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Highlights

- ★ The Texas Board of Architectural Examiners adopts on an emergency basis and simultaneously proposes for permanent adoption amendments to rules concerning the new examination format; effective date - November 22 pages 4129, 4133
- ★ The Texas State Board of Pharmacy adopts on an emergency basis and simultaneously proposes for permanent adoption amendments to a rule concerning supportive personnel and labeling for a Class A pharmacy; effective date - November 23 pages 4130, 4136
- ★ The Texas Animal Health Commission publishes a combined fourth quarter and annual report on the Texas Bovine Brucellosis Program page 4174

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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POSTMASTER: Please send Form 3579 changes to the Texas Register, P.O. Box 13824, Austin, Texas 78711-3824.

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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after proposal publication date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 number which the agency appears in the *Texas Administrative Code* (a listing of all the titles appears below);

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

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

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

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

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

Emergency Rules



TITLE 22. EXAMINING BOARDS Part I. Board of Architectural Examiners

Chapter 1. Architects Subchapter B. Registration and Definitions

22 TAC §1.25, §1.26

The Texas Board of Architectural Examiners adopts on an emergency basis amendments to §1.25 and §1.26 to change to the new national examination procedure to be given once each year. These amendments are required to change to the new examination format and are being proposed simultaneously on a permanent basis.

An emergency exists due to the architect registration examination being implemented in June, 1983.

Amendments to §1.25 and §1.26 are under authority of Texas Civil Statutes, Article 249a.

§1.25. Processing.

(a) Applications for the **Architect Registration Examination (ARE)** [examination] must be received prior to **February 1** [March 25 for the qualifying test and prior to September 25 for the professional examination]. Applications received after **this date** [these dates] will be processed for the examination the following year.

(b) When received complete and accompanied by required fees, they will be entered into the board records. Information submitted will be verified and evaluated, and subsequent submittals may be required of the applicant.

§1.26. **Approval/Rejection.** Applicants will be notified of approval or rejection [Approval of applications for registration by written examination will include notices to the candidate of examination dates and fees]. Rejections of such applications will include evaluation reports and instructions for completing requirements.

Issued in Austin, Texas, on November 19, 1982.

TRD-828882

Philip D. Creer, FAIA
Executive Director
Texas Board of Architectural
Examiners

Effective date: November 22, 1982

Expiration date: March 21, 1983

For further information, please call (512) 458-1363.

Subchapter C. Written Examinations

22 TAC §§1.42, 1.43, 1.48

The Texas Board of Architectural Examiners adopts on an emergency basis amendments to §§1.42, 1.43, and 1.48, concerning written examinations. These

amendments are required to change to the new examination format of the new national examination procedure to be given once each year.

An emergency exists due to the architect registration examination being implemented in June, 1983. These rules are being proposed simultaneously on a permanent basis.

Amendments to §§ 1.42, 1.43, and 1.48 are adopted on an emergency basis under the authority of Texas Civil Statutes, Article 249a.

§1.42. Schedules. Written examinations will be administered by this board, in June of each year, to approved candidates only. Examination formats, dates, times, and places will be announced in notices mailed to candidates approximately eight weeks [four to six weeks] prior to such arrangements.

§1.43. Format. Examinations offered by the Texas Board will be the NCARB Syllabus, developed by that organization's Examination Committee and as approved for administration on specified dates. The Architect Registration Examination (ARE) will be the only examination offered for registration. The ARE will be given over four consecutive days; the format may be obtained from the board office. To pass the examination, an applicant must achieve a passing grade on each division. Scores from the individual divisions cannot be averaged. [Three examination processes will be employed by the Texas Board:

[(1) Professional examination. In December of each year, this examination will be administered to approved candidates having accredited professional degrees in architecture. All candidates for registration must pass the Professional Examination including the Site Planning and Design Test (see paragraph 3 of this section). This examination will also be administered to approved candidates without accredited professional degrees who have passed the Qualifying test (see paragraph 2 of this section).

[(2) Qualifying test. In June of each year, this examination will be administered to approved candidates without accredited professional degrees in architecture.

[(3) Site planning and design test. All candidates must take this test given in June of each year.]

§1.48. Reexamination. Candidates must initially take all divisions of the ARE; thereafter, candidates will have unlimited opportunities to retake divisions that they fail. [The Texas Board of Architectural Examiners will allow unlimited opportunities to retake examinations previously failed.] Candidates failing to appear for reexamination within a three-year period will forfeit any credits for parts passed and will be required to reapply for admission to the examination. [Candidates for both the professional examination and the qualifying test will pass or fail each individual section. Unlimited retake opportunities will be allowed for repeating sections failed. Candidates failing to appear for reexamination within a three-year period will forfeit any credits for parts passed and will be required to reapply for admission to the examination. Can-

didates taking the site planning and design test will pass or fail the entire test and will be permitted unlimited retake opportunities.]

Issued in Austin, Texas, on November 19, 1982.

TRD-828884

Philip D. Creer, FAIA
Executive Director
Texas Board of Architectural
Examiners

Effective date: November 22, 1982

Expiration date: March 21, 1983

For further information, please call (512) 458-1363.

Part XV. Texas State Board of Pharmacy

Chapter 291. Pharmacies Community Pharmacy (Class A)

22 TAC §291.32

The Texas State Board of Pharmacy adopts on an emergency basis amendments to §291.32, concerning supportive personnel and labeling in a Class A pharmacy. This emergency will allow supportive personnel to prepare prescription labels in pharmacies utilizing manual record-keeping systems and data processing systems, under certain conditions. The amendment outlines the requirements that allow supportive personnel to perform this function and is being adopted on an emergency basis to facilitate the providing of pharmacy services to the citizens of Texas. The amendment is being proposed simultaneously for permanent adoption.

The emergency adoption is proposed under Texas Civil Statutes, Article 4542a-1, which provides the Texas State Board of Pharmacy with the authority to govern the practice of community pharmacy and community pharmacists and the standards that each community pharmacy and its employees or personnel involved in the practice of community pharmacy must meet to qualify for licensing or relicensing as a community pharmacy.

§291.32. Personnel.

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

(c) Supportive personnel and labeling.

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

(4) Preparing prescription labels.

(A) Supportive personnel may prepare prescription labels in pharmacies utilizing manual record-keeping systems, provided a pharmacist checks the accuracy of the label prior to dispensing the prescription.

(B) In pharmacies utilizing data processing systems, the following requirements apply: [When the prescription label is prepared by a data processing system, the following requirements apply:]

(i) Only a pharmacist may input an original written or telephonic prescription drug order into the

system if judgmental decisions are made at the time of entry; [only a pharmacist may data enter an original written or telephonic prescription order from a practitioner into the system; and]

(ii) Supportive personnel may not use the data processing system to make judgmental decisions; [supportive personnel may prepare prescription labels for refills.]

(iii) Supportive personnel may input prescription information into the system under the personal supervision of a pharmacist, provided the phar-

macist checks the accuracy of the information entered prior to dispensing the prescription.

(C) (No change.)

(5) (No change.)

Issued in Austin, Texas, on November 22, 1982.

TRD-828903

Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Effective date: November 23, 1982

Expiration date: March 22, 1983

For further information, please call (512) 478-9827

Proposed Rules

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

Unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice, the proposal may not be adopted until 30 days after publication. The document, as published in the *Register*, must include a brief explanation of the proposed action; a fiscal statement indicating effect on state or local government; a statement explaining anticipated public benefits and possible economic costs to individuals required to comply with the rule; a request for public comments; a statement of legal authority under which the proposed rule is to be adopted (and the agency's interpretation of the legal authority); the text of the proposed action; and a certification statement. The certification information which includes the earliest possible date that the agency may file notice to adopt the proposal, and a telephone number to call for further information, follows each submission.

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

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

Chapter 5. Transportation Division Subchapter P. Commercial Zones

16 TAC §5.294

The Railroad Commission of Texas proposes amendments to §5.294, concerning designated Dallas and Fort Worth commercial zones. These amendments were petitioned by the Dallas Delivery and Cartage Association. Specifically, the rule as proposed would include all points within 10 miles of Fort Worth in the Fort Worth commercial zone and all points within 15 miles of Dallas in the Dallas commercial zone.

Stephen P. Webb, hearings examiner, Transportation Division, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Webb has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be compliance with the Motor Carrier Act. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Stephen P. Webb, Railroad Commission of Texas,

Transportation Division, P.O. Drawer 12967, Austin, Texas 78711.

The amendments are proposed under Texas Civil Statutes, Article 911b, §1(g), which provides the Railroad Commission of Texas with the authority to establish commercial zones adjacent to and commercially a part of any incorporated municipality.

§5.294. *Existing Commercial Zones.* Commercial zones defined and prescribed by the commission after notice and hearing are as follows:

(1) The Dallas commercial zone shall include:
(A)-(B) (No change.)

(C) **All unincorporated area within 10 miles of the incorporated city limits of Fort Worth, and all of any other municipality any part of which is within 10 miles thereof;** [The following cities and towns which are adjacent to and commercially a part of the City of Fort Worth: Haltom City, Watauga, Richland Hills, North Richland Hills, Hurst, Bedford, Colleyville, Grapevine, Euless, Arlington, Pantego, Dalworth Gardens, Kennedale, Forrest Hill, Everman, Burleson, Crowley, Edgecliff, Benbrook, Aledo, White Settlement, Westover Hills, Westworth Village, River Oaks, Sansom Park, Lake Worth Village, Lakeside, Azle, Saginaw, Mansfield, and Blue Mound.]

(D) **All unincorporated area within 15 miles of the incorporated city limits of Dallas, and all of any municipality any part which is within 15 miles thereof.** [The following cities and towns which are adjacent to and commercially a part of the City of Dallas: Highland Park, University Park, Renner, Plano, Richardson, Buckingham, Garland, Rowlett, Mesquite, Sunnyvale, Balch

Springs, Kleberg, Seagoville, Hutchins, Wilmer, Fruitdale, Lancaster, De Soto, Woodland Hills, Cedar Hill, Duncanville, Cockrell Hills, Grand Prairie, Irving, Coppell, Carrollton, Farmers Branch, Addison, and Lewisville.]

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

(2) The Fort Worth commercial zone shall include the following:

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

(C) **All unincorporated area within 15 miles of the incorporated city limits of Dallas, and all of any other municipality any part of which is within 15 miles thereof.** [The following cities and towns which are adjacent to and commercially a part of the City of Dallas: Highland Park, University Park, Renner, Plano, Richardson, Buckingham, Garland, Rowlett, Mesquire, Sunnyvale, Balch Springs, Kleberg, Seagoville, Hutchins, Wilmer, Fruitdale, Lancaster, De Soto, Woodland Hills, Cedar Hill, Duncanville, Cockrell Hills, Grand Prairie, Irving, Coppell, Carrollton, Farmers Branch, Addison, and Lewisville.]

(D) **All unincorporated area within 10 miles of the incorporated city limits of Fort Worth, and all of any other municipality any part of which is within 10 miles thereof;** [The following cities and towns which are adjacent to and commercially a part of the City of Fort Worth: Haltom City, Watauga, Richland Hills, North Richland Hills, Hurst, Bedford, Colleyville, Grapevine, Euless, Arlington, Pantego, Dalworth Gardens, Kennedale, Forrest Hill, Everman, Burleson, Crowley, Edgcliff, Benbrook, Aledo, White Settlement, Westover Hills, Westworth Village, River Oaks, Sansom Park, Lake Worth Village, Lakeside, Azle, Saginaw, Mansfield, and Blue Mound.]

(3)-(6) (No change.)

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

Issued in Austin, Texas, on November 22, 1982.

TRD-828953 Walter Earl Lillie
Special Counsel
Railroad Commission of Texas

Earliest possible date of adoption:
January 3, 1982

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

TITLE 22. EXAMINING BOARDS

Part I. Texas Board of Architectural Examiners

Chapter 1. Architects

Subchapter B. Registration and Definitions

22 TAC § 1.25, § 1.26

(Editor's note: The Texas Board of Architectural Examiners proposes for permanent adoption the amend-

ments it adopts on an emergency basis in this issue. The text of the amendments is published in the Emergency Rules section.)

The Texas Board of Architectural Examiners proposes amendments to § 1.25 and § 1.26, concerning the architect registration examination. The amendments are being adopted simultaneously on an emergency basis.

Philip D. Creer, FAIA, executive director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Creer has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be to better qualify candidates to protect the public health, safety, and welfare in the design of the architectural environment. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Philip D. Creer, FAIA, Executive Director, Texas Board of Architectural Examiners, 8213 Shoal Creek Boulevard, Suite 107, Austin, Texas 78758, (512) 458-1363.

The amendments are proposed under Texas Civil Statutes, Article 249a, which provides the Texas Board of Architectural Examiners with the authority to make all rules consistent with the laws of the state which are reasonably necessary.

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

Issued in Austin, Texas, on November 19, 1982.

TRD-828883 Philip D. Creer, FAIA
Executive Director
Texas Board of Architectural Examiners

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 458-1363.

Subchapter C. Written Examinations

22 TAC §§ 1.42, 1.43, 1.48

(Editor's note: The Texas Board of Architectural Examiners proposes for permanent adoption the amendments it adopts on an emergency basis in this issue. The text of the amendments is published in the Emergency Rules section.)

The Texas Board of Architectural Examiners proposes amendments to §§ 1.42, 1.43, and 1.48, concerning the architect registration examination. The amendments are being adopted simultaneously on an emergency basis.

Philip D. Creer, FAIA, executive director, has determined that for the first five-year period the rule will

be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Creer has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be better qualified candidates to protect the public health, safety, and welfare in the design of the architectural environment. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Philip D. Creer, FAIA, Executive Director, Texas Board of Architectural Examiners, 8213 Shoal Creek Boulevard, Suite 107, Austin, Texas 78758, (512) 458-1363.

The amendments are proposed under Texas Civil Statutes, Article 249a, which provides the Texas Board of Architectural Examiners with the authority to make all rules consistent with the laws of the state which are reasonably necessary.

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

Issued in Austin, Texas, on November 19, 1982.

TRD-828885 Philip D. Creer, FAIA
Executive Director
Texas Board of Architectural
Examiners

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 458-1363.

Part IV. Texas Cosmetology Commission Chapter 89. General Provisions

22 TAC §§89.4, 89.10, 89.11, 89.23, 89.27, 89.29, 89.33, 89.35, 89.41, 89.46, 89.48, 89.51, 89.52

The Texas Cosmetology Commission proposes amendments to §§89.4, 89.10, 89.11, 89.23, 89.27, 89.33, 89.35, 89.41, 89.51, 89.52, proposes the repeal of §§89.29, 89.46, and 89.48, and proposes new rules §§89.29, 89.46, and 89.48, concerning general provisions.

Ron Resech, executive director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Resech has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be to clarify the language of the

statute and avoid confusion. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Ron Resech, Executive Director, Texas Cosmetology Commission, 1111 Rio Grande, Austin, Texas 78701.

The amendments and new rules are proposed under Texas Civil Statutes, Article 8451, §4, which provides the Texas Cosmetology Commission with the authority to promulgate rules.

§89.4. Instructor on Duty. Each private beauty culture school shall maintain on staff and on duty during normal business hours no less than two full-time licensed instructors, except that one instructor will be sufficient whenever the student enrollment falls below 15. Schools without the services of two full-time instructors when the student enrollment is 15 or more will be given 10 working days to employ the second instructor. If the school has not complied within the allotted time, students will be notified that credit for accrued hours will not be accepted for graduation. **No credit for hours accrued can be given when a licensed instructor is not on duty.**

§89.10. Monthly Hour Report. On a form prescribed and furnished by the commission, the school will post in a conspicuous place [have available for inspection] no later than the 7th [10th] day of the month following, a record of hours acquired by each student during the preceding month, the report signed by each student in attendance will be kept available for inspection by the student or a representative of the Texas Cosmetology Commission. One copy of the monthly hour report will be given to the commission inspector each month.

§89.11. Daily Attendance Register. Each Cosmetology School or Program [private beauty school] shall maintain a daily record of attendance with each student personally punching the time clock. In instances where a student forgets to punch in or out, limited initialing will be accepted. [of students personally signed by the students unless a time clock is used and the time card personally signed. No student or person may sign the register for another person or student.] Attendance records will be maintained in the school and available to authorized personnel of the Texas Cosmetology Commission for a period of 24 months after the student completes or terminates attendance. [On and after September 1, 1980,] All [private] schools [and public school cosmetology programs] will be required to use a time clock to track student hours.

§89.23 Transfer of Hours Between Courses. A student enrolled for a manicuring or specialty course may withdraw and transfer hours acquired to the operator course not to exceed the amount of hours of that subject in the operator curriculum. Students dropping from the operator course may take the examination for manicuring or one of the specialty tests provided that the school will certify that the student has completed sufficient hours in the particular course in which the person seeks certification or licensure. **A minimum of 600 hours of training in the operator course will be required to qualify for a specialty examination.**

§89.27. *Acknowledgement of registration.* When a registration blank is received, a student permit will be mailed back to the school within seven days. **Each school shall maintain a duplicate copy of the registration blank.** [Receipt of the permit will be your acknowledgement of registration.]

§89.29. *Identification.* All schools of cosmetology will use a color coded identification mark to clearly identify junior, senior, and instructor students.

§89.33. *Instructor Exam.* The instructor exam shall consist of **three** [two] parts, written, [and] practical and oral. An applicant who fails to make a passing grade on **any** [in either] part must apply for a re-examination within one year of date of examination in order to receive credit for having successfully completed **that** [one] portion.

§89.35. *Uniforms.*

(a) **Cosmetology schools, cosmetology salons, students, and employees shall wear a uniform of washable material with the armpits covered. Tank tops and bare feet are not allowed.** [Students, instructors, operators, manicurists, wig specialists, and specialty licensees will wear professional type uniforms of washable material—dress type or pants suits for female, jacket and slacks for the male.]

(b) (No change.)

§89.41. *Change of Location or Temporary Closure.* A shop may move and continue to operate with the current license but must be inspected and approved in the new location. **The shop owner must notify the commission office prior to moving and give change of address. Salons wishing to close temporarily on a current license may do so by notifying the commission office. Prior to reopening, the commission office or inspector must be notified so that the facility may be inspected.**

§89.46. *Itinerant Beauty Salons.* A beauty salon shall have a permanent and definite location in which the art of cosmetology is practiced and meets all of the requirements of the Cosmetology Commission. Mobile homes or trailers may not be licensed as beauty salons unless they meet all other requirements and are anchored to the ground, with wheels detached.

§89.48. *Justices of the Peace.* Justices of the peace shall have jurisdiction in all criminal and civil matters of all cases where the penalty or fine to be imposed by law may not be more than \$200.

§89.51. *Cosmetology Services for the Incapacitated.* [Guidelines for Cosmetologists to Perform a Service in Hospitals, Nursing Homes, and Rest Homes.] **Cosmetology services may be performed on incapacitated persons provided that the licensee is operating out of a licensed salon, and the appointment made through the salon.** [An operator may go to any of these establishments to perform any act of cosmetology (Section 1(3)), provided that the patron is incapacitated. It is further provided that the licensee must operate from a licensed salon, and the appointment must be made through the salon.] Licensee must have her operators'

license in her possession while performing the service. As registered nurses are exempt from this Act, they could service patron's hair without a license.

§89.52. *Definition of an Hour*

[(a) General.] An hour of creditable time is defined as 55 minutes of actual educational experience time. Actual education time is defined as classroom instruction, laboratory (floor) experience, or field trips under the supervision of a licensed instructor. Break times should be on a scheduled basis for lunch, coffee, etc., and should not be counted as creditable time. **Creditable time shall not be accumulative.**

[(b)] Note. The creditable time permitted when the (floor) facility is closed will be classroom instruction or field trips under the supervision of a licensed instructor, in conjunction with a class project, and when directly relating to cosmetology training. Instructors must bear in mind that no more than eight hours can be accrued in one day nor more than 48 hours in one week.

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

Issued in Austin, Texas, on November 19, 1982.

TRD-828868 Ron Resech
Executive Director
Texas Cosmetology Commission

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 475-3304.

22 TAC §§89.29, 89.46, 89.48

(Editor's note: The text of the following rules proposed for repeal will not be published. The rules may be examined in the offices of the Texas Cosmetology Commission, 1111 Rio Grande, Austin, or in the Texas Register office, 503E Sam Houston Building, Austin.)

The repeals are proposed under Texas Civil Statutes, Article 8451a, §4, which provides the Texas Cosmetology Commission with the authority to promulgate rules.

§89.29. *Examination Reservations.*

§89.46. *Definition of a Wig Specialty Salon.*

§89.48. *Definition of a Hairweaving Specialty Salon.*

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

Issued in Austin, Texas, on November 19, 1982.

TRD-828914 Ron Resech
Executive Director
Texas Cosmetology Commission

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 475-3304.

Part XV. Texas State Board of Pharmacy
Chapter 291. Pharmacies
Community Pharmacy (Class A)
22 TAC §291.32

(Editor's note: The Texas State Board of Pharmacy proposes for permanent adoption the amendments it adopts on an emergency basis in this issue. The text of the amendments is published in the Emergency Rules section.)

The Texas State Board of Pharmacy proposes amendments to §291.32, concerning supportive personnel and labeling in a Class A pharmacy. This proposed amendment will allow supportive personnel to prepare prescription labels in pharmacies utilizing manual record-keeping systems and data processing systems, under certain conditions. The proposed amendment outlines the requirements that allows supportive personnel to perform this function.

Fred S. Brinkley, Jr., R.Ph., executive director/secretary, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Brinkley has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be regulation and control of community pharmacy practice to protect the public health, safety, and welfare. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Fred S. Brinkley, Jr., R.Ph., Executive Director/Secretary, 211 East Seventh Street, Suite 1121, Austin, Texas 78701.

The amendments are proposed under Texas Civil Statutes, Article 4542a-1, §517, 29, and 30, which provides Texas State Board of Pharmacy with the authority to govern the practice of community pharmacy and community pharmacists and the standards that each community pharmacy and its employees or personnel involved in the practice of community pharmacy must meet to qualify for licensing or relicensing as a community pharmacy.

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

Issued in Austin, Texas, on November 22, 1982.

TRD-828904 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 478-9827.

Clinic Pharmacy (Class D)
22 TAC §291.93

The Texas State Board of Pharmacy proposes amendments to §291.93, concerning operational standards. This proposed amendment will allow supportive personnel in a class D pharmacy, under the supervision of a pharmacist, to label oral contraceptives and devices and drugs received in the manufacturer's original package (including unit-of-use packages), for the purpose of preparing the drugs and devices.

Fred S. Brinkley, Jr., R.Ph., executive director/secretary, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Brinkley has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be regulation of clinic pharmacy practice to protect the public health, safety, and welfare. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Fred S. Brinkley, Jr., R.Ph., Executive Director/Secretary, 211 East Seventh Street, Suite 1121, Austin, Texas 78701.

The amendments are proposed under Texas Civil Statutes, Article 4542a-1, §§5, 17, 29, and 30, which provides Texas State Board of Pharmacy with the authority to govern the practice of clinic pharmacies and clinic pharmacists and the standards that each clinic pharmacy and its employees involved in the practice of clinic pharmacy must meet to qualify for licensing or relicensing as a clinic pharmacy.

§291.93. Operational Standards.

(a)-(d) (No change.)

(e) Drugs.

(1) (No change.)

(2) Prepackaging drugs for provision.

(A) Prepackaging drugs for provision shall be performed in a licensed pharmacy by a pharmacist.

(B) The label of the prepackaged unit shall bear:

- (i) name and strength of the drug;
(ii) internal control number;
(iii) manufacturer's lot number and expiration date;
(iv) appropriate ancillary label(s);
(v) name and address of the facility; and
(vi) directions for use.

(C) Records of prepackaging shall be maintained to show:

- (i) the name and strength of the drug;
(ii) internal control number;
(iii) name of manufacturer, manufacturer's lot number and expiration date;
(iv) quantity per package and number of packages;

- (v) date packaged;
- (vi) signature of pharmacist who pre-packaged the drug; and
- (vii) if labeled in a manner prescribed by subsection (e)(2)(E) of this section, the name of the supportive personnel affixing the label, and the name of the supervising pharmacist.

(D) The label on a prepackaged drug shall be affixed by a pharmacist, except as specified in subsection (e)(2)(E) of this section.

(E) Supportive personnel in a class D pharmacy may affix the label to an original manufacturer's container bearing patient directions for use, under the following conditions:

(i) The drugs are labeled under the direction and supervision of a pharmacist, but a pharmacist is not required to be on site at the class D pharmacy.

(ii) The drugs and control records are quarantined together until checked and released by the supervising pharmacist. [Preparation. Prepacking is the responsibility of the pharmacist-in-charge and/or consultant pharmacist and may only occur in a licensed pharmacy. The label on prepackaged drugs shall bear the manufacturer's lot number and expiration date.]

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

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

Issued in Austin, Texas, on November 22, 1982.

TRD-828905 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 478-9827.

Chapter 309. Generic Substitution

22 TAC §309.3

The Texas State Board of Pharmacy proposes amendments to §309.3, concerning prescription drug orders. This proposed amendment clarifies that the two signature line requirement does not apply to dangerous drug prescriptions issued in another state by a practitioner. The amendment further states the conditions under which these prescriptions may be substituted by the pharmacist.

Fred S. Brinkley, Jr., R.Ph., executive director/secretary, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Brinkley has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be to save consumers money

by allowing, in some instances, the substitution of lower-priced generically equivalent drug products for some brand name drug products, and for pharmacies and pharmacists to pass on to the purchaser the net benefit of the lower costs of the generically equivalent drug. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Fred S. Brinkley, Jr., R.Ph., Executive Director/Secretary, 211 East Seventh Street, Suite 1121, Austin, Texas 78701.

The amendments are proposed under Texas Civil Statutes, Article 4542a-1, §40, which provides the Texas State Board of Pharmacy with the authority to establish procedures to govern the substitution of lower-priced generically equivalent drug products for some brand name products.

§309.3. Prescription Drug Orders.

(a) Written prescription drug orders.

(1) A pharmacist may not fill a prescription issued in Texas unless it is ordered on a form containing two signature lines of equal prominence, side by side, at the bottom of the form. Under either signature line shall be printed clearly the words "product selection permitted," and under the other signature line shall be printed clearly the words "dispense as written." If the practitioner's signature does not clearly indicate that the prescription must be dispensed as written, generically equivalent drug selection is permitted.

(2) The two signature line requirement does not apply to dangerous drug prescriptions issued in another state by a practitioner. Such prescriptions may not be substituted by a pharmacist unless the prescribing practitioner has authorized substitution in writing on the prescription form or through preprinted or verbal authorization to the pharmacist.

(b) (No change.)

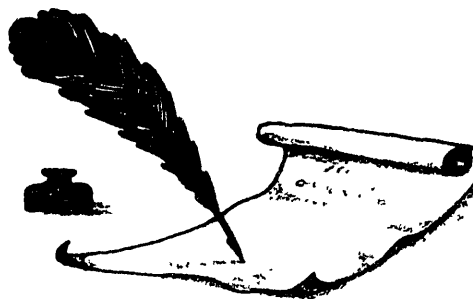
This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on November 22, 1982.

TRD-828906 Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Earliest possible date of adoption:
January 3, 1983

For further information, please call (512) 478-9827.



TITLE 25. HEALTH SERVICES
Part I. Texas Department of Health
Chapter 105. Epidemiology
Statewide Cancer Registry Program
25 TAC §§105.1-105.7

The Texas Department of Health proposes new §§105.1-105.7, concerning a statewide cancer registry program. The rules provide for the establishment by the department of a cancer registry and the reporting of data from the records of certain patients.

Stephen Seale, chief accountant III, has determined that for the first five-year period the rules will be in effect there will be fiscal implications as a result of enforcing or administering the rule. The estimated additional cost to state government will be \$565,704 in 1983, \$767,275 in 1984, \$767,275 in 1985, \$844,000 in 1986, and \$928,400 in 1987. There will be no fiscal implications to local government as a result of enforcing or administering the rules.

Mr. Seale has also determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules will be to insure an accurate and continuing source of data concerning cancer and certain specified precancerous and tumorous diseases.

The possible economic cost to individuals who are required to comply with the rules as proposed will be \$2.81 in 1982, \$3.06 in 1983, \$3.37 in 1984, \$3.70 in 1985, and \$4.07 in 1986 (for preparation of reporting form).

Comments on the proposal may be submitted to Amelia Menchetti, Director, Cancer Program, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756. Public comments will be received for 30 days after the proposed rules are published in the *Register*.

The new sections are proposed under Texas Civil Statutes, Article 4477-40, §5(1), which provides the Texas Board of Health with the authority to adopt rules to implement the Cancer Control Act.

§105.1. Purpose. The purpose of these rules is to establish, in consonance with the Cancer Control Act of 1979 (Texas Civil Statutes, Article 4477-40), the responsibilities for the conduct of a cancer control program.

§105.2. Function. The Statewide Cancer Registry Program is hereby established as a function of the Texas Department of Health.

§105.3. Definitions. The following words and terms, when used in these sections, shall have the following meanings unless the context clearly indicates otherwise:

Cancer—Includes a large group of diseases characterized by uncontrolled growth and spread of abnormal cells; any condition of tumors having the properties of anaplasia, invasion, and metastasis; a cellular tumor the natural course of which is fatal; and malignant neoplasm.

Cancer treatment center—A special health facility devoted to study, prevention, diagnosis, and management of neoplastic and allied diseases.

Clinical laboratory—An accredited facility where tests are performed identifying findings of anatomical changes, and where specimens are interpreted and pathological diagnoses are made.

Department—The Texas Department of Health.

Hospital—A general or special hospital licensed under the Texas Hospital Licensing Law, as amended (Texas Civil Statutes, Article 4437f), or The University of Texas System Cancer Center.

Statewide Cancer Registry Program—The departmental activity which gathers, consolidates, and analyzes information on the incidence of cancer. Also referred to hereafter as the program.

§105.4. Functions. The Statewide Cancer Registry Program is responsible for soliciting and receiving from hospitals and medical professionals reports containing information on cancer patients. Upon receipt, the required information will be integrated into the program's cancer records which provide:

- (1) information needed to establish trends in cancer incidence, therapy, and patient survival;
- (2) data for epidemiologic studies; and
- (3) assistance in the evaluation of the overall effectiveness of cancer control efforts.

§105.5. Production of Basic Cancer Patient Data. Hospitals and medical professionals are hereby required to provide to the program information on cancer patients, as follows.

(1) The department will furnish to each hospital, clinical laboratory, reference laboratory, and cancer treatment center within the state the requisite forms to be completed on all cancer patients diagnosed in that facility. The forms will require that the following information be furnished to the program:

- (A) personal identifying information—including but not limited to name, address, sex, age, place of birth, race, etc;
- (B) specific histologic diagnosis;
- (C) date of histologic diagnosis;
- (D) stage of disease;
- (E) medical historical data;
- (F) laboratory data;
- (G) specific treatments rendered (all modalities);

(H) annual status reports as requested by the program staff; and

(I) other information concerning possible factors involved in the causation of the cancer.

(2) In the case of individuals who have more than one form of cancer, a separate report shall be submitted for each primary cancer diagnosed.

(3) According to the capabilities of the individual hospitals, the reports rendered to the department may be submitted using either of two standardized formats (current samples appended) which may be changed by the department as appropriate to the operation of the program:

(A) Basic short format—Hospitals unable to extract complete surveillance information from the

records of all cancer cases may submit abbreviated information on a short format prescribed and provided by the department.

(B) Complete format—Hospitals with cancer programs which provide full followup to their cancer patients are encouraged to report their cancer cases on a long format prescribed and provided by the department.

(4) The required information may be submitted to the department on computerized magnetic tape but only if the format and editing have been approved in advance by the staff of the program.

(5) The information received will be used to produce general surveys and special studies of the incidence of cancer so that effective efforts to prevent cancer may be undertaken and plans be made to provide resources necessary for the care and management of existing cancer cases. The statistical data derived from these reports by the program may also be made available to other state agencies and to agencies of the federal government, as required, to assist them in the conduct of cancer surveys and studies. Said statistical data shall not include information which identifies individual patients, physicians, or institutions involved.

§105.6. Confidentiality. The department and all persons with access to personal information on cancer patients shall hold this information in the strictest confidentiality and shall protect this information from disclosure to persons who do not have permission by the department or the cancer patient to use this cancer information.

(1) The protected information for which confidentiality shall be preserved will be any and all information which identifies any person as having been or being studied in relation to any form of cancer, or which associates a person's name or other identifying information with any disease process, study of a disease process, or with any physician or any hospital which has treated or served any specific cancer patient.

(2) Individuals and agencies permitted professional access to protected confidential information for the conduct of studies shall under no circumstances contact cancer patients or members of their families without the specific permission of the department as well as of the physician and/or facility providing primary medical care to the patient for the cancer in question.

(3) Records of protected confidential information on cancer patients will be afforded physical protection so as to prevent unauthorized access to these records.

Records must be protected by locked enclosures or other equally effective physical barriers at all times when not being directly handled by an authorized user of these records.

(4) Individuals with authorized access to protected confidential information on any patient, attending physician, or hospital shall under no circumstances communicate to any unauthorized person any personal information on individual cancer patients, or related information on physicians, hospitals, or cancer treatment facilities.

(5) Information or data about the cancer management experience of any hospital or group of hospitals, or any physician or group of physicians, regardless of whether individual patients, physicians or institutions may be identified by that information, shall be released only to the institutions or physicians involved, or to governmental agencies as specified by law. Exceptions to this rule may be made according to written specific permission by the physicians or hospitals to which the confidential information pertains.

§105.7. Unauthorized Release of Confidential Information. When the department learns that an authorized user of confidential cancer information has failed to conserve the information's confidentiality, the department shall take appropriate steps to protect that confidentiality. These steps may include any or all of the following:

- (1) requiring the user to conserve the information's confidentiality;
- (2) immediate suspension of the release of further confidential information to that user;
- (3) invoking contractual or other legal remedies;
- (4) whatever other steps the department deems necessary and appropriate to protect confidentiality.

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

Issued in Austin, Texas, on November 23, 1982.

TRD-828928

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

Proposed date of adoption:
January 15, 1982

For further information, please call (512) 458-7236.



