

5500.6  
2263  
4/11

**FILE COPY**

Volume 4, Number 11, February 9, 1979  
Pages 421 - 464

# TEXAS REGISTER

TEXAS STATE LIBRARY

FEB 09 1979

TEXAS DOCUMENTS

## In This Issue...

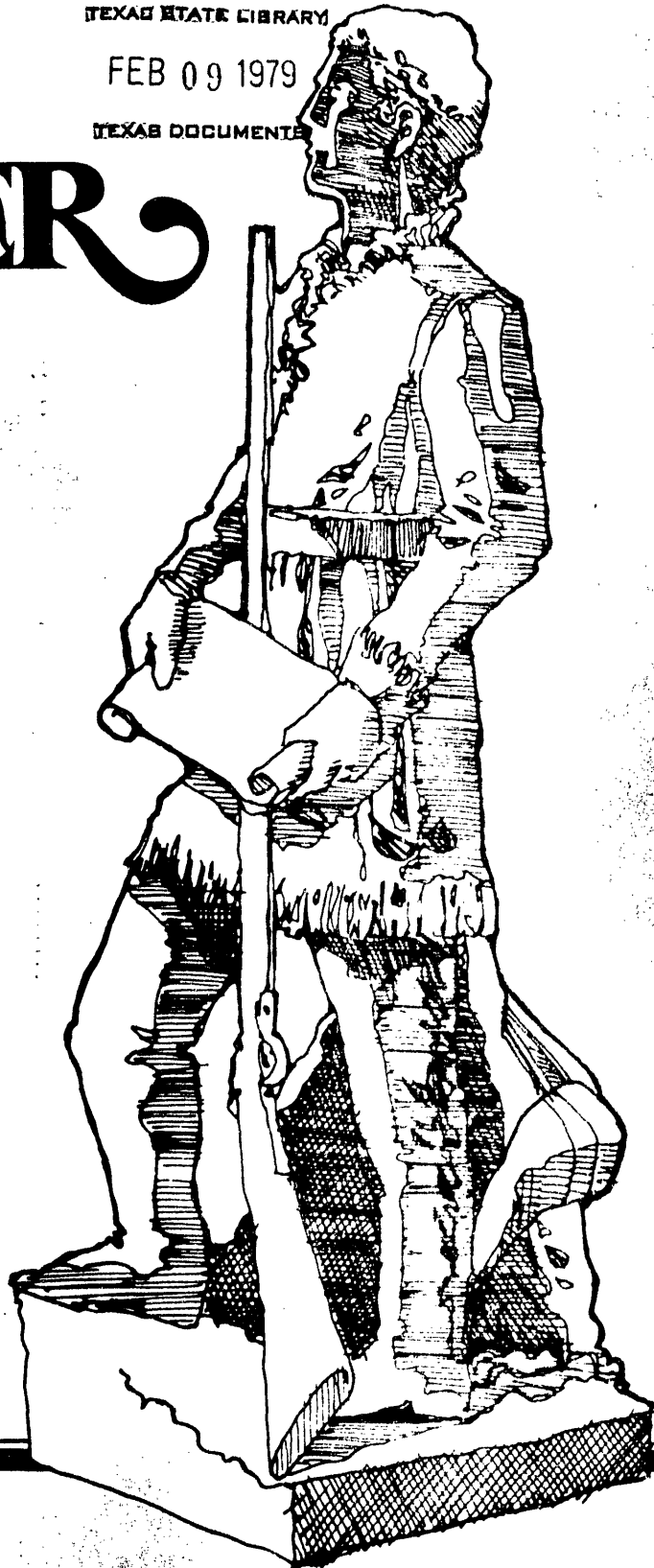
Emergency amendments to Department of Human Resources rules on fraud; effective date—February 1 ..... 427

Rules on applications proposed for amendment on March 12 by State Board of Registration for Professional Engineers ..... 431

Standards for 24-hour care licensing facilities adopted by Texas Department of Human Resources; effective date—February 21 ..... 435

Licensure requirements adopted by State Board of Medical Examiners regarding foreign medical school graduates; effective date—February 23 ..... 435

Guide to agency activity during January ..... 455



Office of the Secretary of State

# NOTES ON THE ISSUE

As a result of a federal law which funds state units to investigate welfare fraud, the Department of Human Resources is amending, on an emergency basis, its rules on fraud involving providers. Public Law 95-142, the Medicare-Medicaid Anti-Fraud and Abuse Amendments, requires the investigative units to be separate from the state agency that administers the Medicaid Program. The Attorney General's Office was designated by Governor Dolph Briscoe as the agency responsible for investigating and prosecuting, or referring for prosecution, violations of state laws on fraud involving providers of services under the Medical Assistance Program. The department has entered an agreement with the Attorney General's Office to transfer the duties of its Medicaid Fraud Unit by February 1, 1979. The department's Investigation's Unit will retain its responsibility for investigating fraud by recipients in the Medicaid Program.

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

The *Texas Register* (USPS 120-090) is published twice weekly, at least 100 times a year, except March 9, June 1, November 27, and December 28, by the Texas Register Division, Office of the Secretary of State, 201 East 14th Street, P.O. Box 12887, Austin, Texas 78711, telephone (512) 475-7886.

The *Register* contains executive orders of the governor, summaries of attorney general's opinions and summaries of requests for opinions, emergency rules, proposed rules, and adopted rules of state agencies, notices of open meetings, and miscellaneous notices of general interest to the public of Texas.

Subscriptions are \$25 for one year. Back issues, when available, are \$1 each.

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

POSTMASTER: Please send Form 3579 changes to the Texas Register, P.O. Box 12887, Austin, Texas 78711.

#### Texas Register Division

Bill Lalla, Director  
Linda Camp  
Mary Barrow  
Bobby Duncan

Pam Fridrich  
Magdalena Cortez  
Charlotte Scroggins  
Brenda Mills

Bill Pratt  
Becky Willard  
Vickie Wesson  
Deborah Marlatt

## The Governor

### Appointments

- 425 *Adjutant General's Department*
- 425 *71st Judicial District of Texas*
- 425 *235th Judicial District of Texas*

## The Attorney General

### Requests for Opinions

- 426 *RQ-19 (implementation of ad valorem tax exemptions)*

### Opinions

- 426 *MW-1 (constitutionality of Section 42.01(a)(1), Penal Code)*

## Emergency Rules

### Texas Department of Human Resources

- 427 *Legal Services*

## Proposed Rules

### Texas Adult Probation Commission

- 429 *Standards*
- 429 *Fund Distribution*

### Comptroller of Public Accounts

- 429 *Tax Administration*

### Texas State Board of Registration for Professional Engineers

- 431 *Practice and Procedure*

## Adopted Rules

### Texas Department of Human Resources

- 433 *24-Hour Care Licensing*

### Texas State Board of Medical Examiners

- 435 *Foreign Medical School Graduates*

### Railroad Commission of Texas

- 436 *Oil and Gas Division*

## Open Meetings

- 439 *Texas Air Control Board*
- 439 *Texas Commission for the Deaf*
- 439 *East Texas State University*
- 440 *Office of the Governor*
- 440 *State Board of Insurance*
- 440 *Lamar University*
- 440 *Midwestern State University*
- 440 *Texas Parks and Wildlife Department*
- 441 *Public Utility Commission of Texas*
- 442 *Railroad Commission of Texas*
- 443 *Texas Real Estate Commission*
- 443 *Office of the Secretary of State*
- 443 *University of Texas System*
- 444 *Texas Water Commission*
- 445 *Regional Agencies*

## The Legislature

### Legislative Report

- 446 *Environment*
- 446 *Education*
- 446 *Human Services*
- 446 *Insurance*
- 446 *Taxes*
- 446 *Criminal Justice*
- 446 *State and Local Government*
- 447 *Elections*
- 447 *Consumer Affairs*

### House of Representatives

- 447 *Bills Introduced*
- 449 *Weekly Committee Schedule*

### Senate

- 451 *Bills Introduced*
- 452 *Meetings*
- 452 *Confirmation of Gubernatorial Appointments*

### Legislative Information System of Texas

- 452 *Toll-Free Telephone Number*

## In Addition

### Texas Air Control Board

453 *Applications for Construction Permits*

### Comptroller of Public Accounts

453 *Administrative Decisions*

### Texas Health Facilities Commission

454 *Notice of Applications*

### Texas Department of Human Resources

454 *Family Planning Benefits*

### Texas Commission on Law Enforcement Officer Standards and Education

455 *Consultant Contract Award*

### Railroad Commission of Texas

455 *Transportation Division*

### Texas Register

455 *Guide to Agency Activity—January*

464 *Notice to Complimentary Subscribers*

464 *Notice of Schedule Variation*

## Appointments

### Adjutant General's Department

The following appointments have been submitted to the Senate of the 65th Legislature, Regular Session, for confirmation:

*To be Assistant Adjutant General for Air for a two-year term to expire January 16, 1981:*

Brigadier General Belisario D. J. Flores of San Antonio, Bexar County, is being reappointed.

*To be Assistant Adjutant General for Army for a two-year term to expire January 16, 1981:*

Brigadier General Willard D. Hill, Jr., of New Braunfels, Comal County, is replacing Brigadier General Willie L. Scott of Austin, Travis County, who was elevated to the position of Adjutant General of Texas.

### 71st Judicial District of Texas

*To be judge, Harrison County, until the next general election and until his successor shall be duly elected and qualified:*

Edward N. Smith, Jr., of Marshall, Harrison County, is replacing Judge John Furrh of Marshall, Harrison County, who resigned.

### 235th Judicial District of Texas

*To be district attorney, Cooke, Jack, and Wise Counties, until the next general election and until his successor shall be duly elected and qualified:*

Brock R. Smith of Bridgeport, Wise County, is replacing Jerry W. Woodlock of Gainesville, Cooke County, who resigned.

Issued in Austin, Texas, on January 29, 1979.

Doc. No. 790676

William P. Clements, Jr.  
Governor of Texas

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



## Requests for Opinions

### Summary of Request for Opinion RQ-19

Request from Tim Von Dohlen, chairman, House Committee on Regions, Compacts, and Districts, Austin.

*Summary of Request:* In passing enabling legislation to implement the ad valorem tax exemptions authorized in the "Tax Relief Amendment," may the legislature make such exemptions effective as of January 1, 1979?

Doc. No. 790681

## Opinions

### Summary of Opinion MW-1

Request from George McCrea, county attorney, Tom Green County, San Angelo, concerning the constitutionality of Section 42.01(a)(1), Penal Code.

*Summary of Opinion:* The United States Supreme Court's decision in *Acker v. Texas*, 430 United States 962 (1977), did not invalidate Section 42.01(a)(1) of the Penal Code, which relates to the use of abusive language.

Issued in Austin, Texas, on January 31, 1979.

Doc. No. 790682

C. Robert Heath  
Opinion Committee  
Attorney General's Office

For further information, please call (512) 475-5445.

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 italica*. [Brackets] indicate deletion of existing material.

## Texas Department of Human Resources

### Legal Services

#### Fraud Involving Providers 326.79.22

In October 1977, Congress passed Public Law 95-142, the Medicare-Medicaid Anti-Fraud and Abuse Amendments, which included an authorization for federal funding for the establishment and operation of state Medicaid fraud control units through September 1980. These units are to support the investigation and prosecution of fraud in state Medicaid programs under Title XIX of the Social Security Act. The law states that this unit must be separate and distinct from the single state agency that administers the Medicaid Program. Governor Briscoe designated the State Attorney General's Office as the agency to fulfill this function.

The Department of Human Resources and the Attorney General's Office have entered into a cooperative agreement required under Public Law 95-142 to transfer the duties of the Medicaid Fraud Unit from the Department of Human Resources to the Office of the Attorney General, effective February 1, 1979. The unit will assume responsibility for investigating and prosecuting, or referring for prosecution, violations of all applicable state laws pertaining to provider fraud in any aspect of the Medical Assistance Program. Complaints alleging physical abuse or neglect of patients in all institutions which receive payment under Title XIX will also be handled by that unit.

The Department of Human Resources' Investigations Unit will retain responsibility for all efforts concerning the investigation of recipient fraud in the Medicaid Program. The transfer of duties from the department to another state agency requires amending the following rules so that the investigation and referral procedures, with respect to Medicaid provider fraud, are consistent with department rules. In order to ensure that Medicaid fraud referrals may be acted upon without delay by the proper investigative body, the amendments to Rules 326.79.22.005 and .006 are being adopted on an emergency basis.

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

#### .005. *Provider Fraud Referral Process.*

(a) (No change.)

(b) Receipt of allegation.

(1) (No change.)

(2) The person receiving the allegation only obtains facts surrounding the allegation. No agreement or commitment is to be made. A memorandum is prepared and sent to the *Medicaid fraud investigations coordinator* [MAU] outlining the complaint or allegation and what facts, if any, were obtained.

(c) [Medical assistance unit (MAU)].

(1) When the complaint involves a provider of Title XIX benefits in either the Nursing Home or Vendor Drug Program, the memorandum is addressed and sent to the medical assistance unit (MAU) which serves the particular geographical area. Many times, the complaint or allegation is made directly to the medical assistance unit.

(2) The medical assistance unit (MAU) conducts an appropriate investigation into the allegation or complaint which has been received against a nursing facility or vendor drug provider. When the MAU determines that the allegation does appear to support suspected fraud, all information which has been received and obtained is immediately transmitted to Medical Programs, State Office.

[(d)] Review by *the Medicaid fraud investigations coordinator* [Medical Programs, State Office].

(1) When the complaint involves a provider of Title XIX benefits in any program [other than Nursing Home or Vendor Drug], the memorandum is addressed and immediately sent to *the Medicaid fraud investigations coordinator* [Medical Programs], State Office, by the person receiving the allegation. *The Medicaid fraud investigations coordinator is responsible for referring all complaints to the Texas Medicaid Fraud Unit, Office of the Attorney General. However, under extenuating circumstances, DHR staff may make referrals directly to the attorney general's unit.*

(2) Complaints or findings indicating fraud by providers (in any program other than Nursing Home or Vendor Drug) under contract and paid by the department are reviewed by the appropriate State Office Medical Programs staff. When fraud is clearly indicated or highly suspected, the Investigation Division is called upon to conduct an investigation. Fraud allegations or complaints which obviously result from misinformation are not referred for investigation.

(3) Complaints or findings indicating possible fraud by providers of medical services are referred to the health-insuring agent by Medical Programs, if appropriate.

(4) Audits frequently identify potential fraud cases. Audits which indicate suspected fraud by a medical provider of services are reported to State Office program staff for review before referral to the Investigation Division or to the health-insuring agent.]

#### .006. *Investigation of Suspected Fraud in Medical Programs.*

(a) Investigations of all providers of medical services for which an allegation of suspected fraud has been received from Medical Programs are conducted by the *Texas Medicaid Fraud Unit, Office of the Attorney General.*

[Investigation Division, State Office. Investigations are also made by the Investigation Division of any provider of Title XIX services which is referred to the department by the health-insuring agent, subject to approval by Medical Programs.]

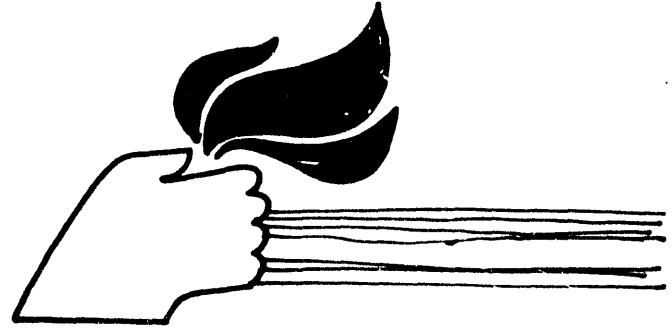
Issued in Austin, Texas, on February 1, 1979.

Doc. No. 790678      Jerome Chapman  
                                 Commissioner  
                                 Texas Department of Human Resources

Effective Date: February 1, 1979

Expiration Date: June 1, 1979

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





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.

## Texas Adult Probation Commission

### Standards 608.01.00

The Texas Adult Probation Commission proposes the following amendment to Rule 608.01.00.010(q). The purpose of the addition is to eliminate the transfer of prisoners from state to state or county to county by a probation officer, who is not a peace officer.

The proposed change will have no fiscal implications (source: Texas Adult Probation Commission staff).

Public comment is invited and should be in written form directed to the executive director, Don R. Stiles, 812 San Antonio, Suite 400, Austin, Texas 78701.

This amendment is proposed under Article 42.121, Texas Code of Criminal Procedure.

#### .010. Administration.

(a)-(p) (No change.)

**(q) Extradition. Probation officers should not transport prisoners.**

Doc No 790715

### Fund Distribution 608.02.00

The Texas Adult Probation Commission proposes the following amendment to Rule 608.02.00.020(b) and (f). The purpose of the addition of Section (f) is to eliminate the problem of a probation officer, who is not a peace officer, from transferring prisoners from state to state or county to county. The phrase deleted from Section (b) should have been deleted when other pretrial provisions were deleted.

The proposed change will have no fiscal implications (source: Texas Adult Probation Commission staff).

Public comment is invited and should be in written form directed to the executive director, Don R. Stiles, 812 San Antonio, Suite 400, Austin, Texas 78701.

This amendment is proposed under Article 42.121, Texas Code of Criminal Procedure.

#### .020. Program Funding.

(a) (No change.)

(b) Priority programs. The TAPC will give priority to judicial districts requesting funds to establish new adult probation departments where none presently exist and departments who cannot meet standards due to unique problems. Special programs may include but not be limited to the development of presentence investigation capability, pretrial supervision capability, high-risk offender programs, and court residential programs. The TAPC will evaluate applications for program funding and award these funds based on merit and availability of funds.

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

**(f) Extradition. Judicial district funds should not be used to pay nor reimburse agencies or persons for the cost of transfer of prisoners.**

Issued in Austin, Texas, on February 2, 1979.

Doc. No. 790716

Don R. Stiles  
Executive Director  
Texas Adult Probation Commission

Proposed Date of Adoption March 12, 1979

For further information, please call (512) 475-1374.

## Comptroller of Public Accounts

### Tax Administration

#### Motor Vehicle Sales Tax Division

##### 026.02.06.040

The Comptroller of Public Accounts is proposing Rule 026.02.06.040 to clarify the tax consequences of purchasing tangible personal property to add as accessories to motor vehicles. This rule explains the interplay between motor vehicle sales and use tax and limited sales, excise, and use tax.

There are no significant fiscal implications expected from the proposed rule (source: revenue estimating staff, Comptroller of Public Accounts).

Public comment on proposed Rule .040 is invited. Persons should submit their comments in writing to Richard Montgomery, Drawer 55, Austin, Texas 78711.

This rule is proposed under the authority of Texas Taxation—General Annotated, Article 6.02 (Vernon 1969).

#### .040. Accessories Added to Motor Vehicles.

(a) General principles.

(1) The purchase of a motor vehicle and all accessories attached thereto at the time of sale is subject to the provisions of Texas Taxation—General Annotated, Chapter 6 (Motor Vehicle Sales and Use Tax).

(2) The purchase of accessories for a motor vehicle attached after the time of sale of the motor vehicle is subject to the provisions of Texas Taxation—General Annotated, Chapter 20 (Limited Sales, Excise, and Use Tax).

(3) The purchase of tangible personal property is subject to the provisions of Texas Taxation—General Annotated, Chapter 20 (Limited Sales, Excise, and Use Tax), if no item can be identified as a motor vehicle even if the combination of items of tangible personal property becomes a motor vehicle.

(4) For this purpose, the term "accessories" includes but is not limited to bodies, cement mixers, C.B. radios, refrigeration units, fertilizer spreaders, and oil well servicing equipment.

(b) Use of resale certificate. For the purposes of this section, the words "leased" and "rented" are defined by Texas Taxation—General Annotated, Article 6.01 (Motor Vehicle Sales and Use Tax Law).

(1) Items combined into a motor vehicle. A resale certificate may be used in purchasing tangible personal properties to be combined into a motor vehicle for sale, lease, or rental in the purchaser's regular course of business.

(2) Accessories to leased vehicles.

(A) Limited sales tax may be paid on the purchase of accessories to be added to a motor vehicle after the sale of the vehicle if the vehicle is to be leased; or

(B) A resale certificate may be used in purchasing accessories to be added to a motor vehicle after the sale of the motor vehicle if the motor vehicle is to be leased, provided:

(i) the lease charge for the accessories is separately stated, and

(ii) limited sales tax is charged on the lease charge for the accessories.

(3) Accessories to rental vehicles. A resale certificate may be used in purchasing accessories to be added to a motor vehicle after the sale of the motor vehicle if the motor vehicle is to be rented, provided:

(A) charge for the accessories is included in the rental fee upon which motor vehicle rental tax is collected; or

(B) charge for the accessories is separately stated and limited sales tax is collected on the rental charge for the accessories.

Doc. No. 790697

## 026.02.06.041

The Comptroller of Public Accounts is proposing Rule 026.02.06.041 to clarify the distinction between a motor vehicle subject to the provisions of Texas Taxation—General Annotated, Chapter 6, and moveable specialized equipment subject to the provisions of Texas Taxation—General Annotated, Chapter 20.

