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# TEXAS REGISTER

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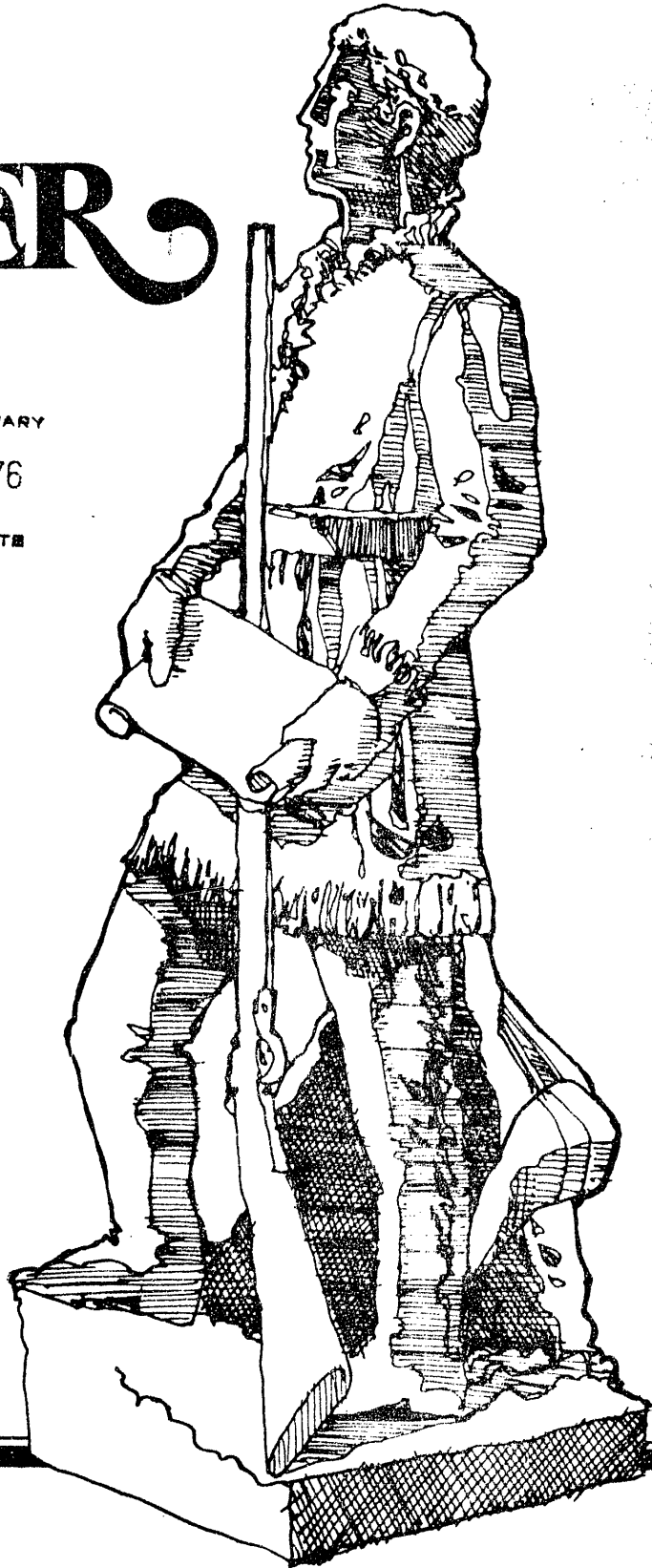
TEXAS DOCUMENTS

## In This Issue...

Appointments by the Governor

Proposed Rules of the Comptroller of Public Accounts

Proposed Rule of the Teacher Retirement System of Texas



Pages 269 - 290  
Volume 1, Number 9, February 3, 1976  
Office of the Secretary of State

# NOTES ON THE ISSUE

This issue of the *Register* contains an opinion by the Attorney General on the use of appropriated monies to fund equipment intended or designed to overhear or record conversations.

Proposed rules of two agencies are published in this issue. The Comptroller of Public Accounts is proposing to amend two tax rules. The first rule deals with the determination of gross receipts for franchise tax purposes; the second rule outlines the duties of the Tax Assessor-Collector in granting exemptions under Article 7105h, Texas Civil Statutes.

The proposed rule of the Teacher Retirement System of Texas will provide specific procedures for appealing the administrative decisions of the staff of the Teacher Retirement System.

Also in this issue are appointments by Governor Briscoe to the Texas Water Development Board, the Canadian River Compact, the State Board of Vocational Nurse Examiners, and the State Board of Examiners of Psychologists.

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

*Artwork Gary Thornton*

## TEXAS REGISTER

The *Texas Register* is published 100 times a year by the Texas Register Division, Office of the Secretary of State, Box 819, Texas Commodore Building, Austin, Texas 78701. Telephone (512) 475-7886.

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## Appointments

### Texas Water Development Board

*Appointed January 16, 1976, for a six-year term to expire December 31, 1981:*

George McCleskey  
3312 60th Street  
Lubbock, Texas 79413

John H. Garrett  
4301 College Park Drive  
Deer Park, Texas 77536

Mr. McCleskey is replacing Mr. Illig of Houston, Harris County, whose term expired. Mr. Garrett is replacing Mr. McCoy of New Boston, Bowie County, whose term expired.

#### *To Be Chairman:*

A.L. Black  
306 West 14th Street  
Frisco, Texas 79018

Filed January 28, 1976, 10:23 a.m.

Doc. No. 760600

### Canadian River Compact Commissioner

*Appointed January 22, 1976, for a two-year term to expire December 31, 1977:*

Arthur P. Duggan, Jr.  
P.O. Box 747  
Littlefield, Texas 79339

Mr. Duggan is replacing William A. Clifford of Lubbock, Lubbock County, whose term expired.

Filed: January 28, 1976, 10:23 a.m.

Doc. No. 760601

### State Board of Vocational Nurse Examiners

*Appointed January 23, 1976, for a six-year term to expire September 6, 1979:*

Gordon H. Russell  
1004 South Lawn Street  
Hale Center, Texas 79041

Mr. Russell is replacing Harry H. Miller of Baytown, Harris County, whose term expired.

*Appointed January 23, 1976, for a six-year term to expire September 6, 1981:*

Wynelle Childers  
4000 Julie Drive  
Amarillo, Texas 79109

Mildred Thormann  
Route 1, Box 28A  
Lipan, Texas 76462

Mrs. Childers is replacing Arnice F. Spence of Houston, Harris County, whose term expired. Mrs. Thormann is replacing Mrs. James Stewart of Arlington, Tarrant County, whose term expired.

### State Board of Examiners of Psychologists

*Appointed January 23, 1976, for a six-year term to expire October 31, 1981:*

Dr. James Ray Hays  
7105 Newcastle  
Bellaire, Texas 77401

Dr. George H. Kramer  
302 Rossiter  
Corpus Christi, Texas 78411

The above appointees are being reappointed.

Filed: January 28, 1976, 10:24 a.m.

Doc. No. 760602

## Requests for Opinions

### Summary of Request for Opinion No. RQ 1311

Request for opinion sent to Attorney General's Opinion Committee by Hugh C. Yantis, Jr., Executive Director, Texas Water Quality Board, Austin.

*Summary of Request:* May boat certification fees erroneously collected by the Water Quality Board under section 21.097, Texas Water Code, be refunded?

Issued in Austin, Texas, on January 23, 1976.

Doc. No. 760603      C. Robert Heath  
Opinion Committee Chairman  
Attorney General's Office

Filed January 28, 1976, 11:47 a.m.

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

### Summary of Request for Opinion No. RQ 1312

Request for opinion sent to Attorney General's Opinion Committee by M. L. Brockett, Commissioner of Education, Texas Education Agency, Austin.

*Summary of Request:* A school district never voted maintenance tax or bonds pursuant to Article 2784e-1, Texas Civil Statutes, but instead operated under the provisions of Article 2784e, Texas Civil Statutes, both of which statutes are now repealed. In 1975 the district held an election on two propositions. The electorate rejected the levy of an annual maintenance tax not to exceed \$1.50 per \$100 valuation under Section 20.04, Texas Education Code, but authorized the issuance of unlimited tax bonds under Section 20.04 (b)(1), Texas Education Code.

In light of these facts: (1) will the issuance of the bonds affect the amount of maintenance taxes levied by the district, and (2) if so, may bond taxes of more than \$.50 per \$100.00 valuation be levied?

Issued in Austin, Texas, on January 23, 1976.

Doc. No. 760604      C. Robert Heath  
Opinion Committee Chairman  
Attorney General's Office

Filed: January 28, 1976, 11:47 a.m.

