

5500.6  
R263  
1/46

FILE COPY

7607507

Volume 1, Number 46, June 15, 1976  
Pages 1569 - 1606

# TEXAS REGISTER

TEXAS STATE LIBRARY

JUN 22 1976

TEXAS DOCUMENTS

## In This Issue...

Emergency rules adopted by the Texas Board of Private Investigators and Private Security Agencies concerning the temporary licensing of security officers

Milk and dairy rules proposed by the Texas Department of Health Resources

Tax permit rules adopted by the Texas Amusement Machine Commission

Child care licensing rules adopted by the State Department of Public Welfare

Rules concerning bills of lading and waybills adopted by the Railroad Commission of Texas



Office of the Secretary of State

# NOTES ON THE ISSUE

The Department of Public Welfare has adopted 454 rules concerning day care licensing and 24-hour care licensing. Many of these rules were promulgated on an emergency basis, effective January 1, 1976, and were proposed for adoption on January 9. The adopted rules, outlined in this issue, differ from the earlier ones in an attempt to reflect the more than 2,000 public comments received during the hearings held during the past months. The State Advisory Committee on Child-Care Licensing, a group of private citizens appointed to advise the department because of their expressed concern for child care, played a vital role in the formation of these rules. The rules govern all aspects of child care, from the supervision of wading pools to nutrition, but make an overall effort to reduce paperwork and undue hardship on the facilities while ensuring the safety and welfare of the children.

The Texas Board of Private Investigators and Private Security Agencies has adopted emergency rules to strengthen already existing rules concerning the commissioning of temporary security officers. At the same time the board is proposing rules for permanent adoption of these changes.

*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



**Mark White**  
Secretary of State

The *Texas Register* is published twice weekly, 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.

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

Subscriptions, payable in advance, are \$25 (plus tax) for one year. Back issues, when available, are \$1 each (plus tax).

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

### *Texas Register Division*

William H. Lalla, Director

Tommy Denton  
Anne Fitzpatrick  
Mary Barrow

Linda Camp  
Angie Montoya  
Becky Willard

Bobby Duncan  
Terry Foster  
Anne Lewis

## The Attorney General

### Opinions

- 1572 *H-831 (certificates of convenience and necessity by the Railroad Commission)*
- 1572 *H-832 (political activities by state employees)*

### Open Records Decision

- 1572 *ORD-129 (Open Meetings Act and the El Paso Special Commission on Crime)*

## Emergency Rules

### Texas Board of Private Investigators and Private Security Agencies

- 1573 *License*

## Proposed Rules

### Texas Department of Health Resources

- 1574 *Milk and Dairy*

### Texas Board of Private Investigators and Private Security Agencies

- 1575 *License*

## Adopted Rules

### Texas Amusement Machine Commission

- 1579 *Coin-Operated Machines*

### Texas State Board of Dental Examiners

- 1579 *Dental Laboratory and Dental Laboratory Technician Rules and Regulations*

### Office of the Governor

- 1580 *Rules and Guidelines of the Criminal Justice Division*

### State Department of Public Welfare

- 1580 *Day Care Licensing*
- 1585 *24 Hour Care Licensing*
- 1592 *General Licensing Procedures*

### Railroad Commission of Texas

- 1592 *Transportation Division*

## Open Meetings

- 1594 *Texas Department of Agriculture*
- 1594 *American Revolution Bicentennial Commission of Texas*
- 1594 *Texas County and District Retirement System*
- 1595 *State Board of Dental Examiners*
- 1595 *State Board of Education*
- 1595 *General Land Office*
- 1595 *Good Neighbor Commission*
- 1596 *Texas Health Facilities Commission*
- 1596 *Texas Department of Health Resources*
- 1597 *University of Houston*
- 1597 *State Board of Insurance*
- 1598 *Commission on Jail Standards*
- 1598 *State Board of Morticians*
- 1598 *Interagency Council on Natural Resources and the Environment*
- 1598 *Board of Pardons and Paroles*
- 1599 *State Board of Podiatry Examiners*
- 1599 *Public Utility Commission of Texas*
- 1599 *Railroad Commission of Texas*
- 1600 *Texas Real Estate Research Center*
- 1600 *Texas Rehabilitation Commission*
- 1600 *School Land Board*
- 1600 *Secretary of State*
- 1601 *Texas State Board of Examiners in Social Psychotherapy*
- 1601 *Structural Pest Control Board*
- 1601 *Texas Tech University*
- 1601 *Texas Water Quality Board*
- 1603 *Texas Youth Council*
- 1604 *Quasi-State Agencies*

## In Addition

### Texas State Board of Control

- 1605 *Purchasing Information*

### Texas Health Facilities Commission

- 1605 *Notice of Applications*

### Office of State-Federal Relations

- 1606 *Notice of Hearings*

### Texas Register

- 1606 *Correction of Error*

## Opinions

### Summary of Opinion H-831

Request from Bill Clayton, Speaker of the House, Austin, concerning whether the Railroad Commission of Texas is required to issue certificates of convenience and necessity to gas utilities.

**Summary of Opinion:** The Railroad Commission is not authorized or required to issue certificates of convenience and necessity to gas utilities under the Public Utility Regulatory Act.

Filed: June 4, 1976, 4:03 p.m.

Doc. No. 763042

### Summary of Opinion H-832

Request from Henry Rothell, Administrator, Texas Employment Commission, Austin, concerning the limitation of political activities of employees of the Texas Employment Commission.

**Summary of Opinion:** An employee of the Texas Employment Commission may not serve as chairperson or other officer of a political precinct, but may serve as a delegate to a county, state, or national party convention.

Issued in Austin, Texas, on June 4, 1976.

Doc. No. 763072      C. Robert Heath  
Opinion Committee Chairman  
Attorney General's Office

Filed: June 7, 1976, 4:56 p.m.

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

## Open Records Decision

### Summary of Open Records Decision 129

Request from John C. Ross, Jr., City Attorney, El Paso, concerning portions of report of El Paso Special Commission on Crime which discuss identifiable individuals.

**Summary of Decision:** A report of the El Paso Special Commission on Crime is not required to be revealed under the Open Records Act since it (1) is a law enforcement record excepted from disclosure under Section 3(a)(8); (2) involves evaluation of identifiable personnel excepted from disclosure under Section 3(a)(2); and (3) contains advice and recommendations excepted from disclosure by Section 3(a)(11).

Issued in Austin, Texas, on June 3, 1976.

Doc. No. 763043      C. Robert Heath  
Opinion Committee Chairman  
Attorney General's Office

Filed: June 4, 1976, 4:03 p.m.

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

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

**Numbering System--** Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the 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.

## Texas Board of Private Investigators and Private Security Agencies

### License

#### Handgun; Security Officer Commission 399.03.19

The Texas Board of Private Investigators and Private Security Agencies has determined that it is necessary to amend Section (e) of board Rule 399.03.19.001 in order to properly implement the law. Furthermore, it has been determined that it is necessary to make the amendment on an emergency basis to insure that persons who do not meet the requirements of board Rule 399.03.19.001 are not allowed to continue operating as private security officers under a temporary security officer commission issued by this agency. The remainder of the rule is unchanged.

Therefore, the Texas Board of Private Investigators and Private Security Agencies, empowered to promulgate rules under the provisions of the Private Investigators and Private Security Agencies Act, Article 4413(29bb), Texas Civil Statutes, as amended, has determined that an emergency exists in order to properly implement and enforce the act.

#### .001. Temporary Security Officer Commission.

(e) *The board shall notify the employer by written notice to return a temporary security officer commission to the board upon:* [A temporary security officer commission shall be returned to the board upon written notice if:]

(1) *receipt of an objection or no-concurrence to the issuance of a security officer commission from a law enforcement agency of proper jurisdiction;* [The board received an objection from the chief of police or sheriff to the issuance of a security officer commission to the applicant.]

(2) *receipt of proof the applicant has made a material false statement in his application;* [The board receives information that is proof the holder made a material false statement or misrepresentation in his application.]

(3) the holder has not within 180 days of the issuance of the temporary security officer commission forwarded to the board a certificate of completion from a training program approved by the board. If an approved training program is not available, the holder shall have 180 days from the date an approved school is available to complete the required training.

Issued in Austin, Texas, on June 1, 1976.

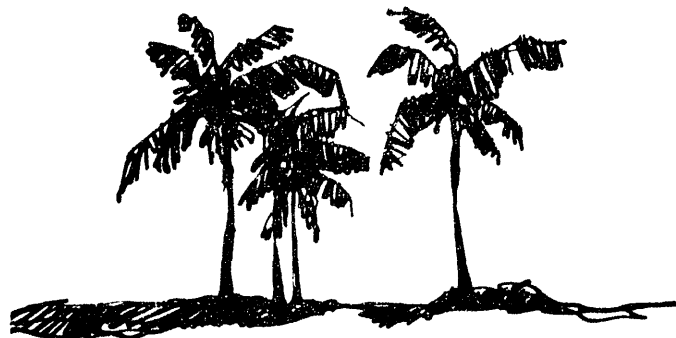
Doc. No. 763060

Clema D. Sanders, Chief  
Administrative Division  
Texas Board of Private  
Investigators and Private  
Security Agencies

Effective Date: June 7, 1976

Expiration Date: October 4, 1976

For further information, please call (512) 475-3944.



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

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

**Numbering System--** Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the 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.

## Texas Department of Health Resources

### Milk and Dairy

#### Grade Specifications and Requirements for Milk 301.72.01

The Texas Department of Health Resources is proposing to amend Rule 301.72.01.006, which covers the examination of milk and milk products. The only amendment or change will be the addition of a new Section (d) which establishes department guidelines for regulatory action against producers who have antibiotic-contaminated milk.

The department proposes this amendment because of an increased number of nonfat dry milk samples which have shown antibiotic contamination during the past 18 months, and also because recent amendments to the Texas Milk Grading and Labeling Law, Article 165-3, Texas Civil Statutes, place greater emphasis on the control of antibiotic-contaminated milk at the producer dairy.

Public comments on the proposed changes are invited until July 15, 1976, and should be submitted in writing to David Evans, Director, Division of Milk and Dairy Products, Texas Department of Health Resources, 1100 West 49th Street, Austin, Texas 78756.

These changes are proposed under authority of Article 165-3, Texas Civil Statutes.

#### .006. *The Examination of Milk and Milk Products.*

(a) During any consecutive six months, at least four samples of raw milk for pasteurization shall be taken from each producer and four samples of raw milk for pasteurization shall be taken from each milk plant after receipt of the milk by the milk plant and prior to pasteurization. In addition, during any consecutive six months, at least four samples of pasteurized milk and at least four samples of each milk product defined in these specifications and requirements shall be taken from every milk plant. Samples of milk and milk products shall be taken while in possession of the producer or distributor at any time prior to final delivery. Samples of milk and milk products from dairy retail stores, food service establishments, grocery stores, and other places where milk and milk products are sold shall be examined periodically as determined by the health authority; and the results of such examination shall be used to determine compliance with .002, .004, and .007(e)(27). Proprietors of such establishments shall furnish the health authority, upon request, with the names of all distributors from whom milk or milk products are obtained.

(b) Required bacterial counts and cooling temperature checks shall be performed on raw milk for pasteurization. In addition, antibiotic tests on each producer's milk or on commingled raw milk shall be conducted at least four times during any consecutive six months. When commingled milk is tested, all producers shall be represented in the sample. All individual sources of milk shall be tested when test results on the commingled milk are positive. Required bacterial counts, coliform determinations, phosphatase and cooling temperature checks shall be performed on pasteurized milk and milk products.

(c) When two of the last four samples have a somatic cell count in excess of 1,500,000/ml., a warning letter will be sent. When three of the last five samples are in violation of the 1,500,000 somatic cell count per ml., appropriate action will be taken in accordance with Sections 3 and 6.

