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TEXAS DOCUMENTS

# TEXAS REGISTER

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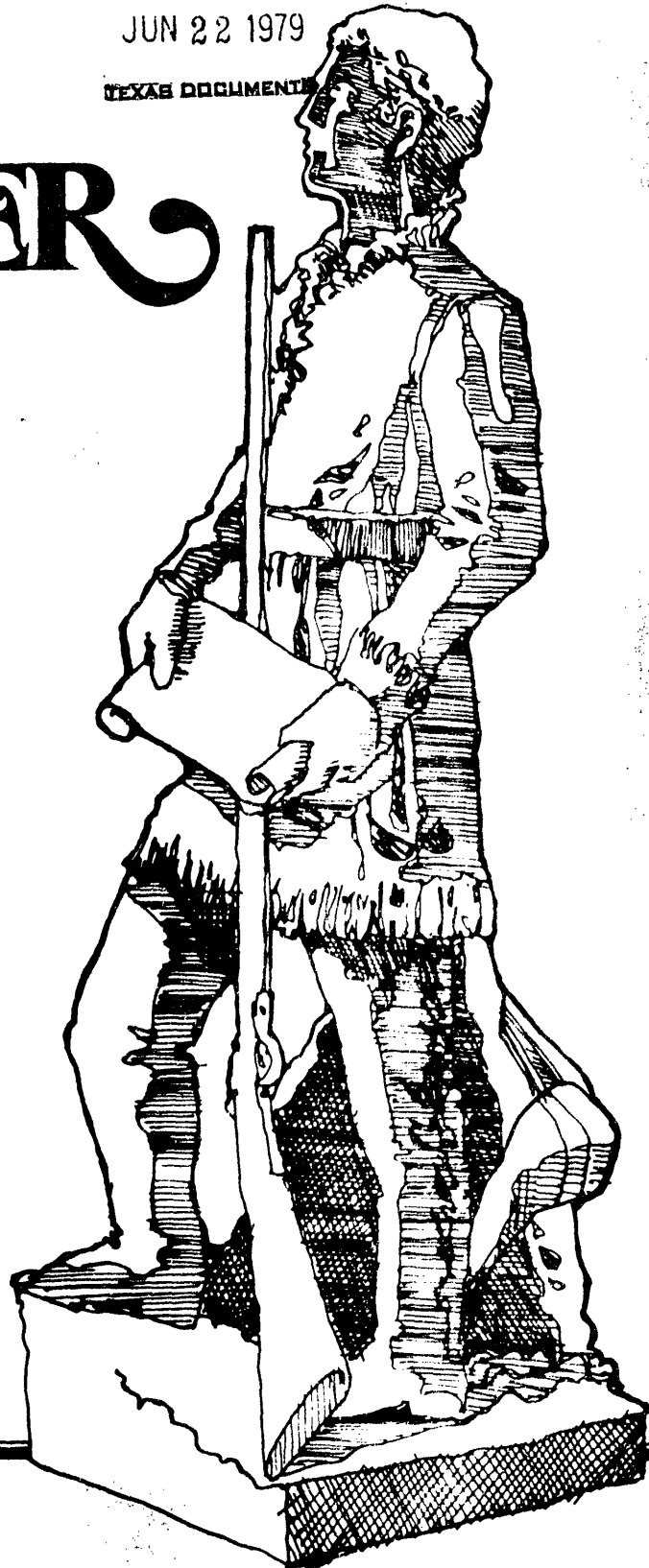
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Office of the Secretary of State

The Governor's Advisory Committee on Education was formed on June 7, 1979, by Executive Order WPC-6. Appearing in the Governor's section, the order outlines the advisory panel's responsibilities. The panel is to conduct a broad-ranging study of the Texas public education system and draft proposals for improving primary and secondary education. Findings by the committee will be considered by the governor in making proposals to the 1981 legislature to upgrade the education system. At publication time, 23 members had been appointed to the committee, which is to consist of not more than 30 persons, representing both professionals in education and concerned laymen. Dr. Willis Tate, president emeritus of Southern Methodist University, has been selected to chair the panel. A list of appointees will appear in a later issue.

A change in procedure for hearings involving handicapped students has been adopted on an emergency basis by the Texas Education Agency. The amendment is designed to expedite the process for decisions by the commissioner of education resulting from those hearings.

Proposals to amend hearing procedures are also being made by the Department of Human Resources. The revisions are being proposed to conform more closely with federal requirements for food stamp fraud hearings.

*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

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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.

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## Executive Orders

### WPC-6

*Establishing the Governor's Advisory Committee on Education; prescribing its duties, functions, and methods of operation.*

WHEREAS, the children and youth of Texas are one of our greatest resources and upon which the future of this great state is dependent; and

WHEREAS, it is incumbent upon the State of Texas and its citizenry to provide for our children and youth the best conceivable education opportunities; and

WHEREAS, the quality of basic education in our primary and secondary public education systems is a serious concern today of all Texans; and

WHEREAS, the problems of discipline in the classrooms, social promotions, lax teacher certification, separation of teaching and administration functions, and the ideas of faculty senates, minimum competency testing, and the return to an emphasis on basic curriculum need to be fully explored and aired in a effort to improve the end product of our education system; and

WHEREAS, the attainment of excellence in basic education can best be served by the establishment of a meaningful communication mechanism between the educators of the state and the Governor to promote an understanding of the problems, to define the goals, and to facilitate their accomplishment through the proper cooperation and coordination of the efforts of the Office of Governor and the educators of the state; and

WHEREAS, the establishment of a permanent advisory committee on education to have direct input to the Governor of Texas to serve as a sounding board for his policies and programs will greatly assist both the Governor and those involved in the educational system of Texas in the performance of their duties; and

WHEREAS, the Governor of Texas is the highest elected officer of this state and designated by law as the chief planner for the state; and

WHEREAS, the Governor of Texas is the proper officer to receive input from and to coordinate educational plans with the educational leaders of the state.

NOW, THEREFORE, I, William P. Clements, Jr., Governor of Texas, under the authority vested in me, do hereby create and establish the Governor's Advisory Committee on Education.

Said committee will consist of no more than 30 members and a chairman, designated by the Governor, broadly representative of each area of primary and secondary education, with a composition of both professionals in education and concerned laymen. Members will serve at the pleasure of the Governor with terms expiring on the 7th day of June of even-numbered years. The Governor shall designate a chairman who shall hold such designation at the pleasure of the Governor.

Members will serve in a volunteer capacity without state pay and without state reimbursement for travel expenses.

Said committee is directed to meet at least twice annually and at all other times as may be directed by the chairman or the Governor.

Said committee shall, in addition to the agenda set by its chairman, make such studies and reports as the Governor may from time to time request and shall keep the Governor advised as to the committee's activities.

All state agencies, boards, and commissions are hereby directed to assist fully the Governor's Advisory Committee on Education in addition to the Governor's Office aid and other staff support.

This executive order shall be effective immediately and shall remain in full force and effect until modified, amended, or rescinded by me.

Issued in Austin, Texas, on June 7, 1979.

Doc. No. 793566      William P. Clements, Jr.  
Governor of Texas

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

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

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

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

## Texas Education Agency

### Hearings and Appeals

#### Hearings Concerning Handicapped Students 226.71.05

The Texas Education Agency amends on an emergency basis Rules 226.71.05.030-.050, concerning hearings and appeals in cases involving a change in the identification, evaluation, educational placement, or provision of a free appropriate public education to a handicapped child. The amendment provides that within 15 calendar days after a hearing, the hearing officer shall prepare a proposal for decision which is submitted to the commissioner of education, the local school board of trustees, and the petitioner. Within 10 days after receipt of the proposal, both parties shall notify the commissioner whether the proposal for decision was acceptable. Within 10 days after his receipt of such notice, the commissioner shall render a decision based on the record made before the hearing officer. The requirement that a notice of appeal be filed before the commissioner of education considers a case is being repealed.

These changes are being adopted on an emergency basis in order to bring the Texas Education Agency's regulations into full compliance with Public Law 94-142 and its accompanying regulations 45 Code of Federal Regulations, Sections 121a.1-121a.754.

These amendments are promulgated under the authority of Section 11.33, Texas Education Code, and Section 6252-13a, Vernon's Texas Civil Statutes.

**.030. Hearing.** A hearing officer appointed by the state commissioner of education shall conduct a hearing within 10 days of the receipt of the request for hearing. *The hearing shall be recorded and transcribed by a court reporter, who shall immediately prepare and transmit a transcript of the evidence to the hearing officer, with copies to the petitioner and the board of trustees of the district. Within 15 days after the close of the hearing, the hearing officer shall prepare and transmit to the commissioner of education a proposal for decision together with the original transcript of the evidence with copies of the proposal to the petitioner and the board of trustees.* [The hearing of-

ficer shall prepare a proposal for decision within 15 days of the hearing, and submit the proposal for decision to the board of trustees of the district. Within 20 days of the hearing, the board of trustees of the district shall render a decision based on the record made before the hearing officer. When a decision is announced in the presence of the aggrieved party or his or her counsel at the hearing, the announced decision shall constitute communication thereof to the aggrieved party; when the decision is not announced at the hearing in the presence of the aggrieved party or his or her counsel, the decision shall be communicated to the party in writing.]