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

## Opinions

### Summary of Opinion No. H-770

Request from Robert C. Flowers, Executive Director, Criminal Justice Division, Office of the Governor, Austin, concerning the propriety of the funding of certain dictating, recording, transcribing and amplifying equipment by the Criminal Justice Council.

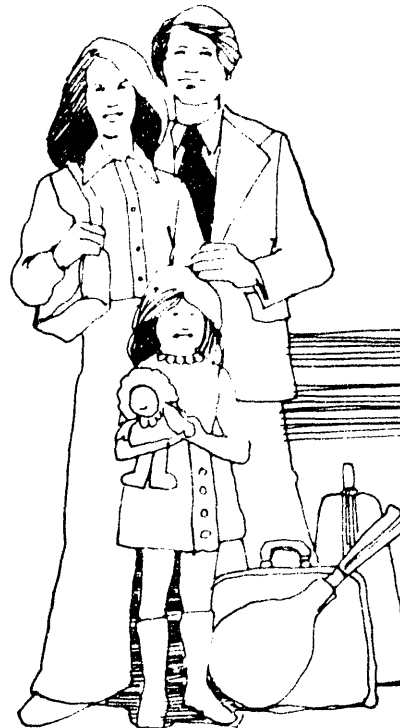
*Summary of Opinion:* Section 45 of Article V of the General Appropriations Act prohibits appropriated monies from being used to fund electronic, mechanical, or other interception devices which are either (1) intended to be used or (2) primarily designed to be used for the purpose of overhearing or recording wire or oral conversations made without the consent of any party thereto.

Issued in Austin, Texas, on January 23, 1976.

Doc. No. 760605      C. Robert Heath  
Opinion Committee Chairman  
Attorney General's Office

Filed January 28, 1976, 11:47 a.m.

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



# PROPOSED RULES

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

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

## Comptroller of Public Accounts

### Tax Administration

#### Business Tax Division-- Franchise Tax 026.02.12

The Comptroller of Public Accounts is proposing to amend Rule 026.02.12.013 which determines gross receipts for franchise tax purposes.

Proposed amendment 1 would change the language in Section 2 (o) of the Rule to require that exchange agreements be in writing and the elimination of the requirement to include as receipts amounts paid as a result of excess deliveries under the exchange agreement.

Proposed amendment 2 would add language to Section 2 (p) concerning sales to out-of-state purchasers which would make delivery or transfer of possession actually occurring in Texas constitute business done in Texas.

Proposed amendment 3 provides for a change in the language of Section 3 (c) to specifically include the sale of oil and to substitute the term third party carrier for common carrier.

Proposed amendment 4 would change the language of Section 4 (a) of the Rule to make the sale of oil or gas by a Texas producer to an interstate pipeline company with delivery and passage of title and possession in Texas a Texas gross receipt for franchise tax purposes.

Public comment on the proposed amendments to Rule 026.02.12.013 is invited. Comments may be submitted by telephoning the office of the Comptroller at (512) 475-4771, or by writing to the Comptroller in care of Charles Nye, Drawer SS, Capitol Station, Austin, Texas 78711.

Amendments to Rule 026.02.12.013 are proposed under the authority of Article 1.10, Title 122A, Texas Civil Statutes.

#### .013. *Gross Receipts: Determining Percent of Texas Business.*

Section 2 (o). Deliveries of oil and gas pursuant to *written* exchange agreements between oil and gas companies do not *result in* [constitute] receipts for franchise tax calculations. [, except amounts paid by one of the parties as the result of excess deliveries under the exchange agreement.]

Section 2 (p). *A sale* [Sales] to *an* out-of-state purchaser [purchasers], with delivery *or* [and] transfer of possession *to the purchaser* [actually] occurring within Texas *constitutes* [constitute] business done in Texas, regardless of F.O.B. point or other conditions of the *sale* [sales].

Section 3 (c). *The sale of oil, goods* [Goods] or merchandise delivered to a *third party carrier for delivery outside the state of Texas*, [common carrier, designated by an out-of-state purchaser, for delivery out-of-state] does not constitute business done in Texas, regardless of F.O.B. designation, unless it is established that [in fact] the *oil, goods or merchandise were* [are] delivered [to a purchaser] in Texas.

Section 4 (a). *The sale of oil or gas by a Texas producer to an interstate pipeline company, with delivery and passage of title and possession in Texas, results in* [Sales in Texas by an oil or gas producer to an interstate transmission company produces] receipts from business done in Texas.

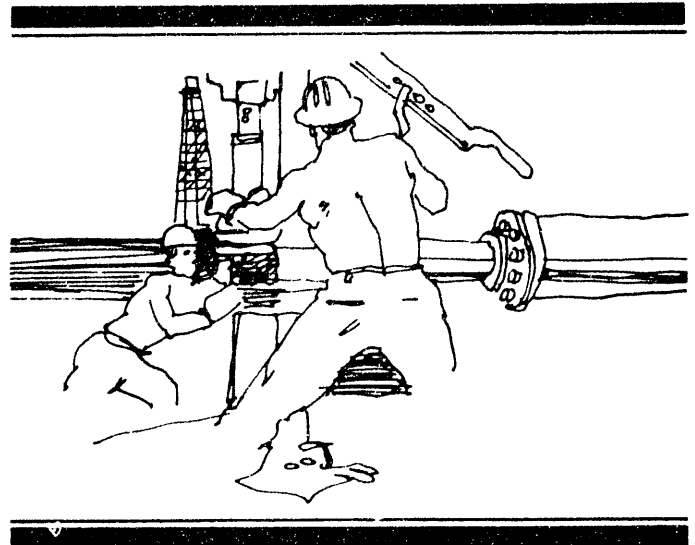
Issued in Austin, Texas, on January 16, 1976.

Doc. No. 760598

Bob Bullock  
Comptroller of Public Accounts

Proposed Date of Adoption March 4, 1976

For further information, please call (512) 475-4771.



## Ad Valorem Tax Division-- Ad Valorem and Intangible Tax 026.02.16

The Comptroller of Public Accounts is proposing to amend Rule 026.02.16.020 which outlines the duties of the Tax Assessor-Collector in granting exemptions under Article 7150h.

Proposed amendment 1 would change the language of Section 3 (a)(2) of the rule to provide that documents submitted to verify an exemption should bear a date no more than one year earlier than the date they are presented to the Tax Assessor-Collector and to provide that in the alternative the taxpayer may satisfy the Assessor-Collector that the documents represent the current certification of disability.

Proposed amendment 2 would change the language of Section 3 (c)(5) of the rule to provide that a person who qualifies for an exemption as a surviving spouse of a person who dies on active duty may qualify for an exemption as a disabled veteran in his or her own right and as the surviving child of a person who died on active duty.

Proposed amendment 3 would change the language of Section 3 (e)(6) of the rule to provide that a child entitled to an exemption as a surviving child of a person who died on active duty may qualify for an exemption as a disabled veteran in his or her own right and as a surviving spouse of a person who died on active duty.

Public comment on the proposed amendments to Rule 026.02.16.020 is invited. Comments may be submitted by telephoning the office of the Comptroller at (512) 475-4166 or by writing to the Comptroller in care of Buddy L. Kennedy, Drawer 55, Capitol Station, Austin, Texas 78711.

Amendments to Rule 026.02.16.020 are proposed under the authority of Article 7150h(12), Title 122, Texas Civil Statutes.

*.020. Duties of Tax Assessor-Collector in Granting Exemptions Under Article 7150(h), Texas Civil Statutes.*

Section 3 (a)(2). The applicant must present the Tax Assessor-Collector with official documents of the Veterans Administration (or its successor) or the branch of the Armed Services in which the applicant served. These documents must satisfy the Tax Assessor-Collector that the applicant is in fact a disabled veteran, whose disability is service connected and must satisfy the Tax Assessor-Collector as to the extent of the veteran's disability. These documents **should** [must] bear a date no more than one year earlier than the date that they are presented to the Tax Assessor-Collector [.] **or satisfy the assessor-collector that the documents represent the current certification of disability.**

Section 3 (c)(5). A person who qualified for an exemption as the surviving spouse of a person who died on active duty may also qualify for an exemption as a disabled

veteran in his/her own right, **and** [or] as the surviving child of a person who died on active duty in the Armed Services of the United States.

Section 3 (e)(6). A child entitled to an exemption as the surviving child of a person who died on active duty may also qualify for an exemption as a disabled veteran in his/her own right **and** [or] as the surviving spouse of a person who died on active duty and is entitled to add the value of each exemption and is exempt from property taxes in an amount equal to the sum of the exemptions.