HOSPITAL FILE

TEXAS DEPARTMENT OF HEALTH
CONFIDENTIAL CANCER REGISTRY ABSTRACT FORM



PATIENT	1 6	REGISTRY NUMBER	171 176	DATE OF DIAGNOSIS	PRIMARY SITE (ICD CODE)	
	7	PRIMARY AT THIS HOSPITAL	177 181	ICD MORPHOLOGY CODE		
	8 10	HOSPITAL	182	GRADE OF TUMOR		
	11 20	HOSPITAL CHART NUMBER	103 186	FINAL DIAGNOSIS		
		DATE ADMISSION		(ICD CODE)		
		DATE DISCHARGE				
	21 50	NAME ENTER LAST FIRST MIDDLE MAIDEN				
	51 73	STREET NO				
	74 99	CITY STATE				
	100 104	ZIP CODE TELEPHONE NUMBER				
	105 107	COUNTY				
	108 116	SOCIAL SECURITY NUMBER				
	DIAGNOSIS	117 119	PLACE OF BIRTH	187-188		SIZE OF PRIMARY TUMOR
120 122		COUNTY OF BIRTH	189	BASIS OF DIAGNOSIS		
123 128		DATE OF BIRTH	190	STAGE OF DISEASE		
129				EXTENT OF DISEASE		
130		RACE & ETHNICITY				
131		SEX				
132		MARITAL STATUS				
133		RELIGION				
		PERMANENT CONTACT NAME & ADDRESS (RELATIONSHIP)				
134		CLASS OF CASE				
135		TYPE OF PATIENT				
136		DIAGNOSED PRIOR TO THIS ADMISSION				
HISTORY		137-140	DATE OF FIRST DIAGNOSIS	191	WAS TREATMENT COMPLETED?	
		FIRST DIAGNOSIS MADE AT/BY	192	INTENT OF THERAPY		
		DIAGNOSIS	193-196	DATE FIRST COURSE DEFINITIVE TREATMENT STARTED		
		SITES OF OTHER NEOPLASMS	197-200	DATE FIRST COURSE DEFINITIVE TREATMENT COMPLETED		
	143	STAGE OF DISEASE AT FIRST DIAGNOSIS	203	TYPE OF TREATMENT TO THIS TUMOR		
	144-147	DATE OF INITIAL TREATMENT	204			
	150	TYPE OF TREATMENT	205			
	151		206			
	152					
	153					
	154	SEQUENCE OF THIS TUMOR				
	TREATMENT		OCCUPATION	207	CONDITION AT DISCHARGE	REGISTRY NUMBER
			SMOKING HISTORY	208-213	DATE OF DEATH	
		ALCOHOL HISTORY	214-217	PRIMARY CAUSE OF DEATH		
		FAMILY HISTORY OF CANCER	218 221	SECONDARY CAUSE OF DEATH		
		CHIEF COMPLAINT	222	AUTOPSY PERFORMED		
			223 227	PHYSICIAN		
			228 232	PHYSICIAN		
			233 237	PHYSICIAN		
			238 242	PHYSICIAN		
			243	TRANSACTION CODE		
			244	RECORD TYPE		
				DATE ABSTRACTED		
				ABSTRACTOR		

REPORT OF MALIGNANT NEOPLASMS
STATEWIDE CANCER REGISTRY PROGRAM

1. Registry Number _____

2. Hospital Chart Number _____

3. Hospital/Laboratory Name _____
City _____

4. Name _____
 LAST FIRST MIDDLE MAIDEN

5. Address _____
 STREET

 CITY STATE ZIP COUNTY

6. Social Security Number _____ - _____ - _____

7. Date of Birth _____ / _____ / _____
 MO DAY YEAR

8. Race/Ethnicity (Check One)

<input type="checkbox"/> Caucasian, not otherwise specified	<input type="checkbox"/> Japanese
<input type="checkbox"/> Caucasian, Spanish surname or origin	<input type="checkbox"/> Filipino
<input type="checkbox"/> Black	<input type="checkbox"/> Hawaiian
<input type="checkbox"/> American Indian	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Chinese	<input type="checkbox"/> Unknown

9. Sex (Check One)

Male

Female

10. Permanent Contact

Name _____ Relationship _____

Address _____
 STREET CITY STATE ZIP

Home Phone _____

11. Date of Initial Diagnosis _____ / _____ / _____
 MO DAY YEAR

12. Final Diagnosis _____

13. Primary Site _____ ICD Code _____

14. Histologic Type _____ ICD Morphology Code _____

15. Basis of Diagnosis _____

16. Date of Death _____

17. Attending Physician _____

11/4/82

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.)

Chapter 5. Rating and Policy Forms Workers Compensation Rates

059.05.55.001

The State Board of Insurance proposes amendments to Rule 059.05.55.001, which adopts by reference the Texas Workers' Compensation and Employers' Liability Insurance Manual. The amendment revises a segment of the rules applicable to retrospective rating plan D pertaining to the selection of the loss limitation used to determine ratable losses incurred by a risk during the rating period. The amendment shall apply to automobile liability, automobile physical damage, general liability, and burglary insurance under a retrospective rating plan D. The principal feature of the amendment is to provide for the selection of a loss limitation over \$25,000 for a standard premium in excess of \$100,000, provided the selected value is not greater than 50% of the standard premium.

Billy D. Young, retrospective rating supervisor, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications to state or local government as a result of enforcing or administering the rule.

Mr. Young has also determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed will be to enhance the capabilities

of the retrospective rating plan D in responding to the individual insured's requirements. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted in writing to Billy D. Young, Retrospective Rating Supervisor, State Board of Insurance, 1110 San Jacinto, Austin, Texas, 78786.

This amendment is proposed under the Texas Insurance Code, Articles 5.55 and 5.77, which provide the State Board of Insurance with the authority to make or approve retrospective rating plans and reasonable rules as may be necessary.

.001. Texas Workers' Compensation and Employers' Liability Insurance Manual. The State Board of Insurance adopts by reference the Texas Workers' Compensation and Employer's Liability Insurance Manual as amended on **February 1, 1983** [October 1, 1982], which contains rules, classifications, rates, and endorsement forms for workers' compensation and employers' liability insurance. This document is published by the National Council on Compensation Insurance and may be obtained from the Insurance Services Office, Product Distribution Division, 160 Water Street, New York, New York 10038, (212) 487-5000, or from the State Board of Insurance, 1110 San Jacinto, Austin, Texas 78786, where it is also available for public inspection.

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

Issued in Austin, Texas, on November 23, 1982.

TRD-828910 James W. Norman
Chief Clerk
State Board of Insurance

Earliest possible date of adoption:
January 3, 1983

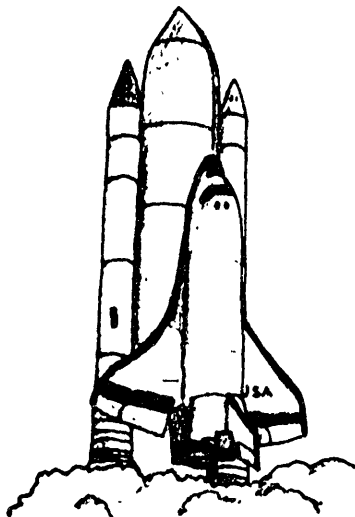
For further information, please call (512) 475-2950.

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 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

Chapter 3. Oil and Gas Division Conservation Rules and Regulations

16 TAC §3.57

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed amendments to §3.57 (051.02.02.057), submitted by the Railroad Commission of Texas, have been automatically withdrawn, effective November 23, 1982. The amendments as proposed appeared in the May 21, 1982, issue of the *Texas Register* (7 TexReg 1928).

TRD-828894

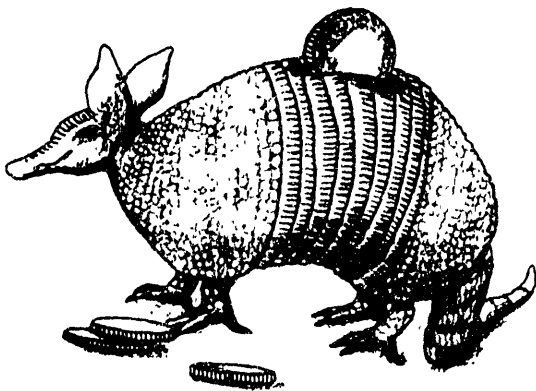
Filed: November 23, 1982

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



These repeals are effected under Texas Civil Statutes, Article 342-113, which authorizes the Banking Department of Texas to adopt rules to provide for the preservation of records of banks during the time the records are of value, and to permit the destruction or other disposition of the records after they are no longer of any value.

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 November 24, 1982.

TRD-828925

Archie P. Clayton
General Counsel
Banking Department of Texas

Effective date: December 15, 1982

Proposal publication date: October 22, 1982

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

TITLE 7. BANKING AND SECURITIES

Part II. Banking Department of Texas

Chapter 11. Miscellaneous Retention of Records

7 TAC §§11.61-11.63

The Banking Department of Texas adopts the repeal of §§11.61-11.63, without changes to the proposed text published in the October 22, 1982, issue of the *Texas Register* (7 TexReg 3753).

Sections 11.61-11.63 are being revised in new §§11.64 and 11.65, which are being adopted simultaneously. This repeal will eliminate confusion between the two record retention schedules for banks.

No comments were received regarding adoption of these repeals.

7 TAC §11.64, §11.65

The Banking Department of Texas adopts new §11.64 and §11.65, with changes to the proposed text published in the October 22, 1982, issue of the *Texas Register* (7 TexReg 3754).

The rules provide a current record retention schedule for banks. Several changes have been made in the final rule as a result of comments. The changes generally reduce the period of time records must be retained. The changes were made since the Banking Department determined the records were no longer of any value after that time. The requirement for hard copy of trust department records was eliminated after the

department determined microfilm and other types of reproduction processes are a satisfactory method of retaining records.

A comment was received which suggested shortening a number of retention periods and eliminating the hard copy requirements for trust department records.

Jim Lederer of the Texas Bankers Association commented in favor of the rule. The agency agrees with

Mr. Lederer's comments and has amended the proposed rule to reflect his comments.

The rules are adopted under Texas Civil Statutes, Article 342-113, which authorizes the Banking Department of Texas to adopt rules for the preservation of the books and records of banks during the time the books and records are of value and to permit the destruction or other disposition of the books and records after they are no longer of any value.

§11.64. Commercial Bank Records. The Texas Banking Code provides that the banking section of the Finance Commission of Texas may promulgate general rules and regulations to provide for the preservation of the books and records of banks and to permit the destruction or other disposition of such books and records after the same are no longer of any value. In addition, there are numerous federal laws and regulations which govern the retention of bank records, but the record retention schedule adopted by the banking section is controlling unless federal law requires otherwise. Every effort was made to reflect the retention requirements of all federal statutes and regulations in effect when the record retention schedule was adopted. The suggested retention period adopted by the banking section permits either the retention of the original document or the use of microfilm, microfiche or other photocopy processes. In Texas, two statutes which are applicable to the use of microfilm or other types of reproduction processes are Texas Civil Statutes, Article 3731b, Photographic or Photostatic Copies of Business and Official Records, Admissibility; and Article 3737e, Memorandum or Record of Act, Event, or Condition. The use of microfilm or other similar process should be determined by each bank on an item-by-item basis based upon the needs of the bank and the advice of bank counsel as to any federal law which may require the retention of the original document.

Type of Record	Retention Period
(1) Administrative	
(A) Attachments and/or garnishments. Note: Suggest that legal documents, copies of returns and correspondence be filed, after case is closed, with general correspondence.	4 years after close
(B) Bank examiners' reports. Note: These are the property of the supervisory authorities and their approval should be obtained prior to destruction.	Permanent
(C) Charged off asset records	5 years
(D) Charitable contribution records	5 years
(E) Court case records (foreclosed real estate, etc.)	4 years after case terminated
(F) Depreciation records (after life of asset)	3 years
(G) Evidence of compliance with CRA	2 years
(H) F.D.I.C. records	5 years
(I) Federal Reserve correspondence	5 years
(J) Federal Reserve Form G-3	3 years
(K) Federal Reserve Form T-4	3 years
(L) Federal Reserve Forms U-1, U-2, U-3, U-4, U-5, U-6	3 years
(M) Federal Reserve Form X-1	6 years
(N) Incoming memos	5 years
(O) Insurance agency activities	Permanently
(P) Insurance records	
(i) Schedules of fire and other insurance, also record of payments of premiums and of amounts recovered.	3 years
(ii) Casualty liability policies, policies expired—P.L. & P.D., O.L. & T., etc.	6 years
(iii) Windstorm, fire, theft, etc., policies expired	3 years
(iv) Records of policies in force	3 years after expiration
(v) Bankers' blanket bonds	6 years
(Q) Miscellaneous files	5 years
(R) Outgoing memos	5 years
(S) Security devices	While in use
(T) Vendors	5 years
(2) Accounting and auditing	
(A) Accrual and bond amortization records	3 years
(B) Audit reports	4 years

(C) Audit work papers	3 years
(D) Bank call reports	Permanent
(E) Bills paid and invoices	4 years
(F) Budget work sheets	Optional
(G) Consolidated financial statements	7 years
(H) Daily reserve computation	2 years
(I) Determination of FDIC assessment base records	5 years
(J) Difference record (Tellers Over/Short Sheet)	3 years
(K) Escheat records	Permanent
(L) Income and dividends reports	Permanent
(M) Large currency transaction report	7 years
(N) Reconcilements of bank (due to) deposits	1 year
(O) Reconcilements register (due from)	15 months
(P) Reports to directors	6 years
(Q) Reports to executive committee	6 years
(R) Statement of condition	Permanent
(S) Securities vault "in and out" tickets	4 years
(T) Taxes—federal	
(i) Declaration of estimated tax (quarterly)	7 years
(ii) Dividend and interest return information (annual)	Permanent
(iii) Corporate income tax returns	7 years
(iv) Nonresident alien withholding tax—Form 1042-1042s	4 years
(v) Refund claims, disallowed and paid	4 years
(vi) Social Security and withholding tax returns (quarterly)	4 years
(vii) Federal unemployment tax returns, from date of filing	4 years after paid or due
(U) Taxes—state	
(i) Sales and use tax	4 years
(ii) Unemployment tax returns	4 years
(V) Taxpayer I.D. number of depositors	5 years after close
(3) Capital	
(A) Capital stock certificates, records of, or stubs of	Permanent
(B) Capital stock ledger	Permanent
(C) Capital stock transfer register	Permanent
(D) Dividend	
(i) Checks	6 years
(ii) Nominee's information return	Permanent
(E) Dividend register	6 years
(F) Proxy material	10 years
(G) Receipts for stock certificates	Permanent
(H) Statement of beneficial ownership	Permanent
(I) Statement of changes in beneficial ownership	Permanent
(J) Stockholder list	Permanent
(4) Certificates of deposit	
(A) Cashiers check log	1 year
(B) Certificates	7 years after paid
(C) Copy of certificate	Long as CD is active
(D) Early redemption notice—microfilm (daily)	7 years
(E) General correspondence	Optional
(F) Microfilm of interest checks, interest deposited	7 years
capitalized (daily)	
(G) Reconcile daily	
(i) CD's	3 years
(ii) Accrued interest	3 years
(H) Safe keeping receipts (keep CD's in department log)	3 years
(I) Signature cards	5 years after close
(J) Taxpayer identification number	5 years after close
(5) Collections	
(A) Cash item files	1 year
(B) Collection letters—incoming	2 years
(C) Collection letters—outgoing	2 years
(D) Collection receipts, carbons of	2 years
(E) Collection register	3 years

**Texas
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(F) Coupon cash letters, outgoing	6 months
(G) Coupon envelopes	3 years
(H) Customers' file copies	1 year
(I) Departmental blotters	2 years
(J) Installment contract or note records	2 years after close
(K) Obsolete and uncalled collections after escheat	6 years
(L) Registered mail records	3 years
(M) Return item files	1 year
(N) Series E and EE bonds	3 years
(O) Wire copies	1 year
(6) Commercial loans	
(A) Annual reports and customer statements	6 years
(B) Collateral cards	4 years
(C) Collateral receipts	4 years after pay off
(D) Collateral register	4 years
(E) Credit files (closed)	4 years
(F) Daily reports	Optional
(G) Debit and credit tickets	1 year
(H) Disclosure records	3 years
(I) Evidence of compliance with Regulation U	3 years
(J) Extensions of credit over \$5,000, records including name, address, amount, purpose and date of credit, and not secured by real estate	5 years
(K) Hypothecation agreements after repayment	4 years
(L) Journal	
(i) If the journal is a by-product of posting the liability ledger	2 years
(ii) If the journal is used as a book of original entry, with descriptions	5 years
(M) Liability ledger—original entry	5 years
(N) Loan applications after repayment	3 years
(O) Loan committee minutes	6 years
(P) Loan, disbursement vouchers	4 years
(Q) Loan records—stock as collateral	3 years after paid
(R) Loans over \$5,000, records including name, address, amount, purpose and date of credit, and not secured by real estate	5 years
(S) Margin cards	3 years
(T) Note or discount register	
(i) If the register is a by-product of posting the liability ledger	2 years
(ii) If the register is used as a book of original entry, with descriptions	6 years
(U) Note and discount tickler	
(i) If the register is a by-product of posting the liability ledger	2 years
(ii) If the register is used as a book of original entry, with descriptions	4 years
(V) Notice of adverse action	25 months
(W) Overdraft loan agreement	6 years
(X) Receipts for coupons removed from collateral after return	6 years
(Y) Receipts for return of paid loan documents	6 years
(Z) Records of extension of credit exceeding \$5,000	5 years
(AA) Repossession log	4 years
(BB) Resolutions, after repayment of loan	4 years
(CC) Teller sheets	3 years
(DD) Transaction journal	
(i) If a by-product of posting the general ledger	2 years
(ii) If used as book of original entry	4 years
(EE) Trial balance	4 years
(7) Consumer credit	
(A) Applications—approved	6 years
(B) Applications—rejected	3 years
(C) Borrowers' statements	3 years after close
(D) Canceled notes	Optional
(E) Charged off notes	4 years

(F) Collateral records	4 years
(G) Consumer credit drafts	4 years
(H) Correspondence—general	3 years
(I) Coupons—loan deposits	6 years
(J) Coupons—loan payments	6 years
(K) Credit folders containing applications, etc.	4 years after close
(L) Disbursement vouchers—cash receipts	2 years after close
(M) Evidence of compliance with Regulation U	3 years
(N) Loan deposit ledger cards	2 years after close
(O) Loan deposit and loan payment posting journals	2 years
(P) Loan ledger cards	2 years after close
(Q) Loans made journal	2 years
(R) Loans paid journal	2 years
(S) New loan journal	2 years
(T) Note of discount tickler	Optional
(U) Note register	2 years
(V) Notice of adverse action	25 months
(W) Overdraft loan agreement	6 years
(X) Proof sheet	1 year
(Y) Rebate receipts	2 years after close
(Z) Records of credit extensions over \$5,000, records including name, address, amount, purpose and date of credit, and not secured by real estate	5 years
(AA) Resolutions	4 years after close
(BB) Student loan records	3 years
(CC) Transaction journal	
(i) If a by-product of posting the general ledger	2 years
(ii) If used as book of original entry	4 years
(DD) Trial balances	4 years
(EE) Truth-in-lending (Regulation Z) compliance papers	2 years after disclosure
(FF) Work sheets and tapes	1 year
(8) Corporate	
(A) Attachments and/or garnishments	4 years after close
(B) Annual reports	Permanent
(C) Corporate by-laws	Permanent
(D) Incorporation papers	Permanent
(E) Minute books of meetings (stockholders, directors, committees, etc.)	Permanent
(F) Record of bank's executive officers and principal shareholders' indebtedness to correspondent banks (Form FFIEC 004)	3 years
(G) Record of loans to executive officers, directors, and principal shareholders (Form FFIEC 003)	3 years
(H) Record of outside business interests of directors, executive officers, and principal stockholders, after length of service	3 years
(I) Registration statements	10 years after S.E.C. reporting requirements close
(J) Reports under 1934 Exchange Act (annual, quarterly, current, and proxy material)	10 years after S.E.C. reporting requirements close
(K) Restricted securities resale notice	
(i) S.E.C. Form 144	6 years
(ii) S.E.C. Form 237	6 years
(9) Demand Deposit accounts/NOW accounts	
(A) Account analysis	
(i) Analysis work sheets or cards	Optional
(ii) Average balance cards	Optional
(iii) Interest computation records	Optional
(B) Corporate resolutions	5 years after close
(C) Daily report of overdrafts	Optional
(D) Deposit tickets or microfilm thereof	5 years
(E) Individual ledgers	10 years after last entry
(F) Individual ledger journals	4 years
(G) Paid checks and other debits or microfilm thereof	5 years
(H) Reports of accounts, opened and closed	Optional

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(I) Service charge records	Optional
(J) Signature cards	5 years after close
(K) Statement receipt cards	2 years
(L) Statements	5 years
(M) Stop payment orders	5 years
(N) Taxpayer identification number	5 years after close
(O) Trial balances—nonautomated	4 years
(P) Trial balances—automated	
(i) If statement or account history retained	2 years
(ii) If no alternate record	4 years
(Q) Undelivered statements and canceled checks	5 years
(10) Due from banks	
(A) Advices	1 year
(B) Bank statements	1 year
(C) Drafts	1 year after paid
(D) Draft register on outstanding drafts	1 year
Note: affidavits, bonds of indemnity, and all pertinent information pertaining to issuance of duplicate checks	5 years after paid
(E) Reconcilements register	3 years
(11) Due to banks	
(A) Copies of advices	Optional
(B) Correspondent bank ledger	5 years
(C) Debit and credit entries	5 years
(D) Incoming cash letter memos for credit	6 months
(E) Incoming cash letters for remittance	6 months
(F) Reconciliation verification	2 years
(G) Reconciliation register	2 years
(H) Reports of accounts, opened and closed	Optional
(I) Resolutions	5 years after close
(J) Signature cards	5 years
(K) Statements	5 years
(L) Trial balances	1 year
(M) Undelivered statements and canceled checks	5 years
(12) Electronic funds transfers—evidence of compliance of Regulation E	2 years
(13) General	
(A) Change-of-address orders	1 year
(B) Code books (not returned)	Destroy
(C) Correspondence—general	Optional
(D) Incoming mail envelopes	Optional
(E) Paid bills, statements, and invoices	7 years
(F) Receipts for checkbooks	Optional
(G) Requisition for supplies	Optional
(H) Stenographers' notebooks and mechanical device records:	Optional
extra copies of letters if other copies are retained	
(I) Taxpayer I.D. number of depositor	5 years after close of account
(J) Telegram, cable, and radiogram copies	Optional
(K) Travelers checks applications	1 year
(L) Vault records, opening and closing of	1 year
(M) Wire transfer debit and credit entries	1 year
(14) General ledger	
(A) Daily statement of condition	5 years
(B) General journal	
(i) If the journal is a by-product of posting the general ledger	2 years
(ii) If the journal is used as book of original entry, with descriptions	5 years
(C) General ledger sheets	
(i) If a by-product of posting general ledger	2 years
(ii) If used as original entry	5 years
(D) General ledger tickets (debit and credits)	5 years
(15) International department	
(A) Advices over \$10,000 transferring outside U.S.	5 years

Adopted Rules

(B) Cable copies	4 years
(C) Cable requisitions	4 years
(D) Checks over \$10,000	
(i) Sent outside U.S.	5 years
(ii) Drawn on foreign bank	5 years
(iii) Received from outside U.S.	5 years
(E) Foreign collection register	4 years
(F) Foreign draft applications	6 years
(G) Foreign draft carbons	6 years
(H) Foreign exchange remittance sheets or books	4 years after issue
(I) Foreign mail transfer applications	4 years
(J) Foreign mail transfer carbons	4 years
(K) Letter of credit applications	4 years
(L) Letter of credit ledger sheets	4 years
(M) Travelers check applications	2 years
(N) Travelers check register	2 years
(16) Investments	
(A) Bond amortization records	3 years
(B) Bond appraisals	3 years
(C) Bond ledger and portfolio	5 years
(D) Brokers' confirmations	3 years
(E) Brokers' invoices	3 years
(F) Brokers' statements	3 years
(G) Correspondence	3 years
(H) Credit information used to evaluate public and investment securities	3 years
(I) Descriptive literature on securities	3 years
(J) Liquidity reports	3 years
(K) Lost or stolen securities (Form X-17-1A)	3 years
(L) Municipal securities dealer arrangement (F.D.I.C. Form MSD-4 and MSD-5)	3 years after employment termination
(M) Public fund contract	Permanent
(N) Safe-keeping records and receipts	4 years
(O) Securities transactions	3 years
(17) Official checks and drafts	
(A) All official checks—copy	Until paid
(B) Cashiers checks paid	5 years after paid
(C) Cashiers checks register	5 years after paid
(D) Certified checks or receipts therefor. Note: If not delivered or returned to depositor, photograph and destroy checks and then retain film for records	5 years after paid
(E) Certified check register	5 years
(F) Drafts paid	5 years after paid
(G) Drafts, register	5 years
(H) Expense checks paid	5 years
(I) Expense checks register	5 years
(J) Expense vouchers debit invoices	5 years
(K) Interest and dividend checks	5 years after paid
(L) Money orders, bank or personal	5 years after paid
(M) Money order registers	5 years
(N) Receipts for certified checks	5 years after paid
(O) Requisitions of official checks and drafts	
(i) If all information including name of purchaser is recorded on register. Note: Consider retaining requisition for checks unpaid, at time of destruction	Optional
(ii) If no detail is transcribed upon register	5 years
(P) Stop payment correspondence	5 years
(Q) Travelers checks (paid)	6 years
(18) Personnel	
(A) Annual welfare and pension plan	5 years
(B) Applications and resumes	
(i) Approved	3 years after termination

<i>(ii)</i> Rejected	Optional, suggested
(C) Attendance records	25 months
(D) Group insurance	3 years
(E) Payroll records/time records	1 year after termination
(F) Personnel file	3 years
(G) Salary ledger	6 years after termination
(H) Salary receipts. Note: Retain final receipt in personnel folder	3 years
(I) Tax reports	5 years
(J) Wage and tax records, W-2, W-3, and W-4	5 years
(19) Proof, clearings, and transit	
(A) Clearing house settlements sheets	3 months
(B) Copies of advices of corrections	6 months
(C) Departmental or tellers' proof sheets	6 months
(D) Deposit proof sheets or tapes	2 years
(E) Inclearings envelopes, proof sheets, or tapes	6 months
(F) Microfilm, front and back of item if anything on back	2 years
(G) Outclearings proof sheets or tapes	2 years
(H) Outgoing cash letters—transit	2 years
(I) Proof sheet—transit	2 years
(20) Real estate construction/land development	
(A) Credit files	5 years after pay-off
(B) Collateral files, recorded documents, or copies	10 years after pay-off
(C) Notice of adverse action	25 months
(21) Real estate/mortgage loans	
(A) Annual customer statements	6 years after pay-off
(B) Collateral files, deeds of trust or copies, etc.	20 years after pay-off
(C) Compliance acts	
<i>(i)</i> Community reinvestment	2 years
<i>(ii)</i> Fair credit reporting	25 months
<i>(iii)</i> Home loan data	25 months
<i>(iv)</i> Home mortgage disclosure	5 years
<i>(v)</i> Real Estate Settlement Procedures Act statements	2 years
<i>(vi)</i> Regulation Z, truth-in-lending	2 years after disclosure
(D) FHA bank statements	5 years
(E) Flood certificate/insurance	Until paid
(F) General correspondence	1 year after paid
(G) Insurance policies	1 year after expiration
(H) Journal (debits and credits)	10 years
(I) Loan credit files	5 years after pay-off
(J) Notice of adverse action/rejected applications	25 months
(K) Paid out ledger sheets	20 years after pay-off
(L) Payment coupons	13 months
(22) Registered mail	
(A) Marine insurance books	3 years
(B) Registered mail (incoming) record	3 years
(C) Registered mail (outgoing) record	3 years
(D) Return receipt cards	3 years
(23) Safe deposit vault	
(A) Access tickets	4 years
(B) Canceled signature cards	4 years after close
(C) Copies of rent receipts	2 years
(D) Correspondence	2 years after close
(E) Leases or contracts, closed accounts	4 years after close
(F) Ledger record of account	Optional
(G) Safe keeping buy and sell orders	6 years
(24) Savings accounts	
(A) Corporate resolutions	5 years after close
(B) Deposits	5 years
(C) Individual ledgers	10 years after last entry
(D) Interest credit	5 years
(E) Journal	6 months

(F) Passbooks	Destroy
(G) Reports of accounts, opened and closed	Optional
(H) Signature cards	5 years after close
(I) Statements	5 years
(J) Taxpayer I.D. number of depositors	5 years after close
(K) Trial balances—nonautomated	4 years
(L) Trial balances—automated	
(i) If statement or account history record retained	2 years
(ii) If no alternate record	4 years
(M) Withdrawals	5 years
(25) Tellers	
(A) Cash item records	1 year
(B) Large currency transaction report	7 years
(C) Night depository agreements	1 year after close
(D) Night depository receipts	1 year after close
(E) Return item register	1 year
(F) Tellers' cash books	Optional
(G) Tellers' cash tickets, original and carbon copies	6 months
(H) Tellers' cash reconciliation	6 months
(I) Tellers' machine tapes	6 months
(J) Tellers' blotter, journal, or proof	2 years
(K) Tellers' exchange tickets	6 months
(L) Tellers' sheets	2 years

§11.65. Trust Department Records.

Type of Record	Retention Period
(1) Agreements	
(A) Agency	Permanent
(B) Court	Permanent
(C) Trust	Permanent
(2) Authorizations	
(A) Check lists	Destroy at closing
(B) Others	7 years, then destroy
(C) Trusts	Permanent
(3) Corporate trusts	
(A) Agreement	Destroy 7 years after account closing
(B) Amortization schedules	Destroy at maturity
(C) Canceled bonds and coupons	Return to issuing corporation or destroy retaining receipt or destruction certification until account closing
(D) Canceled stock certificates	7 years; then return to company
(E) Change-of-address	1 year
(F) Correspondence	3 years
(G) Coupon envelopes	2 years
(H) Coupon ledgers	Destroy at closing
(I) Dividend check tapes	4 months
(J) Dividend ledgers	7 years
(K) Dividend record cards	7 years after closing
(L) Dividend and interest listing	1 year
(M) Dividend and registered bond	7 years
interest checks	
(N) Forms 1099, 1096	3 years after filing
(O) Journals	Permanent
(P) Signature files	Until termination
(Q) Stockholder ledgers	3 years after closing of stockholder's account, then microfilm
(R) Stockholders' listing	3 years
(S) Stock transfer instructions	7 years
(T) Stock transfer receipts	3 years
(U) Stop payment orders	1 year
(V) Stop transfer instructions	Send to corporation at closing
(W) Supporting papers to transfers	7 years

(X) Surety bonds	7 years; then deliver to company to be retained permanently	Permanent
(Y) Transfer sheets		Permanent
(4) Correspondence		7 years
(A) Broker Confirmations		7 years
(B) Decedent's personal records	Deliver or distribute where appropriate, obtain receipt, otherwise destroy one year after closing	7 years
(C) Fees		7 years
(D) Others		Permanent
(E) Trusts		Permanent
(5) Files	Files retention period begins with account determination date—nonessential material destroyed at account closing	
(6) General departmental records		Permanent
(A) Accountings of prior fiduciaries		Permanent
(B) Account synopsis	7 years after closing; then destroy	3 years
(C) Audit reports		3 years
(D) Buy and sell orders		3 years
(E) General correspondence		3 years
(F) Inventory of and safe deposit		5 years
box release		Permanent
(G) Minute books, trust committee, and trust investment committee		Permanent
(H) Notes, mortgages, contracts	Return to customer when paid in full	1 year
(I) Oil run statements		1 year
(J) Original trust entries (daily debits and credits and multiple forms)		3 years
(K) Registered mail report		3 years
(L) Safe keeping receipts (canceled)		7 years
(M) Tickler cards	Destroy at account closing or 1 year after retiring from active files	3 years
(N) Vault withdrawal and deposit tickets		3 years
(O) <i>Wall Street Journal</i>		2 years
(7) Miscellaneous		2 years
(A) Others		7 years
(B) Paid bills		3 years
(C) Pending	Destroy at closing	Permanent
(D) Trust		Permanent
(8) Personal trust accounting records		Permanent
(A) Accounting ledgers		Permanent
(B) Asset card records	Destroy 7 years after sale or delivery	Permanent
(cost and ctf. information)		Permanent
(C) Asset listings (computer)		3 years
(D) Asset pricing lists		2 years
(E) Cash listing		2 years
(F) Check registers		1 year
(G) Check requisition		1 year
(H) Checks		Permanent
(I) Check vouchers	1 year after account closing	Permanent
(probate accounts)		Permanent
(J) Common trust		Permanent
fund valuations		Permanent
(K) Daily blotter of transactions		1 year
(L) Daily statement of department		1 year
(M) Fee ledgers	Destroy at account closing	3 years
(N) Income receipt listings		3 years
(dividends, interest, rentals, mineral income)		3 years
(O) Journals (edit runs, cash and asset journals)		3 years
(P) Nominee records		3 years

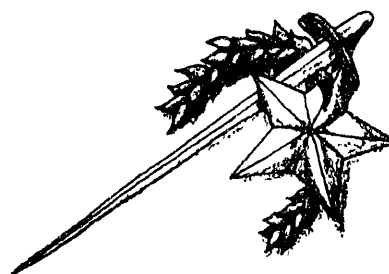
(Q) Overdraft list	1 year
(R) Posting tickets	3 years
(9) Purchase and sale	
(A) Others	7 years; then destroy
(B) Real estate	7 years; then destroy
(C) Security and trust analysis	7 years; then destroy
(D) Trust	Permanent
(10) Special files	
(A) Others	7 years; then destroy
(B) Statements	Destroy at account closing
(C) Tax files	
(i) Ad valorem tax returns	2 years after filing
(ii) Estate tax return	15 years after filing
(iii) Federal and state tax returns	5 years after filing
(iv) Intangible tax returns	2 years after filing
(v) Social Security returns	5 years after filing
(D) Trust	Permanent

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 November 24, 1982.

TRD-828926 Archie Clayton
 General Counsel
 Banking Department of Texas

Effective date: December 15, 1982
Proposal publication date: October 22, 1982
For further information, please call (512) 475-4451.



**TITLE 13. CULTURAL
RESOURCES**
**Part I. Texas State Library and
Archives Commission**
**Chapter 1. Library Development
Standards for Accreditation of a Major
Resource System in the Texas Library
System**

13 TAC §1.50-1.52, 1.55-1.60, 1.62

The Texas State Library and Archives Commission adopts the repeal of §§ 1.50-1.52, 1.56-1.60, and 1.62, without changes to the proposed text published in the October 12, 1982, issue of the *Texas Register* (7 TexReg 3648).

The commission adopts the repeal of these rules because the requirements of the Uniform Grant and Contract Management Act of 1981 supercede them. The repeal of the rules deletes obsolete, superceded, and conflicting requirements.

No comments were received regarding adoption of these repeals.

The repeals are adopted under Texas Civil Statutes, Article 5446a, Chapter E, § 15d, which provides the Texas State Library and Archives Commission with

the authority to approve rules for the Library Systems Act.

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 November 22, 1982.

TRD-828898 William D. Gooch
 Assistant State Librarian
 Texas State Library

Effective date: December 16, 1982
Proposal publication date: October 12, 1982
For further information, please call (512) 475-2166.

**TITLE 16. ECONOMIC
REGULATION**
**Part I. Railroad Commission of
Texas**
**Chapter 5. Transportation Division
Subchapter J. Lease of Operating Rights
and Equipment**

16 TAC §5.167

The Railroad Commission of Texas adopts new §5.167, without changes to the proposed text pub-

lished in the October 8, 1982, issue of the *Texas Register* (7 TexReg 3616).

This section will set out the provisions of lease-related activities by motor carriers, and will set forth, in relation to operations under a certificate or permit, the responsibilities of the holder and restrictions imposed on the holder's operatives.