**.040. Notices to the Commissioner of Education [Notice of Appeal.**

**(a) Board of trustees.** *Within 10 days after receipt of the proposal for decision, the board of trustees shall transmit to the commissioner of education a notice stating whether or not the proposal for decision is accepted. If the proposal for decision is not accepted, the notice shall also include proposed findings of fact, proposed conclusions of law, and a proposed order reflecting the local board's view of the case.*

**(b) Within 10 days after receipt of the proposal for decision, the petitioner may transmit to the commissioner of education a notice stating whether or not petitioner agrees with the proposal for decision. This notice may contain proposed findings of fact, proposed conclusions of law, and a proposed order reflecting petitioner's view of the case.**

[In the event that the parents or student are not satisfied by the decision of the board of trustees of the district, they may file a notice of appeal to the state commissioner of education within five days of the decision of the board of trustees.]

**.050. Decision of the Commissioner of Education [Appeal to the State Commissioner of Education].** *Within 10 days after the receipt of notices from the parties, the commissioner of education shall consider the evidence, proposal for decision, and the notices from the parties, and shall render and transmit to the parties a decision based on the record made before the hearing officer.* [Within 15 days of his receipt of the notice of appeal, the state commissioner of education shall render a decision based on the record made before the hearing officer. Parties may file exceptions to the hearing officer's proposal for decision or the decision of the local board of trustees within five days of the filing of the notice of appeal. Replies to any exceptions may be filed at any time prior to the issuance of the final order of the state commissioner of education.]

Issued in Austin, Texas, on June 13, 1979.

Doc. No. 793625 M. L. Brockette  
Commissioner of Education

Effective Date: June 14, 1979

Expiration Date: October 12, 1979

For further information, please call (512) 475-7077.

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

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

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

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

## Comptroller of Public Accounts

### Tax Administration

The comptroller of public accounts is proposing to amend Rules 026.02.06.032 and .033. The proposed amendments would effect nonsubstantive revisions intended for clarification purposes only. The rules have also been reformatted to conform to *Texas Register* requirements.

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

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

### Motor Vehicle Division 026.02.06.032

This amendment is proposed under the authority of Texas Taxation—General Annotated, Article 6.09 (Vernon 1969).

*.032. Motor Vehicles Awarded as Prizes. The transfer of title to a motor vehicle as a prize to the winner of a contest or drawing, whether or not tickets were sold, is taxed as follows:*

(1) *Upon transfer of title to a motor vehicle directly from a dealer to the winner, motor vehicle sales or use tax is due from the sponsor of the contest on the total consideration paid for the vehicle to the dealer. If no consideration was paid, motor vehicle sales or use tax is not due; however, the \$10 gift tax is due.*

(2) *If a dealer transfers title to a motor vehicle to a contest sponsor, and the sponsor subsequently transfers title to the vehicle to the winner, the sponsor owes motor vehicle sales or use tax on the total consideration paid for the vehicle to the dealer and the winner owes a \$10 gift tax. If no consideration was paid for the vehicle, the sponsor and the winner each owe a \$10 gift tax.*

(3) *If a manufacturer or dealer is the sponsor of a contest or drawing, the only tax liability incurred upon*

*transfer of title to a vehicle from the manufacturer or dealer to the winner is a \$10 gift tax due from the winner.*

[When a sponsor gives a motor vehicle to an individual or organization whose name is drawn from a container (regardless of whether or not tickets were sold), or who wins the motor vehicle as a result of a contest, the motor vehicle tax liability is as follows:

(1) When a dealer transfers a motor vehicle directly to the winner, the motor vehicle sales tax is due upon the amount paid to the dealer by the sponsor.

(2) When a dealer assigns a motor vehicle to the donor, the donor would owe the motor vehicle sales tax and the winner would owe a gift tax.

(3) When a manufacturer or dealer is the sponsor, the winner would owe a gift tax.]

Doc No 793643

### 026.02.06.033

This amendment is proposed under the authority of Texas Taxation—General Annotated, Article 6.09 (Vernon 1969).

*.033. Expiration of Out-of-State Registration (Non-Negotiable Titles). Motor vehicle sales tax is not due upon Texas registration of a motor vehicle if:*

(1) *the registration is necessitated solely by the expiration of the vehicle's home-state registration; and*

(2) *the operator of the vehicle neither resides, is domiciled, nor does business in Texas.*

[The motor vehicle sales and use tax is not due when a person, who is visiting in Texas and is not a resident of Texas, must register his motor vehicle in Texas due to his home-state registration expiring. The motor vehicle sales and use tax is not due when a motor vehicle is passing through Texas and the owner is not a Texas resident and is not domiciled or doing business in Texas and the motor vehicle must be registered in Texas due to the home-state registration expiring. In both cases, non-negotiable Texas titles should be issued for registration purposes only.]

Issued in Austin, Texas, on June 15, 1979.

Doc. No. 793644

Bob Bullock

Comptroller of Public Accounts

Proposed Date of Adoption: July 23, 1979

For further information, please call (512) 475-6897.

## Texas Education Agency

### Hearings and Appeals

#### Hearings Concerning Handicapped Students

226.71.05

(Editor's note: The Texas Education Agency is proposing for permanent adoption the emergency amendments it adopts in this issue. The texts of the rules appear in the Emergency Rules section of this issue.)

The Texas Education Agency proposes to amend Rules 226.71.05.030-.050, concerning hearings and appeals in cases involving a change in the identification, evaluation, educational placement, or provision of a free appropriate public

education to a handicapped child. The proposed amendment provides that within 15 days after a hearing, the hearing officer shall prepare a proposal for decision which is submitted to the commissioner of education, the local school board of trustees, and the petitioner. Within 10 days after receipt of the proposal, both parties would notify the commissioner whether the proposal for decision was acceptable. Within 10 days after his receipt of such notice, the commissioner would render a decision based on the record made before the hearing officer. The requirement that a notice of appeal be filed before the commissioner of education considers a case is being repealed.

The Texas Education Agency does not anticipate that the proposed amendments to Rules .030-.050 will have state or local fiscal implications.

Public comment on the proposed amendments to Rules .030-.050 is invited. Comments may be submitted by telephoning the office of Dr. J. B. Morgan, associate commissioner for policies and services, at (512) 475-7077, or by writing to him at 201 East 11th Street, Austin, Texas 78701. All requests for a public hearing on proposed rules submitted in accordance with the Administrative Procedure and Texas Register Act must be received by the commissioner of education not more than 15 calendar days after notice of a proposed change in rules has been published in the *Texas Register*.

These rules are proposed for amendment under the authority of Section 11.33, Texas Education Code, and Section 6252-13a, Vernon's Texas Civil Statutes.

Issued in Austin, Texas, on June 13, 1979.

Doc. No. 793626 M. L. Brockette  
Commissioner of Education

Proposed Date of Adoption: September 8, 1979  
For further information, please call (512) 475-7077.

## Texas Department of Human Resources

### Food Stamps

The Department of Human Resources proposes to amend its rules regarding the policies and procedures for handling fair hearings and fraud disqualification notices for recipients in the Food Stamp Program. These rule changes are necessary to make the rule language conform more closely to federal regulations and, therefore, represent technical changes to the rules. In addition, internal procedures are clarified to provide that when an administrative fraud hearing is held without the household member or representative present, the worker must mail the household its copy of the notice of the decision when the decision is made. The remaining copies are held 10 days before mailing to allow the household member time to present reasons indicating good cause for failure to appear.

The department has determined that the proposed amendments will have no fiscal implications for the state or units of local government. These changes are a clarification of rule language and internal procedures.

Written comments are invited and may be sent to Susan L. Johnson, assistant chief, Systems and Procedures Bureau—

206, Department of Human Resources, John H. Reagan Building, Austin, Texas 78701, within 30 days of publication in this *Register*.

### Fair Hearings 326.15.71

The amendments to the following rules are proposed under the authority of Article 695c, Texas Revised Civil Statutes.

.007. *Requirement.* DHR must provide a fair hearing and a prompt decision on the hearing to any household aggrieved by any action of DHR *which affects the participation of the household in the program.* This provision is required by Title VII, Code of Federal Regulations, Section 273.15. Under this provision, a household may appeal its entitlement to or the amount of restored benefits *just* (the same) as it may appeal any other program benefit.

.010. *Request for Fair Hearing.*

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

(d) *When a fair hearing is requested, the worker must ensure that the petition for fair hearing is forwarded to the hearing officer without delay.*

(e)(d) If the individual requesting the hearing speaks a language other than English and DHR provides service in that language, the worker must ensure that the hearing procedures are verbally explained in that language. Upon request, DHR shall also help a household with its hearing request. If a household makes an oral request, the worker will follow the necessary procedures.