There are no significant fiscal implications expected from the proposed rule (source: revenue estimating staff, Comptroller of Public Accounts).

Public comment on proposed Rule .041 is invited. Persons should submit their comments in writing to Richard Montgomery, Drawer SS, Austin, Texas 78711.

This rule is proposed under the authority of Texas Taxation—General Annotated, Article 6.02 (Vernon 1969).

## .041. Moveable Specialized Equipment.

(a) Motor vehicle sales and use tax application.

(1) The term "motor vehicle" means a self-propelled unit which may transport property separate from itself or persons other than the driver upon the public highways. The term also includes trailers, semi-trailers, house trailers, and motorcycles.

(2) A unit which meets the definition of a "motor vehicle" does not lose its identity as a motor vehicle if tangible personal property is added to the vehicle allowing the unit to perform a specialized function but prohibits the vehicle from transporting separate property or persons other than the driver. An example of this subsection would be a flat-bed truck upon which oil well servicing equipment is attached.

(3) All motor vehicles are subject to the provisions of Texas Taxation—General Annotated, Chapter 6.

(b) Moveable specialized equipment.

(1) A unit designed and built specifically to perform a specialized function which does not include transporting property separate from itself or persons other than the driver is not a motor vehicle. Examples of moveable specialized equipment meeting these criteria are motorized cranes, motorized oil well servicing units, and mobile auto crushers.

(2) All units covered by this section are subject to the provisions of Texas Taxation—General Annotated, Chapter 20.

Doc. No. 790698

## Sales Tax Division 026.02.20.068

The Comptroller of Public Accounts is proposing Rule 026.02.20.068 to clarify the tax consequences of purchasing tangible personal property to add as accessories to motor vehicles. This rule explains the interplay between motor vehicle sales and use tax and limited sales, excise, and use tax.

There are no significant fiscal implications expected from the proposed rule (source: revenue estimating staff, Comptroller of Public Accounts).

Public comment on proposed Rule .068 is invited. Persons should submit their comments in writing to Jim Phillips, Drawer SS, Austin, Texas 78711.

This rule is proposed under the authority of Texas Taxation—General Annotated, Article 20.11(A).

## .068. Accessories Added to Motor Vehicles.

(a) General principles.

(1) The purchase of a motor vehicle and all accessories attached thereto at the time of sale is subject to the provisions of Texas Taxation—General Annotated, Chapter 6 (Motor Vehicle Sales and Use Tax).

(2) The purchase of accessories for a motor vehicle attached after the time of sale of the motor vehicle is subject to the provisions of Texas Taxation—General Annotated, Chapter 20 (Limited Sales, Excise, and Use Tax).

(3) The purchase of tangible personal property is subject to the provisions of Texas Taxation—General Annotated, Chapter 20 (Limited Sales, Excise, and Use Tax), if no item can be identified as a motor vehicle even if the combination of items of tangible personal property becomes a motor vehicle.

(4) For this purpose, the term "accessories" includes but is not limited to bodies, cement mixers, C.B. radios, refrigeration units, fertilizer spreaders, and oil well servicing equipment.

(b) Use of resale certificate. For the purposes of this section, the words "leased" and "rented" are defined by Texas Taxation—General Annotated, Article 6.01 (Motor Vehicle Sales and Use Tax Law).

(1) Items combined into a motor vehicle. A resale certificate may be used in purchasing tangible personal properties to be combined into a motor vehicle for sale, lease, or rental in the purchaser's regular course of business.

(2) Accessories to leased vehicles.

(A) Limited sales tax may be paid on the purchase of accessories to be added to a motor vehicle after the sale of the vehicle if the vehicle is to be leased; or

(B) A resale certificate may be used in purchasing accessories to be added to a motor vehicle after the sale of the motor vehicle if the motor vehicle is to be leased, provided:

(i) the lease charge for the accessories is separately stated, and

(ii) limited sales tax is charged on the lease charge for the accessories.

(3) Accessories to rental vehicles. A resale certificate may be used in purchasing accessories to be added to a motor vehicle after the sale of the motor vehicle if the motor vehicle is to be rented, provided:

(A) charge for the accessories is included in the rental fee upon which motor vehicle rental tax is collected; or

(B) charge for the accessories is separately stated and limited sales tax is collected on the rental charge for the accessories.

Doc. No. 790699

**026.02.20.069**

The Comptroller of Public Accounts is proposing Rule 026.02.20.069 to clarify the distinction between a motor vehicle subject to the provisions of Texas Taxation—General Annotated, Chapter 6, and moveable specialized equipment subject to the provisions of Texas Taxation—General Annotated, Chapter 20.

There are no significant fiscal implications expected from the proposed rule (source: revenue estimating staff, Comptroller of Public Accounts).

Public comment on proposed Rule .069 is invited. Persons should submit their comments in writing to Jim Phillips, Drawer SS, Austin, Texas 78711.

This rule is proposed under the authority of Texas Taxation—General Annotated, Article 20.11(A).

*.069. Moveable Specialized Equipment.*

(a) Motor vehicle sales and use tax application.

(1) The term "motor vehicle" means a self-propelled unit which may transport property separate from itself or persons other than the driver upon the public highways. The term also includes trailers, semi-trailers, and house trailers.

(2) A unit which meets the definition of a "motor vehicle" does not lose its identity as a motor vehicle if tangible personal property is added to the vehicle allowing the unit to perform a specialized function but prohibits the vehicle

from transporting separate property or persons other than the driver. Examples of this subsection would be a flat-bed truck upon which oil well servicing equipment is attached.

(3) All motor vehicles are subject to the provisions of Texas Taxation—General Annotated, Chapter 6.

(b) Moveable specialized equipment.

(1) A unit designed and built specifically to perform a specialized function which does not include transporting property separate from itself or persons other than the driver is not a motor vehicle. Examples of moveable specialized equipment meeting these criteria are a mobile auto crusher and a super loop carnival ride.

(2) All units covered by this section are subject to the provisions of Texas Taxation—General Annotated, Chapter 20.

Issued in Austin, Texas, on February 2, 1979.

Doc. No. 790700

Bob Bullock

Comptroller of Public Accounts

Proposed Date of Adoption: March 12, 1979

For further information, please call (512) 475-3825.

**Texas State Board of  
Registration for  
Professional Engineers**

**Practice and Procedure**

**Board Review of Application 383.01.08**

The Texas State Board of Registration for Professional Engineers proposes to amend Rules 383.01.08.001 and .002, concerning board review of applications. The proposed rule changes would facilitate speedier registration of qualified professional engineering applicants.

The staff of the Board of Registration for Professional Engineers anticipates that these changes to the rules will have no fiscal implications for state or local government.

Public comment on the proposed changes to Rules .001 and .002 is invited. Comments may be submitted by telephoning the executive director, Donald C. Klein, P.E., at (512) 475-3141, or by writing to him at Room 200, Reagan Building, 1400 Congress, Austin, Texas 78701.

These changes to Rules .001 and .002 are proposed under the authority of Section 8, Article 3271a, Vernon's Annotated Texas Statutes.

*.001. Initial Review. An application will be considered complete when all information required by the act, the board rules, and the instructions has been received and accepted by the executive director or his designated representative. When an application is complete, it will be reviewed by the executive director or his designated representative, and a summary of the application will be prepared. This summary will include a recommendation that the application be approved, not approved, rejected, or that no action be taken in accordance with board*

*subchapter .05.001(j). The application will then be circulated to each board member for his or her individual review and vote. (When all information required by law and board rules and instructions, regarding a given application for registration, including incidental and supplemental papers, has been brought together as determined by the executive director or his designated representative, the application will be reviewed for evaluation of qualification for registration. When it is determined by the executive director, or his designated representative, and one member of the board that the applicant is qualified and has met the requirements of law, the application will be recommended for board approval for registration. If there is any question as to whether the applicant is qualified for registration as a result of the evaluation of the one board member and the executive director or his designated representative, the application will be circulated to all board members for their individual review and determination. Board action on these applications will be taken at a subsequent board meeting by a quorum vote of the board.)*

*.002. Approved Applications.*

*(a) If on the basis of the initial review, the executive director or his designated representative recommends that an applicant be granted registration and the first board member who reviews the application concurs and votes accordingly, the applicant will be granted registration and a record of the action will be made a part of the minutes of the next regular board meeting.*

*(b) If on the basis of the initial review, the executive director or his designated representative recommends that an applicant be granted registration and the first board member who reviews the application does not concur and votes accordingly, or if the executive director or his designated representative does not recommend that the applicant be granted registration, the application will be circulated to each board member for his or her individual review until four members of the board have voted that the applicant be approved for registration. The applicant will then be granted registration and a record of the action will be made a part of the minutes of the next regular board meeting.*

[If, on the basis of information available to the board at the time of consideration of a given application, the board determines that an applicant meets the requirements of the act under Section 12, Subsection (a) or (b), or Section 21, the applicant will be approved for registration.]

Issued in Austin, Texas, on January 30, 1979.

Doc. No. 790673

Donald C. Klein, P.E.  
Executive Director  
Texas State Board of Registration for  
Professional Engineers

Proposed Date of Adoption: March 12, 1979

For further information, please call (512) 475-3141.

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

### 24-Hour Care Licensing

#### Standards for Habilitative and Therapeutic Agency Homes 326.91.02

The Texas Department of Human Resources has adopted new rules to correspond with additions to the following sets of standards: Minimum Standards in Child-Placing Agencies (24-Hour Care and Adoption), Minimum Standards for Foster Group Homes, and Minimum Standards for Foster Family Homes as published in the March 24, 1978, issue of the *Texas Register* '3 Tex Reg 1059). The additions concern specialized care for mentally retarded and emotionally disturbed children.

The new rules will provide program and staffing requirements for foster care-related facilities serving children with specialized needs. There are currently no standards for specialized facilities caring for less than 13 children. Since smaller facilities which provide care for children with specialized needs do exist, it is important to have appropriate standards that will protect the health, safety, and well-being of such children.

During the public comment period, respondents to the proposed standards asked that the term "foster family home" be replaced with specific terminology related to the specialization of care. Foster family homes providing care for mentally retarded children will be referred to as "habilitative family homes," and foster family homes providing care for emotionally disturbed children will be referred to as "therapeutic family homes." The adopted rules which follow will reflect this change in terminology.

Standards supporting the normalization principle were expanded to require involvement of children in normal patterns of community living and community educational resources.

An advocacy group asked that we include a safeguard protecting children from excessive medication and chemical restraint. Such safeguards have been added, as have safety requirements regarding the transportation of children. The latter safeguards are also due to public comment.

Respondents also asked for the deletion of the proposed standards requiring that a determination of dangerousness be made on residents. It was the consensus of those responding that children whose needs are such that they require a closed setting should not be placed in a foster family home setting.

Others asked that we include requirements that standardized tests be selected and administered so as not to be racially or culturally discriminatory. The department agrees with the concept but is unaware of any listing of culture-free tests that could be used to determine compliance with such a standard.

These rule amendments and new rules are adopted under the authority of Articles 695 a-3 and 6252-13a, Texas Revised Civil Statutes, and with the approval of the Texas Board of Human Resources.

*.010. Personnel—Staffing Standards for Habilitative Agency Homes.*

(a) The child-placing agency must provide staff necessary to ensure the health and safety of the children in its care. When children of different ages, developmental levels, or social needs are grouped together for any purpose, there must be sufficient staff supervision to prevent the children from abusing or mistreating one another.

(b) The child-placing agency must have a psychologist available for diagnosis, treatment, and consultation.

(1) He or she must be a psychologist as defined by the Psychologists' Certification and Licensing Act.

(2) If the psychologist is not on the staff of the child-placing agency, the psychologist must document that his or her services are available on at least a continuing consulting basis.

*.011. Admission—Policies for Habilitative Agency Homes.*

(a) The child-placing agency must not offer, at the same time and in the same habilitative home, two types of care that conflict with the best interests of the children, the use of staff, or the use of the home.

(b) No child can be admitted to a habilitative home exclusively serving mentally retarded children unless that child is below average in intellectual functioning and also has deficits in adaptive behavior. (See Rule 326.91.06.030 for description of these concepts.)

(1) Intellectual functioning must be determined by standardized tests for all children.

(2) The level of adaptive behavior must be determined by published scales or by a licensed psychologist who has experience with mental retardation.

*.012. Child Care, Development, and Training Standards for Habilitative Agency Homes.*

(a) Plan of service.

(1) Each child's intellectual functioning must be re-evaluated at least annually by a person professionally qualified to provide psychological services until the child is 10 years old and every two years thereafter.

(2) Special emotional, physical, and social needs of the child must be identified and professional consultation and treatment obtained.

(3) An educational or training plan which encourages normalization shall be developed according to the child's intellectual and social functioning. Where possible, the child shall be linked to special educational and remedial resources in the community in order to provide the child appropriate stimulation, encourage self-help skills, ego growth, and successful experiences.

(4) The service plan including the child's needs and how they will be met must be recorded in the child's record.

(b) Daily care.

(1) The daily schedule must be developed to meet children's needs and relate to the normalization principle. The schedule must show understanding of normal child development and the use of time to enhance the child's physical, emotional, and social development in order to help the developmentally disabled child obtain an existence as normal as possible. The child's surroundings and experiences must reflect normal patterns of community living as closely as possible, as appropriate for the special needs of the child.

(2) Food service practices for children, including nonmobile children, must encourage self-help and development.

(A) Children must eat or be fed in the dining area unless there are medical orders to the contrary.

(B) Infants must be held during feedings unless there are medical orders to the contrary.

(3) The habilitative home must provide supervised indoor and outdoor recreation so that every child can participate. Training programs for nonambulatory children must include physical fitness development that prescribes a variety of body positions and changes in environment unless there are medical orders to the contrary. A minimum of one hour per day of stimulation must be provided for each child.

(c) Transportation.

(1) The children shall be accompanied by a sufficient number of staff to adequately meet their needs.

(2) Special provisions shall be made for transporting nonambulatory children. When necessary, this shall include locks for wheel chairs and hydraulic lifts.

(d) Children's rights.

(1) Discipline must be consistent with the policies of the child-placing agency. There must be no cruel, harsh, unusual, or unnecessary punishment.

(A) Only foster parents or adult caregivers may discipline a child.

(B) Children must not be subjected to verbal remarks that belittle or ridicule them or their families.

(C) Children must not be denied food, mail, or family visits as punishment.

(D) Children must not be threatened with the loss of foster home placement as punishment.

(E) Discipline must fit the needs of the child.

(F) Children must not be punished by shaking, striking, or spanking.

(G) A record must be kept of the imposition of restrictions to the agency home that exceed 24 hours.

(2) Physical holding for restraint or mechanical restraints must be used only to protect the child from injury to self or others.

(A) In an emergency, only physical holding can be used unless a physician orders mechanical restraint. The nature of the emergency must be documented.

(B) The need for restraint, the type of restraint used, and the length of time the restraint was used must be recorded in the child's record.

(C) If physical holding for restraint is to be used other than in an emergency, it can be used only upon the orders of a licensed physician.

(D) Any order for physical restraint must designate the type of restraint, the circumstances, and the duration of its use.

(e) Medical care.

(1) All seizures, injuries, and abnormal occurrences must be recorded. The time of occurrence, type of incident, action taken, and person involved shall be recorded.

(2) Mind-altering and behavior-modifying medications shall be administered according to the physician's directions. Each dose administered shall be documented in the child's medical record. Documentation shall include the medications given, the time, the dosage, and the name of the person administering the medication. The appropriateness of continuing the medication shall be evaluated by the physician.

*.013. Buildings, Grounds, and Equipment Standards for Habilitative Agency Homes.*

(a) Health and safety. When nonambulatory children or children subject to seizures are swimming, there must be at least one foster parent or adult caregiver or volunteer for each such child in the swimming area in addition to the lifeguard on duty.

(b) Environment.

(1) Nonambulatory children and those subject to seizures must not use the top bunk of bunk beds.

(2) When a physician or other health professional recommends special equipment for physically handicapped children, the habilitative family home shall provide this equipment.

*.014. Personnel Standards for Therapeutic Agency Homes.*

(a) Staffing. The child-placing agency must provide staff necessary to ensure the proper care, treatment, and safety of the residents.

(1) The child-placing agency must arrange to have a person responsible for the treatment program who has a master's degree in a behavioral science or a related field, and who has had at least two years of experience working with children having problems of adaptation.

(2) The child-placing agency must arrange to obtain services of a professional consultant team which has responsibility for supervising and reviewing the needs and treatment of residents. Documentation of the services provided by these professionals and the frequency of services shall be made. This professional team must include: a licensed physician who is a psychiatrist or a physician who specializes in children with psychiatric disorders; a psychologist as defined by the Psychologists' Certification and Licensing Act; and a social worker with a master's degree in social work from a school accredited by the Council of Social Work Education.

(b) Training.

(1) The child-placing agency must provide orientation for new foster parents or adult caregivers.

(2) The child-placing agency must ensure that foster parents or adult care givers receive at least 50 hours of in-service training annually unless they have a master's degree in one of the behavioral sciences. Master-degree level staff shall document 15 hours of formalized professional growth

experience annually. In-service training for those working with residents must be documented. This must include the date, the subject, and name of the person who conducted the training. The content of training must include understanding the needs of residents, residents' families, and state licensing standards.

*.015. Admission Standards for Therapeutic Agency Homes.*  
A written psychiatric and psychological diagnostic evaluation obtained within six months prior to admission must be included in each resident's record. The child-placing agency shall not place children in an agency home if their behavioral patterns and current needs reflect the need for placement in a closed setting.

*.016. Child Care, Development, and Training Standards for Therapeutic Agency Homes.*

(a) Plan of service.

(1) A diagnostic assessment and treatment plan must be developed by the child-placing agency and recorded in the resident's case record within 30 days of admission.

(A) Diagnosis, prognosis, and estimated length of treatment must be entered in the case record.

(B) The assessment must include and document the physical, psychological, developmental/chronological age, family, social, educational, and recreational needs of the resident.

(C) The treatment plan must specify how the needs of the resident will be met.

(D) The objectives of treatment must be specific. The treatment plan must include specific instructions and must be shared with foster parents and adult caregivers.

(2) The name of the person(s) responsible for meeting the resident's needs must be recorded in the case record. Specific person(s) must be responsible for the following:

(A) the diagnostic assessment and treatment plan;

(B) carrying out the treatment plan;

(C) ensuring that each resident's personal needs are met.

(3) A conference must be held to review the treatment plan at least every three months. This conference must include a representative of the child-placing agency, a foster parent or adult caregiver, and at least one of the professionals required by Section (a) of Rule .014.

(A) The review, all pertinent information, and persons involved in the review must be documented in the case record.

(B) When a treatment plan has been reviewed, appropriate information must be shared with the parents or managing conservator, foster parents, adult caregivers working with the resident, and the resident. This must be documented in the case record.

(4) A complete, revised treatment plan shall be developed annually by the child-placing agency and reviewed by the professional team. This plan shall include a discharge plan.

(b) Community relationships. The child-placing agency must provide opportunities for residents to participate in community life. Opportunities shall include recreational and social activities outside the home, as well as informal educational activities and cultural experiences.

(c) Residents' Rights.

(1) Discipline must be consistent with the policies of the child-placing agency and must not be physically or emo-

tionally damaging. There must be no cruel, harsh, unusual, or unnecessary punishment.

(A) Only foster parents or adult caregivers can discipline residents.

(B) Residents must not be subjected to verbal remarks that belittle or ridicule them or their families.

(C) Residents must not be denied food, mail, or family visits as punishment.

(D) Discipline must fit the needs of each resident.

(E) Residents must not be punished by shaking, striking, or spanking.

(F) A record must be kept of the imposition of restrictions to the agency home that exceed 24 hours.

(G) Residents must not be threatened with the loss of foster home placement as punishment. Potential moving to a more restrictive setting must be presented as an opportunity for healthier growth.

(2) Physical holding for restraint can be used only in an emergency and when necessary to protect the resident from injury to self or others. When physical restraint is used, the circumstances, including the length of time the restraint was used, must be documented in the resident's record.

(d) Medical care. Mind-altering and behavior-modifying medications shall be administered according to the physician's directions. Each dose administered shall be documented in the child's medical record. Documentation shall include the medications given, the time, the dosage, and the name of the person administering the medication. The appropriateness of continuing the medication shall be evaluated by the prescribing physician on at least a quarterly basis.

Issued in Austin, Texas, on January 31, 1979.

Doc. No. 790670

Jerome Chapman  
Commissioner

Texas Department of Human Resources

Effective Date: February 21, 1979

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

## Texas State Board of Medical Examiners

### Foreign Medical School Graduates 386.04.00

Under the authority of Articles 4496 and 4509, Texas Civil Statutes, the Texas State Board of Medical Examiners has adopted Rules 386.04.00.001-.002 to read as follows:

*.001. Requirements for Licensure.*

(a) Applicants must be fingerprinted.

(b) Applications must be certified by the school of graduation, and the signatures and school seal must be verified by the United States Consul in the district in which the school is located, or the applicants must furnish other documents satisfactory to the board.