The following comments in opposition to the rule were received by the commission:

- (1) The rule will eliminate independent contractors in the trucking industry.
- (2) Requiring written agency contracts would place undue burden on the motor carrier.

Commenting against the rule was John Hartley, president, Big John Transportation Company. The commission makes the following response to comments in opposition to the rule:

- (1) The rule will not forbid the use of "owner operators" as independent contractors. The rule will require that such persons be bonafide agents of the carrier and be actively supervised by the carrier.
- (2) Written agency contracts are necessary to insure accountability under the rule.

This rule is adopted under Texas Civil Statutes, Article 911b, 54, which provides the commission with the authority to prescribe reasonable regulations for intrastate motor carriers.

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 November 22, 1982.

TRD-828938 Jim Nugent
 Chairman
 Mack Wallace and Buddy Temple
 Commissioners
 Railroad Commission of Texas

Effective date: December 15, 1982
Proposal publication date: October 8, 1982
For further information, please call (512) 445-1186 .

TITLE 25. HEALTH SERVICES Part I. Texas Department of Health

Chapter 337. Water Hygiene Certification of Water Utilities Personnel

25 TAC §§337.51-337.56

The Texas Department of Health adopts the repeal of §§337.51-337.56, and new rules §§337.51-337.59.

New §§337.53, 337.54, 337.57, and 337.58 are being adopted with changes to the proposed text published in the September 21, 1982, issue of the *Texas Register* (7 TexReg 3394). Repealed §§337.51-337.56 and new §§337.51, 337.52, 337.55, 337.56, and 337.59 are being adopted without changes and will not be reprinted.

The public benefit anticipated as a result of enforcing the rule will be to insure that competent and knowledgeable individuals are certified and properly trained in the latest treatment technology required in safeguarding and providing drinking water to the citizens of Texas. The new rules will replace and update the existing rules which are repealed. The major changes in the new rules will be to increase the training and/or experience requirements for certification, to issue new surface water and groundwater certificates, and to require renewal hours for Grade A certificates.

The following comments were received by the agency in regard to the new rules concerning the certification of water utility personnel. None of the comments involved major or substantial changes.

Several comments were received expressing opposition to increasing the experience requirements to two years for Grade C certificates and five years for Grade B certificates. Also, a comment was received requesting that additional training credit be allowed to substitute for the experience requirements. In response to these concerns, changes were made in §337.54 to allow substitution of 40 hours of additional training credit for one of the required years of experience at the Grade C level and a maximum of 80 hours of additional training credit for two years of experience at the Grade B level for high school graduates.

Requests were received to include a statement in the new rules that would allow Grade A certificates issued prior to the effective date of the new regulations to remain perpetually in effect. A clause was added in §337.57 indicating that Grade A certificates issued in perpetuity under past regulations will not be subject to renewal requirements.

A request was made to allow training credit for articles published in recognized journals. A statement granting 10 hours of training credit for appropriate articles was added in §337.58.

Recommendations were made to defer the proposed rules until the designated course offerings are expanded to cover all areas of the state. The agency feels this training is presently available, and there will be ample opportunity for operators to receive the training indicated in §337.54 for the various grades of certification through the regional short schools, Texas Engineering Extension Service courses and approved courses offered by cities and private training services. In addition the proposed rules make reference in §337.54 to an "equivalent" concerning the designated courses, which will allow other training courses to be substituted should the designated training become unavailable for whatever reason.

A comment was made to grant training credit for attendance at training meetings of recognized associations without having the program material approved prior to the training date. The agency feels that all proposed courses and programs must be evaluated prior to the training date as stated in §337.58 in order to insure quality and consistency in the programs for which training credit is granted.

A comment was received expressing opposition to the proposed 180-day waiting period before retaking an examination, which is stated in §337.56. The agency feels that the longer interval will enable operators failing an exam to attend needed training courses and encourage applicants to better prepare themselves before taking the examination.

A comment was received requesting substitution of experience for training credit for registered professional engineers and lowering the experience and training credit requirements for applicants with college degrees in sanitary engineering. The agency feels that engineers receive little if any operational training in college and need the training required of operators. Their experience should not be allowed to substitute for training.

Additional comments were received requesting clarification of the proposed rules. A written comment was received from one district association indicating opposition to all of the proposed changes. However, written comments from another district association indicated that it gave "full support" to the proposed rules and that the reaction of the membership to the changes was "extremely favorable."

A number of interested associations or groups commented on the proposed rules, as follows: Texas Water Utilities Association; Texas Water Pollution Control Association; Texas Association of Rural Water Corporations; Water and Wastewater Training Division, Texas Engineering Extension Service; Water and Wastewater Department, City of Austin; Armadillo Country Water Utilities Association; Apollo Water Utilities Association; Brazos Colorado Water Utilities Association; Central Texas Water Utilities Association; Citrus Water and Wastewater Association; Harris County Water Control Improvement District #36; and Pecan Valley Water Utilities Association.

Most of the comments consisted of questions, suggestions, or concerns about the rules.

Those associations or groups which were clearly for or against the proposed rule are as follows. Commenting in favor of the rules were: Water and Wastewater Training Division, Texas Engineering Extension Service; Armadillo Country Water Utilities Association; Harris County Water Control Improvement District #36; and Training Division, Water and Wastewater Department, City of Austin. Commenting against the rules were: Central Texas Water Utilities Association; and Citrus Water and Wastewater Association.

The rules are adopted under Texas Civil Statutes, Ar-

ticle 4477-1, §23(b), which gives the department authority to adopt rules to implement the statute.

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 November 23, 1982.

TRD-828916 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Effective date: January 1, 1983
Proposal publication date: September 21, 1982
For further information, please call (512) 458-7536.

25 TAC §§337.51-337.56

§337.53. Administration.

(a) The department shall be responsible for the following:

- (1) receiving and evaluating applications and pertinent documents to determine whether qualification requirements are met by the applicant and notifying applicant as to action taken.
- (2) preparing and administering examinations.
- (3) supervising and grading examinations or arranging for the supervision and grading of examinations and notifying applicant as to result of examination (pass or fail).
- (4) issuing new and renewal certificates.
- (5) maintaining records of qualifications of operators having valid certificates.
- (6) maintaining a register of operators having valid certificates.
- (7) maintaining a register of water supply and sewerage systems having certified personnel.
- (8) approving training for certification credit.
- (9) maintaining transactions of committee meetings.

(b) The committee shall consist of nine members and shall be appointed and organized as follows:

(1) The commissioner shall appoint the following as members, giving consideration to geographic distribution:

(A) five persons who are currently employed by water utilities and who hold the highest classification of certificate issued by the department.

(B) one faculty member of a college, university, or technical school.

(C) one person who represents the department.

(D) one person who represents the Texas Department of Water Resources.

(E) one person who represents the employers of water utility operators.

(2) Ex officio nonvoting members of the committee shall consist of:

(A) the division head, water and wastewater training division, Texas Engineering Extension Service, and

(B) the executive director, Texas Water Utilities Association.

(3) The term of committee membership shall be five years, and no member shall serve more than two consecutive terms. No member shall continue to serve when his or her major activity is no longer in the field for which appointed.

(4) The commissioner shall appoint the committee chairman from among the members. The committee shall select from among its members such other officers as may be needed.

(5) A quorum of the committee shall be a majority of its members.

(6) Committee members shall be eligible for reimbursement of travel expenses at the same rate as state employees. Expenses must be approved by the department.

(c) The committee shall be responsible for the following:

(1) assisting the department in formulating policies, regulations, and procedures needed to administer the certification program.

(2) conducting and grading Grade A examinations at the request of the department.

(3) advising and assisting the department as needed in reviewing and evaluating questionable applications and in other matters as requested by the department.

(4) promoting and encouraging the certification of water utility personnel.

(5) advising the department regarding the approval of training courses for certification credit.

§337.54. *Qualifications.*

(a) Certification by examination. All individuals shall meet the following requirements based upon formal education, specialized training courses, actual operating experience, and passing of written examinations. All applicants taking examinations shall be required to pass the current examinations covering the fields of water or sewage works operation.

(b) Grade A Water Certificate:

(1) high school graduation or the equivalent, and eight years of experience, and 160 hours of training credit. (See paragraph (4) of this subsection.)

(2) college degree (bachelor's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or bacteriology, and five years of experience, and 160 hours of training credit. (See paragraph (4) of this subsection.)

(3) college degree (master's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or bacteriology, and four years of experience, and 160 hours of training credit. (See paragraph (4) of this subsection.)

(4) the 160 hours of training credit indicated in paragraphs (1)-(3) of this subsection shall include each of the following designated courses, or the equivalent:

- (A) groundwater production;
- (B) surface water production;
- (C) water distribution;
- (D) water laboratory; and
- (E) management.

(c) Grade A Sewage Certificate:

(1) high school graduation, or the equivalent;

and eight years of experience, and 160 hours of training credit. (See paragraph (4) of this subsection.)

(2) college degree (bachelor's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or bacteriology; and five years of experience, and 160 hours of training credit. (See paragraph (4) of this subsection.)

(3) college degree (master's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or bacteriology; and four years of experience, and 160 hours of training credit. (See paragraph (4) of this subsection.)

(4) the 160 hours of training credit indicated in paragraphs (1)-(3) of this subsection shall include each of the following designated courses, or the equivalent:

- (A) sewage treatment,
- (B) sewage collection system,
- (C) sewage laboratory, and
- (D) management.

(d) one year of college (32 semester hours) or an additional 40 hours of approved training credits may be substituted for one year of the experience requirement. In no case shall the actual experience be less than six years for high school graduates, five years for college graduates with bachelor's degrees, or four years for college graduates with master's degrees.

(e) Grade B Surface Water Certificate:

(1) high school graduation, or the equivalent; and five years of experience, and 100 hours of training credit. (See paragraph (3) of this subsection.)

(2) college degree (bachelor's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or bacteriology; and one year of experience, and 100 hours of training credit. (See paragraph (3) of this subsection.)

(3) the 100 hours of training credit indicated in paragraphs (1)-(2) of this subsection shall include each of the following designated courses, or the equivalent:

- (A) surface water production,
- (B) water distribution, and
- (C) water laboratory.

(f) Grade B Groundwater Certificate:

(1) high school graduation, or the equivalent; and five years of experience, and 100 hours of training credit. (See paragraph (3) of this subsection.)

(2) college degree (bachelor's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or bacteriology; and one year of experience, and 100 hours of training credit. (See paragraph (3) of this subsection.)

(3) The 100 hours of training credit indicated in paragraphs (1)-(2) of this subsection shall include each of the following designated courses, or the equivalent:

- (A) groundwater production, and
- (B) water distribution.

(g) Grade B Sewage Certificate:

(1) high school graduation, or the equivalent, and five years of experience, and 100 hours of training credit. (See paragraph (3) of this subsection.)

(2) college degree (bachelor's) with a major in any engineering discipline eligible for registration as a professional engineer, or in chemistry, biology, or

bacteriology; and one year of experience, and 100 hours of training credit. (See paragraph (3) of this subsection.)

(3) the 100 hours of training credit indicated in paragraphs (1)-(2) of this subsection shall include each of the following designated courses, or the equivalent:

- (A) sewage treatment,
- (B) sewage collection, and
- (C) sewage laboratory.

(h) One year of college (32 semester hours) or an additional 40 hours of approved training credits may be substituted for one year of the experience requirement. In no case shall the actual experience be less than three years for a high school graduate or one year for a college graduate.

(i) Grade C Surface Water Certificate:

(1) high school graduation, or the equivalent; and two years of experience, and 60 hours of training credit. (See paragraph (2) of this subsection.)

(2) 40 hours of training credit indicated in paragraph (1) of this subsection shall consist of the following designated courses, or their equivalent:

- (A) basic or advanced water works operation, and
- (B) surface water production.

(j) Grade C Groundwater Certificate:

(1) high school graduation, or the equivalent; and two years of experience, and 60 hours of training credit. (See paragraph (2) of this subsection.)

(3) 40 hours of training credit indicated in paragraph (1) shall consist of the following designated courses, or their equivalent:

- (A) basic or advanced water works operation, and
- (B) groundwater production.

(k) Grade C Sewage Certificate:

(1) high school, or the equivalent; and two years of experience, and 60 hours of training credit. (See paragraph (3) of this subsection.)

(2) 40 hours of training credit indicated in paragraph (1) of this subsection shall consist of the following designated courses, or their equivalent:

- (A) basic sewage works operation, and
- (B) either sewage treatment or sewage collection.

(l) One year of college (32 semester hours) or an additional 40 hours of approved training credits may be substituted for one year of the experience requirement. In no case shall the actual experience be less than one year.

(m) Grade D Water Certificate. Not renewable unless the operator is employed at a system of 250 connections or less; surface water systems must have an operator with at least Grade C surface water certification.

(1) high school graduation, or the equivalent; and no experience, and 20 hours of training credit. (See paragraph (3) of this subsection.)

(2) less than high school, and no experience, and 40 hours of training credit. (See paragraph (3) of this subsection.)

(3) 20 hours of training credit indicated in paragraphs (1) and (2) of this subsection must be a course in basic water works operation, or its equivalent.

(n) Grade D Sewage Certificate. Not renewable

unless the operator is employed at a system of 250 connections or less.

(1) high school graduation, or the equivalent; and no experience, and 20 hours of training credit. (See paragraph (3) of this subsection.)

(2) less than high school, and no experience, and 40 hours of training credit. (See paragraph (3) of this subsection.)

(3) 20 hours of training credit indicated in paragraphs (1) and (2) of this subsection must be a course in basic sewage works operation, or its equivalent.

(o) Persons desiring to obtain certificates in both water and wastewater shall earn the required training hours for each separately. Training hours for each shall be in the field applying to the respective certificates.

§337.57. Certificates.

(a) Issuance of certificates.

(1) Upon satisfactory fulfillment of the requirements provided in these rules and regulations, a suitable certificate shall be issued by the department.

(2) Dual water certificates (surface and ground) will not be issued unless the operator can show a need for both certificates.

(3) The certificate shall be prominently displayed in the utility plant or office of the certified operator.

(b) Period of validity of certificates.

(1) The period of validity shall be as follows:

- (A) Grade A: eight years;
- (B) Grade B: five years;
- (C) Grade C: three years;
- (D) Grade D: two years.

(2) The certified operator shall inform the department of any change in address or employment during the period of validity of the certificate.

(c) Renewal of certificates.

(1) Certificates may be renewed, unless revoked or replaced by a higher grade of certificate.

(2) One of the following requirements shall be met for renewal of each certificate:

(A) Retaking and passing the written examination, in which case renewal shall be effective on the date of examination; or

(B) Completion of 20 hours of training credit for a Grade D certificate since the date of last issuance and prior to the date of expiration, in which case renewal shall be effective on the date of expiration. Training credit hours may be used only once for renewal; or

(C) Completion of 30 hours of training credit for a Grade C certificate since the date of last issuance and prior to the date of expiration, in which case renewal shall be effective on the date of expiration. Training credit hours may be used only once for renewal; or

(D) Completion of 50 hours of training credit for a Grade B certificate since the date of last issuance and prior to the date of expiration, in which case renewal shall be effective on the date of expiration. Training credit hours may be used only once for renewal; or

(E) Completion of 80 hours of training credit for a Grade A certificate since the date of last issuance and prior to the date of expiration, in which case renewal shall be effective on the date of expiration. Training credit hours may be used only once for renewal.

(F) Persons holding certificates in both water and wastewater shall earn the required renewal hours for each separately.

(G) When the certificate of an operator expires while he or she is in military service, it may be renewed without examination upon proof of military service and of the previously held certificate.

(3) Certificates of competency issued under past rules and regulations shall be renewed on the basis of the requirements in effect at that time. After the initial renewal, however, certificates of competency shall be subject to renewal on the basis of the requirement as stated in these rules and regulations. For example, Grade A certificates issued in perpetuity under past rules will not be subject to any renewal requirements. Grade A certificates issued after the effective day of these rules shall be renewed in accordance with the stated requirements.

(4) Operators holding a valid Grade B or C surface water certificate and changing employment to a groundwater system will be issued, without examination, the same grade of groundwater certificate provided he or she can demonstrate the required designated courses have been completed.

(5) Operators holding a valid Grade B or C groundwater certificate and changing employment to a surface water system will be issued, without examination, the same grade of surface water certificate provided he or she can demonstrate the required designated courses have been completed.

(6) Upon request, an operator who maintains a valid certificate for 30 years shall retain his certification in perpetuity.

(d) Application renewal procedure.

(1) Before the expiration date of the certificate, the department shall mail to the certified operator a renewal application showing the expiration date and the requirements for renewal. The department shall mail the renewal application to the operator at the most recent address provided by the operator to the department.

(2) The operator shall return the renewal application to the department when renewing by examination or by substitution of hours. The operator shall submit any required record or evidence of completion of training credit to the department.

(3) Upon the applicant's satisfactory fulfillment of the requirements for renewal provided in these rules and regulations, a suitable renewal certificate shall be issued by the department.

(e) Revocation of certificates.

(1) The certificate of an operator shall be revoked if it is found:

(A) by the commissioner that the certificate was issued erroneously or by mistake.

(B) that the operator obtained the certificate through fraud, deceit, or through the submission of incorrect data on his/her qualifications.

(C) that the operator practiced fraud and deceit, or failed to use reasonable care, judgment, or application of his/her knowledge in the performance of his/her duties.

(2) When the department has reason to believe that charges against a certified operator may be valid,

the department shall notify the operator by personal service or certified mail at his last known address:

(A) of the charges made against him/her;

(B) that it intends to conduct an examination of the charges;

(C) that the operator has an opportunity to refute and prove the charges invalid.

(3) After the department's examination of the charges and the operator's rebuttal, if the department still has reason to believe there is cause for revocation, the department shall initiate a formal hearing in accordance with the department's formal hearing procedures in 25 Texas Administrative Code (TAC), §§1.21-1.32.

(4) Upon revocation of an operator's certificate, a new certificate shall not be obtained until his/her application is approved by the certification committee and all other requirements of the rules have been met.

§337.58. Training Approval.

(a) Training used to meet the requirements for obtaining or renewing water certificates shall be in water-related topics, as determined by the department. Water-related topics include basic water works operation, groundwater production and treatment, surface water production and treatment, water distribution, water laboratory, water utility management, or their equivalency as determined by the department.

(b) Training used to meet the requirements for obtaining or renewing sewage certificates shall be in sewage-related topics, as determined by the department. Sewage-related topics include basic sewage works operation, sewage treatment, sewage collection, sewage laboratory, sewerage utility management, or their equivalency as determined by the department.

(c) Training credit for attendance at meetings of Texas water utility district associations shall be allowed only when the meeting includes a training session related to water or sewage utilities. Training credit shall be allowed in accordance with the following provisions:

(1) District association monthly meetings: two hours of credit per meeting attended and verified.

(2) District association all-day meetings: one hour of credit per hour of verified attendance.

(3) Training credit shall be based upon the attendance report submitted by the appropriate district association officer.

(4) Persons earning training hours at district association meetings may use these hours toward obtaining or to renew either water or wastewater certificates as appropriate.

(d) Training credit for attendance at training sessions of annual or regional water utilities short schools, sponsored by the Texas Water Utilities Association and/or district associations, recognized by the department, shall be allowed in accordance with the following provisions:

(1) Annual or regional short school: one hour of credit per hour in attendance at training sessions, up to a maximum of 20 hours.

(2) Training credit shall be based upon attendance recorded by the department or by other means determined by the department.

(e) Training credit for certification will be granted for those courses which have been reviewed and approved by the department prior to the receipt of the training.

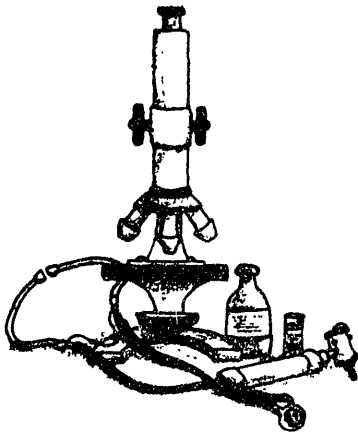
(f) Upon application, an individual may be granted four hours of training credit in the appropriate field for presenting one hour of training at regional or annual short schools and 10 hours of training credit in the appropriate field for articles published in journals such as the American Water Works Association, Water Pollution Control Federation, Southwest Journal, and others relating to the water utilities industry.

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 November 23, 1982.

TRD-828915 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Effective date: January 1, 1983
Proposal publication date: September 21, 1982
For further information, please call (512) 458-7536.



Part VII. Texas Medical Disclosure Panel

Chapter 601. Informed Consent Medical Treatment and Surgical Procedures Established by the Texas Medical Disclosure Panel

25 TAC §601.1 and §601.2

The Texas Medical Disclosure Panel adopts amendments to §601.1 and §601.2, without changes to the proposed text published in the September 24, 1982, issue of the *Texas Register* (7 TexReg 3453).

The amendments are to the lists of medical treatments and surgical procedures established by the panel. The justification for the amendments is to make the lists more readable and understandable, and to update and clarify the procedures. The amendments to §601.1 and §601.2 involve a complete new numbering system for List A and B; new subsections being added on radiology and the urinary systems; new procedures being added to the subsection on the male genital

system; procedures being transferred from the subsection on the nervous system to the subsection on radiology; and several revisions being made to the wording in the subsections on dermatology and the integumentary system.

Changes were made to the lists, both of which are being published in their entirety in the "In Addition" section of this issue of the *Texas Register*.

Several comments were made, and the panel's response follows below. Any changes made to the lists are minor changes.

It was recommended that the procedures concerning partial nephrectomy, nephrectomy (removal of one kidney), and exploration of kidney be revised. The panel has made appropriate changes by deleting "Kidney Failure, temporary or permanent" from the risks and hazards in §601.1 (16.1-6).

It was recommended that the statement "Removal of fallopian tube and one ovary without hysterectomy" be moved from List B to List A. In response, the panel chose not to do this, because it appeared that the suggestion had its origin in a misinterpretation in indications for the procedure rather than the risks and hazards associated with the procedure.

It was recommended that the procedure "Epididymectomy (removal of first part of sperm duct)," §601.2 (10.3), not be adopted. In response, the panel agreed and has removed this procedure from List B to be considered at a future meeting.

It was recommended that the word "pneumo" be deleted and add "and/or" to the radiological procedure "Injection of contrast media or imaging media into the spinal canal for diagnostic pneumoencephalography, cisternography," §601.2 (14.1). The panel agreed and has revised the procedure to read "Injection of contrast media or imaging media into the spinal canal for diagnostic encephalography and/or cisternography."

It was recommended that the "(s)" be removed and add "and/or" to the procedure §601.2 (7.3). The panel agreed and has revised the procedure to read "Removal of fallopian tube and/or ovary without hysterectomy."

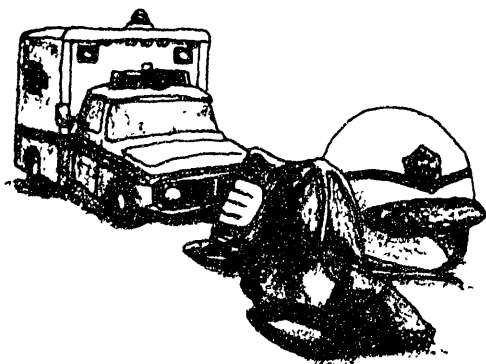
The amendments are adopted under Texas Civil Statutes, Article 4590i, §6.04, which authorizes the panel to prepare lists of medical procedures and surgical procedures that do and do not require disclosure, and to revise existing lists.

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 November 13, 1982.

TRD-828917 James H. Duke, Jr., M.D.
Chairman
Texas Medical Disclosure Panel

Effective date: January 1, 1983
Proposal publication date: September 24, 1982
For further information, please call (512) 458-7528.



TITLE 37. PUBLIC SAFETY AND CORRECTIONS

Part I. Texas Department of Public Safety

Chapter 3. Traffic Law Enforcement Traffic Supervision

37 TAC §3.59

The Texas Department of Public Safety adopts an amendment to §3.59, without changes to the proposed text published in the October 19, 1982, issue of the *Texas Register* (7 TexReg 3709).

The amendment allows enforcement of the intrastate movement by motor vehicle of hazardous waste.

The Texas Department of Public Safety does not adopt Code of Federal Regulations, Title 49, Chapter 1, §171.1(a)(3)(i), relating to certain exceptions to the application of the subpart which would prohibit enforcement of the intrastate movement of hazardous waste.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 6701d, §139, and Code of Federal Regulations, §171.1(a)(1)(i), which authorizes the director of the Texas Department of Public Safety to adopt such regulations as he deems necessary for the safe transportation of hazardous materials over the highways of the state of Texas.

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 November 22, 1982.

TRD-828913 James B Adams
Director
Texas Department of Public Safety

Effective date: December 14, 1982
Proposal publication date: October 19, 1982
For further information, please call (512) 465-2000.

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 29. Purchased Health Services

Subchapter G. Hospital Services

40 TAC §29.602

The Texas Department of Human Resources adopts amendments to §29.602, concerning claim information requirements. The department's health insuring agent reimburses providers of medical services participating in the Texas Medical Assistance (Medicaid) Program.

The department adopts an amendment concerning acknowledgment statements signed by patients before hysterectomy surgery, in compliance with 42 Code of Federal Regulations 441.255. Effective August 4, 1982, the United States Department of Health and Human Services amended its regulation requiring a statement from a patient that she was informed the operation probably renders her permanently sterile. The amendment to the federal regulation allows exceptions to the acknowledgment requirement; the department is adopting a similar amendment to its rules.

The department allows exceptions to the acknowledgment requirement if the patient is sterile at the time of the hysterectomy; or the patient requires a hysterectomy on an emergency basis because of a life-threatening situation, and the physician determines that prior acknowledgment is not possible. If one of the exceptions applies, the physician performing the hysterectomy must certify in writing that the specific circumstance existed at the time he or she performed the operation.

The following amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public assistance programs. The amendment is adopted pursuant to federal regulation (42 Code of Federal Regulations 441.255), effective August 4, 1982.

§29.602. *Additional Claim Information Requirements.* In addition to the general requirements in §29.1 of this title (relating to Claim Information Requirements), the department requires the following information to be submitted with hospital claims:

- (1) Inpatient hospital care.
 - (A)-(M) (No change.)
 - (N) For medically necessary hysterectomies, a patient's acknowledgment statement that the person who secured authorization to perform the hysterectomy has informed the patient and her representative, if any, orally and in writing, that the hysterectomy probably renders the patient permanently sterile. The patient or her representative, if any, must sign the written acknowledgment.

ment of receipt of that information before the surgery. The provider must submit an acknowledgment statement with hospital claims for hysterectomies unless the patient is sterile at the time of the hysterectomy, or the patient requires a hysterectomy on an emergency basis because of a life-threatening situation and the physician determines that prior acknowledgment is not possible. If one of the exceptions applies, the physician performing the hysterectomy must certify in writing, to the health insuring agent, that the specific circumstance existed at the time he operated.

(2) (No change.)

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

Issued in Austin Texas, on November 29, 1982.

TRD-828987

Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Effective date: August 4, 1982

Proposal publication date: N/A

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

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 Antiquities Committee

Friday, December 10, 1982, 1 p.m. The Texas Antiquities Committee will meet in Room 204, Texas Law Center, 1414 Colorado Street, Austin. According to the agenda, the committee will approve minutes of meeting No. 58, consider placement of the 1554 collection, contract negotiations with James Morgan, state archeological landmark designation of the Kent-Crane site and the Caprock Canyon sites, nomination of additional parks and wildlife sites for state archeological landmark status, discuss historical preservation permit forms and rules, and hear an update of staff activities.

Contact: Cynthia Smetak, 105 West 16th Street, Austin, Texas, (512) 475-6328.

Filed: November 30, 1982, 8:55 a.m.
TRD-829016

Texas Department of Community Affairs

Friday, December 3, 1982, 10:30 a.m. The Private Industry Council of the Employment and Training Division of the Texas

Department of Community Affairs (TDCA) will meet in the first floor auditorium, TDCA Building, 2015 IH 35 South. According to the agenda, the council will review the Texas balance of State Annual Plan modification No. 1.

Contact: Aurora Carvajal, 2015 IH 35 South, Austin, Texas, (512) 443-1400, ext. 273.

Filed: November 24, 1982, 10:25 a.m.
TRD-828931



Coordinating Board, Texas College and University System

Friday, December 3, 1982, 8:30 a.m. The Coordinating Board, Texas College and University System will meet in the John Peace Library Building, University of Texas at San Antonio. According to the agenda summary, the board will consider new con-

struction projects and priority ranking of 66 major repair and rehabilitation projects which require funding by the 68th Legislature.

Contact: James McWhorter, P.O. Box 12788, Austin, Texas 78711, (512) 475-4631.

Filed: November 24, 1982, 10:58 a.m.
TRD-828937

Texas State Board of Dental Examiners

Thursday and Friday, December 9 and 10, 1982, 9 a.m. daily. The Texas State Board of Dental Examiners (T.S.B.D.E.) will meet at the Sheraton Inn, Tyler. Items on the agenda include disciplinary hearings; discussion of smocks for the Hygiene Advisory Committee, the percentage of gold in a gold crown, *Schwartz v. T.S.B.D.E.* meeting arrangements for the Dallas Mid-Winter meeting, a letter regarding foreign dentists, a letter from the American Academy of Gold Foil Operators, 1983 examination dates, proposed changes to the Dental Practice Act, a letter from Dr. Andrew Gershon, an anesthesia questionnaire, a request for a pit and fissure sealant course, needed revi-

sions to the board's rules, examination procedures, a letter from the American Academy of Periodontology, a report on a proposed program at Nix Hospital, a report on the conference with representatives of Consumers Union, appointment of an in-house Sesquicentennial Agency Planning Committee, dismissal of a docketed complaint, request of a dentist to appear before the board, and the foreign graduate rule. If all items are not completed on December 9 and 10, the board will meet on Saturday, December 11.

Contact: William S. Nail, 718 Southwest Tower, Austin, Texas 78701, (512) 475-2443.

Filed: November 23, 1982, 10:36 a.m.
TRD-828899

Interagency Council on Early Childhood Intervention

Thursday, December 2, 1982, 9:30 a.m. The Interagency Council on Early Childhood Intervention met in the fourth floor conference room, Teachers' Retirement System, East 11th and Trinity, Austin. Items on the agenda included discussion of the provision of Early Childhood Intervention services for Galveston and Brazoria Counties, and approval of the budget for the Gulf Coast Mental Health/Mental Retardation Center, August 31-December 17, 1983.

Contact: James P. Rambin, 1100 West 49th Street, Austin, Texas, (512) 458-7241.

Filed: November 23, 1982, 4:16 p.m.
TRD-828924

Texas Education Agency

Friday, December 3, 1982, noon. The State Property Tax Board and the State Board of Education will meet in joint session at the Quorum Restaurant, 17th floor, United Bank Building, 15th and Guadalupe Streets, Austin. According to the agenda, the boards will discuss the roll back process contained in the Property Tax Code which applies to school districts.

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

Filed: November 24, 1982, 11:55 a.m.
TRD-828951

Thursday, December 9, 1982, 3 p.m. The Continuing Advisory Committee for Special

Education of the Texas Education Agency will meet at the Austin Hilton Inn, 6000 Middle Fiskville Road, Austin. Items on the agenda include a rule revision issues paper regarding State Board of Education rules for special education, priorities of the 1984-86 state plan, and standards for the certification of special education teachers.

Contact: Susan K. Thomas, 201 East 11th Street, Austin, Texas 78701, (512) 834-4410.

Filed: November 29, 1982, 4:22 p.m.
TRD-829007

Friday, December 10, 1982, 8:30 a.m. The Continuing Advisory Committee for Special Education of the Texas Education Agency will meet in the Caucus Room, Austin Hilton Inn, 6000 Middle Fiskville Road, Austin. Items on the agenda include reports from the Department of Special Education, standards for the certification of special education teachers, a rule revision issues paper regarding State Board of Education rules for special education, priorities of the 1984-86 state plan. Comprehensive School Health Advisory Committee joint position statement regarding: the private physician's role in special education, teacher availability study, curriculum study, and preparation for February meeting.

Contact: Susan K. Thomas, 201 East 11th Street, Austin, Texas 78701, (512) 834-4410.

Filed: November 29, 1982, 4:22 p.m.
TRD-829008

Monday, December 13, 1982, 9 a.m. The State Parent Advisory Council for Migrant Education of the Texas Education Agency will meet at the Region XIII Education Service Center, 7703 North Lamar, Austin. Items on the agenda include future plans for the State Parent Advisory Council (PAC), state evaluation, current legislation, proposed regulations, future funding, federal audit, upcoming state meetings, enhancement of the migrant student record transfer system, and review of the migrant state plan and state PAC suggestions for the 1983-84 state plan.

Contact: Frank Contreras, 201 East 11th Street, Austin, Texas 78701, (512) 834-4310.

Filed: November 29, 1982, 4:22 p.m.
TRD-829009

Governor's Commission on Physical Fitness
Friday, December 10, 1982, 9:45 a.m. The Governor's Commission on Physical Fitness

will meet in the Highland Room, Hilton Inn, Austin. Items on the agenda include the director's report; employee health fitness conference review; report on budget recommendations; approval of grant submissions; proposed contracts; election of board officers; executive government transition; and a report on physical fitness and sports month.

Contact: Albert A. Rooker, 4200 North Lamar, Room 110, Austin, Texas 78756, (512) 475-6718.

Filed: November 29, 1982, 1:34 p.m.
TRD-829001

Texas Department of Health

Saturday, December 4, 1982, 9:30 a.m. The Hemophilia Advisory Committee of the Texas Department of Health will meet in Room T-604, 1100 West 49th Street, Austin. Items on the agenda include an annual report to the committee and discussion of plans for the current fiscal year and next biennium.

Contact: James P. Rambin, 1100 West 49th Street, Austin, Texas, (512) 458-7241.

Filed: November 23, 1982, 4:19 p.m.
TRD-828921

Wednesday, January 5, 1983, 9:30 a.m. The Texas Department of Health will meet in city council chambers, second floor, City Hall, #2 Civic Center Plaza, El Paso. According to the agenda, a public hearing will be held to consider Application 1482 of the City of El Paso to operate a proposed Type I municipal solid waste landfill site to be located approximately 1.75 miles east of Clint, 8.5 miles southeast of the southeast city limits of El Paso, one mile east and southeast of the Clint exit on IH-10, 800 feet northeast of IH-10, adjacent to and south of the existing county landfill site, in El Paso County.

Contact: Jack C. Carmichael, 1100 West 49th Street, Austin, Texas, (512) 458-7271.

Filed: November 23, 1982, 4:19 p.m.
TRD-828920

Texas Statewide Health Coordination Council
Friday, December 3, 1982, 10 a.m. The Application, Budget, and Project Review Committee of the Texas Statewide Health

Coordination Council will meet in the Big Bend A and B Rooms, Hyatt Regency, 208 Barton Springs, Austin. According to the agenda, the council will review the City of Houston Immunization Project, the San Antonio Metropolitan Health District Immunization Project, and select the next meeting date.

Contact: Mike Ezzell, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7261.