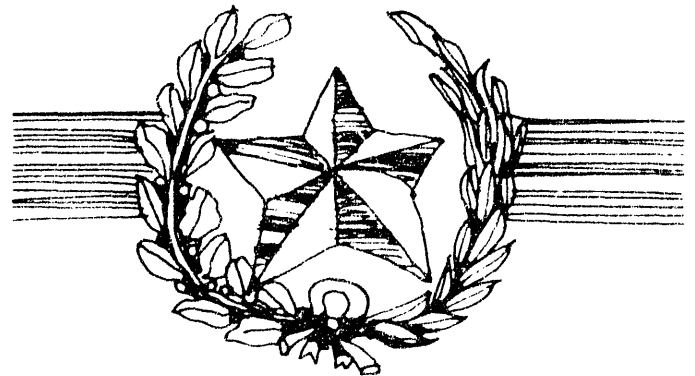
Issued in Austin, Texas, on January 26, 1976.

DOC. NO. 760999

Bob Bullock  
Comptroller of Public Accounts

Proposed Date of Adoption: March 4, 1976

For further information, please call (512) 475-4166.



## Teacher Retirement System of Texas

### Administrative Procedures 334.02.00

The proposed rule provides specific procedures for appealing the administrative decisions of the staff of the Teacher Retirement System. Persons affected by these decisions with respect to the matters listed in Section 1 of the proposed rule are entitled to request in writing an administrative hearing before a hearing officer. In such a hearing the person may produce evidence and make such arguments in support of the action which he or she desires from the Teacher Retirement System. The proposed rule contains specific requirements for presentation of evidence, filing of motions, subpoenas, written transcripts, witnesses, and dismissal of the case. The proposed rule provides for a decision on the matters raised in the hearing by the Executive Secretary, for a procedure for obtaining a final review by the Board of Trustees, if desired, and for rehearings.

Any interested person is invited to submit comments on the proposed rule. Such comments may be in writing and should be sent, not later than March 1, 1976, to the Teacher Retirement System of Texas, 1001 Trinity, Austin, Texas 78701, and directed to the attention of William Baker.

This rule is promulgated under the authority of Section 67 of Article XVI, Constitution of the State of Texas; Subsections (a) and (1) of Section 3.59, Texas Education Code; and Section 4, Chapter 61, Acts of the 64th Texas Legislature, Regular Session, 1975.

### .003. Adjudicative Hearings.

Section 1. Decisions Subject To Review By An Adjudicative Hearing. Any interested party shall be entitled to appeal the decision of a division head with regard to the following:

(1) any matter related to a member's service or disability retirement, death or survivor benefits, or request for refund of accumulated contributions,

(2) the eligibility of a person for membership in TRS,

(3) the amount of deposits or fees required of a member,

(4) any matter involving the granting, purchase, transfer or establishment of service credit,

(5) any application for correction of error in the file of a member or beneficiary,

(6) the cancellation or suspension of benefits, or

(7) any other matter affecting eligibility for benefits or the amount of benefits payable under the laws governing TRS.

Section 2. Request For Adjudicative Hearing. A party shall appeal the decision of a division head by filing a petition for an adjudicative hearing with the Executive Secretary. The petition should conform to the requirements of Section 5 of this rule.

Section 3. Docketing of Adjudicative Hearings. The Executive Secretary shall assign the petition a docket number and shall schedule the case for hearing on a date at least

ten days after the petition is received by TRS. The Executive Secretary, the Board of Trustees, or the presiding hearing officer may reschedule the hearing in the interests of justice or administrative necessity or for good cause. If persons, other than the petitioner and TRS, are made parties to the case the hearing shall not be held earlier than ten days after appropriate service of notice on such parties.

Section 4. Authority of Executive Secretary to Grant Relief. At any time after the petition is filed and before the hearing is conducted, the Executive Secretary may grant the relief sought by the petitioner and dismiss the petition, provided that the interests of other parties are not adversely affected.

Section 5. Petitions and Other Pleadings.

(a) Each petition for an adjudicative hearing and all other pleadings shall be in writing. If the petitioner is represented by counsel, the pleadings shall be typewritten or printed on white paper 8-1/2 inches wide and 14 inches long with a left hand margin at least 1 inch wide, and exhibits annexed thereto shall be folded to the same size. The petition and all other pleadings of a petitioner who is not represented by counsel shall be legibly written or typewritten on paper not exceeding the dimensions specified in this rule for a petitioner represented by counsel.

(b) The pleadings shall state their object, and shall contain a concise statement of the facts in support of the object. The petition for an adjudicative hearing shall specify the action desired from TRS by the petitioner.

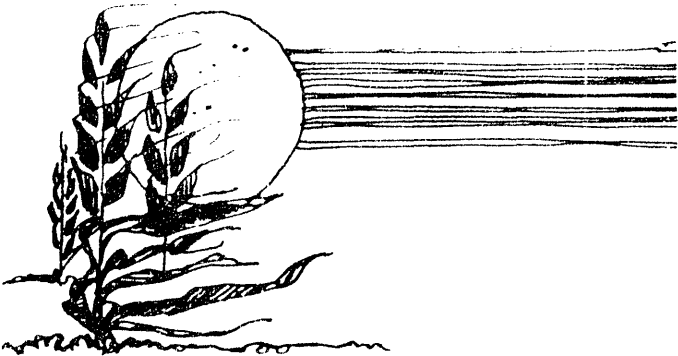
(c) All original copies of pleadings filed with TRS shall be signed by the party filing the paper, or by his authorized representative. Pleadings shall contain the address of the party filing the document or the name, telephone number, and business address of counsel, if applicable.

(d) The original petition for an adjudicative hearing should also include the name, address and telephone number of the petitioner, the name, and, if known, the tax number, for use in identification of records, of any member whose interest or whose beneficiary's interest may be involved in the case. The petition should further identify all persons who may possibly have a material interest in the outcome of the case, the basis for that interest, and each such person's last known address. If such information is not provided on the original petition, the Executive Secretary, Board of Trustees, or presiding hearing officer may require submission of such information before proceeding with the hearing.

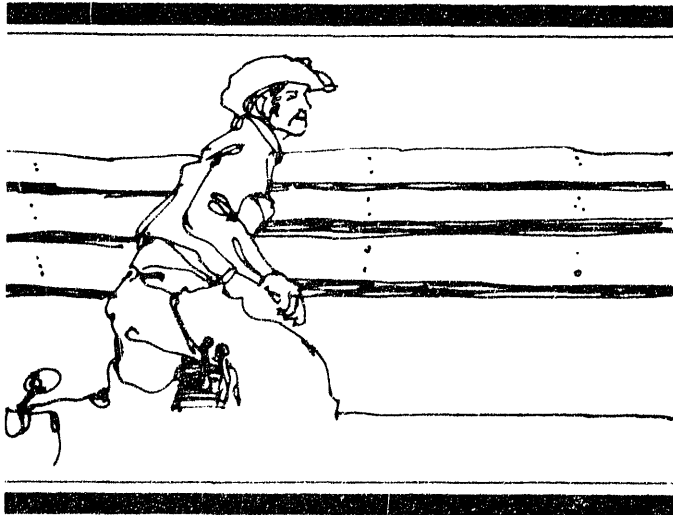
(e) Pleadings should be styled: "Petition of (Name of Petitioner)".

(f) Any party to a case may file answers, amendments to pleadings, and motions which conform to the requirements of this rule. Failure to file an answer shall in no case result in a default judgment.

(g) Written pleadings other than the original petition should be served by mail or personal delivery upon all







other known parties of record and a certification of such service should be submitted with the original copy of the pleading filed with TRS. Service may be made upon a party by serving his attorney of record in the case. The following form of certification will be sufficient: "I hereby certify that I have this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, served copies of the foregoing pleading upon all other parties to this proceeding, by (state and manner of service). Signature."

(h) The filing of motions, answers, amended pleadings, and corrected pleadings shall not be permitted to delay any hearing unless the Executive Secretary, Board of Trustees, or presiding hearing officer determines that such delay is necessary in order to prevent injustice or to protect the public interest and welfare.

(i) The Executive Secretary may review pleadings filed with TRS to determine their sufficiency under these rules. If the pleadings do not materially comply with these rules, the Executive Secretary shall return the pleadings to the person filing them, along with reasons for the return. The person shall be given a reasonable time to file corrected pleadings.

**Section 6. Motions.** Any motion relating to a pending proceeding shall, unless made during a hearing, be written, and shall set forth the relief sought and the specific reasons and grounds for such relief. If based upon matters which do not appear of record, it shall be supported by affidavit. Any motion not made during a hearing shall be filed with the Executive Secretary, who shall act upon the motion at the earliest practicable time.

**Section 7. Service of Notice of Hearings and Other Action.** Notices of hearings, proposals for decision, and of all other rulings, orders and actions by TRS shall be served upon all parties or their attorneys of record in person or at their last known address by registered or certified mail. On motion by any party or on its own motion TRS may serve notice of a hearing on any person whose interest in the subject matter will be directly affected by the final decision in the case.

