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TEXAS REGISTER

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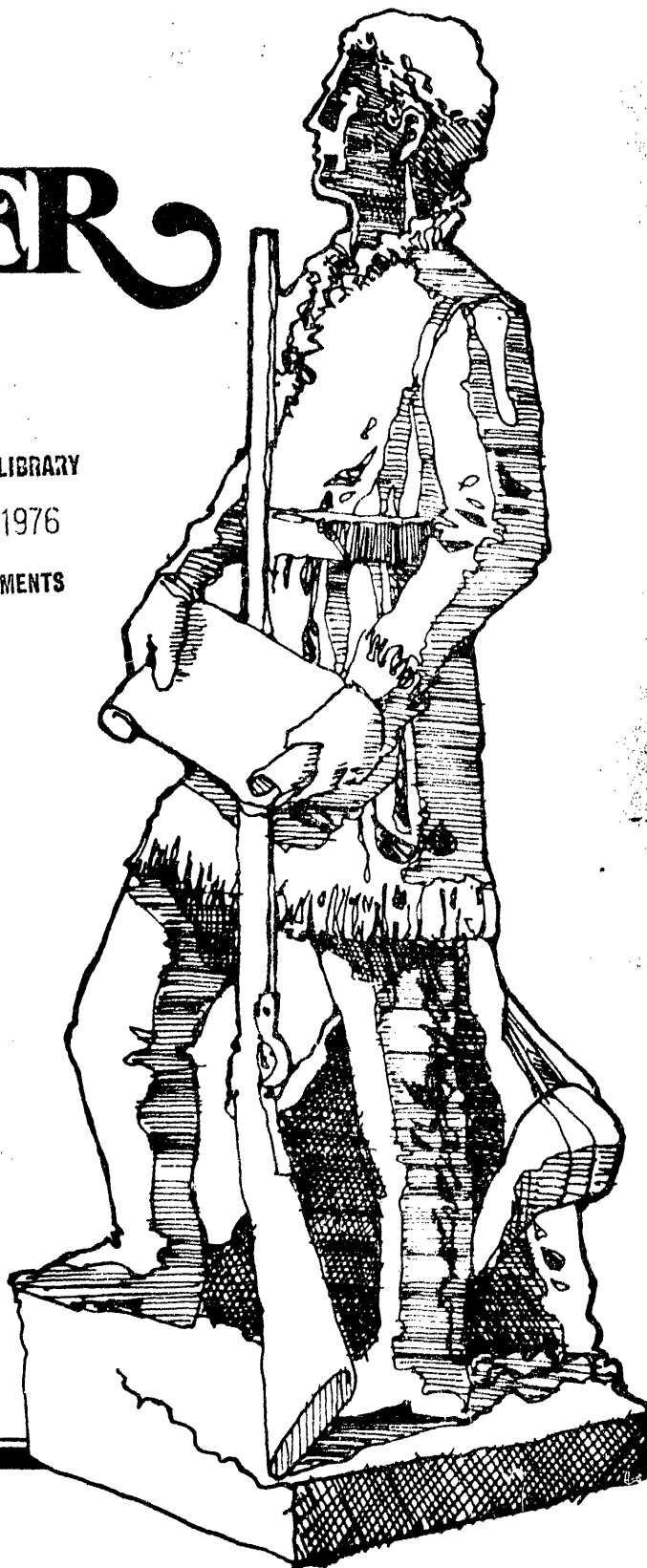
TEXAS DOCUMENTS

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Rules concerning the Work Incentive Program proposed by the State Department of Public Welfare

Personnel administration rules proposed by the State Department of Public Welfare

Examinations rules adopted by the State Board of Insurance



Office of the Secretary of State

NOTES ON THE ISSUE

The Department of Public Welfare is proposing rules to reflect changes in federal policy regarding the Work Incentive Program (WIN) and pregnant women receiving benefits under the Aid to Families with Dependent Children (AFDC) program. Currently all Texas recipients of AFDC must register with the Texas Employment Commission or have an exempt status. Under the provisions of the proposed rules, pregnant women would be included in the category of mothers and other relatives having children in the home under age six. At the same time DPW is proposing rules concerning personnel policies and the limitation on refills for certain prescription drugs.

Requirements and procedures for examination of companies doing business in Texas are adopted by the State Board of Insurance. The rules, originally adopted as emergency rules in February, provide instructions and explanations of board policy relating to the laws and methods for examining valuation and treatment of certain assets.

The Railroad Commission of Texas, in this issue, withdraws proposed amendments to the basic rules of the Liquefied Petroleum Gas Division until further study.