(f)(e) Hearing requests from households which plan to move from the county before the hearing decision would normally be reached will be processed faster than other requests. This is to enable the household to receive a decision before it leaves the area.

.013. *Continued Benefits.*

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

(c) If the household establishes that its failure to request a hearing and continuation of benefits during the 10-day advance notice period was for good cause, the certifying office will reinstate benefits on the prior basis. If benefits are reduced or terminated as a result of a mass change, the certifying office must, upon request of the household, reinstate benefits only if the issue being appealed is improper determination of eligibility or level of benefits or that federal law or regulation was misapplied or misinterpreted *and the household requests reinstatement.*

(d)-(e) (No change.)

Doc. No. 793639

### Fraud Disqualification 326.15.73

The amendment of the following rule is proposed under the authority of Article 695c, Texas Revised Civil Statutes.

.012. *Facts Support Fraud.*

(a) If the investigative unit collects sufficient evidence to document that fraud does exist, the investigators will recommend processing the case through an administrative fraud hearing, through the courts, through both procedures, or not at all. If the decision is to hold an administrative fraud hearing, the case is referred to the fraud hearing officer for that region. The hearing officer sends notice of the hearing to the household and conducts the fraud hearing. The fraud hearing officer is responsible for making the final adminis-

trative determination of fraud. If the administrative fraud hearing results in a determination of fraud, the certification worker is advised to disqualify the guilty individual and adjust the benefits of the remaining household members. The household is notified of the decision prior to disqualification. *If the hearing was held without the household member or his or her representative present, the worker must hold the remaining copies of the disqualification notice for 10 days to allow the household member time to present reasons indicating good cause for failure to appear.*

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

Doc No. 793640

## Medical Assistance Programs

### Medicaid Procedures 326.46.04

The Department of Human Resources proposes Rule 325.46.04.009 about a recipient's freedom of choice of Medicaid providers in its Medical Assistance Programs rules. The proposed rule is current department policy and is now covered in rules under specific program areas. However, a statement that a recipient has freedom of choice of Medicaid providers is appropriate to the Medical Assistance Programs rule chapter, and it is being included as a matter of consistency.

The department has determined that the proposed rule will have no fiscal implications for the state or units of local government.

Written comments are invited and may be sent to Susan L. Johnson, assistant chief, Systems and Procedures Bureau—269, Department of Human Resources, John H. Reagan Building, Austin, Texas 78701, within 30 days of publication in this *Register*.

The following rule is proposed under the authority of Articles 695c and 695j-1, Texas Revised Civil Statutes.

*.009. Recipient Freedom of Choice.* All eligible recipients are entitled to freedom of choice of providers participating in the Medicaid Program.

Issued in Austin, Texas, on June 14, 1979.

Doc. No. 793638 Jerome Chapman  
Commissioner  
Texas Department of Human Resources

Proposed Date of Adoption: July 23, 1979  
For further information, please call (512) 475-4601.

## Texas Department of Public Safety

### Drivers License

#### Application Requirements—Original, Renewal, Duplicate—Identification Certificates 201.08.02

The Texas Department of Public Safety is proposing to amend Rule 201.08.02.008, relating to minor's restricted drivers license applications. The amendment would delete the statement of legal authority from the rule as it appears immediately preceding the text of the rule. The amendment would also change the title of the rule and change the language where it appears in the text of the rule from minor's

hardship applications to minor's restricted drivers license applications. The meaning of the rule remains the same.

The staff of the Texas Department of Public Safety has determined there are no fiscal implications involved in the proposed amendments as this only applies to rule title and terminology.

Comments on the proposed amendment of Rule .008 are invited. Comments may be submitted by contacting Norman V. Suarez, Texas Department of Public Safety, Box 4087, Austin, Texas 78773, telephone (512) 452-0331. Comments must be received within 30 days of the publication of this proposal in the *Register*.

The amendment is proposed pursuant to the authority of Vernon's Civil Statutes 6687b, Section 12(d)1, 2, and 3.

*.008. Minor's Restricted Drivers License Applications [Minor's Hardship Applications].* (The following rule is promulgated under Vernon's Civil Statutes 6687b, Section 12(d)1, 2, and 3.)

(a) A minor's authorization certificate is obtained by submitting a *minor's restricted drivers license application* [minor's hardship application] for drivers license to the department and establishing the necessity for a minor age 15 to 18 to drive upon the basis of:

- (1) unusual economic hardship;
- (2) illness in the family; or
- (3) conditions actually detrimental to the welfare of the applicant or his family—which includes but is not limited to those who are regularly enrolled in a vocational education program and who, in the opinion of the department, require a drivers license to pursue that program.

(b) *Minor's restricted drivers license application* [Minor's hardship application] for drivers license [forms] must be executed by an authorized adult in behalf of a minor, with the adult and the minor signing the form.

(c)-(d) (No change.)

(e) Any restriction approved on the *minor's restricted drivers license application* [minor's hardship authorization certificate] or court order, or found by the department to be necessary and not in conflict with the original authorization, must be added to the license.

(f) (No change.)

(g) *Minor's restricted drivers license applications* [Minor's hardship authorizations] may be used to apply for a commercial operator's or chauffeur's license in addition to an operator's, provided the authorization so states and they meet all other requirements.

Doc. No. 793622

### Driver Improvement 201.08.04

The Texas Department of Public Safety is proposing to amend Rule 201.08.04.001, relating to criteria for driver improvement action. The amendment would delete the statement of legal authority from the rule as it appears immediately preceding the text of the rule. The amendment would also delete paragraph (5) of subsection (b), relating to reporting of convictions used to initiate action against a licensee and exceptions for out-of-state convictions. Deletion of this paragraph coincides with existing statutes.

The staff of the Texas Department of Public Safety has determined there are no fiscal implications for the state or for any



unit of local government that would result from these amendments.

Comments on the proposed amendment of Rule .001 are invited. Comments may be submitted by contacting Norman V. Suarez, Texas Department of Public Safety, Box 4087, Austin, Texas 78773, telephone (512) 452-0331. Comments must be received within 30 days of the publication of this proposal in the *Register*.

The amendment is proposed pursuant to the authority of Vernon's Civil Statutes 6687b, Sections 10, 21, 22, 24A, 25, 28, 29, 30, and 32.

.001. *Criteria for Driver Improvement Action.* [The following rule is promulgated under Vernon's Civil Statutes 6687b, Sections 10, 21, 22, 24A, 25, 28, 29, and 30.]

(a) When a licensee's traffic record indicates corrective action is needed to protect the motoring public, such action is based upon a predetermined criteria established by the department.

(1)-(14) (No change.)

(15) Reported by the Department of *Human Resources* (Public Welfare) as an applicant for or recipient of aid to blind—mandatory revocation of license.

(16)-(17) (No change.)

(b) Definition of terms.

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

[(5) A report that is filed more than six months after the date of conviction will not initiate action against a licensee. The only exception will be out-of-state convictions which provide for automatic suspension upon conviction in Texas. In this case, a 12-month activation period will apply.]

(c)-(d) (No change.)

Issued in Austin, Texas, on June 13, 1979.

Doc. No. 793623

Wilson E. Speir  
Director

Texas Department of Public Safety

Proposed Date of Adoption: July 23, 1979

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

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.

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## Texas Parks and Wildlife Department Wildlife

### Statewide Hunting, Fishing, and Trapping Proclamation, 1979-80 127.70.01

The Texas Parks and Wildlife Department has withdrawn from consideration the proposed amendment to Rule 127.70.01.271, Saltwater Fish: Open Seasons, Bag, Possession, and Size Limits. The text of the proposed rule amendment was published in the February 6, 1979, issue of the *Texas Register* (4 TexReg 368).

Issued in Austin, Texas, on June 12, 1979.

Doc. No. 793613      Maurine Ray  
                                 Administrative Assistant  
                                 Texas Parks and Wildlife Department

Filed: June 13, 1979, 3:30 p.m.

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

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 Animal Health Commission

**Friday, June 29, 1979, 9 a.m.** The Texas Animal Health Commission will meet in Room 118 of the Stephen F. Austin Building in Austin. According to the agenda summary, the commission will consider the following items: approval of action of executive director in carrying out the duties of his office; authorization for the deputy executive director to sign documents requiring payment to be made and to sign other necessary documents; discussion of proposed emergency amendment to Proclamation AHC No. 1; discussion of changes to Proclamation 422; discussion of Dr. Boaz' request for program policy concerning cattle movement from the systematic area and discussion of dipping of cattle in Co-Ral; discussion of changes to Proclamation 424, Section IIb, Tuberculosis, Section V, Swine, and Section VIII, Poultry; discussion of supplement to TAHC responses to proposed revision of the federal "Uniform Methods and Rules"; and request by Jack E. Isbell to address the commission on brucellosis. The commission will also meet in executive session pursuant to Article 6252-17, Sections 2(e) and (g), Vernon's Civil Statutes.