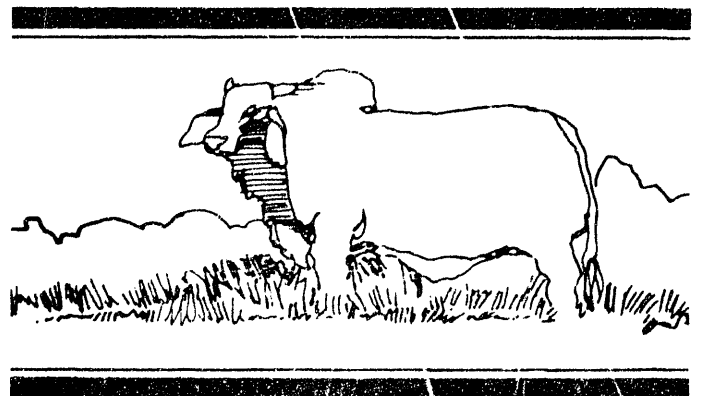
**Section 8. Representation by Attorney.** Any party may appear and be represented by an attorney authorized to practice law in the court of highest jurisdiction of any state of the United States or the District of Columbia. The attorney of record of any party shall be the attorney who signs the first pleading filed on behalf of the party or who files with TRS a written notice signed by the party designating the attorney as attorney of record in the case. Nothing in these rules shall be interpreted to require a party to an adjudicative hearing to be represented by counsel.

**Section 9. Hearing Officers.** The Executive Secretary shall designate the presiding hearing officer for any adjudicative hearing unless the hearing is before the Board of Trustees. The presiding hearing officer may be the Executive Secretary, an employee of TRS, or a specially appointed hearing officer. The Executive Secretary may designate successive hearing officers in any case who may perform any functions remaining in the case without the necessity of repeating any previous proceedings. The presiding hearing officer shall have authority to administer oaths, to examine witnesses, and to rule upon admissibility of evidence and amendments to pleadings. He shall have authority to recess any hearing from day to day.

**Section 10. Pre-hearing Conference**

(a) In any proceeding, the Executive Secretary on his own motion or on the motion of a party may direct the parties or their attorneys to appear before a hearing officer at a specified time and place for a conference prior to the hearing for the purpose of formulating issues and considering:

- (1) the simplification of issues;
- (2) the possibility of making certain averments or stipulation of fact;
- (3) the procedure at a hearing;
- (4) the limitation, where possible, of the number of witnesses;



- (5) such other matters as may aid in the simplification of the proceedings, and the disposition of the matters in controversy, including settlement of such issues as are in dispute.

(b) Action taken at the conference shall be recorded in an appropriate order by the examiner, unless the parties enter into a written agreement.

## Section 11. Conduct of Hearing.

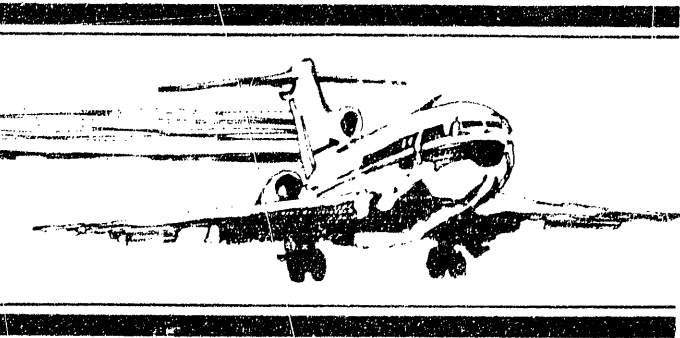
(a) All hearings shall be open to the public except for parts of any proceeding in which information in a member's file may be disclosed. The member in such cases must expressly waive his right to maintain confidentiality of the information before the proceedings will be opened to the public.

(b) All hearings will be held in the offices of the Teacher Retirement System of Texas in Austin, Texas, unless for good cause TRS shall designate another place of hearing.

(c) In all proceedings the petitioner shall be entitled to open and close. Where several parties are involved, the presiding hearing officer shall designate the order of presentation of evidence and argument.

(d) The presiding hearing officer shall direct all parties to enter their appearances on the record.

(e) If exceptions to the form or sufficiency of a pleading have been filed in writing at least three days prior to the hearing date, they shall be heard. If exceptions are sustained, the examiner shall allow a reasonable time for amendment.



(f) Formal exceptions to rulings of the presiding hearing officer during a hearing shall be unnecessary. It shall be sufficient that the party at the time any ruling is made or sought shall have made known to the presiding examiner the action desired.

(g) When testimony is excluded by ruling of the examiner, the party offering such evidence shall be permitted to make an offer of proof by dictating or submitting in writing the substance of the proposed testimony, prior to the conclusion of the hearing, and such offer of proof shall be sufficient to preserve the point for review by TRS. The presiding examiner may ask such questions of the witness as he deems necessary to satisfy himself that the witness would testify as presented in the offer of proof.

(h) Oral argument at the conclusion of presentation of evidence by parties shall be permitted but time limits may be imposed by the presiding hearing officer.

## Section 12. Reporters and Transcript.

(a) When a party makes a written request that proceedings be transcribed, the party shall state in writing his election to furnish his own stenographic reporter, to utilize a reporter furnished by the agency, or to rely upon a transcript made from audio tape recordings of the hearing. The cost of the original transcript shall be assessed one-half to the party or parties requesting the original transcript and one-half to TRS.

(b) A stenographic reporter shall deliver an original transcript not less than fourteen working days after the close of the hearing. A stenographic reporter may sell a copy of a transcript if the reporter first submits a written request to the director containing:

(1) the full name and address of the party requesting the copy;

(2) the number of pages in the transcript; and

(3) the cost of the copy to the party; and

if all members, the contents of whose files have been disclosed in part during the hearing, waive rights of confidentiality established in Chapter 81, Acts of the 64th Texas Legislature, Regular Session, 1975, or if such information is expressly excluded from the copy of the transcript sold or if the party requesting the copy is the member or beneficiary, if applicable, or such member or beneficiary's authorized representative.

Upon approval of the request by the Executive Secretary, the stenographic reporter shall furnish a copy to the requesting party.

(c) The Executive Secretary may exclude any stenographic reporter for late delivery or poor quality of work in previous hearings.

(d) Suggested corrections to the transcript of the record may be offered within ten days after the transcript is filed in the proceeding, unless the hearing officer shall permit suggested corrections to be offered thereafter. Suggested corrections shall be served in writing upon each party of record, the official reporter and the examiner. If suggested corrections are not objected to, the examiner will direct the corrections to be made and the manner of making them. In case the parties disagree on suggested corrections, they may be heard by the hearing officer, who shall then determine the manner in which the record shall be changed, if at all.

**Section 13. Dismissal of Petition.** The Executive Secretary, the Board of Trustees or the hearing officer may dismiss a petition without a hearing for the following reasons: failure to prosecute, unnecessary duplication of proceedings or res judicata; withdrawal; moot questions or stale petitions, or lack of jurisdiction.

## Section 14. Subpoenas.

(a) Upon a written request by a party or upon the motion of the Executive Secretary, Board of Trustees, or presiding hearing officer, subpoenas may be issued by TRS.

(b) Motions for subpoenas to compel the production of books, papers, accounts or documents shall be addressed to TRS, shall be verified and shall state as specifically as possible the books, papers, accounts or documents desired and the material and relevant facts to be proved by them. If the matter sought is relevant, material and necessary and will not result in harassment, imposition, or undue inconvenience or expense to the party to be required to produce the same, the Executive Secretary may issue a subpoena, compelling the production of books, papers, accounts or documents as deemed necessary.

(c) Subpoenas shall be issued only after a showing of good cause and deposit of sums sufficient to insure payment of expenses incident to the subpoenas. Service of subpoenas and payment of witness fees shall be made in the manner prescribed in the Administrative Procedure and Texas Register Act.

**Section 15. Limit on Number of Witnesses.** The hearing officer shall have the right in any proceeding to limit the number of witnesses whose testimony is merely cumulative.

**Section 16. Matters Officially Noticed.** Parties shall be notified of material which will be officially noticed and shall be afforded an opportunity to contest the material so noticed. If TRS notifies the parties after a hearing of material to be noticed, the hearing shall be reopened to afford the parties an opportunity to present their objections and arguments unless each party waives such reopening in writing.

**Section 17. Reopening of Hearings.** Upon motion of any party or upon the motion of the hearing officer, the hearing may be reopened for good cause at any time before a decision is rendered.