Filed: November 23, 1982, 4:17 p.m.
TRD-828923

Friday, December 3, 1982, 1 p.m. The Texas Statewide Health Coordinating Council will meet in the Hill Country B and C Rooms, Hyatt Regency, 208 Barton Springs, Austin. Items on the agenda include minutes of the September 24, 1982, meeting; Monitoring and Assessment Committee report; Resource Development and Implementation Committee report; Application, Budget, and Project Review Committee report on Childhood Immunization Maintenance Project, San Antonio Metropolitan Health District, and Houston Immunization Project, City of Houston Health Department; State Health Plan Development Committee report; new officer discussion, and selection of the next meeting date.

Contact: Mike Ezzell, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7261.

Filed: November 23, 1982, 4:18 p.m.
TRD-828922

Texas Health Facilities Commission

Friday, December 10, 1982. The Texas Health Facilities Commission will meet in Suite 305, 1600 West 38th Street, Austin. Times and agendas follow.

9 a.m. According to the agenda, the commission will consider the following applications.

Certificate of Need

United CT Scan of Baytown, Baytown
AS82-0527-032

Baytown Medical Center
AH82-0726-072

Doctor's Hospital of Corpus Christi,
Corpus Christi
AH82-0630-014

Terrell State Hospital, Terrell
AA82-0804-044

Hearthstone Nursing Home, Fort Worth
AN82-0708-014

Methodist Hospital, Lubbock
AH82-0602-018

Spohn Hospital, Corpus Christi
AH82-0609-018

Terrell State Hospital, Terrell
AA82-0614-065

Application for Declaratory Ruling
Tidelands General Hospital, Channelview
AH82-0924-059

A routine business meeting will be held immediately following the open meeting.

2:30 p.m. According to the agenda, the commission will consider the following applications.

Certificate of Need

Sun Towers Hospital, El Paso
AH82-0331-028

Sun Valley Hospital, El Paso
AH82-0331-026

Coronado Heights Hospital, El Paso
AH82-0331-024

Hotel Dieu Medical Center, El Paso
AH82-0604-005

Contact: John R. Neel, P.O. Box 50049,
Austin, Texas 78763, (512) 475-6940.

Filed: November 29, 1982, 9:25 a.m.
TRD-828980, 828981

State Board of Insurance

The Commissioner's Hearing Section of the State Board of Insurance will conduct public hearings in Room 342, 1110 San Jacinto Street, Austin. The days, times, and dockets are as follows.

Tuesday, December 7, 1982, 9 a.m. Docket 7010—suspension or revocation of any or all insurance agents licenses issued to Larry F. Willman in the State of Texas.

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

Filed: November 29, 1982, 9:50 a.m.
TRD-828991

Tuesday, December 7, 1982, 1:30 p.m. Docket 7007—whether the title insurance agent's license held by Security Title Company of Henderson County, Inc., doing business as Service Title Company, of Athens, should be cancelled or revoked.

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

Filed: November 29, 1982, 9:51 a.m.
TRD-828992

Monday, December 13, 1982, 9 a.m. Docket 7020—application for amendment to the articles of incorporation of Texas Central Life Insurance Company of Lancaster.

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

Filed: November 29, 1982, 9:51 a.m.
TRD-828993

Monday, December 13, 1982, 1:30 p.m. Docket 7021—revocation of certificate of authority of Texas Central Life Insurance Company of Lancaster.

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

Filed: November 29, 1982, 9:54 a.m.
TRD-828994

Texas Merit System Council

Thursday, December 9, 1982, 9 a.m. The Texas Merit System Council will meet at 507 Brown Building, Eighth and Colorado Streets, Austin. Items on the agenda include appeal hearings and decisions regarding steps to be taken during the appropriations process. The council will also meet in executive session to consider personnel matters.

Contact: F. Kemp Dixon, P.O. Box 1389,
Austin, Texas 78767, (512) 477-9665.

Filed: November 24, 1982, 2:50 p.m.
TRD-828969

State Board of Morticians

Monday, December 6, 1982, 9 a.m. The State Board of Morticians will meet at 1513 IH 35 South, Austin. According to the agenda summary, the board will conduct a hearing regarding actions of a licensee; applicants for reciprocal license and requests for reinstatement of apprentice licenses; request for registration as a funeral director apprentice from a person convicted of a criminal offense; requests for a waiver of appearance for reinstatement of licenses and extension of time to complete apprenticeships; requests for opinions as to whether a commercial embalming establishment may operate out of the preparation room of a funeral establishment; and committee and investigators reports.

Contact: John W. Shocklee, 1513 IH 35 South, Austin, Texas 78741, (512) 442-6721.

Filed: November 24, 1982, 1:44 p.m.
TRD-828960

Texas Motor Vehicle Commission

Friday, December 3, 1982, 9:30 a.m. The Texas Motor Vehicle Commission will meet in Suite 302, 815 Brazos Street, Austin. Items on the agenda include adoption of minutes of the September 30, 1982, commission meeting; consideration of the proposal for a decision in Proceeding 276—Ryan Harley-Davidson, applicant v. Texas Harley-Davidson, Inc., protestant; Proceeding 281—Rita Bush, complainant v. Frank Parra Chevrolet and Steakley Chevrolet, respondents; Proceeding 274—John D. Meister, complainant v. Rio Dodge and Chrysler Corporation, respondents; Proceeding 284—Robert P. Jackson, complainant v. Quality Lincoln-Mercury, Inc., and Ford Motor Company, respondents; orders of dismissal in Docket 263—McGavock Pontiac-Cadillac-GMC, Inc., complainant v. Gulf States Toyota, Inc., respondents; Docket 278—Barbara Leshikar, complainant v. Bill Munday AMC/Jeep-Renault and American Motors Corporation, respondent; Docket 282—Stanley F. Zimmer, complainant v. Oldsmobile Division, General Motors Corporation, respondent; review of discussion of a rule proposal regarding dealership relocations, and the budget for fiscal years 1984 and 1985.

Contact: Russell Harding, P.O. Box 13287, Austin, Texas 78711, (512) 476-3587.

Filed: November 23, 1982, 2:16 p.m.
TRD-828911

Pan American University

Tuesday, December 7, 1982. Committees of Pan American University and the Board of Regents will meet in the board room, Administration Building, Pan American University, Edinburg. The committees, times, and agendas follow.

9:30 a.m. The Buildings and Grounds Committee will consider approval of a Computer Center partition bid, and modifications of the legislative construction request.

10 a.m. The Finance Committee will consider selection of a financial management consultant and budget changes.

10:30 a.m. The Board of Regents will consider reports of the Buildings and Grounds Committee, Finance Committee, Academic and Developmental Affairs Committee, and the Committee of the Whole, concerning

policy regarding faculty and staff admission at all athletic events, grants, donations, and gifts; miscellaneous items, and setting of a date for the next meeting.

Contact: Miguel A. Nevarez, Pan American University, Edinburg, Texas 78539, (512) 381-2100.

Filed: November 29, 1982, 10:26 a.m.
TRD 828988-828990

Board of Pardons and Paroles

Monday-Friday, December 13-17, 1982, 9 a.m. daily. The Board of Pardons and Paroles will meet at 711 Stephen F. Austin Building, Austin. According to the agenda, the board will review cases of inmates for parole consideration, emergency reprieve requests, and other acts of executive clemency; review reports regarding persons on parole, procedures affecting the day-to-day operation of support staff, rule changes relating to general operation, executive clemency, parole, and all hearings conducted; and take action on gubernatorial directives.

Contact: John W. Byrd, 711 Stephen F. Austin Building, Austin, Texas, (512) 475-3363.

Filed: November 30, 1982, 9:04 a.m.
TRD-829017

State Pension Review Board

Tuesday, December 7, 1982, 10 a.m. The State Pension Review Board will meet in the conference room, 100-E, John H. Reagan Building, Austin. According to the agenda, the board will discuss election of officers; consider annual financial report and a report from Bill Blythe on the PEPBRA meeting; and discuss procedures during the legislative session.

Contact: Beanette Meadows, John H. Reagan Building, Room 200, Austin, Texas, (512) 475-8332.

Filed: November 24, 1982, 2:38 p.m.
TRD-828964

State Board of Plumbing Examiners

Monday, December 6, 1982, 9 a.m. The State Board of Plumbing Examiners made an addition to the agenda of a meeting to

be held at 929 East 41st Street, Austin. The addition concerns Pedro Morales of the Shell Chemical Company

Contact: Lynn Brown, 929 East 41st Street, P.O. Box 4200, Austin, Texas 78765, (512) 458-2145.

Filed: November 24, 1982, 10:24 a.m.
TRD-828930

State Property Tax Board

Thursday, December 9, 1982, 8:30 a.m. The State Property Tax Board will meet in the conference room, 9501 IH 35 North, Austin. Items on the agenda include consideration of decisions of the appeals panels and a hearing of school district appeals of market values.

Contact: Kenneth E. Graeber, 9501 IH 35 North, Austin, Texas 78761, (512) 837-8622.

Filed: November 24, 1982, 9 a.m.
TRD-828927

Friday, December 10, 1982, 8:30 a.m. The State Property Tax Board will meet in the conference room, 9501 IH 35 North, Austin. According to the agenda, the board will consider decisions of appeal panels and school district appeals of market values.

Contact: Kenneth E. Graeber, 9501 IH 35 North, Austin, Texas 78761, (512) 837-8622.

Filed: November 30, 1982, 9:46 a.m.
TRD-829020

The Prosecutor Council

Thursday and Friday, December 9 and 10, 1982, 1 p.m. The Prosecutor Council will meet in Salon C, Marriott Hotel, 1600 Airport Boulevard, El Paso. According to the agenda summary, the council will approve minutes of the September 30, 1982, meeting in Corpus Christi; consider the executive director's report; adopt the annual report; approve Northwestern University School of Law continuing legal education program (course for prosecuting attorneys); a grant for search and seizure workshops; and will set a date for the next meeting. The council will also meet in executive session to review pending complaints.

Contact: John Cook, P.O. Box 13555, Austin, Texas 78711, (512) 475-6825.

Filed: November 29, 1982, 3:44 p.m.
TRD-829006



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, and dockets follow.

Thursday, December 2, 1982, 8:30 a.m. A prehearing conference in Docket 4752—application of Briarcliff Utilities, Inc., for authority to change rates for water service within Travis County.

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

Filed: November 23, 1982, 3:42 p.m.
TRD-828919

Thursday, December 9, 1982, 10 a.m. An informal meeting in Docket 4842—inquiry into the rate increase of Harper Road Estates Water Company.

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

Filed: November 24, 1982, 2:33 p.m.
TRD-828962

Monday, December 13, 1982, 9 a.m. An informal hearing in Docket 4843—inquiry into the rates of Southwest Territory Supplier's, Inc.

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

Filed: November 21, 1982, 2:43 p.m.
TRD-828965

Monday, December 13, 1982, 10 a.m. A rescheduled hearing in Docket 4581—application of Valley Municipal Utility District No. 2 for certificate of convenience and necessity for water and sewer service within Cameron County. The hearing was originally scheduled for December 10, 1982.

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

Filed: November 24, 1982, 10:44 a.m.
TRD-828933

Tuesday, December 14, 1982, 10 a.m. A prehearing conference in Docket 4821—

inquiry into the legality of rates charged and services rendered by Canyon Oaks Mobile Home Park.

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

Filed: November 24, 1982, 2:45 p.m.
TRD-828966

Tuesday, December 14, 1982, 10 a.m. A prehearing conference in Docket 4737—Gulf State Utilities rate appeals

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

Filed: November 24, 1982, 2:46 p.m.
TRD-828967

Friday, December 17, 1982, 1:30 p.m. A prehearing in Docket 4809—application of Lake Country Addition for a certificate of convenience and necessity within Denton County.

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

Filed: November 24, 1982, 2:48 p.m.
TRD-828968

Monday, December 20, 1982, 10 a.m. A prehearing conference in Dockets 4812 and 4823—application of HHM Corp. for a certificate of convenience and necessity within Chambers County; and application of Chacko Thomas and Associates to purchase HHM Corp. (water)

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

Filed: November 24, 1982, 10:45 a.m.
TRD-828934

Wednesday, January 5, 1983, 9 a.m. A hearing in Docket 4833—complaint of Steven Smalley against Tri-County Electric Cooperative, Inc.

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

Filed: November 24, 1982, 10:41 a.m.
TRD-828932

Thursday, January 13, 1983, 9 a.m. A hearing on the merits in Docket 4771—inquiry into the services rendered by BHP Water Supply Corporation.

Contact: Carolyn E. Shellman, 7800 Shoal

Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: November 23, 1982, 2:16 p.m.
TRD-828912

Monday, January 17, 1983, 10 a.m. A hearing on the merits in Docket 4778—complaint of H. C. Vickers and Sharon Vickers against Houston Lighting and Power Company.

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

Filed: November 29, 1982, 1:34 p.m.
TRD-829002

Thursday, February 24, 1983, 9 a.m. A hearing on the merits in Docket 4855—application of Community Utility Company, Inc. (Service area 7—Iowa Colony; Service area 11—Manvel) for certificates of convenience and necessity for water and sewer utility service within Brazoria County.

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

Filed: November 24, 1982, 2:36 p.m.
TRD-828963

State Purchasing and General Services Commission

Friday, December 10, 1982, 10 a.m. The Advisory Planning Council for the Human Services Center Project of the State Purchasing and General Services Commission will meet in the second floor conference room, Central Services Building, 1711 San Jacinto Boulevard, Austin. According to the agenda, the council will consider an update on the master plan and Phase I development of the Human Services Center.

Contact: Larry W. Gooch, P.O. Box 13047, Austin, Texas 78711, (512) 475-3560.

Filed: November 24, 1982, 11:32 a.m.
TRD-828954

Railroad Commission of Texas

Monday, December 6, 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 Administrative Services Division will meet in the first floor auditorium to con-

sider the division director's report on division administration, budget, procedures, personnel matters, and the commission's 1982 annual financial report.

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

Filed: November 24, 1982, 11:14 a.m.
TRD-828940

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

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

Filed: November 24, 1982, 11:13 a.m.
TRD-828942

The Flight Division will meet in Room 107 to consider 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: November 24, 1982, 11:11 a.m.
TRD-828946

The Gas Utilities Division will meet in Room 107 to consider gas utilities Dockets 3208, 3541, 3806, and 3807.

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

Filed: November 24, 1982, 2:55 p.m.
TRD-828970

Addition to the above agenda:

Consideration of gas utilities Dockets 3706-3708, 3789-3791, 3795, 3796-3803, 3787, 3788, 3805, and the director's report.

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

Filed: November 24, 1982, 11:12 a.m.
TRD-828945

Consideration of gas utilities Dockets 3565, 3571, 3574, and 3578—statements of intent filed by Rio Grande Valley Gas Company to change rates for the unincorporated environs surrounding the incorporated cities of Brownsville, Harlingen, Laguna Vista, and McAllen.

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

Filed: November 24, 1982, 4:39 p.m.
TRD-828977

The Office of Information Services will meet in the first floor auditorium to con-

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

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

Filed: November 24, 1982, 11:13 a.m.
TRD-828943

The LP-Gas Division will meet in the first floor auditorium to consider 16 TAC §9.54, concerning hose specifications, and 16 TAC §9.50, concerning unauthorized filling prohibited, to be adopted; and the division director's report on division administration, budget, procedures, and personnel matters.

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

Filed: November 24, 1982, 11:10 a.m.
TRD-828948

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

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

Filed: November 24, 1982, 11:13 a.m.
TRD-828941

Addition 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: November 24, 1982, 11:09 a.m.
TRD-828949

The Personnel Division will meet in the first floor auditorium to consider 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: November 24, 1982, 11:12 a.m.
TRD-828944

The Office of Special Counsel will meet in the third floor condence room to consider the division director's report relating to pending litigation, Sunset Commission review, and other budget, administrative, and personnel matters.

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

Filed: November 24, 1982, 11:10 a.m.
TRD-828947

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

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

Filed: November 24, 1982, 11:07 a.m.
TRD-828952

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

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

Filed: November 24, 1982, 11:08 a.m.
TRD-828950

Thursday, December 16, 1982, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas will meet in the first floor auditorium, Room 107, 1124 IH 35 South, Austin. According to the agenda summary, the division will conduct a statewide oil and gas hearing.

Contact: Harriett Trammell, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1297.

Filed: November 24, 1982, 11:14 a.m.
TRD-828939

Texas Real Estate Commission

Monday, December 6, 1982, 9:30 a.m. The Texas Real Estate Commission will meet at 1101 Camino La Costa, Austin. Items on the agenda include the minutes of the October 18, 1982, commission meeting; staff reports for the months of September and October, 1982; consideration of motions for rehearing and/or probation; motion to revoke probation in the matter of Fernando Luis Cordova; timesharing matters; Residential Service Company Act; consideration of final action on proposed repeal of 22 TAC §§537.1, 537.18, and 537.19; amendment of 22 TAC §537.11 and adoption of new 22 TAC §537.2, relating to use of contract forms by licensees and the creation of a special advisory committee on contract forms; and consideration of school matters. The commission will also meet in executive session.

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

Filed: November 24, 1982, 10:48 a.m.
TRD-828935

**Records Preservation
Advisory Committee**

Thursday, December 9, 1982, 2 p.m. The Records Preservation Advisory Committee will meet at the State Library Records Center, 4400 Shoal Creek Boulevard, Austin. Items on the agenda include approval of the minutes of the June 4, 1982, meeting, a presentation of the management overview of the state records program, and other business.

Contact: William Dyess, 4400 Shoal Creek Boulevard, Austin, Texas, (512) 454-2705.

Filed: November 23, 1982, 10:37 a.m.
TRD-828900

School Land Board

Tuesday, December 7, 1982, 10 a.m. The School Land Board will meet in the first floor Conference Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the board will approve minutes of the previous meeting; present the Texas award for historic preservation to the General Land Office from the Texas Historical Commission; open bids received for the small tract sale under the Natural Resources Code, Chapter 51, §51.0521 and §51.053, regarding pooling applications; consider schedule and procedures for the April 5, 1983 oil, gas, and other minerals lease sale (passed over by the board on November 16, 1982); direct sale of small tract, coastal public lands—easement applications, cabin permit transfer request, cabin permit terminations; and coastal public lands report—cabin permit renewals; public drawing by the board members for leasing cabins on coastal public lands, and Matagorda Island.

Contact: Linda K. Fisher, 1700 North Congress Avenue, Room 835, Austin, Texas, (512) 475-2071.

Filed: November 29, 1982, 4:51 p.m.
TRD-829010

Texas

Sesquicentennial Commission

Tuesday, December 7, 1982, 10 a.m. The Texas Sesquicentennial Commission will meet in Rooms 202-203, Texas Law Center, 1414 Colorado Street, Austin. According to

the agenda, the commission will approve minutes of the August 10, 1982, meeting; reports from the Select Committee on Logo Policy, Marketing Committee, and from the Program Committee concerning sanctioning of the Texas Independence Community and the Texas Independence Association, and a feasibility study of the Texas Independence Express report.

Contact: Randy M. Lee, P.O. Box 1986, Austin, Texas 78767.

Filed: November 29, 1982, 3:13 p.m.
TRD-829005

Board of Tax Assessor Examiners

Friday, December 3, 1982, 3 p.m. The Board of Tax Assessor Examiners will meet in emergency session in the Senate Reception Room 214, State Capitol. According to the agenda, the board will meet in executive session to consider personnel matters, then convene in open session to take action on those matters. The emergency status is necessary to consider personnel matters.

Contact: Carol Morisey, 9501 IH 35 North, Austin, Texas, (512) 837-9800 or (800) 252-9304.

Filed: November 30, 1982, 9:45 a.m.
TRD-829019

Teacher

Retirement System of Texas

Friday, December 10, 1982, 9 a.m. The Board of Trustees of the Teacher Retirement System of Texas will meet in the Colonial Hills Baptist Church, Snyder. According to the agenda, the board will review investments for the quarter ending November 30, 1982—sales, purchases, exchanges, and forward commitments; portfolio diversification and performance; estimate of cash flow and statement of reserve; review discussions and recommendations at the IAC meeting; proposed changes to the approved common stock list; allocation of new money; reports from the Actuary Committee, Audit Committee, executive secretary, general counsel, the Member Benefits Division, and the medical board; approval

of members qualified for retirement; and the status of retired payroll.

Contact: Mary Godzik, 1001 Trinity Street, Austin, Texas 78701, (512) 397-6400.

Filed: November 30, 1982, 9:45 a.m.
TRD-829018

The University of Texas System

Thursday and Friday, December 2 and 3, 1982, 1 p.m. and 9 a.m., respectively. The Board of Regents and Standing Committees of the University of Texas System met in the regents' meeting room, ninth floor, Ashbel Smith Hall, 201 West Seventh Street, Austin. Items on the agenda include budget amendments; buildings and grounds matters including authorization for projects, approval of preliminary and final plans, and authorization for bids and contract awards; chancellor's docket—index submitted by system administration; amendments to the rules and regulations; requirements and conditions for health maintenance organizations; issuance of University of Texas at San Antonio Combined Fee Revenue Bonds, Series 1983; affiliation agreements; appointments to endowed positions; increase in Texas Union fee, University of Texas at Austin; land and investment matters; acceptance of gifts, bequests, and estates, establishment of endowed positions and funds; oil and gas leases, sale of real estate; pending litigation; land acquisition and negotiated contracts; and personnel matters.

Contact: Arthur H. Dilly, P.O. Box N, Austin, Texas 78712, (512) 471-1265.

Filed: November 29, 1982, 8:47 a.m.
TRD-828978

Texas State Technical Institute

Wednesday, December 1, 1982, 1 p.m. The Texas State Technical Institute Board of Regents met in emergency session in Room 1122, Thompson Conference Center, University of Texas at Austin. According to the agenda, the board considered the amendment of a bond resolution concerning authorization to execute documents for the issuance of a housing system and Auxiliary Services Revenue Bond Series 1982. The emergency status was necessary to finalize

issuance of the bond within the time schedule.

Contact: Theodore A. Talbot, Texas State Technical Institute, Waco, Texas 76705, (817) 799-3611, ext. 3910.

Filed: November 29, 1982, 9:56 a.m.
TRD-828986

Texas Woman's University

Monday, December 6, 1982, 10 a.m. The Board of Regents of Texas Woman's University will meet on the 16th floor, Administration and Conference Tower, Denton. According to the agenda, the board will consider minutes of the June 28, 1982, meeting; a report from the Architect Selection Committee; a report on the university's self-study for the Southern Association of Colleges and Schools reaccreditation; a small class report for summer and fall 1982; personnel additions and changes; acceptance of gifts and grants; agreements and contracts; acceptance of federal funds; certificates of substantial completion, change orders; authorization for the president regarding the initiation of construction projects; schedule of renewal and extension of insurance coverage; M. J. Yarbrough, accountant, to sign checks on the revolving fund and other local university funds, to approve vouchers submitted to the state comptroller of public accounts for payment, and to approve payment vouchers on letters of credit submitted to local banks for advances on grants, scholarships, and loans; sale of surplus university property; a report of the president on general university business, and a report of meetings of the Committee of Governing Boards regarding construction funding support. The board will also meet in executive session.

Contact: Dr. Mary Evelyn Blagg Huey, Texas Woman's University, Denton, Texas 76204, (817) 383-1466.

Filed: November 24, 1982, 2:29 p.m.
TRD-828961

Texas Turnpike Authority

Thursday, December 2, 1982, 10:30 a.m. The Board of Directors of the Texas Turnpike Authority met in the Salon B Room, Houston Marriott Hotel, 2100 South Braes-

wood Boulevard, Houston. Items on the agenda included approval of the minutes of the October 29, 1982, board meeting; final adoption of calendar year 1983 budgets for the Dallas North Tollway, Mountain Creek Lake Bridge, and Houston Ship Channel Bridge projects; proposal for a landscape architect for the Dallas North Tollway project; approval of future procedures concerning the Hardy Road studies; authorization for appointing a Permanent Contract Awards Committee; approval of memorandum of procedure for right-of-way acquisition for the Dallas North Tollway project; and approval of interfund transfers pertaining to the Houston Ship Channel Bridge. The board also met in executive session to consider pending or contemplated litigation, personnel matters, and purchase or value of real property.

Contact: Harry Kabler, P.O. Box 190369, Dallas, Texas 75219, (214) 522-6200.

Filed: November 23, 1982, 10:37 a.m.
TRD-828901

Texas Water Commission

Monday, November 29, 1982, 10 a.m. The Texas Water Commission submitted an emergency addition to the agenda of a meeting held in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. The addition concerned an application by Beeville Water Supply District of Bee County for amendment of a \$13 million bond issue, approved August 31, 1981. The applicant requested emergency consideration of the application so that bonds can be delivered as scheduled in early December.

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

Filed: November 24, 1982, 11:31 a.m.
TRD-828956

Monday, November 29, 1982, 10 a.m. The Texas Water Commission submitted an emergency addition to the agenda of a meeting held in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. The addition concerned reconsideration of the revocation of Permit 11986 of James R. Henley and G. D. Morris and transfer of Permit 11986 to R.B.T. Enterprises, Inc. The emergency status was necessary because of a scheduled loan closing on November 30, 1982, involving the plant site authorized by the permit.

Contact: Mary Ann Hefner, P.O. Box

13087, Austin, Texas 78711, (512) 475-4514.

Filed: November 24, 1982, 3:07 p.m.
TRD-828973

Monday, December 6, 1982, 10 a.m. and 2 p.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. Items on the agenda of the 10 a.m. meeting include water district bond issues, amendment to bonds, release from escrow, use of surplus funds, water quality proposed permits, amendments and renewals, voluntary cancellation of water quality permits, final decisions, amendment to permit, and filing and setting hearing dates. According to the agenda of the 2 p.m. meeting, the commission will consider the examiner's proposal for a decision on the Roaring Springs Ranch, Inc., application.

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

Filed: November 24, 1982, 11:30 a.m.
TRD-828955

Friday, December 17, 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, the commission will consider the following applications for discharge permits: Northwest Independent School District (NWISD) for proposed Permit 11760-02 to authorize 22,000 gallons per day of treated domestic sewage from the new Northwest Independent School District High School, Denton County, Trinity River Basin; and an application by H. D. Terrell and George Butler for discharge of treated domestic sewage effluent at a volume not to exceed an average flow of 18,000 gallons per day from the Meadows Wastewater Treatment Plant, Trinity River Basin, Segment No. 0828, Johnson County.

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

Filed: November 23, 1982, 11:32 a.m.
TRD-828908

Tuesday, December 21, 1982, 9:30 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will conduct a hearing on Application TA-4506 of Panorama Country Club seeking a permit to appropriate public waters of the State of Texas for irrigation (golf course) purposes in Montgomery County. Applicant seeks to divert and use 58 acre-feet of water for a one-

Texas Register

year period from Stewarts Creek at a maximum rate of 850 gallons per minute.

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

Filed: November 24, 1982, 11:31 a.m.
TRD-828957

Tuesday, December 21, 1982, 9:30 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the commission will conduct a hearing on Application TA-4505 of R. W. McKinney and T. L. James and Company, Inc., seeking a permit to appropriate public waters of the State of Texas for industrial (highway construction) purposes in Fort Bend County. Applicant seeks to divert and use 25 acre-feet of water for a three-year period from Oyster Creek at a maximum rate of 500 gallons per minute.

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

Filed: November 24, 1982, 11:32 a.m.
TRD-828958

Tuesday, December 21, 1982, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, Austin. According to the agenda, the commission will consider the adjudication of all claims of water rights in the Trinity-San Jacinto Coastal Basin, for consideration of motions for rehearing concerning the final determination.

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

Filed: November 23, 1982, 11:32 a.m.
TRD-828907

Tuesday, January 4, 1983, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, Austin. According to the agenda, the commission will hold a hearing for the petition for creation of Harris-Fort Bend Counties Mud No. 4 containing 416.220 acres of land.

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

Filed: November 23, 1982, 11:31 a.m.
TRD-828909

Regional Agencies

Meetings Filed November 24

The Austin-Travis County Mental Health-Mental Retardation, Operations and Plan-

ning Committee, met in the board room, 1430 Collier Street, Austin, on November 29, 1982, at noon. Information may be obtained from Debbie Sandoval, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141.

The Central Texas Council of Governments met at the Fort Hood Mini Dome, Fort Hood, on December 2, 1982, at 11 a.m. Information may be obtained from Walton B. Reedy, P.O. Box 729, Belton, Texas 76513, (817) 939-1803.

The Region XX Education Service Center Board of Directors, will meet at the ESC-20 Instructional Media Center, 1314 Hines Avenue, San Antonio, on December 6, 1982, at 10 a.m. Information may be obtained from Dr. Dwain M. Estes, 1550 North East Loop 410, San Antonio, Texas 78209, (512) 271-7611.

The Hays County Central Appraisal District, Screening Committee, met at the San Marcos CISD Administration Building, San Marcos, on November 29, 1982, at 1 p.m. Information may be obtained from H. William Beare, Jr., P.O. Box 1287, San Marcos, Texas 78666, (512) 396-4777.

The Heart of Texas Council of Governments, Executive Committee, will meet at the Hilton Inn, Waco, on December 9, 1982, at 5 p.m. The Board of Directors will meet at the same location on the same day at 7 p.m. Information may be obtained from Mary A. McDow, 320 Franklin, Waco, Texas 76701, (817) 756-6631.

The Lamb County Appraisal District, Board of Directors, will meet at 318 Phelps Avenue, Littlefield, on December 9 and 16, 1982, at 7:30 p.m. daily. Information may be obtained from Jack Samford, P.O. Box 552, Littlefield, Texas 79339, (806) 385-6474.

The Texas Municipal League, Workers' Compensation Joint Insurance Fund and Municipal Liability Joint Self-Insurance Fund, will meet in the Lunar Room, AM-FAC Hotel, Dallas/Fort Worth Airport, on December 6, 1982, at 10 a.m. Information may be obtained from William I. Martin, Jr., 1020 Southwest Tower Building, Austin, Texas 78701, (512) 478-6601.

TRD-828936

Meetings Filed November 29

The Archer County Appraisal District, Board of Directors, will meet at the Archer County Courthouse, Archer City, on De-

ember 8, 1982, at 5 p.m. The Appraisal Review Board will meet at the appraisal district office, Archer City, on December 13, 1982, at 9 a.m. Information may be obtained from A. G. Reis, P.O. Box 1141, Archer City, Texas 76351, (817) 574-2172.

The Bastrop County Appraisal District, Board of Directors, will meet in the conference room, Bastrop County Courthouse, 804 Pine, Bastrop, on December 3, 1982, at 2 p.m. Information may be obtained from James M. Archer, 705 Spring Street, Bastrop, Texas 78602, (512) 321-4316.

The Bexar-Medina-Atascosa Counties Water Control and Improvement District Number One, Board of Directors, will meet at the district office, Highway 81, Natalia, on December 6, 1982, at 8 a.m. Information may be obtained from C. A. Mueller, P.O. Box 170, Natalia, Texas 78059, (512) 663-2132.

The Brown County Appraisal District, Board of Directors, will meet at 403 Fisk, Brownwood, on December 6, 1982, at 7 p.m. Information may be obtained from Alvis Sewalt, 403 Fisk, Brownwood, Texas 76801, (915) 643-5676.

The Central Texas Mental Health and Mental Retardation Center, Board of Trustees, met in emergency session at 408 Mulberry Drive, Brownwood, on November 30, 1982, at 4:30 p.m. Information may be obtained from Gloria Willen, P.O. Box 250, Brownwood, Texas 76801, (915) 646-9574, ext. 35.

The Copano Bay Soil and Water Conservation District No. 329, will meet at Shay Plaza, 106 South Alamo, Refugio, on December 8, 1982, at 8:30 a.m. Information may be obtained from Jim Wales, Drawer 340, Refugio, Texas 78377, (512) 526-2334.

The Coryell County Appraisal District, Board of Directors, met in the courtroom, Coryell County Courthouse, Gatesville, on December 2, 1982, at 7 p.m. Information may be obtained from Joan Blanchard, P.O. Box 6, Gatesville, Texas 76528, (817) 865-5412.

The Dallas County Appraisal District, Board of Directors, met in emergency session at 2601 Live Oak, Dallas, on December 1, 1982, at 7:30 a.m. Information may be obtained from Jerry Yeatts, 2601 Live Oak, Dallas, Texas 75204, (214) 826-0030.

The Eastland County Appraisal District, Board of Directors, will meet in the com-

missioner's courtroom, Eastland County Courthouse, Eastland, on December 8, 1982, at 3 p.m. Information may be obtained from Steve Thomas, P.O. Box 914, Eastland, Texas 76448, (817) 629-8597.

The East Texas Council of Governments, Executive Committee, met at Stoneridge Plaza, 3800 Stone Road, Kilgore, on December 2, 1982, at 2 p.m. Information may be obtained from Glynn J. Knight, 3800 Stone Road, Kilgore, Texas 75662, (214) 984-8641.

The Gillespie County Appraisal District, Board of Directors, will meet in the county courtroom, county courthouse, Fredericksburg, on December 8, 1982, at 9 a.m. Information may be obtained from Gary Neffendorf, P.O. Box 429, Fredericksburg, Texas 78624, (512) 997-7655.

The Gray County Appraisal District, Board of Directors, will meet in the Hughes Building, Pampa, on December 3, 1982, at 5:30 p.m. Information may be obtained

from Charles Buzzard, P.O. Box 836, Pampa, Texas 79065, (806) 665-0791.

The Leon County Central Appraisal District, Board of Directors, will meet in the appraisal district office, courthouse, Centerville, on December 13, 1982, at 6:30 p.m. Information may be obtained from Mabel Watson, P.O. Box 536, Centerville, Texas 75833, (214) 536-2911.

The Lower Rio Grande Valley Development Council, Board of Directors, met in emergency session at the Harlingen Chamber of Commerce, Harlingen, on November 30, 1982, at 1 p.m. Information may be obtained from Robert A. Chandler, Suite 207, Texas Commerce Bank Building, McAllen, Texas 78501, (512) 682-3481.

The San Jacinto River Authority, Board of Directors, will meet in the conference room, Lake Conroe office building, Highway 105 West, Conroe, on December 7, 1982, at 2 p.m. Information may be obtained from

Jack K. Ayer, P.O. Box 329, Conroe, Texas 77301, (713) 588-1111.

The Tyler County Tax Appraisal District, Board of Directors, will meet at 1004 West Bluff, Woodville, on December 7, 1982, at 7 p.m. Information may be obtained from Leslie J. Silva, P.O. Drawer 9, Woodville, Texas 75979, (713) 283-3736.

The West Central Texas Council of Governments, Regional Alcohol Abuse Advisory Committee, will meet at the Hardin-Simmons University Student Center, 2200 Hickory, Abilene, on December 6, 1982, at 4:30 p.m. Information may be obtained from Sue Smith, P.O. Box 3195, Abilene, Texas 79604, (915) 672-8544.

The Wheeler County Appraisal District will meet in the district's office, Courthouse Square, Wheeler, on December 6, 1982, at 2 p.m. Information may be obtained from Marilyn Copeland, P.O. Box 349, Wheeler, Texas 79096, (806) 826-5900.

TRD-828979

In Addition

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

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

Texas Air Control Board Applications for Construction Permits

Notice is hereby given by the Texas Air Control Board of applications for construction permits received during the period of November 15-19, 1982.