Additional information may be obtained from Jo Anne Conner, Texas Animal Health Commission, 10th floor, Sam Houston State Office Building, Austin, Texas 78701, telephone (512) 475-4111.

Filed: June 15, 1979, 11:57 a.m.  
Doc. No. 793658

## State Banking Board

**Tuesday, June 19, 1979, 2 p.m.** The State Banking Board made an emergency addition to the agenda of a meeting held at 2601 North Lamar, Austin. According to the summary, the agenda item added was a voting session which included an interim charter application for Commerce Bank of Laredo.

Additional information may be obtained from Dan Krohn, 2601 North Lamar, Austin, Texas 78705, telephone (512) 475-4451.

Filed: June 14, 1979, 3:49 p.m.  
Doc. No. 793634

## State Board of Barber Examiners

**Monday, July 2, 1979, 8 a.m.** The State Board of Barber Examiners will meet at 5555 North Lamar, H-111, Austin. The board will consider the following items: interviews of out-of-state applicants; letters to board members; interview of representative of Home Works Company of Houston; adoption of proposed repeal of Rules 378.01.02.014 and 378.01.03.009; progress report on rule compliance; new types of written examination for students and teachers; complaint on schools requiring more than 1,500 hours; and an executive session.

Additional information may be obtained from George G. Lane, 5555 North Lamar, H-111, Austin, Texas 78751, telephone (512) 458-2241.

Filed: June 15, 1979, 3:50 p.m.  
Doc. No. 793698

## Coordinating Board, Texas College and University System

**Thursday, June 28, 1979, 7 p.m.** The Subcommittee to the Allied Health Education Advisory Committee of the Coordinating Board, Texas College and University System, will meet in the Empress Room at the Villa Capri Motor Hotel, 2400 North Interregional Highway, Austin. The subcommittee will meet to continue the study and discussions and to make conclusions regarding allied health credentialing which will be brought to the full committee to reach a consensus on the recommendations to be made.

Additional information may be obtained from Kenneth H. Ashworth, P.O. Box 12788, Austin, Texas 78711, telephone (512) 475-4361.

Filed: June 15, 1979, 3:09 p.m.  
Doc. No. 793694

**Saturday, July 7, 1979, 9:30 a.m.** The Family Practice Residency Advisory Committee of the Coordinating Board, Texas College and University System, will meet in Room 345 at the Dallas/Fort Worth Airport Marina Hotel, Dallas/Fort Worth Airport, Dallas. The committee will meet to consider applications for fiscal year 1980 funding under the Family Practice Residency Program.

Additional information may be obtained from Kenneth H. Ashworth, P.O. Box 12788, Austin, Texas 78711, telephone (512) 475-4361.

Filed: June 15, 1979, 3:09 p.m.  
Doc. No. 793695

**Monday, July 9, 1979, 10:30 a.m.** The Certification Committee of Private, Non-Exempt, Degree Granting Institutions of the Coordinating Board, Texas College and University System will meet in Room 2-110 of the Joe C. Thompson Conference Center, 26th and Red River Streets, Austin, to present to the Certification Committee evaluations made by a panel and three evaluation teams for four institutions requesting certificates of authority from the board.

Additional information may be obtained from Kenneth H. Ashworth, P.O. Box 12788, Austin, Texas 78711, telephone (512) 475-4361.

Filed: June 14, 1979, 9:40 a.m.  
Doc. No. 793617

## Employees Retirement System

**Monday, June 25, 1979, 9 a.m.** The Board of Trustees of the Employees Retirement System will meet in Room 119 of the Stephen F. Austin Building, 17th and Congress Streets, Austin. According to the agenda summary, the board will consider the following items: report of the Election Committee on election of member to the board; report on service retirements and occupational disabilities retirement since the March 19, 1979, board meeting; report on Article 6228a, Texas Revised Civil Statutes, occupational deaths; report on Article 6228f, Texas Revised Civil Statutes, beneficiaries; report on investment of retirement funds; communication concerning Rule 335.30.00.102, which was rescinded by the board on December 19, 1977; request of Tarrant Health Protection Plan (HMO) for reconsideration of provisions of Rule 335.80.00.126, concerning HMO participation in group insurance program; requests for approval for participation in group insurance program from health maintenance organizations; rate proposals from HMOs to be effective September 1, 1979; discussion and action on proposed rules; report on building expansion and proposed lease contracts; discussion of statutes enacted by the 66th Legislature affecting the Employees Retirement System; report from the commissioner of insurance concerning bids received from carriers covering proposed contracts and coverages from group insurance programs for state employees effective September 1, 1979; bidding carriers permitted oral presentations; report from consulting actuaries of their analyses of proposed bids; and selection of successful carrier.

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

Filed: June 14, 1979, 3:43 p.m.  
Doc. No. 793633

## General Land Office

**Wednesday, June 27, 1979, 9:30 a.m.-noon.** The Texas Port Study Advisory Committee of the General Land Office will meet in the A. M. Aiken, Jr., Committee Room (301) of the State Capitol in Austin. According to the agenda summary, the committee will have an organizational meeting.

Additional information may be obtained from Mike Hightower, 1700 North Congress Avenue, Austin, Texas 78701.

Filed: June 15, 1979, 3:23 p.m.  
Doc. No. 793697

## Merit System Council

**Friday, June 29, 1979, 1 p.m.** The Merit System Council will meet at 507 Brown Building, 8th and Colorado Streets, Austin, to conduct an appeal hearing.

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

Filed: June 15, 1979, 3:49 p.m.  
Doc. No. 793701

**Monday, July 2, 1979, 1 p.m.** The Merit System Council will meet at 507 Brown Building, 8th and Colorado Streets, Austin, to conduct an appeal hearing.

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

Filed: June 15, 1979, 3:48 p.m.  
Doc. No. 793700

## North Texas State University

**Friday, June 29, 1979, 9 a.m.** The Facilities Committee of the Board of Regents of North Texas State University will meet in the board room on the second floor of the Administration Building on campus, Denton. Agenda items include an executive session pursuant to Vernon's Civil Statutes, Article 6252-17, Section 2, paragraphs e—legal, f—real estate, and g—personnel, and consideration of the following matters: renovations and alterations to auditorium stage, automated energy management system, participation in National Energy Conservation Policy Act Program, construction status report, and minor alterations and remodeling projects report.

Additional information may be obtained from Roy Busby, North Texas State University, Denton, Texas, telephone (817) 788-2275.

Filed: June 18, 1979, 12:20 p.m.  
Doc. No. 793710

**Friday, June 29, 1979, 11 a.m.** The Budget and Finance Committee of the Board of Regents of North Texas State University will meet in the board room on the second floor of the Administration Building on campus, Denton, to consider budget transfers and other budgetary items affecting NTSU.

Additional information may be obtained from Roy Busby, North Texas State University, Denton, Texas, telephone (817) 788-2275.

Filed: June 18, 1979, 12:20 p.m.  
Doc. No. 793711

**Friday, June 29, 1979, 11:30 a.m.** The Role and Scope Committee of the Board of Regents of North Texas State University will meet in the board room on the second floor of the Administration Building on campus, Denton, to consider personnel and academic programs.

Additional information may be obtained from Roy Busby, North Texas State University, Denton, Texas, telephone (817) 788-2275.

Filed: June 18, 1979, 12:19 p.m.  
Doc. No. 793712

**Friday, June 29, 1979, 1 p.m.** The Board of Regents of North Texas State University will meet in the board room on the second floor of the Administration Building on campus, Denton. Agenda items for consideration include faculty leaves of absence, emeritus recommendations, summer teaching budget, renovation of Kendall Hall (second floor) and equipment purchase, increase in student union fee, student health service fee increase, room service rate increase, food service rate increase, parking and transportation fee increases, revised parking rules and regulations, and promotion and tenure recommendations.

Additional information may be obtained from Roy Busby, North Texas State University, Denton, Texas, telephone (817) 788-2275.

Filed: June 18, 1979, 12:19 p.m.  
Doc. No. 793713

**Friday, June 29, 1979, 1 p.m.** The Board of Regents of North Texas State University will meet in the board room on the second floor of the Administration Building on campus, Denton. Agenda items for consideration include personnel changes, additions, and resignations; authorization to negotiate for purchase of 20 parcels of land; request for use of alternative logo; approval of members of Board of Trustees of the TCOM Foundations, Inc.; and expenditure of approximately \$40,000 for renovation of laboratory and research space in the River Plaza Building.

Additional information may be obtained from Roy Busby, North Texas State University, Denton, Texas, telephone (817) 788-2275.

Filed: June 18, 1979, 12:19 p.m.  
Doc. No. 793714

## Texas Optometry Board

**Friday, June 22, 1979, 3 p.m.** The Texas Optometry Board will meet at the Marriott Hotel in Houston. According to the agenda summary, the board will consider the following items: results of mailing regarding type of optometric practices; requests for opinions of the attorney general; correspondence from the Federal Trade Commission; appearances of licensees at their requests; and reports of the secretary-treasurer, legal counsels, and committees. The board will give an examination at the University of Houston College of Optometry and the Marriott Hotel near the Astrodome on June 23-25, 1979. All committees of the board will meet at 2 p.m. on June 22 before the full board meeting.

