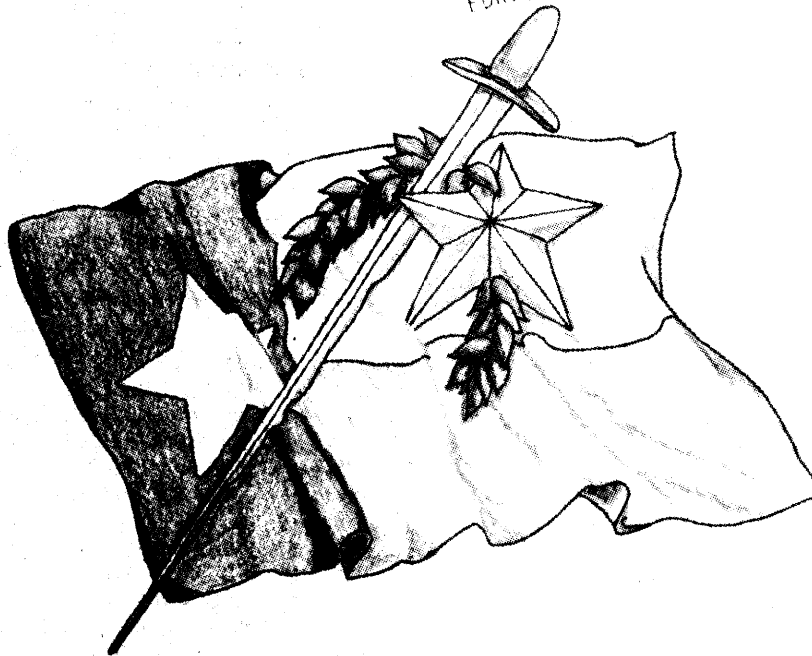


# Texas Register

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## Highlights

- ★ The Texas Parks and Wildlife Department adopts on an emergency basis amendments to a section concerning the Wildlife Management Areas Hunting, Fishing, and Trapping Proclamation; effective date - September 2 ..... page 3290
- ★ The State Board of Insurance repeals existing rules and adopts new rules concerning the Texas Title Insurance Act; effective date of adoption - September 23 ..... page 3295

# How To Use the Texas Register

## Texas Register

The *Texas Register* (ISN 0362-4781) is published twice a week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1982 with the exception of January 5, April 27, November 16, November 30, and December 28, by the Office of the Secretary of State, 201 East 14th Street, P.O. Box 13824, Austin, Texas 78711-3824, (512) 475-7886.

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**Information Available:** The nine sections of the *Register* represent various facets of state government. Documents contained within them include:

- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- Attorney General—summaries of requests for opinions, opinions, and open records decisions
- Emergency Rules—rules adopted by state agencies on an emergency basis
- Proposed Rules—rules proposed for adoption
- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register Division six months after proposal publication date
- Adopted Rules—rules adopted following a 30-day public comment period
- Open Meetings—notices of open meetings
- In Addition—miscellaneous information required to be published by statute or provided as a public service

Specific explanations on the contents of each section can be found on the beginning page of the section. The division also publishes monthly, quarterly, and annual indexes to aid in researching material published.

**How To Cite:** Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document

published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: page 2 in the lower left-hand corner of this page is written: "7 TexReg 2 issue date," while on the opposite page, in the lower right-hand corner, page 3 is written "issue date 7 TexReg 3 "

**How To Research:** The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, 503E Sam Houston Building, Austin. Material can be found by using *Register* indexes, the *Texas Administrative Code* (explained below), rule number, or TRD number.

## Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved, collected volumes of Texas administrative rules currently being published by Shepard's/McGraw-Hill, in cooperation with this office.

**How To Cite:** Under the TAC scheme, each agency rule is designated by a TAC number. For example, in the citation 1 TAC §27.15:

**1** indicates the title under which the agency appears in the *Texas Administrative Code* (a listing of all the titles appears below);

**TAC** stands for the *Texas Administrative Code*; **§27.15** is the section number of the rule (27 indicates that the rule is under Chapter 27 of Title 1; 15 represents the individual rule within the chapter).

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Latest Texas Code Reporter  
(Master Transmittal Sheet): No. 8, February 1982

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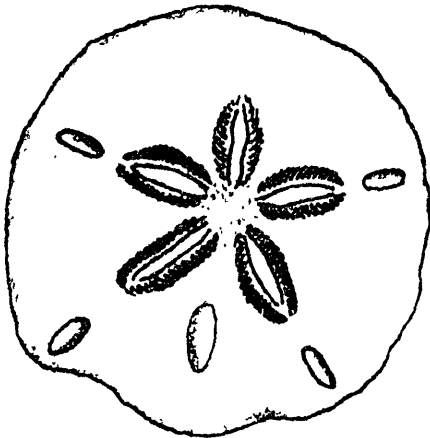
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# The Secretary of State

Under provisions of the Texas Election Code (Article 1.03), the secretary of state, as chief elections officer, is responsible for maintaining uniformity in the application, operation, and interpretation of the election laws, and for advising the state's election officers in this regard. In carrying out this responsibility, the secretary of state is authorized to issue opinions based on the election laws.

These opinions are summarized for publication in the *Register*.

Questions on particular submissions should be addressed to the Office of the Secretary of State, Elections Division, P. O. Box 12887, Austin, Texas 78711, 1 (800) 252-9602 or (512) 475-3091.



## Opinions Issued September 1

**Election Law Opinion DAD-55.** Request from Dorothy Stanley, Port Neches, regarding whether a municipality may combine county precincts for city elections.

**Summary.** Incorporated cities and towns may combine county precincts for city elections (Texas Election Code, Article 2.05). However, the formation of election precincts is a discretionary right which belongs to each municipal governing body

(Texas Election Code, Articles 2.02(c) and 2.05).

TRD-826919

**Election Law Opinion DAD-56.** Request from Judge L. E. Equia, Stafford, regarding whether variations in the manner of writing in a candidate's name determine whether a write-in vote is counted.

**Summary.** It is not necessary that a write-in vote be written in on the ballot exactly as it appears on the list of qualified write-in candidates. A vote for a write-in candidate must be counted if it is clear that the voter intended to vote for that candidate.

TRD-826920

Under provisions set out in the Texas Constitution, Texas Civil Statutes (Article 4399), and numerous statutes, the attorney general is authorized to write advisory opinions for state and local officials. These advisory opinions are requested by agencies or officials when they are confronted with unique or unusually difficult legal questions. The attorney general also determines, under authority of the Texas Open Records Act, whether information requested for release from governmental agencies may be held from public disclosure.

Requests for opinions, opinions, and open record decisions are summarized for publication in the *Register*.

Questions on particular submissions, or requests for copies of opinion requests should be addressed to Susan L. Garrison, Opinion Committee chairwoman, Office of the Attorney General, Supreme Court Building, Austin, Texas 78711, (512) 475-5445. Published opinions and open records decisions may be obtained by addressing a letter to the file room, fourth floor, P.O. Box 12548, Austin, Texas 78711-2548, or by telephoning (512) 475-3744. A single opinion is free; additional opinions are \$1.00 a copy.

# The Attorney General

## Opinions

**MW-494 (RQ-784).** Request from George N. Rodriguez, Jr., El Paso county attorney, El Paso, concerning whether counties must require competitive bids on insurance contracts whose premiums exceed \$5,000.

**Summary of Opinion.** Texas Civil Statutes, Article 2368a, requires counties to award contracts for the purchase of insurance through the competitive bidding process.

TRD-826878

**MW-495 (RQ-842).** Request from Kenneth E. Graeber, executive director, State Property Tax Board, Austin, and Raymon L. Bynum, commissioner, Texas Education Agency, Austin, concerning calculation of tax rate under the Property Tax Code, §26.04.

**Summary of Opinion.** The phrase "taxable value that is exempt in current year" in the Property Tax Code, §26.04(c)(3), refers not only to taxable value lost as a result of the granting of total exemptions, but also that lost to the granting of partial exemptions. The correct method of determining "the amount of taxes imposed in the preceding year on taxable value that is exempt in the current year" is determined by multiplying the amount of the exemption granted in the current year on taxable value taxed in the preceding year by the preceding year's tax rate. The amount of the exemption granted in the current year is determined in one of two ways. If the exemption is a partial exemption or a total exemp-

tion, the number used in the calculation is simply the amount granted. If the exemption granted is a percentage exemption granted pursuant to the Texas Constitution, Article VIII, §1-b, then the amount of the exemption granted is equal to that percentage multiplied by the preceding year's market value.

TRD-826879

**MW-496 (RQ-744).** Request from Stan Schlueter, chairman, Committee on Financial Institutions, Texas House of Representatives, Austin, concerning construction of House Bill 1208.

**Summary of Opinion.** Securities pledged to secure public deposits pursuant to Texas Civil Statutes, Article 2529b-1, may be pledged to the full extent of their market value. They are eligible to be pledged in bearer form with coupons attached, registered as to principal or as to principal and interest, or into fully registered bonds without interest coupons, or in any other form authorized by the governing body of the issuer.

TRD-826880

**MW-497 (RQ-761).** Request from Robert O. Viterna, executive director, Texas Commission on Jail Standards, Austin, concerning accrual of good time credit by jail inmates.

**Summary of Opinion.** The provisions of the Code of Criminal Procedure, Texas Civil Statutes, Article 43.10, apply to work performed by a misdemeanor convict during his incarceration in the county jail, but only if such labor is used upon public improvements. These provisions do not

apply to convicted felons who are merely in county jail awaiting transfer to the Texas Department of Corrections. The maximum amount of credit which could be given to an inmate with a one-year sentence would be  $\frac{3}{4}$  of his sentence or eight months. The provisions of Texas Civil Statutes, Article 5118a, do not apply to inmates who are merely awaiting transfer to the Texas Department of Corrections. The sheriff could increase the credit given against a fine beyond the rate of \$15 per day by commuting up to  $\frac{1}{2}$  of the total fine assessed against a defendant in addition to the credit allowed under Texas Civil Statutes, Article 43.09.

TRD-826881

**MW-498 (RQ-860).** Request from Bob Fillock, comptroller of public accounts, Austin, concerning the effect of appropriations act rider limiting payment of plaintiff's attorney fees in suits against the Department of Corrections.

**Summary of Opinion.** House Bill 9, Acts of the 67th Legislature, second called session, 1981, Chapter 2, at 8, is not an invalid attempt to amend general law by an appropriations act rider. It applies only to those appropriations made in House Bill 9.

TRD-826882

**MW-499 (RQ-807).** Request from Bill Clayton, speaker of the House of Representatives, Austin, concerning the use of topical ocular pharmaceutical agents by optometrists, and related matters.

**Summary of Opinion.** The Medical Practice Act of 1981, Texas Civil Statutes, Ar-

icle 4495b, Subsection 3.06(d)(5), is unconstitutional.