(d) ***Whenever any individual producer antibiotic test is positive, the violating producer permit shall be immediately suspended and the milk from this dairy shall be removed from supplies intended for human consumption until the milk is antibiotic free. The Grade A Permit shall not be reinstated until the health authority has collected another sample and official laboratory analysis shows no antibiotic contamination in the sample. Regardless of permit status, as soon as sampling results show that a producer's milk supply is antibiotic free it may again be sold for human consumption under the grade status designated by the health authority. Furthermore,***

**any producer whose permit has been suspended for this violation more than once during any consecutive 12-month period shall, before his Grade A Permit is reinstated, appear before the appropriate health officer and (1) show cause why his permit should not be revoked permanently; or (2) show cause why his permit should not be suspended for an extended period so as to assure that an effective system for handling antibiotic-treated animals in his milking herd has been established.**

(e) Whenever two of the last four consecutive bacteria counts, coliform determinations, or cooling temperatures, taken on separate days, exceed the limit of the standard for the milk and/or milk product, the health authority shall send a written notice thereof to the person concerned. This notice shall be in effect so long as two of the last four consecutive samples exceed the limit of the standard. An additional sample shall be taken within 14 days of the sending of such notice, but not before the lapse of three days. Immediate suspension of permit in accordance with Section 3 and/or court action shall be instituted whenever the standard is violated by three of the last five bacteria counts, coliform determinations, or cooling temperatures.

(f) Whenever a phosphatase test is positive, the cause shall be determined. Where the cause is improper pasteurization, it shall be corrected; and any milk or milk product involved shall not be offered for sale.

(g) Samples shall be analyzed at an official or appropriate officially designated laboratory. All sampling procedures and required laboratory examinations shall be in substantial compliance with the current edition of *Standard Methods for the Examination of Dairy Products of the American Public Health Association*, and the current edition of *Official Methods of Analyses of the Association of Official Analytical Chemists*. Such procedures and examinations shall be evaluated in accordance with the methods of evaluating milk laboratories recommended by the U.S. Public Health Service. Examinations and tests shall be conducted to detect adulterants, including pesticides, as the health authority shall require. Assays of Vitamin D milk or milk products and/or fortified milk and milk products shall be made at least annually in a laboratory acceptable to the health authority.

Issued in Austin, Texas, on June 4, 1976.

Doc. No. 763087      David H. Evans, Director  
Division of Milk and Dairy  
Products  
Texas Department of Health  
Resources

Proposed Date of Adoption: July 15, 1976

For further information, please call (512) 454-3781.



## Texas Board of Private Investigators and Private Security Agencies

### License

#### Handgun; Security Officer Commission 399.03.19

The Texas Board of Private Investigators and Private Security Agencies has determined that it is necessary to amend board Rule 399.03.19.001 in order to properly implement the law. The amendment to Rule 399.03.19.001 is necessary because the original rule was adopted for the purpose of setting up a training program in order that security officers could receive temporary security officer commissions until such time as training schools could be established and approved by the board. This temporary training was to be valid for a period of 180 days and became effective October 21, 1975. The 180-day period has expired, training schools have been established and approved throughout the state, and there is no longer a need for the temporary training program.

The Texas Board of Private Investigators and Private Security Agencies is empowered to promulgate rules under the provisions of the Private Investigators and Private Security Agencies Act (Article 4413(29bb), Vernon's Annotated Civil Statutes, as amended).

The board plans to adopt these proposed rules at the first regularly scheduled board meeting which occurs more than 30 days after the proposed rules are published. It is the desire of the board to obtain as

much comment and information possible concerning the effect of this amendment. Written statements from all interested citizens are sincerely solicited. All comments, whether general or specific, should be directed to Wayne N. Whatley, Executive Director, Texas Board of Private Investigators and Private Security Agencies, P.O. Box 13509, Capitol Station, Austin, Texas 78711.

.001. *Security Officer Commission.* This rule pertains to the issuance of security officer commissions to applicants who carry handguns.

(a) A licensee desiring to obtain security officer commissions for its employees shall use the license number assigned by the board.

(1) Security officer commissions issued to employees of a licensee shall expire the same date as the licensee's license.

(2) The renewal period shall be the same as for the licensee.

(b) The security department of a private business desiring to obtain security officer commissions for its employees shall make application to the board, on a form prescribed by the board, for a letter of authority.

(1) A letter of authority, upon approval of an application, shall be issued at no fee.

(2) A number will be assigned to the letter of authority. This number shall be used on all applications for security officer commissions.

(3) A letter of authority shall be issued for a calendar year and shall be renewed upon request at no fee.

(4) Security officer commissions issued to employees of the security department of a private business shall expire on December 31 of the calendar year in which it was issued.

(c) Requirement to effect the issuance of a security officer commission.

(1) Applicant shall successfully complete a board-approved 22-credit-hour training program and obtain a certificate of completion.

(2) Applicant shall receive job specific training that is applicable to his assignment.

(3) Applicant shall submit a completed application to the board for a security officer commission on a form provided by the board. The application shall include:

(A) the required \$10 fee;

(B) at least one set of classifiable fingerprints on a card furnished by the board;

(C) two color photographs that show a facial likeness, size approximately one inch by one inch.

(4) A security officer commission shall not be issued to an applicant who:

(A) is not at least 18 years of age;

(B) has been convicted of any felony or any

crime involving moral turpitude for which a full pardon has not been granted;

(C) has been declared by any court of competent jurisdiction to be incompetent by reason of mental defect or disease and not been restored to mental competency;

(D) does not have good moral character;

(E) is suffering from habitual drunkenness or from narcotic addiction or dependence;

(F) has been discharged within the past 10 years from the armed services of the United States under other than honorable conditions.

(d) Procedure for a licensee or the security department of a private business to issue a temporary security officer commission to an employee.

(1) Submit employee's application for a security officer commission to the board, along with the required fee, a copy of his certificate of completion from a board-approved 22-credit-hour training program, and all required items as listed in (c)(3) of this rule.

(2) Upon receipt of an acceptable application for a security officer commission, the board will prepare a temporary security officer commission and mail to the employer for issuance to the employee.

(3) A temporary security officer commission shall be valid for 60 days, provided the board does not notify the employer to return the commission for cause.

(4) The board shall notify the employer by written notice to return a temporary security officer commission to the board upon:

(A) receipt of an objection or non-concurrence to the issuance of a security officer commission from a law enforcement agency of proper jurisdiction;

(B) receipt of proof the applicant has made a material false statement in his application.

(5) An employer shall obtain and return to the board an issued temporary security officer commission within 14 days after receiving written notice from the board to surrender said temporary security officer commission.

(6) When a person to whom a temporary security officer commission has been issued terminates his employment, the commission shall be surrendered immediately to the employer, who shall forward it to the board to be cancelled. Upon receipt of a commission from a terminated employee, the employer shall mail or deliver it to the board within 14 days of the receipt of same, along with a letter setting forth the date the employee terminated.

(e) Issuance of a regular security officer commission by the board.

(1) The board will issue a regular commis-



*sion to an applicant prior to the expiration of the temporary security officer commission provided:*

*(A) the applicant has not been terminated from employment;*

*(B) concurrence has been received from the Texas Department of Public Safety;*

*(C) no objection has been received from a law enforcement agency;*

*(D) no proof has been received by the board the applicant made a false statement in his application.*

*(f) A security officer commission issued by the board shall not be valid unless:*

*(1) the holder is performing duty for the employer under which it was issued;*

*(2) the holder's signature is on the commission and his photo is attached.*

*[Temporary Security Officer Commission. The following procedures shall be followed by a licensee or the security department of a private business to effect the issuance of a temporary security officer commission to an employee:*

*[(a) A completed and acceptable application for a security officer commission shall be filed with the board along with the required \$10 fee, two sets of classifiable fingerprints, and two recent color photographs, size 1 inch by 1 and 1/4 inches, that show a facial likeness of the applicant.*

*[(b) An acceptable application shall contain:*

*[(1) the name, address, telephone number, birthdate, birthplace, physical description, and social security number of the applicant;*

*[(2) the name and address of the applicant's employer;*

*[(3) a notarized affidavit by the applicant's employer verifying the applicant has:*

*[(A) been instructed in the legal limitations on the use of handguns and on the powers and authority of a private security officer;*

*[(B) been instructed in field note taking and report writing;*

*[(C) familiarity with the act;*

*[(D) been instructed in range firing and procedure, handgun and safety and maintenance; and*

*[(E) satisfied his handgun training instructor that he or she has attained a minimum average marksmanship competency of 160 out of 300 on an "Army L" target or a minimum of 80 out of 150 on an F.B.I. Silhouette target (N.R.A. B-27), at 50 feet with 10 shots slow fire, 10 shots time fire, and 10 shots double-action.*

*[Note: In lieu of complying with the requirements of (b)(3) an applicant shall submit to the board a certificate showing he or she has completed a training school approved by the board;*

*[(4) a notarized statement by the applicant that he or she:*

*[(A) is at least 18 years of age;*

*[(B) is of good moral character;*

*[(C) has not been convicted of any felony or any crime involving moral turpitude for which a full pardon has not been granted;*

*[(D) has not been declared mentally incompetent by reason of mental defect or disease and not restored to mental competency;*

*[(E) is not suffering from habitual drunkenness or from narcotics addiction or dependence; and*

*[(F) has not been discharged from the armed services of the United States under other than honorable conditions;*

*[(5) a statement from the applicant's employer that in the opinion of the employer the applicant is physically and mentally qualified to carry a handgun in the performance of his duties;*

*[(6) statements from three references who attest to the fact that they have known the applicant for at least three years and in their opinion the applicant has good moral character, has not been convicted of a felony or crime involving moral turpitude for which a full pardon has not been given, is not suffering from habitual drunkenness or addiction to narcotics, and has no physical or mental defects that would preclude him or her from carrying a handgun while performing the duties of a private security officer.*

*[(c) A temporary security officer commission shall be prepared by the board and mailed to the licensee or security department of a private business for issuance to the applicant.*

*[(d) A temporary security officer commission is valid until such time as the application has been processed through the Department of Public Safety and until returned to the board under the provisions of 19(1)(e). It shall not be valid for a period past the expiration date of the licensee's license, or letter of authority, unless reissued when the license or letter of authority is renewed.*

*[(e) The board shall notify the employer by written notice to return a temporary security officer commission to the board upon:*

*[(1) receipt of an objection or non-concurrence to the issuance of a security officer commission from a law enforcement agency of proper jurisdiction;*

*[(2) receipt of proof the applicant has made a material false statement in his application;*

*[(3) the holder has not within 180 days of the issuance of the temporary security officer commission forwarded to the board a certificate of completion from a training program approved by the board. If an approved training program is not available, the holder shall have 180 days from the date an approved school is available to complete the required training.*

[(f) A licensee or the security department of a private business shall surrender to the board an issued temporary security officer commission within 10 days after receiving written notice from the board to surrender said temporary security officer commission.

[(g) The training required in (b)(3) shall not be transferable from one employer to another employer unless the applicant has completed a training program approved by the board.

[(h) A temporary security officer commission is valid only so long as the person to whom it was issued performs the duties of a commissioned security officer for the employer under which it was issued and his photo and signature appear on the commission card.

[(i) A private security officer who has been issued a temporary security officer commission shall carry it on or about his person while on duty and shall present same upon demand.

[(j) When a person to whom a temporary security officer commission has been issued terminates his or her employment, the commission shall be surrendered immediately to the employer who shall forward it to the board to be cancelled. Upon receipt of a commission from a terminated employee the employer shall forward

it to the board within 10 days of the receipt of same.

[(k) For control purposes, a numbered letter of authority shall be issued to the security department of a private business. This letter of authority shall be issued for a period of one year at no fee and may be renewed from year to year upon request. Security officer commissions issued shall expire the same date as the letter of authority.

[(l) To obtain a letter of authority, the security department of a private business shall make application to the board on a form prescribed by the board. The application shall contain the name and signature of the person who is authorized to sign applications for security officer commissions.]

Issued in Austin, Texas, on June 7, 1976.

Doc. No. 763095

Clema D. Sanders, Chief  
Administrative Division  
Texas Board of Private  
Investigators and Private  
Security Agencies

Proposed Date of Adoption: July 15, 1976

For further information, please call (512) 475-3944.

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

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

**Numbering System--** Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the 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.

## Texas Amusement Machine Commission

### Coin-Operated Machines

#### Occupation Tax Permits 066.03.01

The Texas Amusement Machine Commission has adopted the amendment to administrative agency Rule 066.03.01.004, as proposed in the April 23, 1976, issue of the *Texas Register* and as submitted herein. The proposed amendment made a change to Rule 066.03.01.004, Assignment of Tax Permits.

The purpose of this amendment was to remove the requirement of each tax permit issued by the commission being assigned to a specific "coin-operated machine" on the basis of a machine's make, model, and serial number.