Additional information may be obtained from Lois Ewald, Commerce Park, Suite H-101, 5555 North Lamar, Austin, Texas 78751, telephone (512) 485-2141 or Tex-An 524-1595.

Filed: June 14, 1979, 3:40 p.m.  
Doc. No. 793632

## Board of Pardons and Paroles

**Monday-Friday, June 25-29, 1979, 9 a.m. daily.** The Board of Pardons and Paroles will conduct an emergency meeting in Room 711 at the Stephen F. Austin Building, Austin. According to the summarized agenda, the board will review cases of inmates for parole consideration; act on emergency reprieve requests and other acts of executive clemency; review reports regarding persons on parole; review

procedures affecting the day-to-day operation of support staff; review and initiate needed rule changes relating to general operation, executive clemency, parole, and all hearings conducted by the agency; and take action upon gubernatorial directives.

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

Filed: June 18, 1979, 11:52 a.m.  
Doc. No. 793708

**Wednesday, June 27, 1979, 9 a.m.** The Board of Pardons and Paroles will meet at the Diagnostic Unit, Texas Department of Corrections, Huntsville. According to the summarized agenda, a parole panel consisting of members of the Board of Pardons and Paroles and members of the Texas Parole Commission will conduct parole violation hearings.

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

Filed: June 18, 1979, 11:52 a.m.  
Doc. No. 793709

## Board of Polygraph Examiners

**Thursday-Saturday, July 12-14, 1979, 9 a.m.-4 p.m. daily.** The Board of Polygraph Examiners has changed the location of its meeting to the Texas A&M Agricultural Experiment Station, 1380 A&M Circle, El Paso. The notice of this meeting was previously published in the May 11, 1979, issue of the *Texas Register* (4 TexReg 1727); the agenda remains the same.

Additional information may be obtained from Ryerson D. Gates, 111 West Laurel, Suite 115, San Antonio, Texas 78212, telephone (512) 227-6100.

Filed: June 18, 1979, 12:31 p.m.  
Doc. No. 793715

## Public Utility Commission of Texas

**Tuesday, June 26, 1979, 9 a.m.** The Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. According to the summarized agenda, the commissioners will consider final orders and hear oral argument in the following dockets: 2483, 2320, 2323, 2324, 2212, 2518, 2319, 2478, 1962, 2242, 917, 2401, 2617, 2583, 2579, 2608, 2612, 2599, 2568, 2573, 2575, 2578, 2594, 2597, 2602, 2603, 2615, 2619, and 2628.

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

Filed: June 15, 1979, 3:04 p.m.  
Doc. No. 793692

**Wednesday, June 27, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a prehearing conference in Suite 400N, 7800 Shoal Creek Boulevard, Austin. According to the agenda summary, the division will consider Docket No. 2648, inquiry by Public

Utility Commission of Texas into the legality of rates charged and propriety of service rendered by Community Utilities Company within Harris and Montgomery Counties.

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

Filed: June 15, 1979, 3:47 p.m.  
Doc. No. 793699

**Friday, June 29, 1979, 10 a.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 conference concerns Docket 2624—petition for relief of the Dow Chemical Company from rates charged by Houston Lighting and Power Company.

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

Filed: June 18, 1979, 11:38 a.m.  
Doc. No. 793707

**Wednesday, July 11, 1979, 2 p.m.** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. According to the summarized agenda, the commission will conduct a prehearing conference and, at the examiner's discretion, will take evidence on Docket No. 2485, the application of Gulf States Utilities for a certificate of convenience and necessity for transmission lines in Montgomery County.

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

Filed: June 13, 1979, 9:29 a.m.  
Doc. No. 793588

**Tuesday, July 17, 1979, 9 a.m. (reconvened).** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. According to the summarized agenda, the commission will conduct a hearing on Docket No. 2305, the application of Page Communications, Inc., for a certificate of convenience and necessity to provide radio-telephone service in Dallas and Tarrant Counties and surrounding counties. The hearing was originally convened on May 2.

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

Filed: June 12, 1979, 10:59 a.m.  
Doc. No. 793564

**Thursday, July 26, 1979, 9 a.m. (rescheduled).** The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin. According to the summarized agenda, the commission will conduct a hearing in Docket 2538, the petition of Glen Dell Water System to terminate water utility service within Jasper County. This hearing was originally scheduled for July 16.

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

Filed: June 15, 1979, 3:05 p.m.  
Doc. No. 793693

**Monday, September 24, 1979, 9 a.m.** The Hearings Division of the Public Utility Commission of Texas will conduct a hearing on Docket No. 2582 in Suite 400N, 7800 Shoal Creek Boulevard, Austin. According to the summarized agenda, the hearing concerns the application of the Public Utilities Board of the City of Brownsville to amend the certificated service area boundaries within Cameron County.

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

Filed: June 13, 1979, 9:29 a.m.  
Doc. No. 793589

## Railroad Commission of Texas

**Monday, June 18, 1979, 9 a.m.** The Railroad Commission of Texas added, on an emergency basis, an executive session to the agenda of a meeting held in the Ernest O. Thompson Building, 10th and Colorado Streets, Austin. The commission met in executive session to consider personnel matters and pending litigation. Consideration on less than seven days' notice was required as a matter of urgent public necessity due to deadlines imposed in several pending matters.

Additional information may be obtained from James P. Grove IV, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-4686.

Filed: June 15, 1979, 11:25 a.m.  
Doc. No. 793657

**Monday, June 25, 1979, 9 a.m.** The Automatic Data Processing Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin, to consider an agreement to lease CICS/VS Dataset Recovery Facility used by the commission to support the telecommunications network and to consider purchasing a perpetual license agreement for EASYTRIEVE, a report writer.

Additional information may be obtained from David M. Garlick, P.O. Box 12967, Austin, Texas 78711, telephone (512) 445-1204.

Filed: June 15, 1979, 11:25 a.m.  
Doc. No. 793650

**Monday, June 25, 1979, 9 a.m.** The Finance and Procurement Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin, to consider the director's report.

Additional information may be obtained from Rex King, P.O. Box 12967, Austin, Texas 78711, telephone (512) 475-3559.

Filed: June 15, 1979, 11:27 a.m.  
Doc. No. 793656

**Monday, June 25, 1979, 9 a.m.** The Gas Utilities Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin. According to the agenda summary, the division will consider Gas Utilities Dockets 1731, 1556, 1897-1713, 1974, 1438, 2015, 2031, 2032, 2033, 2034, 2035, 2036, 2038, 2039, 1646, and 2027, word processing matters, and the director's report. The division will also meet in executive session.

Additional information may be obtained from Peggy Puckett, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 445-1147.

Filed: June 15, 1979, 11:24 a.m.  
Doc. No. 793649

**Monday, June 25, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin, to review the current disposal practices of the Whalen Corporation operated by Triton Oil and Gas Corp. at Whalen Lake, Andrews County. Emergency reinstatement of disposal authority requested by Petroleum Corp. of Texas, Whalen Corp., Phillips Petroleum Co., and Gulf Corp. was denied November 13, 1978.

Additional information may be obtained from Rex H. White Jr., P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-4686.

Filed: June 15, 1979, 11:24 a.m.  
Doc. No. 793648

**Monday, June 25, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas has made an addition to the agenda of a meeting to be held in the third floor conference room, 1124 South IH 35, Austin. The division will also consider publication of proposed amendment to Rule 051.02.02.010.

Additional information may be obtained from John G. Soule, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-3256.

Filed: June 15, 1979, 11:26 a.m.  
Doc. No. 793651

**Monday, June 25, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin. According to the agenda summary, the division will consider the following items: application for unitization and secondary recovery; order requiring certain producers to comply with requests for reduction in deliveries; review MER motion for rehearing—SWR 69, exception to SWR 69; correction of Field Rule 2; special allowable; temporary transfer of allowable; review current disposal practices; emergency reinstatement of disposal authority; approving bottomhole location; amend Field Rule 2; application to use vacuum on lease; new field discovery; Rule 3 cases; proper plugging; exception to SWR 10; amend field rules; motion for interim order; gas field rules; adopt temporary rules; administrative matters, including new oil and gas discoveries, permission to use producing salt-water on county roads, and exceptions to SWR 14(B)(2), SWR 11, and SWR 8(c); director's report; and an executive session.

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

Filed: June 15, 1979, 11:26 a.m.  
Doc. No. 793652

**Monday, June 25, 1979, 9 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin. According to the agenda summary, the division will consider category determinations under Sections 102(c)(1)(B) and (C), 103, 107, and 108 of the Natural Gas Policy Act of 1978.