(c) Applications submitted must have the medical school seal imprinted on the applicant's photographs, or the applicants must furnish other documents satisfactory to the board.

(d) Applicants who are ECFMG-certified and possess current state medical licenses in the United States by written examination may apply for licensure by reciprocity.

(e) Applicants who are ECFMG-certified and do not possess state medical licenses in the United States by written examination are eligible to apply for licensure by examination. Foreign graduate candidates applying for licensure by examination must appear before the board for personal interviews and present their original credentials for inspection when their applications are considered for admittance to the examination.

(f) Only those foreign graduates who are applying for a license by reciprocity whose applications are not in order must appear before the full board for personal interviews and present their original credentials for inspection. Foreign graduates applying for a license by reciprocity whose applications are in order must appear at the board office for personal interviews and present their original credentials for inspection.

(g) ECFMG certification may be waived for foreign medical graduates who are either American board-certified in a specialty or hold certification validated by an American specialty board that such applicant's foreign specialty board certificate is comparable to the American board certificate and have current state medical licenses in the United States by written examination.

(h) ECFMG certification shall be waived for foreign medical graduates who have current state medical licenses in the United States by written examination if they received their license in the reciprocating state prior to June 20, 1960, the date ECFMG certification was made a requirement in Texas.

(i) Foreign medical graduates must possess their original medical diplomas, or they must have documents satisfactory to the board.

(j) Eligibility for licensure for all foreign medical graduates will be determined by the board on an individual basis.

(k) Foreign medical graduates must file their completed applications with the board office 90 days prior to the board meeting date for a license by reciprocity and 90 days prior to the board meeting date for admission to the examination. Applications must be complete in every detail 60 days prior to the meeting or exam date.

(l) Foreign-born medical graduates who have obtained temporary state medical licenses in the United States by written examination, because they do not have their full citizenship, are eligible to apply for a license by reciprocity with that state.

(m) Physicians licensed in Puerto Rico after June 30, 1963, are not eligible to apply for licensure by reciprocity with Puerto Rico unless such license was obtained by the FLEX examination. Physicians licensed in the Canal Zone, Virgin Islands, and Guam are eligible to apply for licensure by reciprocity if such license was obtained by the FLEX examination.

(n) Foreign medical graduates applying to the Texas State Board of Medical Examiners under the "Fifth Pathway Program" (Article 4501(b), Revised Civil Statutes of Texas) must present proof satisfactory to the board that the applicant has passed the examination given by the Educational Council for Foreign Medical Graduates, and complied with other provisions of this article.

## .002. Canadian Endorsement.

(a) Canadian medical graduates who have current Canadian provincial licenses by written examination are eligible to apply for licensure by endorsement with that province. They are required to appear for personal interviews at the board office and present their original documents to the board secretary for inspection.

(b) Foreign medical graduates who are ECFMG-certified or American board-certified in a specialty or hold certification validated by an American specialty board that such applicant's foreign specialty board certificate is comparable to the American board certificate and have current Canadian provincial licenses by written examination are eligible to apply for licensure by endorsement with that province. They must appear at the board office for personal interview and present their original documents for inspection.

Issued in Austin, Texas, on February 1, 1979.

Doc. No. 790711      A. Bryan Spires, Jr., M.D.  
Secretary-Treasurer  
Texas State Board of Medical Examiners

Effective Date February 23, 1979

For further information, please call (512) 474-6335.

## Railroad Commission of Texas Oil and Gas Division General Conservation of Statewide Application 051.02.02

The Railroad Commission of Texas has amended Rules 051.02.02 009-.010, .026, .054, .058, .069, .072, and .079 pursuant to Article 6252-13a, Texas Revised Civil Statutes Annotated (Vernon Supplement 1978-1979), and Title 3, Texas Natural Resources Code Annotated (Vernon 1978). The notices of the proposed amendments were published in the December 22, 1978, issue of the *Texas Register* (3 TexReg 4469), and the adoptions were made with no change of text from the proposed amendments.

.009. *Salt Water Disposal Well Applications.* The commission shall grant permits for salt water disposal without notice and hearing, provided the operator fulfills the following requirements:

(1) (No change.)

(2) Before such formations are approved for disposal use, the applicant shall ascertain whether or not the formations are separated from fresh water formations by impervious beds which will give adequate protection to such fresh water formations and must submit a letter from the Texas Department of Water Resources, Austin, Texas, stating that the use of such formation will not endanger the fresh water strata in that area and that the formations to be used for salt water disposal are not fresh water bearing sands.

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

.010. *Restriction on Production of Oil and Gas from Different Strata.* No well shall be permitted to produce oil or gas from different strata through the same string of casing.

## .026. Separating Devices and Tanks.

(a) Where oil and gas are found in the same stratum and it is impossible to separate one from the other, or when a



well has been classified as a gas well and such gas well is not connected to a cycling plant and such well is being produced on a lease and the gas utilized under Section 86.181-86.185 (Texas Natural Resources Code), the operator shall install a separating device of approved type and sufficient capacity to separate the oil or liquid hydrocarbons from the gas, which separating device shall be kept in place as long as a necessity therefor exists, and, after being installed, such device shall not be removed nor the use thereof discontinued without the consent of the commission. All oil and any other liquid hydrocarbons as and when produced shall be adequately measured according to the pipe line rules and regulations of the commission before the same leaves the lease from which they are produced, and sufficient tankage and separator capacity shall be provided by the producer to adequately take daily gauges of all oil or any other liquid hydrocarbons.

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

*.044. Oil Nominations Required.* On or before the fifth working day prior to a commission-called hearing for determination of the market demand for crude oil produced in the State of Texas, or at such time as the commission may choose, each purchaser for crude oil shall indicate its nomination for same on the appropriate form T-2A. The nominations shall be in daily average barrels for the period indicated on the form. Actual purchases shall be furnished as indicated by the instructions on the form.

*.054. Gas Reports Required.*

(a) Gas processing plant report. As soon after the first day of each calendar month as practicable, and never later than the 25th day of each calendar month, the operator of each plant manufacturing or extracting liquid hydrocarbons, including gasoline, butane, propane, condensate, kerosene, or other derivatives from natural gas, or refinery or storage vapors, shall file, in duplicate, in the Austin office, a report concerning the operation of the plant during the immediately preceding month, which must contain the data and information required on the form.

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

(d) Producer's report of condensate and/or crude oil produced from gas wells. As soon as practicable after the first day, and never later than the last day of the calendar month, subsequent to the period of the report, the operator of each gas well from which liquids are recovered on the lease shall file the required form.

(e) (No change.)

(f) Monthly gas production report. As soon after the first day of each month as practicable, and never later than the last day of the calendar month, subsequent to the period of the report, every operator producing natural gas from wells classified as either gas wells or oil wells by the commission, except those expressly exempted by the commission, shall file a report on the required form.

*.058. Oil, Gas, or Geothermal Resource Producer's Reports.*

(a) Producer's certificate of compliance and authorization.

(1) Each operator who is a producer of crude oil or natural gas is required to file in the district office a report for each of his producing properties on the required form, certifying that the producer has complied with the conservation laws and the oil, gas, and geothermal resources conservation orders, rules, and regulations of the commission in respect to each property. When the report is filed, it authorizes a

gatherer (whether the producer or someone else) to transport the oil, gas, or geothermal resources from such property. Each producer of crude oil, natural gas, or geothermal resource is required to comply with the instructions given on the appropriate form.

(2) (No change.)

(b) Monthly producer's report (oil and geothermal resources). For each calendar month, each operator who is a producer shall file with the commission the required form for each of his producing leases. On or before the last day of the month subsequent to the period of the report, the producer shall file an original and one copy of each form, the original to be filed in the Austin office, and one copy with the transporter and/or gatherer taking the oil or geothermal resources from the lease.

(c) (No change.)

*.069. Out-of-State Sale of Gas Produced from Publicly Owned and Leased Minerals.* An operator producing gas for sale from a lease executed pursuant to Sections 52.291-296, Texas Natural Resources Code (publicly owned minerals), shall not sell or contract for sale of such gas to any person, corporation, or other entity for ultimate use outside the State of Texas unless and until the Railroad Commission, after due notice and hearing, grants an exception as provided by law.

(1) (No change.)

(2) An exception may be granted exempting the publicly owned mineral tracts from all provisions of Sections 52.291-296, Texas Natural Resources Code, after proof is made at a hearing that:

(A) the enforcement of the law would cause physical waste; or

(B) the enforcement of the law would unreasonably deny to the lessee an opportunity to economically produce hydrocarbons from the lands subject to the lease in question.

*.072. Obtaining Pipe Line Connections.*

(a) A common carrier pipe line transporting crude oil in Texas, upon application for connection and offer of crude oil by a producer or persons owning unconnected lease batteries, shall connect such lease batteries in the following instances: (1) when such request is made for connection of lease batteries in the general area served by a common carrier, which is an affiliate or subsidiary of a common purchaser, as defined in Section 111.081, Texas Natural Resources Code, and (2) within individual fields, when any common carrier possesses the only pipe line serving such field or common reservoir and request is made for connection of an unconnected lease battery in the field, provided, that for just cause a common carrier pipe line may apply for an exception. If proper application has been made for such connection and the common carrier pipe line refuses to connect the unconnected lease battery, a complaint for failure to connect may be filed with the commission by the person seeking the connection. The complaining person may allege discrimination or noncompliance with the above rules or the appropriate section(s) of the Texas Natural Resources Code.

(b) Whether the matter comes to the commission either as an application for exception by the pipe line or on a complaint for failure to connect, at least 10 days' notice shall be given to all interested parties, after which the hearing shall be held. At the hearing, the commission may require and consider, among other factors, evidence relating to ability of the pipe line carrier to transport the quality of oil, the market

or lack of market for the proffered oil, and the period required to return the capital investment for the connection.

It is not its intention to limit, nor does the commission herein limit, the consideration by it of any facts with respect to a claim of violation of, or of any facts that may constitute a cause of action for violation of, any of the provisions of Sections 11.001-136, Texas Natural Resources Code, whether enumerated above or not.

.079. *Definitions.*

(1)-(8) (No change.)

(9) "Exploratory well" means any well drilled to a depth greater than the existing fresh water strata, as determined by the Texas Department of Water Resources, for the purpose of securing geological or other information which may be obtained by penetrating the earth with a drill bit, coring equipment, and similar tools, and includes what is commonly referred to in the industry as "slim hole tests" or "core hole tests" and the like.

(10)-(25) (No change.)

(26)(A) (No change.)

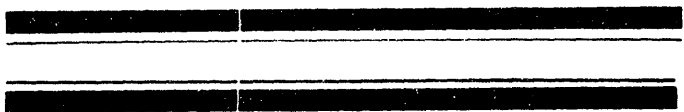
(B) A geopressured aquifer is a water-bearing zone with a pressure gradient in excess of .5 pounds per square inch per foot and a temperature gradient in excess of 1.6° F per 100 foot of depth.

Issued in Austin, Texas, on January 29, 1979.

Doc. No. 790696      John Poerner  
                                 Chairman  
                                 Railroad Commission of Texas

Effective Date: February 23, 1979

For further information, please call (512) 475-3256.



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 Air Control Board

**Tuesday, March 13, 1979, 7 p.m.** An examiner for the Texas Air Control Board will conduct a compliance hearing at Freeport Community House, 1300 West Second Street, Freeport, with regard to A. P. Green Refractories Company, Freeport. As summarized on the agenda, the hearing concerns the assertion that emissions of particulates from the operation of the refractory material production facilities violate Section 4.01(b) of the Texas Clean Air Act and Rules 131.03.03.001 and .003 and 131.03.05.001 and .002(b) and (c) of Regulation I of the Texas Air Control Board.

Additional information may be obtained from Lucinda Schumm, 8520 Shoal Creek Boulevard, Austin, Texas 78758, telephone (512) 451-5711, extension 353.

Filed: February 5, 1979, 9:49 a.m.  
Doc. No. 790732

**Tuesday, March 20, 1979, 7 p.m.** An examiner for the Texas Air Control Board will conduct a contested case hearing at Buda Elementary School cafeteria, San Marcos Street, Buda. As summarized on the agenda, the board will consider the application by Texas Cement Company, located near Buda in Hays County, for a permit to modify the existing facility in order to expand its capacity from 1,375 tons of clinker per day to 2,750 tons of clinker per day (Permit C-6758), and the assertion that the Texas Cement Company's emissions of particulate matter from the operation of the existing facilities violate Rule 131.03.05.002(b) and/or Rule 131.01.00.005 of the Texas Air Control Board.

Additional information may be obtained from Lucinda Schumm, 8520 Shoal Creek Boulevard, Austin, Texas 78758, telephone (512) 451-5711, extension 353.

Filed: February 5, 1979, 9:49 a.m.  
Doc. No. 790733

**Tuesday, March 27, 1979, 7 p.m.** An examiner for the Texas Air Control Board will conduct a permit hearing at the City Community Center, San Gabriel Park, Georgetown. As

summarized on the agenda, the board will consider Applications C-7055, C-7056, C-7057, and C-7057A by Lone Star Industries, Inc., for a portland cement plant near Georgetown and, specifically, the assertion that the proposed facility would have the adverse and unnecessary effect of causing a condition of air pollution in contravention of the intent of the act.

Additional information may be obtained from John B. Turney, 8520 Shoal Creek Boulevard, Austin, Texas 78758, telephone (512) 451-5711, extension 354.

Filed: February 5, 1979, 9:49 a.m.  
Doc. No. 790734

## Texas Commission for the Deaf

**Saturday, February 10, 1979, 9 a.m.** The Board of the Texas Commission for the Deaf will meet in emergency session in Room 100-B of the John H. Reagan Building, Austin. Agenda items include: an open forum; an executive session on the board's action on Carl P. Roberts and the starting date of the interim executive director's remuneration; reconsideration of the board's action on Mr. Roberts and a vote on his letter of resignation; a discussion and vote on the starting date of the interim executive director's remuneration; report by Search Committee on budgetary recommendations; presentation of pending legislative bills affecting the deaf; financial report of the commission; and discussion of agenda items, time, and place for next meeting.

Additional information may be obtained from Joan Boerger Fowler, P.O. Box 12904, Austin, Texas 78711, telephone (512) 475-2492.

Filed: February 2, 1979, 3:32 p.m.  
Doc. No. 790717

## East Texas State University

**Friday, February 16, 1979, 9 a.m.** The Board of Regents of East Texas State University will meet in the board's conference room, East Texas State University, Commerce. As summarized on the agenda, the board will vote on matters concerning the following: 1978-79 budget adjustments for ETSU-Commerce and ETSU-Texarkana; approval of small class report for both campuses; approval of faculty workload for both campuses; approval of Policy No. II N 4.1; approval of vending contract; distribution schedule—building use fee; transfer of excess bond revenue funds; Policy No. IV D 30; authorization to award distinguished alumnus and distinguished alumna; authorization to employ Lawrence D. White, associate, to design a student lounge for ETSU-Texarkana; and option on land.

Additional information may be obtained from Charles Morrow, East Texas State University, Commerce, Texas, telephone (214) 886-5026.

Filed: February 5, 1979, 11:14 a.m.  
Doc. No. 790737

## Office of the Governor

*Friday, February 9, 1979, 9 a.m.* The Criminal Justice Division Advisory Board of the Governor's Office will meet in Room 118 of the Stephen F. Austin Building, Austin, to consider action grant applications as summarized on the agenda.

Additional information may be obtained from Willis Whatley, 411 West 13th, Austin, Texas 78701, telephone (512) 475-6065.

Filed: February 1, 1979, 3:36 p.m.  
Doc. No. 790685

## State Board of Insurance

*Monday, February 5, 1979, 2 p.m.* The Commissioner's Hearing Section of the State Board of Insurance conducted a hearing in emergency session in Room 343, 1110 San Jacinto, Austin, to determine whether the applicant, First American Title Insurance Company, Santa Ana, California, should be a party to a hearing concerning the control of Security Title and Trust Company by Dan F. Parman, Carl H. Pfeiffer, and First American Title of San Antonio, Inc., and to show good cause on the applicant's motion for issuance of commission to take depositions and authorize subpoenas duces tecum.

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

Filed: February 2, 1979, 9:23 a.m.  
Doc. No. 790692

*Wednesday, February 7, 1979, 10 a.m.* An addition was made to the agenda of a meeting of the State Board of Insurance held in Room 408, 1110 San Jacinto, Austin, to consider the road security policy filed by Insurance Company of North America.

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

Filed: February 5, 1979, 9:28 a.m.  
Doc No. 790727

## Lamar University

*Thursday, February 8, 1979, 9:30 a.m.* The Board of Regents of Lamar University met in the Spindletop Room at the Gray Library on the main campus, Beaumont. As summarized, agenda items considered included: budget and personnel reports and president's reports; building and grounds reports; journal entries and monthly financial statements for December; resolution authorizing sale of stock; policy of fee schedules for utilization of university facilities by nonuniversity organizations; increase of summer orientation fee; housing project analysis; small class reports and faculty teaching load; and faculty development recommendations. An executive session was also held.

Additional information may be obtained from Andrew J. Johnson, P.O. Box 10004, L.U.S., Beaumont, Texas 77710, telephone (713) 838-7533.

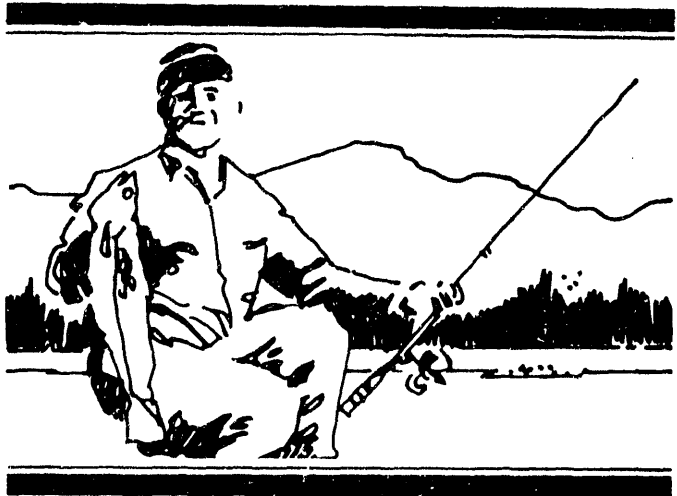
Filed: February 5, 1979, 11:23 a.m.  
Doc. No. 790738

## Midwestern State University

*Friday, February 9, 1979, 6:30 p.m.* The Athletics Committee of the Board of Regents of Midwestern State University will meet in emergency session in Room 108 of the Hardin Administration Building, Midwestern State University, Wichita Falls. The summarized agenda includes a report on the progress of the athletics study; consideration of the purchase of portable bleachers; the athletics' income report as of January 24, 1979; and discussion of a contract for a scoreboard for soccer and intramural sports.

Additional information may be obtained from Dr. Gerald Stockton, Midwestern State University, Wichita Falls, Texas 76308, telephone (817) 692-6611, extension 301.

Filed February 5, 1979, 11:14 a.m.  
Doc. No. 790736



## Texas Parks and Wildlife Department

*Tuesday, February 20, 1979, 2 p.m.* The Fisheries Division/Resource Protection Branch of the Texas Parks and Wildlife Department will meet in Room A-200, 4200 Smith School Road, Austin. Consideration will be given to the application of Fort Bend County Levee Improvement District No. 2 for a permit to remove approximately 1,450 cubic yards of marl (total) by means of draglines and bulldozers from the Brazos River. The proposed excavation is for a ditch outfall to be located approximately 2.5 miles downstream from the U.S. Highway 59 crossing near Sugarland in Fort Bend County. The dredged material will be sold for fill or spread on the applicant's upland property. Adjacent property owners are the Texas Department of Corrections, W. S. Frost, and J. M. Frost.

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

Filed: February 2, 1979, 3:39 p.m.  
Doc. No. 790721

## Public Utility Commission of Texas

**Monday, February 12, 1979, 10 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2401 on the inquiry by the commission into Markout Water Supply Corporation's refusal to serve every consumer within its certificate service area.

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

Filed: February 2, 1979, 9:23 a.m.  
Doc. No. 790689

**Wednesday, February 14, 1979, 9:30 a.m.** The Hearings Division of the Public Utility Commission of Texas has rescheduled a hearing on Docket No. 2242 in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of the application of General Telephone Company of the Southwest for a cease and desist order against South Plains Telephone Cooperative, Inc., within Hockley County. The hearing has been rescheduled from February 12, 1979.

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

Filed February 5, 1979, 9:28 a.m.  
Doc. No. 790728

**Thursday, February 15, 1979, 2 p.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket Nos. 2236, 2237, 2258, and 2340, the applications of Ranch Radio, Inc., to amend its certificate of convenience and necessity to provide radio-telephone service in Colorado, Wharton, Lavaca, Victoria, Calhoun, Dewitt, Goliad, Jackson, and Refugio Counties.