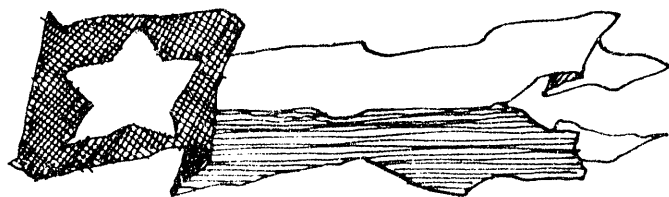
**Section 18. Exhibits**

(a) Exhibits of documentary character shall conform to the requirements set forth in Section 5 of this rule. The first page of the exhibit shall contain a statement of what the exhibit purports to show.

(b) The original of each exhibit offered shall be tendered to the reporter for identification, one copy shall be furnished to the presiding hearing officer, and one copy to each other party of record or his attorney of record.

(c) In the event an exhibit has been identified, objected to and excluded, the presiding examiner shall determine whether or not the party offering the exhibit withdraws the offer, and if so, permit the return of the exhibit to him. If the excluded exhibit is not withdrawn, it shall be given an exhibit number for identification, shall be endorsed by the examiner with his ruling, and shall be included in the record for the purpose only of preserving the exception.

(d) Unless specifically permitted by the hearing officer no exhibit will be permitted to be filed in any proceeding after the conclusion of the hearing. In the event



the hearing officer allows an exhibit to be filed after the conclusion of a hearing, copies of the late-filed exhibit shall be served on all parties of record.

**Section 19. Final Decisions and Appeals to the Board of Trustees.** The final decision in a matter subject to an adjudicative hearing will be rendered within 120 days of the date the hearing is finally closed, unless the hearing officer or Executive Secretary states otherwise at the time the hearing is closed or unless another decision date is required by law. The Executive Secretary shall render a decision in each case or shall submit the case to the Board of Trustees for consideration with a proposal for decision. Any party adversely affected by a decision of the Executive Secretary, other than TRS, may appeal that decision to the Board of Trustees, provided that a written notice of appeal is filed with the Executive Secretary within ten days after the decision of the Executive Secretary is issued. If no such notice of appeal is timely filed, the decision of the Executive Secretary shall be the final decision of TRS. If notice of appeal is timely filed, the decision of the Executive Secretary shall serve as a proposal for decision. The final decision by the Board of Trustees in an appeal or in a case originally set before the Board of Trustees shall be based upon the existing record in the case unless the Board of Trustees orders the hearing to be reopened. The final decision of the Board of Trustees in an appeal or in a case originally set before the Board of Trustees shall be rendered within the time limits established by this Section.

**Section 20. Rehearings.** A party adversely affected by a final decision in a case must file a motion for rehearing within fifteen days after the date such decision is rendered. If substantially new or amended evidence is presented in the motion which in the judgment of the Executive Secretary may cause the Board of Trustees to reverse the previous decision, the motion shall be granted. A grant or denial of the motion shall be issued within forty-five days after the date the final decision is rendered.

Issued in Austin, Texas, on January 28, 1976.

Doc. No. 760608      Leonard Prewitt  
Executive Secretary  
Teacher Retirement System  
of Texas

Proposed Date of Adoption: March 4, 1976

For further information, please call (512) 477-9711 ext. 213.

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

## Texas Commission on Alcoholism

### Emergency Meeting

An emergency meeting of the Advisory Council of the Texas Commission on Alcoholism was held on Thursday and Friday, January 29 and 30, 1976, at the Joe C. Thompson Center, Austin, at 10 a.m. on the 29th, and 8:30 a.m. on the 30th, as a semiannual meeting of the Texas Commission on Alcoholism Advisory Council.

Additional information may be obtained from Lucille Gray, 809 Sam Houston State Office Building, Austin, Texas 78711, telephone (512) 475-5452.

Filed January 28 1976, 1:36 p.m.

Doc No 760610

## Texas Department of Community Affairs

### Emergency Meeting

An emergency meeting of the Texas Commission on Services to Children and Youth of the Youth Services Division, Texas Department of Community Affairs, was held on Friday, January 30, 1976, at 210 Barton Springs Road, Austin, at 10 a.m., to consider general business.

Additional information may be obtained from Glenn McAlister, P.O. Box 13166, Austin, Texas 78711, telephone (512) 475-6335.

Filed: January 27, 1976, 3:49 p.m.

Doc. No. 760592

### Meeting

A meeting of the State Concerted Services in Training and Education Committee of the County and Rural Services Division, Texas Department of Community Affairs, will be held on Tuesday, February 10, 1976, at 210 Barton Springs Road, Austin, at 1:30 p.m., to consider general business.

Additional information may be obtained from Ray Prewett, P.O. Box 13166, Austin, Texas 78711, telephone (512) 475-6535.

Filed: January 27, 1976, 3:49 p.m.

Doc No 760593

### Meeting

A meeting of the Advisory Council on Community Affairs of the Texas Department of Community Affairs will be held on Thursday, February 12, 1976, at 210 Barton Springs Road, Austin, at 10 a.m., to conduct general quarterly business.

Additional information may be obtained from Bill Stoll, P.O. Box 13166, Austin, Texas 78711, telephone (512) 475-5416.

Filed January 27, 1976, 3:48 p.m.

Doc No 760590



### Meeting

A meeting of the Drug Abuse Advisory Council of the Texas Department of Community Affairs will be held on Friday, February 13, 1976, at 210 Barton Springs Road, Austin, at 10:30 a.m., to consider general business.

Additional information may be obtained from Jack Baylor, P.O. Box 13166, Austin, Texas 78711, telephone (512) 475-6351.

Filed: January 27, 1976, 3:48 p.m.

Doc. No. 760591

## Coordinating Board, Texas College and University System

### Meeting

A meeting of the Coordinating Board, Texas College and University System, will be held on Thursday, February 25, 1976, at Room 3-102, Joe C. Thompson Conference Center, 26th and Red River, Austin, at 9:55 a.m., to reconvene and adjourn the Coordinating Board Executive Session. At 10 a.m., the Board will hold a special called meeting to consider matters relating to the Division of Administration, the Division of Financial Planning, and the Division of Campus Planning and Physical Facilities. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from James McWhorter, P.O. Box 12788, Capitol Station, Austin, Texas 78711, telephone (512) 475-2033.

Filed January 27, 1976, 10:52 a.m.  
Doc No 760581, 760582

## East Texas State University

### Meeting

A meeting of the Board of Regents of East Texas State University will be held on Friday, February 6, 1976, at the Travis Room, Southland Center, Sheraton-Dallas Hotel, Dallas, at 9 a.m., to discuss budget matters; curriculum changes; plans and contracts for construction; and other Board business. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Charles Morrow, East Texas Station, Commerce, Texas 75428, telephone (214) 468-2212.

Filed: January 27, 1976, 11:03 a.m.  
Doc. No. 760595

## Governor's Energy Advisory Council

### Time Change

A meeting of the Staff Representatives of the Governor's Energy Advisory Council will be held on Thursday, January 29, 1976, at 411 West 13th Street, Austin, at 3 p.m. The

meeting was originally scheduled for 10 a.m. on the same day. No changes have been made in the agenda.

Additional information may be obtained from Mary Ann Bradshaw, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-5491.

Filed: January 27, 1976, 10:40 a.m.  
Doc No 760583

## Good Neighbor Commission

### Meeting

A meeting of the Good Neighbor Commission of Texas will be held on Friday, February 6, 1976, at the Chamber of Commerce Building, Laredo Civic Center, Laredo, at 9 a.m., to conduct a general business meeting and first quarterly meeting of 1976.

Additional information may be obtained from Henry Sanchez, P.O. Box 12007, Austin, Texas 78711, telephone (512) 475-3581.

Filed January 27, 1976, 10:57 a.m.  
Doc No 760578

## Texas Health Facilities Commission

### Meeting

A meeting of the Texas Health Facilities Commission will be held on Thursday, February 5, 1976, at One Highland Center, Suite 450, 314 Highland Mall Boulevard, Austin, at 10 a.m., to consider hospital and other health facility project requests. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Michael R. Sharp, One Highland Center, Suite 450, 314 Highland Mall Boulevard, Austin, Texas 78752, telephone (512) 475-6940.

Filed: January 28, 1976, 4:52 p.m.  
Doc. No. 760613

## Texas Department of Health Resources

### Meeting

A meeting of the Title XIX Dental Advisory and Review Committee of the Texas Department of Health Resources will be held on Sunday, February 8, 1976, at Texas Depart-

ment of Health Resources Board Room, 1100 West 49th Street, Austin, at 9:30 a.m., to conduct regular business and examine a manual for providers and deletion of service codes. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Dr. David Gray, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781.

Filed: January 27, 1976, 12:55 p.m.