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

Filed: June 15, 1979, 11:26 a.m.  
Doc. No. 793653

**Monday, June 25, 1979, 9 a.m.** The Surface Mining Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin, to consider Texas Utilities Generating Company's request to amend Permit No. 005. Texas Utilities Generating Company proposes to add 793 acres to the permitted area at the Monticello Steam Electric Station for mining supportive facilities.

Additional information may be obtained from J. Randel (Jerry) Hill, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-6520.

Filed: June 15, 1979, 11:27 a.m.  
Doc. No. 793655

**Monday, June 25, 1979, 9 a.m.** The Transportation Division of the Railroad Commission of Texas will meet in the third floor conference room, 1124 South IH 35, Austin. According to the agenda summary, the division will consider the following applications: amend authority, new authority, bus rate, consolidate authority, divide authority, lease authority, lease cancellation, name change, rail rate, reinstatement, sell authority, truck rate, and voluntary suspension. The division will also consider show cause proceeding, initiation of amendment to regulation, amendment of rail plan contract with Arthur D. Little, amendment of contracts between commission and urban study groups, and out-of-state travel request.

Additional information may be obtained from Owen T. Kinney, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 445-1330.

Filed: June 15, 1979, 11:27 a.m.  
Doc. No. 793654

**Thursday, June 28, 1979, 10 a.m.** The Oil and Gas Division of the Railroad Commission of Texas will meet in Room 104A, 1124 South IH 35, Austin, to hear oral argument on Oil and Gas Docket 3-69, 427, the application of Kirby, et al., for application of productive acres in the El Gordo (Miocene) Field, Matagorda County.

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

Filed: June 15, 1979, 11:24 a.m.  
Doc. No. 793647

## Texas State Technical Institute

**Sunday and Monday, June 24 and 25, 1979, 2 p.m. on Sunday and 9 a.m. on Monday.** The Board of Regents of Texas State Technical Institute will meet on the campus in Sweetwater. According to the agenda summary, the board will consider the following items: report of classes meeting with less than 10 students; approval of policies for instruction, fiscal affairs, development, and human resources; authorization to contract for flight instruction services at TSTI-Sweetwater and TSTI-Waco; approval of budget changes; approval of insurance carrier for auxiliary services buildings and equipment for Waco, Harlingen, and Sweetwater campuses; approval of lease agreement for Building 9508 at TSTI-Amarillo; approval of applications to HUD for student housing loans at TSTI-Amarillo and TSTI-Waco; approval of building design for Employment Skills Development Center at TSTI-Amarillo; approval of salary increases for classified and non-faculty employees, as well as for faculty; approval of policies relating to general administration; and allocation of operating funds.

Additional information may be obtained from Theodore A. Talbot, Texas State Technical Institute, Waco, Texas 76705, telephone (817) 799-3611, ext. 385.

Filed: June 15, 1979, 9:51 a.m.  
Doc. No. 793641

## Veterans Land Board

**Tuesday, June 19, 1979, 2 p.m.** The Veterans Land Board met in emergency session in the Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the board discussed House Bill 1554, which required an immediate policy discussion by the board. The board also heard the executive secretary's report.

Additional information may be obtained from Richard Keahey, Room 738, Stephen F. Austin Building, Austin, Texas 78701.

Filed: June 15, 1979, 4:32 p.m.  
Doc. No. 793702

## Texas Water Commission

**Monday, June 18, 1979, 10 a.m.** An emergency addition was made to the agenda of a meeting of the Texas Water Commission held at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized, the addition to the agenda included Item 34 for consideration of a motion for continuance on the application of the Red River Authority of Texas for designation as local sponsor—Lake Texoma, filed in behalf of the Cities of Denison, Sherman, and Gainesville.

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

Filed: June 15, 1979, 2:49 p.m.  
Doc. No. 793691

**Monday, June 25, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin.

As indicated in the agenda summary, the commission will consider the following items: district bond issues, change in plans, petition for district conversion, water quality permits and amendments, proposed renewal of water quality permits, voluntary suspension and cancellation of water quality permits, final decision on water rights applications, final plans and specifications, dismissal of show cause action, partially cancelling permit, amendments and the filing and setting of hearing dates for applications, and consideration of motion requesting order to be set aside and hearing reopened.

For more information, contact Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 14, 1979, 2:26 p.m.  
Doc. No. 793631

**Monday, June 25, 1979, 2 p.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin.

As indicated in the agenda summary, the commission will conduct a hearing to require Nena Johnson, Sherrill Johnson, Virgule Johnson, Willis Johnson, and Irene Ivy to appear and show cause why the unpermitted reservoir created by an allegedly hazardous dam on Mickle Creek, San Antonio River Basin, should not be drained until appropriate repairs can be made or, alternatively, why the dam should not be removed.

For more information, contact Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 14, 1979, 2:25 p.m.  
Doc. No. 793630

**Tuesday, July 3, 1979, 10 a.m.** The Texas Water Commission will conduct hearings at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the summarized agendas, the commission will consider petitions for the following:

creation of Northwest Harris County Municipal Utility District No. 22, containing approximately 313.0633 acres of land situated within Harris County

creation of Northwest Harris County Municipal Utility District No. 23, containing approximately 261.7510 acres of land situated within Harris County

creation of Northwest Harris County Utility District No. 21, containing approximately 180.4742 acres of land situated within Harris County

For more information, contact Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 13, 1979, 11:10 a.m.  
Doc. Nos. 793597-793599



**Tuesday, July 10, 1979, 9:30 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. As summarized on the agendas, the commission will conduct hearings on the following applications:

Application TA-3440 by Consolidated Oil and Gas Company seeking a permit to divert and use 15 acre-feet of water for a three-year period from the Rio Grande, Rio Grande Basin, for mining purposes in Webb County

Application TA-3428 by Justiss-Mears Oil Company, Inc., seeking a permit to divert and use three acre-feet of water for a two-year period from a reservoir on an unnamed tributary of Cedar Creek, tributary of Tehuacana Creek, tributary of the Trinity River, Trinity River Basin, for mining purposes in Freestone County

Application TA-3445 by Vowell Cement and Supply Company seeking a permit to divert and use eight acre-feet of water for a three-year period from a reservoir, Shawnee Creek, Angelina River, Neches River, and Neches River Basin, for mining purposes in Rusk County

Application TA-3483 by Madden Contracting Company, Inc., seeking a permit to divert and use 10 acre-feet of water for an 18-month period from Lake Fork Creek, Sabine River, Sabine River Basin, for industrial (highway construction) purposes in Rains County

Application TA-3443 by WMW Materials, Inc., seeking a permit to divert and use 1,105 acre-feet of water for a three-year period from Flat Creek, Cummins Creek, Colorado River, and Colorado River Basin, for mining (gravel) purposes in Fayette County

Application TA-3414 by Geer Tank Trucks, Inc., seeking a permit to divert and use 100 acre-feet of water for a three-year period from a reservoir, unnamed tributary of Little Cleveland Creek, Big Cleveland Creek, West Fork Trinity River, Trinity River, and Trinity River Basin, for mining purposes in Jack County

Application TA-3441 by Ingram Readymix Inc., seeking a permit to divert and use 200 acre-feet of water for a three-year period from the Guadalupe River, Guadalupe River Basin, for mining (gravel) purposes in Kerr County

Application TA-3415 by La Gloria Oil and Gas Company seeking a permit to divert and use 45 acre-feet of water for a two-year period from Hawkins Creek, Sabine River, and Sabine River Basin, for industrial purposes in Gregg County

Application TA-3416 by Natural Gas Pipeline Company of America seeking a permit to divert and use 15 acre-feet of water for a one-year period from the East Fork of the San Jacinto River, tributary of the San Jacinto River, San Jacinto River Basin, for industrial purposes in Liberty County

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

Filed: June 15, 1979, 2:49 p.m.  
Doc. Nos. 793682-793690

**Tuesday, July 10, 1979, 10 a.m.** Members of the Texas Water Commission will conduct hearings in the Stephen F. Austin Building, 1700 North Congress Avenue, Austin, to consider the following items, as summarized on the open meeting notices:

petition for creation of Harris County Municipal Utility District No. 183, containing 302.0069 acres of land in Harris County

petition for creation of Harris County Municipal Utility District No. 184, containing 472.7738 acres in Harris County

For more information, contact Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 13, 1979, 11:11 a.m.  
Doc. Nos. 793595-793596

**Tuesday, July 10, 1979, 10 a.m.** The Texas Water Commission will conduct a hearing at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will consider the petition for organization of Davenport Ranch MUD No. 1, to contain 500 acres located wholly in Travis County.

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

Filed: June 13, 1979, 3:25 p.m.  
Doc. No. 793612

**Thursday, August 2, 1979, 10 a.m.** The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will conduct a hearing on the application of the City of Arlington (RE-0054) seeking approval of preliminary plans for constructing levees and channel modifications on the West Fork of the Trinity River and Hurricane Creek to protect a proposed 590-acre sanitary landfill in Tarrant County.