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

Filed February 2, 1979, 3:39 p.m.  
Doc. No. 790719

**Thursday, February 15, 1979, 3 p.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing conference in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2243, the application of Autophone

of San Antonio, Inc., et al. to transfer and amend certificates of convenience and necessity in Bexar, Atascosa, Frio, Medina, Bandera, Kern, Kendall, Comal, Guadalupe, Wilson, Blanco, Hays, Caldwell, and Gonzales Counties.

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

Filed: February 2, 1979, 3:39 p.m.  
Doc. No. 790718

**Thursday, February 15, 1979, 4 p.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2290, the application of Sanderson Communications Company to amend its certificate of convenience and necessity to provide telephone service in Valverde, Crockett, Terrell, Sutton, and Edwards Counties.

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

Filed: February 2, 1979, 3:39 p.m.  
Doc. No. 790720

**Friday, February 16, 1979, 10 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2137, the application of Childress Creek Water Supply Corporation for a rate increase within Bosque and McLennan Counties.

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

Filed February 5, 1979, 9:28 a.m.  
Doc No 790729

**Tuesday, February 20, 1979, 2 p.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2118, the application of King-Cottle Water Supply Corporation for authority to change rates in Cottle, King, and Fourd Counties.

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

Filed: February 5, 1979, 9:28 a.m.  
Doc. No. 790730

**Tuesday, February 27, 1979, 9:30 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2371, the petition of Westworth Water Company for review of a rate-setting ordinance passed by the City of Westworth Village within Tarrant County.

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

Filed: February 1, 1979, 3:36 p.m.  
Doc. No. 790686

**Wednesday, February 28, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2203, the application of Crystal Springs Water Company for a rate increase within Montgomery County. The hearing has been rescheduled from February 8, 1979.

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

Filed: February 2, 1979, 9:23 a.m.  
Doc No. 790690

**Monday, March 12, 1979, 10 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing on Docket No. 2380 in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of the application of Kimble Electric Cooperative, Inc., for a rate increase within Kimble, Edwards, Sutton, Menard, Real, Kerr, and Mason Counties.

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

Filed: February 2, 1979, 9:23 a.m.  
Doc No 790691

**Wednesday, March 14, 1979, 10 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing in Suite 400N, 7800 Shoal Creek Boulevard, Austin. The summarized agenda includes consideration of Docket No. 2302, the application of Vacation Village Water Company for a certificate of convenience and necessity and to partially decertificate the City of Denton within Denton County.

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

Filed February 5, 1979, 9:28 a.m.  
Doc No 790731

## Railroad Commission of Texas

**Monday, February 5, 1979, 9 a.m.** An emergency meeting of the Transportation Division of the Railroad Commission of Texas was held in the 10th floor conference room of the E. O. Thompson Building, 10th and Colorado, Austin. The agenda included consideration of an extension of emergency Rule 051.03.02 019, Emergency Temporary "Edible Beef Tallow" Authority. The emergency extension was considered on less than seven days' notice, according to the commission, because it had been alleged that Iowa Beef Processors, Inc., employing approximately 2,500 people in Amarillo, would close if the requested emergency authority were not granted immediately.

For more information, contact John Soule, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-4738.

Filed: February 2, 1979, 11:41 a.m.  
Doc. No. 790706

**Monday, February 5, 1979, 9 a.m.** An emergency addition was made to the meeting of the Transportation Division of the Railroad Commission of Texas held in the 10th floor conference room of the E. O. Thompson Building, 10th and Colorado Streets, Austin. The addition was consideration of extension for filing motion for a rehearing of the application of Jack H. Gillespie, Docket No. 035523A1N. Consideration on less than seven days' notice was necessary, according to the commission, because the motion was filed on January 30, 1979, and the deadline for the motion was February 6, 1979; this would not have allowed sufficient time for publication and consideration of the matter under the time required by the Texas Open Meetings Act.

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

Filed: February 2, 1979, 11:40 a.m.  
Doc. No. 790707

**Monday, February 12, 1979, 9 a.m.** The Automatic Data Processing Division of the Railroad Commission of Texas will meet in the E. O. Thompson Building, 10th and Colorado Streets, Austin. The division will discuss an interagency contract between the commission and the Texas Department of Water Resources for use of a 3275 CRT with keyboard and a 3284 printer.

Additional information may be obtained from David Garlick, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-4416.

Filed: February 2, 1979, 11:42 a.m.  
Doc No. 790702

**Monday, February 12, 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 Streets, Austin. As summarized on the agenda, the division will consider the following items: flaring gas; special allowable; productive acreage; a permit to operate a mud and waste storage station; Rule 37 cases; proper pluggings; exceptions to Statewide Rule 10; notice of a re-opened hearing for adoption of net gas-oil ratio rule; adoption of net gas-oil ratio rule; amendment of field rules; adoptions of field rules; gas field rules; review of temporary field rules; new oil and gas discoveries; exceptions to Statewide Rules 14(B)(2), 11, and 8(C); and the director's report. An executive session will be held on litigation and personnel matters.

Additional information may be obtained from Jan Burris, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-3003.

Filed: February 2, 1979, 11:41 a.m.  
Doc. No. 790703

**Monday, February 12, 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 Streets, Austin. As summarized on the agenda, the division will consider category determinations under Sections 162(c)(1)(B), (c)(1)(C), 103, 107, and 108 of the Natural Gas Policy Act of 1979.

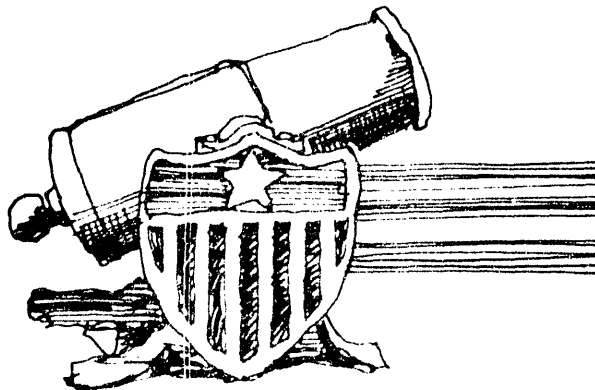
Additional information may be obtained from Linda D. Carr, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-0261.

Filed: February 2, 1979, 11:40 a.m.  
Doc. No. 790704

**Monday, February 12, 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 Streets, Austin. As summarized on the agenda, the division will consider the request of the City of Nassau Bay for commission assistance in reviewing a proposed rate increase by EnTex, Inc., and Gas Utilities Dockets 1676, 1705, 1822, 1883, word processing matters, and the director's report. An executive session to consider litigation and personnel matters will also be held.

Additional information may be obtained from Joy Wood, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-2747.

Filed: February 2, 1979, 2:31 p.m.  
Doc. No. 790713



## Texas Real Estate Commission

**Monday, February 5, 1979, 11 a.m.** The Texas Real Estate Commission met in Room 119 of the Stephen F. Austin Building, 17th and Congress, Austin, to consider proposed legislation by the Sunset Advisory Commission and to set the date and place of the next meeting. This meeting was originally scheduled at 10 a.m. but was changed because of a conflict with a senate hearing on Senate Bill 171.

Additional information may be obtained from Camilla S. Shannon, P.O. Box 12188, Austin, Texas 78711, telephone (512) 475-4250.

Filed: February 1, 1979, 4:38 p.m.  
Doc. No. 790688

## Office of the Secretary of State

**Thursday, February 8, 1979, 2 p.m.** The State Canvassing Board of the Secretary of State's Office met in emergency session in Room 125 of the Secretary of State's Office in the State Capitol. This official meeting was held to canvass returns of the special election in State Representative District 56 held on February 3, 1979.

Additional information may be obtained from Milton Malloy, P.O. Box 12887, Austin, Texas 78711, telephone (512) 475-3091.

Filed: February 2, 1979, 1:50 p.m.  
Doc. No. 790712

## University of Texas System

**Wednesday-Friday, February 7-9, 1979.** The Board of Regents of the University of Texas System conducted a three-day meeting as indicated on the following agenda:

### Wednesday, February 7

6 p.m.—regents' meeting room on the 9th floor of Ashbel Smith Hall, 201 West 7th Street, Austin—board meeting

6:30 p.m.—Bauer House, 1909 Hill Oaks Court, Austin—Committee of the Whole (executive session)

### Thursday, February 8

10:45 a.m.—fourth floor conference room in O. Henry Hall, 601 Colorado Street, Austin—meeting of Subcommittee on Hospitals of Health Affairs Committee

11 a.m.—Bauer House—Committee of the Whole (executive session)

2 p.m.—9th floor of Ashbel Smith Hall—board meeting followed by meeting of Buildings and Grounds Committee

6:30 p.m.—Bauer House—Committee of the Whole (executive session)

### Friday, February 9

9 a.m.—Ashbel Smith Hall—board meeting followed by committee meetings.

As summarized, agenda items for the various meetings include: executive sessions to interview finalists for U.T. Austin presidency; discuss pending litigation and land acquisitions for U.T. El Paso, University Cancer Center, and U.T. San Antonio; and select president for U.T. Austin; consideration of buildings and grounds matters; approval of minutes for November 30 through December 1, 1978, and January 6, 1979; revision of regents' rules and regulations: modifications to (1) minimum faculty teaching requirements, (2) 1978-79 operating budgets, and (3) U.T. Austin declaration of trust for student publications; chancellor's docket; appointments of endowed professors; requests to Coordinating Board for degree programs; procedures for compliance with

hospital accreditation requirements; proposed model affiliation agreements; proposed affiliation agreements not based on model; research agreements; acceptance of gifts, bequests, and estates; 1979-80 personnel pay plan and budget policies; renaming of Drama Building; patent provisions with Control Data Corporation and Exxon Research and Development Laboratories; outside employment: Houston Health Science Center, development boards and advisory councils for U.T. System, Austin, Permian Basin, and Houston Health Science Center; report of gifts accepted between December 1 and December 31, 1978.

Additional information may be obtained from Betty Anne Thedford, Box N, U.T. Station, Austin, Texas 78712, telephone (512) 471-1265.

Filed: February 2, 1979, 1:09 p.m.  
Doc. No. 790705

## Texas Water Commission

**Monday, February 12, 1979, 9 a.m.** The Transportation Division of the Railroad Commission of Texas will meet in the 10th floor conference room of the E. O. Thompson Building, 10th and Colorado Streets, Austin. As summarized on the agenda, the commission will consider the following types of applications: rail rate, consolidate authority, divide authority, new authority, reinstatement, sell authority, truck rate, and voluntary suspension.

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

Filed: February 2, 1979, 11:40 a.m.  
Doc. No. 790708

**Monday, February 12, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. The summarized agenda includes consideration of the following: applications for district bond issues, an application to increase bond issue; an application for release from escrow; a petition to determine directors; an order adjudicating certified filing; an examiner's proposal for decision on water quality matters; applications for amendments to water quality permits; applications for water rights permits and amendments, an extension of time on construction, and setting of hearing dates on applications.

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

Filed: February 2, 1979, 2:38 p.m.  
Doc. No. 790714

**Tuesday, February 13, 1979, 9 a.m.** The Texas Water Commission will conduct a hearing in Room 119 at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized, the hearing concerns an application by the City of

Fredericksburg, P.O. Box 111, Fredericksburg, Texas 78624, for an amendment to Permit No. 10171 to accommodate plant expansion.

Additional information may be obtained from David Hume, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-2711.

Filed: February 2, 1979, 5 p.m.  
Doc. No. 790722

**Tuesday, February 13, 1979, 9 a.m.** The Texas Water Commission will conduct a hearing in Room 119 at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized, the hearing concerns an application by the City of Eagle Pass, P.O. Box C, Eagle Pass, Texas 78552, for an amendment to Permit No. 10406 to accommodate plant expansion.

Additional information may be obtained from David Hume, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-2711.

Filed: February 2, 1979, 5 p.m.  
Doc. No. 790723

**Tuesday, February 13, 1979, 9 a.m.** The Texas Water Commission will conduct a hearing in Room 119 at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized, the hearing concerns an application by the City of Midland (Plant No. 1), P.O. Box 1152, Midland, Texas 79701, for an amendment to Permit No. 10223 to accommodate plant expansion.

Additional information may be obtained from David Hume, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-2711.

Filed: February 2, 1979, 4:59 p.m.  
Doc. No. 790724

**Tuesday, February 13, 1979, 9 a.m.** The Texas Water Commission will conduct a hearing in Room 119 at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized, the hearing concerns an application by Mobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704, for a permit to drill and operate an industrial waste disposal well in Jefferson County.

Additional information may be obtained from David Hume, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-2711.

Filed: February 2, 1979, 4:59 p.m.  
Doc. No. 790725

**Tuesday, February 13, 1979, 9 a.m.** The Texas Water Commission will conduct a hearing in Room 119 at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized, the hearing concerns an application by Fred Harr (Palacios Seafood Company), P.O. Box 836, Palacios, Texas



77465, for a permit to authorize a discharge of a volume of wastewater not to exceed a maximum of 50,000 gallons per month from its shrimp processing plant.

Additional information may be obtained from Joe O'Neal, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-2711.

Filed: February 2, 1979, 4:59 p.m.  
Doc. No. 790726

## Regional Agencies

### Meetings Filed February 2, 1979

*The Brazos River Authority*, Board of Directors, met in the Gemini Room at the Airport Marina Hotel, Dallas-Fort Worth Regional Airport, on February 6, 1979, at 11 a.m. Further information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, telephone (817) 776-1441.

*The Education Service Center, Region V*, Board of Directors, met in the board room, 2900 North Street, Beaumont, on February 7, 1979, 2 p.m. Further information may be obtained from Dr. Fred J. Waddell, 2900 North, Beaumont, Texas 77704, telephone (713) 892-9562.

Doc. No. 790693

### Meetings Filed February 5, 1979

*The Angelina and Neches River Authority*, Board of Directors, met in the T.V. Room at the Rex Club in the Angelina Hotel, Lufkin, on February 8, 1979, at 11 a.m. Further information may be obtained from William A. Elmore, P.O. Box 387, Lufkin, Texas 75901, telephone (713) 632-7795.

*The Brazos Valley Development Council*, Executive Committee, will meet in the Medallion Room at the Bryan Utilities Building, 300 South Washington, Bryan, on February 15, 1979, at 1:30 p.m. Further information may be obtained from Glenn J. Cook, P.O. Drawer 4128, Bryan, Texas 77801, telephone (713) 822-7421.

*The Education Service Center, Region 18*, Board of Directors, met at the Region 18 Education Service Center air terminal, LaForce Boulevard, Midland, on February 8, 1979, at 7:30 p.m. Further information may be obtained from Dr. J. W. Donaldson, P.O. Box 6020, Midland, Texas, telephone (915) 563-2380.

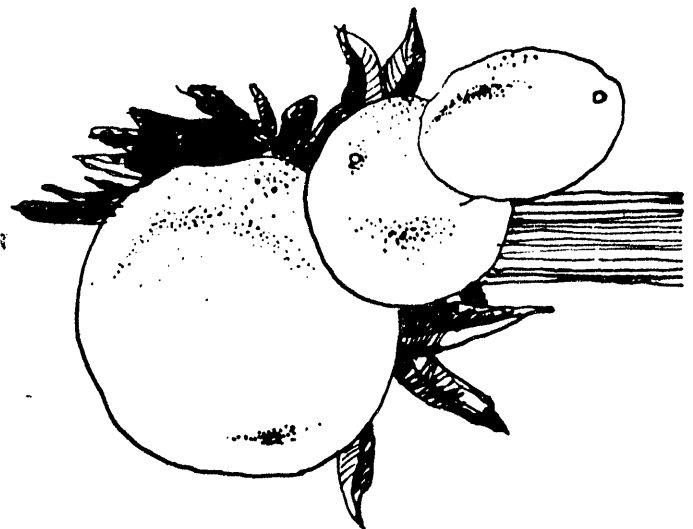
*The Nortex Regional Planning Commission*, Executive Committee, will meet at the McBride Land and Cattle Company, 501 Scott Street, Wichita Falls, on February 15, 1979, at noon. Further information may be obtained from Edwin B. Daniel, 2101 Kemp, Wichita Falls, Texas 76309, telephone (817) 322-5281.

*The Permian Basin Regional Planning Commission*, Board of Directors, will meet in the conference room at the Air Terminal Office Building, Midland, on February 14, 1979, at 1:30 p.m. Further information may be obtained from Kathy Ferron, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

*The South Texas Development Council*, Board of Directors, will meet in the courtroom at the county courthouse, Zapata, on February 14, 1979, at 4:30 p.m. Further information may be obtained from Julie Saldana, P.O. Box 2187, Laredo, Texas 78041, telephone (512) 722-3995. The South Texas Area Agency on Aging will meet at the Nutrition Site, 420 East Main, Rio Grande City, on February 22, 1979, at 1 p.m. The agency will meet at the Elderly Feeding Program Building, Laredo International Airport, Cherry and Cactus Streets, Laredo, on February 26, 1979, at 1 p.m. Further information on the meetings may be obtained from Adriana Rodriguez, P.O. Box 2187, Laredo, Texas 78041, telephone (512) 722-3995.

*The South Texas Health Systems Agency*, Bylaws Committee, Lower Rio Grande Valley Subarea Health Advisory Council, will meet at the Rodeway Inn Restaurant, Expressway and Mile 2-W, Mercedes, on February 14, 1979, at noon. Further information may be obtained from Fidel Pizana, Texas A&I University, Station 1, Box 2378, Kingsville, Texas 78363, telephone (512) 595-5545. The Coastal Bend Subarea Health Advisory Council will meet at the Greenwood Senior Community Center, 4040 Greenwood, Corpus Christi, on February 14, 1979, at 7:30 p.m. Further information may be obtained from Douglas Wilkey, Texas A&I University, Station 1, Box 2378, Kingsville, Texas 78363, telephone (512) 595-5545.

Doc. No. 790739



## 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.

Bills introduced and referred to committee, House and Senate meeting notices, and confirmations of gubernatorial appointments appear in this issue.

### Environment

HB 726 (Environmental Affairs), regarding the Texas Air Control Board, would require the board to include five members who represent the public interest. This bill would also allow the TACB to adopt rules on charging and collecting fees for permits and variances, and would amend the definition of air contaminant to include radioactive material.

### Education

Several proposals regarding financing of public schools and higher education have been referred to subcommittees. HB 45 and HB 46 (Ways and Means), both concerning the School Property Tax Relief Act, were referred to subcommittee on January 31 and January 30, respectively. Efforts to repeal the ad valorem tax used for higher education (SJR 3, SJR 7, SJR 15, and SJR 26) were referred to a subcommittee of the Senate Education Committee on January 31.

Two other bills regarding public education were introduced. HB 727 (Public Education), similar to SB 307 (Education), would allow the state to provide adopted textbooks to certain nonpublic schools without cost. HB 764 (Public Education) would require Central Education Agency approval of any standardized competency test in basic skills used as a prerequisite to graduation from high school.

### Human Services

HB 754 (Intergovernmental Affairs) would increase marriage license and informal marriage fees and establish a domestic violence fund in the state treasury with a portion of those fees.

### Insurance

HB 709 (Insurance) would require conversion privileges for spouses under group accident and sickness insurance policies.

### Taxes

HB 759 (Ways and Means) calls for valuation on the basis of productivity of open-space land used for raising livestock and producing farm crops.

### Criminal Justice

SB 394 (Jurisprudence) would amend the penal code definition of injury to a child to include bodily injury, along with serious bodily injury, serious physical or mental deficiency or impairment, or disfigurement or deformity.

HB 52, changing jury service exemptions for persons who have children under 10 years of age, was referred to a subcommittee of the House Judicial Affairs Committee on January 30.

### State and Local Government

Action is being taken on proposals creating, abolishing, or reorganizing certain state agencies. SB 278, abolishing the Burial Association Rate Board and transferring its duties to the State Board of Insurance, was reported favorably from the Human Resources Committee without amendments on February 1. A similar bill (HB 715) was introduced and referred to the Government Organization committee. HB 717 (Government Organization) abolishes the State Board of Morticians and transfers its duties to the State Department of Health. HB 756 (Government Organization) repeals the statutory authority for the Texas Navy and transfers its historical artifacts and documents to the Texas Historical Commission. HB 755 (Government Organization), continuing the Battleship Texas Commission until 1991, calls for the deposit of fees, charges, and concession revenue from the vessel in a special state treasury fund known as the Battleship Texas operating expense fund. HB 716 (Government Organization) transfers responsibilities for the regulation of structural pest control from the Texas Structural Pest Control Board to the Texas Department of Agriculture. HB 781, also referred to the Government Organization Committee, renews the Texas Structural Pest Control Act, amends membership requirements for the board, and calls for coordination of duties with the Texas Department of Agriculture. SB 393 (State Affairs) creates the Texas Air Conditioning Examining Board to license and certify environmental air conditioning and ventilating contractors, inspectors, and journeymen.

Additional bills introduced regarding the State Bar include HB 742 and HB 714, both referred to the Government Organization Committee. HB 742 sets membership qualifications for the Board of Law Examiners and licensing requirements for lawyers. HB 714 gives the bar power to administer the Texas Law Center, prohibits restrictions on competitive bidding or advertising by licensed attorneys, and places bar rulemaking under the Administrative Procedure and Texas Register Act.