This amendment has been approved by the commission and its members and is now promulgated under the authority of the provisions of Article 4414(41), Vernon's Texas Civil Statutes.

**.004. Assignment of Tax Permits.** Each "coin-operated machine" shall be registered with the commission by make, model, and serial number. A tax permit issued by the commission shall be affixed to each such registered machine. Each "coin-operated machine" shall have a serial number which is clearly visible on

the outside surface of the machine. If a "coin-operated machine" is not manufactured with a serial number, a licensee shall assign a serial number to the machine and either stamp or engrave the assigned number on the machine.

Issued in Austin, Texas, on June 8, 1976.

Doc. No. 763093      Jackie L. Vaughan  
Acting Executive Director  
Texas Amusement Machine  
Commission

Effective Date: July 1, 1976

For further information, please call (512) 475-5651.



## Texas State Board of Dental Examiners

### Dental Laboratory and Dental Laboratory Technician Rules and Regulations

#### Competition 382.61.14

The Texas State Board of Dental Examiners is withdrawing Proposed Rule 382.61.14.002, *Prices and Rebates*, published in the March 30, 1976, issue of the *Texas Register*, (Volume 1, Number 25).

Filed: June 9, 1976, 10:50 a.m.

Doc. No. 763098

## Office of the Governor

### Rules and Guidelines of the Criminal Justice Division

#### LEAA Guidelines Adopted by Reference 001.55.02

The Law Enforcement Assistance Administration, under the authority of Public Law 93-83, Crime Control Act of 1973, and Public Law 93-415, Juvenile Justice and Delinquency Prevention Act of 1974, has issued Manual M6640.1, *Comprehensive Data Systems Program*, dated April 27, 1976, which is required to be implemented on the issue date. The manual was delivered to the Criminal Justice Division subsequent to June 1, 1976.

The Criminal Justice Division, under the authority of Public Law 90-351, Title I, Omnibus Crime Control and Safe Streets Act of 1968 as amended by Public Law 91-644, Omnibus Crime Control Act of 1970, and Public Law 93-83, Crime Control Act of 1973; and Public Law 93-415, Juvenile Justice and Delinquency Prevention Act of 1974; and rules and guidelines promulgated by the Law Enforcement Assistance Administration; and the provisions of Section 10(a)(3), Article 6252-13, Vernon's Annotated Civil Statutes, adopts by reference Manual M6640.1, *Comprehensive Data Systems Program*, and amends Rule 001.55.02.006, *LEAA Guidelines Adopted by Reference* by adding a new subsection, (yy) M6640.1, *Comprehensive Data Systems Program*.

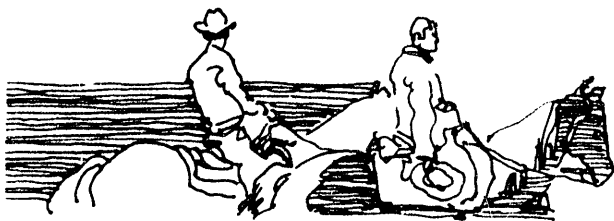
.006. *LEAA Guidelines Adopted by Reference.*  
(yy) *M6640.1, Comprehensive Data Systems Program.*

Issued in Austin, Texas, on June 1, 1976.

Doc. No. 763071     Robert C. Flowers  
Executive Director  
Criminal Justice Division

Effective Date: April 27, 1976

For further information, please call (512) 475-6065.



## State Department of Public Welfare

The proposal for Day Care Licensing and 24 Hour Care Licensing rules appeared in the January 20, 1976, issue of the *Texas Register*. Because of the length of the adopted rules in these two categories, only the sub-category titles and preambles are published here. The rules may be inspected during business hours at the Texas Register Division, Suite 550, Texas Commodore Building, Austin. The rules are effective June 29, 1976.

### Day Care Licensing

#### Standards for Child-Placing Agencies (Day Care Only) 326.90.01.001-.012

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.01.001-.012, under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were received also. After careful consideration of the public comments and of the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the department adopted rules which reflect some changes from the proposed texts. Most of these amendments are for the purpose of clarification.

The issue of discipline, after much debate, was resolved by prohibiting "cruel, harsh, or unusual punishment" and forbidding spanking of a child under five years old. Further limitations on spanking are included.

Financial recordkeeping requirements, about which many negative comments were received, have been made more lenient, but provisions of the Child Care Licensing Act of 1975 make it impossible for the department to remove such rules completely from these standards.

Doc. No. 763101

### Standards for Family Day Homes 326.90.02.001-.030

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.02.001-.030 under the authority of Article 695a-3, Texas Revised Civil Statutes. The rule numbers as adopted do not always coincide with those of the proposed rules because of minor deletions and reorganizations of content.

Comments on the proposed rules were received by the department in public hearings held in Austin and throughout the state. A number of written comments also was received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

There are very few family day homes in the state according to the definition in the Child Care Licensing Act. However, according to the act, an agency home must meet all department standards, rules, and regulations that apply to a child care facility caring for a similar number of children for a similar number of hours each day. Facilities used as agency homes for child-placing agencies (day care only) provide care for a similar number of children for a similar number of hours each day when compared with family day homes. Therefore, child placing agencies (day care only) will be required to certify that their agency homes meet the Minimum Standards for Family Day Homes.

In response to public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules do reflect some amendment to the proposed text. One change is the reduction of paperwork and recordkeeping requirements that did not seem essential to the well-being of the children in care.

The following are some other changes with brief discussion of the issues involved:

1. Space. The square footage requirement has been reduced from 35 to 30 out of concern for provider's economic situation.
2. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.
3. Health requirement for adults. These requirements about the care givers have been eliminated with the exception of the tuberculosis test. It was advised by medical professionals that the more extensive requirements did not ensure protection for the children in care.

Financial recordkeeping requirements, about which many negative comments were received, have been made more lenient, but provisions of the Child Care Licensing Act of 1975 make it impossible for the department to remove such rules completely from these standards.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the

amount of \$4.20 should be included with the request. The rules may be read, during working hours, in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763102

## Standards for Kindergartens and Nursery Schools 326.90.03.001-.032

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.03.001-.032 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in numerous public hearings held in Austin and throughout the state. A large volume of written comments also was received. The approximately 200 written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements that did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Staff qualifications and training. Educational qualifications have been raised for kindergarten teachers, as recommended by the advisory committee. In response to public comments, staff persons currently employed by the facility are exempt from the requirement for references and from educational requirements. The associate of arts degree in child development or a closely related field was added as an option for meeting director qualifications. Staff training requirements have been increased from six clock hours per year to 12 clock hours per year, and suggestions for training, including reading, were added.
2. Staff-child ratios. The number of children who can be supervised by one staff person for splashing and wading activities has been reduced in response to expressed concerns for the children's safety.
3. Equipment. Much of the detail has been deleted from the equipment requirements. Facilities are thereby given the option of using the equipment considered necessary to meet their own educational goals.
4. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

5. **Health requirements.** Health requirements for care givers have been eliminated with the exception of the tuberculosis test. It was advised by medical professionals that the more extensive requirements did not ensure protection for the children in care. An annual re-evaluation of the health of children in care is now required.

6. **Reports.** Annual statistical reports are not required. A standard has been added stating that a facility will participate in statistical sampling if requested by the department for research purposes.

Financial recordkeeping requirements, about which many negative comments were received, have been made more lenient, but provisions of the Child Care Licensing Act of 1975 make it impossible for the department to remove such rules completely from these standards.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$5.46 should be included with the request. The rules may be read, during working hours, in Room 305 of the Reagan Building, Office of the Systems and Procedures Bureau.

Doc. No. 763103

## Standards for Schools: Grades Kindergarten and Above 326.90.04.001-.032

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.04.001-.032 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Many comments on the proposed rules were received in public hearings held in Austin and throughout the state. Numerous written comments were also received. The approximately 170 written and oral comments were given careful consideration as the rules were prepared for final adoption. In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements that did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. **Staff qualifications and training.** Staff persons currently employed by the facility are exempt from the requirement to furnish references. Staff persons currently employed in any school are exempt from educational qualifications. Comments received indicated that it would be considered unfair to disqualify currently employed staff of proven ability on the basis of new rules. Teachers who teach first grade and above are required to have a bachelor's degree or valid teaching certificate. The child development associate credential and the associate of arts degree in child development or a closely related field have been added to the options for kindergarten teacher qualifications. The staff training requirements have been increased from six clock hours per year in the proposed rules to 12 clock hours per year, and suggestions for training, including reading, have been added.

2. **Space and equipment.** Definition of "single-use areas" is added to indoor square footage requirement. Much of the detail is deleted from the equipment requirements. Facilities, therefore, have the responsibility for providing the equipment necessary to meet their own educational goals.

3. **Discipline.** After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

4. **Health requirements.** Health requirements for care givers have been eliminated with the exception of the tuberculosis test. It was advised by medical professionals that the more extensive requirements did not ensure protection for the children in care. An annual re-evaluation of the health of children in care is now required.

5. **Reports.** Annual statistical reports are not required. A standard has been added stating that the facility will participate in statistical sampling if requested by the department for research purposes.

Financial recordkeeping requirements, about which many negative comments were received, have been made more lenient, but provisions of the Child Care Licensing Act of 1975 make it impossible for the department to remove such rules completely from these standards.

Because private schools have not been subject to regulation previously, and because many of these facilities have been started in order to provide an alternative to public schools, there has been objection from the facilities and the parents of children enrolled in the facilities to any form of regulation. The department, aware of these concerns, has been very careful to provide standards which protect the health, safety, and well-being of the children without regulating in any way the curriculum or course content of the school.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$4.83 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, Office of the Systems and Procedures Bureau.

Doc. No. 763104

### Standards for Day Care Centers 326.90.05.001-.036

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.05.001-.036 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in numerous public hearings held in Austin and throughout the state. A large volume of written comments also was received. The approximately 700 written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements that did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Staff qualifications and training. Staff persons currently employed by the facility are exempt from having to furnish references. Directors currently employed by any day care center are exempt from meeting the educational requirement. (Numerous comments were received protesting the disqualification of currently employed staff with proven child care abilities.) An associate of arts degree in child development or a related field has been added to the options for director qualifications. The annual staff training requirements have been increased from six clock hours per year in the proposed rules to 12 clock hours per year, and suggestions for training, which include reading, have been added.

2. Staff-child ratios. The number of children who may be cared for by each staff member has been increased in each age category. The number of children

who can be supervised by one staff member during wading and splashing activities has been reduced. Both changes were made in an effort to balance the practical concerns of the facility with concerns for maximum safety of the children.

3. Space and equipment. The square footage requirement has been reduced from 35 to 30 out of concern for provider's economic situation. A definition of "single use area" has been added. Also, in an effort not to place an economic strain on the care provider, much of the detail was deleted from the equipment requirements. This change emphasizes the responsibilities of parents and care providers in ensuring quality of care.

4. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

5. Health requirement for children. These requirements have been expanded to include an annual evaluation of a child's health in relation to his or her continued ability to participate in the day care program.

6. Records and reports. These requirements have been amended to state that the facility will participate in statistical sampling if requested by the department for research purposes. Financial recordkeeping requirements, about which many negative comments were received, have been made more lenient, but provisions of the Child Care Licensing Act of 1975 make it impossible for the department to remove such rules completely from these standards.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$6.49 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763105

### Standards for Registered Family Homes 326.90.06.001-.005

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.06.001-.005 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received by the department in numerous public hearings held in Austin and throughout the state. A large volume of written comments also was received. The approximately 200



written and oral comments were given careful consideration as the rules were prepared for final adoption.

With the adopted form of these rules, in response to the public comments and recommendations of the State Advisory Committee on Child Care Facilities, the department is placing a greater share of responsibility for the enforcement of child care standards on the parents, care providers, and communities. The department will make available to parents and care providers information to assist them in this responsibility.

The following are the major changes from the proposed texts, with brief discussion of the issues involved:

1. General. Because of concerns about the complexity of their language and format, the standards have been reduced to one page. Content which related to process rather than to minimum standards has been omitted from adopted rules. Self-regulation by the facilities is emphasized, as is parental responsibility.

2. Staff-child ratio. The number of infants allowed to be cared for by one care giver is increased from three to four, while the overall ratio has been clarified by incorporating school-aged siblings into the listing.