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

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

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

Allied Corp., Orange; halar fluoropolymer manufacturing facility; Farm Road 1006; 9224; new source

Collin Rock Company, Melissa; rock crushing plant; Farm Road 2933; 8602D; new source

Issued in Austin, Texas, on November 22, 1982.

TRD-828902 Ramon Dasch
Director of Hearings
Texas Air Control Board

Filed: November 23, 1982
For further information, please call (512) 451-5711, ext. 354.

Texas Animal Health Commission Fourth Quarter and Annual Report for the Texas Bovine Brucellosis Program for the Period Ending August 31, 1982

Pursuant to provisions of Proclamation by the Governor 41-1852, the Texas Animal Health Commission (TAHC) files the following fourth quarter and annual report for the Texas Bovine Brucellosis Program for the period ending August 31, 1982.

The report for the quarter ending August 31, 1982, is Exhibit I. Exhibit II is a recommendation for amendments to the brucellosis regulations. A summary of hearings held during the fourth quarter of the 1982 state fiscal year is Exhibit III.

This report has been compiled to meet the reporting requirements which are outlined in House Bill 656, 67th Legislature (RS) and the Governor's Proclamation 429, dated March 26, 1980, respectively. The legislative requirement for the estimated costs and benefits of the program is being fulfilled through a cost-benefit study conducted by the Texas Agricultural Experiment Station of Texas A&M University. Upon completion of this study, findings will be published as an addendum to this document.

This document is for the use of all parties interested in the progress of the Texas Brucellosis Program. It presents the techniques employed to control and eradicate brucellosis. The progress made during fiscal year 1982 is also reported,

as are special problems encountered during the year. A consortium of tables and charts, which provide a wealth of information about the various program components as well as statistical data on the incidence of disease throughout the state, is included.

It is important that the reader be familiar with the Brucellosis Program. A brief history and overview is provided as Exhibit A to acquaint the reader with the program.

EXHIBIT I

QUARANTINED HERDS BECAUSE OF BRUCELLOSIS AS OF AUGUST 31, 1982

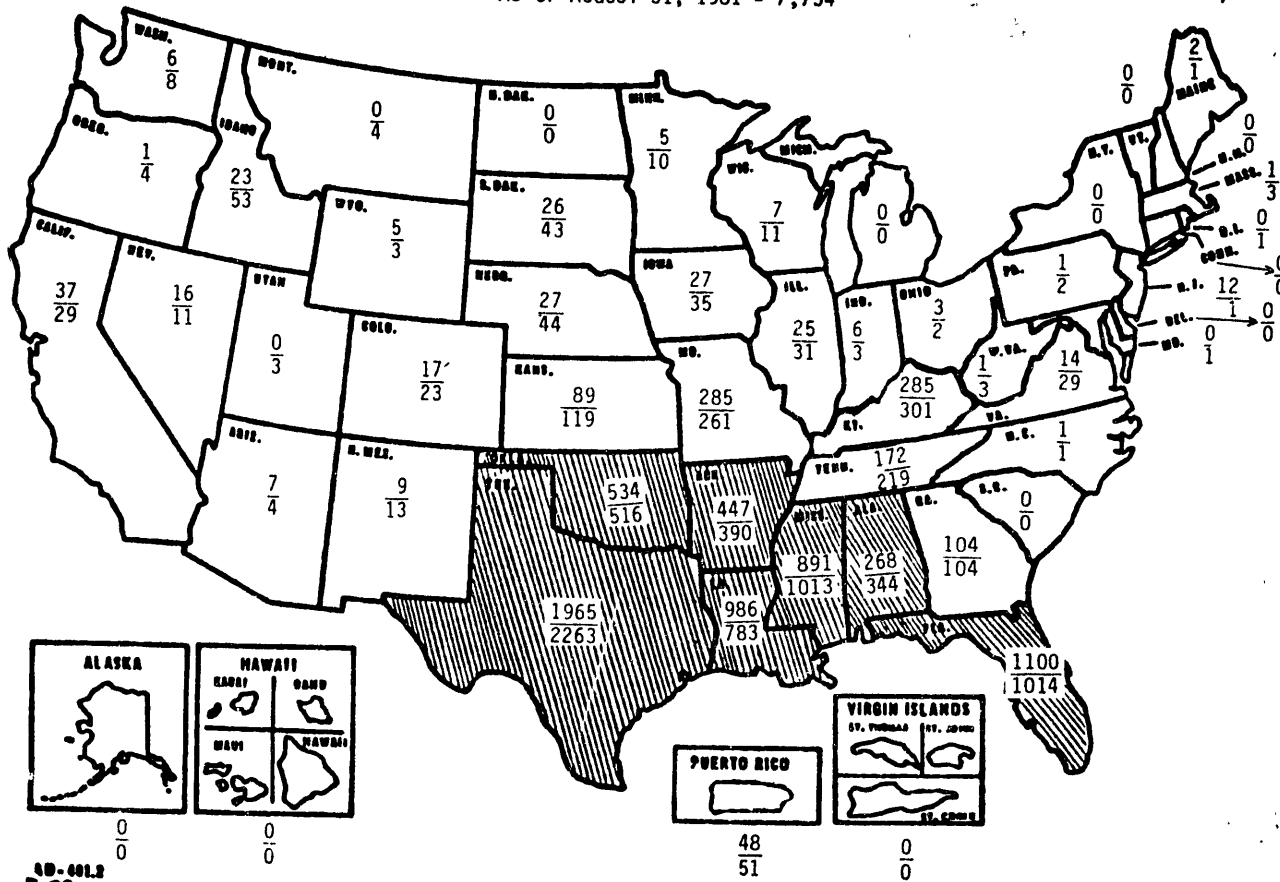
STATE	TOTAL HERD POPULATION	NUMBER OF INFECTED HERDS	INFECTED HERD RATE PER 1000
ALASKA	160	0	0.00
CONNECTICUT	2,400	0	0.00
DELAWARE	760	0	0.00
HAWAII	750	0	0.00
MARYLAND	8,200	0	0.00
MICHIGAN	30,700	0	0.00
MONTANA	16,400	0	0.00
NEW HAMPSHIRE	2,000	0	0.00
NEW YORK	32,000	0	0.00
NORTH DAKOTA	18,550	0	0.00
RHODE ISLAND	400	0	0.00
SOUTH CAROLINA	22,000	0	0.00
UTAH	9,900	0	0.00
VERMONT	5,800	0	0.00
VIRGIN ISLANDS	72	0	0.00
NORTH CAROLINA	50,000	1	0.02
PENNSYLVANIA	41,100	1	0.02
OREGON	31,050	1	0.03
WEST VIRGINIA	18,000	1	0.05
OHIO	48,000	3	0.06
MINNESOTA	56,000	5	0.08
WISCONSIN	64,300	7	0.10
INDIANA	38,200	6	0.15
MASSACHUSETTS	6,046	1	0.16
ARIZONA	33,989	7	0.20
WASHINGTON	22,883	6	0.26
VIRGINIA	39,000	14	0.35
IOWA	61,300	27	0.44
MAINE	4,000	2	0.50
NEBRASKA	43,000	27	0.62
ILLINOIS	34,500	25	0.72
SOUTH DAKOTA	35,000	26	0.74
CALIFORNIA	42,945	37	0.86
COLORADO	19,600	17	0.86
WYOMING	5,700	5	0.87
NEW MEXICO	8,966	9	1.00
IDAHO	21,400	23	1.07
KANSAS	49,000	89	1.81
PUERTO RICO	22,421	48	2.14
TENNESSEE	76,000	172	2.26
GEORGIA	42,500	104	2.44
MISSOURI	96,000	285	2.96
NEVADA	4,062	16	3.93
KENTUCKY	69,802	285	4.08
NEW JERSEY	2,700	12	4.44
ALABAMA	42,000	268	6.38
OKLAHOMA	65,705	534	8.12
ARKANSAS	51,186	447	8.73
TEXAS	160,900*	1,965	12.21
MISSISSIPPI	42,000	891	21.21
LOUISIANA	30,000	986	32.86
FLORIDA	22,000	1,100	50.00
TOTAL	1,651,347	7,453	4.51

*This number is being changed to correspond to the number shown in the 1981 Texas Livestock, Dairy and Poultry Statistics, USDA, Statistical Reporting Service.

QUARANTINED HERDS BECAUSE OF BRUCellosIS

AS OF AUGUST 31, 1982 - 7,453

AS OF AUGUST 31, 1981 - 7,754



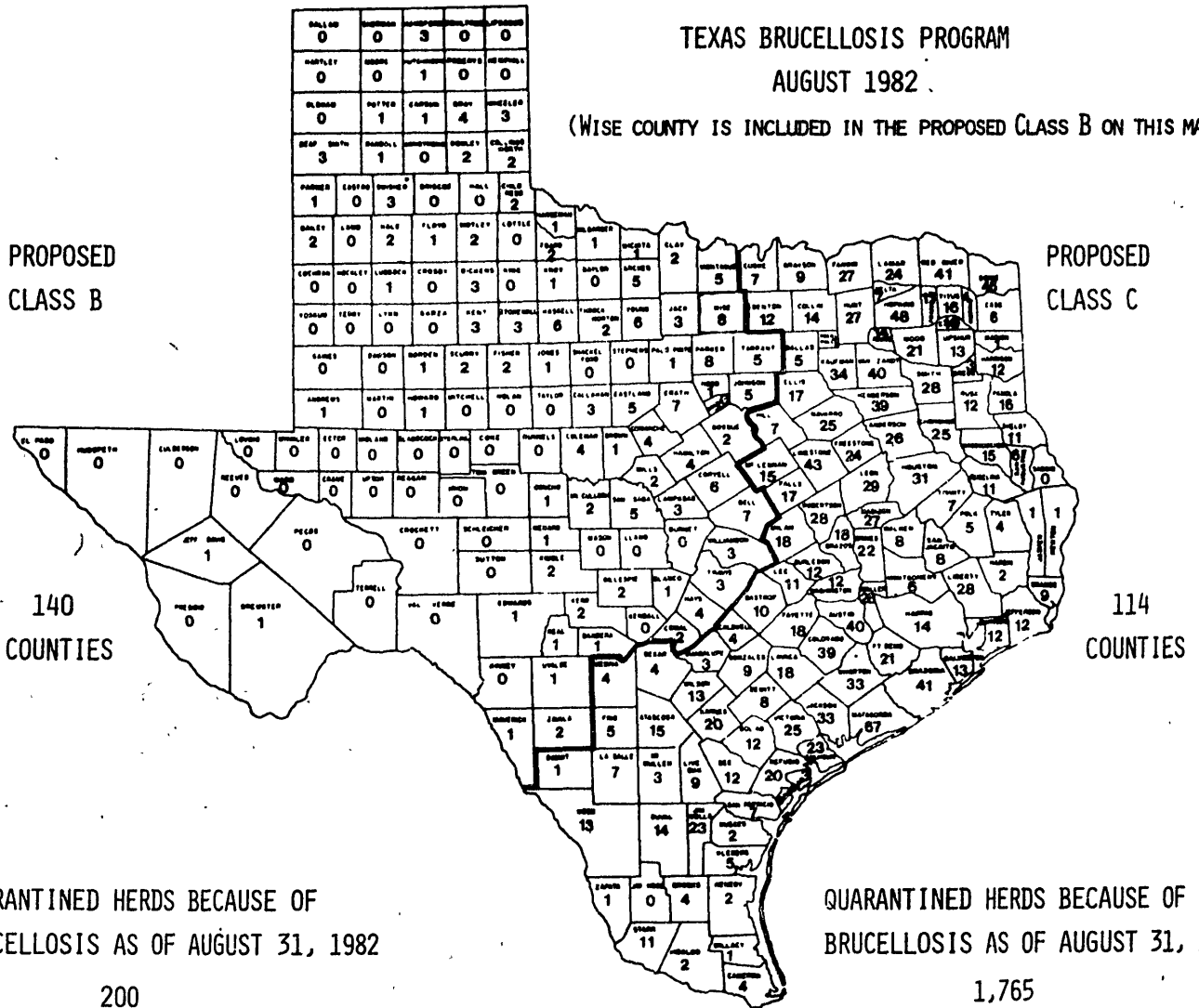
 High infected herd rate/1000

AD-481.2
2-82

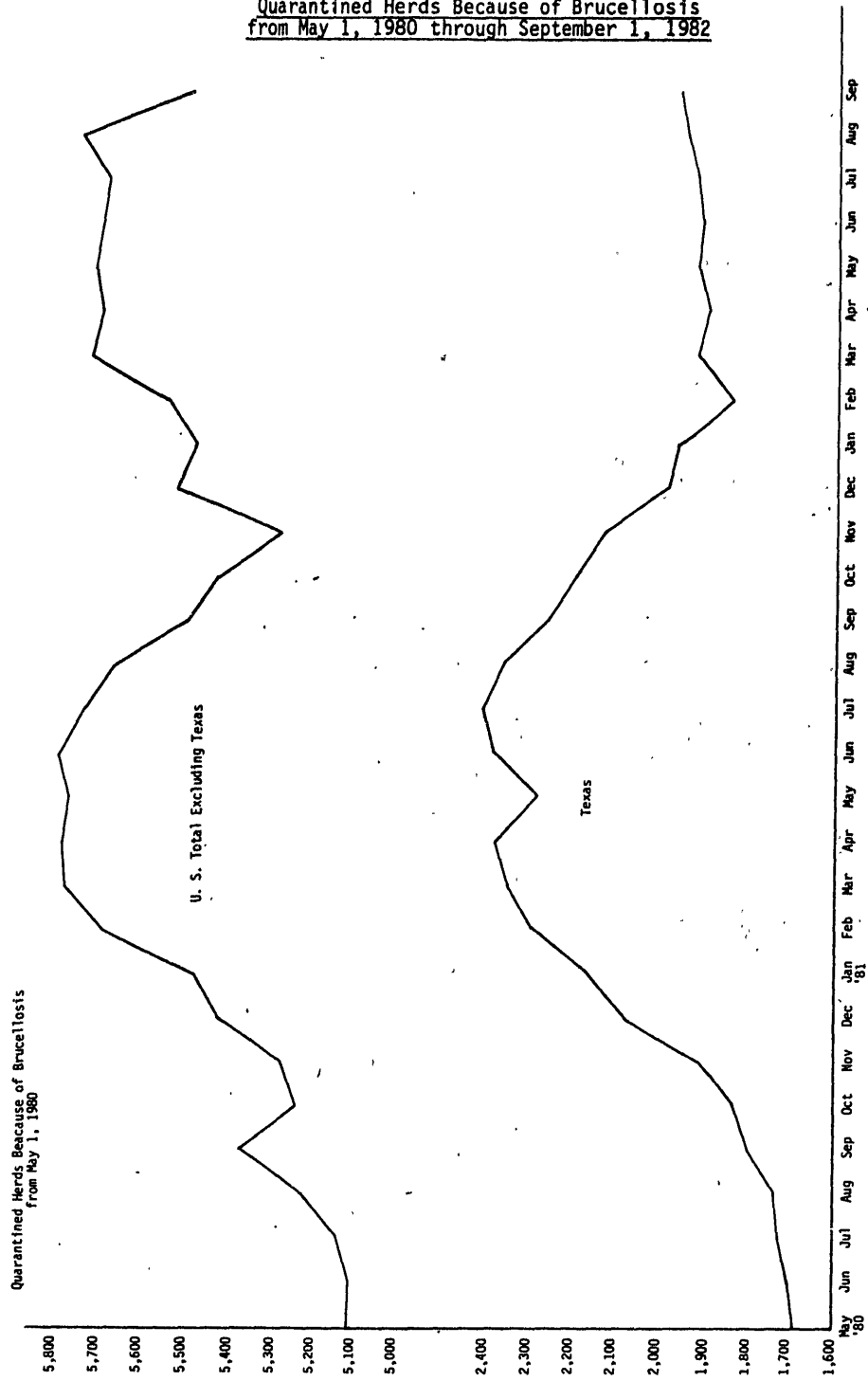
TEXAS BRUCELLOSIS PROGRAM

AUGUST 1982

(WISE COUNTY IS INCLUDED IN THE PROPOSED CLASS B ON THIS MAP)



Quarantined Herds Because of Brucellosis
from May 1, 1980 through September 1, 1982



I. Major Elements of the Program

(A) Calfhod vaccination—The following table indicates vaccinations by quarter for the past state fiscal year.

Calves Vaccinated Fiscal Year 1982

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>	<u>FY Total</u>
<u>Federal Employees</u>	1,278	490	506	1,071	3,345
<u>State Employees</u>	24,327	18,730	13,065	15,790	71,912
<u>Private Veteri- narians:</u>					
<u>Fee Basis</u>	225,797	268,560	139,093	149,112	782,562
<u>Owner's Expense</u>	4,563	2,061	4,445	8,749	19,818
Totals	255,965	289,841	157,109	174,722	877,637

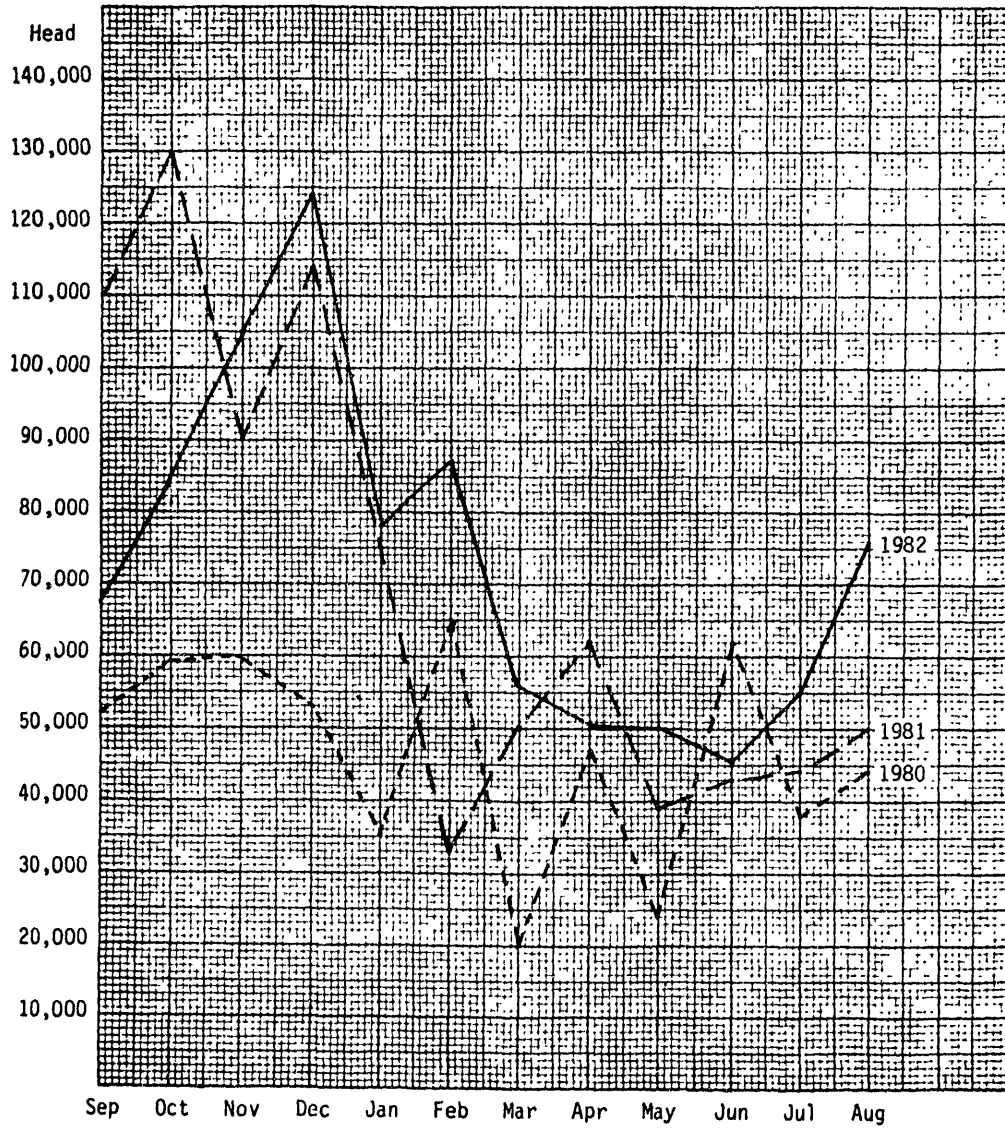
The graph titled "Accumulative Vaccinations Per Fiscal Year" reflects the totals for calfhod vaccinations during state fiscal years 1980, 1981, and 1982.

Brucellosis Statistics

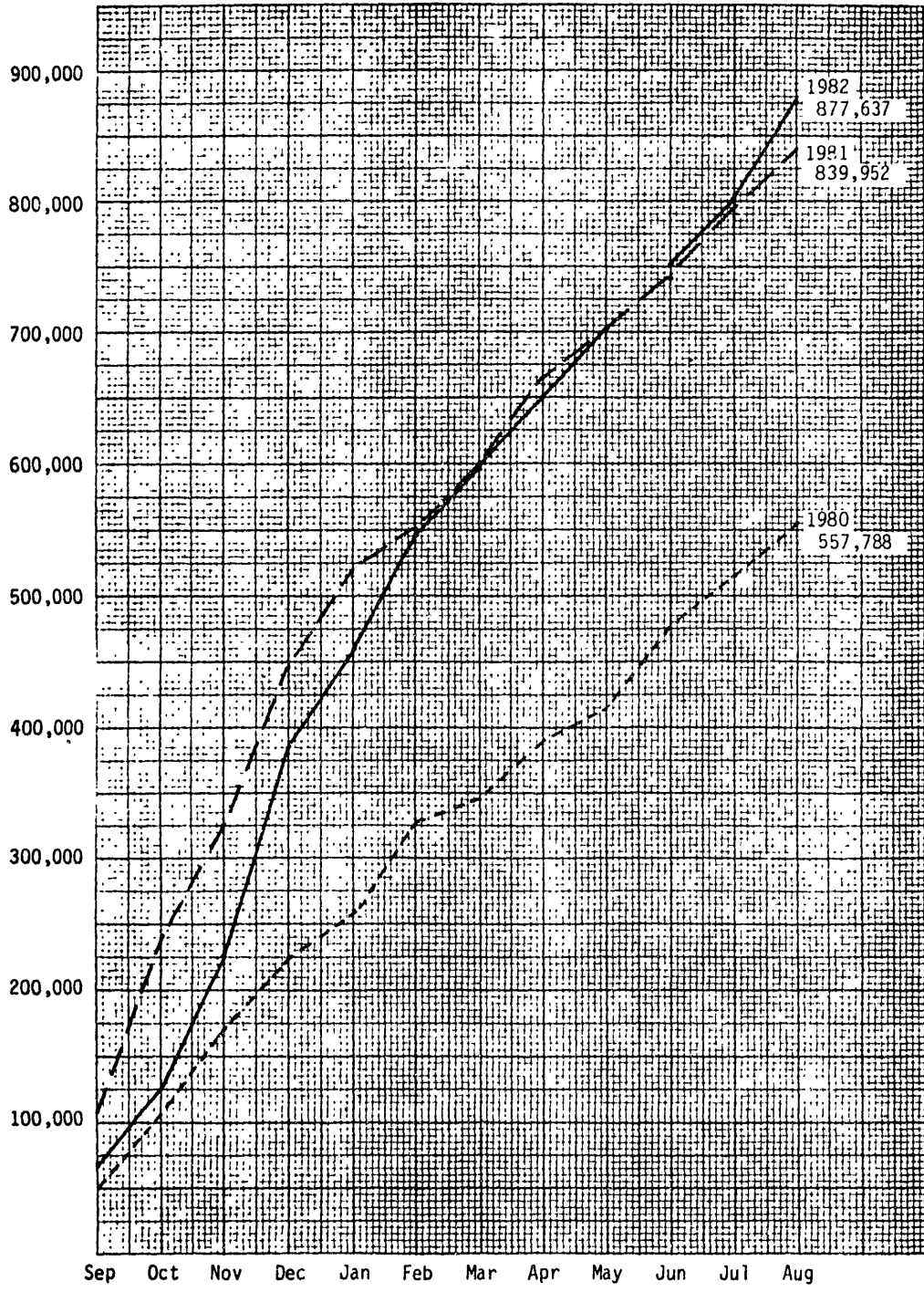
	<u>Estimated No. of Breeding Cows 1/1/82</u>	<u>Number of Eligible Heifers for Vaccination</u>	<u>Heifers Vaccin- ated FY '82</u>	<u>% Eli. Heifers Vacc. FY '82</u>
Proposed Class B Area	2,496,000	1,060,807	345,246	32.55%
Proposed Class C Area	3,739,100	1,589,114	490,068	30.84%
Heifers Vacc. with county of origin undetermined*			42,323	
State Totals	6,235,100	2,649,921	877,637	33.12%

*Due to different state and federal reporting periods, county of origin cannot be determined for the vaccination records processed at the beginning and end of a fiscal year.

CALFHOOD VACCINATIONS REPORTED BY MONTH FOR FISCAL YEARS 1980, 1981 and 1982



Accumulative Vaccinations Per Fiscal Year



(B) The laboratory system includes a central laboratory in Austin and five regional laboratories located in San Antonio, San Angelo, Amarillo, Fort Worth, and Palestine.

Laboratory Analyses of Samples for Brucellosis

	<u>1st Qtr.</u> <u>FY '82</u>	<u>2nd Qtr.</u> <u>FY '82</u>	<u>3rd Qtr.</u> <u>FY '82</u>	<u>4th Qtr.</u> <u>FY '82</u>	<u>Total</u> <u>FY '82</u>
(1) Blood Samples Received	1,027,044	728,101	964,535	900,601	3,620,281
(2) Blood Samples Not Testable (Hemolyzed)	115,822	60,674	90,106	133,400	400,002
(3) Blood Samples Tested	911,222	667,427	874,429	767,201	3,220,279
(4) Supplemental Tests:					
Rivanol	22,444	19,100	22,310	20,728	84,582
Insufficient Serum for Rivanol	579	914	610	465	2,568
Complement Fixation (Manual)	10,381	7,765	10,740	8,983	37,869
Complement Fixation (Automated) Samples Analyzed	61,226	64,597	66,899	46,997	239,719
Suspicious Samples Titrated	8,391	3,332	4,647	4,393	20,763
(5) Milk Samples for Brucellosis Ring Test (BRT)	6,546	4,162	7,937	4,975	23,620
(6) Samples for <u>Brucella</u> Culture	465	382	602	521	1,970
Biotype I Isolations	67	68	105	90	330
Biotype II Isolations	15	3	18	16	52
Biotype IV Isolations	0	2	0	23	25
Strain 19 Isolations	38	24	14	4	80
(7) Vaccine Viability - Vials Sampled	0	35	32	18	85
Total Samples Received (1+5+6)	1,034,055	732,645	973,074	906,097	3,645,871

The BRT milk sample figure includes duplicate samples and samples from out-of-state dairies that deliver milk to Texas plants. Out-of-state samples that are suspicious are reported to the state of origin officials. Duplicate samples result from dairies delivering milk to more than one plant.

(C) Surveillance—As a result of surveillance testing in fiscal year 1982, 73 herds were tested due to suspicious BRT samples, 518 herds tested due to slaughter plant reactors, 3,167 herds tested due to livestock market reactors, 409 herds tested due to reactors found on private tests, and 1,015 herds were tested as a result of the other surveillance measures shown in the table in paragraph (5) titled "Other Surveillance Measures." The Brucellosis Ring Test (BRT) and Market Cattle Identification (MCI) Program make up the primary surveillance program. This includes the testing of milk samples collected at milk processing plants and the testing of cattle at slaughter plants, livestock markets, and private testing on the farm or ranch.

(1) Brucellosis Ring Test (BRT) Program

	<u>Number of Texas Dairies Sampled</u>	<u>Samples From Texas Dairies</u>	<u>Number Samples Suspicious</u>
Total - FY '81		15,374	233
1st Qtr. FY '82	2,597	4,918*	55
2nd Qtr.	2,543	2,724	30
3rd Qtr.	2,580	4,995*	44
4th Qtr.	2,585	<u>2,620</u>	<u>35</u>
Total - FY '82		15,257	164

*Each of these figures reflect two rounds of milk collection.

(2) Market Cattle Identification (MCI) Program—This is the testing of blood samples collected at slaughter and at livestock markets.

(a) Blood samples collected at slaughter

	<u>*Slaughter Plants</u>	<u>Number of Samples Tested</u>	<u>Number of Positive Samples</u>
Total - FY '81		678,107	4,802
1st Qtr. FY '82	147	195,152	1,222
2nd Qtr.	133	144,921	1,416
3rd Qtr.	153	95,376	900
4th Qtr.	145	<u>190,589</u>	<u>940</u>
Total - FY '82		626,038	4,478

*The number of plants submitting blood fluctuates because smaller plants do not kill test-eligible cattle some months; therefore, no blood has been submitted by them.

(b) Testing at markets and stockyards—146 markets are testing all test-eligible cattle prior to sale; The remaining 14 markets offer the option of testing or "S" branding.

<u>FY '82</u>	<u>Total Samples Tested at Livestock Markets</u>	<u>Reactors Disclosed</u>
1st Qtr.	283,210	3,356
2nd Qtr.	198,108	2,614
3rd Qtr.	248,124	2,955
4th Qtr.	<u>293,176</u>	<u>3,281</u>
Total	1,022,618	12,206

(3) Private testing on farm or ranch—This includes change of ownership, abortion investigations, entry into shows and fairs, high risk herds, herd certification, and postmovement testing.

<u>FY '82</u>	<u>Total Samples Tested On Farm or Ranch</u>	<u>Reactors Disclosed</u>
1st Qtr.	34,384	70
2nd Qtr.	59,364	336
3rd Qtr.	127,578	868
4th Qtr.	<u>89,869</u>	<u>465</u>
Total	311,195	1,739

(4) Incidence of disease disclosed by surveillance—The data given on the following charts compare the four quarters of the state fiscal year 1982 and give a summary comparing fiscal years 1980, 1981, and 1982.

(a) Initial herd tests following surveillance tracebacks by quarter for fiscal year 1982.

Reason For Test	Total Herds Tested		Infected Herds Disclosed			% Infection	
	Herds	Cattle	Herds	Cattle	Reactors	* Herd	** Animal
<u>BRT</u>							
1st Qtr.	25	2,779	21	2,312	78	84.0	3.4
2nd Qtr.	14	1,793	13	1,758	53	92.9	3.0
3rd Qtr.	14	1,612	13	1,333	29	92.9	2.2
4th Qtr.	20	2,659	18	2,552	91	90.0	3.6
<u>Slaughter</u>							
1st Qtr.	126	8,220	61	4,833	726	48.4	15.0
2nd Qtr.	85	4,183	36	2,578	463	42.4	18.0
3rd Qtr.	161	8,011	71	4,335	681	44.1	15.7
4th Qtr.	146	9,404	69	5,946	885	47.3	14.9
<u>Livestock Market</u>							
1st Qtr.	958	34,113	466	19,283	3,692	48.6	19.1
2nd Qtr.	705	30,189	344	18,508	3,293	48.8	17.8
3rd Qtr.	797	28,618	386	15,891	2,749	48.4	17.3
4th Qtr.	707	24,796	411	16,210	2,536	58.1	15.6
<u>Private</u>							
1st Qtr.	33	1,241	25	861	85	75.8	9.9
2nd Qtr.	98	3,524	31	1,049	230	31.6	21.9
3rd Qtr.	154	5,026	74	2,578	506	48.1	19.6
4th Qtr.	124	5,426	69	3,684	535	55.6	14.5

*Accuracy in identification of herds that need to be tested affects the herd infection rate.

**Duration of infection and culling affects the animal infection rate.

(b) Initial herd tests following surveillance tracebacks for state fiscal years 1980, 1981, and 1982.

Reason for Test	Total Herds Tested		Infected Herds Disclosed			% Infection	
	Herds	Cattle	Herds	Cattle	Reactors	Herd *	Animal **
<u>BRT</u>							
FY '80	72	3,997	38	2,577	214	52.8	8.3
FY '81	121	11,702	81	8,912	455	66.9	5.1
FY '82	73	8,843	65	7,955	251	89.0	3.2
<u>Slaughter</u>							
FY '80	2,352	106,890	918	47,401	8,024	39.0	16.9
FY '81	1,247	67,347	570	32,675	5,275	45.7	16.1
FY '82	518	29,818	237	17,692	2,755	45.8	15.6
<u>Livestock Market</u>							
FY '80	1,657	40,505	677	29,981	3,868	40.9	12.9
FY '81	3,776	131,859	1,765	73,274	12,595	46.7	17.2
FY '82	3,167	117,716	1,607	69,892	12,270	50.7	17.6
<u>Private</u>							
FY '80	491	16,564	294	11,026	2,208	59.9	20.0
FY '81	405	13,118	210	7,454	1,416	51.9	19.0
FY '82	409	15,217	199	8,172	1,356	48.7	16.6
<u>Totals</u>							
FY '80	4,572	167,956	1,927	90,985	14,314	42.1	15.7
FY '81	5,549	224,026	2,626	122,315	19,741	47.3	16.1
FY '82	4,167	171,594	2,108	103,711	16,632	50.6	16.0

*Accuracy in identification of herds that need to be tested affects the herd infection rate.

**Duration of infection and culling affects the animal infection rate.

(c) The MCI reactor rate.

MCI DATA FOR FISCAL YEAR SHOWN

<u>FY*</u>	<u>Cattle Tested</u>	<u>Reactors Disclosed</u>	<u>Texas Reactor Rate %</u>	<u>USA Reactor Rate %</u>
1973	434,523	8,768	2.018	.628
1974	950,644	17,712	1.863	.696
1975	1,414,521	23,095	1.633	.716
1976	1,519,269	27,628	1.819	.660
1977	1,557,560	22,597	1.450	.532
1978	1,940,284	27,783	1.432	.535
1979	1,347,672	18,505	1.373	.501
1980	1,247,299	14,675	1.176	.470
1981	1,921,517	18,477	.962	.411
<u>1982</u>				
1st Qtr.	512,746	4,648	.906	
2nd Qtr.	402,393	4,366	1.085	
3rd Qtr.	471,078	4,723	1.003	
4th Qtr.	<u>573,634</u>	<u>4,686</u>	<u>.817</u>	
Total FY '82	1,959,851	18,423	.940	.412

*Prior to fiscal year 1980, MCI data is by federal fiscal year, while data reported for fiscal year 1980 and after is by state fiscal year.

(5) Other surveillance measures—This includes the testing of adjacent and epidemiologically traced herds and the post-quarantine release testing of previously infected herds.