Two more bills have been introduced concerning operating procedures of state government. HB 729 (State Affairs), seeking to control growth in the number of state employees, would enact a system requiring hiring approval from the governor's office or Legislative Budget Board. HB 728 (State Affairs) would prohibit a state agency from using public

funds to have documents printed unless the document is authorized by law or is required in order to receive federal funding. SB 372 (Intergovernmental Relations) would allow the Board of Control to establish a program to provide purchasing services for counties.

SJR 21, calling for interim legislative sessions for consideration of gubernatorial appointments, was reported favorably from the State Affairs Committee without amendments on February 1.

## Elections

Two proposed constitutional amendments regarding elections have been referred to subcommittee. SJR 6, requiring commissioners courts to redistrict every 10 years, was referred to a subcommittee of the State Affairs Committee on January 31. SJR 22, limiting the number of times a person can be elected governor, has been considered in public hearing by the State Affairs Committee and was referred to subcommittee on January 30.

## Consumer Affairs

Dealing with a variety of consumer-oriented issues, the following bills have been introduced and referred to committees. HB 744 (State Affairs), like SB 357 (Economic Development), amends the deceptive trade practices law, relating to misrepresentations, warranties, statute of limitations, and types of damages that may be awarded to a claimant. HB 691 (State Affairs) would require payment of damages awarded in a health care liability or products liability suit to be paid in a lump sum, with certain exceptions. HB 758 (Business and Industry) would exempt tourist trade centers from the law prohibiting selling certain items on both Saturday and Sunday. HB 724 (State Affairs) would prohibit the sale or use of devices designed to detect radar used by peace officers measuring speed of motor vehicles.

## 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 35 Bird—Commending Bob Blase.

HR 36 Denton—Congratulating the members and coaching staff of the West High School Trojans football team.

HR 38 Waters—Welcoming Vice Premiers Deng Xiaoping and Fang-Yi and the delegation from the People's Republic of China to Texas.

HR 39 R. Wilson—Challenging the Oklahoma House of Representatives to a basketball game with the Texas House of Representatives.

HCR 38 Head—Memorializing the Congress to repeal 23 U.S.C. Section 154 and thereby rightfully return to the states the prerogative of regulating highway speed limits. (State Affairs)

HCR 39 Lator—Memorializing the government of the United States to urge the Federal Republic of Germany and the legislators of that nation to abolish or extend the statute of limitations relating to Nazi war crimes. (State Affairs)

HCR 40 Cary—Recognizing the month of February as Afro-American History Month.

HCR 41 Hollowell and Head—In memory of Ruby Pyle.

HCR 42 Healty—In memory of Raymond Howard Nichols.

HCR 43 Healty—In memory of Lester Boyd.

HCR 44 F. Green—Honoring Milton Caroline.

HCR 45 Massey—Congratulating the members and coaching staff of the Angelo State University football team.

HCR 46 Massey—Congratulating Jim Hess.

HCR 48 Waters—Welcoming Vice Premiers Deng Xiaoping, and Fang-Yi and the delegation from the People's Republic of China to Texas.

HB 709 Messer—Relating to the taxation of nonprofit volunteer fire departments under the franchise tax. (Intergovernmental Affairs)

HB 709 Criss—Relating to conversion privileges under certain accident and sickness insurance policies. (Insurance)

HB 710 Blythe—Relating to licensing of labor agents. (Employment Practices)

HB 711 Blythe—Relating to group marketing of motor vehicle insurance for certain elderly persons. (Insurance)

HB 712 Ceverha—Relating to regulation of barbers, barber shops, and wig salons. (Government Organization)

HB 713 Ceverha—Relating to regulation of cosmetologists, beauty shops, and wig salons. (Government Organization)

HB 714 Ceverha—Relating to regulation of attorneys. (Government Organization)

HB 715 Ceverha—Relating to abolition of the Burial Association Rate Board and transfer of its powers, duties, and functions. (Government Organization)

HB 716 Ceverha—Relating to regulation of structural pest control. (Government)

HB 717 Ceverha—Relating to funerals and embalming. (Government Organization)

HB 718 Polumbo—Relating to employment contracts for certain teachers. (Public Education)

HB 719 Mayes—Relating to certification requirements for peace officers. (State Affairs)

HB 720 Denton—Relating to telephone service to a volunteer fire department. (State Affairs)

HB 721 Keller—Relating to the authorized manner of service of citation in civil suits. (Judiciary)

HB 722 Keller—Relating to persons authorized to serve process in civil suits. (Judiciary)

HB 723 Brown—Relating to special license plates for medal of honor winners. (Transportation)

- HB 724 Blanton and Ceverha—Relating to radar detection devices. (State Affairs)
- HB 725 Blanton—Relating to school board employment consultations with teachers. (Public Education)
- HB 726 Von Dohlen, et al—Relating to air quality control. (Environmental Affairs)
- HB 727 McLeod—Relating to the provision of textbooks to nonpublic school students. (Public Education)
- HB 728 Evans—Relating to the control of printing by state agencies. (State Affairs)
- HB 729 Evans—Relating to the control of the growth in the number of state employees. (State Affairs)
- HB 730 Berianga—Relating to the railroad commission's jurisdiction over motor carriers hauling asphalt or caliche. (Transportation)
- HB 731 Tejada and Madla—Relating to required disclosure of financial interests, activities, and gifts by elective officers and candidates for elective office in political subdivisions. (Intergovernmental Affairs)
- HB 732 Messer—Relating to the amount that a state bank may invest in another state bank. (Financial Institutions)
- HB 733 J. A. Clark—Relating to a duty-free lunch period for teachers actively engaged in the instruction of public school finance. (Public Education)
- HB 734 Criss and Watson—Relating to procedures used in the determination of compensation to be paid workers and providing for review procedures under the Administrative Procedure Act. (Employment Practices)
- HB 735 Willis—Relating to abused children and termination of the parent-child relationship. (Judicial Affairs)
- HB 736 Willis—Relating to the limitation period for a suspension from a fire or police department. (Intergovernmental Affairs)
- HB 737 Willis—Relating to the probationary period a person must serve when appointed to certain fire and police departments. (Intergovernmental Affairs)
- HB 738 Presnal—Relating to the compensation of the judge of the 85th District Court. (Judicial Affairs)
- HB 739 Presnal—Relating to membership in the Teacher Retirement System of Texas by persons participating in the optional retirement program. (State Affairs)
- HB 740 Maloney—Relating to workers' compensation claims for hernia. (Employment Practices)
- HB 741 Maloney—Relating to persons to whom workers' compensation death benefits are payable. (Employment Practices)
- HB 742 Lalor—Relating to regulation of lawyers by the Supreme Court and the Board of Law Examiners. (Government Organization)
- HB 743 Lauhoff—Relating to time limitations for improvements and repairs to freeway systems in counties with populations greater than 2,000,000. (Transportation)
- HB 744 D. Hill, et al—Relating to the regulation of certain business and insurance practices. (State Affairs)
- HB 745 Cartwright—Relating to annual payment due on certain water produced in the Edwards Underground Water District and sold outside the district. (Natural Resources)
- HB 746 Cartwright—Relating to the powers and duties of the Edwards Underground Water District. (Natural Resources)
- HB 747 Hartung—Relating to coverage under motor vehicle liability insurance. (Insurance)
- HB 748 Lalor—Relating to regulation of persons who practice public accountancy. (Government Organization)
- HB 749 Lalor—Relating to regulation of architects and landscape architects. (Government Organization)
- HB 750 J. L. Clark—Relating to creation of the constitutional office of criminal district attorney of Jasper County and abolishing the office of county attorney. (Judicial Affairs)
- HB 751 Cain—Relating to municipal authority regarding the furnishing of surety bonds by public works contractors. (Business and Industry)
- HB 752 Cain—Relating to programs of political subdivisions to increase contract awards to minority businesses. (State Affairs)
- HB 753 Hudson—Relating to requirement of adequate locks and lighting for apartments and hotels. (Business and Industry)
- HB 754 Lalor—Relating to the amount and use of fees for the issuance of marriage licenses and declarations of informal marriage. (Intergovernmental Affairs)
- HB 755 Lalor—Relating to expiration, revenue, and bonding authority of the Battleship Texas Commission. (Government Organization)
- HB 756 Lalor—Relating to repeal of the statutory authority for the Texas Navy, Incorporated. (Government Organization)
- HB 757 Madla—Relating to prerelease arrangements for follow-up and outpatient care for a patient released from a state mental hospital. (Health Services)
- HB 758 Madla, et al—Relating to the exemption of tourist trade centers from the law against selling certain items on both Saturday and Sunday. (Business and Industry)
- HB 759 Von Dohlen, Schlueter, and McBee—Relating to the valuation of open-space land used to support the raising of livestock or to produce farm crops. (Ways and Means)
- HB 760 Browder—Relating to the use of shad trawls for the taking of certain fish. (Environmental Affairs)
- HB 761 Craddick—Relating to the transfer of jurors impaneled by certain courts for use in the justice courts. (Judicial Affairs)
- HB 762 Crawford—Relating to the rights, privileges, duties, and powers of parents, conservators, and children, the suit affecting the parent-child relationship, and enforcement of support. (Judicial Affairs)
- HB 763 Gonzales—Relating to the term of office of school trustees in certain independent school districts. (Public Education)
- HB 764 Cary—Relating to competency tests in public schools. (Public Education)
- HB 765 Smith—Relating to the provision by a county of auxiliary courthouses, county office facilities, parking facilities, and civil or criminal justice facilities in a municipality designated as a county seat. (Intergovernmental Affairs)
- HB 766 Lewis—Relating to the authority of the Texas Youth Council to contract with and dispense money to Big Brothers/Big Sisters of America. (Security and Sanctions)
- HB 767 W. T. Hall—Relating to the amount of tuition that may be pledged to the payment of bonds by the governing board of a state institution of higher education. (Higher Education)
- HB 768 Valles—Relating to the issuance of subpoenas by local school boards. (Judiciary)
- HB 769 Whitmire—Relating to a change of the name of the Railroad Commission of Texas. (Energy Resources)
- HB 770 Peveto—Relating to the rate of interest on delinquent ad valorem taxes. (Ways and Means)
- HB 771 Peveto—Relating to the transfer of the powers and duties of abolished county school administration concerning appeals. (Public Education)
- HB 772 Polumbo—Relating to disciplinary measures against and conditions of employment of peace officers. (State Affairs)
- HB 773 Polumbo—Relating to promotional examinations for firemen and policemen. (Intergovernmental Affairs)
- HB 774 Polumbo—Relating to the length of contract for school district vocational supervisors. (Public Education)

HB 775 Polumbo—Relating to the authority of the State Board of Education to allocate and distribute certain federal funds to the public junior colleges. (Higher Education)

HB 776 Donaldson—Relating to the compensation of judges of statutory county courts. (Appropriations)

HB 777 F. Green—Relating to the purchase of postage stamps and postcards for state agencies. (State Affairs)

HB 778 Looney—Relating to creation of the 273rd Judicial District, composed of Hidalgo County. (Judicial Affairs)

HB 779 Looney—Relating to the acquisition and disposition of land by Pan American University. (State Affairs)

HB 780 Looney—Relating to election of directors of certain irrigation districts. (Natural Resources)

HB 781 Laney, DeLay, and Schlueter—Relating to regulation of persons who engage in structural pest control. (Government Organization)

HB 782 Rudd—Relating to the number of trustees to be elected at the first regular election of a school district which has been converted from common to independent status. (Public Education)

HB 783 Whitmire—Relating to the appointment and service of the heads of institutions and facilities of the Texas Department of Mental Health and Mental Retardation. (Health Services)

HB 784 Whitmire—Relating to the names of certain state hospitals. (Health Services)

HB 785 Watson and Criss—Relating to the delay in payment of initial unemployment compensation benefits. (Employment Practices)

HJR 65 Davis—Proposing a constitutional amendment relating to the power of initiative. (Constitutional Amendments)

HJR 66 Tejeda and Madla—Proposing a constitutional amendment to authorize the legislature to provide by law for the removal of elective public officers by recall. (Constitutional Amendments)

## Weekly Committee Schedule

### Monday, February 5, 1979

**Agriculture and Livestock Subcommittee on Appropriative Matters**, 9 a.m., Room 315-A (office of Rep. Forrest Green), State Capitol, to conduct mark-up session.

**Health Subcommittee**, 9 a.m., Room F, John H. Reagan Building, to conduct mark-up session.

**Public Education Subcommittee on Appropriative Matters**, 9:30 a.m., Speaker's Committee Room, State Capitol, to conduct hearing on the State School for the Blind and the State School for the Deaf.

**Transportation Subcommittee on Appropriative Matters**, 9:30 a.m., Room 345, State Capitol, to discuss budget for the Texas Transportation Institute.

**Ways and Means**, 9:30 a.m., Room E, John H. Reagan Building, to consider HB 240 (Sullivant), HB 759 (Von Dohlen), and HCR 3 (Grant).

**Ways and Means Subcommittee on Appropriative Matters**, 10:30 a.m., Room E, John H. Reagan Building, to discuss budget of the comptroller of public accounts.

**House Administration**, 11 a.m., Room 346, State Capitol, to hold an organizational meeting.

**Business and Industry**, 2:30 p.m., Speaker's Committee Room, State Capitol, to consider HB 387 (Danny Hill) and HB 507 (Polumbo).

**Natural Resources Subcommittee on Appropriative Matters**, 2:30 p.m., Old Supreme Court Room, State Capitol, to discuss budgets for Water Well Drillers Board and Coastal and Marine Council.

**Ways and Means Subcommittee on Revenue Administration**, 2:30 p.m., Room 103, John H. Reagan Building, to consider HB 42 (Looney), HB 70 (G. Hill), and HB 394 (Benedict).

**Ways and Means Subcommittee on State Finance**, 2:30 p.m., Room F, John H. Reagan Building, to consider HB 101 (Hudson), HB 115 (Lalor and Untermeyer), and HB 501 (Cartwright).

**Elections**, 3 p.m., Room GB, John H. Reagan Building, to consider HB 408 (Willis), HB 436 (McBee), HB 542 (Waters), and HB 685 (Collazo).

**Employment Practices**, 3 p.m., Room D, John H. Reagan Building, to consider HB 51 (Bird) and HB 56 (G. Hill).

**Higher Education**, 3 p.m., Room GA, John H. Reagan Building, to plan on-site visits to universities and colleges in Houston.

**Judicial Affairs Subcommittee on Appropriative Matters**, 3 p.m., Room 345, State Capitol, to hear testimony from the Courts of Civil Appeals.

**Employment Practices Subcommittee on Appropriative Matters**, 4 p.m., Room D, John H. Reagan Building, to hear appropriative requests from the Texas Employment Commission.

**Government Organization**, 4 p.m., Room C, John H. Reagan Building, to consider HB 355 (McLeod), HB 356 (McLeod), HB 357 (McLeod), HB 358 (McLeod), HB 359 (McLeod), HB 360 (McLeod), HB 361 (McLeod), HB 362 (McLeod), HB 473 (Head), HB 474 (Head), HB 475 (Head), HB 533 (McLeod), and HB 606 (Nabers).

**Security and Sanctions**, 4 p.m., Room 346, State Capitol, to consider HB 10 (Smith), HB 64 (Smith), and HB 170 (Smith).

**State Affairs**, 7:30 p.m., Room B, John H. Reagan Building, to consider HB 305 (Whitehead), HB 307 (Whitehead), HB 279 (Willis and Tip Hall), HB 299 (Willis), HB 367 (Jones), HB 366 (Cain), and HB 478 (Laney).

### Tuesday, February 6, 1979

**Regions, Compacts, and Districts**, 8 a.m., Cabinet Room, Driskill Hotel, to hold an organizational meeting.

**Rules**, on adjournment, Rep. Florence's desk on House floor, to consider HCR 5 (Simpson).

**Transportation Subcommittee on HB 272**, 1 p.m., Room 357-B (Rep. Finnell's office), State Capitol, to consider HB 272 (Davis).

**Criminal Jurisprudence**, 2 p.m., Old Supreme Court Room, State Capitol, to consider HB 699 (Donaldson) and SB 106 (Farabee, Nabers, Waters).

**Energy Resources Subcommittee on Appropriative Matters**, 2 p.m., Room C, John H. Reagan Building, to discuss Railroad Commission budget.

**Insurance Subcommittee on Appropriative Matters**, 2 p.m., Room E, John H. Reagan Building, to conduct first hearing on the proposed budget for the State Board of Insurance.

**Intergovernmental Affairs**, 2 p.m., Speaker's Committee Room, State Capitol, to consider HB 3 (B. Clark), HB 149 (Berlanga), HB 228 (T. Garcia), HB 283 (Uher), HB 353 (Hollowell), HB 384 (R. Wilson), HB 511 (Polumbo), and HB 598 (Wieting).

**Appropriations**, 2 p.m., Room 309, State Capitol, to consider HB 292 (Presnal).

**Public Education**, 2 p.m., Room B, John H. Reagan Building, to consider HB 20 (G. Green), HB 338 (Hollowell), HB 419 (Presnal), and HB 534 (Close).

**State Affairs Subcommittee on Appropriative Matters I**, 2 p.m., Room D, John H. Reagan Building, to consider budgets for the following agencies: Texas Historical Commission, Library and Historical Commission, Fleet Admiral Chester W. Nimitz Memorial Naval Museum and Commission, Private Investigators and Private Security Agencies, Board of Barber Examiners, and Texas Cosmetology Commission.

**Agriculture and Livestock Subcommittee on Appropriative Matters**, 2:30 p.m., Room 345, State Capitol, to discuss the following agencies: Rodent and Predatory Animal Control Service, Department of Agriculture, and Texas Agricultural Extension Service.

**Higher Education Subcommittee on Appropriative Matters**, 3 p.m. or upon adjournment, Room 346, State Capitol, to discuss budgets for the following agencies: Rural Medical Education Board, TSTI-Texas State Technical Institute, Angelo State University, Sam Houston State University, Sam Houston Museum, Southwest Texas State University, Sul Ross State University, West Texas State University, Texas Eastern University, and Central Office of the Texas State University System.

**Natural Resources Subcommittee on Appropriative Matters**, 3 p.m., Room F, John H. Reagan Building, to discuss budgets for Water Well Drillers Board and Coastal and Marine Council.

**Insurance**, 4 p.m., Room E, John H. Reagan Building, to consider HB 7 (Smith), HB 53 (Smith), HB 155 (Cofer), and HB 213 (Patterson).

**Judiciary Subcommittee on Appropriative Matters**, 4 p.m., Room GB, John H. Reagan Building, to conduct budget hearings for Secretary of State (UCC), Office of Court Administration, Texas Judicial Council, State Law Library, and Attorney General's office (partial review).

**Judiciary**, 7 p.m., Room GA, John H. Reagan Building, to consider HB 482 (Bird), HB 483 (Bird), HB 21 (G. Green), HB 577 (Simpson), HB 648 (Glossbrenner), HB 323 (Grant), and HB 329 (Grant).

Wednesday, February 7, 1979

**Environmental Affairs Subcommittee on Appropriative Matters**, 1 p.m., Room GA, John H. Reagan Building, to discuss budget proposal for Air Control Board.

**Security and Sanctions Subcommittee on Appropriative Matters**, 1 p.m., Room F, John H. Reagan Building, to discuss appropriative requests for the Texas Youth Council.

**Higher Education Subcommittee on Appropriative Matters**, 2 p.m., Room G16-A1 (Rep. Ron Wilson's office), to conduct mark-up session.

**Human Services**, 2 p.m., Room D, John H. Reagan Building, to conduct budget briefings by the following agencies: Commission for the Deaf, Veterans Affairs Commission, and the Governor's Office for the Visually Handicapped.

**Liquor Regulation**, 2 p.m., Room C, John H. Reagan Building, to hold organizational meeting.

**Liquor Regulation Subcommittee on Appropriative Matters**, following Liquor Regulation meeting, Room C, John H. Reagan Building, to discuss Alcoholic Beverage Commission budget.

**State Affairs Subcommittee on Appropriative Matters II**, 2 p.m. or upon adjournment, Room B, John H. Reagan Building, to discuss budgets for Firemen's Pension Commissioner and Commission on Fire Protection, Personnel, Standards, and Education.

**Ways and Means**, 2 p.m., Room E, John H. Reagan Building, to consider HB 568 (Jones) and HB 573 (Bush).

**Agriculture and Livestock Subcommittee on Appropriative Matters**, 2:30 p.m., Speaker's Committee Room, State Capitol, to discuss budgets of the Animal Health Commission and Texas Agricultural Experiment Station.

**Public Education Subcommittee on Appropriative Matters**, 3 p.m., Old Supreme Court Room, State Capitol, to conduct hearing on budget proposal for the Advisory Council for Vocational/Technical Education.

**Elections Subcommittee on Appropriative Matters**, 4 p.m., Room 345, State Capitol, to discuss the budget for the Secretary of State's office.

**Natural Resources**, 7:30 p.m., Speaker's Committee Room, State Capitol, to consider HB 28 (Chavez), HB 403 (Haley), and HB 611 (Untermeyer).