TRD-826883

**MW-500 (RQ-455).** Request from Harvey Davis, executive director, Department of Water Resources, Austin, concerning authority of county to incur indebtedness to finance construction and maintenance of sewage treatment works.

**Summary of Opinion.** There is no general authority for a Texas county to incur short-term and long-term indebtedness to finance the construction costs of a sewage treatment works, insure adequate operation and maintenance of the works throughout its jurisdiction, or to carry out responsibilities under an area wide water quality plan.

TRD-826884

**MW-501 (RQ-756).** Request from William S. Nail, executive director, Texas State Board of Dental Examiners, Austin, concerning constitutionality of Dental Practice Act provision relating to solicitation.

**Summary of Opinion.** The provision of the Dental Practice Act, Texas Civil Statutes, Article 4548g, which relates to solicitation is constitutional on its face.

TRD-826885

**MW-502 (RQ-815).** Request from Margaret Moore, Travis County attorney, Austin, concerning construction of Texas Civil Statutes, Article 3836(a)(3).

**Summary of Opinion.** A person claiming an exemption from forced sale for debt under Texas Civil Statutes, Article 3836(a)(3), must elect to exempt, subject to dollar amount limitations, either all passenger cars and light trucks as specified in the statute not held or used for production of income or any two categories of the means of travel specified in the statute whether held or used for production of income or not.

TRD-826886

**MW-503 (RQ-880).** Request from L. Alvis Vandygriff, commissioner, Texas Savings and Loan Department, Austin, concerning whether savings and loan company is an authorized agent to receive tax bill under the Texas Property Tax Code, §31.01.

**Summary of Opinion.** A state chartered savings and loan association or other mortgage lender is the authorized agent entitled to receive the original tax bill from the taxing unit where the deed of trust places the responsibility for paying taxes on the mortgage lender.

TRD-826887

**MW-504 (RQ-800).** Request from Kenneth H. Ashworth, Coordinating Board, Texas College and University System, Austin, concerning whether independent school district tax funds may be used to support a junior college district.

**Summary of Opinion.** The board of trustees of an independent school district may not set aside or utilize a portion of the independent school district's maintenance and operation funds derived from ad valorem taxation for the support of a junior college district created pursuant to the Education Code, §130.011(a).

TRD-826888

**MW-505 (RQ-480).** Request from James A. Gray, Burleson County attorney, Caldwell, concerning selection of county depository owned by holding company in which county judge owns stock.

**Summary of Opinion.** A bank is not disqualified from serving as a county depository where an officer, director, and 1.0% shareholder of the bank is the county judge, so long as the county judge does not participate in the voting on the selection of the county depository and his interest in the bank stock combined with that of any other members of the commissioners court does not exceed 10%. The bank may be disqualified by virtue of the county judge's ownership of 17% of the outstanding capital stock of the bank holding company, depending upon the judge's resulting "beneficial interest" in the bank stock.

TRD-826889

**MW-506 (RQ-824).** Request from Hal H. Hood, Firemen's Pension commissioner, Austin, concerning authority of trustees of a Firemen's Pension and Retirement Fund to make certain investments.

**Summary of Opinion.** On the basis of the descriptions you have provided, a city Firemen's Relief and Retirement Fund subject to Texas Civil Statutes, Article 6243e, §23A, may not invest its surplus funds in a local partnership and a local corporation. The board of trustees of the Firemen's Relief and Retirement Fund is subject to the Open Meetings Act, Texas Civil Statutes, Article 6252-17, and is required by Texas Civil Statutes, Article 6243e, to keep minutes of its meeting.

TRD-826890

**MW-507 (RQ-772).** Request from Bill M. White, criminal district attorney, San Antonio, concerning who may be licensed under Bail Bondsman Licensing Act, Texas Civil Statutes, Article 2372p-3.

**Summary of Opinion.** Only corporations and individuals may be licensed to act as bail bondsmen, according to Texas Civil Statutes, Article 2372p-3. A licensed corporate surety may have authorized agents to sign bonds in its behalf, but an individual surety may not do so, according to the Code of Criminal Procedure, Article 17.08. A licensed corporate surety is not prohibited from designating a separate business entity as its agent for executing bail bonds; however, the corporate surety must obtain a separate license on behalf of each individual who ultimately acts as the surety's agent by executing the bail bonds.

TRD-826950

**MW-508 (RQ-768).** Request from Henry Wade, criminal district attorney, Condemnation Section, Dallas, concerning authority of county fire marshal with respect to arson investigation.

**Summary of Opinion.** The county fire marshal is responsible for arson investigation within unincorporated areas of Dallas County, but not within incorporated areas. If requested by an area city to investigate an arson case within the corporate city limits, the county fire marshal must act in the capacity requested. The county fire marshal is responsible for inspecting, for fire prevention purposes, county facilities within unincorporated areas, and for inspecting private businesses in unincorporated areas as circumscribed by the fourth amendment of the United States Constitution, and by the Texas Constitution, Article I, §9. The county fire marshal is empowered to order the abatement of fire hazards in unincorporated areas. Area municipalities may enforce their fire codes over county owned facilities within incorporated areas.

TRD-826951

**MW-509 (RQ-618).** Request from Henry Wade, criminal district attorney, Dallas, concerning longevity pay for deputy sheriffs.

**Summary of Opinion.** Texas Civil Statutes, Article 3912f-7, requires that deputy sheriffs be given "not less than \$5 per month for each year of service in the department," whether or not such service is continuous.

TRD-826952

**MW-510 (RQ-840).** Request from George N. Rodriguez, Jr., El Paso County attorney, concerning alteration of city firemen, policemen, and fire alarm operators pension fund.

**Summary of Opinion.** Neither division of the firemen, policemen, and fire alarm

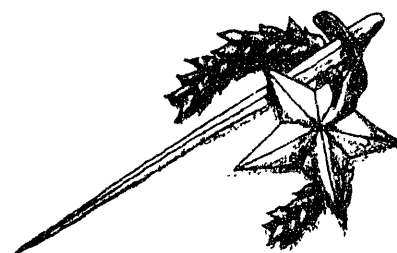
operators fund established pursuant to Texas Civil Statutes, Article 6243b, may be changed without a uniform change in the other division.

TRD-826953

**MW-511 (RQ-733).** Request from Sam Kelley, consumer credit commissioner, Austin, concerning construction of the Insurance Code, Article 3.53, §8B, regarding refund of unearned insurance premiums on terminated policies.

**Summary of Opinion.** For credit transactions covered by the consumer credit chapters, subtitle two of the Texas Credit Code, all unearned credit insurance premiums must be refunded except for amounts totaling less than one dollar (Texas Civil Statutes, Articles 5069-3.18(6), 5069-4.02(6), 5069-5.03(6), 5069-6.04(9), 5069-6A.8(10), 5069-7.06(8)). These requirements are unaffected by the 1981 amendment to the Texas Insurance Code, Article 3.53, §8(B).

TRD-826954



# Emergency Rules

An agency may adopt a new or amended rule, or repeal an existing rule on an emergency basis, if it determines that such action is necessary for the public health, safety, or welfare of this state. The rule may become effective immediately upon filing with the *Texas Register*, or on a stated date less than 20 days after filing for no more than 120 days. The emergency action is renewable once for no more than 60 days.

An agency must submit written reasons, published in the *Register*, for emergency action on a rule. The submission must also include a statement of the legal authority under which the emergency action is promulgated and the text of the emergency adoption. Following each published emergency document is certification information containing the effective and expiration dates of the action and a telephone number from which further information may be obtained.

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

## TITLE 31. NATURAL RESOURCES AND CONSERVATION

### Part II. Texas Parks and Wildlife Department

#### Chapter 65. Wildlife

#### Subchapter H. Wildlife Management Areas Hunting, Fishing, and Trapping

31 TAC §§65.191, 65.194, 65.197, 65.202,  
65.207-65.213, 65.217, 65.219

The Texas Parks and Wildlife Commission in a regularly scheduled public hearing on September 2, 1982, adopted on an emergency basis amendments to §§65.191, 65.194, 65.197, 65.202, 65.207-65.213, 65.217, and 65.219 of this title. Sections 65.191-65.224 constitute the Wildlife Management Areas Hunting, Fishing, and Trapping Proclamation.

The adopted amendments rename the Choke Canyon area, add a new unit to the Las Palomas area, add the Walter Buck area, delete specific dates for seasons, provide mourning dove hunting on two units of the Las Palomas area, provide a white-winged dove season on one unit of the Las Palomas area, provide limited pheasant hunting on the Granger Unit, and clarify where fishing is permitted on the J. D. Murphree area.

The commission finds that imminent peril to the public's wildlife resources requires the adoption of the amendments on an emergency basis.

The amendments are adopted on an emergency basis under the authority of the Texas Parks and Wildlife Code, Chapter 18, Subchapter E.

**§65.191. Application.** The provisions of this subchapter apply to all of the wildlife resources in the following areas:

(1)-(3) (No change.)

(4) **James E. Daughtrey** [Choke Canyon] Wildlife Management Area in Live Oak and McMullen Counties;

(5)-(10) (No change.)

(11) Las Palomas Wildlife Management Area:

(A)-(F) (No change.)

(G) Prieta Unit in Starr County; [and]

(H) Voshell Unit in Cameron County; **and**

**(I) Penitas Unit in Hidalgo County;**

(12) (No change.)

(13) **Walter Buck Wildlife Management Area in Kimble County.**

**§65.194. Consent.**

(a) (No change.)

(b) The department shall charge a permit fee based on the costs to the department in compliance with Texas Parks and Wildlife Code, §81.403(c). Permit holders will be allowed to harvest game in accordance with established daily bag limits on the particular area hunted.

(c) The permit fees are:

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

(7) **pheasant—\$10;**

(8)[7] mourning doves and/or white-winged doves—\$5.00;

(9)[8] waterfowl—\$4.00;

(10)[9] predatory animals (feral hogs)—\$10.

**§65.197. General Regulations.**

(a) (No change.)

(b) All vehicles shall be restricted to designated roads. Parking will be permitted only in designated areas. [On the Granger Unit, parking is permitted only along roads and in such manner as to not obstruct traffic.]

(c)-(s) (No change.)

**§65.202. Hunting Permits.**

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

(c) A special permit is required for the hunting of deer, javelina, feral hogs, turkey, and exotic animals on



the following wildlife management areas: Gene Howe, **Walter Buck**, Gus Engeling, **James E. Daughtrey**, [Choke Canyon,] Matador, Kerr, Black Gap, Sierra Diablo, Chaparral, and the Somerville and Pat Mayse Units of the Eastern Wildlife Management Area, except during the deer archery only season on Somerville and Pat Mayse Units of the Eastern Wildlife Management Area. **A special permit is also required to hunt white-winged doves on the Penitas Unit of the Las Palomas Area, and pheasants on the Granger Unit of the Eastern Wildlife Management Area.**

(d) A regular permit (issued on a first-come first-served basis at the area) is required for the taking of quail, squirrel, and waterfowl on the Gene Howe, **James E. Daughtrey**, [Choke Canyon,] Matador, **Gus Engeling**, Black Gap, Chaparral, and J. D. Murphree Areas, and for mourning dove on the Chaparral Area, **and the Penitas and Longoria Units of the Las Palomas Area.**

(e) (No change.)