Doc. No 760586

## University of Houston Meeting

A meeting of the Board of Regents of the University of Houston was held on Monday, February 2, 1976, at 220 E. Cullen Building, 3801 Cullen Boulevard, Houston, at 2 p.m., to approve personnel recommendations, hear reports, and conduct other regular business. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Philip C. Hoffman, University of Houston, Houston, Texas 77004, telephone (713) 748-6050.

Filed January 27, 1976, 11:01 a.m.

Doc. No 760577

## State Board of Insurance Emergency Addition to Agenda

A meeting of the State Board of Insurance will be held on Thursday, February 5, 1976, at 1110 San Jacinto, Room 408, at 10 a.m., to discuss a request of JUA for Attorney General's Opinion.

Additional information may be obtained from William J. Harding, 1110 San Jacinto, Austin, Texas 78701, telephone (512) 475-2950.

Filed January 28, 1976, 11:22 a.m.

Doc. No 760609

## Hearing

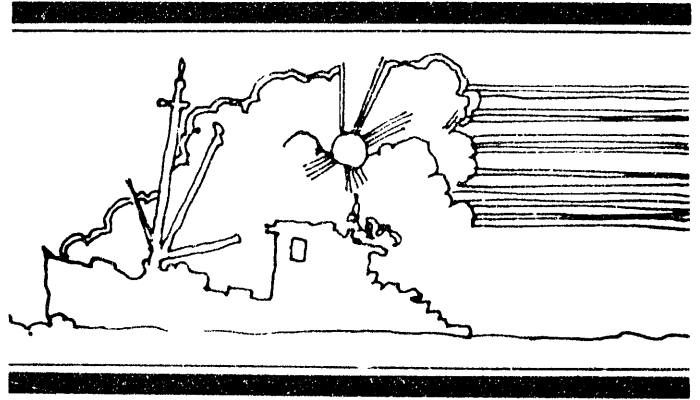
A hearing of the Commissioner's Hearing Section of the State Board of Insurance will be held on Friday, February 13, 1976, at Room 343, 1110 San Jacinto Street, Austin, at 2 p.m., to consider the application of Herschel G. Jenkins, Mesquite, Texas, for issuance of a Group I Life Insurance Agent's License.

Additional information may be obtained from J. C.

Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4230.

Filed: January 27, 1976, 10:55 a.m.

Doc. No 760579



## Hearing

A hearing of the State Board of Insurance will be held on Wednesday, February 18, 1976, at the Highway Department Hearing Room, 11th and Brazos, Austin, at 9 a.m., to consider revision in the fire, windstorm, and extended coverage rates and rules, forms, clauses, permits, warranties, and classes, and all other matters pertaining to the writing of fire and allied lines of insurance; and to review the fire and extended coverage premiums and losses, by classification.

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

Filed January 27, 1976, 10:55 a.m.

Doc. No 760580

## Lamar University Date Change

A meeting of the Board of Regents of Lamar University, originally scheduled for January 29, 1976, will be held on Wednesday, February 4, 1976, at the Board Room, Administrative Building, Main Campus, Beaumont, at 10 a.m., to hear a complaint by Kathryn King regarding her master's thesis.

Additional information may be obtained from John E. Gray, President, Box 10001, Lamar University Station, Beaumont, Texas 77710, telephone (713) 838-7111.

Filed: January 28, 1976, 9:12 a.m.

Doc. No. 760597

## Texas State Board of Medical Examiners

### Meeting

A meeting of the Texas State Board of Medical Examiners will be held on Thursday through Sunday, February 12 through 15, 1976, at 211 East 7th Street, Austin, at 9 a.m., to consider examination and reciprocity applications; review reinstatement applications; discuss visiting professor and institutional permits; consider duplicate licenses and temporary licenses; discuss Texas drug statute, medical school problems, medical professional liability, and other licensing matters; and hear committee reports.

Additional information may be obtained from J. C. Randolph, 211 East 7th Street, Austin, Texas 78711, telephone (512) 474-6335.

Filed: January 29, 1976, 10:15 a.m.

Doc No 760623

## Texas Optometry Board

### Meeting

A meeting of the Texas Optometry Board will be held on Wednesday, February 4, 1976, at the Driskill Hotel, Austin, at 7:30 p.m., to conduct a general business meeting and grading session to determine those candidates passing the board examination recently given in Houston.

Additional information may be obtained from Lois Ewald, Secretary to the Board, 603 West 13th, Room 115, Austin, Texas 78701, telephone (512) 477-1423.

Filed: January 27, 1976, 3:42 p.m.

Doc No 760589

## Texas Organized Crime Prevention Council

### Meeting

A meeting of the Executive Committee of the Texas Organized Crime Prevention Council will be held on Friday, February 6, 1976, at 7600 Chevy Chase Drive, Suite 400, Austin, at 9 a.m., to discuss a statewide study of organized crime; the annual report; and other regular business.

Additional information may be obtained from John Isbell, 7600 Chevy Chase Drive, Suite 400, Austin, Texas 78752, telephone (512) 475-6536.

Filed: January 27, 1976, 10:59 a.m.

Doc. No. 760588

### Meeting

A meeting of the Texas Organized Crime Prevention Council will be held on Tuesday, February 10, 1976, at Attorney General's Conference Room, 7th Floor, Supreme Court Building, Austin, Texas, at 10 a.m., to discuss a report of Council staff activity; a statewide study of organized crime; and other regular business.

Additional information may be obtained from John Isbell, 7600 Chevy Chase Drive, Suite 400, Austin, Texas 78752, telephone (512) 475-6536.

Filed: January 27, 1976, 10:58 a.m.

Doc. No 760587

## Board of Pardons and Paroles

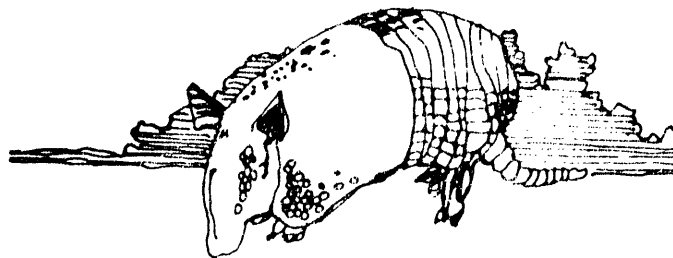
### Meeting

A meeting of the Board of Pardons and Paroles will be held Monday through Friday, February 9 through 13, 1976, at Room 711, Stephen F. Austin Building, Austin, at 9 a.m., to conduct general business regarding parole and executive clemency.

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

Filed: January 29, 1976, 10:15 a.m.

Doc No 760622



## Division of Planning Coordination

### Emergency Meeting

An emergency meeting of the Ad Hoc Committee, State Manpower Services Council, of the Division of Planning Coordination, Office of the Governor, was held on

Wednesday, January 28, 1976, at Room 700, 411 West 13th Street, Austin, at 10:30 a.m., to review program proposal to serve migrant youth.

Additional information may be obtained from Howard Richie, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-6173.

Filed January 27, 1976, 10:45 a.m.

Doc. No. 760584

## Date Change

A meeting of the Division of Planning Coordination of the Office of the Governor, originally scheduled for February 6, will be held on Tuesday, February 3, 1976, at the Barcelona Room, Sheraton Crest, Austin, at 9 a.m., as a preapplication conference for Permian Basin Regional Planning Commission.

Additional information may be obtained from Edgar Chew, 411 West 13th, Austin, Texas 78701, telephone (512) 475-6283.

Filed January 27, 1976, 10:40 a.m.

Doc. No. 760585

## Meeting

A meeting of the Division of Planning Coordination, Office of the Governor, will be held on Wednesday, February 11, 1976, at the Sheraton Crest Inn, 111 East 1st Street, Austin, at 9 a.m., as a preapplication conference for the Capital Area Planning Council.

Additional information may be obtained from Edgar Chew, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-6283.

Filed January 28, 1976, 11:35 a.m.

Doc. No. 760606

## Board of Plumbing Examiners

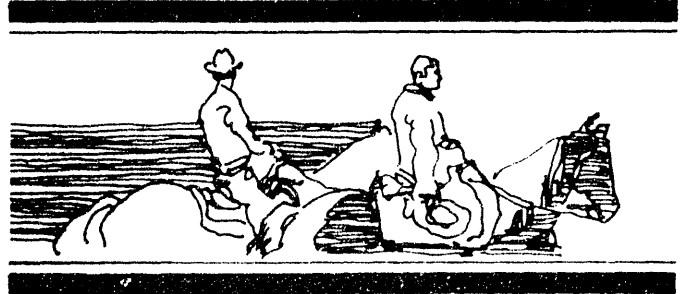
### Meeting

A meeting of the Board of Plumbing Examiners will be held on Monday, February 9, 1976, at 204 John H. Reagan Building, 15th and Congress, Austin, at 9:30 a.m., to consider a review of general operations; examinations and their administration; and a financial review and fiscal projection for 1976.