**State Affairs**, 7:30 p.m., Room B, John H. Reagan Building, to consider HB 524 (Head), HB 549 (Bock), HB 590 (Benedict), and HB 595 (Donaldson).

**Transportation**, 7:30 p.m., Room C, John H. Reagan Building, to consider HB 9 (Smith), HB 341 (Head), HB 449 (Evans), HB 450 (Evans), and HB 262 (A. Hill).

Thursday, February 8, 1979

**Transportation Subcommittee**, upon adjournment, Room 345, State Capitol, to discuss budget for Aeronautics Commission.

## 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 64 Farabee—Memorial resolution for W. G. Swenson.
- SR 65 Farabee—Memorial resolution for Solon R. Featherston.
- SR 66 Farabee—Memorial resolution for Graham B. Purcell.
- SR 67 Farabee—Memorial resolution for Homer Walter Hawkins.
- SR 68 Farabee—Memorial resolution for Henry D. Mason.
- SR 69 Farabee—Memorial resolution for Nick Anagnos.
- SR 70 Farabee—Extending congratulations to Dr. R. D. Bridgford.
- SR 71 Doggett—Memorial resolution for The Honorable J. H. Watson.
- SR 72 Doggett—Memorial resolution for Clifford (Tip) Morris Allen.
- SR 73 Doggett—Memorial resolution for Colonel Vance E. Murphy.
- SR 74 Doggett—Memorial resolution for Dr. Charles L. Prather.
- SR 75 Clower—Extending welcome to Judge Dan Gibbs.
- SR 76 Schwartz—Extending welcome to First Baptist Church Christian School, League City.
- SR 77 Schwartz—Extending welcome to Leadership Class, Austin High School, Austin.
- SR 78 Doggett—Memorial resolution for Mrs. Vivian B. Caswell.
- SR 79 Williams—Extending congratulations to the Texas State Guard.
- SCR 22 Williams—Requesting Public Utility Commission hold public hearings on problems resulting from unsolicited commercial telephone calls. (Human Resources)
- SCR 23 Braecklein—Creating a special committee to study the need for restoration and renovation of the governor's mansion.
- SB 345 Schwartz—Relating to the efficient use of energy resources. (Finance)
- SB 346 Schwartz—Relating to the transfer to the Public Utility Commission of the Railroad Commission's jurisdiction over gas utilities. (Economic Development)
- SB 379 Blake—Relating to the allocation of revenue for farm-to-market roads. (State Affairs)
- SB 380 Jones of Harris—Relating to procedures used in the determination of compensation to be paid workers and providing for review procedures under the Administrative Procedure Act. (Jurisprudence)
- SB 381 Price—Relating to the offense of aggravated assault when driving while intoxicated. (Jurisprudence)
- SB 382 Moore—Relating to benefits for certain annuitants of the Employees Retirement System of Texas. (Finance)
- SB 383 Moore—Regarding Teacher Retirement System of Texas, removing the \$25,000 ceiling on annual compensation. (Finance)
- SB 384 Harris and Santiesteban—Relating to the Texas Cosmetology Commission. (State Affairs)
- SB 385 Jones of Harris—Regarding obligations of public agencies in Texas and of the U.S. and its agencies, and certificates of deposit and savings certificates. (Intergovernmental Relations)
- SB 386 Williams—Relating to state reimbursement of school districts for the cost of providing teacher sick leave. (Education)
- SB 387 Harris—Relating to the authority of the secretary of state to set and collect certain fees. (State Affairs)
- SB 388 Harris—Further authorizing cities and towns to make pledges of revenues to the payment of revenue bonds issued pursuant to existing law. (Intergovernmental Relations)
- SB 389 Traeger—Relating to local option elections in certain cities that lie in multi-counties. (State Affairs)
- SB 390 Traeger—Regarding public employment retirement. (Intergovernmental Relations)
- SB 391 Price—Relating to payment of costs for an autopsy ordered by a justice of the peace. (Jurisprudence)
- SB 392 Ogg—Relating to creation of the 275th, 276th, 277th, and 278th Judicial Districts, each composed of Harris County. (Intergovernmental Relations)
- SB 393 Ogg—Relating to licensing and certifying environmental air conditioning and ventilating contractors, inspectors, and journeymen. (State Affairs)
- SB 394 Jones of Harris—Relating to the definition of criminal injury to a child and the resulting penalties. (Jurisprudence)
- SB 395 Moore—Relating to construction work on or under streets and roads dedicated to public use and other public works, contracted for by the state or any political subdivision thereof. (State Affairs)
- SB 396 Moore and Blake—Relating to the tuition fees which apply to foreign students, resident graduate students, and research assistants or other student employees of institutions of higher education. (Education)
- SB 397 Moore—Relating to the compensation of the judge of the 85th District Court. (State Affairs)
- SB 398 Moore—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. (Jurisprudence)
- SB 399 Moore—Relating to the issuance of subpoenas, administrative penalties, and the coverage of certain employers under the Texas Unemployment Compensation Act. (State Affairs)
- SB 400 Traeger—Relating to the duties of the county attorney of Webb County. (Intergovernmental Relations)
- SB 401 Longoria—Relating to navigation districts and leasing of land and selling by installment sale and otherwise. (Natural Resources)
- SB 402 Longoria—Making more comprehensive the procedures navigation districts may follow in connection with the refunding of their bonds, notes, and other evidences of indebtedness. (Natural Resources)
- SB 403 Longoria—Relating to creation of the 273rd Judicial District, composed of Hidalgo County. (Intergovernmental Relations)
- SB 404 Longoria—Relating to the authority of the Texas Employment Commission to sell certain state-owned land to the city of McAllen and to use the proceeds to acquire other land and buildings. (State Affairs)
- SB 405 Longoria—Relating to election of directors of certain irrigation districts. (Intergovernmental Relations)
- SB 406 Moore—Relating to the disposition of certain unclaimed funds held by county and precinct officers. (Intergovernmental Relations)

SB 407 Vale—Relating to family practice residency training conducted by the Texas Board of Health. (Human Resources)

SB 408 Clower—Relating to use of certain primary election filing fees. (State Affairs)

SB 409 Mengden—Relating to valued insurance policy coverage of property. (Economic Development)

SB 410 Mengden—Relating to the deadline for receipt of absentee ballots voted by mail. (State Affairs)

SB 411 McKnight—Relating to the compensation of judges of statutory county courts. (Finance)

SB 412 Santiesteban—Relating to contracts for the education of Texas resident medical students attending the Medical College of El Paso. (Education)

SB 413 Short and Howard—Relating to the number of trustees to be elected at the first regular election of a school district which has been converted from common to independent status. (Education)

## Meetings

### Notices Filed February 1, 1979

*Economic Development Committee*, Monday, February 5, 1979, 9 a.m. Addition to agenda: SB 283 (Doggett).

*Senate Finance Committee*, Monday, February 5, 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.

*Human Resources Committee*, Monday, February 5, 1979, 4 p.m. Meeting cancelled.

*Senate Committee on Intergovernmental Relations*, Tuesday, February 6, 1979, 3 p.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 161 (Moore), SB 13 (Farabee), SB 68 (Ogg), and SB 163 (Williams).

*Senate Committee on Intergovernmental Relations*, Thursday, February 8, 1979, 9 a.m., Lieutenant Governor's Committee Room, State Capitol, to consider SB 111 (Jones of Taylor), SB 274 (Harris), and SB 87 (Harris).

*Senate Jurisprudence Committee*, Tuesday, February 6, 1979, 2 p.m., Senate Chamber, State Capitol, to consider SB 177 (Doggett), SB 228 (Farabee), SB 16 (Mengden), SB 104 (Doggett), SB 142 (Ogg), SB 143 (Ogg), SB 179 (Doggett), SB 168 (Williams), SB 209 (Mauzy), SB 249 (Brooks), SB 270 (Santiesteban), SB 314 (McKnight), SJR 31 (McKnight), and SB 172 (Doggett).

*Senate Committee on Natural Resources*, Wednesday, February 7, 1979, 2 p.m. and 3 p.m., Lieutenant Governor's Committee Room, State Capitol, to consider the following items:

2 p.m.—SB 257 (McKnight), SB 288 (Mengden), SB 333 (Schwartz), SB 334 (Schwartz), and SB 353 (Blake).

3 p.m.—SB 300 (Schwartz), SB 301 (Schwartz), and SB 302 (Schwartz).

*Senate Committee on State Affairs*, Monday, February 5, 1979, 2 p.m., Senate Chamber, State Capitol, to consider SB 92 (Schwartz), SB 259 (McKnight), SB 362 (Moore), SB 363 (Santiesteban), SB 32 (Mengden), and SB 35 (Mengden).

### Notices Filed February 2, 1979

*Economic Development Committee*, Monday, February 5, 1979, 9 a.m.: Change in agenda: SB 108 (Brooks) will not be considered at this meeting.

## Confirmation of Gubernatorial Appointments

### Confirmed February 1, 1979

The following is a list of gubernatorial appointments confirmed by the Texas Senate on February 1, 1979.

Listed are the agencies or offices, the appointees, and the counties of residence of the appointees.

*Assistant Adjutant General for Air*  
Brigadier General Belisario D. J. Flores, Bexar

*Assistant Adjutant General for Army*  
Brigadier General Willard D. Hill, Jr., Comal

*Texas Aeronautics Commission*  
Lucien Flournoy, Jim Wells  
James M. Johnson, Travis

*Texas Commission on the Arts and Humanities*  
Dr. Francis A. Morris, Jr., Travis

*Texas College and University System Coordinating Board*  
Harlan Rogers Crow, Dallas

*12th Judicial District, District Judge*  
Erwin G. Ernst, Walker

*71st Judicial District, District Judge*  
Edward N. Smith, Jr., Harrison

*235th Judicial District, District Attorney*  
Brock R. Smith, Wise

*Produce Recovery Fund Board*  
Curt Cargile, Uvalde

The Senate did not confirm the appointment of Steven J. Condos as judge of the 330th Family District Court. Mr. Condos' name appeared in error on the list of confirmations published on January 19, 1979 (4 TexReg 195).

## Legislative Information System of Texas

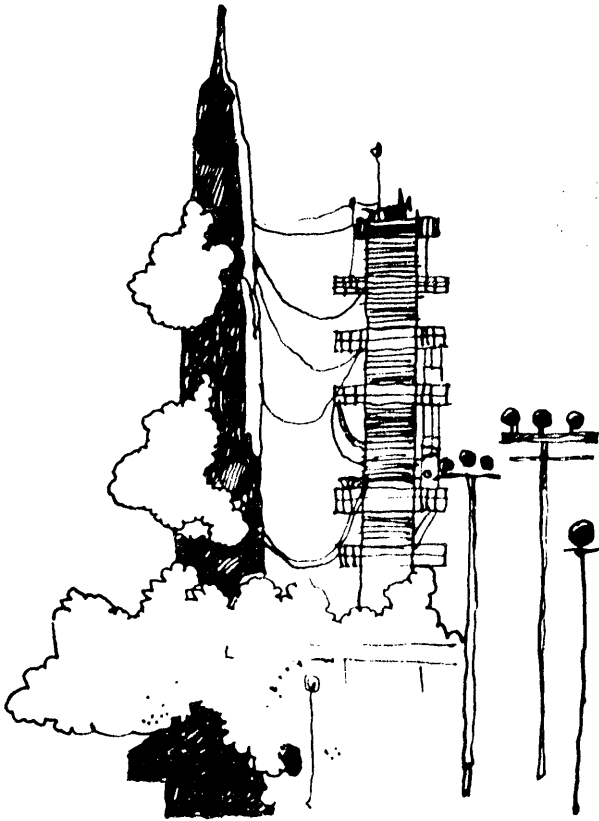
### Toll-Free Telephone Number

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.





## Week Ending January 26, 1979

International Paper Co., New Boston; sawmill; C-7286; new source

A-1 Concrete Co., Houston; Stephens Concrete Plant; 14508 Chrisman Road; C-7285; new source

Phillips Petroleum Company—Plains Plant, Borger; methyl tertiary butyl ether and butadiene conversion units; C-7284; new source

The Western Company of North America, Odessa; bulk cement plant; C-7289; new source

Globe-Union Inc., Garland; lead panel casting; 1111 Shiloh Road; C-7288; new source

B. J. Hughes, Inc., Round Rock; pipe clamp manufacturing plant—dust collector; C-7287; new source

Cola Petroleum, Inc., Welch; tank battery lease; Drennan "208"; C-7283; new source

E. I. Du Pont De Nemours and Co., Inc., La Porte; ox-amyl process; C-5034A, modification

Texas Ready Mix, Round Rock; production of Portland cement concrete; C-1009A; new source

P-A-K Grain Storage, Rosebud; grain storage facility; Highway 53; C-7291; new source

Houston Shell and Concrete Co., Houston; ready-mixed concrete production facility; 11900 South Main; C-3015B; new source

Gifford-Hill and Co., Inc., Fort Worth; concrete batch plant; C-7290; new source

Issued in Austin, Texas, on January 31, 1979.

Doc. No. 790687      John B. Turney  
Hearing Examiner  
Texas Air Control Board

Filed: February 1, 1979, 4.01 p.m.

For further information, please call (512) 451-5711.

## 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 22-26, 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.

## 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 10332

**Summary of Decision:** A company, which purchased tangible personal property and gave it away as prizes to contest winners, made a taxable use of the property in giving it away and was subject to sales and use tax on the purchase price of the property.

## Summary of Administrative Decision 10380

**Summary of Decision:** A purchaser, who took delivery of advertising supplements rather than having them sent directly to a newspaper for distribution, is not entitled to the exemption in Texas Taxation—General Annotated, Article 20.04(BB), and is subject to sales and use tax on the purchase of the supplements.

Issued in Austin, Texas, on February 2, 1979.

Doc. No. 790709- Harriet Burke  
790710 Hearings Section  
Comptroller of Public Accounts

Filed: February 2, 1979, 1:47 p.m.

For further information, please call (512) 475-2148.

## 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 23-29, 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.

Newburn Memorial Hospital, Jacksonville  
AH79-0125-010

EC—Add one diagnostic x-ray unit to radiology department and remodel, as necessary, to accommodate new equipment

Henderson County Memorial Hospital, Athens  
AH79-0123-018

EC—Acquire a Data General No. 20 Mega Byte Mini Computer to replace two Burroughs 6000 accounting machines

Memorial Hospital of Galveston County, Texas City  
AH79-0123-001

EC—Purchase additional monitoring equipment for use in an operating suite and recovery room

St. Luke's Episcopal Hospital and Texas Children's Hospital, Houston  
AH79-0123-010

EC—Purchase a Doppler Echoflow ultrasound unit

Fayette Memorial Hospital, La Grange  
AH79-0129-005

EC—Add diagnostic ultrasound to radiology department by contract

Garland Community Hospital, Garland  
AH79-0108-014

EC—Purchase an eight-channel telemetry monitoring unit to be installed in I.C.U. to monitor patients on the medical and surgical units

Garland Community Hospital, Garland  
AH79-0108-016

EC—Purchase an image intensifier and orthographic table for use in operating rooms

Issued in Austin, Texas, on February 1, 1979.

Doc. No. 790701 Dan R. McNery  
General Counsel  
Texas Health Facilities Commission

Filed: February 2, 1979, 12:09 p.m.

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

## Texas Department of Human Resources

### Family Planning Benefits

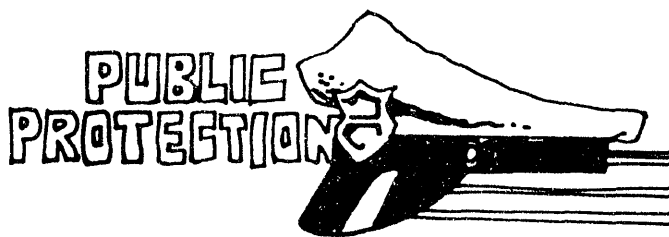
The Department of Human Resources announces the delay of the implementation of its new rule amendments regarding authorized family planning benefits for sterilization under the Texas Medical Assistance Program. These regulations appeared in the *Texas Register* on January 16, 1979 (3 TexReg 143), as adopted amendments to agency Rule 326.36.03.004. As specified in the federal regulations on which this agency rule is based, the implementation date was stated as February 6, 1979. However, the Health Care Financing Administration within the Department of Health, Education, and Welfare has delayed the effective date of the federal regulations to March 8, 1979. Therefore, the Department of Human Resources must also delay the implementation of the state regulations until that date.

For further information, please contact Beth Weber, section director, Family Planning, Texas Department of Human Resources, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-7946.

Issued in Austin, Texas, on February 2, 1979.

Doc. No. 790694 Jerome Chapman  
Commissioner  
Texas Department of Human Resources

Filed: February 2, 1979, 10 45 a.m.  
For further information, please call (512) 475-4601.



## Texas Commission on Law Enforcement Officer Standards and Education

### Consultant Contract Award

On January 12, 1979, the Texas Commission on Law Enforcement Officer Standards and Education entered into a contract with a private consulting firm. In compliance with Article 6252-11c, Vernon's Annotated Civil Statutes, the following information is submitted.

**Description of Contract and Name of Consultant.** The Texas Commission on Law Enforcement Officer Standards and Education entered into a six-month contract with Wollack and Associates, a psychological corporation of Greenwood, California. The purpose of the contract is to conduct a feasibility study concerning the need for and acceptance of psychological assessment of peace officer applicants in the State of Texas.

**Amount of Contract.** The amount of said contract is \$25,581.

**Due Date of Final Report.** The final report is due at the end of the project on June 30, 1979.

Issued in Austin, Texas, on January 30, 1979.

Doc. No. 790677 Argel E. Roberts  
Project Coordinator  
Texas Commission on Law Enforcement  
Officer Standards and Education

Filed: February 1, 1979, 9:46 a.m.  
For further information, please call (512) 459-1171.

## Railroad Commission of Texas Transportation Division

### Rulemaking Hearing

The Railroad Commission will conduct a public hearing beginning at 9 a.m. March 4, 1979, in Room 214 of the Lamar Crest Office Towers, 7703 North Lamar Boulevard, Austin, in order to receive further comments on proposed Rule 051.03.02.012, Equipment Transporting Commodities in Bulk, which was published in the December 12, 1978, issue of the *Texas Register* (3 TexReg 4298). In response to a petition filed by Dan Felts on behalf of Moore Transportation Company, the Railroad Commission is proposing the amendment which would broaden the application of the existing Rule .012. Comments which have been in writing need not be presented orally.

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

Doc. No. 790695 John G. Soule, Director  
Transportation Division  
Railroad Commission of Texas

Filed: February 2, 1979, 11 42 a.m.  
For further information, please call (512) 475-3421.

## Texas Register

### Guide to Agency Activity—January

The following is a list of the documents published in the January issues of the *Texas Register*.