§65.207. *Deer and Exotic Mammals.*

(a) (No change.)

(b) Archery only season—open season.

(1) (No change.)

(2) **James E. Daughtrey** [Choke Canyon] (special permit): **during the month of October** [October 1-30, 1981].

(3) Gus Engeling (special permit): **during the month of September** [September 1-30, 1981].

(4) **Walter Buck** (special permit): **during the month of October.**

(5)[(4)] Other areas: no open season.

(c) Regular season—open season.

(1) Eastern:

(A) (No change.)

(B) Pat Mayse Unit (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982]; and

(C) Somerville Unit (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982]

(2) Gus Engeling (special permit) **during the period from the Saturday nearest October 15 through the third Sunday in January** [October 17, 1981, through January 3, 1982].

(3) Chaparral (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982].

(4) **James E. Daughtrey** [Choke Canyon] (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982].

(5) Gene Howe (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982].

(6) Kerr (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982].

(7) Sierra Diablo (special permit) **during the period from the Saturday nearest November 15 through the third Sunday in January** [November 14, 1981, through January 3, 1982].

(8) **Walter Buck** (special permit): **during the period from the Saturday nearest October 15 through the third Sunday in January.**

(9)[(8)] Other areas: no open season.

(d) (No change.)

§65.208. *Javelina.*

(a) Open season.

(1) Black Gap (special permit): **during the months of January and February** [January 1 through February 28, 1982].

(2) Chaparral (special permit): **during the months of January and February** [February 1-28, 1982].

(3) **James E. Daughtrey** [Choke Canyon] (special permit): **during the months of January and February** [January 3 through February 28, 1982].

(4) (No change.)

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

§65.209. *Squirrel.*

(a) Open season.

(1) Eastern:

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

(D) Granger Unit (permission by registration): season to conform to the season set in Williamson County, **except the season is closed during that period when pheasant hunts are being conducted;** and

(E) (No change.)

(2) Gus Engeling (regular permit): **during the months of October and May** [October 1-30, 1981; May 1-30, 1982].

(3) (No change.)

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

§65.210. *Turkey.*

(a) Open season.

(1) **James E. Daughtrey** [Choke Canyon] (special permit): **during the month of April** [November 1, 1981, through May 2, 1982].

(2) Gus Engeling (special permit): **during the month of April** [April 1-30, 1982].

(3) Gene Howe (special permit): **during the month of April** [April 1-30, 1982].

(4) Kerr (special permit): **during the month of April** [April 1 through May 2, 1982].

(5) Matador (special permit): **during the month of April** [April 1-30, 1982].

(6) **Walter Buck** (special permit): **during the month of April.**

(7)[(6)] Other areas: no open season.

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

§65.211. *Quail.*

(a) Open season.

(1) (No change.)

(2) Black Gap (regular permit): **during the period from October through February** [October 1 through November 1, 1981].

(3) Chaparral (regular permit): **during the period from October through February** [October 31, 1981, through February 28, 1982].

(4) **James E. Daughtrey** [Choke Canyon] (regular permit): **during the period from October through February** [November 1, 1981, through March 1, 1982].

(5) **Gene Howe** (regular permit): **during the period from October through January** [October 1 through December 31, 1981; January 1-31, 1982].

(6) **Matador** (regular permit): **during the period from October through January** [October 1 through December 31, 1981; January 1-31, 1982].

(7) (No change.)

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

§65.212. *Pheasant.*

(a) **Granger** (special permit): **during the month of October.**

(b) **Bag limit: two cocks per day; head and feet must remain attached to carcass.**

(c) **Other areas:** no open season.

§65.213. *Migratory Birds.*

(a) Mourning doves.

(1) Open season.

(A) Eastern:

(i)-(ii) (No change.)

(iii) **Granger Unit** (permission by registration): to correspond with season set in Williamson County, **except the season is closed during that period when pheasant hunts are being conducted.**

(iv)-(v) (No change.)

(B)-(C) (No change.)

(D) **James E. Daughtrey** [Choke Canyon] (regular permit): [on dates when quail are hunted] **during the prescribed dove season in Live Oak and McMullen Counties.**

(E)-(F) (No change.)

(G) **Penitas and Longoria Units of the Las Palomas Wildlife Management Area** (regular permit): **during the season set for the south zone.**

(H)(G) **Other areas:** no open season.

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

(b) **White-winged doves.**

(1) Open season.

(A) (No change.)

(B) **Penitas Unit of Las Palomas Area** (special permit): **during the season set for Hidalgo County.**

(C)(B) **Other areas:** no open season.

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

(c) **Waterfowl.**

(1) Open season.

(A)-(B) (No change.)

(C) **James E. Daughtrey** [Choke Canyon] (regular permit): **within the season set by the migratory game bird proclamation.**

(D)-(E) (No change.)

(2)-(5) (No change.)

(d) (No change.)

§65.217. *Predatory Animals.* **There is no open season on predatory animals; however, they may be taken by valid permit holders only during deer and javelina open seasons, except that feral house cats may be taken during any open season, and on the Gus Engeling Area, feral hogs, European wild boars, and crosses thereof may be taken during the seasons provided.**

(1) Open season.

(A) **Gus Engeling** (special permit): **during the month of February** [September 1, 1981, through March 1, 1982].

(B) (No change.)

(2)-(3) (No change.)

§65.219. *Seasons*

(a) **General.** No closed season except that the **Black Gap Area** will be closed from June 16 of each year through March 14 of the succeeding year, and there shall be no open season on the **Chaparral, James E. Daughtrey, [Choke Canyon,] Gene Howe, Las Palomas, or Matador Wildlife Management Areas.**

(b) (No change.)

(c) **J. D. Murphree.**

(1) (No change.)

(2) In the remainder of the area, fishing shall be permitted from March 1 through August 31, both days inclusive, from 30 minutes before sunrise to 30 minutes after sunset, except that when required by the department for the proper management of waterfowl resources, compartments or **outside borrow ditches** may be closed to fishing for temporary periods of time.

(3)-(4) (No change.)

(d) (No change.)

Issued in Austin, Texas, on September 2, 1982.

TRD-826931

Maurine Ray  
Administrative Assistant  
Texas Parks and Wildlife  
Department

Effective date: September 2, 1982

Expiration date: November 1, 1982

For further information, please call (512) 479-4972  
or (800) 792-1112.

## Part IX. Texas Water Commission Chapter 263. General Rules

### 31 TAC §263.18, §263.19

The Texas Water Commission adopts, on an emergency basis, amendments to §263.18 and §263.19. Section 263.18 concerns the reporting of commission proceedings and §263.19 concerns the transcribing of those proceedings.

The amendment to §263.18 provides for a hearing reporter to be furnished by the commission to transcribe a proceeding upon timely written request of a party, who must pay all associated costs unless the commission assesses the costs to other parties. The amendment also provides for a minimum fee to be charged if a hearing is cancelled without reasonable notice to the reporter.

The amendment to §263.19 provides for the commission to receive the original and one copy of a transcript and for the sale of additional copies.

These amendments are adopted on an emergency basis in order to conform the rules to a reporting services contract which is effective on September 1, 1982.

These amendments are adopted under the authority of the Texas Water Code, §5.262

**§263.18. Proceedings [Hearings]** A hearings reporter shall be provided by the commission to transcribe a proceeding upon the timely written request of any party. When a reporter is provided at the request of a party, the party requesting the transcript shall pay all costs associated therewith, or the commission may assess the costs to one or more of the parties to the proceeding. When a hearing is cancelled, a minimum reporting fee, as determined by the commission, may be charged to the party responsible for the cancellation unless reasonable notice has been given to the reporter. If the commission is unable to provide a reporter, a party may furnish a reporter, at that party's expense, who may be appointed by the commission as the official reporter for the proceeding. All other hearings will be electronically recorded. [An agency hearings reporter may be provided by the commission to report a hearing or conference. A party to a proceeding may request in writing that the commission provide an agency hearings reporter. When an agency reporter is provided at the request of a party, the commission may assess the cost among the parties to the proceeding. If the commission does not provide an agency reporter, a party may furnish a reporter who may be appointed by the commission as the official reporter for the proceeding. All other hearings will be electronically recorded.]

**§263.19. Transcription of Proceedings [Hearings].**

(a) Upon being requested by a party to transcribe a proceeding, the hearings reporter shall provide the original and one copy of the transcript free of charge to the commission within the time period requested by the party. Copies of the transcript may be sold by the reporter, but the commission shall not be precluded from complying with the provisions of the Open Records Act, Texas Civil Statutes, Article 6252-17A. A party may file a motion to offer corrections to a transcript after the transcript is filed in a proceeding. The presiding officer will include the motion in the record and may order any of the corrections made. [Upon being requested by the commission or by a party to transcribe a hearing or conference, the hearings reporter shall provide the original

transcript free of charge to the commission within a reasonable period of time after the close of the hearing or receipt of the written request. Copies of the transcript may be sold by the agency reporter at a rate to be determined by the commission. A party may file a motion to offer corrections to a transcript after the transcript is filed in a proceeding. The presiding officer will include the motion in the record and may order any of the corrections made.]

(b) (No change.)

Issued in Austin, Texas, on August 31, 1982.

TRD-826876      Mary Ann Hefner  
                                 Chief Clerk  
                                 Texas Water Commission

Effective date: September 1, 1982

Expiration date: December 30, 1982

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

## Part X. Texas Water Development Board

### Chapter 351. Regionalization Harris County Fresh Water Supply District No. 63

#### 31 TAC §351.51

The Texas Water Development Board is renewing the effectiveness of the emergency adoption of amendments to §351.51, for a 30-day period, effective September 2, 1982. The text of the amendments as originally adopted on an emergency basis, was published in the May 14, 1982, issue of the *Texas Register* (7 TexReg 1831).

Issued in Austin, Texas, on September 2, 1982.

TRD-826925      M. Reginald Arnold II  
                                 General Counsel  
                                 Texas Water Development Board

Effective date: September 2, 1982

Expiration date: October 2, 1982

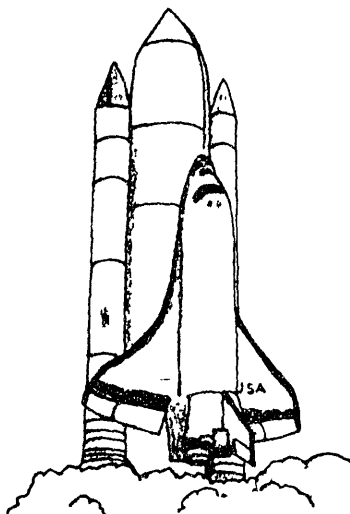
For further information, please call (512) 475-7851.

