of sources of information for such valuation, the design of forms for rendition of such properties; and the development of programs, as necessary, to assist school district tax assessors in the application and/or understanding of the valuation of such properties. The consulting work to be performed by these individuals will not be in the nature of management study of this agency, but rather it shall be necessary to accomplish in part the duties assigned to this agency by Sections 11.77, 11.84, and 11.85, Texas Education Code.

**Contact Person.** Individuals or firms interested in offering their services to the School Tax Assessment Practices Board on a consulting basis should contact: Kenneth E. Graeber, acting executive director, School Tax Assessment Practices Board, 3301 Northland Drive, Suite 500, Austin, Texas 78731, telephone (512) 454-5781.

**Closing Date for Offers.** The closing date for offers of consulting services will be 40 days from the filing of this invitation.

**Selection Criteria.** The consulting contract described above will be awarded on the basis of the experience and knowledge exhibited by those offering their services. Priority considera-

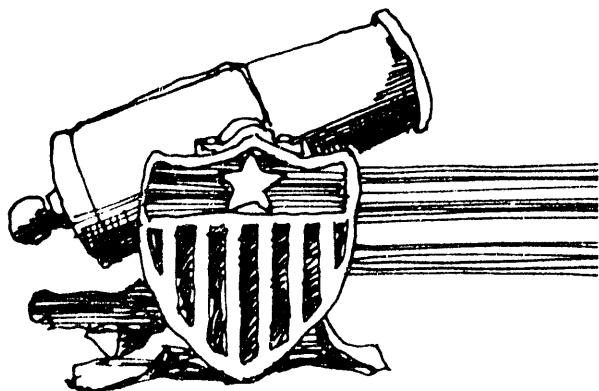
tion will be given to those individuals or firms with substantial experience in the valuation, for property tax purposes, of mineral, utility, and industrial properties.

Issued in Austin, Texas, on January 25, 1979.

Doc No 790535      Russell R. Graham  
Associate Director  
School Tax Assessment Practices  
Board

Filed: January 25, 1979, 4 p.m

For further information, please call (512) 454-5781.



## Texas Register

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Doc No. 31A20