Reason For Test	Total Herds Tested		Infected Herds Disclosed			% Infection	
	Herds	Cattle	Herds	Cattle	Reactors	Herd	Animal
<u>Epidemiologically Traced</u>							
1st Qtr.	105	4,948	23	1,525	225	21.9	14.8
2nd Qtr.	119	5,626	31	2,171	360	26.1	16.6
3rd Qtr.	34	703	8	217	23	23.5	10.6
4th Qtr.	20	580	5	359	73	25.0	20.3
FY'82 Total	278	11,857	67	4,272	681	24.1	15.9
<u>Adjacent</u>							
1st Qtr.	-	-	-	-	-	-	-
2nd Qtr.	99	4,051	27	1,797	286	27.3	15.9
3rd Qtr.	207	7,548	50	2,802	265	24.2	9.5
4th Qtr.	190	7,630	44	2,853	313	23.2	11.0
FY'82 Total	496	19,229	121	7,452	864	24.4	11.6
<u>Post-Quarantine Retest</u>							
1st Qtr.	2	143	0	0	0	0	0
2nd Qtr.	15	1,699	0	0	0	0	0
3rd Qtr.	136	9,988	16	941	31	11.8	3.3
4th Qtr.	88	4,654	9	479	26	10.2	5.4
FY'82 Total	241	16,484	25	1,420	57	10.4	4.0

(D) Epidemiological investigations.

FY '80	0
FY '81	2,660
1st Qtr. FY '82	801
2nd Qtr. FY '82	748
3rd Qtr. FY '82	837
4th Qtr. FY '82	879
Total FY '82	3,265

(E) Individual herd plans.

	<u>Herd Plans Developed</u>	
	<u>Herd Plans</u>	<u>Herd Plans With Adult Vaccination</u>
FY 1980	0	210
FY 1981	1,439	222
1st Qtr. FY '82	363	57
2nd Qtr. FY '82	276	48
3rd Qtr. FY '82	335	130
4th Qtr. FY '82	<u>246</u>	<u>76</u>
Total FY '82	1,220	311

(F) Certified free herds—The following table compares the number of herds certified for each of the four quarters of fiscal year 1982, as well as a comparison of fiscal years 1980, 1981, and 1982.

	<u>Herds Certified During Period</u>		<u>Accumulative Certified Free Herds</u>	
	<u>Herds</u>	<u>Head</u>	<u>Herds</u>	<u>Cattle</u>
FY '80	25	5,089	46	7,614
FY '81	104	13,643	130	19,511
FY '82				
1st Qtr.	59	6,627	189	26,138
2nd Qtr.	76	8,397	255	34,535
3rd Qtr.	131	10,877	370	45,412
4th Qtr.	<u>131</u>	<u>14,248</u>	<u>492</u>	<u>59,167</u>
Total FY '82	397	40,149	492	59,167

Agreements have been signed to certify 708 herds pending a second negative test.

II. Supporting Elements of the Brucellosis Program.

(A) Industry participation.

(1) Accelerated program in 33 counties—A series of five meetings was held in June throughout a 33-county area to initiate an accelerated program within the area. These counties were selected for the accelerated program due to a persistent high infection rate within each county. The meetings were designed to outline the aspects of the program with an emphasis on calfhood vaccination. Participants who were invited to the meetings included county extension service agents, vocational agricultural teachers, fee basis veterinarians, and commission brucellosis committee members. Information on the accelerated program was presented by the executive director or members of his staff.

A map detailing the accelerated area, along with a list of targeted counties by commission area is attached as Exhibit B. Copies of a news release and television announcements are also provided in Exhibit B, as well as the locations and dates of the five meetings.

County statistics are provided in Exhibit C. These statistics provide current cattle and herd populations, as well as the estimated heifer population available for calfhood vaccination; herd infection rates at the time a county was initially tested for modified certified status, as well as the current number of herds infected along with current herd infection rates; and the percent of eligible heifers vaccinated during a recent 12-month period.

(2) **Hearings**—The commission held hearings to receive input from industry on the brucellosis program in Paris on June 10, 1982, in Abilene on August 5, 1982, and in Bryan on August 26, 1982. Details regarding these hearings are being provided to the governor, and copies are available in the office of the Texas Animal Health Commission for anyone who requests them.

(B) **Information and education**—Special material was prepared for the accelerated brucellosis program for 33 counties in Texas during the fourth quarter.

Two brochures, "Brucellosis, the Disease" and "Vaccination", were distributed to county agricultural extension agents in the accelerated brucellosis program area. Forty thousand copies of the brucellosis disease brochure and 25,000 copies of the vaccination brochure were provided for distribution.

A special news packet containing five stories on the total effort were also distributed to ranchers in the counties involved. Special radio and television spot announcements were also prepared.

A booklet, "Everything, (Well Almost Everything), You've Ever Wanted To Know about Brucellosis (Bangs)", containing 100 questions and answers on brucellosis, was also distributed to county agricultural agents in the area and to members of the United States Animal Health Association, USDA officials, ranchers in foreign countries, members of the TAHC brucellosis committees, and several farm and ranch organizations in Texas. Requests have also been received from several states and a foreign country for the booklet.

The staff of *The Cattleman*, a magazine, requested that they be given permission to publish the booklet in their October issue; the Perry Foundation has also requested that the booklet be printed in its annual report.

Plans were also formulated to send the booklet to the 1,653 vocational agriculture teachers in Texas for their use as a teaching aid in high school vocational agriculture classes. Sixty thousand Texas high school agriculture students will benefit from the information contained in this booklet.

Twenty-three news releases pertaining to TAHC responsibilities were prepared and distributed to news media statewide during the fourth quarter of the state fiscal year.

In order to improve the quality of tissues submitted for the culture, a training program was conducted for each of the TAHC areas. The area director, supervising inspector, and at least two inspectors from each area were trained in the proper techniques for specimen collection. This training has produced a network of skilled employees who work in cooperation with the areas to insure the proper collection of important tissues.

(C) **Automated data processing systems**—The commission staff met with representatives of USDA to discuss Texas' entry into the National Brucellosis Information System. A proposal for Texas to enter the program will be presented by USDA to the commission in late October or early November 1982. This proposal will outline a suggested configuration of hardware for data entry and data retrieval, as well as a tentative time frame for entering into the system.

Additional progress has been made in refining and upgrading the automated systems currently in use. New applications have been developed which enhance statistical capabilities for calftooth vaccination data and provide better access to data on adult vaccinated herds.

(D) **Research**—Research in Texas is being conducted by the Texas Agricultural Experiment Station (TAES). Major efforts are being directed toward development of better diagnostic tools, an improved vaccination program, and knowledge of the host-organism relationship in the disease process. Commission epidemiologists have been evaluating the Enzyme-Linked Immunosorbent Assay (ELISA) test as adapted for brucellosis testing by the TAES and are optimistic about including this into regular program testing.

The ELISA test has been shown to detect early infection in vaccinated cattle. To further enhance the use of this test, the TAES is conducting research to develop an antigen specifically for the antibodies produced by the vaccine or the field strain organism. If such antigens become available, they would be useful in other tests under development.

(E) **Disposition of herds released and infection rates**—In a computer analysis by the TAES of 3,215 herds released from quarantine during fiscal years 1981 and 1982, the following data was derived.

(1) **Herd disposition (data given for 3,215 herds)**

<u>Beef</u>	<u>Herds</u>	<u>Percent</u>
Sold to Slaughter	211	6.75
Released*	2,914	93.25
<u>Dairy</u>	<u>Herds</u>	<u>Percent</u>
Sold to Slaughter	3	3.33
Released*	87	96.67
<u>Total</u>	<u>Herds</u>	<u>Percent</u>
Sold to Slaughter	214	6.66
Released*	3,001	93.34

(2) Data sorted by initial infection rate and accumulative infection rate.

Type Herd	# Herds Released	Average Herd Size	Average Number of Tests	Animal Infection Rate on Initial Herd Test	Accumulative Animal Infection Rate
<u>Beef</u>	3,125	44.02	4.81	14.57%	25.56%
<u>Dairy</u>	42 Herds Released in FY '81			4.17	21.73
	48 Herds Released in FY '82			1.63	6.28

*Met testing requirements for release.

It is interesting to note the difference in the initial and accumulative animal infection rates between the first 42 dairy herds released (reported in the fiscal year 1981 annual report) and the most recent 48 dairy herds released.

(F) Cost/benefit study—The TAHC has a contract with the Texas Agricultural Experiment Station to perform a cost/benefit analysis of the fiscal year 1982 brucellosis program. The analysis will also attempt to measure the impact of possible changes to the current program. Upon completion of this study, their findings will be published as an addendum to this document.

(G) Compliance activities.

(1) Vehicles stopped for compliance.

FY '82	No. Vehicles		Breeding Cattle Inspected		Total Cattle Inspected	
	East-West Line	State Line	East-West Line	State Line	East-West Line	State Line
1st Qtr.	227	1,756	107	4,685	16,534	49,032
2nd Qtr.	101	1,153	391	3,028	5,243	15,461
3rd Qtr.	265	1,303	236	3,401	13,702	38,502
4th Qtr.	255	890	446	2,382	13,780	40,888
Total	848	5,102	1,180	13,496	49,259	143,883

(2) Entry permits issued on out-of-state cattle.

2. Entry Permits Issued on Out-of-State Cattle

FY '82	No. Permits	No. Cattle
1st Qtr.	489	8,317
2nd Qtr.	321	6,987
3rd Qtr.	383	5,455
4th Qtr.	251	4,554
Total	1,444	25,313

(3) Complaints filed during fiscal year 1982.

- (a) Interstate violations—38
- (b) Intrastate violations—85

(H) **Litigation.** Presently there are several court actions in the district courts of Texas which affect the TAHC. The first suit was filed in the district court of Castro County, 67th Judicial District, with a temporary injunction issued on January 28, 1976; this order has been amended twice, the last time being April 4, 1980, and it required the commission to enforce the Texas bovine brucellosis regulations dated February 29, 1980.

The second suit was filed in the district court of Uvalde County, 38th Judicial District, on September 9, 1979. The court held that the old brucellosis regulations as well as Texas Civil Statutes, Article 7014f-1, §23A, which authorized the brucellosis program, were unconstitutional as applied to R. J. Nunley and enjoined the commission from in any manner enforcing the brucellosis regulations against Mr. Nunley. New regulations were adopted on February 29, 1980. An attempt was then made to apply these regulations to people buying Mr. Nunley's cattle which resulted in the commission being held in contempt of the order on January 15, 1981. The order was expanded. An appeal of this order was dismissed by the San Antonio Court of Civil Appeals on July 28, 1982, for want of jurisdiction. The commission's motion of rehearing was denied August 25, 1982. An application for writ of error to the Texas Supreme Court is being pursued.

The third suit is pending in the 53rd Judicial District of Travis County, Texas styled Pan American Livestock Exposition *et al. v. Texas Animal Health Commission and R. J. Nunley*. The plaintiffs seek to enjoin the Texas Animal Health Commission to enforce the brucellosis regulations against all persons, including Mr. Nunley. Judge Harley Clark granted summary judgment to R. J. Nunley declaring that the rules and regulations of the commission were invalid and unenforceable on June 14, 1982. Appeal to Austin Court of Appeals of that ruling is pending. There is still pending before the district court that portion of the suit relating to the validity of the statute.

Injunction proceedings resulted in the following parties being ordered to comply with the Texas Agricultural Code and the Texas bovine brucellosis regulations: D. Priest of Van Zandt County, Louie Woodall of Hopkins County, Scot Cox of Lamar County, and Glenn Cain of Kaufman County.

III. Personnel—The commission has made a conscious effort to improve the quality and performance of all personnel. This is being accomplished through education, training, and evaluation of commission employees and the recruitment of quality professionals and inspectors. These efforts have generally resulted in improved performance of commission employees.

The addition of highly trained epidemiologists and other professionals has resulted in increased industry confidence and support. This in turn has accelerated the progress which is being made toward the control and eventual eradication of brucellosis.

The brucellosis budget allows for the projected manpower requirement in meeting objectives of the elements of this program. The following is a current accounting of the progress in meeting the gubernatorial guidelines for an employee reduction exclusive of brucellosis program employees.

Number of FTEs 1-31-79		Number of FTEs 8-31-79
104.6	Brucellosis—field	96.2
17.0	Brucellosis—laboratory	32.0
	Brucellosis related:	
-0-	Second clerk in field office	10.0
-0-	Purchasing clerks	4.0
-0-	Statistical services clerks	1.0
-0-	Automated data processing	2.0
-0-	Epidemiologists	1.0
-0-	Information specialist	1.0
121.6	Total brucellosis and related	147.2
213.0	Other	185.8
334.6	Total TAHC employees	333.0

The TAHC has realized a 12.8% reduction in other employees as of August 31, 1982.

IV. Financing—The brucellosis program is funded primarily from the brucellosis activity; however, it does receive support from other service-oriented activities. Funding for the brucellosis activity was appropriated as three subactivities; surveillance, adult vaccination and individual herd testing, and calfhood vaccination. Other activities providing support to the brucellosis program are administration, laboratory support, statistical services, and inspection and compliance. The program component funded by each of these activities is itemized as follows.

(A) **Surveillance**—Funds from this subactivity are used to detect the presence of unlocated infection. The following methods of detection are used on this subactivity.

- (1) collection, identification, and submission of slaughter blood and tissue samples for testing;
- (2) testing of nonexempt cattle at auction markets and stockyards;
- (3) collection and submission of milk samples from dairy herds.

(B) **Adult vaccination and individual herd testing**—Funds from this subactivity are used to confirm and eradicate infection found through surveillance measures. The following program elements are supported by this subactivity.

- (1) epidemiological investigations;
- (2) establishing herd plans for infected herds;
- (3) infected and high risk herd procedures including adult vaccinations;
- (4) establishing certified free herds. (This will be for previously infected herds only, other certified free herds will be established at owner's expense.)

(C) **Calfhood vaccination**—Funds from this subactivity are used to prevent the spread of brucellosis. This is accomplished by increasing immunity through calfhood vaccination.

(D) **Other activities**—Certain activities of the agency are primarily service-oriented. They provide support for all the different programs of the agency.

(1) **Administration**—The brucellosis activity shares administrative support with the other activities of the agency. These support services include accounting, personnel, purchasing, training, data processing, programs of information, and education.

(2) **Laboratory support**—The brucellosis activity receives support from the laboratory in the form of testing and culturing performed on blood, milk, and tissue samples.

(3) **Statistical services**—The brucellosis activity shares support from statistical services with other agency activities. The support is provided in the accumulation and analysis of statistical data about program components.

(4) **Inspection and compliance**—Work to insure compliance with all agency regulations, including brucellosis regulations, is funded from this activity.

The brucellosis program is funded through state general revenue funds and funds from the APHIS, VS division of the USDA. The following schedule provides the total agency expenditures and encumbrances for fiscal year 1982 by activity as well as the source of funds for the expenditures and the TAHC operating budget for fiscal year 1982.

TEXAS ANIMAL HEALTH COMMISSION
FINANCIAL OVERVIEW
Fiscal Year 1982

	TOTAL FY 82 Operating Budget	Total Encumbrances and Expenditures ¹	Method of Financing State Funds	Federal Funds
Administration:				
General Administration	\$ 370,612	\$ 357,546	\$ 310,461	\$ 47,085
Fiscal & Personnel Mgmt.	357,792	335,335	307,746	27,589
Total Administration	<u>\$ 728,404</u>	<u>\$ 692,881</u>	<u>\$ 618,207</u>	<u>\$ 74,674</u>
Prevention, Control and Eradication				
Inspection & Comp.	\$ 1,929,901	\$ 1,890,656	\$ 1,890,656	\$ -0-
Statistical Services	577,248	553,679	486,473	67,206
Laboratory Support	651,951	637,543	476,928	160,615
Indemnity	13,475	-0-	-0-	-0-
Tuberculosis	38,324	27,158	27,158	-0-
Hog Cholera	212,305	192,534	192,534	-0-
Pseudorabies (PRV)	35,346	34,645	34,645	-0-
Pullorum Typhoid	24,266	12,694	12,694	-0-
Fever Tick ²	556,622	372,155	372,155	-0-
Scabies	424,698	356,904	356,904	-0-
Screwworm Flies	172,892	130,328	130,328	-0-
Subtotal	<u>\$ 4,637,028</u>	<u>\$ 4,208,296</u>	<u>\$ 3,980,475</u>	<u>\$ 227,821</u>
Brucellosis				
Surveillance	\$ 2,228,646	\$ 2,206,407	\$ 668,058	\$ 1,538,349
Adult Vaccination and Individual Herd Testing	1,947,803	1,793,462	1,146,242	647,220
Calfhood Vaccination	<u>2,589,024</u>	<u>2,172,649</u>	<u>2,164,061</u>	<u>8,588</u>
Total Brucellosis	<u>\$ 6,765,473</u>	<u>\$ 6,172,518</u>	<u>\$ 3,978,361</u>	<u>\$ 2,194,157</u>
Total Prevention, Con- trol & Eradication	<u>\$ 11,402,501</u>	<u>\$ 10,380,814</u>	<u>\$ 7,958,836</u>	<u>\$ 2,421,978</u>
Emergency Fund	<u>\$ 150,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
GRAND TOTAL TEXAS ANIMAL HEALTH COMMISSION	<u>\$ 12,280,905</u>	<u>\$ 11,073,695</u>	<u>\$ 8,577,043</u>	<u>\$ 2,496,652</u>

¹ Total encumbrances and accounts payable were \$446,719 as of 8/31/82.

² \$180,000 of the Fever Tick budget is reserved for the purchase of pesticide dip. Only \$25,724 of these funds were actually expended.

This financial overview will be provided by Texas Animal Health Commission in the Bill Pattern Format upon request.

Exhibit A: History and Overview

Bovine brucellosis is a highly contagious bacterial disease that affects mainly cattle, and to some extent other species of animals, including man. It is also called contagious abortion, Bangs disease, and Malta Fever. The bacteria, *Brucella abortus*, is the cause of bovine brucellosis. The disease in cattle results in abortions, weakened calves, reduced milk production, lowering of fertility with poor conception rates, and in some instances sterility in bulls. Some infected animals never show any symptoms but do spread the disease to other cattle.

The United States Department of Agriculture (USDA) has the responsibility and authority to control the spread between states of specific diseases of livestock, including brucellosis. To this end, USDA has rules for the movement of cattle infected with brucellosis, or that may be infected or exposed to brucellosis. These rules are part of the Code of Federal Regulations (CFR) and are enforceable in federal courts.

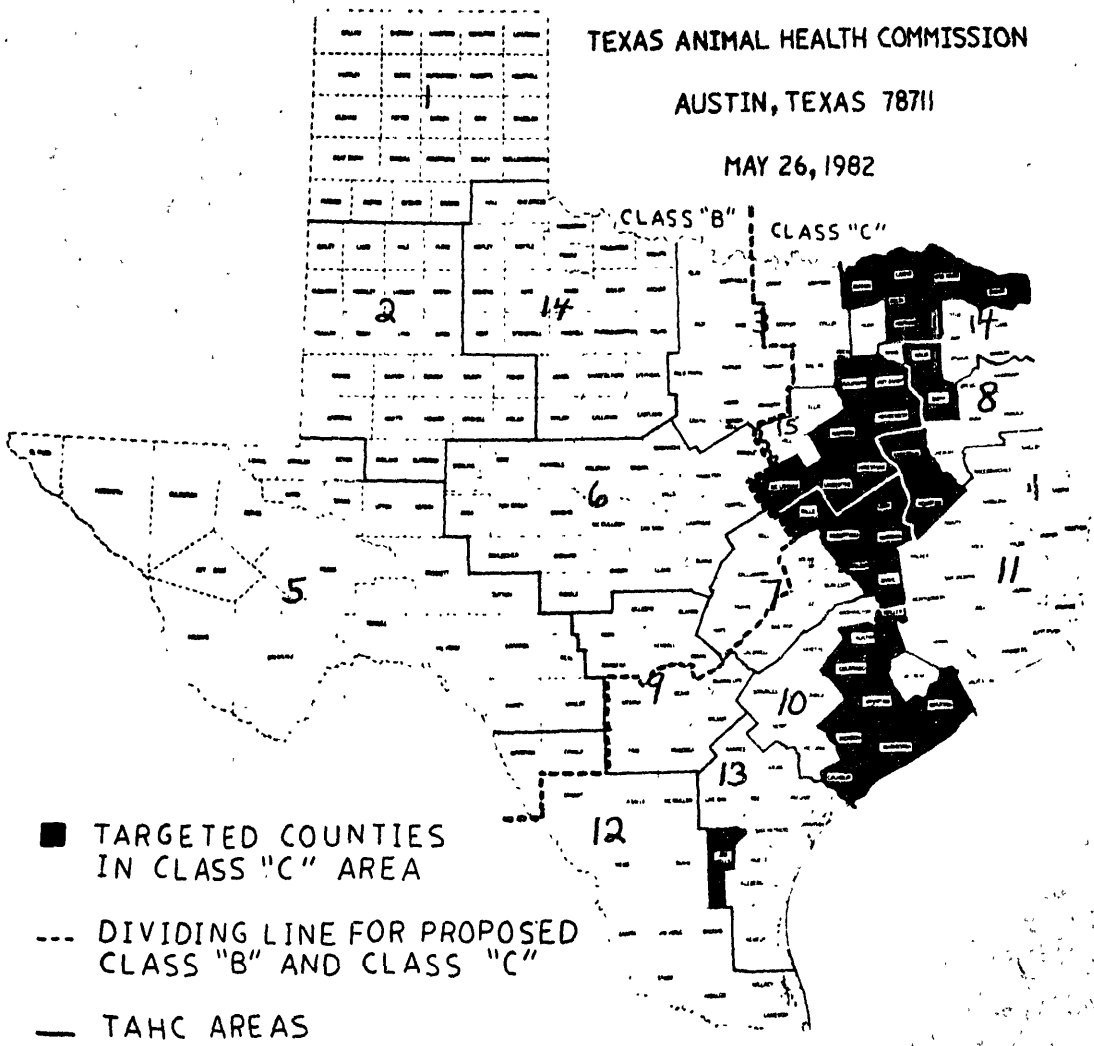
States are classified as to the incidence of brucellosis, and rules for the movement of cattle have been developed based on these state classifications. As part of this effort, USDA can enter into cooperative agreements with states to develop an effective program within an individual state that will control and reduce the incidence of brucellosis, thereby reducing the interstate spread of this disease. The state-federal cooperative brucellosis program operates under a set of minimum standards, Uniform Methods and Rules (UM&R), for achieving and maintaining certification of herds and of states or areas.

In 1934, a voluntary program to eliminate infected cows was initiated by USDA. Several states implemented eradication programs in the mid-1940's to the early 1950's. Area testing to gain Modified Certified status was voluntarily initiated in Texas in 1958 by three West Texas counties; in 1959, legislation was passed which mandates that bovine brucellosis be controlled leading to eventual eradication in the state; during the period 1959-1973, the remaining counties completed area testing. In 1973, the law was amended authorizing the Texas Animal Health Commission to begin all reasonably necessary operations to establish and maintain the counties of the state as "certified brucellosis free." By June 30, 1973, 30 states were classified as Certified Free and the remaining states except Texas were classified as Modified Certified. Texas gained Modified Certified status on August 10, 1973.

The incidence of the disease increased nationwide in 1974 and 1975, as a result of the industry having to comply with rigid and inflexible requirements that apparently would never eradicate the disease. The same dissatisfaction and near revolt was also evident in Texas both by the industry and the Texas Animal Health Commission. In fact, in 1975, Texas was notified that it was to be placed under a federal quarantine. The quarantine order appeared in the *Federal Register* in December 1975. The litigation in Castro County and the resulting temporary injunction directing the commission to enforce rules meeting the national standards prevented the implementation of the provisions of the quarantine. As a direct result of the industry's dissatisfaction and near revolt, and at the urging of several nationwide associations, the National Brucellosis Technical Commission (NBTC) was appointed to study the disease, the existing programs, and to report their findings and recommendations. The commission found that the eradication of brucellosis is biologically feasible and recommended that the various states and the federal government support an eradication program that is epidemiologically sound and provides the flexibility that will result in producer cooperation. The first major revisions of the UM&R based on their recommendations were made in 1980. The UM&R that resulted from their recommendations became effective nationwide on May 1, 1982.

The Texas brucellosis program is now emphasizing the importance of a complete program for each infected herd. This concept includes epidemiological investigations, the development of herd plans, the establishment of fully vaccinated herds, and the testing of adjacent herds to detect possible sources of reinfection. By increasing immunity levels and eradicating the disease in local areas, the program will succeed in its goal through expansion of clean areas to a statewide basis.

Exhibit B



Accelerated Brucellosis Program

Areas and counties involved

Area 4: Bowie, Delta, Fannin, Franklin, Hopkins, Lamar, and Red River

Area 7: Brazos, Falls, Grimes, Leon, Madison, and Robertson

Area 8: Anderson, Houston, Smith, and Wood

Area 10: Austin, Brazoria, Calhoun, Colorado, Jackson, Matagorda, Waller, and Wharton

Area 15: Freestone, Henderson, Kaufman, Limestone, McLennan, Navarro, and Van Zandt

One county in each area has been designated as a "pilot project." They are:

Area 4: Hopkins, Area 7: Robertson, Area 8: Smith; Area 10: Colorado, Area 15: Henderson

News Release for Accelerated Brucellosis Program

One of the major questions relating to brucellosis control is vaccinating with the reduced dosage of Strain 19. A program to increase vaccination of eligible heifers is now underway in this area, according to _____

The reduced dosage of Strain 19 vaccine for brucellosis control is virtually as effective as the old strength, Dr. John W. Holcombe, executive director, Texas Animal Health Commission, Austin, reports.

The old strength of Strain 19 contained about 90 billion organisms. The new reduced dosage has about one billion organisms. "Experience over the years indicated the old strength might be too large and could overwhelm the younger calves' immunity systems resulting in no immunity being produced. In older heifers, this large dose would occasionally produce vaccinal titers," it was explained by Dr. Holcombe.

The reduced dosage is sufficient to produce immunity.

Vaccination is a cornerstone of the Texas brucellosis program. Vaccination ages for heifers as official vaccinates are four to 12 months of age for all breeds. Bulls are not vaccinated.

Financial assistance is available for vaccination of eligible heifers. Contact local officials for details.

Submitted by Texas Animal Health Commission.

Ten-second public service announcements for accelerated brucellosis program

Vaccination provides your cattle with protection against brucellosis. Use the reduced dosage of Strain 19.

Livestock producers in this area should consider vaccination for brucellosis control; for details, contact _____
(Name of committee)

Ask your area Texas Animal Health Commission office about details of the reduced dosage of Strain 19 vaccine for brucellosis control.

A program to encourage vaccination for brucellosis is underway. Cattle producers can get additional information from _____
(Name of committee)

The reduced dosage of Strain 19 is recommended for vaccination of your cattle for control of brucellosis. For details, contact _____
(Name of committee)

Vaccination for brucellosis control is a sound management practice. For details, contact _____
(Name of committee)

Submitted by the Texas Animal Health Commission.

May 24, 1982

Schedule of meetings to be held in TAHC Areas 4, 7, 8, 10, and 15 for the accelerated brucellosis program. Each meeting will begin at 1 p.m.

June 3 — (Area 10)
Texas Agricultural Extension Service, 210 Rusk, Wharton

June 9 — (Area 8)
Texas Power and Light, 1600 South Broadway, Tyler

June 10 — (Area 4)
Paris Junior College, Theater of Performing Arts, 2400 Clarksville, Paris

June 11 — (Area 15)
Texas Power and Light, 321 West Fifth Street, Corsicana

June 14 — (Area 7)
Planters and Merchants Bank, 122 Fourth Street, Hearne

Exhibit C

Quarantined Herds and Accumulative Herd Infection Rates

If the reader compares the map at the beginning of the brucellosis report with the following two maps, a difference will be noticed in the total number of infected herds. This is a result of the time frame each map is based on. The map at the beginning of the brucellosis report is an example of the monthly quarantined herd map published each month by TAHC. This particular map gives the total number of herds under quarantine at the end of August, which was the end of fiscal year 1982. Although this map corresponds to the end of the fiscal year, it is still only a monthly map. Each monthly map throughout the year will vary in the total number of quarantined herds since some herds recorded on the previous monthly map will have been released, and some new herds will have been quarantined.

In contrast, the following two maps reflect the total or accumulative number of herds that were found to be infected during the fiscal year. While each of these herds had a laboratory confirmed reactor at some time during the year, many were released from quarantine by the end of the fiscal year and are, therefore, not reflected in the totals for the monthly map at the beginning of this report. The second of the following two maps gives the accumulative infected herd totals for each Texas county in fiscal year 1982.

On the first day of each fiscal year, the accumulative infected herd total is zero. As herds are tested and infection is found, the number continues to increase until the end of the fiscal year. The next fiscal year will then begin at zero.

Long term progress can be evaluated by comparing the accumulative infected herd totals for different years. The tables beginning immediately following the two maps compare the accumulative infected herd totals for the initial area testing with those of fiscal year 1982. Calfhood vaccination statistics are also provided.

The revised Uniform Methods and Rules (UM&R) uses the accumulated herd infection rate as a standard for classifying states and areas. The four classifications are as follows.

Herd Accumulative Infection
Rate not to exceed:

Class Free	0.0%
Class "A"	0.25%
Class "B"	1.5%
Class "C"	Exceeds the Class "B" standards

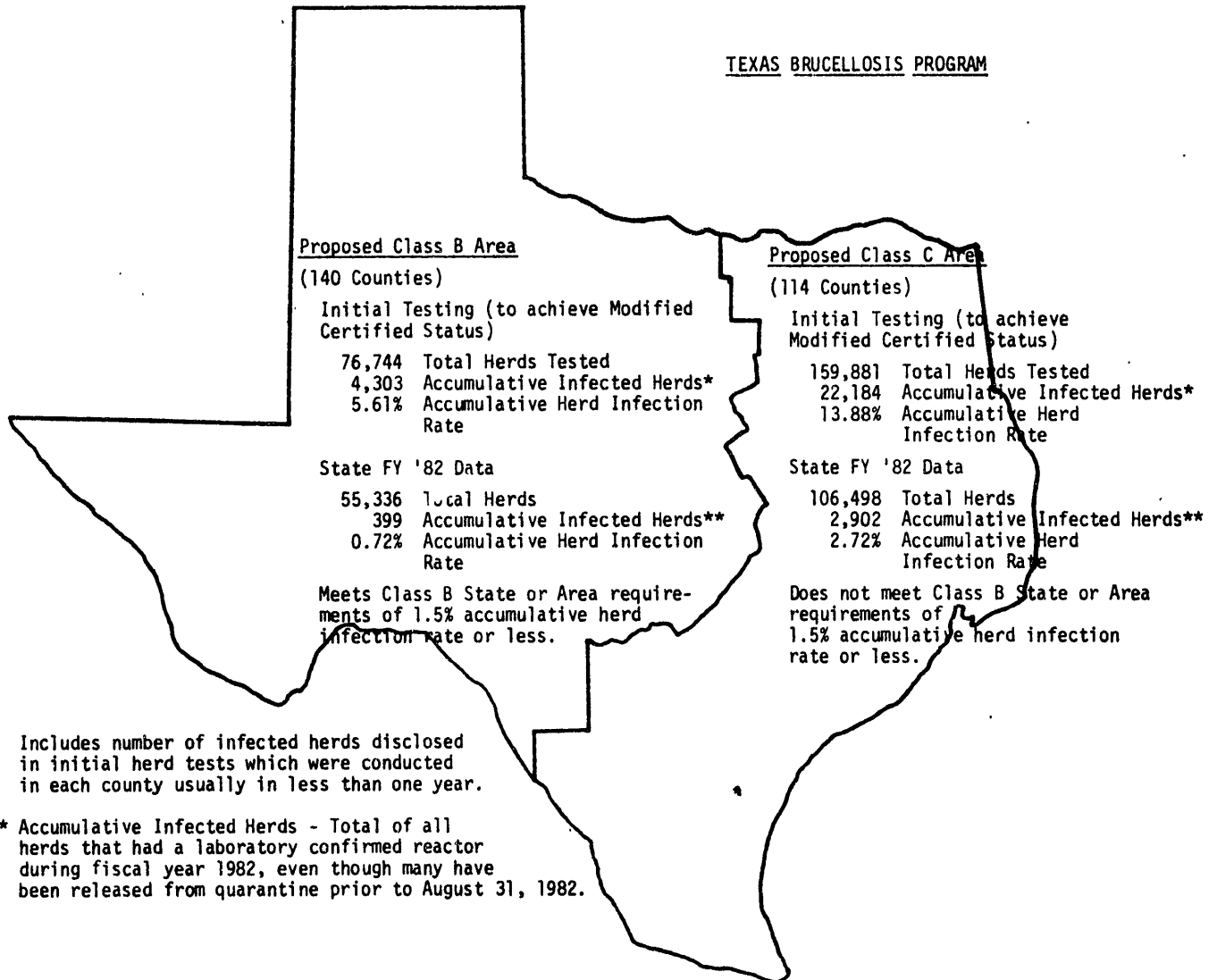
The following chart is a summary of the brucellosis statistics tables in this exhibit. These figures are also given in the map which follows. Initial area testing occurred from 1959-1973. The figures on the following chart include all infected herds found during this time period and the total number of herds tested.

	Initial Area Testing			FY '82		
	Herds Tested	Accumul. Infected Herds	Herd Infec. Rate	Total Herds	Accumul. Infected Herds	Herd Infec. Rate
Class B	76,744	4,303	5.61%	55,336	399	0.72%
Class C	159,881	22,184	13.88%	106,498	2,902	2.72%
Totals	236,625	26,487	11.19%	161,834	3,301	2.04%

Comparisons may be made between the area testing and fiscal year 1982 herd infection rates since the area testing included infected herds disclosed in initial herd tests which usually were conducted in each county in less than one year.

The fiscal year 1982 data show that the 140 counties in the proposed Class B area meet the herd infection rate requirements, i.e., 0.72% is well below the 1.5%. The data also show that the 114 counties in the proposed Class C area did not meet the requirements for Class B status, i.e., the fiscal year 1982 herd infection rate of 2.72% exceeds the 1.5% requirement. The immediate goal of the brucellosis program is to reduce infection statewide and qualify the entire state for Class B status which would greatly reduce testing requirements for both intrastate and interstate movements of breeding cattle.

TEXAS BRUCELLOSIS PROGRAM



* Includes number of infected herds disclosed in initial herd tests which were conducted in each county usually in less than one year.

** Accumulative Infected Herds - Total of all herds that had a laboratory confirmed reactor during fiscal year 1982, even though many have been released from quarantine prior to August 31, 1982.