# Withdrawn Rules

An agency may withdraw proposed action or the remaining effectiveness of emergency action on a rule by filing a notice of withdrawal with the *Texas Register*. The notice is generally effective immediately upon filing.

If a proposal is not adopted or withdrawn within six months after the date of publication in the *Register*, it will automatically be withdrawn by the *Texas Register* office. Notice of the withdrawal will appear in the next regularly scheduled issue of the *Register*. The effective date of the automatic withdrawal will appear immediately following the published notice.

No further action may be taken on a proposal which has been automatically withdrawn. However, this does not preclude a new proposal of an identical or similar rule following normal rulemaking procedures.



## TITLE 31. NATURAL RESOURCES AND CONSERVATION

### Part X. Texas Water Development Board

#### Chapter 335. Industrial Solid Waste Subchapter A. Industrial Solid Waste Management in General

##### 31 TAC §335.16

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed new §335.16 submitted by the Texas Water Development Board has been automatically withdrawn, effective September 3, 1982. The new section as proposed appeared in the March 2, 1982, issue of the *Texas Register* (7 TexReg 850).

TRD-826944

Filed: September 3, 1982

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

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

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

# Adopted Rules

## TITLE 28. INSURANCE Part I. State Board of Insurance

*Editor's note: Because the State Board of Insurance's rules have not yet been published in the Texas Administrative Code (TAC), they do not have designated TAC numbers. For the time being, the rules will continue to be published under their Texas Register numbers. However, the rules will be published under the agency's correct TAC title and part.*

### Texas Title Insurance Act Policy Forms and Premiums

059.09 07.002

The State Board of Insurance adopts the repeal of Rule 059.09 07 002, which relates to facultative reinsurance and "insuring around," without changes to the proposed text published in the July 9, 1982, edition of the *Texas Register* (7 TexReg 2582).

A later version of this rule is incorporated into Rule 059.09.07 001, the *Basic Manual of Rules, Rates, and Forms for the Writing of Title Insurance in the State of Texas*; Rule 059.09 07 002 is therefore both duplicative and outdated.

The only comment received on the proposal was support for the repeal by the Texas Land Title Association.

This repeal is adopted under authority of Texas Insurance Code, Article 9.07, which requires title insurers to operate under such underwriting standards and practices as are prescribed by the State Board of Insurance, under Texas Insurance Code, Article 9.08, which authorizes the board to promulgate rules respecting "insuring around," under Texas Insurance Code, Article 9.21, which authorizes the board to

promulgate rules prescribing underwriting standards and practices upon which title insurance contracts are to be issued and which also authorizes the board to promulgate all other rules necessary to accomplish the purposes of the Texas Insurance Code, Chapter 9; and under the board's authority to repeal any rule it has previously promulgated.

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

Issued in Austin, Texas, on September 2, 1982

TRD-826932

James W. Norman  
Chief Clerk  
State Board of Insurance

Effective date: September 23, 1982

Proposal publication date: July 9, 1982

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

### Annual Audit and Report of Agents

059.09.39.001, .002

The State Board of Insurance adopts the repeal of Rules 059.09.39.001 and .002, without changes to the proposed text published in the July 23, 1982, edition of the *Texas Register* (7 TexReg 2732).

Rule .001 is titled "Minimum Standards of Audit of Trust Funds and Forms of Audit Report Required of Texas Title Insurance Agents." Rule .002 adopts by reference a reporting form required to be used by a title insurance underwriter in reporting its examination and analysis of its title insurance agents' audit report of their trust fund accounts. The forms and minimum standards adopted by these rules are being fully incorporated into Rule 059.09.07.001, the *Basic Manual of Rules, Rates, and Forms for the Writing of*

*Title Insurance in the State of Texas* (title insurance manual) with appropriate instructions. The board believes the instructions and forms should be and are more appropriately contained in the title insurance manual.

The only comment received was support for the repeal by the Texas Land Title Association.

The repeal is adopted under the authority of Texas Insurance Code, Article 9.39, which authorizes the State Board of Insurance to promulgate regulations setting forth the standards and form of Texas title insurance agents' audits of trust fund accounts and requires each title insurance company to report to the State Board of Insurance, on forms furnished by the board, the findings and results of its examination and analysis of its agents' audit report; under authority of Texas Insurance Code, Article 9.21, pursuant to which the board may promulgate and enforce rules which are, in the discretion of the board, deemed necessary to accomplish the purposes of the Texas Title Insurance Act, and pursuant to the board's authority to repeal any rule it has previously adopted.

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

Issued in Austin, Texas, on September 2, 1982.

TRD-826934      James W. Norman  
Chief Clerk  
State Board of Insurance

Effective date: October 1, 1982  
Proposal publication date: July 23, 1982  
For further information, please call (512) 475-2950.

### Texas Title Insurance Advisory Association Organizational Rules

#### 059.09.47.001-.008

The State Board of Insurance adopts Rules 059.09.47.001-.007, the Texas Title Insurance Advisory Association Organizational Rules, and adopts amendments to Rule 059.09.47.008 which deals with certain expenses of members of the Texas Title Insurance Advisory Association. The adoptions are made without changes to the proposed text published in the July 9, 1982, edition of the *Texas Register* (7 TexReg 2582).

Rules 059.09.47.001-.007 track, for the most part, Board Order 30361 dated January 28, 1976, which first adopted the rules. Although many of Rules 059.09.47.001-.007 copy or substantially copy the Texas Insurance Code, Article 9.48, and are primarily for the purpose of governing internal procedures of the Texas Title Insurance Advisory Association, the board has nevertheless determined to adopt the rules under the Administrative Procedure and Texas Register Act so that they may become a part of its general and permanent rules as filed with the *Texas Register* of the Office of the Secretary of State. The amendment to Rule 059.09.47.008 deletes unnecessary language and conditions the payment of

travel expenses of the Texas Title Insurance Advisory Association on authorization by the legislature. Rule 059.09.47.008 has been renumbered; it was originally numbered Rule 059.09.48.001.

The only comment received was support of the proposals by the Texas Land Title Association.

The amendment and rules are adopted under authority of the Texas Insurance Code, Article 9.48, under which the board may promulgate reasonable organizational and procedural rules to govern the Texas Title Insurance Advisory Association, and may also promulgate rules to defer the expenses in attending meetings of members of the Texas Title Insurance Advisory Association, they are also authorized by the Texas Insurance Code, Article 9.48, § 16, pursuant to which the board is authorized and directed to issue such reasonable rules as may be necessary to carry out the various purposes and provisions of the Texas Insurance Code, Article 9.48, and in augmentation thereof.

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

Issued in Austin, Texas, on September 2, 1982.

TRD-826934      James W. Norman  
Chief Clerk  
State Board of Insurance

Effective date: September 23, 1982  
Proposal publication date: July 9, 1982  
For further information, please call (512) 475-2950.

### Creation and Operation of Attorney's Title Insurance Company

#### 059.09.56.001

The State Board of Insurance adopts the repeal of Rule 059.09.56.001, without changes to the proposed text published in the July 23, 1982, issue of the *Texas Register* (7 TexReg 2732). The rule specifies minimum standards for the audit of trust funds and the form of audit report required of title attorneys under the Texas Insurance Code, Article 9.56.

These forms and minimum standards are being fully incorporated into Rule 059.09.07.001, the *Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance in the State of Texas* (title insurance manual) with appropriate instructions. The board believes that such forms, standards, and instructions for title attorneys should be and are more appropriately included in the title insurance manual.

The only comment received on the proposal was support for the repeal by the Texas Land Title Association.

The repeal is adopted under authority of Texas Insurance Code, Article 9.56, § 10, which requires title attorneys to send audits of trust fund accounts annually to the State Board of Insurance; under authority of Texas Insurance Code, Article 9.56, §(1)(c) which applies the same rules which are applicable to title agents to title attorneys; under authority of Texas

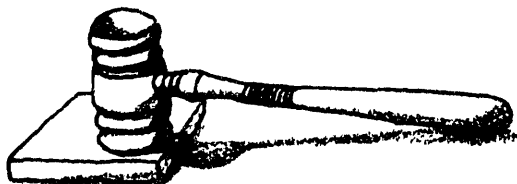
Insurance Code, Article 9.21, pursuant to which the board may promulgate and enforce rules which are, in the discretion of the board, deemed necessary to accomplish the purposes of the Texas Title Insurance Act; and under the board's authority to repeal any rule it has previously promulgated.

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

Issued in Austin, Texas, on September 2, 1982.

TRD-826935 James W. Norman  
Chief Clerk  
State Board of Insurance

Effective date: October 1, 1982  
Proposal publication date: July 23, 1982  
For further information, please call (512) 475-2950.



## TITLE 40. SOCIAL SERVICES AND ASSISTANCE

### Part I. Texas Department of Human Resources Chapter 8. HEAP

The Texas Department of Human Resources adopts, without changes, the repeal of its rules about the Home Energy Assistance program proposed in the March 16, 1982, issue of the *Texas Register* (7 Tex-Reg 1088). These repeals were inadvertently omitted from the adoption of the new rules published in the July 9, 1982, issue of the *Texas Register*.

The rules being repealed were replaced with new rules that were based on the Omnibus Budget Reconciliation Act of 1981. The Act authorized the Low Income Home Energy Assistance Program to assist needy families with the high cost of heating/cooling their homes.

No comments were received regarding the proposed repeals.

These repeals are adopted under the Human Resources Code, Title 2, Chapter 22 which authorizes the department to administer public assistance programs.

Program Administration  
§§8.901-8.906 (326.14.11.001-.006)

Program Requirements  
§§8.2001-8.2004, 8.2007, 8.2010  
(326.14.20.001-.004, .007, .010)

Establishing Eligibility  
§§8.3001-8.3006 (326.14.30.001-.006)

Application and Determination Process  
§§8.4001-8.4010 (326.14.40.001-.010)

Informal Review/Appeal Process  
§8.5401 (326.14.54.001)

Fraud Procedures  
§§8.5501-8.5503 (326.14.55.001-.003)

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

Issued in Austin, Texas, on September 2, 1982.

TRD-827007 Marlin W. Johnston  
Commissioner  
Texas Department of Human Resources

Effective date: September 23, 1982  
Proposal publication date: March 16, 1982  
For further information, please call (512) 441-3355, ext. 2057.