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

Artwork: Gary Thornton

TEXAS REGISTER

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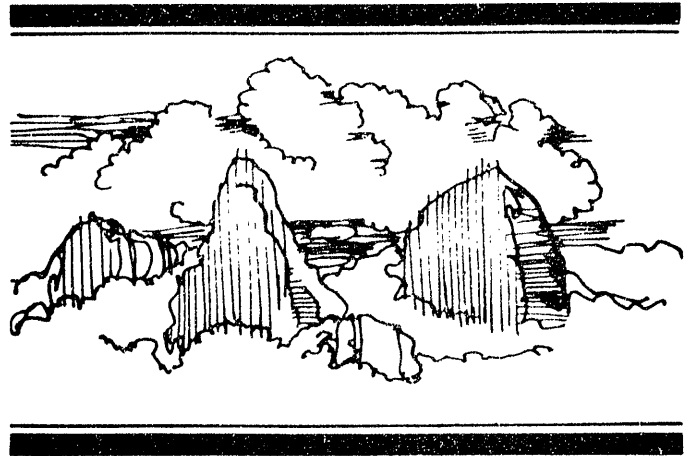
RQ-1438

Request for opinion sent to Attorney General's Opinion Committee by Joseph D. Hawkins, Commissioner of Insurance, Austin.

Summary of Request: Is an Insurance Board examination report of Group Hospital Services, Inc., public under the Open Records Act?

Filed: August 2, 1976, 10:12 a.m.

Doc. No. 764079



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.

State Department of Public Welfare

AFDC

WIN Referral 326.10.52

The State Department of Public Welfare proposes to amend Rules 326.10.52.002-.003, which deal with criteria for exemption of certain Aid to Families with Dependent Children (AFDC) recipients from registration in the Work Incentive Program (WIN).

The U.S. Department of Health, Education, and Welfare has clarified WIN regulations to exempt pregnant women from registration in WIN. The state department proposes to amend its rules as a result of the new federal policy.

Although a pregnant woman is not a mandatory registrant, she must be advised that she may volunteer if she chooses. If she volunteers, she will be appraised, taking into account her employment potential, and given the same priority as other mothers who are required to register.

Rule 326.10.52.003(a)(5) is changed to require that the caretaker must be the person whose presence is required in the home in order to qualify for an exempt status. Also, a paragraph is added to require that it must be the mother or other caretaker relative who is allowed exempt status for a child under six.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 381, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701, within 30 days of the publication of this *Register*.

These amendments are proposed under the authority of Article 695c, Texas Civil Statutes.

.002. *Criteria for Exempt Status.*

(a) The following are exempt from WIN registration:

- (1) certified AFDC children under 16 years of age;
- (2) certified AFDC children 16 and 17 years of age who are attending school fulltime;
- (3) certified children 18 to 21 years of age;
- (4) certified AFDC recipients who are temporarily ill;
- (5) certified AFDC recipients who are incapacitated;
- (6) AFDC recipients who are 65 years of age or older;
- (7) a mother or other relative who has a child or children in the home under age six; **this includes women who are pregnant**;
- (8) AFDC recipients who are required to remain in the home to provide care to another household member who is ill or incapacitated;
- (9) certified AFDC recipients who are residing in a location which is so remote from a WIN project as to render their participation in WIN activities impossible.

(b) Employment or enrollment in other training does not exempt an individual. The only exemptions are those listed above.

(c) Any certified AFDC money grant recipient, with the exception of a child under age 16, who qualifies for one of the above WIN exemptions, may volunteer for registration. A certified recipient who is changed from financial assistance status to medical assistance only is not eligible and may not volunteer for WIN. **If a recipient who is an active participant in WIN becomes a medical assistance only recipient, the financial worker must notify the Texas Employment Commission (TEC)/WIN of the change in status. However, the recipient will be allowed to complete the component of WIN he is in before TEC de-registers him.** [Also, a certified recipient who has been registered for WIN services must be de-registered when he becomes eligible for medical assistance only, since he no longer

meets eligibility requirements for financial assistance under AFDC. When an AFDC grant is denied and a WIN recipient is part of the certified group, TEC/WIN must immediately be notified that the registrant is no longer a recipient of AFDC.]

(d) AFDC caretakers with children under six years of age are encouraged to volunteer to register for WIN. Every AFDC family residing within a WIN project area is provided a thorough description of the benefits the WIN program has to offer.

.003. Determining Validity of Claims of Exemptions.

(a)(5) A mother or other *caretaker* relative of a child under six who is caring for the child. Verification of the fact that there are children in the AFDC home who are under the age of six is based upon the age proof which establishes the child's eligibility for financial assistance. An eligible AFDC caretaker who is providing AFDC Foster Care for children under age six would qualify for exempt status in this category. Only one person in the certified group may be exempt for this reason.

This exemption also applies to pregnant mothers or other caretaker relatives who are caring for children over six years of age. If pregnancy is not obvious, confirmation from a physician or family planning center is acceptable for exemption. Certification or recertification will not be delayed to confirm pregnancy, but it must be acceptably substantiated within the next 60 days. Title XIX benefits are available for examination and prenatal care for certified recipients.