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

Filed: June 11, 1979, 2:37 p.m.  
Doc. No. 793556

## Regional Agencies

### Meetings Filed June 15, 1979

**The Brazos River Authority**, Administrative Policy Committee of the Board of Directors, met at 4400 Cobbs Drive, Waco, on June 21, 1979, at 10 a.m. Further information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, telephone (817) 776-1441.

**The Central Plains MHMR Center**, Board of Trustees, met at 2601 Dimmitt Road, Plainview, on June 21, 1979, at 7 p.m. Further information may be obtained from J. C. Thomas, 2700 Yonkers, Plainview, Texas 79072, telephone (806) 296-2726.

**The Copano Bay Soil Conservation District 329** will meet at Shay Plaza, 106 South Alamo, Refugio, on June 25, 1979, at 7:30 p.m. Further information may be obtained from Jim Wales, Drawer 340, Refugio, Texas 78377, telephone (512) 526-2334.

**The East Texas CETA Consortium**, Board of Directors, met in the Blue Room at the Allied Citizens Bank Building, Kilgore, on June 20, 1979, at 2 p.m. Further information may be obtained from Don R. Edmonds, 5th Floor, Citizens Bank Building, Kilgore, Texas, telephone (214) 984-8641.

**The Region VIII Education Service Center**, Board of Directors, met at the center's offices, 100 North Riddle Street, Mount Pleasant, on June 21, 1979, at 7 p.m. Further information may be obtained from Leroy Hendricks, 100 North Riddle, Mount Pleasant, Texas 75455, telephone (214) 572-6676.

**The Lower Rio Grande Valley Development Council**, Board of Directors, will meet at the Harlingen Chamber of Commerce, 311 East Tyler, Harlingen, on June 28, 1979, at 2 p.m. Further information may be obtained from Robert A. Chandler, Suite 207, First National Bank Building, McAllen, Texas 78501, telephone (512) 682-3481.

**The Pecan Valley Mental Health Mental Retardation Region**, Board of Trustees, met at Central Christian Church, 1502 South Main Street, Weatherford, on June 20, 1979, at noon. Further information may be obtained from Dr. Theresa Mulloy, 906 Lingleville Highway, P.O. Box 973, Stephenville, Texas 76401, telephone (817) 968-4181.

Doc. No. 793642

## Meetings Filed June 18, 1979

**The Alamo Consortium of the Alamo Area Council of Governments** will have its annual meeting at 532 Three Americas Building, San Antonio, on June 27, 1979, at noon. The Executive Committee will meet at the same location on the same date at 1:30 p.m. Further information may be obtained from Al J. Notzon, III, 400 Three Americas Building, San Antonio, Texas 78205, telephone (512) 225-5201.

**The Austin-Travis County MH/MR Center**, Budget/Finance Committee, met in the conference room, 850 American Bank Tower, Austin, on June 21, 1979, at noon. Further information may be obtained from John Brubaker, 1430 Collier Street, Austin, Texas 78704, telephone (512) 447-4141.

**The Capital Area Planning Council**, Executive Committee, will meet at the Austin Garden Center, Zilker Park, Bee Caves Road, Austin, on June 26, 1979, at 1:30 p.m. The General Assembly will meet at the same location on the same date at 2 p.m. Further information may be obtained from Richard G. Bean, 611 South Congress, Austin, Texas 78704, telephone (512) 443-7653.

**The Heart of Texas Council of Governments**, Executive Committee, will meet at 110 South 12th Street, Waco, on June 28, 1979, at noon. Further information may be obtained from Marcia Ross, 110 South 12th Street, Waco, Texas, telephone (817) 756-6631.

**The North Texas Municipal Water District**, Board of Directors, will meet at the administrative offices of the NTMWD Central Plant in Wylie, on June 28, 1979, at 4 p.m. Further information may be obtained from Carl W. Riehn, P.O. Drawer C, Wylie, Texas 75098, telephone (214) 442-2217, ext. 26.

**The Northeast Texas Municipal Water District**, Board of Directors, will meet at 1003 Linda Drive, Daingerfield, on June 25, 1979, at 8 p.m. Further information may be obtained from Homer Tanner, P.O. Box 680, Daingerfield, Texas 75638, telephone (214) 645-2241.

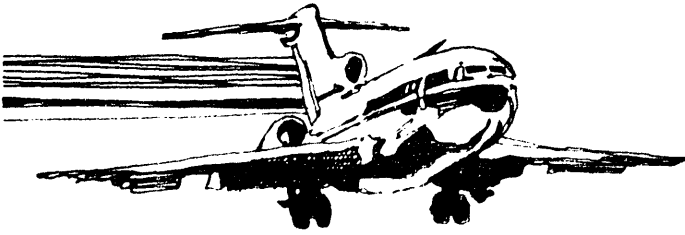
**The Panhandle Regional Planning Commission**, Project Notification and Review System Committee, met in the Chamber of Commerce Room of the Amarillo Building, 3rd and Polk Streets, Amarillo, on June 21, 1979, at 1:30 p.m. Further information may be obtained from George Louder, 3rd and Polk Streets, Amarillo, Texas, telephone (806) 372-3381.

**The Panhandle Regional Planning Commission**, Texas Panhandle Employment and Training Alliance, will meet in the Chamber of Commerce Room of the Amarillo Building, 3rd and Polk Streets, Amarillo, on June 28, 1979, at 3:30 p.m. The Texas Panhandle Employment and Training Planning Council will meet in the Centennial Room of the First National Bank, 8th and Taylor Streets, Amarillo, on June 26, 1979, at 10 a.m. Further information may be obtained from James Barrington, P.O. Box 9257, Amarillo, Texas 79105, telephone (806) 372-3381.

**The Tri-Region Health Systems Agency**, Executive Committee, will meet in A Banquet Room of the Royal Inn of Abilene, 5695 South 1st Street, Abilene, on June 28, 1979, at 12:30 p.m. The Board of Directors will meet at the same location on the same date at 1 p.m. Further information may be obtained from Vic Rhoads, 2642 Post Oak Road, Abilene, Texas 79605, telephone (915) 698-9481.

Doc. No. 793716

The legislative coverage in the *Register* includes notices of the introduction of bills and committee referrals, committee meeting notices, confirmation of gubernatorial appointments, and legislation signed by the governor. The Legislative Report focuses 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. Bill status lists, which appear in each issue, indicate the latest action on bills covered in the report. Also appearing several times during the session are names and addresses of representatives and senators and the membership of all standing committees.



## Legislative Coverage

### Final Legislative Action

In the issue of June 26, this section will contain cumulative lists of all bills signed by the governor, proposed constitutional amendments requiring voter approval, vetoed measures, and any legislation enacted without the governor's signature. June 17 was the last day on which the governor could act on legislation sent to him.

## Legislative Information System of Texas

### Toll-Free Telephone Number

The Texas Senate and House of Representatives are providing information on the activities of the 66th Legislature through a toll-free statewide WATS line to the Legislative Information System of Texas (LIST).

Information available includes bill status, schedules and agendas of committee meetings and hearings, and lists of bills by author, committee, and subject.

The LIST statewide toll-free telephone number is **1-800-252-9693** for calls from outside the Austin area. For calls originating in Austin, the telephone number is (512) 475-3026.

## Texas Air Control Board

### Applications for Construction Permits

Notice is given by the Texas Air Control Board of applications for construction permits received during the period of June 4-8, 1979.

Information relative to these applications, including projected emissions and the opportunity to comment or to request a hearing, may be obtained by contacting the office of the executive director at the Central Office of the Texas Air Control Board, 8520 Shoal Creek Boulevard, Austin, Texas 78758.

A copy of all material submitted by the applicant is available for public inspection at the Central Office of the Texas Air Control Board at the address stated above and at the regional office for the air quality control region within which the proposed facility will be located.

Listed are the name of the applicant and the city in which the facility is located; type of facility; location of the facility (if available); permit number; and type of application—new source or modification.

### Week Ending June 8, 1979

Amoco Production Company, Lamesa; tank battery; M. E. Barrow Lease; 7660; new source

Lone Star Industries, Inc., Sweetwater; raw grinding department; Maryneal Texas Cement Plant; 1771A; modification

El Paso Rock Quarry, Inc., El Paso; crusher; Westside; 389A; new source

Robstown Gin Co., Robstown; cotton ginning facility; 77 Buss and Lincoln Street; 7661; new source

Convest Energy Corp., Snyder; amine unit; Williams Ranch Station; 7662; new source

Dirty Cotton Co., Inc., Harlingen; cotton mote cleaning; 7663; new source

Riffe Petroleum Co.—Nu Way Emulsion Div., Garland; emulsified asphalt plant; 1340 East Garland Road; 7664; new source

Merichem Co., Houston; residue wash unit; 1914 Haden Road; 7665; new source

Reichold Chemicals, Inc., Houston; resin plant expansion; 1503 Haden Road; 7666; new source

A. Schulman, Inc., Dispersion Div., West Orange; 1500-pound/hour incinerator; Thomas Street near Foreman Road; 7667; new source

Pratt Materials, Inc., Breckenridge; crusher; Coleman Pit; 7668; new source

Universal Painting, Inc., Pasadena; sandblast and coating plant; 601 South Street; 7669; new source

Permian Corp., Rankin; crude oil storage tank; eight miles north of Rankin; 7670; new source

Exxon Pipeline Co., San Antonio; refined petroleum products slop tank; 7671; new source

Oiltanking of Texas, Inc., Pasadena; transfer tallow from rail cars to tanks to ships; 15602 Jacintoport Boulevard; 7672; new source

Island City Iron and Supply, Inc., Galveston; wire reclaimer; 7673; new source

Issued in Austin, Texas, on June 8, 1979.