BRUCELLOSIS STATISTICS
(Proposed Class "B" Area)

County	<u>Accumulative Infected Herds</u>		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Andrews	5	1	75	10,000	4,250	3,295	77.53%
Archer	60	6	455	28,500	12,113	4,881	40.30
Armstrong	14	1	191	14,000	5,950	3,230	54.29
Bailey	6	3	147	10,100	4,292	2,662	62.02
Bandera	30	3	421	15,000	6,375	547	8.58
Baylor	27	5	245	9,000	3,825	1,533	40.08
Bell	152	13	1,509	27,000	11,475	4,058	35.36
Blanco	43	1	506	15,800	6,715	1,733	25.81
Borden	2	1	109	15,000	6,375	796	12.49
Bosque	80	7	1,041	40,600	17,255	3,773	21.87
Brewster	3	1	119	30,000	12,750	1,243	9.75
Briscoe	18	0	145	7,000	2,975	1,302	43.76
Brown	106	3	1,180	35,600	15,130	4,137	27.34
Burnet	72	4	832	28,000	11,900	2,841	23.87
Callahan	59	7	739	29,000	12,325	3,106	25.20
Carson	3	2	161	8,000	3,400	5,611	165.03

Brucellosis Statistics Proposed Class "B"
Continued

<u>County</u>	<u>Accumulative Infected Herds</u>		<u>Estimated No. of Herds on 1/1/82</u>	<u>Estimated No. of Breeding Cows on 1/1/82</u>	<u>No. Heifers Eligible for Vaccination</u>	<u>Heifers Vacct'd FY '82</u>	<u>% Eligible Heifers Vaccinated FY '82</u>
	<u>Initial Area Testing</u>	<u>FY '82</u>					
Castro	31	0	211	19,100	8,118	3,711	45.71%
Childress	35	3	262	9,000	3,825	1,292	33.78
Clay	80	10	872	37,700	16,023	4,808	30.01
Cochran	4	0	63	3,000	1,275	43	3.37
Coke	14	0	390	18,000	7,650	946	12.37
Coleman	42	4	883	31,800	13,515	2,912	21.55
Collin'worth	42	2	321	16,000	6,800	1,774	26.09
Comal	22	2	578	13,000	5,525	450	8.14
Comanche	125	9	1,290	56,200	23,885	5,426	22.72
Concho	28	1	333	20,000	8,500	546	6.42
Coryell	67	12	1,024	40,000	17,000	3,538	20.81
Cottle	29	2	169	13,000	5,525	605	10.95
Crane	2	2	25	4,000	1,700	837	49.24
Crockett	19	0	168	21,000	8,925	1,354	15.17
Crosby	15	1	219	7,000	2,975	925	31.09
Culberson	3	1	80	14,000	5,950	721	12.12

Brucellosis Statistics Proposed Class "B"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Dallam	5	1	145	15,000	6,375	6,521	102.29%
Dawson	9	0	96	2,000	850	284	33.41
Deaf Smith	27	4	241	21,000	8,925	9,014	101.00
Dickens	16	5	329	12,000	5,100	976	19.14
Donley	23	3	283	19,000	8,075	3,973	49.20
Eastland	46	11	1,132	34,500	14,663	2,113	14.41
Ector	1	1	105	9,000	3,825	1,525	39.87
Edwards	17	1	231	23,000	9,775	392	4.01
El Paso	2	0	90	7,600	3,230	2,677	82.88
Erath	58	15	1,539	68,300	29,028	9,467	32.61
Fisher	42	5	630	19,800	8,415	1,650	19.61
Floyd	23	1	279	5,000	2,125	477	22.45
Foard	15	3	174	7,000	2,975	244	8.20
Gaines	14	0	160	5,000	2,125	151	7.11
Garza	3	0	157	10,000	4,250	2,054	48.33
Gillespie	13	3	1,293	33,900	14,408	1,505	10.45

Brucellosis Statistics Proposed Class "B"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Glasscock	4	0	130	11,000	4,675	47	1.01%
Gray	10	7	244	12,000	5,100	3,327	65.24
Hale	37	2	248	6,700	2,848	575	20.19
Hall	27	0	238	13,000	5,525	1,550	28.05
Hamilton	48	7	1,070	36,100	15,343	3,006	19.59
Hansford	4	3	122	8,000	3,400	13,311	391.50
Hardeman	29	1	310	10,000	4,250	952	22.40
Hartley	4	0	63	16,000	6,800	7,759	114.10
Haskell	46	11	443	11,000	4,675	2,667	57.05
Hays	50	6	534	23,000	9,775	233	2.38
Hemphill	16	0	159	11,000	4,675	8,100	173.26
Hockley	8	1	138	2,000	850	562	66.12
Hood	39	2	534	17,200	7,310	1,968	26.92
Howard	18	1	193	10,000	4,250	119	2.80
Hudspeth	2	0	102	13,000	5,525	2,327	42.12
Hutchinson	7	1	75	4,000	1,700	783	46.06

Brucellosis Statistics Proposed Class "B"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Irion	4	0	105	14,000	5,950	1,502	25.24%
Jack	77	3	697	23,000	9,775	2,308	23.61
Jeff Davis	2	3	73	13,000	5,525	3,161	57.21
Johnson	87	10	1,315	36,400	15,470	5,939	38.39
Jones	40	5	722	15,000	6,375	4,982	78.15
Kendall	19	1	512	18,100	7,693	679	8.83
Kent	27	4	162	11,000	4,675	1,873	40.06
Kerr	22	2	423	16,900	7,183	676	9.41
Kimble	16	1	409	15,000	6,375	1,013	15.89
King	8	1	46	20,000	8,500	3,058	35.98
Kinney	19	0	97	14,000	5,950	1,525	25.63
Knox	27	1	245	17,000	7,225	1,583	21.91
Lamb	13	0	200	13,000	5,525	1,012	18.32
Lampasas	66	4	595	34,000	14,450	2,627	18.18
Lipscomb	18	0	217	13,000	5,525	904	16.36
Llano	30	0	541	30,000	12,750	2,069	16.23

Brucellosis Statistics Proposed Class "B"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Loving	0	0	12	1,000	425	8	1.88%
Lubbock	14	1	269	6,600	2,805	211	7.52
Lynn	6	0	147	3,000	1,275	224	17.57
McCulloch	20	3	508	35,000	14,875	7,172	48.22
Martin	18	0	103	6,000	2,550	276	10.82
Mason	28	2	629	29,000	12,325	3,296	26.74
Maverick	34	1	127	13,000	5,525	2,888	52.27
Menard	17	3	271	16,000	6,800	568	8.35
Midland	9	0	148	6,800	2,890	260	9.00
Mills	36	3	747	24,700	10,498	6,962	66.32
Mitchell	24	0	300	11,000	4,675	875	18.72
Montague	182	9	1,104	39,500	16,788	3,225	19.21
Moore	9	1	92	10,000	4,250	3,666	86.26
Motley	15	3	224	19,000	8,075	2,641	32.71
Nolan	15	2	381	18,000	7,650	1,203	15.73
Ochiltree	23	1	168	9,000	3,825	3,547	92.73

Brucellosis Statistics Proposed Class "B"
Continued

County	<u>Accumulative Infected Herds</u>		<u>Estimated No. of Herds on 1/1/82</u>	<u>Estimated No. of Breeding Cows on 1/1/82</u>	<u>No. Heifers Eligible for Vaccination</u>	<u>Heifers Vacct'd FY '82</u>	<u>% Eligible Heifers Vaccinated FY '82</u>
	<u>Initial Area Testing</u>	<u>FY '82</u>					
Oldham	9	0	68	16,000	6,800	1,683	24.75%
Palo Pinto	81	4	676	20,000	8,500	2,754	32.40
Parker	105	11	1,412	32,600	13,855	5,052	36.46
Parmer	14	2	250	14,800	6,290	2,261	35.95
Pecos	6	0	216	24,000	10,200	3,438	33.71
Potter	2	1	69	6,000	2,550	3,777	148.12
Presidio	3	0	132	29,000	12,325	1,819	14.76
Randall	19	3	309	13,800	5,865	3,863	65.87
Reagan	5	1	93	5,000	2,125	143	6.73
Real	4	3	147	9,000	3,825	80	2.09
Reeves	13	1	114	16,800	7,140	2,580	36.13
Roberts	5	1	55	9,000	3,825	1,323	34.59
Runnels	25	2	823	22,300	9,478	1,734	18.29
San Saba	54	10	672	39,000	16,575	4,150	25.04
Schleicher	15	0	255	25,000	10,625	651	6.13
Scurry	31	4	441	18,000	7,650	980	12.81

Brucellosis Statistics Proposed Class "B"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Shackelford	24	1	255	23,000	9,775	3,360	34.37%
Sherman	7	0	69	7,000	2,975	8,705	292.61
Somervell	6	0	223	5,000	2,125	1,557	73.27
Stephens	62	3	490	22,000	9,350	923	9.87
Sterling	4	0	80	13,000	5,525	2,296	41.56
Stonewall	30	4	356	18,000	7,650	369	4.82
Sutton	22	1	193	19,000	8,075	746	9.24
Swisher	52	6	275	10,000	4,250	5,446	128.14
Tarrant	74	7	819	19,800	8,415	9,300	110.52
Taylor	55	3	776	22,000	9,350	3,800	40.64
Terrell	1	0	64	7,000	2,975	641	21.55
Terry	2	0	102	3,000	1,275	140	10.98
Throckmorton	33	3	300	22,000	9,350	3,224	34.48
Tom Green	48	1	532	28,900	12,283	3,704	30.16
Travis	96	7	865	21,800	9,265	1,639	17.69
Upton	1	0	64	5,000	2,125	46	2.16

Brucellosis Statistics Proposed Class "B"
Continued

<u>County</u>	<u>Accumulative Infected Herds</u>		<u>Estimated No. of Herds on 1/1/82</u>	<u>Estimated No. of Breeding Cows on 1/1/82</u>	<u>No. Heifers Eligible for Vaccination</u>	<u>Heifers Vacct'd FY '82</u>	<u>% Eligible Heifers Vaccinated FY '82</u>
	<u>Initial Area Testing</u>	<u>FY '82</u>					
Uvalde	50	1	438	35,000	14,875	1,528	10.27%
Val Verde	11	0	194	10,000	4,250	310	7.29
Ward	0	0	59	6,000	2,550	481	18.86
Wheeler	56	13	436	23,000	9,775	4,037	41.30
Wichita	51	4	493	17,500	7,438	627	8.43
Wilbarger	49	4	468	26,000	11,050	6,069	54.92
Williamson	96	7	1,710	40,200	17,085	2,638	15.44
Winkler	0	0	31	3,000	1,275	9	0.71
Wise	129	11	1,450	49,000	20,825	6,509	31.26
Yoakum	5	3	107	4,000	1,700	313	18.41
Young	80	8	710	21,000	8,925	1,669	18.70
Zavala	42	3	206	22,000	9,350	2,358	25.22
TOTAL	4,303	399	55,336	2,496,000	1,060,807	345,246	32.55%

BRUCELLOSIS STATISTICS
(Proposed Class "C" Area)

<u>County</u>	<u>Accumulative Infected Herds</u>		<u>Estimated No. of Herds on 1/1/82</u>	<u>Estimated No. of Breeding Cows on 1/1/82</u>	<u>No. Heifers Eligible for Vaccination</u>	<u>Heifers Vacct'd FY '82</u>	<u>% Eligible Heifers Vaccinated FY '82</u>
	<u>Initial Area Testing</u>	<u>FY '82</u>					
*Anderson	211	46	1,288	34,100	14,493	5,238	36.14%
Angelina	143	23	676	15,000	6,375	1,191	18.68
Aransas	18	4	51	1,000	425	54	12.71
Atascosa	160	26	1,352	63,600	27,030	7,993	29.57
*Austin	552	55	1,758	52,000	22,100	6,875	31.11
Bastrop	122	8	1,482	50,500	21,462	2,889	13.46
Bee	106	21	688	40,000	17,000	3,220	18.94
Bexar	93	7	1,700	35,600	15,130	2,704	17.87
*Bowie	162	86	1,028	35,600	15,130	6,673	44.10
*Brazoria	512	59	1,030	45,600	19,380	6,090	31.42
*Brazos	172	26	831	29,100	12,368	4,018	32.49
Brooks	30	3	314	23,700	10,072	1,828	18.15
Burleson	89	16	1,357	36,000	15,300	3,318	21.69
Caldwell	99	11	963	33,000	14,025	3,271	23.32
*Calhoun	173	31	199	16,000	6,800	952	14.00
Cameron	85	6	411	11,900	5,058	1,177	23.27

Brucellosis Statistics Proposed Class "C"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Camp	58	18	390	10,900	4,632	2,716	58.64%
Cass	145	12	912	22,000	9,350	2,583	27.63
Chambers	144	25	220	16,000	6,800	1,276	18.76
Cherokee	385	36	1,381	42,500	18,062	7,144	39.55
Collin	213	26	1,225	22,900	9,732	3,213	33.01
*Colorado	416	65	1,469	54,600	23,205	5,724	24.67
Cooke	206	10	1,286	40,900	17,382	7,071	40.68
Dallas	39	6	731	10,200	4,335	2,942	67.87
*Delta	167	13	397	14,900	6,332	1,116	17.62
Denton	198	22	1,209	36,500	15,512	5,051	32.56
De Witt	223	16	1,809	71,600	30,430	7,338	24.11
Dimmit	65	5	198	28,000	11,900	4,508	37.88
Duval	83	21	1,134	54,200	23,035	2,486	10.79
Ellis	206	27	1,248	33,800	14,365	6,721	46.79
*Falls	172	29	1,121	25,000	10,625	15,314	144.13
*Fannin	359	52	1,469	33,800	14,365	5,942	41.36
Fayette	261	28	2,822	64,200	27,285	3,898	14.29

Brucellosis Statistics Proposed Class "C"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Fort Bend	542	39	933	31,000	13,175	3,061	23.23
*Franklin	103	18	478	24,800	10,540	4,094	38.84
*Freestone	214	34	1,115	35,000	14,875	5,945	39.97
Frio	141	11	479	32,700	13,898	7,332	52.76
Galveston	197	19	307	10,000	4,250	992	23.34
Goliad	114	17	700	34,000	14,450	2,115	14.64
Gonzales	257	21	1,766	81,000	34,425	10,413	30.25
Grayson	356	18	1,503	36,200	15,385	4,425	28.76
Gregg	31	3	316	5,000	2,125	1,448	68.14
*Grimes	179	40	1,154	53,400	22,695	6,041	26.62
Guadalupe	131	4	1,572	34,500	14,662	1,969	13.43
Hardin	45	5	229	1,000	425	176	41.41
Harris	489	39	1,408	26,400	11,220	2,588	23.07
Harrison	152	15	985	22,000	9,350	4,252	45.48
*Henderson	244	65	1,504	59,800	25,415	13,355	52.55
Hidalgo	130	7	755	30,000	12,750	1,837	14.41
Hill	158	19	1,488	32,700	13,898	2,589	18.63
*Hopkins	360	84	1,720	93,700	39,822	13,754	34.54

Brucellosis Statistics Proposed Class "C"
Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
*Houston	356	47	1,517	59,000	25,075	10,608	42.31
Hunt	306	43	1,586	35,000	14,875	3,663	24.63
*Jackson	536	53	739	29,000	12,325	4,160	33.75
Jasper	51	1	544	10,000	4,250	676	15.91
Jefferson	415	23	330	15,000	6,375	1,674	26.26
Jim Hogg	43	2	207	31,000	13,175	1,711	12.99
*Jim Wells	117	33	694	28,500	12,112	3,726	30.76
Karnes	150	27	1,208	46,600	19,805	4,237	21.39
*Kaufman	358	63	1,322	47,000	19,975	9,981	49.97
Kenedy	3	3	29	35,000	14,875	460	3.29
Kleberg	56	6	210	30,000	12,750	7,033	55.16
*Lamar	434	40	1,399	50,500	21,462	12,054	56.16
LaSalle	50	8	284	32,000	13,600	3,528	25.94
Lavaca	231	25	2,613	59,300	25,202	3,189	12.65
Lee	108	18	1,479	49,000	20,825	2,561	12.30
*Leon	233	47	1,207	72,000	30,600	8,392	27.42
Liberty	417	43	709	13,000	5,525	1,992	36.05

Brucellosis Statistics Proposed Class "C"

Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
*Limestone	231	64	1,351	53,000	22,525	10,157	45.09
Live Oak	92	18	785	41,000	17,425	5,734	32.91
*McLennan	118	31	1,775	39,700	16,872	4,995	29.61
McMullen	75	4	250	16,000	6,800	1,163	17.10
*Madison	259	38	744	37,900	16,108	3,567	22.14
Marion	27	1	214	7,000	2,975	468	15.73
*Matagorda	559	80	572	51,000	21,675	5,324	24.56
Medina	103	7	1,349	43,000	18,275	3,674	20.10
Milam	224	29	1,562	52,100	22,142	9,096	41.08
Montgomery	169	7	608	14,600	6,205	438	7.06
Morris	91	11	390	12,000	5,100	7,089	139.00
Nacogdoches	352	29	1,209	38,100	16,192	4,516	27.89
*Navarro	444	50	1,571	54,000	22,950	7,944	34.61
Newton	32	2	283	4,000	1,700	69	4.06
Nueces	51	3	312	11,900	5,058	624	12.34
Orange	69	10	215	5,000	2,125	427	20.09
Panola	236	24	927	31,600	13,430	3,619	26.95
Polk	88	10	473	14,000	5,950	899	15.11

Brucellosis Statistics Proposed Class "C"

Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Rains	136	26	503	19,800	8,415	2,227	26.46
*Red River	357	55	1,026	29,000	12,325	5,083	41.24
Refugio	116	24	221	25,000	10,625	4,985	46.92
*Robertson	249	45	1,158	49,000	20,825	5,892	28.29
Rockwall	68	3	153	11,000	4,675	263	5.63
Rusk	325	22	1,398	43,200	18,360	5,180	28.21
Sabine	35	2	236	5,000	2,125	316	14.87
San Augustine	82	13	354	8,000	3,400	689	20.26
San Jacinto	73	10	310	9,000	3,825	470	12.29
San Patricio	65	13	326	18,000	7,650	948	12.39
Shelby	282	18	1,180	25,000	10,625	1,230	11.58
*Smith	207	50	1,429	36,800	15,640	6,840	43.73
Starr	57	11	846	35,000	14,875	1,391	9.35
Titus	159	25	790	31,100	13,218	5,219	39.48
Trinity	156	10	567	18,000	7,650	1,277	16.69
Tyler	35	9	421	10,000	4,250	495	11.65
Upshur	147	21	945	27,700	11,772	5,140	43.66
*Van Zandt	415	70	2,197	64,300	27,328	8,844	32.36

Brucellosis Statistics Proposed Class "C"

Continued

County	Accumulative Infected Herds		Estimated No. of Herds on 1/1/82	Estimated No. of Breeding Cows on 1/1/82	No. Heifers Eligible for Vaccination	Heifers Vacct'd FY '82	% Eligible Heifers Vaccinated FY '82
	Initial Area Testing	FY '82					
Victoria	325	37	1,038	37,000	15,725	5,038	32.04
Walker	166	18	597	20,700	8,798	14,437	164.09
*Waller	434	50	675	36,700	15,598	4,769	30.57
Washington	225	21	1,970	51,700	21,972	5,499	25.03
Webb	107	21	499	59,000	25,075	5,743	22.90
*Wharton	631	55	1,061	38,000	16,150	7,141	44.22
Willacy	14	2	96	6,000	2,550	1,167	45.76
Wilson	147	28	1,658	47,800	20,315	4,954	24.39
*Wood	143	42	1,233	32,600	13,855	5,964	43.05
Zapata	34	4	381	29,000	12,325	499	4.05
TOTAL	22,184	2,902	106,498	3,739,100	1,589,114	490,068	30.84%

Heifers vaccinated with county of origin undertermined - - - - - 42,323

*Thirty-three targeted counties in the accelerated brucellosis program.

EXHIBIT II

Recommendations of the Commission

The commission continued to recommend that vaccination be made a requirement for purchase and sale of female cattle in grazing, breeding, dairying operations, or confinement in a dry lot not under quarantine.

EXHIBIT III

Summary of Public Hearing Held in Paris, Texas, on June 10, 1982

Indemnity payments and vaccination highlighted comments of the Paris hearing. One speaker recommended that the indemnity be stopped immediately and the funds be put into eliminating brucellosis from the state. He also suggested that a \$5.00 per head charge be made for cows not tested after July 1, 1984.

Another speaker also recommended that the indemnity payments be stopped immediately. He explained it is conducive now to maintain brucellosis with the indemnity payment.

Continue to encourage vaccination was the theme of another speaker; he also suggested that fresh vaccine be made available in conjunction with the vaccination program. Strain 19 vaccine was lauded by another speaker as the best vaccine available; he also said it would be very effective. He also noted that there is a need to reward vaccinated cattle enough so that it will give people an incentive to want to be a part of the program.

Another speaker also spoke in favor of vaccination and said that official vaccinates should be allowed to move in commerce on the basis of their own individual negative test. This would provide free movement in commerce, and such a program, he said, would come closer to accomplishing the goal of a vaccinated population compared to a mandatory vaccination program.

A program to encourage vaccination in 33 counties of Texas was also discussed; plans are being made to emphasize increased vaccination in those counties. It was pointed out that these 33 counties have about 50% of the known infection in the state.

Summary of Public Hearing Held in Abilene on August 5, 1982

Vaccination was the main theme of the hearing. A summary of a proposed regulation relating to brucellosis was presented. Basically, it would require brucellosis vaccination for dairy and breeding female calves being imported or on changing ownership within the state. The proposal will be addressed by TAHC commissioners at their meeting in September.

Another recommendation relating to vaccination offered during the hearing was that cattle vaccinated in 1981 and later be tested on change of ownership or at owner's request with card positives taken out with a definite reactor being allowed to return to owner's premises and the balance of the herd allowed to move with no restrictions imposed.

Vaccination was cited as the key to solving the problem; the reduced dosage of Strain 19 has a great deal of support.

Other speakers requested clarification of TAHC rules relating to brucellosis testing, in disposal of a herd; another speaker sought information on adult vaccination.

Summary of Public Hearing Held in Bryan on August 26, 1982

Voluntary and mandatory vaccination and tests for brucellosis were among major topics of discussion at the public hearing in Bryan. About 50 persons attended the hearing.

A discussion of the proposed requirements for vaccination was given by staff members. Basically, it would require vaccination of eligible heifer calves on change of ownership or entrance into Texas for purposes other than slaughter or quarantined feedlot.

Speakers at the hearing lauded efforts to increase vaccination. One person noted that even when the U.S. Department of Agriculture discouraged vaccination, he continued to encourage it. He said he was in favor of vaccination now on a voluntary basis but was opposed to it as a mandatory practice "unless you will let a man adult vaccinate his cattle and have movement of these cattle freely with no restrictions because they were adult vaccinated." Another speaker said he would do whatever the commission decided regarding the Texas brucellosis program, and he hoped it would turn out best for cattlemen. He also praised the dedication of the commission.

Tests for brucellosis were also discussed, and one speaker suggested that something needed to be done regarding a decision on an animal's status relating to brucellosis. On this subject, another speaker said he would not want to go back to the use of one test only to determine if an animal had brucellosis.

The accelerated program for 33 counties in Texas (32 in East Texas) was also mentioned during the hearing. The Extension Service and other groups were praised for their efforts in encouraging vaccination of eligible heifers.

Issued in Austin, Texas, on November 23, 1982.

TRD-828897 John W. Holcombe, DVM
Executive Director
Texas Animal Health Commission

Filed: November 23, 1982
For further information, please call (512) 475-4111.

Texas Department of Community Affairs Request for Proposal

The Texas Department of Community Affairs (TDCA), administering agency for the community services block grant (CSBG) in Texas for federal fiscal year 1983, announces a request for proposal (RFP) to deliver services on behalf of low-income migrant and seasonal farmworkers in Texas.

Selected offerors will be expected to assume responsibility for the delivery of appropriate services and activities authorized in the CSBG Act, United States Code 9901-9912, Public Law 97-35, §§671-683. Proposed services and activities should include but not be limited to the following: a migrant outreach resource center system component; a model demonstration project addressing the causes of poverty in the farmworkers' home base area; a coordination component with the community action agency network in Texas; and a toll-free phone service system.

Funding available pursuant to this notice will total \$350,000 for the entire state. Offerors responding to this notice have the following submission options:

Option	Geographic Coverage	Amount of Funds
A	Statewide	\$350,000
B	Region 1 (south, central, and east Texas)	\$238,000
C	Region 2 (Panhandle, west, and north Texas)	\$112,000

The contract will begin January 14, 1983, and extend through December 31, 1983, at the option of the Texas Department of Community Affairs.

Qualifications. Offerors eligible to respond to this request are political subdivisions of Texas, nonprofit private community organizations, or migrant and seasonal farmworker organizations. Offerors must be able to document their capability to accomplish the proposed services. Furthermore, offerors will be requested to include documentation of their legal authority and eligibility to contract with the Texas Department of Community Affairs.

Deadline. The RFP will close at 5 p.m., December 20, 1982, except for those proposals received postmarked on or before Friday, December 17, 1982.

General Information. TDCA reserves the right to accept or reject any or all proposals submitted. TDCA is under no legal requirement to execute a contract on the basis of this notice and intends this material only as a means of identifying the various contractor alternatives. TDCA intends to use responses as a basis for further negotiation of specific project details with potential contractors. If TDCA selects a contractor to provide the delivery of services, TDCA will base its choice on the offeror's proposal, demonstrated competence, and qualifications. Selection will go to one or more in-state offerors. The request does not commit TDCA to pay for any costs incurred prior to execution of a contract and is subject to availability of funds from the United States Department of Health and Human Services. TDCA specifically reserves the right to vary all provisions at any time prior to execution of a contract if TDCA deems such variances to be in the best interest of the state, and to otherwise act as it determines in its sole discretion.

Person to Contact. For the purposes of obtaining RFP packets and instructions, please contact J. Al Almaguer, Economic Opportunity Division, Texas Department of Community Affairs, P.O. Box 13166, Austin, Texas 78711, (512) 443-4100, ext. 379.

Issued in Austin, Texas, on November 29, 1982.

TRD-828985 Douglas C. Brown
General Counsel
Texas Department of Community Affairs

Filed: November 29, 1982
For further information, please call (512) 443-4100.

Office of Consumer Credit Commissioner Rate Ceilings

Pursuant to the provisions of House Bill 1228, 67th Legislature of Texas, Regular Session, 1981, the consumer credit commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Article 1.04, Title 79, as amended Texas Civil Statutes, Article 5069-1.04.

Effective Period ⁽¹⁾	Type of Transaction	
	Commercial ⁽³⁾ Consumer ⁽²⁾ /thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Indicated Rate		
Weekly Rate Ceiling		
12/06/82-12/12/82	18%	18%
Monthly Rate Ceiling		
(Variable Commercial Only)		
12/01/82-12/31/82	18%	18%
Quarterly Rate Ceiling		
01/01/83-03/31/83	18%	18%
Annual⁽⁵⁾ Rate Ceiling		
01/01/83-03/31/83	22.72%	22.72%

- (1) Dates set out above are inclusive.
- (2) Credit for personal, family, or household use.
- (3) Credit for business, commercial, investment, or other similar purpose.
- (4) Same as (3) above, except excluding credit for agricultural use.
- (5) Only for open end as defined in Texas Civil Statutes, Article 5069-1.01(f).

Issued in Austin, Texas, on November 29, 1982.

TRD-828984 Sam Kelly
Consumer Credit Commissioner

Filed: November 29, 1982
For further information, please call (512) 475-2111.

Coordinating Board, Texas College and University System Open Meeting Notice

This meeting is not subject to Texas Civil Statutes, Article 6252-17. The Advisory Committee of the Higher Education Insurance Program will meet on Tuesday, December 7, 1982, at 1 p.m., in Room 255, Bevington A. Reed Building, 200 East Riverside Drive, Austin. Agenda items to be discussed are a report from the Nominations Committee and the election of officers; research group recommendations on the definition of retiree, basic coverage standards, and ORP procedures; an interim report from the Survey of Private Industry Committee; recent developments in the Higher Education Insurance Program; and the chairman's report.

Additional information may be obtained from James McWhorter, Executive Secretary to the Administrative Council, P.O. Box 12788, Austin, Texas 78711, (512) 475-2033.

Issued in Austin, Texas, on November 29, 1982.

TRD-828974 James McWhorter
Executive Secretary
Coordinating Board, Texas
College and University System

Filed: November 24, 1982
For further information, please call (512) 475-2033.

Texas Energy and Natural Resources Advisory Council Revision of the Texas Residential Conservation Service Plan

In 1980 the Texas Energy and Natural Resources Advisory Council (TENRAC) was designated lead agency for the Texas Residential Conservation Service (RCS) by Governor William P. Clements, Jr. TENRAC developed in the Texas Residential Conservation Service Plan, in response to the mandate contained in the National Energy Conservation Policy Act, Public Law 95-619, Title II.

The Act requires utilities of a stipulated size to offer their residential customers energy conservation services, to consist primarily of on-site energy surveys and assistance in installation and financing of conservation measures recommended as a result of the survey. Twenty-two Texas utilities are covered by the provisions of the state plan.

In June 1982, the U.S. Department of Energy revised the federal rules for the RCS program. TENRAC proposes to amend the Texas plan to accord with the revised federal standards. A draft of the revised state plan has been prepared, based on the recommendations of an advisory committee composed of utility, consumer, and commercial representatives.

Copies of the revised plan are available at TENRAC, 200 East 18th Street, Austin, Texas 78701. Further information and copies of the plan may be obtained by contacting Tom Wright, (512) 475-0414. Public comment is invited until December 31, 1982.

Issued in Austin, Texas, on November 22, 1982.

TRD-828870 Carol Tombari
Director
Energy Efficiency Division
Texas Energy and Natural
Resources Advisory Council

Filed: November 22, 1982
For further information, please call (512) 475-0414.

Texas Department of Health Publication of Schedule of Controlled Substances

The Texas Controlled Substances Act, Texas Civil Statutes, Article 4476-15, requires the Texas Commissioner of Health to file annually with the Office of the Secretary of State a copy of the schedule of all substances controlled under the Act. Following this law, the commissioner, on August 31, 1982, filed a copy of the current schedule, reflecting all changes made since the last annual filing, with the Administrative Division of the Office of the Secretary of State.

Copies of this schedule are filed and are available for public inspection in the Food and Drugs Division, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, and information may be obtained from this division regarding this schedule.

Issued in Austin, Texas, on November 23, 1982.

TRD-828929 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: November 24, 1982
For further information, please call (512) 458-7236.

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.

Republic Health Corp., Dallas
AH82-1122-203

NIEH—Request for a declaratory ruling that a certificate of need is not required for Republic Health Corp., a Delaware corporation, to acquire by pur-

chase, on or after January 21, 1983, General Hospital of Lakewood, an existing 71-bed general acute care hospital with 65 medical/surgical and six ICU beds located in Dallas, from HCA Health Services of Texas, Inc., an affiliate of Hospital Corp. of America.

Republic Health Corp., Dallas
AH82-1122-205

NIEH—Request for a declaratory ruling that a certificate of need is not required for Republic Health Corp., a Delaware corporation, to acquire by purchase, on or after January 21, 1983, Medical Center Hospital of Garland, an existing 42-bed general acute care hospital located in Garland, from Medical Center Hospital of Garland, Inc., an affiliate of Hospital Corp. of America.

Republic Health Corp., Dallas
AH82-1122-207

NIEH—Request for a declaratory ruling that a certificate of need is not required for Republic Health Corp., a Delaware corporation, to acquire by purchase, on or after January 21, 1983, La Hacienda Treatment Center, an existing alcohol detoxification and treatment center licensed for 10 beds and located in Hunt. La Hacienda Treatment Center is an affiliate of Hospital Corp. of America.

Issued in Austin, Texas, on November 29, 1982.

TRD-828982 John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed: November 29, 1982
For further information, please call (512) 475-6940.

State Department of Highways and Public Transportation Correction of Error

The consultant proposal request concerning COBOL and MARK IV computer programs filed by the State Department of Highways and Public Transportation and published in the November 5, 1982, issue of the *Texas Register* (7 TexReg 3928), contained an error as submitted. The response date should read "on or before December 7, 1982."

Texas Historical Commission Consultant Proposal Request

Pursuant to Texas Civil Statutes, Article 6252-11c, the Texas Historical Commission (THC) is soliciting a request for proposal (RFP), to write and produce a handbook

on downtown redevelopment in smaller communities in cooperation with the Texas Main Street Center at the THC.

Qualifications. Offerors must show that they are able to accomplish the requested services. Offerors may be requested to include specific items and documents which attest to the applicant's capability to provide the desired services.

Deadline. The RFP will close at 5 p.m. on Wednesday, December 15, 1982, except for those proposals received by noon on Thursday, December 23, 1982, and post-marked on or before December 15, 1982.

Project Format. The Main Street Revitalization format which is the basis for the RFP is as follows. The Main Street Downtown Revitalization Manual will be a handbook developed for use by business and government leaders in smaller Texas cities with a population of 50,000 or less. The handbook will contain step-by-step methods for implementing the Main Street methodology. Topics to be covered will include but not be confined to the following.

I. Introduction to the Main Street Approach.

II. Assessing the Strengths and Weaknesses of Downtown. Surveys of buildings, ownership, conditions, and history; survey of parking availability and use; and merchant and customer surveys.

III. Organization of the Downtown. Setting up merchants' association; public/private sector involvement; and developing community support.

IV. Design Improvements. Storefront and sign design; proper rehabilitation techniques; material and reference sources; working with an architect and contractor; and maintenance of buildings and public spaces.

V. Promotion. Attracting visitors; ads and press releases; and sales and festivals.

VI. Development and Redevelopment. Leasing and selling buildings; retail recruitment; adaptive use of commercial structures; and merchandising.

VII. Financing. ERTA; industrial revenue bonds; tax abatements; low interest loan pool; CDBG; UDAG; and SBA.

VIII. Long Term Planning Tools. Zoning and codes.

IX. Historic Preservation Law. National Register nomination; landmark designation; design guidelines; and easements.

The language of the manual will be simple so that downtown leaders and planners who do not have an economic development background can use the handbook as a step-by-step guide to redevelopment. Graphics using drawings, photographs, and charts will be used to illustrate the points in question. An appendix will include all additional material such as bibliography, pertinent names and addresses, case studies, and sample documentation.

Completion Date. The Main Street Downtown Revitalization Manual will be completed on or before June 1, 1983.

General Information. THC reserves the right to accept or reject any or all proposals submitted. THC is under no legal requirement to execute a resulting contract on the basis of this notice. If THC selects a contractor to provide the delivery of service, THC will base its choice on demonstrated competence and qualifications and the reasonableness of the fee for services. The request does not commit THC to pay for any costs incurred prior to execution of a contract. Issuance of this material in no way obligates THC to award a contract or to pay any costs incurred in the preparation of a response. THC specifically reserves the right to vary all provisions set forth at any time prior to execution of a contract if THC deems such variances to be in the best interest of the state, and to otherwise act as it determines in its sole discretion.

Persons to Contact. For further information, please contact Anice Read or Paula Peters at the Texas Historical Commission, P.O. Box 12276, Austin, Texas 78711, (512) 475-3092.

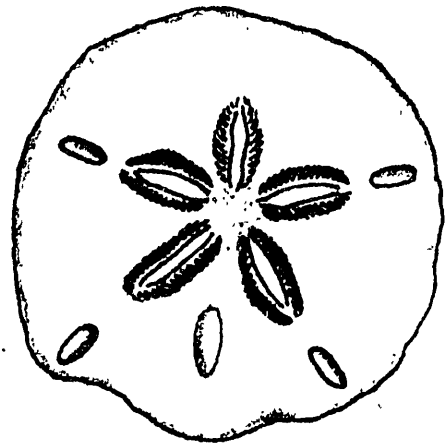
Issued in Austin, Texas, on November 29, 1982.

TRD-828983

Carol Andree
Administrative Secretary
Texas Historical Commission

Filed: November 29, 1982

For further information, please call (512) 475-3092.