3. Space. The square footage requirement is eliminated in order not to place an economic hardship on care providers in this category and, again, to emphasize self-regulation and parental responsibility.

4. Equipment and nutrition. In line with the department's greater emphasis on the responsibility of the parent, care provider, and community for maintaining quality care, rules about equipment and nutrition were not finally adopted.

5. Care given to children. This rule was amended to incorporate a specific prohibition against toys which use anything that explodes or which shoot objects.

6. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

The numbers of the adopted rules do not coincide with those proposed because of extensive rearrangement and condensation of the content of the standards.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$1.38 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763106

## Standards for Group Day Care Homes 326.90.07.001-.033

The Department of Public Welfare has adopted Day Care Licensing Rules 326.90.07.001-.033 under the authority of Article 695a-3, Texas Revised Civil Statutes.

The rule numbers as adopted do not always coincide with those of the proposed rules because of minor deletions and reorganizations of content.

Comments on the proposed rules were received by the department in numerous public hearings held in Austin and throughout the state. A large volume of written comments also was received. The approximately 100 written and oral comments were given careful consideration as the rules were prepared for final adoption.

In the proposed standards, group day care homes were treated as though they were small day care centers. Public response and the subsequent recommendations of the State Advisory Committee for Child Care Facilities have resulted in viewing this type of home care as more closely related to the smaller registered family home facility.

Involved in this reconsideration are a simplification of some of the paperwork requirements and placement of greater responsibility for enforcement of child care standards on parents, care providers, and the community. Reflecting these concerns, the adopted rules contain several amendments to the texts as proposed.

The following are other major changes, with brief discussions of the issues involved:

1. Director qualifications. The adopted rule requires only that the director be 18 years old and able to read and write. The proposed requirement of a high school diploma or other specified credential was protested as being too restrictive and unnecessarily limiting the number of eligible directors. Also, in line with the reduction of paperwork, the director is not required to submit a resume to the department.

2. Staff-child ratios. These have been changed somewhat to make them more like those for registered family homes. This includes increasing the ratio of infants and preschoolers in care by each care giver and at times limiting more the number of older children.

3. Space and equipment. The square footage requirement has been reduced from 35 to 30 out of concern for provider's economic situation. Also, in an effort not to place an economic strain on the care provider, much of the detail was deleted from the equipment requirements. This change also emphasizes the enforcement responsibilities of parents and care providers.

4. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of



physical punishment but does allow spanking under restricted conditions.

5. Health requirement for adults. These requirements about the care givers have been eliminated with the exception of the tuberculosis test. It was advised by medical professionals that the more extensive requirements did not ensure protection for the children in care.

6. Reports. Annual statistical reports are not required. A standard has been added stating that a facility will participate in statistical sampling if requested by the department for research purposes.

Financial recordkeeping requirements, about which many negative comments were received, have been made more lenient, but provisions of the Child Care Licensing Act of 1975 make it impossible for the department to remove such rules completely from these standards.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$4.43 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763107

## Support Documents 326.90.99.600

The Department of Public Welfare has adopted by reference the tables "Kinds of Foods To Be Served" and "Amounts of Foods To Be Served," under the authority of Article 695a-3, Texas Revised Civil Statutes.

Copies of the tables may be obtained by sending a cashier's check or money order made out to the Department of Public Welfare in the amount of \$1.48 to Susan Johnson, Administrator, Systems and Procedures Bureau, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701.

Doc. No. 763108

Issued in Austin, Texas, on June 8, 1976.

Raymond W. Vowell  
Commissioner  
State Department of Public  
Welfare

Effective Date: June 29, 1976

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



## 24 Hour Care Licensing Standards for Child-Placing Agencies (24 Hour and Adoption) 326.91.01.001-.024

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.01.001-.024 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments and the subsequent recommendations of the State Advisory Committee on Child Care Facilities were given careful consideration as the rules were prepared for final adoption. Therefore, the adopted rules do reflect amendment in some areas.

One substantial change is the liberalization of required qualifications for agency staff. Experience now may be counted as well as academic training. A clarification of agency responsibility for developing discipline policies for their foster homes has been added to the rule on children's rights. These amendments to the rule prohibit specific kinds of physical punishment but do allow spanking under restricted conditions. Other amendments are primarily for clarification.

"Agency homes" are private homes providing care for not more than six children and used only by a child-placing agency. Each child-placing agency is responsible for certifying that its agency homes meet the minimum requirements given in Rules 326.91.02.001-.009, copies of which should be requested separately.

Copies of the child-placing agency standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child-care providers. Anyone wishing copies before July should send requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$5.16 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763109

## Standards for Agency Homes

### 326.91.02.001-.009

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.02.001-.009 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Several comments on the proposed rules were received in public hearings held in Austin and throughout the state. Numerous written comments were also received. Both written and oral comments were given careful consideration as rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas.

The following are the major changes from the proposed texts, with brief discussion of some of the issues involved:

1. Training. This requirement has been made more specific. Foster parents now must participate in 15 hours of training annually and the subjects of appropriate training are outlined. This specification was recommended by the advisory committee in an effort to make these standards more consistent with those for other 24 hour care facilities.

2. Admission policies. "Infant" has been redefined as a child less than 18 months old. When two infants are in care, the number of children in care under six years old has been raised from one to two. It is permissible for an individual 18 years old or older to be admitted into the home if that person is related to the foster family or to a child in care. These amendments resulted from public comments which indicated that the proposed restrictions placed unnecessary hardships on the foster families.

3. License. The adopted rule requires that the license be available at the home. Comments from foster

parents protested that the proposed requirement accentuated the child's dependent status and discouraged a homelike atmosphere.

4. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

Certain administrative requirements are met for agency homes by the child-placing agencies to which they are responsible. Each child-placing agency must certify that its agency homes meet the minimum requirements given in the rules. Standards for the child-placing agencies themselves are given in Rules 326.91.01.001-.024, copies of which should be requested separately.

Copies of the agency home standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$1.91 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763110

## Standards for Foster Family Home

### 326.91.03.001-.020

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.03.001-.020 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Several comments on the proposed rules were received in public hearings held in Austin and throughout the state. Numerous written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas.

The following are some of the major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Training. This requirement has been made more specific. Foster parents now must participate in 15 hours of training annually and the subjects of appropriate

ate training are outlined. This specification was recommended by the advisory committee in an effort to make these standards consistent with those for other 24 hour care facilities.

2. Admission policies. "Infant" has been redefined as a child less than 18 months old. When two infants are in care, the number of children in care under six years old has been raised from one to two. It is now permissible for an individual 18 years old or older to be admitted into the home if that person is related to the foster family or to a child in care. These amendments resulted from public comments which indicated that the proposed restrictions placed unnecessary hardships on the foster families.

3. License. The adopted rule requires that the license be available at the home. Comments from foster parents protested that the proposed requirement accentuated the child's dependent status and discouraged a homelike atmosphere.

4. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$3.27 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763111

## Standards for Foster Group Homes 326.91.04.001-.040

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.04.001-.040 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Several comments on the proposed rules were received in public hearings held in Austin and throughout the state. Numerous written comments, the majority from foster parents, were received also. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect con-

siderable amendment in some areas. The most noteworthy change in the Foster Group Home Standards is their reorganization, which places the requirements to be applied only to those homes which are responsible to a licensed child-placing agency in Rules 326.91.04.001-.013. The requirements for independent foster group homes are contained in Rules 326.91.04.014-.040.

Certain standards which are applicable to independent homes, such as those involving admission policies, development of a plan of service, discharge plan, and recordkeeping, are not included in the first group of rules since those requirements will be met by the child-placing agency to which the home is responsible. The separation of the rules for the two types of foster group homes is a result of the department becoming responsible for licensing agency-related homes under the Child Care Licensing Act of 1975. The substance of all adopted rules was proposed although rule numbers and sequence have changed.

An effort was made in amending these rules to recognize the homelike rather than institutional quality of foster group homes.

The following are other changes from the proposed texts, with brief discussion of some of the issues involved:

1. Environment. Separate toilet and bath facilities for boys and girls are no longer required. This change acknowledges the non-institutional, homelike aspect of a foster group home and also avoids placing an economic hardship on the household.

2. License. The adopted rule requires that the license be available at the home. Comments from foster parents protested that the proposed requirement accentuated the child's dependent status and created a more institutional, less homelike atmosphere.

3. Discipline. After discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions for both agency and independent homes.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$6.19 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763112

## Standards for Halfway Houses

326.91.05.001-.030

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.05.001-.030 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements which did not seem necessary to the well-being of the children in care. Many comments pointed out that the standards were not suitable for older adolescents in care. For that reason, the minimum age for an individual in a halfway house was raised to 15. Also, a number of standards were changed to allow for a program that specifically meets the needs of older adolescents, who are ready to assume more responsibility for themselves.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Staff qualifications. The educational requirement of a high school diploma or equivalent for child care staff has been reduced to the ability to read and write. The former requirement was considered to be inappropriate and unnecessarily restrictive. The requirement for staff to have a physical examination every two years is reduced to a pre-employment physical only.

2. Children's rights. The statement that a child has the right to contact an attorney has been deleted. Comments received from care providers protested that it was inappropriate as a standard.

3. Discipline. On the recommendation of children's health professionals, "shaking, striking, or spanking" are now specifically prohibited.

4. Lifeguard. While a certified lifeguard is still required when a swimming pool is in use, the type of certification is no longer specified.

5. Staff-child ratio. The number of residents per care giver has been increased from 8 to 10. The requirement that two staff persons be at the facility at night has been deleted.

6. Agreements with parents. This has been amended to include the halfway house's policies on trips away from the facility.

7. Review of program. The responsibility of the governing body for ensuring the quality of the facility's

program is supplemented by a review team approved by the department.

8. Admission policies. Individuals who need 24 hour surveillance are not to be admitted to a halfway house, for the protection of themselves, other residents, and staff.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$4.83 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763113

## Standards for Institutions Serving Mentally Retarded Children 326.91.06.001-.032

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.06.001-.032 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements that did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Staff qualifications. The educational requirement of a high school diploma or equivalent for child care staff has been reduced to the ability to read and write. The former requirement was considered to be inappropriate and unnecessarily restrictive. The requirement for staff to have a physical examination every two years is reduced to a pre-employment physical only.

2. Discipline. On the recommendation of children's health professionals, "shaking, striking, or spanking" are now specifically prohibited.

3. Children's rights. The statement that a child has

the right to contact an attorney has been deleted. Comments received from care providers protested that it was inappropriate as a standard.

4. Review of program. The responsibility of the governing body for ensuring the quality of the facility's program is supplemented by a review team approved by the department.

5. Agreements with parents. This has been amended to include the institution's policies on trips by residents away from the facility.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$5.63 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763114

### Standards for Institutions Providing Basic Child Care 326.91.07.001-.030

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.07.001-.030 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements which did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Staff qualifications. The educational requirement of a high school diploma or equivalent for child care staff has been reduced to the ability to read and write. The former requirement was considered to be inappropriate and unnecessarily restrictive. The requirement for staff to have a physical examination every two years is reduced to a pre-employment physical only.

2. Children's rights. The statement that a child has the right to contact an attorney has been deleted. Comments received from care providers protested that it was inappropriate as a standard.

3. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.

4. Lifeguard. While a certified lifeguard is still required when a swimming pool is in use, the type of certification is no longer specified.

5. Agreements with parents. This has been amended to include the institution's policies on trips by residents away from the facility.

6. Staff-child ratio. The requirement that at least two staff persons be at the facility at night was removed. As long as the required staff-child ratio is maintained, the safety of residents is ensured. Care providers' comments indicated that the strict requirement for two night staff members placed a hardship on facilities.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their request to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$4.83 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763115

### Standards for Therapeutic Camps 326.91.08.001-.028

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.08.001-.028 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements which did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. **Staff qualifications.** The educational requirement of a high school diploma or equivalent for child care staff has been reduced to the ability to read and write. The former requirement was considered to be inappropriate and unnecessarily restrictive. The requirement for staff to have a physical examination every two years is reduced to a pre-employment physical only.

2. **Children's rights.** The statement that a child has the right to contact an attorney has been deleted. Comments received from care providers protested that it was inappropriate as a standard.

3. **Discipline.** On the recommendation of children's health professionals, "shaking, striking, or spanking" are now specifically prohibited.