## TITLE 43. TRANSPORTATION Part I. State Department of Highways and Public Transportation

### Chapter 25. Maintenance Division Operation of Ferry Boats

#### 43 TAC §25.42

The State Department of Highways and Public Transportation adopts amendments to §25.42, without changes to the proposed text published in the July 23, 1982, issue of the *Texas Register* (7 Tex-Reg 2737).

The amendments are necessary to avoid long term structural damage and possible collapse of structural elements in the ferryboat, and instability of the vessel during operation. Sign postings of the new restrictions will be made, which will be subject to enforcement by officers of the law.

No comments received regarding adoption of these amendments.

The amendments are proposed under Texas Civil Statutes, Articles 6666 and 6812a, which provide the State Highway and Public Transportation Commission with the authority to establish rules for the department in general and for construction, maintenance, and operation of ferries in particular.

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

Issued in Austin, Texas, on August 31, 1982.

TRD-826892 Diane L. Northam  
Administrative Technician  
State Department of Highways and Public Transportation

Effective date: September 22, 1982  
Proposal publication date: July 23, 1982  
For further information, please call (512) 475-2141.

# Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. Although some notices may be received too late for publication before the meeting is held, all those filed are published in the *Register*. Notices concerning state agencies, colleges, and universities must contain the date, time, and location of the meeting, and an agenda or agenda summary. Published notices concerning county agencies include only the date, time, and location of the meeting. These notices are published alphabetically under the heading "Regional Agencies" according to the date on which they are filed.

Any of the governmental entities named above must have notice of an emergency meeting, or an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. Emergency meeting notices filed by all governmental agencies will be published. However, notices of emergency additions or revisions to a regional agency's agenda will not be published since the original agenda for the agency was not published.

All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol. These notices may contain more detailed agendas than space allows to be published in the *Register*.

## Texas Education Agency

**Wednesday, September 8, 1982, 4:30 p.m.**

The Subcommittee for Construction, Rehabilitation and Repair, and Capital Debt Financing of the Select Committee on Public Education of the Texas Education Agency met in emergency session in Sergeant's Committee Room 215, State Capitol. According to the agenda, the subcommittee discussed for approval the final report on construction, rehabilitation and repair, and capital debt financing. The emergency status was necessary because the meeting was scheduled to be held while members of the legislature were still in town for special session rather than recalling at a later date thus causing added expenses.

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

**Filed:** September 3, 1982, 2:04 p.m.  
TRD-826970

## Office of the Governor

**Tuesday, September 14, 1982, 1:30 p.m.**

The Criminal Justice Coordinating Council of the Governor's Office of General Counsel and Criminal Justice will meet in the Senate Finance Committee Room, State Capitol. Items on the agenda include approval of the minutes of the meeting of June 30, 1982, discussion on juvenile justice information collected on specific offenders

from pre-arrest through court intake, and critical issues regarding juvenile justice; and solicitation of future topics to be addressed.

**Contact:** Beth Arnold, P.O. Box 12428, Austin, Texas 78711, (512) 475-3001.

**Filed:** September 3, 1982, 3:09 p.m.  
TRD-826976

**Wednesday, September 15, 1982, 8:30 a.m.**

The Governor's Task Force on Industrial and Tourist Development of the Office of the Governor will meet in Rooms 206-207, Texas Law Center, 1414 Colorado Street, Austin. Items on the agenda include discussion and approval of a final report.

**Contact:** Henry Ellis, P.O. Box 1072, El Paso, Texas 79958, (915) 546-4420.

**Filed:** September 3, 1982, 8:43 a.m.  
TRD-826945

## Texas Department of Health

**Saturday, September 11, 1982, 9:30 a.m.**

The Texas Board of Health of the Texas Department of Health will meet in Room T-610, 1100 West 49th Street, Austin. Items on the agenda summary include approval of the minutes of the July 30, and August 1, 1982, meetings; commissioner's report; overview of the Harlingen and San Antonio State Chest Hospitals; report on the kidney program; quarterly progress report on

management by objectives; final adoption of the following rules: petition the department for the adoption of a rule; addition to the rules and regulations for athletic trainers; new rules and repeal of current rules on Medication Aide Training Program for personnel administering medications in nursing homes and certain related facilities, and final adoption of conforming amendments to nursing home and custodial care licensing standards; revision to the rules and regulations for the Crippled Children's Services Program; and minimal emergency medical service vehicle equipment list for ambulance permitting; consideration of the following proposed rules: changes in rules and regulations for the certification of water and sewage works operators; and addition to the Texas regulations for the control of radiation, Part 44, "Licensing of Radioactive Waste Storage and Processing Facilities;" Legislative Committee report on additions and consideration of draft legislation to the department's legislative package for the 68th Legislature; Budget Committee report on request for transfer of funds to the operating budget of the San Antonio State Chest Hospital for inpatient treatment care; Personnel Committee report on appointments to the Sanitarian Advisory Committee; appointments to the Maternal and Child Health Technical Advisory Committee; appointments to the Maternal and



Child Health Genetics Advisory Committee; and requests for extension of employment beyond age 70; announcement and comments (no Board of Health action required); and meeting date for October 1982. The board will also meet in executive session.

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

**Filed:** September 3, 1982, 4:09 p.m.  
TRD-826979

### Texas Health Facilities Commission

**Friday, September 17, 1982, 9:30 a.m.** The Texas Health Facilities Commission will meet in Suite 305, Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the commission will consider the following applications.

#### Certificate of Need

Methodist Hospital, Lubbock  
AH82-0524-136

Meadow Pines Hospital, Longview.  
AH82-0219-016

Medical Center Hospital, San Antonio  
AH82-0428-003

Haltom General Hospital, Haltom City  
AH82-0331-046

San Antonio State Hospital/School,  
San Antonio  
AA82-0430-008

#### Petitions for Reconsideration

Saint Mary of the Plains Hospital,  
Lubbock  
AH81-1223-023

Methodist Hospital, Lubbock  
AH81-1221-037

**Contact:** John R. Neel, P.O. Box 15023,  
Austin, Texas 78761.

**Filed:** September 3, 1982, 9:46 a.m.  
TRD-826948

### State Board of Insurance

**Tuesday, September 14, 1982.** The Commissioner's Hearing Section of the State Board of Insurance will conduct public hearings in Room 350, 1110 San Jacinto Street, Austin. Times and dockets are as follows:

**9 a.m.** Docket 6930—application for admission of Alabama Reassurance Company, Inc., Tuscaloosa, Alabama.

**9:30 a.m.** Docket 6944—application for admission of Potomac Insurance Company of Illinois, Chicago, Illinois.

**1:30 p.m.** Docket 6933—application for cer-

tificate of authority for Jackson National Life Insurance Company of Texas, Dallas.

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

**Filed:** September 3, 1982, 10:39 a.m.  
TRD-826959-826961

**Tuesday, September 14, 1982, 2 p.m.** The State Board of Insurance will meet in Room 414, 1110 San Jacinto Street, Austin. According to the agenda, the board will reach a decision on the appeal of Republic Financial Services, Inc., from Commissioner's Order 81-2733.

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

**Filed:** September 3, 1982, 10:59 a.m.  
TRD-826962

**Wednesday, September 15, 1982.** The Commissioner's Hearing Section of the State Board of Insurance will conduct public hearings in Room 350, 1110 San Jacinto Street, Austin. Times and dockets are as follows:

**9 a.m.** Docket 6920—application for approval of the articles of agreement of Unigard Lloyds of Texas, Richardson.

**2 p.m.** Docket 6922—incorporation of Colonial Empire Life Insurance Company, Texarkana.

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

**Filed:** September 3, 1982, 10:39 a.m.  
TRD-826963, 826964

**Thursday, September 16, 1982, 9 a.m.** The Commissioner's Hearing Section of the State Board of Insurance will meet in Room 342, 1110 San Jacinto Street, Austin. According to the agenda summary, the section will conduct a public hearing in Docket 6916—application of American General Corporation, Houston, for approval to acquire 100% of the outstanding common stock of NLT Corporation.

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

**Filed:** September 3, 1982, 10:40 a.m.  
TRD-826965

**Friday, September 17, 1982, 9 a.m.** The Commissioner's Hearing Section of the State Board of Insurance will meet in Room 342, 1110 San Jacinto Street, Austin. According to the agenda, the section will conduct a public hearing in Docket 6927—application for charter amendment of

American Teachers Life Insurance Company, Houston.

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

**Filed:** September 3, 1982, 10:40 a.m.  
TRD-826966

**Friday, September 17, 1982, 9:30 a.m.** The Commissioner's Hearing Section of the State Board of Insurance will meet in Room 342, 1110 San Jacinto Street, Austin. According to the agenda, the section will conduct a public hearing in Docket 6932—protest of the proposed name of Gulf American Insurance Company, Clearwater, Florida.

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

**Filed:** September 3, 1982, 10:40 a.m.  
TRD-826967

### State Pension Review Board

**Tuesday, September 14, 1982, 10 a.m.** The State Pension Review Board will meet in Conference Room 200D, John H. Reagan Building, Austin. Items on the agenda summary include discussion on Federal Pension Regulation (PEPRA), consideration of the revised 1983 budget, and discussion of the legislative recommendations and biennial report.

**Contact:** Benette Meadows, Room 200, Reagan Building, Austin, Texas, (512) 475-8332.

**Filed:** September 3, 1982, 9:27 a.m.  
TRD-826947

### Proprietary School Advisory Commission

**Tuesday, September 14, 1982, 10 a.m.** The Proprietary School Advisory Commission will meet in the conference room, fourth floor, Teacher Retirement System Building, 10th and Trinity, Austin. Items on the agenda include proposed revisions to proprietary school forms in accordance with reports management system requirements; consideration of possible removal of Patrick L. Hollis from the commission for failure to attend two of the three statutory meetings in a calendar year (Title 19, Texas Administrative Code, §69.2(c)); and recommendations of the Texas Association of Private Schools.

**Contact:** Janice Boyd, 201 East 11th Street, Austin, Texas 78701, (512) 475-2246.

**Filed:** September 3, 1982, 2:05 p.m.  
TRD-826971

**Public Utility  
Commission of Texas**

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

**Monday, September 13, 1982, 1:30 p.m.** A rescheduled prehearing conference in Docket 4658—complaint of Tarrant Utility Company doing business as Willow Wood Water Works.

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

**Filed:** September 2, 1982, 1:44 p.m.  
TRD-826926

**Monday, September 13, 1982, 2 p.m.** A prehearing conference in Docket 4679—application of Coleman County Electric Cooperative, Inc., Concho Valley Electric Cooperative, Inc., Southwest Texas Electric Cooperative, Inc., and Taylor Electric Cooperative, Inc., for authority to change power cost adjustment.

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

**Filed:** September 3, 1982, 2:57 p.m.  
TRD-826977

**Friday, October 1, 1982, 10 a.m.** A prehearing conference in Docket 3960—petition of City Park Neighborhood Association for relief from rates set by the City of Austin for electrical service outside the city limits.