Texas Medical Disclosure Panel Medical Treatment and Surgical Procedures Established by the Texas Medical Disclosure Panel

Texas Civil Statutes, Article 4590i, §6.04, requires the Texas Medical Disclosure Panel to prepare lists of medical treatments and surgical procedures which do and do not require disclosure. The panel has prepared List A, covering treatments and procedures which require disclosure, and List B, covering treatments and procedures which do not require disclosure. In addition, these lists have been

adopted by reference by the panel as rules in 25 TAC §601.1 and §601.2.

The panel has adopted amendments to the lists, with changes to the proposal published in the September 24, 1982, issue of the *Texas Register* (7 TexReg 3453). The complete lists, with the adopted changes included, are as follows. Further information about the adopted changes is contained in the preamble to the adopted amendments to the rules adopted by reference (25 TAC §601.1 and

§601.2). This preamble is being published in the Adopted Rules section of this issue of the *Texas Register*.

Issued in Austin, Texas, on November 13, 1982.

TRD-828918

James H. Duke, Jr., M.D.
Chairman
Texas Medical Disclosure Panel

Filed: November 23, 1982

For further information, please call (512) 458-7528.

Medical Treatment and Surgical
Procedures Established by the
Texas Medical Disclosure Panel

601.1 Procedures requiring full disclosure (List A). The following treatments and procedures require full disclosure by the physician or health care provider to the patient or person authorized to consent for the patient.

1. Anesthesia.
 1. Epidural.
 1. Risks are enumerated in the informed consent form in rule 601.3.
 2. General.
 1. Risks are enumerated in the informed consent form in rule 601.3.
 3. Spinal.
 1. Risks are enumerated in the informed consent form in rule 601.3.
2. Cardiovascular system.
(No procedures assigned at this time.)
3. Digestive system treatments and procedures.
 1. Cholecystectomy with or without common bile duct exploration.
 1. Pancreatitis.
 2. Injury to the tube between the liver and the bowel.
 3. Retained stones in the tube between the liver and the bowel.
 4. Narrowing or obstruction of the tube between the liver and the bowel.
 5. Injury to the bowel and/or intestinal obstruction.
4. Ear treatments and procedures.
 1. Stapedectomy.
 1. Diminished or bad taste.
 2. Total or partial loss of hearing in the operated ear.
 3. Brief or long-standing dizziness.
 4. Eardrum hole requiring more surgery.
 5. Ringing in the ear.
 2. Reconstruction of auricle of ear for congenital deformity or trauma.
 1. Less satisfactory appearance compared to possible alternative artificial ear.
 2. Exposure of implanted material.
 3. Tympanoplasty with mastoidectomy.
 1. Facial nerve paralysis.
 2. Altered or loss of taste.

3. Recurrence of original disease process.
 4. Total loss of hearing in operated ear.
 5. Dizziness.
 6. Ringing in the ear.
5. Endocrine system treatments and procedures.
1. Thyroidectomy.
 1. Injury to nerves resulting in hoarseness or impairment of speech.
 2. Injury to parathyroid glands resulting in low blood calcium levels that require extensive medication to avoid serious degenerative conditions, such as cataracts, brittle bones, muscle weakness and muscle irritability.
 3. Lifelong requirement of thyroid medication.
6. Eye treatments and procedures.
1. Advancement or recession of eye muscles (correction of strabismus).
 1. Decrease in vision.
 2. Double vision.
 2. Extraction of lens for cataract with or without implantation of intraocular lens.
 1. Partial or total loss of vision.
 2. Complications requiring additional treatment.
 3. Need for glasses or contact lenses.
 4. Complications requiring the removal of implanted lens.
 3. Retinal detachment surgery.
 1. Recurrence of detachment.
 2. Partial or total loss of vision.
 3. Complications requiring additional treatment.
7. Female genital system treatments and procedures.
1. Abdominal hysterectomy (total).
 1. Uncontrollable leakage of urine.
 2. Injury to bladder.
 3. Sterility.
 4. Injury to the tube between the kidney and the bladder.
 5. Injury to the bowel and/or intestinal obstruction.
 2. Vaginal hysterectomy.
 1. Uncontrollable leakage of urine.
 2. Injury to bladder.
 3. Sterility.
 4. Injury to the tube between the kidney and the bladder.
 5. Injury to the bowel and/or intestinal obstruction.
 6. Completion of operation by abdominal incision.
 3. Removal of fallopian tube(s) and ovary(ies) with possible hysterectomy.
 1. Uncontrollable leakage of urine.
 2. Injury to bladder.
 3. Sterility.
 4. Injury to the tube between the kidney and the bladder.
 5. Injury to the bowel and/or intestinal obstruction.
 6. Loss of normal ovarian hormonal function.
 4. Abdominal endoscopy (peritoneoscopy, laparoscopy).
 1. Puncture of the bowel or blood vessel.
 2. Abdominal infection.
 3. Abdominal incision and operation to correct injury.
8. Hematic and lymphatic system.
(No procedures assigned at this time.)

9. Integumentary system treatments and procedures.
 1. Radical or modified radical mastectomy. (Simple mastectomy excluded.)
 1. Limitation of movement of shoulder and arm.
 2. Swelling of the arm.
 3. Loss of the skin of the chest requiring skin graft.
 4. Recurrence of malignancy, if present.
 5. Decreased sensation or numbness of the inner aspect of the arm and chest wall.
 2. Reconstruction and/or plastic surgical operations of the face and neck.
 1. Worsening or unsatisfactory appearance.
 2. Creation of several additional problems, such as:
 1. Poor healing or skin loss.
 2. Nerve damage.
 3. Painful or unattractive scarring.
 4. Impairment of regional organs, such as, eye or lip function.
 3. Recurrence of the original condition.
10. Male genital system.
 1. Orchidopexy (reposition of testis(es)).
 1. Removal of testicle.
 2. Atrophy (shriveling) of the testicle with loss of function.
 2. Orchiectomy (removal of the testis(es)).
 1. Decreased sexual desire.
 2. Difficulties with penile erection.
 3. Vasectomy.
 1. Loss of testicle.
 2. Failure to produce permanent sterility.
11. Maternity and related cases.

(No procedures assigned at this time.)
12. Musculoskeletal system treatments and procedures.
 1. Arthroplasty of all joints with mechanical device.
 1. Impaired function such as shortening or deformity of an arm or leg, limp or foot drop.
 2. Blood vessel or nerve injury.
 3. Pain or discomfort.
 4. Fat escaping from bone with possible damage to a vital organ.
 5. Failure of bone to heal.
 6. Bone infection.
 7. Removal or replacement of any implanted device or material.
 2. Mechanical internal prosthetic device.
 1. Impaired function such as shortening or deformity of an arm or leg, limp or foot drop.
 2. Blood vessel or nerve injury.
 3. Pain or discomfort.
 4. Fat escaping from bone with possible damage to a vital organ.
 5. Failure of bone to heal.
 6. Bone infection.
 7. Removal or replacement of any implanted device or material.
 3. Open reduction with internal fixation.
 1. Impaired function such as shortening or deformity of an arm or leg, limp or foot drop.
 2. Blood vessel or nerve injury.
 3. Pain or discomfort.
 4. Fat escaping from bone with possible damage to a vital organ.

5. Failure of bone to heal.
 6. Bone infection.
 7. Removal or replacement of any implanted device or material.
4. Osteotomy.
 1. Impaired function such as shortening or deformity of an arm or leg, limp or foot drop.
 2. Blood vessel or nerve injury.
 3. Pain or discomfort.
 4. Fat escaping from bone with possible damage to a vital organ.
 5. Failure of bone to heal.
 6. Bone infection.
 7. Removal or replacement of any implanted device or material.
 5. Ligamentous reconstruction of joints.
 1. Failure of reconstruction to work.
 2. Continued loosening of the joint.
 3. Dengerative arthritis.
 4. Continued pain.
 5. Increased stiffening.
 6. Blood vessel or nerve injury.
 7. Cosmetic and/or functional deformity.
 6. Children's orthopedics (bone, joint, ligament or muscle).
 1. Growth deformity.
 2. Additional surgery.
13. Nervous system treatments and procedures.
1. Craniotomy (craniectomy) for excision of brain tissue, tumor, vascular malformation and cerebral revascularization.
 1. Additional loss of brain function including memory.
 2. Recurrence or continuation of the condition that required this operation.
 3. Stroke.
 4. Blindness, deafness, inability to smell, double vision, coordination loss, seizures, pain, numbness and paralysis.
 2. Craniotomy (craniectomy) for cranial nerve operation including neurectomy, avulsion, rhizotomy or neurolysis.
 1. Numbness, impaired muscle function or paralysis.
 2. Recurrence or continuation of the condition that required this operation.
 3. Seizures.
 3. Spine operation. Including: laminectomy, decompression, fusion, internal fixation or procedures for nerve root or spinal cord compression; diagnosis; pain; deformity; mechanical instability; injury; removal of tumor, abcess or hematoma. (Excluding coccygeal operations.)
 1. Pain, numbness or clumsiness.
 2. Impaired muscle function.
 3. Incontinence or impotence.
 4. Unstable spine.
 5. Recurrence or continuation of the condition that required the operation.
 6. Injury to major blood vessels.
 4. Peripheral nerve operation; nerve grafts, decompression, transposition or tumor removal; neurorrhaphy, neurectomy or neurolysis.
 1. Numbness.
 2. Impaired muscle function.
 3. Recurrence or persistence of the condition that required the operation.
 4. Continued; increased or different pain.
 5. Correction of cranial deformity.
 1. Loss of brain function.

2. Seizures.
 3. Recurrence or continuation of the condition that required this operation.
 6. Transphenoidal hypophysectomy or other pituitary gland operation.
 1. Spinal fluid leak.
 2. Necessity for hormone replacement.
 3. Recurrence or continuation of the condition that required this operation.
 4. Nasal septal deformity or perforation.
 7. Cerebral spinal fluid shunting procedure or revision.
 1. Shunt obstruction or infection.
 2. Seizure disorder.
 3. Recurrence or continuation of brain dysfunction.
14. Radiology.
1. Angiography, aortography, arteriography (arterial injection of contrast media-diagnostic).
 1. Injury to artery.
 2. Damage to parts of the body supplied by the artery with resulting loss of function or amputation.
 3. Swelling, pain, tenderness or bleeding at the site of the blood vessel perforation.
 4. Aggravation of the condition that necessitated the procedure.
 5. Allergic sensitivity reaction to injected contrast media.
 2. Myelography.
 1. Chronic pain.
 2. Transient headache, nausea, vomiting.
 3. Numbness.
 4. Impaired muscle function.
 3. Angiography with occlusion techniques-therapeutic.
 1. Injury to artery.
 2. Loss or injury to body parts.
 3. Swelling, pain, tenderness or bleeding at the site of the blood vessel perforation.
 4. Aggravation of the condition that necessitated the procedure.
 5. Allergic sensitivity reaction to injected contrast media.
 4. Angioplasty (intravascular dilatation technique).
 1. Swelling, pain tenderness, or bleeding at the site of vessel puncture.
 2. Damage to parts of the body supplied by the artery with resulting loss of function or amputation.
 3. Injury to the vessel that may require immediate surgical intervention.
 4. Recurrence or continuation of the original condition.
 5. Allergic sensitivity reaction to injected contrast media.
15. Respiratory system treatments and procedures.
1. Excision of lesion of larynx, vocal cords, trachea. (No risks or hazards assigned at this time.)
 2. Rhinoplasty or nasal reconstruction with or without septoplasty.
 1. Deformity of skin, bone or cartilage.
 2. Creation of new problems, such as, septal perforation or breathing difficulty.
 3. Submucous resection of nasal septum or nasal septoplasty.
 1. Persistence, recurrence or worsening of the obstruction.
 2. Perforation of nasal septum with dryness and crusting.
 3. External deformity of the nose.

16. Urinary system*

1. Partial nephrectomy (removal of part of the kidney).
 1. Incomplete removal of stone(s) or tumor, if present.
 2. Obstruction of urinary flow.
 3. Leakage of urine at surgical site.
 4. Injury to or loss of the kidney.
 5. Damage to adjacent organs.
2. Radical nephrectomy (removal of kidney and adrenal gland for cancer).
 1. Loss of the adrenal gland.
 2. Incomplete removal of tumor.
 3. Damage to adjacent organs.
3. Nephrectomy (removal of kidney).
 1. Incomplete removal of tumor if present.
 2. Damage to adjacent organs.
 3. Injury to or loss of the kidney.
4. Nephrolithotomy and pyelolithotomy (removal of kidney stone(s)).
 1. Incomplete removal of stone(s).
 2. Obstruction of urinary flow.
 3. Leakage of urine at surgical site.
 4. Injury to or loss of the kidney.
 5. Damage to adjacent organs.
5. Pyeloureteroplasty (pyeloplasty or reconstruction of the kidney drainage system).
 1. Obstruction of urinary flow.
 2. Leakage of urine at surgical site.
 3. Injury to or loss of the kidney.
 4. Damage to adjacent organs.
6. Exploration of kidney or perinephric mass.
 1. Incomplete removal of stone(s) or tumor, if present.
 2. Leakage of urine at surgical site.
 3. Injury to or loss of the kidney.
 4. Damage to adjacent organs.
7. Ureteroplasty [reconstruction of ureter (tube between kidney and bladder)].
 1. Leakage of urine at surgical site.
 2. Incomplete removal of the stone or tumor (when applicable).
 3. Obstruction of urine flow.
 4. Damage to other adjacent organs.
 5. Damage to or loss of the ureter.
8. Ureterolithotomy [surgical removal of stone(s) from ureter (tube between kidney and bladder)].
 1. Leakage of urine at surgical site.
 2. Incomplete removal of stone.
 3. Obstruction of urine flow.
 4. Damage to other adjacent organs.
 5. Damage to or loss of ureter.
9. Ureterectomy [partial/complete removal of ureter (tube between kidney and bladder)].
 1. Leakage of urine at surgical site.
 2. Incomplete removal of tumor (when applicable).
 3. Obstruction of urine flow.
 4. Damage to other adjacent organs.
10. Ureterolysis [freeing of ureter (tube between kidney and bladder) from adjacent tissue].
 1. Leakage of urine at surgical site.
 2. Obstruction to urine flow.
 3. Damage to other adjacent organs.
 4. Damage to or loss of ureter.
11. Ureteral reimplantation [reinserting ureter (tube between kidney and bladder) into the bladder].
 1. Leakage of urine at surgical site.
 2. Obstruction to urine flow.
 3. Damage to or loss of ureter.
 4. Backward flow of urine from bladder into ureter.
 5. Damage to other adjacent organs.

12. Prostatectomy (partial or total removal of prostate).
 1. Leakage of urine at surgical site.
 2. Obstruction to urine flow.
 3. Incontinence (difficulty with urinary control).
 4. Semen passing backward into bladder.
 5. Difficulty with penile erection (possible with partial and probable with total prostatectomy).
13. Total cystectomy (removal of urinary bladder).
 1. Probable loss of penile erection and ejaculation in the male.
 2. Damage to other adjacent organs.
 3. This procedure will require an alternate method of urinary drainage.
14. Partial cystectomy (partial removal of urinary bladder).
 1. Leakage of urine at surgical site.
 2. Incontinence (difficulty with urinary control).
 3. Backward flow of urine from bladder into ureter (tube between kidney and bladder).
 4. Obstruction of urine flow.
 5. Damage to other adjacent organs.
15. Urinary diversion (ileal conduit, colon conduit).
 1. Blood chemistry abnormalities requiring medication.
 2. Development of stones, strictures or infection.
 3. Routine lifelong medical evaluation.
 4. Leakage of urine at surgical site.
 5. Requires wearing a bag for urine collection.
16. Ureterosigmoidostomy (placement of kidney drainage tubes into the large bowel).
 1. Blood chemistry abnormalities requiring medication.
 2. Development of stones, strictures or infection.
 3. Routine lifelong medical evaluation.
 4. Leakage of urine at surgical site.
 5. Difficulty in holding urine in the rectum.
17. Urethroplasty (construction/reconstruction of drainage tube from bladder).
 1. Leakage of urine at surgical site.
 2. Stricture formation.
 3. Additional operation(s).

601.2 Procedures requiring no disclosure (List B). The following treatments and procedures require no disclosure by the physician or health care provider to the patient or person authorized to consent for the patient.

1. Anesthesia.
 1. Local.
 2. Other forms of regional anesthesia.
2. Cardiovascular system.
 1. Excision and ligation of varicose veins of the leg.
3. Digestive system.
 1. Appendectomy.
 2. Hemorrhoidectomy with fistulectomy or fissurectomy.
 3. Hemorrhoidectomy.
 4. Incision or excision of perirectal tissue.
 5. Local excision and destruction of lesion, anus and rectum.
 6. Operations for correction of cleft palate.
 7. Repair of inguinal hernia.
 8. Repair and plastic operations on anus and rectum.
 9. Resection of colon (segmental).
 10. Tonsillectomy with adenoidectomy.
 11. Tonsillectomy without adenoidectomy.

4. Ear.
 1. Myringotomy.
 2. Reconstruction of auricle of ear for skin cancer.
 3. Tympanoplasty without mastoidectomy.
5. Endocrine system.
(No procedures assigned at this time.)
6. Eye.
 1. Corneal transplant.
 2. Fluorescein angiography (ocular).
7. Female genital system.
 1. Conization of cervix.
 2. Dilation and curettage of the uterus (diagnostic and therapeutic).
 3. Removal of fallopian tube and/or ovary without hysterectomy
8. Hematic and lymphatic system.
 1. Biopsy of lymph nodes.
9. Integumentary system.
 1. Biopsy of breast.
 2. Cutting and preparation of skin grafts or pedicle flaps.
 3. Removal or treatment of local skin or subcutaneous lesion.
 4. Excision of pilonidal sinus or cyst.
 5. Suture of skin.
 6. Wide or radical excision of skin lesion with or without graft.
 7. Z plasty without excision.
 8. Biopsy of skin or mucus membrane.
 9. Incision and drainage of skin or mucus membrane lesion.
 10. Debridement of ulceration of the skin.
10. Male genital system.
 1. Biopsy of testicle.
 2. Placement of testicular prosthesis.
 3. Hydrocelectomy (removal/drainage of cyst in scrotum).
 4. Circumcision.
 5. Cystoscopy.
11. Maternity and related cases.
 1. Delivery (cesarean section).
 2. Delivery (vaginal).
12. Musculoskeletal system.
 1. Arthrotomy.
 2. Closed reduction without internal fixation.
 3. Excision of lesion, muscle, tendon, fascia, bone.
 4. Excision of semilunar cartilage of knee joint.
 5. Needle biopsy or aspiration, bone marrow.
 6. Partial excision of bone.
 7. Removal of internal fixation device.
 8. Traction or fixation without manipulation for reduction.
13. Nervous system.
 1. Cranioplasty.
 2. Lumbar puncture.
 3. Closure of meningocele.
 4. Venticulostomy with or without air ventriculogram.
 5. Cysternal puncture (diagnostic).
 6. Craniectomy or craniotomy for intracranial hematoma, abscess or penetrating injury.
 7. Stereotaxic surgery for dystonia.

8. Insertion of skeletal tongs.
 9. Intravenous cut-down.
 10. Elevation of depressed skull fracture.
 11. Cervical 1-2 puncture (diagnostic).
14. Radiology.
1. Injection of contrast media or imaging media into the spinal canal for diagnostic encephalography and/or cisternography.
 2. Intravascular infusion technique-therapeutic.
 3. Lymphangiography.
 4. Percutaneous transhepatic (liver) catheter placement.
 5. Discography.
15. Respiratory system.
1. Aspiration of bronchus.
 2. Biopsy of lesion of larynx, trachea, bronchus, esophagus.
 3. Lung biopsy.
 4. Needle biopsy, lung.
 5. Segmental resection of lung.
 6. Thoracotomy.
 7. Thoracotomy with drainage.
 8. Reduction of nasal fracture.
 9. Tracheostomy.
16. Urinary system.
1. Nephrostomy (placement of drainage tubes).
 2. Biopsy of prostate, bladder or urethra.
 3. Cystolithotomy (surgical removal of stone(s) from the bladder).
 4. Cystolitholopaxy (cystoscopic crushing and removal of bladder stone(s)).
 5. Cystostomy (placement of tube into the bladder).
 6. Urethrotomy (incision of the urethra).
 7. Diverticulectomy of the bladder (removal of outpouching of the bladder).
 8. Diverticulectomy or diverticulotomy of the urethra (repair or drainage of outpouching of the urethra).

Texas Department of Mental Health and Mental Retardation Consultant Contract Award

Description. This notice is filed pursuant to Texas Civil Statutes, Article 6252-11c. Following publication of the consultant proposal request in the February 12, 1982, issue of the *Texas Register* (7 TexReg 635), the Texas Department of Mental Health and Mental Retardation on June 15, 1982, executed a contract with Price Waterhouse and Company, 4500 First International Building, Dallas, Texas 75270, to serve as a consultant.

Under the contract, the consultant will (Phase 1) review the department's updated five-year plan for automation and determine what factors and elements of cost are necessary to ensure the acquisition of the most cost-effective DDP system to implement that plan; and review and assess the current competitive procurement to determine if those factors and elements of cost identified in the review process described have been included in the specifications and/or evaluation criteria contained in the

current RFQ; and (Phase 2) if in Phase 1 it is found that all factors, elements of cost, specifications, and/or evaluation criteria have not been included, the consultant will specifically recommend those actions needed and the method of procurement that will ensure the acquisition of the most cost-effective distributed data processing system.

Cost and Dates. The total amount of the contract is \$210,654. The contract begins June 21, 1982, and ends December 31, 1982.

Due Date of Documents. The delivery dates of any documents produced as a result of this contract shall be as they are completed.

Issued in Austin, Texas, on November 19, 1982.

TRD-828971

W. Kent Johnson
Director, Legal Services
Texas Department of Mental
Health and Mental Retardation

Filed: November 24, 1982

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

Consultant Proposal Request

Pursuant to Texas Civil Statutes, Article 6252-11c, the Texas Department of Mental Health and Mental Retardation serves notice of invitation for a continuation of services currently performed by Penelope Caragonne. The Texas Department of Mental Health and Mental Retardation intends to award the contract to the present contractor unless a better offer is submitted.

Description of Services. Under the contract, the consultant will study, analyze, and monitor case management programs in the Texas Department of Mental Health and Mental Retardation facilities and community centers and develop a case management training program. All information will be compiled and submitted to the central office of the Texas Department of Mental Health and Mental Retardation. Specific activities to be performed include:

- (1) development of a case management training program;
- (2) assisting the Texas Department of Mental Health and Mental Retardation and the community centers for mental health and mental retardation services in the implementation of the training program; and
- (3) monitoring the implementation and continuation of case management services.

Evaluation Criteria. The contractor must have a minimum of a bachelor's degree and 10 years experience in the field of mental health and mental retardation case management. Experience should include the areas of long range and operational planning, analysis on a comprehensive as well as programmatic basis, interagency cooperation, and knowledge of the structure of Texas state government and those agencies serving the mentally ill and mentally retarded.

The consultant demonstrating the most relevant experience and background, and having the greatest and most expert knowledge of the service to be performed, will be awarded the contract.

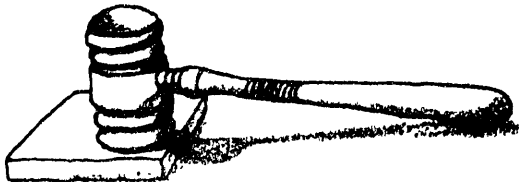
Closing Date for Offers. The closing date for receipt of offers is December 22, 1982.

Contact Person. Prospective offerors should contact Gary E. Miller, M.D., Commissioner, Texas Department of Mental Health and Mental Retardation, P.O. Box 12668, Austin, Texas 78711, (512) 465-4501.

Issued in Austin, Texas, on November 19, 1982.

TRD-828972 Gary E. Miller, M.D.
 Commissioner
 Texas Department of Mental
 Health and Mental Retardation

Filed: November 24, 1982
For further information, please call (512) 465-4591.



North Central Texas Council of Governments Consultant Proposal Request

This consultant proposal request is filed pursuant to Texas Civil Statutes, Article 6252-11c. The purpose of the study is to update regional data on travel characteristics in the Dallas-Fort Worth area. The study will recommend data to be collected, suggest two ways of collecting the data, develop a detailed strategy on the preferred approach, and collect the data. The primary product of the study will be data sets to be used in the modifications to the existing computerized travel forecasting models used by North Central Texas Council of Governments (NCTCOG). The amount of the contract to be awarded will depend on the bids received in the selected proposal.

Contact Person. For more information, please contact Doug Allen, Senior Transportation Planner, North Central Texas Council of Governments, P.O. Drawer COG, Arlington, Texas 76011.

Due Date. Proposals are due December 14, 1982, at noon in the office of Doug Allen, Senior Transportation Planner, North Central Texas Council of Governments, 1201 North Watson Road (Highway 360), Arlington, Texas 76011.

Description. The work program for this study has been divided into two parts and seven tasks.

Part 1—Data needs' assessment and collection strategy.

- Task 1.A—Required data.
- Task 1.B—Alternative approaches.
- Task 1.C—Develop strategy.
- Task 1.D—Transit ridechecks.

Part 2—Data collection and organization.

- Task 2.A—Data collection.
- Task 2.B—Data organization.
- Task 2.C—Documentation.

Copies of the request for proposal providing detailed information on this project are available on request from the contact person.

Contract Award Procedures. The recommendation for the selection of a firm or agency for the regional travel data update will be accomplished by a consultant selection committee. The contract award procedures which follow are not inclusive or exclusive of procedures which, in the opinion of the committee, should be included to achieve the best results possible within the scope of services requested. If the recommendation by the committee is approved by the executive board of NCTCOG, the board will award a contract to the firm or agency which is considered best able to perform the work set forth in the contract.

Evaluation Criteria. Objective measurement of the criteria will be conducted and the methodology for measurement will be determined depending on its suitability and relationship to the scope of services requested:

- (a) record of performance in related fields;
- (b) staff experience;
- (c) ability to meet specific time frames;

- (d) demonstrated knowledge of work* to be performed;
- (e) project management;
- (f) firm's affirmative action policy and plan;
- (g) written proposal with probable cost estimate; and
- (h) oral presentation (if requested).

Evaluation Methodology. Written proposals will be evaluated by consultant selection committee; and an oral presentation (if requested) may also be evaluated by consultant selection committee.

Contract Award. The consultant selection committee's recommendation will be reviewed by NCTCOG executive board to contract with consultant; and if approved, a contract will be awarded by NCTCOG executive board.

NCTCOG, in accordance with Title VI of the Civil Rights Act of 1964, 78 Statute 252, 42 United State Code 2000d to 2000d-4, and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to the Act, notifies all bidders that minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin. Respondents must be willing to abide by all applicable regulations of the Urban Mass Transportation Administration, U.S. Department of Transportation, including inspection and audit.

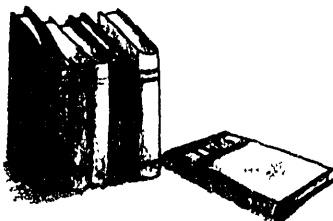
The ability of NCTCOG to enter into a contract for performance of the proposed program will be dependent on the timely receipt of funds from the Urban Mass Transportation Administration. NCTCOG reserves the right to reject, in total or part, all proposals should it be advantageous to do so. Since the maximum amount available for this project has not been established, projected cost will be an item of evaluation. An Office of Management and Budget optional Form 60 contract pricing proposal will be required for negotiation of reasonable costs. Respondents should indicate proprietary interests when applicable. The contract will comply with all federal and state laws applicable to subcontractors, including but not limited to equal employment opportunity, Davis-Bacon Act, and records management.

At least 10 copies of the proposal must be received by NCTCOG no later than noon, December 14, 1982.

Issued in Arlington, Texas, on November 19, 1982.

TRD-828869 William J. Pitstick
Executive Director
North Central Texas Council of
Governments

Filed: November 22, 1982
For further information, please call (817) 640-3300.



Texas Water Commission Applications for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of November 22-24, 1982.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain (1) the name, mailing address, and phone number of the person making the request; and (2) a brief description of how the requester, or persons represented by the requester, would be adversely affected by the granting of the application. If the commission determines that the request sets out an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 30 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 475-2678.

Listed are the names of the applicants and the cities in which the facilities are located; type of facility; location of the facility; permit number; and type of application—new permit, amendment, or renewal.

Period of November 22-24, 1982

South Texas Electric Cooperative, Inc., Nursery; Sam Rayburn steam electric station; south of FM Road 447 on the east bank of the Guadalupe River approximately 12 miles northwest of the City of Victoria and four miles west of Nursery, Victoria County; 01521; renewal

Phillips Chemical Company, Pasadena; Adams Terminal petrochemical plant; on the south side of the Houston Ship Channel and approximately 0.5 mile west of the mouth of Greens Bayou in Harris County; 00815; renewal

The City of Quinlan; domestic wastewater; approximately 2,100 feet southwest of the intersection of State Highway 276 and State Highway Spur 264 in Hunt County; 10946-01; amendment

Permian Brine Sales, Inc., 27 miles west of Ozona; Crockett West brine station; 10-acre site approximately 27 miles west of Ozona along IH-10 in Crockett County; BR50001; new permit

Duval County Conservation and Reclamation District, San Diego; San Diego sewage treatment plant; adjacent to and east of Benavides Street approximately 800 feet south of San Diego Creek; also 2,200 feet east of State Highway 359 and 3,300 feet south of State Highway 44 in Duval and Jim Wells Counties; 10270-01; renewal

Willow Ridge Estates, Inc., Conroe; domestic sewage/private subdivision; adjacent to and east of LaSalle Drive approximately ½ mile north of State Highway 105 which intersects with LaSalle Drive approximately ½ mile east of the State Highway 105 crossing of the West Fork San Jacinto River in Montgomery County; 12622-01; new permit

West Harris County MUD No. 7, Houston; treated wastewater; approximately 1.1 miles northwest of the intersection of Franz Road and Fry Road on the south bank of South Mayde Creek west of the City of Houston, Harris County; 12140-01; amendment

Beeson Properties, Inc., Houston; Pinemont wastewater treatment plant/office complex; approximately ¼ mile southwest of the intersection of Southerland Road and Pinemont Drive, approximately ¾ mile north of the intersection of Southerland Road and Hempstead Road in Harris County; 12620-01; new permit

City of Blossom; domestic sewage treatment plant; immediately south of the intersection of U.S. Highway 82 and Bois d'Arc Street in the City of Blossom in Lamar County; 10715-01; renewal

City of Blossom; wastewater treatment plant; approximately 1,850 feet due south of the intersection of U.S. Highway 82 and FM Road 1502 and approximately one mile east of the intersection of FM Road 196 and FM Road 194 in Lamar County; 10715-02; new permit

The City of Goodlow, Kerens; treated wastewater system; on the west side of State Highway 309 approximately two miles south of the intersection of State Highway 31 and State Highway 309 in Navarro County; 12616-01; new permit

James P. S. Griffith, Houston; treated wastewater system; in northern Houston, approximately 1000 feet north of Jetero Boulevard just east of Lee Road in Harris County; 11160-01; amendment

Tom Lorance, Conroe; domestic sewage plant; northwest of the Montgomery County Airport at a point approximately 1,000 feet west of FM Road 1484 and four miles north of Conroe in Montgomery County; 11937-01; renewal

Guadalupe-Blanco River Authority, Seguin; Dunlap wastewater treatment plant; approximately one mile northeast of FM Road 725, approximately 5.5 miles northwest of the intersection of FM Road 725 and FM Road 78 in Guadalupe County; 11378-01; amendment

Fox and Jacobs, Inc., Houston; Pine Trails wastewater treatment plant; on Sulphur Gully, approximately 0.5 mile north of Wallisville Road and 1.1 miles east of C. E. King Parkway, east of the City of Houston, Harris County; 11701-01; renewal

Walton and Son Stevedoring and Contracting Company, Houston; wastewater disposal/commercial pipe

storage operation; 3200 Penn City Road in the City of Houston, Harris County; 02604; new permit

E. I. duPont de Nemours and Company, Inc., Beaumont; wastewater/petrochemical plant complex; northeast portion of company property approximately six miles southeast of the City of Beaumont on State Highway 347 and on the west bank of the Neches River in Jefferson County; 00473; amendment

U.S. Department of Commerce, National Marine Fisheries Service, Galveston; wastewater/growing turtles; 4700 Avenue U in the City of Galveston, Galveston County; 02299; amendment

Prestonwood Forest Utility District, nine miles southeast of the City of Tomball bounded on the north and west by the intersection of Cypress Creek and FM Road 149 in Harris County; 11089-01; renewal

Harris County Utility District No. 16, Houston; wastewater/multi-residential and commercial area; approximately one mile north of the intersection of Hardy Road and Farrell Road and 2,000 feet west of Hardy Road in Harris County; 12614-01; new permit

West Park Municipal Utility District, Houston; wastewater; approximately 800 feet north of IH-10 and approximately 3,200 feet east of Fry Road at the south termination of Harris County Flood Control Ditch No. U101-02-00 in Harris County; 12346-01; amendment

San Miguel Electric Cooperative, Inc., Jourdentown; steam electric station; approximately four miles east of State Highway 16 and 16 miles south (via State Highway 16) of the City of Jourdentown, Atascosa County; 02601; new permit

Chemical Exchange Industries, Inc., Baytown; wastewater/petrochemical re-refining and industrial; 5501 Baker Road in the City of Baytown, Harris County; 01914; amendment

City of San Angelo; Concho Airfield wastewater treatment plant; just south of Concho Airfield approximately three miles south of San Angelo in Tom Green County; 10641-02; amendment

Virgil Meuth, Bastrop; disposal by irrigation; 10 miles southwest of the City of Bastrop, on FM Road 20 in Bastrop County; 02609; new permit

Solteco, Inc. and Lexteco, Inc. doing business as Lextar, La Porte; wastewater/synthetic pulp/polyolefin resins plant; 2727 Miller Cut-Off Road in the City of La Porte, Harris County; 02406; amendment

Issued in Austin, Texas, on November 24, 1982.

TRD-828959

Mary Ann Hefner
Chief Clerk
Texas Water Commission

Filed: November 24, 1982

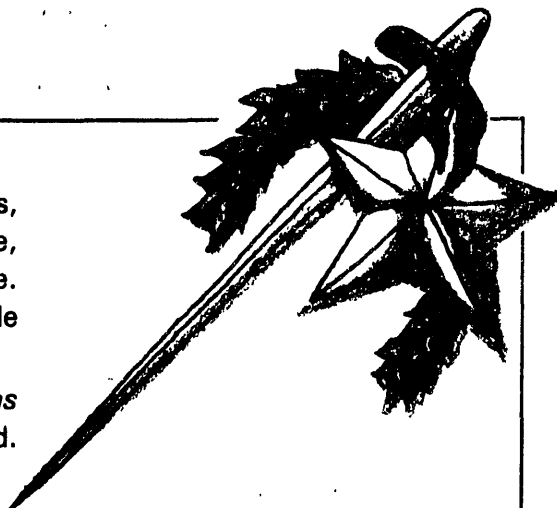
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