4. **Lifeguard.** While a certified lifeguard is still required when a swimming pool is in use, the type of certification is no longer specified.

5. **Staffing.** The requirement has been added that at no time will there be fewer than two child care staff in each camping group. The use of volunteers as child care staff is permitted if they meet the same requirements as regular staff. Children needing 24-hour surveillance cannot be admitted to the camp unless there is staff awake at night. All of the above have been added or amended out of concern for the well-being of the type of child served by the therapeutic camps.

6. **Review of program.** The responsibility of the governing body for ensuring the quality of the camp's program is supplemented by a review team approved by the department.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$5.99 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763116

## Standards for Residential Treatment Centers 326.91.09.001-.031

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.09.001-.031 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements that did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. **Staff qualifications.** The educational requirement of a high school diploma or equivalent for child care staff has been reduced to the ability to read and write. The former requirement was considered to be inappropriate and unnecessarily restrictive. The requirement for staff to have a physical examination every two years is reduced to a pre-employment physical only.

2. **Discipline.** On the recommendation of children's health professionals, "shaking, striking, or spanking" are now specifically prohibited.

3. **Children's rights.** The statement that a child has the right to contact an attorney has been deleted. Comments received from care providers protested that it was inappropriate as a standard.

4. **Admission policies.** These have been amended to include a standard prohibiting the acceptance for care or continuation of care for children who are a danger to self or others unless appropriate security and medical provisions are made.

5. **Review of program.** The responsibility of the governing body for ensuring the quality of a center's program is supplemented by a review team approved by the department.

6. **Agreements with parents.** This has been amended to include the institution's policies on trips by residents away from the facility.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$5.13 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763117



### Standards for Emergency Shelters 326.91.10.001-.025

The Department of Public Welfare has adopted 24 Hour Care Licensing Rules 326.91.10.001-.025 under the authority of Article 695a-3, Texas Revised Civil Statutes.

Comments on the proposed rules were received in public hearings held in Austin and throughout the state. Written comments were also received. Both written and oral comments were given careful consideration as the rules were prepared for final adoption.

In response to the public comments and to the subsequent recommendations of the State Advisory Committee on Child Care Facilities, the adopted rules reflect considerable amendment in some areas. One change is the reduction of paperwork and recordkeeping requirements which did not seem necessary to the well-being of the children in care.

The following are other major changes in the proposed texts, with brief discussion of some of the issues involved:

1. Staff qualifications. The educational requirement of a high school diploma or equivalent for child care staff has been reduced to the ability to read and write. The former requirement was considered to be inappropriate and unnecessarily restrictive.
2. Children's rights. The statement that a child has the right to contact an attorney has been deleted. Comments received from care providers protested that it was inappropriate as a standard.
3. Discipline. After extensive discussion, the adopted form of this rule prohibits specific kinds of physical punishment but does allow spanking under restricted conditions.
4. Lifeguard. While a certified lifeguard is still required when a swimming pool is in use, the type of certification is no longer specified.

5. Admission policies. Children under 12 months of age now specifically are allowed to remain in the shelter for a maximum of 96 hours.

6. Space. Square footage of sleeping areas was reduced by 10 square feet, in an effort not to place a hardship on facilities nor reduce number of facilities.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$4.33 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc No 763118

### General Policies and Procedures 326.91.12.001

Under the authority of Article 695a-3, Texas Revised Civil Statutes, the Department of Public Welfare has adopted Rule 326.91.12.001, Procedural Guide for Pharmaceutical Services, which supplements all sets of standards for 24 hour child care licensing. Its impact on a given set of standards should be determined from its context within that set.

Oral comment, from a representative of a professional association of pharmacists, was received in one of the public hearings held to consider 24 hour child care licensing rules. At that time one amendment to policy and one to wording were recommended. These changes are still under consideration by the department, but because of the immediate need for an enforceable rule, the guide is being filed at this time with no changes in the proposed text.

Copies of these standards will be provided on request at no charge after July 1, 1976, and will be mailed automatically to child care providers. Anyone wishing copies before July should send their requests to Susan Johnson, Administrator, Systems and Procedures Bureau, John H. Reagan Building, Austin, Texas 78701. A certified cashier's check or money order made payable to the Department of Public Welfare in the amount of \$1.38 should be included with the request. The rules may be read during working hours in Room 305 of the Reagan Building, office of the Systems and Procedures Bureau.

Doc. No. 763119



### Support Documents 326.91.99.600

Under the authority of Article 695a-3, Texas Revised Civil Statutes, the Department of Public Welfare has adopted by reference the table "Daily Food Guide," which is based on United States Department of Agriculture nutrition standards. The guide serves as a supplement to all sets of standards for 24 hour child care licensing and is available by contacting Susan L. Johnson, Administrator, Systems and Procedures Bureau, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701. A cashier's check or money order made out to the Department of Public Welfare in the amount of \$1.18 should accompany the request for each copy.

The proposal of this rule was announced in the January 20, 1976, issue of the *Texas Register*. It was then listed as Rule 326.91.13.001. No negative comments were received in writing nor at the public hearings held on all proposed child care licensing rules.

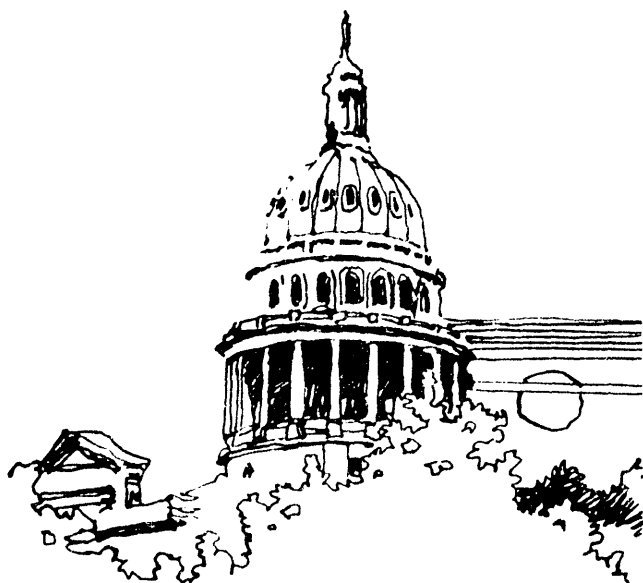
Doc No 763120

Issued in Austin, Texas, on June 8, 1976.

Raymond W. Vowell  
Commissioner  
State Department of Public  
Welfare

Effective Date: June 29, 1976

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



### General Licensing Procedures

### Support Documents 326.92.99.600

Under the authority of Article 695a-3, Texas Revised Civil Statutes, the Department of Public Welfare has adopted by reference the tables "Suggested Schedule for Routine Immunizations" and "Immunization Reference Schedule," which are expansions of the table "Required Immunizations," originally proposed as Rule 326.90.08.001.

Amendment of the proposed table is in response to the recommendation of the State Advisory Committee on Child Care Facilities, which believed that the detailed tables would be more helpful to care providers, as well as more specific regarding the Texas Department of Health Resources' expectations. The rule is supplementary to all sets of standards for child care licensing. The rule's impact on a given set of standards should be determined from its context within that set.

Copies of the tables may be obtained from the Texas Department of Health Resources, Literature Section of Public Health Education.

Doc. No. 763121

Issued in Austin, Texas, on June 8, 1976.

Raymond W. Vowell  
Commissioner  
State Department of Public  
Welfare

Effective Date: June 29, 1976

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

## Railroad Commission of Texas

### Transportation Division

### Bills of Lading and Waybills 051.03.06.004

Under the authority of Section 4(a) of Article 911b, Texas Civil Statutes, the Railroad Commission of Texas has amended Regulation 051.03.06.004 by the addition of a sentence to the end of Section (H) and the change in language of Section (N) to read as follows:

.004. *Contents of Waybills.*

(H) The weight, volume, or measurement of property comprising the shipment, classified separately in



accordance with applicable tariffs. The character "M" may be shown in lieu of the actual weight in the case of a shipment weighing 100 pounds or less moving via regular route common carrier as a minimum charge shipment.

(N) Carriers, other than regular route common carriers, shall show the number of the truck or truck tractor and trailer transporting the shipment.

Issued in Austin, Texas, on June 4, 1976.

Doc. No. 763032 James H. Cowden, Director  
Transportation Division  
Railroad Commission of Texas

Effective Date: June 24, 1976

For further information, please call (512) 475-3207.



### 051.03.06.010

Under the authority of Section 4(a) of Articles 911a and 911b, Texas Civil Statutes, the Railroad Commission of Texas has adopted Regulation 051.03.06.010, which allows through billing of joint line traffic by regular route common carriers subject to certain requirements.

#### *.010. Use of Through Billing by Regular Route Common Carriers.*

(A) Regular route common carriers are authorized to use a through combination waybill-bill of lading. The names of all carriers participating in the through billing must be shown on all copies of the bill. The bills shall be pre-numbered consecutively at the time of printing by the originating carrier and such number will serve as the originating carrier's own number in one carrier series or the participating carrier's joint number in interline service.

(B) Regular route common carriers transporting shipments on through combination waybills-bills of lading shall show on such bills the information required in Regulation 051.03.06.003 and Regulation 051.03.06.004 (B) through (N), but are not required to comply with (A) and (O).

Issued in Austin, Texas, on June 4, 1976.

Doc. No. 763033 James H. Cowden, Director  
Transportation Division  
Railroad Commission of Texas

Effective Date: June 24, 1976

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

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 State Capitol.

## Texas Department of Agriculture

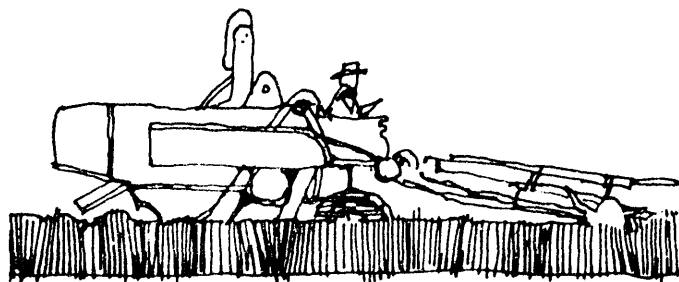
### Meeting

A meeting of the Agriculture Protective Act Division of the Texas Department of Agriculture will be held on Wednesday, June 16, 1976, 10:30 a.m., in Room 202, 4900 Fannin, Houston, to consider the verified statement of claim of Smith Potato Company, Hart, in account with Cantu's Produce, Houston.

Additional information may be obtained from Ed Whitesides, Box 12847, Austin, Texas 78711, telephone (512) 475-4304.

Filed: June 7, 1976, 3:13 p.m.

Doc. No. 763057



## American Revolution Bicentennial Commission of Texas

### Meeting

A meeting of the American Revolution Bicentennial Commission of Texas will be held on Saturday and Sunday, June 26 and 27, 1976, 4 p.m. and 10 a.m. respectively, at the Flagship Hotel, Galveston. The commission will consider the director's report; the commissioners' reports; archives; and any and all other business that may come before the commission.

Additional information may be obtained from Gene Brownrigg, Suite 210, University Hall, UTA Arlington, Texas 76019, telephone (817) 461-1776.

Filed: June 10, 1976, 9:55 a.m.

Doc. No. 763137

## Texas County and District Retirement System

### Meeting

A meeting of the Board of Trustees of the Texas County and District Retirement System will be held on Thursday, June 24, 1976, 9 a.m., in the Driskill Room, Driskill Hotel, 117 East 7th Street, Austin. The board will consider and pass on applications for service retirement benefits and disability retirement benefits; review and act on financial statements, investment reports, and other reports of the director, legal counsel, and actuary; consider adoption of the 1975 annual report; consider actuarial reports and adoption of mortality and other experience tables; and consider and fix contribution rates of participating subdivisions.

Additional information may be obtained from the Texas County and District Retirement System, 802 Perry Brooks Building, Austin, Texas 78701, telephone (512) 476-6651.

Filed: June 8, 1976, 8:51 a.m.

Doc. No. 763074

### Addition to Agenda

An addition has been made to the agenda of a meeting of the Board of Trustees of the Texas County and District Retirement System to be held on Thursday, June 24, 1976, 9 a.m., in the Driskill Room, Driskill Hotel, 117 East 7th Street, Austin. The addition was made to include consideration of adoption of procedural and other rules.