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

**Filed:** September 3, 1982, 10 a.m.  
TRD-826955

**Monday, November 22, 1982, 10 a.m.** A hearing in Docket 3960—petition of City Park Neighborhood Association for relief from rates set by the City of Austin for electrical service outside the city limits.

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

**Filed:** September 3, 1982, 10:01 a.m.  
TRD-826956

**Railroad Commission of Texas**

**Tuesday, September 7, 1982, 9 a.m.** The Transportation Division of the Railroad Commission of Texas made an emergency addition to the agenda of a meeting held in

the first floor auditorium, Room 107, 1124 IH 35 South, Austin. The addition concerned consideration of an interim order in Docket 025140ZZT, fuel adjustment charge Item 2 series, (household goods, etc.), Southwest Warehouse and Transfer Association Tariff 3-M. This matter was properly noticed for consideration by the commission in open meeting on August 30, 1982, was passed at such meeting, and is now being considered on less than seven days notice as a matter of urgent public necessity.

**Contact:** Sandy Yates, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1330.

**Filed:** September 3, 1982, 4:11 p.m.  
TRD-826980

**Monday, September 13, 1982, 9 a.m.** The following divisions of the Railroad Commission of Texas will meet at 1124 IH 35 South, Austin. The agendas and meeting rooms follow.

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

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

**Filed:** September 3, 1982, 4:11 p.m.  
TRD-826981

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

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

**Filed:** September 3, 1982, 4:12 p.m.  
TRD-826982

The Gas Utilities Division will meet in Room 107, to consider gas utilities Dockets 3670, 3674, 3675, 3677, 3672, and the director's report.

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

**Filed:** September 3, 1982, 4:09 p.m.  
TRD-826983

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

**Contact:** Brian W. Schaible, P.O. Drawer 12967, Austin, Texas 78711.  
TRD-826984

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

**Contact:** Hugh F. Keepers, P.O. Drawer 12967, Austin, Texas 78711.

**Filed:** September 3, 1982, 4:09 p.m.  
TRD-826985

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

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

**Filed:** September 3, 1982, 4:10 p.m.  
TRD-826990

Additions to the above agenda:

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

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

**Filed:** September 3, 1982, 4:13 p.m.  
TRD-826986

Consideration of use of state funds for determination of salt water pollution in the National (Ellenburger) Field, Wilbarger County.

**Contact:** Willis Steed, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1301.

**Filed:** September 3, 1982, 4:08 p.m.  
TRD-826987

Consideration of whether or not to initiate proceedings to amend 16 TAC §3.27 (.051.02.02.027), concerning gas to be measured; to clarify metering requirements and to designate acceptable meter bypass devices.

**Contact:** Patrick Thompson, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1286.

**Filed:** September 3, 1982, 4:10 p.m.  
TRD-826989

Consideration of motion for rehearing on NGPA Docket F-10-030688: Pioneer Production Corporation, Mammoth Creek, North (Cleveland) Field, Upscomb County.

**Contact:** Priscilla Hubenak, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1292.

**Filed:** September 3, 1982, 4:11 p.m.  
TRD-826988

The Personnel Division will meet in the first floor auditorium, to consider and act on the

division director's report on division administration, budget, procedures, and personnel matters.

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

**Filed:** September 3, 1982, 4:13 p.m.  
TRD-826991

The Office of Special Counsel will meet in the third floor conference room to consider and act on the division director's report relating to pending litigation, Sunset Commission review procedures, and other budget, administrative and personnel matters. The commission will also consider and discuss both the short-term and long-term ramifications to Texas applications pending or in hearing before the Federal Energy Regulatory Commission.

**Contact:** Walter Earl Lillie, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1186.

**Filed:** September 3, 1982, 4:12 p.m.  
TRD-826992

The Transportation Division will meet in the first floor auditorium, Room 107, for consideration of various matters falling within the Railroad Commission's transportation regulatory jurisdiction.

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

**Filed:** September 3, 1982, 4:14 p.m.  
TRD-826993

An addition to the above agenda:

Docket 012901A1N—application of Old South Transportation Co., Inc., 1412 South Memorial Drive, Prattville, Alabama 36067, for a new SMC certificate.

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

**Filed:** September 3, 1982, 2:09 p.m.  
TRD-826972

### **Texas Real Estate Commission**

**Monday, September 13, 1982, 9 a.m.** The Texas Real Estate Commission will meet in the Texarkana Public Library, 600 West Third Street, Texarkana. Items on the agenda summary include minutes of August 9, 1982, commission meeting; staff reports for month of July 1982; consideration of motions for rehearing and/or probation; consideration of final action on proposed 22 TAC §539.51 (defining "employee" for purposes of Article 6573b, §6(b)); consideration of commission rules (Chapter 537) relative to professional agreements and standard contracts; and consideration of

school matters. The commission will also meet in executive session to consider personnel matters.

**Contact:** Camilla S. Shannon, P.O. Box 12188, Austin, Texas 78711, (512) 459-1123.

**Filed:** September 3, 1982, 9:59 a.m.  
TRD-826957

### **State Commission on Standards for the Teaching Profession**

**Thursday, September 16, 1982.** Committees of the State Commission on Standards for the Teaching Profession will meet in the Woerner Building, 1200 East Anderson Lane, Austin. The committees, rooms, times, and agendas follow.

**9 a.m.** The Interim Reports Committee will meet in Room 214 to review reports from the following institutions: Baylor University, Houston Baptist University, Huston-Tillotson College, Southwestern University, Trinity University, Texas Southern University, McMurray College, Texas College, West Texas State University, Lubbock Christian University, North Texas State University, Stephen F. Austin State University, and University of Houston.

**1 p.m.** The Membership Committee will meet in Room 105 to report on renomination of commission members whose terms will expire December 31, 1982.

**1 p.m.** The Committee on Certification Programs and Requirements will meet in Room 214 to discuss reports of summer workshops on academic specializations and endorsements, professional development, and occupational education areas; discuss a request for proposal for validation studies for Pre-Professional Skills Test, pursuant to 19 TAC §141, Subchapter S; discuss a proposed amendment to 19 TAC §141.2, concerning classes of certificates; individual programs; and discuss a proposal from North Texas State University.

**2 p.m.** The Committee on Standards and Procedures for Institutional Approval will meet in Room 105 to report on block grant funding for teacher centers and will discuss issues related to proposed institutional standards.

**3 p.m.** The Committee on Recruiting and Training Members of Visiting Teams will meet in Room 105-B to discuss an outline of content for proposed handbook for members of visiting teams.

**3 p.m.** The Teacher Education Conference Planning Committee will meet in Room 105 to discuss plans for the 35th Annual Texas

Conference on Teacher Education, to be held at the Adam's Mark Hotel, Houston, on October 28-30, 1982.

**4 p.m.** The State Commission on Standards for the Teaching Profession will meet in Room 214. Items on the agenda include State Board of Education action relative to 19 TAC §141, Subchapter S, concerning the testing program; college/university reports on individual programs for Hardin-Simmons University, Laredo State University, Stephen F. Austin State University, Texas Tech University, and the University of Texas at El Paso; committee reports from the Interim Reports Committee, Committee on Certification Programs and Requirements, Committee on Recruiting and Training Members of Visiting Teams, Committee on Standards and Procedures for Institutional Approval, Teacher Education Conference Planning Committee, and Committee on Membership; and discussion for commission members. The commission will also meet in executive session, to discuss sample test items for Pre-Professional Skills Test, pursuant to Texas Civil Statutes, Article 6252-17, §2(g), and the Texas Education Code, §16.176(d).

**Contact:** Edward M. Vodicka, 201 East 11th Street, Austin, Texas 78701, (512) 834-4042.

**Filed:** September 2, 1982, 4:50 p.m.  
TRD-826936-826942

### **Advisory Council for Technical-Vocational Education in Texas**

**Thursday, September 9, 1982, 1 p.m.** The Planning and Evaluation Committee of the Advisory Council for Technical-Vocational Education in Texas met in emergency session in Suite 202, 1700 South Lamar, Austin. The committee reviewed the program of work and activities for the coming year and developed a plan of action to carry out the responsibilities of the committee. The emergency status was necessary because a lot of members were on vacation and were difficult to contact.

**Contact:** Val Blaschke, P.O. Box 1886, Austin, Texas 78767, (512) 475-2046.

**Filed:** September 2, 1982, 10:13 a.m.  
TRD-826921

**Wednesday, September 15, 1982, 1 p.m.** The Industry/Education Committee of the Advisory Council for Technical-Vocational Education in Texas will meet in Suite 202, 1700 South Lamar, Austin. According to the agenda, the committee will review the program of work and activities for the

## Texas Register

coming year and develop a plan of action to carry out the responsibilities of the committee.

**Contact:** Val Blaschke, P.O. Box 1886, Austin, Texas 78767, (512) 475-2046.

**Filed:** September 2, 1982, 10:13 a.m.  
TRD-826922

**Tuesday, September 28, 1982, 10 a.m.** The Adult Education and Special Services Committee of the Advisory Council for Technical-Vocational Education in Texas will meet in Suite 202, 1700 South Lamar, Austin. According to the agenda, the committee will review the program of work and activities for the coming year and develop a plan of action to carry out the responsibilities of the committee.

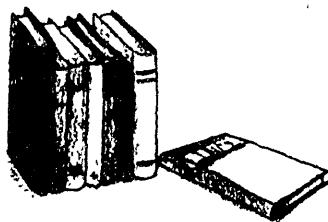
**Contact:** Val Blaschke, P.O. Box 1886, Austin, Texas 78767, (512) 475-2046.

**Filed:** September 2, 1982, 10:13 a.m.  
TRD-826923

**Wednesday, September 29, 1982, 1 p.m.** The Steering Committee of the Advisory Council for Technical-Vocational Education in Texas will meet in Suite 202, 1700 South Lamar, Austin. According to the agenda, the committee will review the program of work and develop a plan of action to carry out the responsibilities of the committee.

**Contact:** Val Blaschke, P.O. Box 1886, Austin, Texas 78767, (512) 475-2046.

**Filed:** September 2, 1982, 10:12 a.m.  
TRD-826924



### University of Texas System

**Friday, September 10, 1982, 1:30 p.m.** The Intercollegiate Athletics Council for Men of the University of Texas at Austin will meet in Belmont Hall 240, San Jacinto Street between 21st and 23rd Streets, Austin. Items on the agenda include minutes of June 21, 1982; team schedules and schedule changes; budgets and budget changes—recommendations for option interest management, reclassification of two assistant concessionaires to Code 1000 status, additional allocation for track and turf resurfacing, approval for closed circuit television equip-

ment allocation—eighth and ninth levels, athletic director's budget report; approve awards, criteria for lettering policy for cross country, consider revisions to current letter awards criteria; old business: recommendations for office word processing equipment; committee reports, athletic facilities' recommendation for baseball facility improvements, replacement of field light switching in Memorial Stadium, report on tennis and football facilities; new business: recommendations for Austin radio broadcast of basketball games, discussion and ratification of cable television proposals, report of host radio contract, 1982-1983, report on new SWC commissioner, and report on Longhorn basketball club.