#### Adult Probation Commission, Texas

Adopted Rules	
Standards 608.01.00 .....	241
Open Meetings	
meeting, Jan 18-19 .....	146

#### Aeronautics Commission, Texas

Open Meetings	
meeting, Jan. 25 .....	225

#### Agriculture, Texas Department of

Open Meetings	
meeting, Jan. 17 .....	110
meeting, Feb. 13 .....	31
meeting, Mar. 7 .....	110

#### Air Control Board, Texas

Open Meetings	
meeting, Jan. 26 .....	221
hearing, Mar. 1 .....	259

#### In Addition

Applications for Construction Permits .....	42; 117-118, 231
---	------------------

#### Alamo Area Council of Governments

Open Meetings	
meetings, Jan. 8 .....	88
meeting, Jan. 10 .....	39
meeting, Jan. 12 .....	88
meeting, Jan. 16 .....	88
meeting, Jan. 17 .....	88
meeting, Jan. 18 .....	88
meeting, Jan. 24 .....	227

## *Alcoholic Beverage Commission, Texas*

Open Meetings	
meeting, Jan. 15	79

## *Alcoholism, Texas Commission on*

Open Meetings	
emergency meeting, Jan. 10	146
emergency meeting, Jan. 11-12	146

## *Amarillo MH/MR Regional Center*

Open Meetings	
meeting, Dec. 28	38
meeting, Jan. 25	227

## *Amusement Machine Commission, Texas*

Proposed Rules	
Coin Operated Machines	
Gross Receipts 066.03.02	104

Adopted Rules	
Coin Operated Machines	
Annual Occupation Tax and Tax Receipts	
066 03 01	108

Open Meetings	
meeting, Jan. 29	110

## *Animal Health Commission, Texas*

Open Meetings	
meeting, Jan. 11	31

## *Architectural Examiners, Texas Board of*

Open Meetings	
hearing, Jan. 19-20	110

## *Ark-Tex Council of Governments*

Open Meetings	
meeting, Jan. 17	155, 156
meeting, Jan. 24	191

## *Attorney General, Office of the*

Requests for Opinions	
RQ-1 (application of Open Records Act to North Texas Commission)	98
RQ-2 (constitutionality of Penal Code section concerning use of abusive language)	129
RQ-3 (adjacent landowners access to park road)	179
RQ-4 (authority of Board of Nurse Examiners to issue rules and regulations for practice of advanced registered nurse practitioners)	179
RQ-5 (authority of legislature to provide by general law exemption of automobiles from personal property taxation)	211
RQ-6 (authority of Bexar County clerk to consolidate minutes books for several Bexar County courts at law)	211
RQ-7 (applicability of Tarrant County Civil Service Commission employee rules to county clerk's office)	211
RQ-8 (receipt of book royalty by college professor)	211
RQ-9 (Open Records Act: preliminary report for contractor evaluating possible sites for future location of sludge disposal plant)	237
RQ-10 (rehiring of dismissed county employee)	237
RQ-11 (use of county law library funds)	237

## Opinions

H-1288 (authority of county to pay a CETA prime contractor for unauthorized activities)	6
H-1289 (requirement of State of Texas to pay penalty fee on electric bills paid late)	6
H-1290 (deposit and use of funds received for genetic counseling services)	6
H-1291 (special parking authorizations for disabled veterans)	6
H-1292 (participation by banks on a fee basis in a cash-dispensing machine network)	6
H-1293 (services a midwife or nurse midwife may perform)	6
H-1294 (authority of judges and justices of peace to change moving traffic violations to nonmoving violations)	6
H-1295 (authority of a nurse practitioner to perform services under indirect physician supervision)	7

H-1296 (commissioners court approval of budget submitted by county juvenile board under Article 5142d)	7
H-1297 (constitutionality of Article 1041b, Code of Criminal Procedure, relating to vacations for jailers)	98
H-1298 (jurisdiction of justice of peace over misdemeanor cases involving violation of cosmetology law)	98
H-1299 (road-building materials as oil field equipment under Article 911(b), Section 100, Vernon's Texas Civil Statutes)	98
H-1300 (purchase of nonassessable reciprocal interinsurance contracts by counties)	98
H-1301 (authority of magistrate who is not licensed attorney to conduct detention hearing)	98
H-1302 (authority of board of park commissioners and commissioners court to regulate roads and rivers in and bordering parks)	98
H-1303 (authority of state or political subdivision to establish special program to make payments to employee on account of sickness)	98
H-1304 (member of legislature employed by federal government)	98
H-1305 (vacation entitlement of professional librarians)	99
H-1306 (use of physical therapy devices by athletic coaches)	99
H-1307 (application of amusement machine tax in licensing requirements to machines located on certain military installations)	99
H-1308 (constitutionality of Article 7150f, Vernon's Texas Civil Statutes, and application to petroleum products)	99
H-1309 (transaction between public entities and private nonprofit foundation created for public entity's benefit or for provision of similar services)	99
H-1310 (authority of commissioners court to grant permit to close beach)	99
H-1311 (fireman's termination of active service)	99
H-1312 (authority of board of regents to determine whether expenditure of university auxiliary funds for food and refreshments under certain conditions is lawful public purpose)	99-100
H-1313 (authority of school district to assist teachers called before hearing committee of Professional Practices Commission)	100
H-1314 (validity of State Board of Education rules for accreditation of school districts)	100
H-1315 (service of process in forcible entry and detainer suits)	100
H-1316 (eligibility for membership in Firemen's Relief and Retirement Fund)	100
H-1317 (validity of Department of Human Resources rule prohibiting departmental personnel from being licensed as real estate brokers or salesmen)	100
H-1318 (authority of Department of MH/MR to accept federal funds to purchase automobile insurance for volunteers in Foster Grandparent Program)	100
H-1319 (authority of Texas Optometry Board member who has personal interest in proceedings before board to participate)	100
H-1320 (authority of Department of Agriculture to require business selling nursery products and florist items to obtain nursery and floral inspection certificates)	100-101
H-1321 (unanimous approval of all partners on amendment of limited partnership certificate)	101

## Open Records Decisions

ORD-214 (Open Records Act: class paper prepared by group of university students)	101
--	-----

ORD-215 (Open Records Act: files maintained on physician by State Board of Medical Examiners) .....	101	<i>Camino Real Health Systems Agency</i>	
ORD-216 (Open Records Act: closed investigative report) .....	129	Open Meetings	
ORD-217 (Open Records Act: preliminary work program for audit) .....	101	emergency meeting, Jan. 17 .....	227
ORD-218 (Open Records Act: letters to county commissioner complaining about actions of county employee) .....	101	<i>Canadian River Municipal Water Authority</i>	
ORD-219 (Open Records Act: report regarding purchasing procedures and practices) .....	101	Open Meetings	
ORD-220 (Open Records Act: record of bank account opened in name of city but alleged to be individual's private account) .....	101	meeting, Jan. 10 .....	88
<b>Letters Advisory</b>		<i>Capital Area Planning Council</i>	
LA-155 (constitutionality of statute requiring approval of both a majority of voters of entire county and voters in unincorporated areas to grant county ordinance-making power) .....	102	Open Meetings	
LA-156 (authority of junior college district to hire individual related to president of college) .....	102	meeting, Jan. 16 .....	115
LA-157 (validity of proposed municipal ordinance prohibiting display or sale of lewd publications to minors) .....	102	<i>Capital Area Rural Transportation System</i>	
<b>Austin-Travis County MH/MR Center</b>		Open Meetings	
Open Meetings		meeting, Jan. 19 .....	156
emergency meeting, Dec. 28 .....	39	<b>Central Counties Center for MH/MR</b>	
meetings, Jan. 8 .....	115	Open Meetings	
meetings, Jan. 11 .....	115	meeting, Jan. 9 .....	39
meeting, Jan. 19 .....	227	meeting, Jan. 18 .....	155
<b>Banking, Department of</b>		<b>Central Texas Council of Governments</b>	
In Addition		Open Meetings	
Notice of Application		meeting, Jan. 18 .....	191
Fairfield State Bank, Fairfield .....	171	<b>Child Study Clinic</b>	
First State Bank, Celina .....	231-232	Open Meetings	
<b>Banking Board, State</b>		meeting, Jan. 15 .....	191
Open Meetings		<b>Chiropractic Examiners, Texas Board of</b>	
rehearing, Jan. 8 .....	79	Open Meetings	
meeting, Jan. 9 .....	79	emergency meeting, Jan. 17-20 .....	146
emergency addition to agenda, Jan. 9 .....	111	<b>Coastal Bend Council of Governments</b>	
hearing, Jan. 15 .....	79	Open Meetings	
hearing, Jan. 22 .....	79	meeting, Jan. 26 .....	266
hearing, Jan. 30 .....	79	<b>Colorado River Municipal Water District</b>	
<b>Barber Examiners, State Board of</b>		Open Meetings	
Open Meetings		meeting, Jan. 11 .....	88
emergency meeting, Jan. 15 .....	146	<b>Community Affairs, Texas Department of</b>	
meeting, Feb. 2-5 .....	259	In Addition	
<b>Basic Sciences, Board of Examiners in the</b>		CETA Grant Modifications .....	200-201
Open Meetings		<b>Comptroller of Public Accounts</b>	
meeting, Jan. 19-20 .....	31	Proposed Rules	
<b>Bexar-Medina-Atascosa Counties Water Improvement District No. 1</b>		Tax Administration	
Open Meetings		Motor Vehicle Sales and Use Tax 026.02.06 .....	104-106, 239
meeting, Jan. 2 .....	39	Sales Tax Division—State Taxes 026.02.20 .....	51-52
emergency meeting, Jan. 9 .....	155	Sales Tax Division—Local Taxes 026.02.22 .....	52-53
In Addition		Adopted Rules	
Notice of Election .....	42-43	Tax Administration	
<b>Blind, State Commission for the</b>		Ad Valorem Division 026.02.16 .....	141
Open Meetings		Sales Tax Division—State Taxes 026.02.20 .....	218
meeting, Jan. 26 .....	221	Funds Management (Fiscal Affairs)	
<b>Brazos River Authority</b>		Voided Warrants 026.03.15 .....	141
Open Meetings		In Addition	
meeting, Jan. 14 .....	155	Administrative Decisions	
meeting, Jan. 15 .....	155, 191	8495 (hand tools not exempt under manufacturing exemption) .....	171
<b>Brazos Valley Development Council</b>		9269 (out-of-state vendor holding sales tax permit not eligible for occasional sale exemption) .....	171
Open Meetings		9552 (corporation not required to report property under construction) .....	172
meeting, Jan. 11 .....	88	9978 (purchaser's sales tax permit number insufficient in establishing that purchase is for resale) .....	172
<b>Brazos Valley MH/MR Center</b>		<b>Concho Valley Council of Governments</b>	
Open Meetings		Open Meetings	
meeting, Jan. 18 .....	156	meeting, Jan. 10 .....	115
meeting, Jan. 25 .....	266	<b>Control, Texas State Board of</b>	
		Proposed Rules	
		Building and Property Services Division	
		State-Owned Property 028.13.01 .....	106
		State-Leased Property 028.13.02 .....	106-107
		<b>Coordinating Board, Texas College and University System</b>	
		Open Meetings	
		meeting, Jan. 13 .....	79
		meeting, Jan. 17 .....	146
		meeting, Feb. 1 .....	221

## *Copano Bay Soil Conservation District No. 329*

Open Meetings	
meeting, Jan. 22	191
<b>Corrections, Texas Department of</b>	
Open Meetings	
emergency addition to agenda, Jan. 8	111
<b>Court Reporters Committee, Texas</b>	
In Addition	
Schedule of Exam Dates during 1979 for Certification	91
<b>Courts of Civil Appeals</b>	
3rd	
Texas Oil and Gas Corporation v. Railroad Commission	220
4th	
Crystal City ISD v. Griffith-Williams Cattle Co.	30
6th	
Williamson v. Kempf	30
14th	
Vibber v. Unauthorized Practice Committee of State Bar of Texas	30
<b>Credit Union Department</b>	
Adopted Rules	
Credit Union Regulations	
Audit and Bond Requirements 058.01.05	141-142
<b>Deaf, Texas Commission for the</b>	
Open Meetings	
meeting, Jan. 20	80
emergency addition to agenda, Jan. 20	186
<b>Deep East Texas Council of Governments</b>	
Open Meetings	
meetings, Jan. 23	227
<b>Deep East Texas Regional MH/MR Services</b>	
Open Meetings	
meeting, Jan. 23	191
<b>Depository Board, State</b>	
Proposed Rules	
Collateral Transactions 034.10.00	180-181
Open Meetings	
meeting, Jan. 9	31
<b>EDP Consortium for Northeast Texas, Region X</b>	
<b>Education Service Center</b>	
Open Meetings	
meeting, Jan. 15	115
<b>East Texas CETA Consortium</b>	
Open Meetings	
emergency meeting, Dec. 26	38
<b>Education Agency, Texas</b>	
Proposed Rules	
Texas Education Agency in General	
Texas Education Agency Annual Operating Plan and Budget 226.11.04	213-214
Pupil Attendance	
Pupil Attendance Allowed 226.51.01	214-215
Compulsory Pupil Attendance 226.51.02	215-216
Adopted Rules	
School Districts	
School District Responsibilities and Powers for Operation 226.23.06	108
Pupil Services	
Advisory Committee on the Comprehensive School Health Program 226.34.42	242
Adoptions by Reference—General 226.34.90	142
<b>Adaptations for Special Populations</b>	
Compensatory Education in General 226.35.61	242-244
Compensatory Education—Student-Centered Educational Process 226.35.62	244-246
Compensatory Education Program 226.35.63	246-247
Compensatory Education: Special Program Provisions 226.35.64	247-248
<b>Personnel for Compensatory Education Program</b>	
226.35.65	248

Planning and Accreditation	
Principles, Standards, and Procedures for the Accreditation of School Districts—1977	
226.37.15	248-250
Foundation School Program	
The School Year 226.41.04	250-251
Funding for Compensatory Education Programs	
226.41.22	251-252
Educational Personnel Development	
In-Service Education 226.64.02	252-253
Open Meetings	
meetings, Jan. 12	80
meeting, Jan. 13	80-81
emergency addition to agenda, Jan. 13	147
meeting, Feb. 8	221
<b>Education Service Center, Region III</b>	
Open Meetings	
meeting, Jan. 15	156
<b>Education Service Center, Region VII</b>	
Open Meetings	
meeting, Jan. 22	191
<b>Education Service Center, Region VIII</b>	
Open Meetings	
emergency meeting, Jan. 11	156
<b>Education Service Center, Region XV</b>	
Open Meetings	
meeting, Jan. 25	191
<b>Education Service Center, Region XVI</b>	
Open Meetings	
meeting, Jan. 18	191
<b>Edwards Underground Water District</b>	
Open Meetings	
meeting, Jan. 25	156
<b>Employees Retirement System of Texas</b>	
Open Meetings	
meeting, Jan. 17-18	81
<b>Energy Advisory Council, Texas</b>	
In Addition	
Correction of Error	
Policy Position on Selected Energy Issues: 1978 Update	43
<b>Fire Protection Personnel Standards and Education, Commission on</b>	
Open Meetings	
meetings, Jan. 16	81
emergency addition to agenda, Jan. 16	147
<b>Firemen's Pension Commissioner</b>	
Open Meetings	
meeting, Jan. 8	31-32
meeting, Jan. 10	32
meeting, Jan. 12	32
meeting, Jan. 24	32
meeting, Jan. 30	32
<b>General Land Office</b>	
Proposed Rules	
Legal Division	
Oil and Gas Leases, Mineral Classified Lands	
126.17.02	131
Open Meetings	
meeting, Jan. 12	81
meeting, Jan. 25	81
<b>Good Neighbor Commission of Texas</b>	
Open Meetings	
meeting, Jan. 18	81-82
<b>Governor, Office of the</b>	
Appointments	
Aeronautics Commission, Texas	207
Aging, Governor's Commission on	74, 207
Air Control Board, Texas	207
Angelina and Neches River Authority	127
Animal Health Commission	207

Arts and Humanities, Texas Commission on the ..... 207  
 Blind, State Commission for the ..... 50  
 Brazoria County Criminal District Attorney ..... 97  
 Central Colorado River Authority ..... 5  
 Children and Youth, Texas Commission on Services to ..... 127  
 Chiropractic Examiners, State Board of ..... 178  
 County and District Retirement System, Texas ..... 178  
 District Review Committee ..... 127  
 Employment Commission, Texas ..... 207  
 Evergreen Underground Water Conservation District ..... 178  
 330th Family District Court of Texas ..... 207  
 Fleet Admiral Chester W. Nimitz Memorial Naval  
 Museum Commission ..... 208  
 Handicapped, Governor's Committee on  
 Employment of the ..... 127  
 Health, Texas Board of ..... 207  
 Health and Welfare Services, Texas Coordinating  
 Commission for State ..... 207  
 Historical Commission, Texas ..... 207  
 Industrial Commission, Texas ..... 5  
 Intergovernmental Relations, Texas Advisory  
 Commission on ..... 208  
 Jail Standards, Commission on ..... 97  
 Judicial Council, Texas ..... 128  
 44th Judicial District of Texas ..... 208  
 57th Judicial District of Texas ..... 97  
 66th Judicial District of Texas ..... 128  
 113th Judicial District of Texas ..... 208  
 133rd Judicial District of Texas ..... 208  
 191st Judicial District of Texas ..... 208  
 Juvenile Justice and Delinquency Prevention  
 Advisory Board ..... 74  
 Lavaca County Flood Control District No. 3 ..... 128, 208  
 Library and Historical Commission, Texas ..... 208  
 Lower Colorado River Authority ..... 208  
 Lower Concho River Water and Soil Conservation  
 Authority ..... 97  
 Mental Health and Mental Retardation, Texas Board of ..... 208  
 Motor Vehicle Commission, Texas ..... 208  
 Nueces River Authority ..... 97  
 Pan American University ..... 5  
 Pardons and Paroles, Board of ..... 128, 208  
 Polygraph Examiners Board ..... 50  
 Produce Recovery Fund Board ..... 209  
 Rehabilitation Commission, Texas ..... 74  
 Runnels County Water Authority ..... 128  
 San Jacinto Historical Advisory Board ..... 209  
 South Texas, University System of ..... 5, 209  
 Southern Regional Education Board ..... 97  
 Teacher Retirement System of Texas ..... 128, 178  
 Teachers Professional Practices Commission ..... 209  
 Texas A&M University System ..... 209  
 Texas Eastern University ..... 209  
 Texas State Technical Institute ..... 50  
 Texas State University System ..... 209  
 Texas System, University of ..... 209  
 Texas Woman's University ..... 209  
 Turnpike Authority, Texas ..... 97  
 Upper Colorado River Authority ..... 178  
 Upper Guadalupe River Authority ..... 5  
 Upper Neches River Municipal Water Authority ..... 74  
 Veterans Land Board ..... 74  
 Vocational Nurse Examiners, State Board of ..... 210  
 Water Well Drillers Board, Texas ..... 74  
 Withdrawal of Appointments  
 Lavaca County Flood Control District No. 3 ..... 210  
 South Texas, University System of ..... 128  
 Open Meetings  
 Juvenile Justice and Delinquency Prevention Advisory Board  
 meeting, Feb. 2 ..... 259

In Addition  
 Budget and Planning Office  
 Funding Recommendations—Federal Coastal Impact  
 Program ..... 201  
 Office of Energy Resources  
 Meeting ..... 43  
**Greater East Texas Health Systems Agency, Inc.**  
 Open Meetings  
 meeting, Feb. 1 ..... 266  
**Guadalupe-Blanco River Authority**  
 Open Meetings  
 meeting, Jan. 18 ..... 156  
**Gulf Bend MH/MR Center**  
 Open Meetings  
 meeting, Jan. 25 ..... 191  
**Health, Texas Department of**  
 Proposed Rules  
 Vital Statistics 301.59.00 ..... 11  
 Adopted Rules  
 Long-Term Care  
 Grading System for Nursing and Custodial Care  
 Homes 301.54.11 ..... 16-27  
 Open Meetings  
 hearing, Jan. 10 ..... 56  
 meeting, Jan. 12 ..... 32  
 meeting, Jan. 14 ..... 32-33  
 emergency meeting, Jan. 15 ..... 186  
 hearings, Jan. 16 ..... 56  
 hearings, Jan. 17 ..... 56  
 meeting, Jan. 18 ..... 111  
 meeting, Jan. 19 ..... 186  
 hearings, Jan. 23 ..... 56  
 meeting, Jan. 26 ..... 222  
 hearings, Jan. 30 ..... 56  
 meeting, Feb. 10 ..... 186  
 meeting, Feb. 11 ..... 222  
 meeting rescheduled from Feb. 11 to Feb. 18 ..... 259  
**Health Facilities Commission, Texas**  
 Adopted Rules  
 Explanation of the Act  
 Explanation of Terms and Phrases 315.17.01 ..... 142-143  
 Open Meetings  
 emergency addition to agenda, Jan. 4 ..... 82  
 meeting, Jan. 11 ..... 33  
 meeting, Jan. 18 ..... 82, 147  
 meeting, Jan. 25 ..... 147, 222  
 meeting, Feb. 1 ..... 222  
 In Addition  
 Notice of Applications ..... 43-44, 118-119, 273  
 Notice of Petition for Certificate of Need  
 Reissuance ..... 119, 201-202  
 Notice of Rescheduled Rehearing Feb. 7 ..... 144  
**Heart of Texas Council of Governments**  
 Open Meetings  
 meeting, Jan. 25 ..... 191  
**Heart of Texas MH/MR Center**  
 Open Meetings  
 meeting, Jan. 25 ..... 266  
**Highways and Public Transportation, State**  
 Adopted Rules  
 Maintenance Division  
 Movement of Hazardous Materials through  
 Baytown-La Porte Tunnel 101.18.02 ..... 55  
 In Addition  
 Consultant Proposal Request  
 Office of Traffic Safety ..... 172

## Historical Commission, Texas

Open Meetings	
meeting, Jan. 13	82
emergency addition to agenda, Jan. 13	186-187
meeting, Jan. 26	222

## Houston-Galveston Area Council

Open Meetings	
meeting, Jan. 8	59
In Addition	
Consultant Proposal Request	
Regional Rail Study	119-121
Regional Airport-Airspace System Plan Update	273-275

## Human Resources, Texas Department of

Proposed Rules	
Medicaid Eligibility	
Individuals for Whom SSI Criteria Are Used	
326.25.31	11-12
Procedures for Applications for Medical Assistance	
326.25.53	12
Vendor Payments in the Title XIX Long-Term Care	
Facilities 326.25.55	181-183
Special Procedures 326.25.59	183-184
Early and Periodic Screening, Diagnosis, and Treatment	
Dental Providers 326.39.43	239

## Adopted Rules

Purchased Health Services	
Medicaid Family Planning Program 326.36.03	143-145
Family Services	
Family Planning 326.53.62	219
24-Hour Care Licensing	
Standards for Halfway Houses 326.91.05	253-254
Standards for Institutions Serving Mentally Retarded Children 326.91.06	254-255
Standards for Therapeutic Camps 326.91.08	254-255
Standards for Residential Treatment Centers 326.91.09	255

## Open Meetings

meeting, Jan. 25	222
In Addition	
Consultant Proposal Request	172

## Insurance, State Board of

Proposed Rules	
Rating and Policy Forms	
Fixing Rate of Automobile Insurance 059.05.01	13
Policy Forms and Endorsements 059.05.06	13-14
Worker's Compensation Rates 059.05.55	240