Additional information may be obtained from Lynn Brown, 204 John H. Reagan Building, Austin, Texas 78701, telephone (512) 472-9221.

Filed January 28, 1976, 11:36 a.m.

Doc. No. 760607



## Texas Board of Private Investigators and Private Security Agencies

### Meeting

A meeting of the Texas Board of Private Investigators and Private Security Agencies will be held on Thursday, February 12, 1976, at the First Floor Conference Room, Chevy Chase Building II, 7600 Chevy Chase Drive, Austin, at 9 a.m., to propose amendments to rules, approve new licenses, and conduct other regular business. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Clema D. Sanders, P.O. Box 13509, Capitol Station, Austin, Texas 78711, telephone (512) 475-3944.

Filed January 27, 1976, 4:54 p.m.

Doc. No. 760596

## Railroad Commission of Texas

### Emergency Meeting

An emergency meeting of the Gas Utilities Division of the Railroad Commission of Texas was held on Monday, February 2, 1976, at 10th and Colorado Streets, Ernest O. Thompson Building, at 9 a.m., to determine whether or not Alliance Gas Corporation should be allowed to recover increased cost of gas and to require the discovery and elimination of leaks on the natural gas system. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Frank P. Youngblood, P.O. Drawer 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-2747.

Filed January 29, 1976, 11:33 a.m.

Doc. No. 760626



## Texas Tech University

### Meeting

A meeting of the Board of Regents of Texas Tech University will be held on Thursday and Friday, February 5 and 6, 1976, at the Harold Hinn Conference Room, Texas Tech University, Lubbock, at 5 p.m. on the 5th, and 8:30 a.m. on the 6th, to discuss reports and action on executive session; Committee of the Whole; academic and student affairs; athletics; campus and building; finance; public relations and legislative; and such other matters of business as may necessarily come before the meeting.

Additional information may be obtained from Freda Pierce, Box 4039, Lubbock, Texas 79409, telephone (806) 742-6117.

Filed January 29, 1976, 10:14 a.m.

Doc No 760624

### Meeting

A meeting of the Board of Regents of the Texas Tech University School of Medicine will be held on Friday, February 6, 1976, at the Howard Hinn Conference Room, Texas Tech University, Lubbock, at 1:30 p.m., to discuss reports and action on public relations and legislative; Committee of the Whole; academic and student affairs; campus and building; finance; and such other matters of business as may necessarily come before the meeting.

Additional information may be obtained from Freda Pierce, Box 4039, Lubbock, Texas 79409, telephone (806) 742-6117.

Filed January 29, 1976, 10:13 a.m.

Doc No 760625

## Texas Water Quality Board

### Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Texas Water Quality Board held on Tuesday and Wednesday, January 27 and 28, 1976, at Room 105 of the Reagan Building, 15th Street at Congress, Austin, at 9 a.m. each day. The additional subject on January 27 was vacuum street sweeping as applicable to the Edwards Board Order No. 75-0128-20; and on January 28, a proposed order related to non-compliance with Permit No. 00493 issued to Temple-Eastex.

Additional information may be obtained from Michael W.

McKinney, 1700 North Congress, Austin, Texas 78701, telephone (512) 475-6497.

Filed January 26, 1976, 3:10 p.m.

Doc No 760554

### Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Tuesday, February 3, 1976, at West Texas Council of Governments Conference Room, 1200 North Mesa, El Paso, at 11:30 a.m., to consider an application for a permit made by Whitfield Properties, Inc., 485 Coates Drive, El Paso, Texas 79935. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from John Sutton, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7851.

Filed January 23, 1976, 3:57 p.m.

Doc No 760555

### Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Tuesday, February 3, 1976, at the West Texas Council of Governments Conference Room, 1200 North Mesa, El Paso, at 11:30 a.m., to consider an application for an amendment to Permit No. 10166 by El Paso Water Control and Improvement District No. 4, P.O. Box 277, Fabens, Texas 79838. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from John Sutton, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7851.

Filed January 26, 1976, 3:57 p.m.

Doc No 760556

### Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Wednesday, February 4, 1976, at City Council Chambers, San Angelo City Hall, College Street, San Angelo, at 9 a.m., to explore the status of Construction Materials Company's compliance with the terms and conditions of Permit No. 01271. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 3:58 p.m.

Doc No 760557

## Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Wednesday, February 4, 1976, at the City Council Chambers, San Angelo City Hall, College Street, San Angelo, at 9 a.m., to explore the status of San Angelo By-Products, Inc.'s compliance with the terms and conditions of Permit No. 01594. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 3:58 p.m.

Doc. No. 760558

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 5, 1976, at Stephen F. Austin Building, Room 618, 1700 North Congress, Austin, Texas, at 9 a.m., to consider an application for an amendment to Permit No. 01613 by Market Produce, Inc., P.O. Box 818, Fredericksburg, Texas 78624. The complete agenda is posted in the East Wing of the Capitol Building.

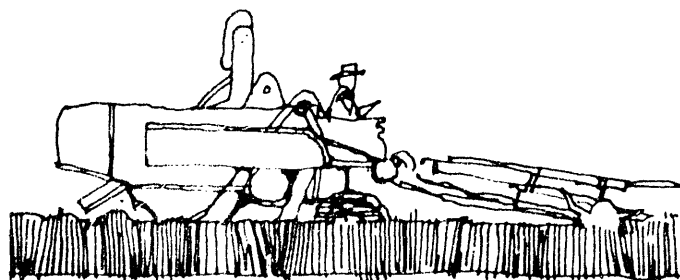
Additional information may be obtained from Patsy Viccinelli, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 3:59 p.m.

Doc. No. 760559

## Hearing

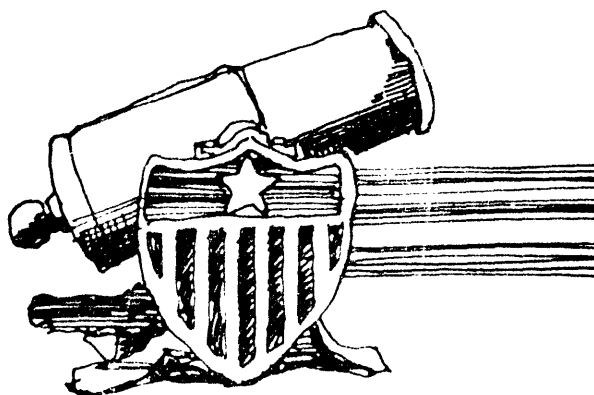
A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 5, 1976, at the Stephen F. Austin Building, Room 618, 1700 North Congress, Austin, at 9 a.m., to consider an application for a permit by Gifford-Hill Co., Inc. (Plant No. 22), P.O. Box 47127, Dallas, Texas 75247. The complete agenda is posted in the East Wing of the Capitol Building.



Additional information may be obtained from Patsy Viccinelli, P.O. Box 13246, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 p.m.

Doc. No. 760560



## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 5, 1976, at the Stephen F. Austin Building, Room 618, 1700 North Congress, Austin, at 9 a.m., to consider an application for an amendment to Permit No. 10198 by Johnson City, P.O. Box 62, Johnson City, Texas 78636. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Patsy Viccinelli, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 p.m.

Doc. No. 760561

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Tuesday, February 10, 1976, at Council Chambers, City Hall, 630 East Hopkins, San Marcos, at 10 a.m., to receive evidence from the public on actions the Board should take to protect the Edwards Aquifer from pollution. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Phillip J. Paine, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7845.

Filed January 23, 1976, 4:01 p.m.

Doc. No. 760562

## Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Wednesday, February 11, 1976, at the Conference Room, Lower Neches Valley Authority, 7850 Eastex Freeway, Beaumont, at 9 a.m., to consider the status of Riverside Chemical Company's compliance with the terms and conditions of Permit No. 01857. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 02 p.m.

Doc No 760563

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Wednesday, February 11, 1976, at the Main Auditorium, Health Science Center, University of Texas at San Antonio, 7703 Floyd Curl Drive, San Antonio, at 10 a.m., to receive evidence from the public on actions the Board should take to protect the Edwards Aquifer from pollution. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Phillip J. Paine, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7845.

Filed January 26, 1976, 4 02 p.m.

Doc No 760564

## Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Thursday, February 12, 1976, at the Health Department Building, First Floor Auditorium, 1115 North MacGregor, Houston, at 9 a.m., to consider the status of Galveston County Water Control and Improvement District No. 12's compliance with the terms and conditions of Permit No. 10029. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 03 p.m.

Doc No 760565

## Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Thursday, February 12, 1976, at the Health Department Building, First Floor Auditorium, 1115 North MacGregor, Houston, at 9 a.m.,

to explore the status of City of Baytown's compliance with the terms and conditions of Permit No. 10395. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 03 p.m.