**Contact:** Haila Kauffman, P.O. Box 7399, Austin, Texas 78712, (512) 471-7348.

**Filed:** September 3, 1982, 2:10 p.m.  
TRD-826973

### Texas Water Commission

**Monday, September 13, 1982, 10 a.m.** The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will consider applications for district bond issues, release from escrow, use of surplus funds, rescission of an escrow requirement, change in plans, water quality proposed permit, renewal and amendment, amendment to certificate of adjudication, certification of water rights, and the filing and setting of a hearing date.

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

**Filed:** September 2, 1982, 3:21 p.m.  
TRD-826928

An addition to the above agenda:

Application by Tarrant County WCID Number One for approval of construction plans and specifications for a project authorized under Permit 3216.

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

**Filed:** September 3, 1982, 11:22 a.m.  
TRD-826968

**Wednesday, September 29, 1982, 10 a.m.** The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda summary, the commission will conduct a hearing on Application 4236 of Brazos River Authority for a permit to authorize storage of 50,000 acre-feet of water in Lake Whitney, Brazos River Basin;

authority to divert 25,000 acre-feet of water from Lake Whitney for municipal and industrial purposes; and also seek an amendment to Permit 2661 as amended to transfer and use the Whitney water from the basin of origin to the San Jacinto-Brazos Coastal Basin, Johnson, Hill, and Bosque Counties.

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

**Filed:** September 2, 1982, 3:21 p.m.  
TRD-826929

**Wednesday, October 6, 1982, 10 a.m.** The Texas Water Commission will meet in Room 124A, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will conduct a hearing in the matter of the water rate controversy between the City of Forney and the City of Crandall.

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

**Filed:** September 2, 1982, 3:21 p.m.  
TRD-826930

### Regional Agencies

#### Meetings Filed September 2

**The Child Study Clinic** will meet at 2008 North Navarro, Victoria, on September 13, 1982, at 4 p.m. Information may be obtained from Eva Seger, M.D., 2008 North Navarro, Victoria, Texas 77901, (512) 575-0681.

**The Harris County Appraisal District, Board of Directors,** will meet at 3737 Dacoma, Houston, on September 13, 1982, at 2 p.m. Information may be obtained from Searcy German, P.O. Box 10975, Houston, Texas 77292, (713) 683-9200.

**The Palo Pinto Appraisal District, Board of Directors,** met at 603 South Oak, Mineral Wells, on September 9, 1982, at 7 p.m. Information may be obtained from H. H. Quillen, 100 South East Fifth Street, Mineral Wells, Texas 76067, (817) 325-6871.

**The Wheeler County Appraisal District** will meet in the district's office, Courthouse Square, Wheeler, on September 13, 1982, at 2 p.m. Information may be obtained from Marilyn Copeland, P.O. Box 349, Wheeler, Texas 79096, (806) 826-5900.  
TRD-826946

#### Meetings Filed September 3

**The Atascosa County Appraisal District, Board of Directors,** will meet at 1010 Zanderson, Jourdanton, on September 13,

1982, at 1:30 p.m. Information may be obtained from Ernest Dunnagan, 1010 Zanderson, Jourdanton, Texas, (512) 769-2730.

**The Blanco County Appraisal District**, Board of Directors, will meet at the Blanco County Courthouse Annex, Johnson City, on September 14, 1982, at 6:30 p.m. Information may be obtained from Ms. M. A. Stewart, P.O. Box 338, Johnson City, Texas 78636, (512) 868-4624.

**The Brown County Appraisal District**, Board of Directors, will meet at 400 South Broadway, Brownwood, on September 13, 1982, at 7 p.m. Information may be obtained from Alvis Sewalt, 400 South Broadway, Brownwood, Texas 76801, (915) 643-5676.

**The Capital Area Rural Transportation System (CARTS)**, Board of Directors, met at 2520 IH-35 South, Austin, on September 9, 1982, at 10 a.m. Information may be obtained from Nancy Kowieski, 2520 IH-35 South, Austin, Texas 78704, (512) 443-0904.

**The Central Counties Center for Mental Health and Mental Retardation Services**, Board of Trustees, will meet at 302 South 22nd Street, Temple, on September 16, 1982, at 7:45 p.m. Information may be obtained from Steven B. Schnee, Ph.D., P.O. Box 518, Temple, Texas 76503-0518.

**The Concho Valley Council of Governments**, Executive Committee, will meet at Texas Tech University Center, Junction, on September 11, 1982, at 6 p.m. Information may be obtained from Robert R. Weaver, 5002 Knickerbocker Road, San Angelo, Texas, (915) 944-9666.

**The Dewitt County Appraisal District**, Board of Directors, will meet at 103 Bailey Street, Cuero, on September 14, 1982, at 7:30 p.m. Information may be obtained

from Wayne K. Woolsey, P.O. Box 4, 103 Bailey Street, Cuero, Texas 77954, (512) 275-5753.

**The Edwards Underground Water District**, Board of Directors, made an addition to the agenda of a meeting to be held in the fourth floor conference room, Tower Life Building, San Antonio, on September 14, 1982, at 10 a.m. Information may be obtained from Thomas P. Fox, 1200 Tower Life Building, San Antonio, Texas 78205, (512) 222-2204.

**The Ellis County Tax Appraisal District** met at 406 Sycamore Street, Waxahachie, on September 9, 1982, at 8 p.m. The appraisal district will also meet at the same location, on September 13, 1982, at 8:30 a.m. Information may be obtained from Gray Chamberlain, 406 Sycamore Street, Waxahachie, Texas 75165, (214) 937-3552.

**The Fisher County Appraisal District**, Board of Directors, will meet in the hospitality room, Fisher County Courthouse, Roby, on September 13, 1982, at 8 p.m. Information may be obtained from Billie L. Holcomb, Box 516, Roby, Texas 79543.

**The Hays County Central Appraisal District**, Board of Directors, will meet in the board room, 501 South LBJ, San Marcos, on September 13, 1982, at 2 p.m. and 3 p.m. Information may be obtained from H. William Beare, P.O. Box 1287, San Marcos, Texas 78666, (512) 396-4777.

**The High Plains Underground Water Conservation District 1**, Board of Directors, met in the conference room, 2930 Avenue Q, Lubbock, on September 9, 1982, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181.

**The Jack County Appraisal District**, Board of Directors, met in the district office, Los

Creek Office Building, 258 South Main, Jacksboro on September 7, 1982, at 7 p.m. The board will also meet at the same location and time on September 14, 1982. Information may be obtained from Doris G. Ray, 258 South Main, Jacksboro, Texas 76056, (817) 567-6301.

**The Appraisal District of Jones County**, Board of Directors, will meet at 1137 East Court Plaza, Anson, on September 16, 1982, at 9 a.m. Information may be obtained from John Steele, 1137 East Court Plaza, Anson, Texas, (915) 823-2422.

**The Lamb County Appraisal District**, Board of Directors, will meet at 318 Phelps Avenue, Littlefield, on September 14, 1982, at 7:30 p.m. Information may be obtained from Jack Samford, P.O. Box 552, Littlefield, Texas 79339, (806) 385-6474.

**The Lee County Appraisal District**, Board of Directors, met at 118 East Richmond Street, Giddings, on September 9, 1982, at 7:30 p.m. Information may be obtained from James L. Dunham, 218 East Richmond Street, Giddings, Texas 78942, (713) 542-9618.

**The Panhandle Regional Planning Commission**, Board of Directors, met in the Sunburst Room, Quality Inn of Amarillo, 2915 I-40 East, Amarillo, on September 9, 1982, at 10 a.m. Information may be obtained from Polly Jennings, P.O. Box 9257, Amarillo, Texas 79105, (806) 372-3381.

TRD-826958

#### Meeting Filed September 7

**The San Antonio River Authority**, Board of Directors, will meet in the conference room, 100 East Guenther Street, San Antonio, on September 15, 1982, at 2 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, San Antonio, Texas 78204, (512) 227-1373.

TRD-826994

# In Addition

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

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

## Texas Alcoholic Beverage Commission Consultant Proposal Request

**Notice.** In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Alcoholic Beverage Commission provides notice to contract for the services of a consulting firm to assist in the implementation of four systems called for in the Commission's Information Systems Plan. The four are the License Information and Processing System, the Automated Audit System, the Fund Accounting and Budgeting System, and the Enforcement Activity Reporting System. A justification statement for the proposed contract was filed with the Automated Systems Advisory Council on August 30, 1982.

**Contact.** Additional information regarding this request may be obtained by contacting Scott Dolan, Director, Computer Services Division, Texas Alcoholic Beverage Commission, 1600 West 38th Street, Austin, Texas 78731, (512) 458-2500.

**Response Date.** To be considered, proposals must arrive at the computer services division office on or before October 15, 1982. In mailing proposals, contractors should allow normal mail delivery time to insure timely receipt of their proposals.

**Selection Criteria.** Proposals will be reviewed and evaluated on the basis of the contractor's ability to staff and perform, its reputation with previous customers, its experience and success with similar projects, its knowledge of or previous experience with the commission, and cost.

Issued in Austin, Texas, on September 1, 1982.

TRD-826912

Joe Darnall  
Assistant Administrator  
Texas Alcoholic Beverage  
Commission

Filed: September 1, 1982

For further information, please call (512) 458-2500.

## Banking Department of Texas Application To Acquire Control of a State Bank

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

On August 31, 1982, the banking commissioner received an application to acquire control of First State Bank, Bangs, by Dr. Wesley S. Wise, Brownwood.

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

Issued in Austin, Texas, on September 1, 1982.

TRD-826916

O. A. Cassidy  
Assistant General Counsel  
Banking Department of Texas

Filed: September 2, 1982

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

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

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

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

Should any person wish to become a party to any of the above-stated applications, that person must file a proper request to become a party to the application within 15 days after the date of this publication of notice. If the 15th day is a Saturday, Sunday, state or federal holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, state or federal holiday. A request to become a party should be mailed to the chair of the commission at P.O. Box 50049, Austin, Texas 78763, and must be received at the commission no later than 5 p.m. on the last day allowed for filing of a request to become a party.

The contents and form of a request to become a party to any of these applications must meet the criteria set out in 25 TAC §515.9. Failure of a party to supply the necessary information in the correct form may result in a defective request to become a party.