Doc. No. 793579      John Turney  
Hearing Examiner  
Texas Air Control Board

Filed: June 12, 1979, 4:19 p.m.

For further information, please call (512) 451-5711, ext. 354.

## Department of Banking

### Applications to Purchase Control of State Banks

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

On June 11, 1979, the banking commissioner received an application to acquire control of Cove State Bank in Copperas Cove by Ted C. Connell of Harker Heights. Additional information may be obtained from Robert E. Stewart, 2601 North Lamar, Austin, Texas 78705, telephone (512) 475-4451.

Issued in Austin, Texas, on June 11, 1979.

Doc. No. 793568      Robert E. Stewart  
Banking Commissioner

Filed: June 12, 1979, 10:59 a.m.

For further information, please call (512) 475-4451.

## Texas Department of Community Affairs

### Request for Program Proposal

**Notice of Invitation for Program Proposal.** The Texas Department of Community Affairs (TDCA), as administrator of Section 105 "Governor's Coordination and Special Services" funds, under the auspices of the Comprehensive Employment and Training Act Amendments of 1978 (CETA), announces its request for proposal (RFP) under the negotiation method to deliver manpower services in accordance with United States Department of Labor regulations pertaining to such funds. TDCA is soliciting proposals to administer and deliver services according to one or more of the project formats described below. If TDCA chooses to enter into and execute a contract for the services described herein, the period of performance of services shall begin on or about October 1, 1979, and shall extend through September 30, 1980, at the option of TDCA.

**Qualifications Desired by TDCA.** To be eligible, offerors must be a unit of state, county, or local government, or other public/private organization. Offerors must evidence the capability to accomplish the requested services. Proposals must include specific items and documents which attest to the applicant's capability to provide the desired services. Selected offerors will be expected to assume full responsibility for delivery of program services under the Governor's



**Procedure for Selecting Consultant.** That investment advisory firm deemed best qualified according to the selection criteria, in oral presentation to the Investment Committee of the State Board of Education, and offering the lowest money bid for its services will be selected. The selection criteria to be used in determining which respondents to this request will be asked to make oral presentations on September 6, 1979, are:

Respondents must be investment advisory firms of national scope, having a large and complete research division for the analysis of both industries and individual corporations, an economics department competent in analyzing and forecasting the general economy and the economy of industries and industry groups, and an organization which combines the knowledge and judgments of all of its departments to assure that its advice and recommendations regarding the fund are the product of the opinions of many individuals rather than one.

Further, respondents must currently be providing investment advice for a fund aggregating not less than \$1,000,000,000; must have partial discretion for a fund aggregating not less than \$500,000,000; must currently be rendering advisory services to a tax-exempt fund or funds; and must not be a part of or controlled by any stock brokerage firm.

**Contact.** Further information and copies of the request for proposals may be obtained by calling or writing Melvin Olle, investment officer, Texas Education Agency, 201 East 11th Street, Austin, Texas 78701, telephone (512) 475-4791.

Doc. No. 793635

## Selection of Director of Financial Management System Implementation Project

**Description.** The Texas Education Agency is requesting proposals from individual certified public accountants to serve, under an hourly rate contract, as the director of the agency's Financial Management System implementation project. Written offers to perform such services shall be delivered to the contact person named below no later than 5 p.m. on July 20, 1979, and shall consist of a letter demonstrating the offeror's familiarity with the detailed operations of the agency's Financial Management System implementation project together with an hourly rate to be charged for the services required.

**Procedure for selection.** That offeror having, in the opinion of the Texas Education Agency, the broadest, deepest, and most recently acquired familiarity with the Financial Management System implementation project will be awarded the contract on August 1, 1979.

**Contract.** No written request for proposals will be made by the agency, but qualified persons may contact John D. Ready, Jr., contracts officer, Texas Education Agency, 201 East 11th Street, Austin, Texas 78701, telephone (512) 475-3513.

Doc. No. 793636

## Selection of Assistant for Director of Financial Management System Implementation Project

**Description.** The Texas Education Agency is requesting proposals from individual systems analysts/programmers to select one person to assist the director of the agency's Finan-

cial Management System implementation project. Written offers to perform such services shall be delivered to the contact person named below no later than 5 p.m. on July 20, 1979, and shall consist of a letter demonstrating the offeror's familiarity with the detailed operations of the agency's Financial Management System implementation project together with an hourly rate to be charged for the services required.

**Procedure for Selection.** That offeror having, in the opinion of the Texas Education Agency, the broadest, deepest, and most recently acquired familiarity with the Financial Management System implementation project will be awarded the contract on August 1, 1979.

**Contact.** No written request for proposals will be made by the agency, but qualified persons may contact John D. Ready, Jr., contracts officer, Texas Education Agency, 201 East 11th Street, Austin, Texas 78701, telephone (512) 475-3513.

Issued in Austin, Texas, on June 14, 1979.

Doc. No. 793637 J. B. Morgan  
Associate Commissioner for Policies  
and Services  
Texas Education Agency

Filed: June 14, 1979, 3:51 p.m.

For further information, please call (512) 475-3513.

## Texas Health Facilities Commission Applications for Exemption Certificate, Declaratory Ruling, and Administrative Order

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 June 5-11, 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.

San Antonio Community Hospital, San Antonio  
AH79-0608-007

EC—Addition of B-Mode Ultrasonography to applicant's radiology department

Texas Department of Mental Health and Mental Retardation  
for El Paso State Center, El Paso

AA79-0607-007

DR—That neither a certificate of need nor an exemption certificate is required to certify 75 existing beds at the El Paso State Center for ICF-MR-I participation when no change in services or bed capacity will be made at the center

North Central Texas Medical Foundation—Family Planning  
Clinic, Wichita Falls

AS79-0521-025

EC—Lease 726 square feet of additional office space adjacent to existing offices

Dayton Memorial Hospital, Inc., Dayton  
AH79-0606-019

EC—Replacement of doors, windows, generator, roof, and partitions to bring hospital into compliance with Life Safety Code and Medicare standards

Harris Hospital—Methodist, Fort Worth  
AH79-0605-003

EC—Construction of a 300 square foot addition to the renal dialysis facility and one on-line dialysis machine

St. Luke's Episcopal Hospital and Texas Children's Hospital,  
Houston

AH79-0611-011

EC—Acquire a new mobile scintillation camera system for the nuclear medicine department

Texas Scottish Rite Hospital for Crippled Children, Dallas  
AH79-0611-021

EC—Establish a gait laboratory for diagnostic evaluation of muscles prior to performance surgery

John Peter Smith Hospital, Fort Worth  
AH79-0607-003

EC—Conversion of an unused transitional nursery containing 668 square feet for use as a six-bed overflow recovery area

Texas Department of Mental Health and Mental Retardation  
for Brenham State School, Brenham

AA79-0608-019

EC—To develop a woodland retreat for day and overnight camping on the campus of the school in an area already containing a lake, pier, and picnic facilities

Doc. No. 793645

## Applications for Petition for Certificate of Need Reissuance

Notice is given by the Texas Health Facilities Commission of application (including a general project description) for petition of reissuance of certificate of need.

The commission may require a hearing on a petition for reissuance of certificate of need when it is determined that good cause exists for such a hearing. A request for a hearing on a petition for reissuance of certificate of need must be submitted to the commission within five days after publication of notice and show reason why a hearing should be held. Requests for a hearing are to be mailed to the chairman of the commission, P.O. Box 15023, Austin, Texas 78761, and must be postmarked no later than the day prior to the last day allowed for filing requests for hearing.

The petition will be approved only if the commission determines that it qualifies under the criteria of Section 3.13 of Article 4418(h), Vernon's Annotated Civil Statutes, and Rules 315.18.02.010-.140 and 315.19.02.012-.020.

In the following list, the applicant is listed first, the file number second, and the relief sought and description of the project third.

Angelina Nursing Home, Inc., for Wells Nursing and  
Convalescent Center, Wells

AN78-0714-001R (053179)

CN Reissuance—Petition for reissuance of Certificate of Need AN78-0714-001, which authorized construction of a 60-bed ICF-III nursing home in Wells

Issued in Austin, Texas, on June 15, 1979.

Doc. No. 793646

Dan R. McNery  
General Counsel  
Texas Health Facilities Commission

Filed: June 15, 1979, 11:28 a.m.

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