Additional information may be obtained from the Texas County and District Retirement System, 802 Perry Brooks Building, Austin, Texas 78701, telephone (512) 476-6651.

Filed: June 8, 1976, 1:52 p.m.

Doc. No. 763086

## State Board of Dental Examiners

### Cancellation of Meeting

A meeting of the Texas State Board of Dental Examiners set for June 18, 1976, 9 a.m., has been cancelled. The meeting was to have been held in the board hearing room of the College of Dentistry, Baylor University, Dallas.

Additional information may be obtained from Carl C. Hardin, Jr., 718 Southwest Tower, 7th and Brazos, Austin, Texas 78701, telephone (512) 475-2443.

Filed: June 9, 1976, 2:22 p.m.

Doc. No. 762651A

### Meeting

A meeting of the Texas State Board of Dental Examiners will be held on Tuesday and Wednesday, June 22 and 23, 1976, 9 a.m., in the board hearing room, Sheraton-Dallas Hotel, Southland Center, Dallas.

The board will consider the adoption of or amendments to its rules and regulations pertaining to dentists and all persons or businesses under its jurisdiction; conduct scheduled disciplinary hearings; and conduct regular board business.

Additional information may be obtained from Carl C. Hardin, Jr., 718 Southwest Tower, 7th and Brazos, Austin, Texas 78701, telephone (512) 475-2443.

Filed: June 9, 1976, 2:22 p.m.

Doc. No. 763125

## State Board of Education

### Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the State Board of Education held on Saturday, June 12, 1976, 8:30 a.m., at 150 East Riverside

Drive, Austin. The addition was consideration of an appeal for rehearing from board decision affirming decision of the commissioner, and application for federal funds, Title VII, Public Law 93-380, National Reading Improvement Program.

Additional information may be obtained from M. L. Brockette, 201 East 11th Street, Austin, Texas 78701, telephone (512) 475-3271.

Filed: June 8, 1976, 3:43 p.m.

Doc. No. 763089

## General Land Office

### Emergency Meeting

An emergency meeting of the Veterans Land Board of the General Land Office will be held on Tuesday, June 15, 1976, 2 p.m., at the Stephen F. Austin Building, 1700 North Congress, Austin. The agenda includes the report of the executive secretary; a discussion of pending applications; and discussion of the procedure for reopening the Veterans Land Program and a future bond sale.

Additional information may be obtained from Richard Keahey, Room 738, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3766.

Filed: June 8, 1976, 10:15 a.m.

Doc. No. 763084

## Good Neighbor Commission

### Emergency Meeting

An emergency meeting of the Good Neighbor Commission was held on Saturday, June 12, 1976, 9 a.m., at the La Mansion Hotel, San Antonio, to discuss budgetary problems.

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

Filed: June 9, 1976, 10:39 a.m.

Doc. No. 763096

## Texas Health Facilities Commission

### Meeting

A meeting of the Texas Health Facilities Commission will be held on Thursday, June 17, 1976, 10 a.m., in Suite 450, One Highland Center, 314 Highland Mall Boulevard, Austin. The commission will consider requests for certificates of need, declaratory rulings, and exemption certificates. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Michael R. Sharp, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940

Filed June 9, 1976, 11 50 a.m.

Doc. No. 763099

## Texas Department of Health Resources

### Meeting

A meeting of the Advisory Certification Committee of the Texas Department of Health Resources will be held on Friday, June 25, 1976, 9 a.m., in the 2nd floor conference room, 1100 West 49th Street, Austin, to review certification policies for water and wastewater operators.

Additional information may be obtained from David Cochran, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 288.

Filed: June 10, 1976, 9 25 a.m.

Doc. No. 763133

### Hearings

The Environmental Engineering Division of the Texas Department of Health Resources will conduct the following hearings:

#### July 6, 1976, Tuesday

2 p.m. at Baptist Memorial Geriatrics Hospital Clubroom, 902 North Main, San Angelo. A hearing to consider the application of the County of Sterling to locate a solid waste disposal site near Sterling City.

2:30 p.m. at the same location as above. A hearing to consider the application of the City of Robert Lee to locate a solid waste disposal site near the city.

#### July 7, 1976, Wednesday

10 a.m. at Public Health Region No. IV, second floor, Old County Courthouse, 3rd and Oak Streets, Abilene. A hearing to consider the application of the City of Rochester to locate a solid waste disposal site near O'Brien.

11 a.m. at the same location as above. A hearing to consider the application of the City of Santa Anna to locate a solid waste disposal site near the city.

#### July 8, 1976, Thursday

9 a.m. at the County Courtroom, Brazos County Courthouse, Bryan. A hearing to consider the applications of the City of Bryan to locate a solid waste disposal site and a brush-demolition site near the city.

10 a.m. at the same location as above. A hearing to consider the application of the City of College Station to locate a solid waste disposal site near the city.

#### July 9, 1976, Friday

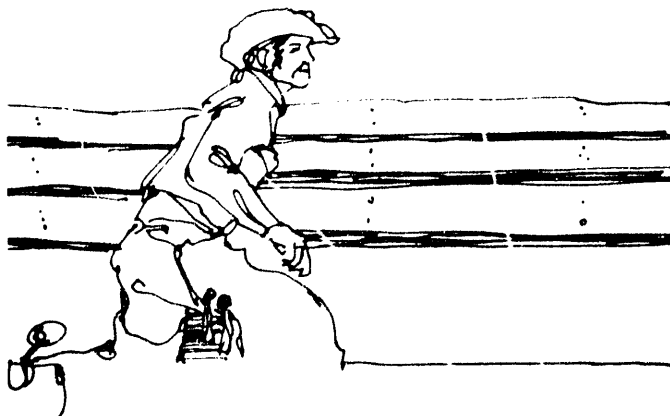
9 a.m. in the City Council Room, City Hall, 2033 Avenue H, Rosenberg. A hearing to consider the application of Taylor Trucking Company to locate a solid waste disposal site near the City of Altair.

9 a.m. at the same location as above. A hearing to consider the application of the Texas Department of Corrections to locate a solid waste disposal site located at the Texas Department of Corrections, Ramsey Unit Two in Rosharon, on the western part of the unit's property adjacent to Oyster Creek in Brazoria County.

Additional information may be obtained from Jack C. Carmichael, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 258.

Filed June 10, 1976, 9 22 a.m.

Doc No 763134



## University of Houston

### Meeting

A meeting of the Board of Regents of the University of Houston was held on Monday, June 14, 1976, 2:30 p.m., at 220 E. Cullen Building, 3801 Cullen Boulevard, Houston. The agenda included board approval of personnel and academic recommendations; child care center fees for the central campus; the proposed student health service fee adjustment for the central campus; and the proposed new bank account. Also to be considered are reports of the Faculty Memorial Resolution Committee in behalf of Walter William Lodge, Associate Professor of Art; Building Committee; income for April, 1976; and grants for research, traineeships, fellowships, equipment, and building purposes. The complete agenda is posted in the East Wing of the State Capitol.

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

Filed June 7, 1976, 3:12 p.m.

Doc. No. 763056

## State Board of Insurance

### Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Wednesday, June 16, 1976, 2 p.m., in Room 343, 1110 San Jacinto, Austin, to consider an application of Transamerica Group, Los Angeles, California, for consideration of a method of determining earned surplus.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4230.

Filed June 8, 1976, 10:12 a.m.

Doc. No. 763078

### Addition to Agenda

An addition was made to the agenda of a meeting of the State Board of Insurance to be held on Thursday, June 17, 1976, 10 a.m., in Room 408, 1110 San Jacinto, Austin. The addition includes consideration of ISO filings: broad form comprehensive general liability en-

dorsement; and revision of basic limits rates for comprehensive personal liability and farmers comprehensive personal liability.

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

Filed June 8, 1976, 10:13 a.m.

Doc. No. 763079

### Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Tuesday, June 22, 1976, 10 a.m., in Room 343, 1110 San Jacinto, Austin, to consider the application of the New Community Service Corporation, Houston, for initial certificate of authority to act as health maintenance organization.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4230.

Filed June 8, 1976, 10:13 a.m.

Doc. No. 763080

### Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Friday, June 25, 1976, 10 a.m., in Room 343, 1110 San Jacinto, Austin, to consider an application of Munich American Reinsurance Company (stock fire and casualty company), New York, New York, for admission to Texas.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4230.

Filed June 8, 1976, 10:14 a.m.

Doc. No. 763081

### Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Wednesday, June 30, 1976, 10 a.m., in Room 343, 1110 San Jacinto, Austin, to consider an application of Commercial Standard Insurance Company, Fort Worth, for approval of amendment to articles of incorporation decreasing capital.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4230.

Filed June 8, 1976, 10:14 a.m.

Doc. No. 763082

## Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Monday, July 19, 1976, 2 p.m., in Room 343, 1110 San Jacinto, Austin, to determine compliance with Article 3.05(b) in purchase by States General Life Insurance Company, Dallas, of its own corporate stock.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4230.

Filed: June 8, 1976, 10:14 a.m.

Doc. No. 763083

## Commission on Jail Standards

### Meeting

A meeting of the Subcommittee on Construction, Renovation, and Maintenance of the Commission on Jail Standards will be held on Friday, June 18, 1976, 9 a.m., in the Conference Room, Southern Steel Company, 4634 South Presa, San Antonio. The subcommittee will review comments received on proposed standards, adopt revisions, set hearing dates, and consider other business items.

Additional information may be obtained from James Greenwood III, 2550 First City National Bank Building, Houston, Texas 77002, telephone (713) 236-2663.

Filed June 9, 1976, 10:39 a.m.

Doc. No. 763097

## State Board of Morticians Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the State Board of Morticians held on Wednesday, June 9, 1976, 9 a.m., at 1513 South Interstate 35, Austin. The addition included consideration of requests made by Champ T. Cook, W. H. Hodges, and Kenneth Rogers to reinstate their embalmers apprenticeships, which were allowed to lapse for nonpayment. Joe Spears will appear before the board concerning a position with the State Board of Morticians. Purchase of a grader machine was also considered.

Additional information may be obtained from James W. McCammon, 1513 South Interstate 35, Austin, Texas 78741, telephone (512) 442-6721.

Filed: June 8, 1976, 3:44 p.m.

Doc. No. 763088

## Interagency Council on Natural Resources and the Environment

### Meeting

A meeting of the Governor's Special Advisor on Natural Resources of the Interagency Council on Natural Resources and the Environment will be held on Tuesday, June 29, 1976, 9 a.m., in Room 118, Stephen F. Austin Building, Austin. The agenda includes discussion of fresh water inflow to bays and estuaries and the context of the Coastal Zone Management Program and individual agency missions; discussion of procedures for developing ICNRE recommendations to the legislature with respect to fresh water inflows to the bays and estuaries, if needed; report on technical session on outer continental shelf drilling regulations; TNRIIS reports; EPA/state relations report; and other standing committee reports.

Additional information may be obtained from Ben Turner, P.O. Box 13006, Capitol Station, Austin, Texas 78711, telephone (512) 475-7876.

Filed June 7, 1976, 2:38 p.m.

Doc. No. 763054

## Board of Pardons and Paroles

### Meeting

A meeting of the Board of Pardons and Paroles will be held on Monday, Tuesday, Thursday, and Friday, June 21, 22, 24, and 25, 1976, 9 a.m. each day, in Room 711 of the Stephen F. Austin Building, Austin.

The board will review cases of inmates for parole consideration, act on emergency reprieve requests and other acts of executive clemency, and review reports regarding persons on parole.

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

Filed: June 9, 1976, 2:22 p.m.

Doc. No. 763123

## Meeting

A meeting of the Board of Pardons and Paroles will be held on Wednesday, June 23, 1976, 9 a.m., at the Diagnostic Unit, Texas Department of Corrections, Huntsville. The board and/or a parole panel will meet for the purpose of conducting parole violation hearings.

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

Filed June 9, 1976, 2 22 p.m.

Doc. No. 763124

## State Board of Podiatry Examiners

### Meeting

A meeting of the State Board of Podiatry Examiners will be held Sunday through Thursday, June 20-24, 1976, beginning at 4 p.m. Sunday, at the Menger Hotel, 204 Alamo Plaza, San Antonio. The board will conduct written and oral examinations of applicants for state licenses; review of report of investigation by the Drug Enforcement Administration; consider routine business of board; compile grades on examinations; and grant licenses.