Anyone exempt for this reason must be advised of *her* [his] right to volunteer for the WIN program and of the department's provision for child care.

Issued in Austin, Texas, on August 2, 1976.

Doc. No. 764090 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Proposed Date of Adoption: September 9, 1976

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

Pharmacy Services

Limitations 326.40.09

The State Department of Public Welfare proposes to amend its rule concerning the limitations on refill of drugs. The amendment specifies that Schedule II drugs are not legally refillable and claims are therefore rejected. Schedule II drugs are hard narcotics, especially the opium derivatives.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 400, John H. Reagan Building, Austin, Texas 78701, within 30 days of the publication of this *Register*.

This amendment is proposed under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.004. Refills.

(a) As many as five refills may be authorized by the prescriber, but the total amount authorized must be dispensed within six months of the original prescription. Insulin is no longer exempt from refill limitations and is subject to the same limitations as all other covered drugs. In the absence of specific refill instructions, the prescription shall be interpreted as not refillable. Refills are covered only when filled by the pharmacy where the original prescription was filled.

(b) Schedule II drugs are not legally refillable and claims are therefore rejected.

Issued in Austin, Texas, on August 2, 1976.

Doc. No. 764091 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Proposed Date of Adoption: September 9, 1976

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

Personnel Administration

General Personnel Policies and Procedures 326.73.01

The State Department of Public Welfare proposes to amend Rule 326.73.01.004, which contains the policies and procedures regarding adverse personnel actions against employees.

A requirement has been added to ensure that recommendations for adverse actions and subsequent administrative actions are initiated without delay. Amendments have been made to clarify the conditions under which a supervisor should recommend extended suspension without pay.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 376, John H. Reagan Building, Austin, Texas 78701, within 30 days of the publication of this *Register*.

This amendment is proposed under the authority of Article 695c, Texas Civil Statutes.

.004. Recommendations for Adverse Personnel Actions against Employees.

(a) Supervisors are expected to make certain that employees understand office procedures and work rules and that employees receive assistance in learning job assignments. Employees are expected to fully acquaint themselves with office procedures and work rules and are expected to make every effort to learn job assignments. Failure of an employee to assume responsibility in these areas may result in recommendations for adverse personnel actions.

All recommendations for adverse actions should be processed promptly. Administrative actions following these recommendations, such as approvals or recommended actions or administrative reviews, should be initiated without delay. Procedures to be followed involving such recommendations are described below.

(b) Recommendations to decrease salary, demote, or place on probation. Before a supervisor requests that an employee receive a salary decrease, be demoted, or placed on probation for disciplinary reasons, the supervisor:

(1) holds periodic conferences with the employee to determine problems and agree on steps to be taken to remedy the situation. Documentation of these conferences and agreements are to be in writing and signed, both by the supervisor and employee;

(2) provides supervisory assistance to the employee in an effort to help the employee overcome the problem. The supervisor makes available documentation regarding assistance provided;

(3) routes an adverse recommendation, signed by the employee, in the form of a regular or special performance evaluation through administrative personnel to the regional or division administrator for concurrence before submittal through the regional personnel officer or State Office Personnel Division to the personnel committee;

(4) provides the employee an opportunity to file a complaint and subsequent grievance, if appropriate, or to express an intention not to file.

(c) Temporary suspension without pay for disciplinary reasons.

(1) Violations of departmental policies, procedures, or work rules constitute a basis for possible recommendation to the regional administrator or division administrator for temporary suspension without pay for a minimum of one day but not to exceed five days for each offense.

(2) The decision of the regional administrator or division administrator does not require additional approval. The regional administrator or division administrator is responsible for furnishing to the assistant commissioner for personnel administration a written report regarding the nature of the violation(s), ac-

tion(s) taken in attempting to correct the problem, and final decision regarding temporary suspension.

(3) An employee may not elect to use annual leave, compensatory leave, or substitute leave in lieu of a temporary suspension without pay.

(4) The regional personnel officer or appropriate state office personnel officer is to be immediately notified by the regional administrator or division administrator when a decision is made to temporarily suspend an employee without pay. This is to be done in order that appropriate payroll adjustments can be made.