Doc No 760566

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 12, 1976, at the Main Auditorium, Civic Center, 300 East Main, Uvalde, at 10 a.m., to receive evidence from the public on actions the Board should take to protect the Edwards Aquifer from pollution.

Additional information may be obtained from Phillip J. Paine, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7845.

Filed January 26, 1976, 4 04 p.m.

Doc No 760567

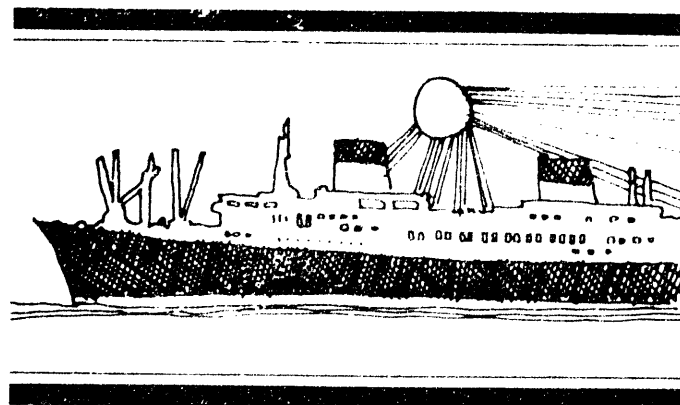
## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Friday, February 13, 1976, at Stephen F. Austin State Office Building, Room 618, 1700 North Congress, Austin, at 9 a.m., to amend existing permits and decide whether applicants qualify for certification. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Patsy Viccinelli, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 04 p.m.

Doc No 760568



## Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Tuesday, February 17, 1976, at City Council Chambers, Seguin City Hall, 205 North River Street, Seguin, at 9 a.m., to examine the status of City of Smithville's compliance with the terms and conditions of Permit No. 10286. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-4230.

Filed January 26, 1976, 4 05 p.m.  
Doc No 760569

## Hearing

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Tuesday, February 17, 1976, at City Council Chambers, Seguin City Hall, 205 North River Street, Seguin, at 9 a.m., to examine the status of Karnes City's compliance with the terms and conditions of Permit No. 10352. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed January 26, 1976, 4 05 p.m.  
Doc No 760570

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 19, 1976, at Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, at 1 p.m., to consider an application for a permit by Macomb Contracting Corporation, 3910 North Freeway, Suite A, Houston, Texas 77022. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Larry Soward, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7856.

Filed January 26, 1976, 4 06 p.m.  
Doc No 760572

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 19, 1976, at Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, at 1 p.m., to determine

whether Permit No. 11227 issued by the Texas Water Quality Board to FLD Development Corporation for facilities located in Trinity County, Texas, should be involuntarily cancelled. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Larry Soward, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7856.

Filed January 26, 1976, 4 06 p.m.  
Doc No 760573



## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 19, 1976, at Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, at 1 p.m., to consider the application for an amendment to Permit No. 01333 by Ameco Chemicals Corporation, P.O. Box 1488, Alvin, Texas 77511. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Larry Soward, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7856.

Filed January 26, 1976, 4 07 p.m.  
Doc No 760574

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 19, 1976,

at Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, at 1 p.m., to consider an application for a permit by Nugents Cove Municipal Utility District, Route 2, Box 186, Livingston, Texas 77351. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Larry Soward, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7856.

Filed: January 26, 1976, 4:08 p.m.

Doc. No. 760575

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 19, 1976, at Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, at 1 p.m., to consider an application for an amendment to Permit No. 01208 by the El Campo Aluminum Company, Route 3, El Campo, Texas 77437. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Larry Soward, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7856.

Filed: January 26, 1976, 4:06 p.m.

Doc. No. 760571

## Hearing

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, February 19, 1976, at Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, at 1 p.m., to consider an application for a permit by Ashland-Katy Company, 8713 Katy Freeway, Houston 77024. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Larry Soward, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7856.

Filed: January 26, 1976, 4:08 p.m.

Doc. No. 760576

## Hearings

A hearing of the Enforcement Division of the Texas Water Quality Board will be held on Thursday, February 26, 1976, at the Community Room of the First National Bank, 302 North Jefferson Street, Mount Pleasant, at 9 a.m., to explore the status of compliance by the City of

Detroit, and by R.B. Cobb doing business as Gulf Pickle Company, with the terms and provisions of the Texas Water Quality Act and the Solid Waste Disposal Act; and by the City of Tyler with the terms and conditions of Permit No. 10653. The complete hearing notices are posted in the East Wing of the Capitol Building.

Additional information may be obtained from Lee H. Mathews, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed: January 28, 1976, 4:47 p.m.

Doc. No. 760616, 760617, and 760614



## Hearings

A hearing of the Hearings Division of the Texas Water Quality Board will be held on Thursday, March 11, 1976, at the Conference Room, Houston-Galveston Area Council, 3701 West Alabama, Houston, at 1 p.m., to consider the following applications: for an amendment to Permit No. 01731 by Robertson Terminals, Inc. (Battleground Plant), 2000 West Loop South, Suite 1800, Houston, Texas 77027; for an amendment to Permit No. 00452 by Amoco Chemicals Corporation (Plant B), P.O. Box 568, Texas City, Texas 77590; for a permit by National Pipe and Tube Company, P.O. Box 1086, Liberty, Texas 77575; for an amendment to Permit No. 01662 by Robertson Terminals, Inc. (Galena Park Terminal), 2000 West Loop South, Suite 1800, Houston, Texas 77027; for a permit by Gilbert Builders, Inc. (Aldine Forest Subdivision), 13217 Aldine-Westfield Road, Houston, Texas 77039. The complete agenda is posted in the East Wing of the Capitol Building.

Additional information may be obtained from Patsy Vicini, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7861.

Filed: January 28, 1976, 4:48 p.m.

Doc. No. 760521, 760615, 760618, 760619, 760620

## Texas Water Rights Commission

### Emergency Meeting

An emergency meeting of the Texas Water Rights Commission was held on Thursday, January 29, 1976, at 1700 North Congress, Stephen F. Austin State Office Building, Austin, at 1:30 p.m., to conduct a conference with Ed Rodriguez, Conservator for Duval County Conservation and Reclamation District. A conflict of scheduling caused this late notification.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13207, Austin, Texas 78711, telephone (512) 475-4514.

Filed January 28, 1976, 4:41 p.m.

Doc No. 760611



## Quasi-State Agencies

### Meetings Filed January 27, 1976

*The Ark-Tex Council of Governments*, Area Agency on Aging's Regional Advisory Council, will meet in the Community Room of the Guaranty Bond State Bank, Mount Pleasant, on February 12, 1976, at 1:30 p.m. Further information may be obtained from James D. Goerke, P.O. Box 5307, Texarkana, Texas 75501, telephone (214) 794-3481.

Doc No. 760594

### Meetings Filed January 28, 1976

*The Trinity River Authority of Texas*, Construction Committee of the Board of Directors, will meet at 2723 Avenue E East, Arlington, on February 5, 1976, at 9 a.m.

*The Trinity River Authority of Texas*, Basin Planning Committee of the Board of Directors, met at Fairfield High School, Post Oak Road, Fairfield, on February 2, 1976, at 7 p.m.

Further information on these meetings may be obtained from William J. Philbin, P.O. Box 5768, Arlington, Texas 76011, telephone (817) 461-3151.

Doc No. 760611

### Meetings Filed January 29, 1976

*The Panhandle Regional Planning Commission*, Panhandle Emergency Medical Services System, Inc., will meet in the Chamber of Commerce Room of the Amarillo Building, Amarillo, on February 5, 1976, at 7 p.m. Further information may be obtained from George Loudder, P.O. Box 9257, Amarillo, Texas 79105, telephone (806) 376-4238.

*The Texas Wheat Producers Board*, Regular Quarterly Session, will meet at the Hilton Inn, Amarillo, on February 3 and 4, 1976. Further information may be obtained from D. G. Nelson, Suite 600, Bank of the Southwest, Amarillo, Texas 79109, telephone (806) 352-2191.

*The Central Texas Council of Governments*, Regional Drug Abuse Advisory Committee, will meet on the second floor of the Texas Bank and Trust, 401 North Third, Temple, Texas, on February 3, 1976, at 7 p.m. Further information may be obtained from Denny Kelley, P.O. Box 729, Belton, Texas 76513, telephone (817) 939-1801.

*The South Texas Development Council*, Board of Directors, will meet at the Rio Grande Service Center, 600 North Garza, Rio Grande City, on February 6, 1976, at 10 a.m. Further information may be obtained from Mario E. Ramirez, P.O. Box 1365, Laredo, Texas 78040, telephone (512) 722-3995.

Doc. No. 760627