Additional information may be obtained from Joe C. Littrell, 2204 Washington Avenue, Waco, Texas 76702, telephone (817) 754-1811.

Filed June 10, 1976, 9 54 p.m.

Doc. No. 763135

## Public Utility Commission of Texas

### Meeting

A meeting of the Public Utility Commission of Texas will be held on Thursday, July 8, 1976, 9 a.m., in Suite 450N, 7800 Shoal Creek Boulevard, Austin, to consider applications for certificates of convenience and necessity by mobile telephone utilities for the counties of Cooke, Dallas, Denton, Erath, Freestone, Grayson, Hood, Jack, Montague, Navarro, Palo Pinto, Parker, Somervell, Tarrant, Wichita, Wilbarger, and Young.

Additional information may be obtained from Roy J. Henderson, Suite 450N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 475-7921.

Filed: June 7, 1976, 3:14 p.m.

Doc. No. 763058

## Meeting

A meeting of the Public Utility Commission of Texas will be held on Monday, August 2, 1976, 9 a.m., in Suite 450N, 7800 Shoal Creek Boulevard, Austin, to consider applications of telephone utilities for the counties of Armstrong, Bailey, Briscoe, Carson, Castro, Cochran, Culberson, Dallam, Deaf Smith, El Paso, Floyd, Gaines, Hartley, Hockley, Hudspeth, Lamb, Moore, Oldham, Parmer, Potter, Randall, Sherman, Swisher, and Yoakum.

Additional information may be obtained from Roy J. Henderson, Suite 450N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 475-7921.

Filed June 8, 1976, 8 11 a.m.

Doc. No. 763073

## Railroad Commission of Texas

### Emergency Meeting

An emergency meeting of the Gas Utilities Division of the Railroad Commission of Texas was held on Wednesday, June 9, 1976, 9 a.m., at 10th and Colorado Streets, Austin. Considered at the meeting were motions for rehearing filed by the cities of Wellington and Burkburnett to the commission's ruling on the appeal from the examiner's ruling denying the cities' motion to dismiss Lone Star Gas Company's applications. The complete notice is posted in the East Wing of the State Capitol.

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

Filed June 8, 1976, 3 55 p.m.

Doc. No. 763091

### Emergency Meeting

An emergency meeting of the Gas Utilities Division of the Railroad Commission of Texas was held on Thursday, June 10, 1976, 11 a.m., at the E. O. Thompson Building, 10th and Colorado Streets, Austin. The division considered an application from Lo-Voca Gathering Company for consideration of motions filed by the City of San Antonio, acting by and through the City Public Service Board of San Antonio, and others, requesting an extension of the time provided in the order of the commission of April 23, 1976, for the customers' decisions.

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

Filed: June 9, 1976, 4:37 p.m.

Doc. No. 763131

## Texas Real Estate Research Center

### Emergency Meeting

An emergency meeting of the Advisory Committee of the Texas Real Estate Research Center was held on Friday, June 11, 1976, 9 a.m., in Room 24 of the Convention Center, San Antonio. The committee will review Texas Real Estate Research Center plans in the areas of research, education, and communication.

Additional information may be obtained from Alvin B. Wooten, Geosciences Building, Texas A&M University, College Station, Texas 77843, telephone (713) 845-2031.

Filed: June 8, 1976, 9:09 a.m.

Doc. No. 763076

## Texas Rehabilitation Commission

### Meeting

A meeting of the Board of the Texas Rehabilitation Commission will be held on Friday, June 18, 1976, 9:30 a.m., in Suite 202, 7745 Chevy Chase Drive, Chevy Chase V Building, Austin. The board will consider approval of minutes; the report of the commissioner; and new business: approval of the fiscal 1977 state plan; approval of innovation and expansion grants; approval of establishment grants; approval of interim period operating budget; and review of appointments to Medical Consultation Committee. The board will discuss pending and contemplated litigation involving the commission and personnel matters in executive session.

Additional information may be obtained from Herbert A. Underwood, 7745 Chevy Chase Drive, Austin, Texas 78752, telephone (512) 454-8192.

Filed: June 9, 1976, 2:21 p.m.

Doc. No. 763122

## School Land Board

### Emergency Meeting

An emergency meeting of the School Land Board of the State of Texas will be held on Tuesday, June 15, 1976, 10 a.m., in Room 831, 1700 North Congress, Austin.

Agenda items include: four pooling agreements; consideration and approval of oil and gas lease sale for October 5, 1976; Coastal Public Lands-- four easement applications, two permit applications, three permit alteration requests, and 12 permit renewals; recommendation of proposed definition for Rules 135.18.02.001-.009. Also to be considered are one application of Duval Corporation to extend the drilling depth limitations to 1,600 feet to the top of the Lamar limestone on State Leases M-73434 and M-73435 and to 3,100 feet or the base of the Castile Formation on State Leases M-73439 and M-73440; two excess acreage applications; and a status report on shut-in gas wells on state leases.

Additional information may be obtained from H. E. White, 1700 North Congress, Austin, Texas 78701, telephone (512) 475-6491.

Filed: June 8, 1976, 9:56 a.m.

Doc. No. 763075

### Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the School Land Board to be held on Tuesday, June 15, 1976, 10 a.m., in Room 831, 1700 North Congress, Austin, to include discussion of Yates Field unitization and ratification agreements.

Additional information may be obtained from H. E. White, 1700 North Congress, Austin, Texas 78701, telephone (512) 475-6491.

Filed: June 8, 1976, 4 p.m.

Doc. No. 763092

## Secretary of State

### Hearing

A hearing before the electronic voting device examiners appointed by the Secretary of State pursuant to Article 7.15, Vernon's Texas Election Code, will be held on Monday, June 21, 1976, at 10 a.m., in Room 503G of the Sam Houston State Building, 201 East 14th Street, Austin. The purpose of the hearing will be to



consider certification of the "Datavote System," an electronic voting device of Diamond International Corporation.

Additional information may be obtained from Bruce Hughes or Bob Lemens, P.O. Box 12887, Austin, Texas 78711, telephone (512) 475-3091.

Filed: June 9, 1976, 2:23 p.m.

Doc. No. 763126

## Hearing

A hearing before the voting machine examiners appointed by the Secretary of State pursuant to Article 7.14, Vernon's Texas Election Code, will be held on Monday, June 21, 1976, at 1:30 p.m., in Room 503G of the Sam Houston State Building, 201 East 14th Street, Austin. The purpose of the hearing will be to consider certification of the "Valid Vote," a voting machine of Valid Vote, Inc.

Additional information may be obtained from Bruce Hughes or Bob Lemens, P.O. Box 12887, Austin, Texas 78711, telephone (512) 475-3091.

Filed: June 9, 1976, 2:23 p.m.

Doc. No. 763127

## Texas State Board of Examiners in Social Psychotherapy

### Meeting

A meeting of the Texas State Board of Examiners in Social Psychotherapy will be held on Friday, June 18, 1976, 1 p.m., in the Office of the Deputy Director, 3902 Grove, Austin. The board will consider approval of the minutes of April 10, 1976, meeting; a report from the executive secretary; board rules concerning licensing; possible appointment of a consultant to develop examination for licensure; requests involving post-graduate supervision; board policy on license reciprocity with other states; and license applications.

Additional information may be obtained from Dan Boone, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 381.

Filed: June 10, 1976, 9:24 a.m.

Doc. No. 763132

## Structural Pest Control Board

### Meeting

A meeting of the Structural Pest Control Board will be held on Thursday, July 1, 1976, 8:30 a.m., in Room 108, Chevy Chase III, 313 East Anderson Lane, Austin.

The agenda includes: the executive director's report; a review of the George Youngblood case at 9:30 a.m.; a discussion of Guillermo E. Dominguez case concerning certification exams at 10:30 a.m.; the appearance of Charles Howell, doing business as General Pest Control, before the board at 1:30 p.m. at the board's request; the appearance of Thomas G. Shamblin, doing business as Die-Right Pest Services, before the board at the board's request; and the budget report.

Additional information may be obtained from the Structural Pest Control Board, Chevy Chase III, 313 East Anderson Lane, Austin, Texas 78752, telephone (512) 454-3617.

Filed: June 8, 1976, 10:15 a.m.

Doc. No. 763085

## Texas Tech University

### Meeting

A meeting of the Finance Committee of the Board of Regents of the Texas Tech University and Texas Tech University School of Medicine was held on Saturday, June 12, 1976, 9 a.m., in the Board of Regents Suite on campus, Lubbock, to review legislative budget requests.

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

Filed: June 7, 1976, 3:15 p.m.

Doc. No. 763059

## Texas Water Quality Board

### Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Tuesday, June 29, 1976, 1 p.m., at the St. Angelus Room, Central National Bank.

36 West Beauregard, San Angelo, to consider an application for an amendment to Permit 10641 by the City of San Angelo (Lake Nasworthy Plant No. 1), P.O. Box 1751, San Angelo. The complete agenda is posted in the East Wing of the State Capitol.

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

Filed: June 7, 1976, 4:02 p.m.

Doc. No. 763061

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Wednesday, June 30, 1976, 10 a.m., at the Matador Room, Holiday Inn, 3701 East Hubbard, Mineral Wells, to consider an application by the Central Texas Industrial Waste Disposal, Inc., P.O. Box 255, Cleburne, Texas 76031, for a Class I commercial industrial solid waste management site permit. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Chesley Blevins, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-7841.

Filed: June 7, 1976, 4:02 p.m.

Doc. No. 763062

## Amendment to Agenda

The agenda of a meeting of the Hearings Division of the Texas Water Quality Board to be held on Wednesday, June 30, 1976, 10 a.m., at the Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, has been amended. The application for a permit by Montgomery County MUD 30 (Whispering Pines Subdivision) of Houston has been removed from the agenda. Notice will be given when a new hearing date for this matter is set.

Additional information may be obtained from Jack Aills, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-6658.

Filed: June 7, 1976, 4:03 p.m.

Doc. No. 762767A

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Thursday, July 1, 1976, 9 a.m., in Room 618, Stephen F. Austin Building, 1700 North Congress, Austin, to determine whether or not Permit 11532 issued to Carl Morris for facilities located in Travis County should be involuntarily cancelled. The complete hearing notice is posted in the East Wing of the State Capitol.

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

Filed: June 7, 1976, 4:04 p.m.

Doc. No. 763063

## Hearing

A hearing by the Enforcement Division of the Texas Water Quality Board will be held on Thursday, July 8, 1976, 9 a.m., in the District Courtroom, 3rd floor, Liberty County Courthouse, 1923 Sam Houston, Liberty, to explore the status of compliance with the terms and conditions of Harris County Fresh Water Supply District No. 48, Permit 10541, and Pennwalt Corporation, Permit 01872. The complete hearing notice is posted in the East Wing of the State Capitol.

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

Filed: June 9, 1976, 8:26 a.m.

Doc. No. 763094

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Thursday, July 8, 1976, 10 a.m., in Conference Room C, Municipal Building, 509 East 7th Avenue, Amarillo. The division will consider an application for a permit being made by Holl-Tex, Inc., P.O. Box 4247, Amarillo, Texas 79105; and an application for an amendment to Permit 01463, by Missouri Beef Packers, Inc., P.O. Box 910, Plainview, Texas 79072. The complete hearing notice is posted in the East Wing of the State Capitol.

Additional information may be obtained from Sam Jackson, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-6658.

Filed: June 7, 1976, 4:04 p.m.

Doc. No. 763064-763065

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Thursday, July 8, 1976, 1 p.m., in the Council Chamber, City Hall, 105 West Juan Linn, Victoria, to consider application for amendments to the following permits: E. I. Du Pont de Nemours and Company, P.O. Box 2626, Victoria, Texas 77901, Permits WDW-30, WDW-29, and WDW-28. The complete hearing notice is posted in the East Wing of the State Capitol.

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

Filed: June 7, 1976, 4:04 p.m.

Doc. No. 763066

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Friday, July 9, 1976, 10 a.m., in the Council Chamber, City Hall, 1901 5th Street, Bay City, to consider an application made for a permit by J. W. Massey (Oak Hollow Mobile Home Park), P.O. Drawer E, Van Vleck, Texas 77482. The complete hearing notice is posted in the East Wing of the State Capitol.

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

Filed: June 7, 1976, 4:05 p.m.