Mineola General Hospital, Inc., Mineola  
AH82-0830-036

NIEH—Request for a declaratory ruling that a certificate of need is not required for Mineola General Hospital, Inc., to acquire by purchase Mineola General Hospital, an existing 34-bed general acute care hospital located in Mineola, from Mineola Medical Investments, Inc.

The University of Texas System Cancer Center and M. D. Anderson Hospital and Tumor Institute, Houston

AH80-1002-002A(083082)

CN/AMD—Request to extend the completion deadline from September 1, 1982, to December 31, 1982, in Certificate of Need AH80-1002-002 which authorized the University of Texas System Cancer Center and M. D. Anderson Hospital and Tumor Institute to convert the existing 90,000 square foot production facility located at 7777 Knight Road into a bio-medical resources building.

Stonebrook Properties, Inc., Arlington  
AN82-0831-080

NIEH—Request for a declaratory ruling that a certificate of need is not required for Stonebrook Properties, Inc., a Texas corporation, to acquire by lease Stonebrook Nursing Center (formerly Highland Nursing Center), an existing 114-bed ICF nursing facility located in Wichita Falls, from Joseph A. Rosin.

Dallas/Fort Worth Medical Center—Grand Prairie (formerly known as Grand Prairie Community Hospital), Grand Prairie

AH80-0424-010A(083182)

CN/AMD—Request to extend the completion deadline from October 10, 1982, to June 30, 1983,

in Certificate of Need AH80-0424-010 which authorized new construction and remodeling of the Grand Prairie Community Hospital-Central in order to consolidate the central and southwest hospital facilities in Grand Prairie into one facility.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-005

NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Killeen Nursing Center an existing 50-bed ICF nursing facility located in Killeen, from Beverly Enterprises, Inc.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-007

NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Senior Village Nursing Home, an existing 60-bed ICF nursing facility located in Perryton, from Beverly Enterprises, Inc.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-009

NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Crestview Manor Nursing Center, an existing 91-bed ICF nursing facility located in Belton, from Beverly Enterprises, Inc.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-011

NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Galaxy Manor Nursing Center, an existing 160-bed ICF nursing facility located in Cleveland, from Beverly Enterprises, Inc.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-013

NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Fair Park Nursing Home, an existing 109-bed ICF nursing facility located in Huntsville, from Beverly Enterprises, Inc.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-015

NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Liberty Nursing Center, an existing 82-bed ICF nursing facility located in Liberty, from Beverly Enterprises, Inc.

Beverly Enterprises-Texas, Inc.

Fort Smith, Arkansas

AN82-0901-017

**NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Silver Threads Nursing Center (formerly known as Autumn Hills Convalescent Center), an existing 82-bed ICF nursing facility located in Houston, from Beverly Enterprises, Inc.**

**Beverly Enterprises-Texas, Inc.  
Fort Smith, Arkansas  
AN82-0901-019**

**NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire College Street Nursing Center (formerly known as Autumn Hills Convalescent Center—Beaumont #2), an existing 80-bed ICF nursing facility located in Beaumont, from Beverly Enterprises, Inc.**

**Beverly Enterprises-Texas, Inc.  
Fort Smith, Arkansas  
AN82-0901-021**

**NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Glad Days Nursing Center (formerly known as Autumn Hills Convalescent Center—Beaumont #1), an existing 84-bed ICF nursing facility with 42 ICF and 42 skilled beds located in Beaumont, from Beverly Enterprises, Inc.**

**Beverly Enterprises-Texas, Inc.  
Fort Smith, Arkansas  
AN82-0901-023**

**NIEH—Request for a declaratory ruling that a certificate of need is not required for Beverly Enterprises-Texas, Inc., to acquire Golden Charm Nursing Center (formerly known as Autumn Hills Convalescent Center—Liberty North), an existing 120-bed ICF nursing facility with 60 ICF, 58 skilled and two non-participating beds located in Liberty, from Beverly Enterprises, Inc.**

Issued in Austin, Texas, on September 3, 1982.

**TRD-826949**      **John R. Neel**  
General Counsel  
Texas Health Facilities  
Commission

Filed: September 3, 1982  
For further information, please call (512) 475-6940.

## **Texas Department of Human Resources Notice of Public Hearing**

The Texas Department of Human Resources (TDHR) will conduct a hearing to accept comments on its Intermediate Care Facility for the Mentally Retarded (ICF-MR) rules about level of care criteria, as proposed in the August 3, 1982, issue of the *Texas Register* (7 TexReg 2824). The hearing will be held on Friday, September 17, 1982, at

1 p.m., in the TDHR board room, 706 Banister Lane, Austin. All interested parties are invited to attend.

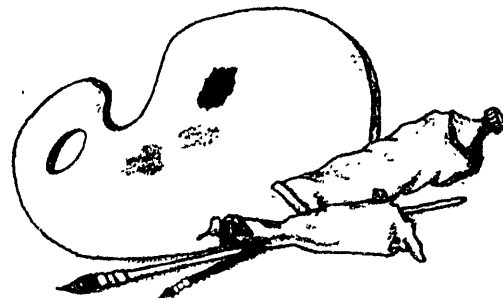
Issued in Austin, Texas, on September 2, 1982.

**TRD-827006**      **Marlin W. Johnston**  
Commissioner  
Texas Department of Human  
Resources

Filed: August 2, 1982  
For further information, please call (512) 441-3355,  
ext. 2057.

## **Texas Department of Mental Health and Mental Retardation Correction of Error**

A series of rules submitted by the Texas Department of Mental Health and Mental Retardation contained errors as submitted. The new rules proposed in the April 16, 1982, issue of the *Texas Register* (7 TexReg 1538), and adopted in the June 22, 1982, issue (7 TexReg 2400), were assigned section numbers which duplicate those of rules already in effect. The correct section numbers for the new rules contained in Chapter 405, Client (Patient) Care, Subchapter II, Standards for Quality of Medical Laboratory Services, should be §§405.861-405.864 instead of §§405.805-405.809.



## **Texas Sesquicentennial Commission Consultant Contract Award**

**Description.** This notice of consultant contract award is filed in accord with the provisions of Texas Civil Statutes, Article 6252-11c. The notice of consultant proposal request appeared in the July 20, 1982, issue of the *Texas Register* (7 TexReg 2720). The study will include the analysis assessment of the feasibility of a Texas traveling train for the 1986 sesquicentennial project.

**Consultant.** The name and business address of the private consultant selected is Michael Jenkins, Leisure and Recreational Concepts, Inc., 2151 Forth Worth Avenue, Dallas, Texas 75211.

**Cost.** The total value for the preparation of the study document will be \$14,000, plus any necessary travel ex-



penses for site analysis. Travel expenses shall be billed separately on an expense only, documented basis for air/car transportation, meals and lodging and must be approved by the commission in advance. One final payment of \$14,000 will be made upon delivery of the report. Payment for prior approved and documented travel related billings will be made upon delivery of the report.

**Date of Contract.** The contract is dated August 26, 1982, and will end 90 days hence, or upon delivery of the

final report at the commission office in Austin, Texas, whichever is earlier.

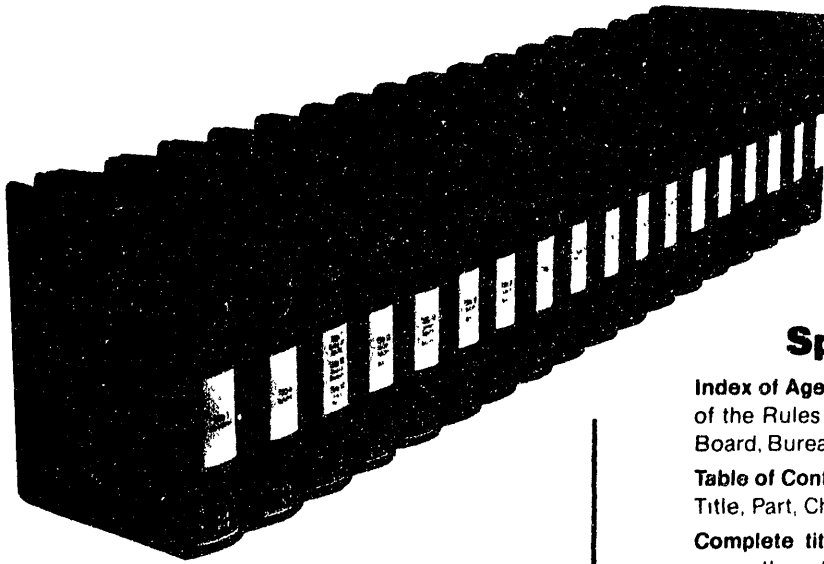
Issued in Austin, Texas, on August 26, 1982.

TRD-826915

Randy M. Lee  
Executive Director  
Texas Sesquicentennial  
Commission

Filed: September 2, 1982

For further information, please call (512) 475-1986.



# The Texas Administrative Code

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The complete **Code** will comprise fifteen titles in twenty-six loose leaf volumes for ease in adding future supplements. Assembled in sturdy five-ring binders, the **Code** will be compiled in a uniform format, style, and numbering system. Tabs will ease reference to each title, its parts, and index.

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TITLE 4	. AGRICULTURE
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TITLE 22	. EXAMINING BOARDS
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**Index of Agencies**, listing the location in the Code of the Rules issued by each Agency, Department, Board, Bureau or Commission of the State of Texas

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**Parallel Reference Table** for each title, showing the section number used in the Code to designate a Rule and, where applicable, the ten-digit identification number assigned to it by the Texas Register Division

**Tables of Authorities**, listing every statute and constitutional authority contained in the Code, and the various components of the Code issued under each

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**Cross References**, showing every Part, Chapter, Subchapter, and Section of the Code cited in a Rule.

**Editor's notes**, containing clarifying comments or statements as appropriate

**Notes of Decisions**, containing a summary of each court decision and Attorney General's opinion that construes a Rule

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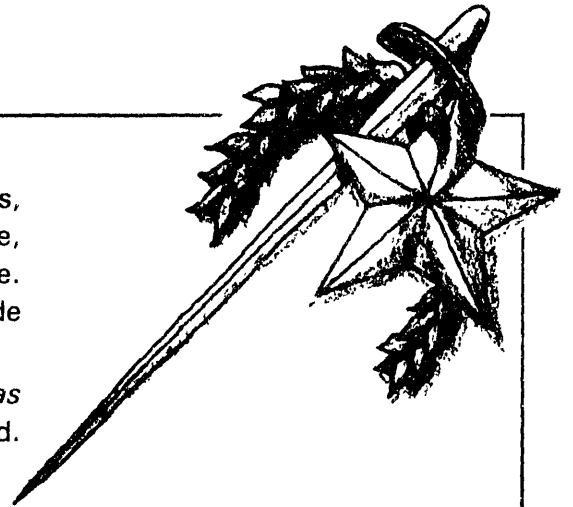
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