## Open Meetings

meeting, Jan. 3	33
meeting, Jan. 8	56
hearing, Jan. 9	57
meetings, Jan. 9	56-57
hearing, Jan. 10	57
rescheduled meeting, Jan. 10	57
hearing rescheduled from Dec. 12 to Jan. 11	57
hearing, Jan. 11	57
hearings, Jan. 15	57
hearings, Jan. 17	147-148
hearing, Jan. 18	148
meetings, Jan. 18	148
hearing, Jan. 19	148
hearing, Jan. 22	148
hearings, Jan. 23	148-149
meeting, Jan. 23	148
meetings, Jan. 24	149, 223
hearing, Jan. 25	149
meeting, Jan. 25	223
hearings, Jan. 29	149, 259
hearings, Jan. 30-Feb. 1	149
hearing, Jan. 31	223
meeting, Feb. 6	223

meeting, Feb. 7	223
meeting, Mar. 14	33

## Intergovernmental Relations, Texas Advisory Commission on

Open Meetings	
meetings, Jan. 12	33-34
meeting, Jan. 25	223

## Land Surveyors, Board of Examiners of Licensed State

Open Meetings	
meeting, Jan. 12	57-58

## Landscape Architects, Texas State Board of

Adopted Rules	
Hearings and Appeals 377.07.00	185

## Law Enforcement Officer Standards and Education, Commission on

Open Meetings	
meeting, Feb. 1	149

## Legislative Council, Texas

In Addition	
Property Tax Advisory Committee	
Public Meeting, Jan. 4	44

## Legislature, Texas

Legislative Cycle	198-199
Legislative Report	40, 89, 157, 158, 193, 228, 267

## House of Representatives

Members	158-164
Standing Committees	268-271

## Senate

Committee Referrals	
SB 1-SB 114	164-166
SB 115-SB 125	193-194
SB 126-SB 152	229
SCR 6	193
SCR 7-SCR 8	228
SJR 1-SJR 22	166-167
SR 12-SR 16	228

## Confirmation of Gubernatorial Appointments

Meetings	
filed Dec. 29	90
filed Jan. 4	116
filed Jan. 9	167
filed Jan. 10	167
filed Jan. 11	194
filed Jan. 12	194
filed Jan. 15	194, 229
filed Jan. 16	229
filed Jan. 17	229
filed Jan. 18	271
filed Jan. 22	271
Members	167-169
Standing Committees	169-170, 230

## Library and Historical Commission, Texas

Open Meetings	
emergency meeting, Jan. 22	259-260

## Lower Colorado River Authority

Open Meetings	
meeting, Jan. 18	156

## Lower Neches Valley Authority

Open Meetings	
Jan. 16	156

## Lower Rio Grande Valley Development Council

Open Meetings	
meeting, Jan. 25	191

## Lubbock Regional MHMR Center

Open Meetings	
meeting, Jan. 23	266

## Medical Examiners, Texas State Board of

Proposed Rules	
Foreign Medical School Graduates 386.04.00	14-15



<b>Mental Health and Mental Retardation, Texas Department of</b>	
Emergency Rules	
Client (Patient) Care	
Administration of Medications 302.04.02	130
Proposed Rules	
Other Agencies and the Public	
Community Mental Health and Mental Retardation Centers 302.03.01	75
Client (Patient) Care	
Administration of Medications 302.04.02	131-132
Adopted Rules	
Client (Patient) Care	
Departmental Procedures for the Protection of the Rights of Humans Involved in Research 302.04.21	77-78
<b>Mental Health and Mental Retardation Regional Center of East Texas</b>	
Open Meetings	
meeting, Jan. 18	192
<b>Merit System Council</b>	
Open Meetings	
meeting, Jan. 10	58
<b>Metropolitan Transit Authority</b>	
Open Meetings	
emergency meeting, Jan. 2	88
emergency meeting, Jan. 17	156
emergency meeting, Jan. 24	266
<b>Middle Rio Grande Development Council</b>	
Open Meetings	
meeting, Jan. 25	227
<b>Midwestern State University</b>	
Open Meetings	
emergency meeting, Jan. 5	82
<b>Mohair Producers Board, Texas</b>	
Open Meetings	
meeting, Jan. 16	149
<b>Morticians, State Board of</b>	
Open Meetings	
meeting, Jan. 11	34
emergency addition to agenda, Jan. 11	149-150
<b>Motor Vehicle Commission, Texas</b>	
Open Meetings	
meeting, Jan. 26	223
<b>Municipal Power Agency, Texas</b>	
Open Meetings	
meeting, Jan. 11	88
emergency meeting, Jan. 18	227
meeting, Jan. 18	191
<b>Nortex Regional Planning Commission</b>	
Open Meetings	
meeting, Jan. 18	156
<b>North Central Texas Council of Governments</b>	
In Addition	
Consultation Qualification Request	91-92, 232
<b>North Plains Water District</b>	
Open Meetings	
meeting, Jan. 26	88
<b>North Texas Municipal Water District</b>	
Open Meetings	
emergency meeting, Jan. 4	88
emergency meeting, Jan. 9	155
meeting, Jan. 25	227
<b>Northeast Texas Health Systems Agency</b>	
Open Meetings	
meeting, Jan. 2	39
<b>Northeast Texas Municipal Water District</b>	
Open Meetings	
meeting, Jan. 22	192
<b>Nurse Examiners, Board of</b>	
Open Meetings	
meeting, Jan. 17-18	82
<b>Nursing Home Administrators, Texas Board of Licensure for</b>	
Open Meetings	
meeting, Jan. 22	150
<b>Optometry Board, Texas</b>	
Open Meetings	
meeting, Jan. 26	224
<b>Pan American University</b>	
Open Meetings	
meetings, Jan. 9	34
meetings, Feb. 6	260
<b>Panhandle Regional Planning Commission</b>	
Open Meetings	
meeting, Jan. 10	115
meeting, Jan. 11	88
emergency meeting, Jan. 18	192
meeting, Jan. 19	156
meeting, Jan. 24	266
<b>Pardons and Paroles, Board of</b>	
Open Meetings	
hearings, Jan. 8-12	34
hearing, Jan. 10	34-35
hearings, Jan. 15-19	83
hearings, Jan. 22-26	150
hearing, Jan. 24	150
hearings, Jan. 29-31	224
hearings, Feb. 1-2	224
<b>Parks and Wildlife Department, Texas</b>	
Emergency Rules	
Wildlife	
Migratory Game Birds Proclamation, 1978-79 127.70.02	130
Wildlife Management Areas Hunting, Fishing, and Trapping Proclamation, 1978-79 127.70.13	103
Open Meetings	
emergency addition to agenda, Jan. 15	150
meeting, Jan. 16	83
emergency addition to agenda, Jan. 16	150, 224
meeting, Jan. 23	83
meeting, Jan. 30	260
meeting, Feb. 15	35, 83
<b>Pecan Valley Mental Health and Mental Retardation Region</b>	
Open Meetings	
meeting, Jan. 18	191
<b>Permian Basin Health Systems Agency</b>	
Open Meetings	
meeting, Jan. 15	156
<b>Permian Basin Regional Planning Commission</b>	
Open Meetings	
meeting, Jan. 19	191
<b>Pharmacy, Texas State Board of</b>	
Open Meetings	
emergency meeting, Jan. 18	224
meeting, Jan. 23-25	154
<b>Physical Fitness, Governor's Commission on</b>	
Open Meetings	
meeting, Jan. 30	111
<b>Podiatry Examiners, State Board of</b>	
Open Meetings	
meeting, Jan. 18-21	83
<b>Pork Producers Board, Texas</b>	
Open Meetings	
meeting, Jan. 6	35
<b>Private Employment Agency Regulatory Board</b>	
Proposed Rules	
Licensure and Practice	
Examinations 398.02.01	240
Open Meetings	
rescheduled meeting, Feb. 2	83

<i>Private Investigators and Private Security Agencies, Texas Board of</i>	
Open Meetings	
meeting, Jan. 30	260
<i>Professional Engineers, State Board of Registration for</i>	
Open Meetings	
emergency meeting, Jan. 17	187
meeting, Jan. 24-25	151
<i>Proprietary School Advisory Commission</i>	
Open Meetings	
meeting, Jan. 9	35
emergency addition to agenda, Jan. 9	84
<i>Prosecutors Coordinating Council, Texas</i>	
Open Meetings	
meeting, Jan. 11	84
<i>Psychologists, Texas State Board of Examiners of</i>	
Proposed Rules	
Applications 400.02.00	75-76
Open Meetings	
meeting, Jan. 12-13	111
<i>Public Accountancy, Texas State Board of</i>	
Adopted Rules	
Professional Conduct 401.03.00	108-109
Open Meetings	
meeting, Jan. 29-30	260-261
<i>Public Safety, Texas Department of</i>	
Proposed Rules	
Drivers License	
Application Requirements 201.08.02	132
Open Meetings	
meeting, Jan. 16	111-112
meeting, Jan. 25	112
<i>Public Surveyors, Board of Registration for</i>	
Open Meetings	
meeting, Jan. 15	35
meeting, Feb. 19-21	261
hearing, Feb. 21	261
<i>Public Utility Commission of Texas</i>	
Open Meetings	
prehearing, Jan. 8	35
hearing, Jan. 10	84
hearing, Jan. 11	84
hearing, Jan. 15	58
hearing rescheduled from Dec. 13 to Jan. 16	58
prehearing, Jan. 18	84
prehearing, Jan. 22	151
prehearing, Jan. 23	112, 151
meeting, Jan. 23	151
prehearing, Jan. 24	151
hearings, Jan. 25	224
hearing, Jan. 29	35
hearing, Feb. 2	224-225
hearing, Feb. 5	151-152
prehearing, Feb. 12	187
hearing, Feb. 12	84
prehearing, Feb. 13	36
hearing, Feb. 13	36
prehearing, Feb. 16	36
hearing, Feb. 20	84
prehearing, Feb. 21	36
hearing, Mar. 6	84-85
hearing, Mar. 12	36
hearing, Mar. 20	261
prehearing, Apr. 3	261
<i>Railroad Commission of Texas</i>	
Emergency Rules	
Transportation Division	
Operating Certificates, Permits, and Licenses	
051.03.02	212, 238
Open Meetings	
emergency additions to agenda, Dec. 22	36
meetings, Jan. 3	36-37
meetings, Jan. 8	58
emergency addition to agenda, Jan. 8	112
emergency meeting, Jan. 10	152
meetings, Jan. 15	112-113
emergency addition to agenda, Jan. 15	187
emergency meeting, Jan. 16	225
emergency meeting, Jan. 18	225
hearing, Jan. 18	59
meetings, Jan. 22	187-188
addition to agenda, Jan. 22	188
emergency additions to agenda, Jan. 22	261
meetings, Jan. 29	261-262
meeting, Feb. 12	262
In Addition	
Transportation Division	
State Rail Planning Meetings Jan. 8, 9, 16, 17, 18	45
<i>Real Estate Commission, Texas</i>	
Open Meetings	
meeting, Jan. 15	85
<i>Real Estate Research Center, Texas</i>	
Open Meetings	
meeting, Jan. 8	37
<i>Records Preservation Advisory Committee, Texas</i>	
Open Meetings	
emergency meeting, Dec. 28	37
emergency meeting, Jan. 22	262
<i>Sabine Valley Regional MH/MR Center</i>	
Open Meetings	
meeting, Jan. 18	155
<i>San Jacinto River Authority</i>	
Open Meetings	
meeting, Jan. 25	227
<i>School Land Board</i>	
Proposed Rules	
Land Resources	
Coastal Public Lands 135.18.01	53-54
Open Meetings	
meeting, Jan. 16	152
In Addition	
Correction of Error (Rule 135.18.04.019)	45
<i>School Tax Assessment Practices Board</i>	
Open Meetings	
meeting, Feb. 1	225
<i>Secretary of State, Office of the</i>	
Proposed Rules	
Elections	
Campaign Reporting and Disclosure 004.30.14	133
In Addition	
Texas Register	
Notice to Complimentary Subscribers	69, 121, 202, 275
Publication of Index	232, 275
Publication Schedule Feb.-Apr.	276
<i>Securities Board, State</i>	
Proposed Rules	
Transactions Exempt from Registration 065.05.00	133-134
Registration of Securities 065.07.00	134-135
<i>Soil and Water Conservation Board, Texas State</i>	
Open Meetings	
meeting, Jan. 18	113
<i>South Plains Association of Governments</i>	
Open Meetings	
meeting, Jan. 9	88
<i>South Texas, University System of</i>	
Open Meetings	
meetings, Feb. 8	262-263

**South Texas Development Council**

Open Meetings  
 meeting, Jan. 17 ..... 88  
 meetings, Jan. 25 ..... 192, 266  
 meetings, Jan. 29 ..... 266

**South Texas Health Systems Agency**

Open Meetings  
 meeting, Jan. 3 ..... 39  
 meeting, Jan. 13 ..... 115  
 meeting, Jan. 18 ..... 156  
 meeting, Jan. 20 ..... 192  
 meeting, Jan. 24 ..... 227  
 meeting, Jan. 30 ..... 266

**Soybean Producers Board, Texas**

Open Meetings  
 meeting, Jan. 25 ..... 152

**Stephen F. Austin State University**

Open Meetings  
 meeting, Feb. 2 ..... 263  
 meeting, Feb. 3 ..... 263

**Teacher Education, State Board of Examiners for**

Open Meetings  
 meeting, Jan. 26 ..... 85

**Teacher Retirement System of Texas**

Open Meetings  
 meeting, Jan. 21 ..... 113

**Teachers' Professional Practices Commission of Texas**

Open Meetings  
 meeting, Jan. 26 ..... 225

**Technical-Vocational Education in Texas, Advisory**

**Council for**  
 Open Meetings  
 meeting, Jan. 18 ..... 37, 85  
 meeting, Jan. 19 ..... 37  
 meeting, Jan. 24 ..... 113  
 meeting, Jan. 25 ..... 815

**Texas A&M University System**

Open Meetings  
 meetings, Jan. 22 ..... 225-226  
 meeting, Jan. 23 ..... 226

**Texas Eastern University**

Open Meetings  
 meeting, Jan. 10 ..... 85-86

**Texas Southern University**

Open Meetings  
 meeting, Jan. 4 ..... 37

**Texas State Technical Institute**

Open Meetings  
 meetings, Jan. 22 ..... 152, 226

**Texas System, University of**

Open Meetings  
 meeting, Jan. 6 ..... 86

**Tourist Development Agency, Texas**

Open Meetings  
 meeting, Jan. 19 ..... 59

**Trinity River Authority of Texas**

Open Meetings  
 meeting, Jan. 15 ..... 155  
 meeting, Jan. 19 ..... 156

**Tri-Region Health Systems Agency**

Open Meetings  
 meetings, Jan. 18 ..... 156

**Turkey Producers Board, Texas**

Open Meetings  
 meeting, Jan. 16 ..... 113

**Turnpike Authority, Texas**

Open Meetings  
 meeting, Jan. 12 ..... 86  
 meeting, Jan. 23 ..... 152-153  
 emergency addition to agenda, Jan. 23 ..... 226

**Upper Leon River Municipal Water District**

Open Meetings  
 meeting, Dec. 28 ..... 39  
 meeting, Jan. 25 ..... 227

**Veterans Affairs Commission**

Open Meetings  
 meeting, Jan. 26 ..... 38

**Veterans Land Board**

Open Meetings  
 meeting, Jan. 25 ..... 226

**Veterinary Medical Examiners, State Board of**

Proposed Rules  
 Professional Conduct 405.02.00 ..... 15

Open Meetings  
 meeting, Feb. 5 ..... 113

**Vocational Education, State Board for**

Open Meetings  
 meeting, Jan. 31 ..... 226

**Vocational Nurse Examiners, Board of**

Proposed Rules  
 Education  
 Definitions 390.02.01 ..... 135, 216  
 Operation of a Vocational Nursing Program  
 390.02.02 ..... 135-137  
 Accreditation of Programs 390.02.03 ..... 137, 217  
 Vocational Nurse Education Standards  
 390.02.04 ..... 137-139  
 Vocational Nursing Education Records 390.02.05 ..... 139-140  
 Licensing  
 Application for Licensure 390.03.01 ..... 140

Open Meetings  
 meeting, Jan. 18-19 ..... 114

**Water Commission, Texas**

Open Meetings  
 emergency meeting, Dec. 22 ..... 38  
 meeting, Jan. 2 ..... 38  
 hearing, Jan. 8 ..... 86  
 emergency addition to agenda, Jan. 8 ..... 114  
 meetings, Jan. 8-12 ..... 38  
 hearings, Jan. 11 ..... 86-87  
 meeting, Jan. 11 ..... 86  
 hearings, Jan. 12 ..... 86  
 meeting, Jan. 15 ..... 114  
 hearings, Jan. 18 ..... 86, 153-154  
 meeting, Jan. 22 ..... 188, 227  
 emergency addition to agenda, Jan. 22 ..... 263  
 hearings, Jan. 24 ..... 114  
 hearings, Jan. 25 ..... 188-189  
 meeting, Jan. 29 ..... 263  
 meeting, Jan. 30 ..... 154  
 addition to agenda, Jan. 30 ..... 189  
 hearings, Jan. 31 ..... 189  
 hearing, Feb. 2 ..... 154  
 meeting, Feb. 5 ..... 263-264  
 hearings, Feb. 6 ..... 264  
 hearings, Feb. 7 ..... 264-265  
 meeting, Feb. 7 ..... 115  
 hearings, Feb. 15 ..... 189-190  
 hearings, Feb. 16 ..... 154, 190  
 hearings, Feb. 22-Mar. 2 ..... 38  
 hearings, Mar. 5-6 ..... 265  
 hearings, Mar. 7-8 ..... 265  
 hearing, Mar. 9 ..... 265

**Water Development Board, Texas**

Emergency Rules  
 Effluent Standards  
 Domestic Wastewater Treatment Plants 156.18.05 ..... 8-10  
 Adopted Rules  
 Introductory Provisions  
 General Provisions 156.01.01 ..... 28  
 Definitions 156.01.20 ..... 28

Particular Proceedings	
Dismissal of Claims Filed under Section 11.303, 156.04.16 .....	28
Water Districts	
Issuance of Bonds 156.06.30 .....	29
District Action If the Commission Approves the Engineering Project and Issuance of Bonds 156.06.35 .....	29
Other Actions Requiring Commission Consideration for Approval 156.06.40 .....	29
Open Meetings	
meeting, Jan. 16 .....	154-155
emergency addition to agenda, Jan. 16 .....	190
In Addition	
Flood Control on Lake Wichita-Holiday Creek Public Hearing .....	121
<b>Water Resources, Texas Department of</b>	
Proposed Rules	
Private Sewage Facilities	
Sam Rayburn Reservoir 157.31.12 .....	76
Adopted Rules	
Private Sewage Facilities	
Lumberton Municipal Utility District in Hardin County 157.31.26 .....	255-258
Open Meetings	
hearing, Mar. 1 .....	265
<b>Water Well Drillers Board, Texas</b>	
Open Meetings	
meeting, Feb. 1 .....	265
<b>West Texas Council of Governments</b>	
Open Meetings	
meeting, Jan. 19 .....	192
meeting, Jan. 24 .....	227
<b>West Texas Health Systems Agency</b>	
Open Meetings	
meeting, Jan. 18 .....	191
<b>West Texas State University</b>	
Open Meetings	
meeting, Jan. 29 .....	191
<b>Youth Council, Texas</b>	
Open Meetings	
meeting, Jan. 11 .....	87
emergency addition to agenda, Jan. 11 .....	155

## Notice to Complimentary Subscribers

The Texas Register Division is currently updating its listing of complimentary subscribers. If you are now receiving or are eligible to receive a complimentary subscription, please contact this office before March 1, 1979.

The following are eligible to receive a subscription to the *Register* free on request: each board, commission, and department having statewide jurisdiction, the governor; the lieutenant governor; the attorney general; each member of the legislature; each county clerk, the supreme court, the court of criminal appeals, and each court of civil appeals; and each state depository library. If you are no longer eligible to receive a complimentary subscription, you may renew your subscription by sending \$25 to the address below.

Complimentary subscribers who wish to continue their subscription should send a copy of their mailing label complete with necessary changes to:

Office of the Secretary of State  
Texas Register Division  
P.O. Box 12887, Capitol Station  
Austin, Texas 78711

If you are not currently receiving a complimentary subscription and wish to do so, please send a request stating your eligibility and mailing address to the address above.

Please refer any questions regarding subscriptions to Charlotte Scroggins at (512) 475-7886.

Doc. No. 31A20

## Notice of Schedule Variation

Due to a state holiday, Washington's Birthday, on February 19, 1979, the deadlines for submission of documents for the February 23 edition of the *Texas Register* have been moved to noon Thursday, February 15 (all copy except open meeting notices), and noon Friday, February 16 (notices of open meetings). Regular publication deadlines will resume with the February 27 issue of the *Register*.