Doc. No. 763067

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Friday, July 16, 1976, 10 a.m., in the auditorium, Corpus Christi National Bank, 502 North Water Street, Corpus Christi. The division will consider application for an amendment to the following permits: City of Kingsville (Plant No. 1), Permit 10696, P.O. Box 1458, Kingsville, Texas 78363; and Texas Parks and Wildlife Department (Lake Corpus Christi State Park), Permit 11165, John H. Reagan Building, Austin, Texas 78701. The division will also consider application for permits by the following: Liquid Terminals, Inc., P.O. Box 1067, Corpus Christi, Texas 78403; Wright Materials, Inc., Route 1, Box 143,

Robstown, Texas 78380; Dalco - U.S. Steel (Burns Lease), 501 Oil Industries Building, Corpus Christi, Texas 78041; and Dalco - U.S. Steel, 501 Old Industries Building, Corpus Christi, Texas 78401.

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

Filed: June 7, 1976, 4:05 p.m.

Doc. No. 763068-763069

## Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Friday, July 16, 1976, 1 p.m., at the Stillman Town Hall, Fort Brown Memorial Center, Brownsville, to consider an application for a permit by Brownsville Navigation District (Fishing Harbor Plant), P.O. Box 3070, Brownsville, Texas 78520. The complete hearing notice is posted in the East Wing of the State Capitol.

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

Filed: June 7, 1976, 4:06 p.m.

Doc. No. 763070

## Texas Youth Council Emergency Meeting

An emergency meeting of the Community Services Division of the Texas Youth Council was held on Wednesday, June 9, 1976, 1:30 p.m., at the Huntsville National Bank, Huntsville, to discuss the community assistance program and the Community Services Division biennium budget request.

Additional information may be obtained from Stan Pinder, P.O. Box 9999, Austin, Texas 78754, telephone (512) 475-6994.

Filed: June 8, 1976, 3:43 p.m.

Doc. No. 763090

## Quasi-State Agencies

### Meetings Filed June 7, 1976

**The Lubbock Regional MH/MR Human Development Center**, Board of Trustees, met at 1210 Texas Avenue, Lubbock, on June 8, 1976, at 4:30 p.m. Further information may be obtained from the Lubbock MH/MR Center, 1210 Texas Avenue, Lubbock, Texas 79401, telephone (806) 763-4213.

**The Brazos River Authority Board of Directors**, Lake Management Committee, met at the Lake Supervisor's Office, Possum Kingdom Lake, Waco, on June 11, 1976, at 1 p.m. Further information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, telephone (817) 776-1441.

**The Deep East Texas Council of Governments Area Agency on Aging**, Aging Advisory Committee, will meet at the University Center, Stephen F. Austin State University, on June 15, 1976, at 8:30 a.m. Further information may be obtained from Martha Jones, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

**The Permian Basin Regional Planning Commission**, Policy Advisory Committee, met at the Air Terminal Office Building, Midland, on June 14, 1976, at 10 a.m. Further information may be obtained from Jerry Tschauner, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

**The Permian Basin Regional Planning Commission**, Criminal Justice Advisory Committee, will meet at the Air Terminal Office Building, Midland, on June 16, 1976, at 10 a.m. Further information may be obtained from Richard Kleinhans, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

**The Permian Basin Regional Planning Commission**, Human Resources Advisory Committee, will meet at the Air Terminal Office Building, Midland, on June 16, 1976, at 1 p.m. Further information may be obtained from Susan Turner, P.O. Box 6391, Midland, Texas 79701, telephone (915) 565-1061.

**The Permian Basin Regional Planning Commission**, Regional Development Review Committee, will meet at the Air Terminal Office Building, Midland, on June 24, 1976, at 2 p.m. Further information may be obtained from Jerry Tschauner, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

**The Permian Basin Regional Planning Commission**, Citizens and Technical Advisory Committee, will meet at the Air Terminal Office Building, Midland, on June 29, 1976, at 10 a.m. Further information may be obtained from Jerry Tschauner, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

**The Central Texas Council of Governments**, Regional Drug Abuse Advisory Committee, will meet at the Central Counties MH/MR, Killeen, on July 8, 1976, at 7 p.m. Further information may be obtained from Dennis D. Kelley, P.O. Box 729, Belton, Texas 76513, telephone (817) 939-1801.

**The Education Service Center Region XX**, Board of Directors, met at Woodridge Elementary School, 100 Woodridge, San Antonio, on June 9, 1976, at 2 p.m. Further information may be obtained from Dr. Dwain M. Estes, 1550 Northeast Loop 410, San Antonio, Texas 78209, telephone (512) 828-3551.

Doc. No. 763055

### Meetings Filed June 8, 1976

**The South Plains Association of Governments**, Board of Directors, will meet at the Lamb County Electric Co-op Building, Highway 84 bypass and Phelps Avenue, Littlefield, on June 15, 1976, at 10 a.m. Further information may be obtained from Truett Mayes, 1611 Avenue M, Lubbock, Texas 79401, telephone (806) 762-8721.

Doc. No. 763077

### Meetings Filed June 10, 1976

**The Nortex Regional Planning Commission**, general membership, met at the Holiday Inn Downtown, Wichita Falls, on June 17, 1976, at 7 p.m. Further information may be obtained from Edwin B. Daniel, 1914 Kemp Boulevard, Wichita Falls, Texas 76309, telephone (817) 322-5281.

Doc. No. 763136

## Texas State Board of Control

The Texas State Board of Control is the purchasing agent for services and equipment for use by the departments of the State of Texas.

For information on how to qualify for the board's bid list or to receive notices of forthcoming invitations, call the bid list clerk, Fran Robbins, at (512) 475-3540. For information related to specific bidding activity of the State Board of Control, contact the following purchasers:

- Calvin Holman, Senior Buyer..... (512) 475-2282  
 Bill Corbell, Purchaser U  
   (fuel, vehicles, tires) ..... (512) 475-4579  
 Pat Frysinger, Purchaser B  
   (computers) ..... (512) 475-6932  
 Tommy Gardner, Purchaser R  
   (hospital supplies, drugs) ..... (512) 475-4600  
 W.R. "Mac" McClellan, Purchaser F  
   (paint, metals, refrigeration) ..... (512) 475-2076  
 Jim McIlvain, Purchaser Y  
   (dry goods, electronics) ..... (512) 475-2178  
 Robert Schneider, Purchaser J  
   (office machines) ..... (512) 475-6296  
 Betty Walden, Purchaser L  
   (surplus property sales) ..... (512) 475-3433  
 Eugene S. Baker, Senior Buyer ..... (512) 475-3265  
 Tommy Crowe, Purchaser G  
   (laundry supplies, chemicals) ..... (512) 475-4640  
 George Faith, Purchaser K  
   (laboratory supplies, equipment) .. (512) 475-4595  
 Charles A. Heatly, Purchaser M  
   (library and school supplies) ..... (512) 475-3398  
 Tom Rolater, Purchaser Q  
   (hardware, poisons) ..... (512) 475-3805  
 Al Scott, Purchaser S  
   (major laboratory equipment) ..... (512) 475-2698  
 Milton Turnipseed, Purchaser H  
   (plumbing and electrical) ..... (512) 475-4708  
 Pat Jaksha, Senior Buyer ..... (512) 475-2281  
 Bill Hoover, Purchaser T  
   (bookbinding, forms, paper, etc.) .. (512) 475-6934  
 Ernest Holubec, Purchaser A  
   (furniture) ..... (512) 475-2695  
 Lex Nelson, Purchaser P  
   (stationery, printing) ..... (512) 475-2534  
 Johnnie Pechal, Purchaser X  
   (feed, food, fertilizer) ..... (512) 475-2797  
 Bryan Snyder, Purchaser W  
   (office supplies) ..... (512) 475-3677  
 Tom Taylor, Purchaser D  
   (building materials) ..... (512) 475-4212

## Texas Health Facilities Commission

### Notice of Applications

Notice is given by the Texas Health Facilities Commission of applications (including a general project description) for declaratory rulings, administrative order, and exemption certificates received June 1-7, 1976.

Should any person wish to contest the application for a declaratory ruling, exemption certificate, or administrative order, that person must file a notice of intent to contest the application with the chairman of the commission within 12 days after the enclosed listing is published. The first day for calculating this 12-day period is the first calendar day following the dating of the publishing. The 12th day will expire at 5 p.m. on the 12th consecutive day after said publishing if the 12th day is a working day. If the 12th day is a Saturday, Sunday, or state holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, or state holiday. When notice of intent to contest is mailed to the chairman of the commission, P.O. Box 15023, Austin, Texas 78761, it must be postmarked no later than the day prior to the last day allowed for filing notice of intent to contest.

The contents and form of a notice of intent to contest an application for an exemption certificate or declaratory ruling must meet the minimum criteria set out in Rule 315.07.03.001, Section A(4). Failure of a contesting party to supply the minimum necessary information in the correct form by the 12th day will result in a defective notice of intent to contest and such application will be considered uncontested.

The fact that an application is uncontested will not mean that it will be approved. Regardless of whether or not an application is formally contested, it will be approved only if the commission determines that it qualifies under the criteria of Sections 3.02, 3.03, or 6.02 of Article 4418(h), Vernon's Annotated Texas Statutes, and Rule 315.07.01.001, as well as 315.07.03.001 and 315.07.06.001.

In the following notice, the applicant is listed first, the file number second, and the relief sought and project description third. EC indicates exemption certificate; DR indicates declaratory ruling; AO indicates administrative order.

Gregg-Harrison MH/MR Center, Marshall  
 AA76-0603-001

DR-- relocation of eight-bed intermediate care program for persons with alcohol-related problems.

D.M. Cogdell Hospital, Snyder

AH76-0602-003

EC-- Purchase of scintillation camera for Nuclear Medicine Department

Laurelwood Nursing Complex, San Antonio

AN76-0524-017

EC-- Construction of additional office space

Cartwheel Lodge of San Antonio, San Antonio

AN76-0524-002

EC-- Reclassification of 120 ICF-III beds to ICF-IV in 240-bed nursing home presently under construction.

Lake Worth Nursing Home, Lake Worth

AN75-0919-021-D

DR-- Request for commission finding that development has begun on approved project to construct 150-bed skilled nursing home

Southern Manor Nursing Home, Inc., San Antonio

AN75-0724-004-T

AO-- Transfer of THFC Exemption Certificate AN75-0724-004 to purchasers of stock, as named in escrow agreement.

M.K.T.R.R. Employees Hospital, Denison

AH76-0607-003

EC-- Construction of additional office space, waiting rooms, and bathrooms.

M.K.T.R.R. Employees Hospital, Denison

AH76-0607-005

EC-- Construction to meet Life Safety Code requirements.

Planned Parenthood Center of San Antonio, San Antonio

AS76-0528-002

EC-- Construction/operation of portable clinic to replace existing Family Planning Clinic.

Issued in Austin, Texas, on June 9, 1976.

Doc. No. 763100

Michael R. Sharp  
General Counsel  
Texas Health Facilities  
Commission

Filed: June 9, 1976, 11:51 a.m.

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

## Office of State-Federal Relations

### Notice of Hearings

#### OSHA Fire Protection Standards

The Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor will hold hearings in Dallas on Wednesday, June 16, and Thursday, June 17, 1976, regarding fire protection standards. OSHA is considering revising its standards dealing with portable fire suppression equipment, fixed fire suppression equipment, and local fire alarm signaling systems, and is seeking public comment. The hearings will be held in the Gold Room of the Fairmont Hotel, Ross and Akard Streets, Dallas, between the hours of 10 a.m. and noon, 2 and 5 p.m., and 6:30 and 8:30 p.m., on both days.

Additional information may be obtained from Dennis Thomas, P.O. Box 13005, Capitol Station, Austin, Texas 78711, telephone (512) 475-7805.

Issued in Austin, Texas, on June 10, 1976.

Doc. No. 763138

Dennis Thomas  
Associate Director  
Office of State-Federal  
Relations

Filed: June 10, 1976, 11:26 a.m.

For further information, please call (512) 475-7805.

## Texas Register

### Correction of Error

The notice of the June 24, 1976, meeting of the *Employees Retirement System of Texas*, published in the June 11, 1976, issue of the *Register* (Volume 1, Number 45), did not include the time the afternoon session of that meeting will begin. The morning session will be held from 9 a.m. to 11:30 a.m. The afternoon session will be held from 1:30 p.m. to 3 p.m.