(d) Extended suspension without pay. An employee may be recommended for extended suspension *without pay* of up to 30 calendar days at a time for *alleged actions which would be grounds for termination. Such alleged actions would include* flagrant violation of departmental policies, disturbance of work areas, commission of a serious offense against the department, or violation of law. *Extended suspension without pay will not be used as a disciplinary action; it is designed to allow time for completion of the investigation of the charge or allegation, for completion of an administrative review and/or grievance, or for the rendering of a final decision by the personnel committee.*

(e) *Listed below are examples of employee actions, which could be possible grounds for extended suspension without pay and/or dismissal.*

[Generally, these actions are of such a nature that they could be grounds for termination. Further, an employee may be suspended under these rules pending the investigation of a charge or allegation which, if true, could result in the employee's dismissal. This list is not intended as an all-inclusive one, but merely a list of examples.] However, these violations may not always lead to a recommendation for extended suspension without pay. Each situation must be reviewed and assessed on its own merits. *Examples:*

- (1) *abuse of clients;*
- (2) *physical assault against a client, member of the community, or fellow employees;*
- (3) *flagrant acts of insubordination;*
- (4) *suspected fraud or theft;*
- (5) *reporting to duty under the influence of alcohol or drugs;*
- (6) *conduct which interferes with the performance of duty or operations of the office of assignment;*
- (7) *falsification of travel records;*
- (8) *intentional misrepresentation of facts on application for employment;*
- (9) *falsification of sign-out records;*
- (10) *knowingly revealing confidential information regarding such things as department records, information, or names;*

(11) participation in political activities prohibited by law;

(12) engaging in dual position and/or activities incompatible with the department's policies.

(f) A supervisor who is recommending *extended suspension without pay* [rather than termination] pending receipt of additional facts, shares written documentation of facts as known at that time with employee. *The recommendation* [This information] is sent through administrative personnel to the regional or division administrator for concurrence [before submittal through the regional personnel officer of State Office Personnel Division to the personnel committee. In cases where the offense is of a nature that requires immediate action, the regional administrator or division administrator may contact the Assistant Commissioner for Personnel Administration, the personnel director, or the appropriate personnel field representative for guidance in expediting the action.] The employee must be provided an opportunity to file a complaint and subsequent grievance, *if eligible*, or to express an intention not to file. *Although an employee may file a complaint, the regional or division administrator may proceed with the request to place the employee on extended suspension without pay.*

(g) *If the employee does not wish to file a complaint, the recommendation is routed to the appropriate personnel officer for submittal to the personnel committee through the personnel director. If the employee does file a complaint, and is eligible and subsequently files a grievance, the matter will be heard by the grievance committee rather than the personnel committee.*

(h) In cases where the offense is of a nature that immediate action is required, the regional or division administrator may contact the Assistant Commissioner for Personnel Administration, the personnel director, or the appropriate personnel field representative for guidance in expediting the action.

(i) *If the review or investigation reveals that the employee is [found] blameless of any wrong-doing [or if the personnel committee finds the employee was suspended in error], the employee will receive full pay and benefits for the period of suspension without pay and will be restored to his or her position with no loss of benefits.*

(j) If the employee is found guilty to the extent that disciplinary measures should be imposed but dismissal is not warranted, a recommendation should be made to restore the employee to the status held prior to suspension. The employee will receive full pay and benefits for the period of suspension. A further recommendation may then be made to impose a disciplinary action. Disciplinary actions recommended may be an involuntary demotion, salary decrease, six months probation, or temporary suspension without pay not to exceed five days, or some combination of these actions.

(k) If the department finds the employee guilty of wrong-doing, a recommendation for dismissal should then be submitted in accordance with procedures for recommending termination of employees.

(l) If a grievance has been filed and no decision has been reached within 25 days after suspension, a written report of the current status of the proceedings and findings is furnished to the *personnel director* [personnel committee]. This is done no later than the *30th* [31st] day and each 30 days thereafter until a final decision is reached.

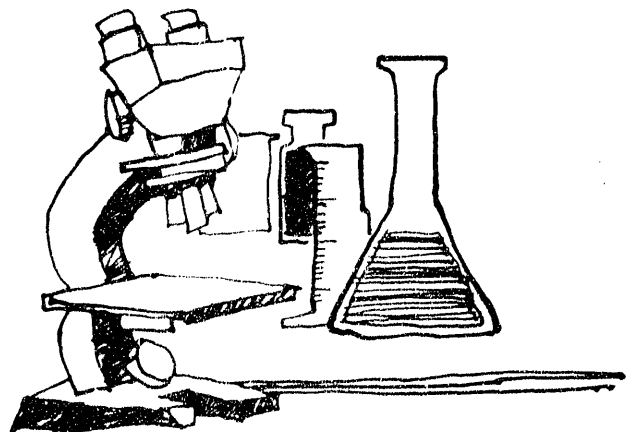
(m) [(e)] Recommendations to terminate employees. Before a supervisor requests that an employee be terminated because of inability to perform the job or because of other work-related problems, the supervisor must determine that the proper steps have been followed. His evaluation is forwarded through administrative personnel to the regional or division administrator for concurrence before submittal through the regional personnel officer or State Office Personnel Division to the personnel committee. If the reasons for recommending dismissal are of a nature that require immediate action, the procedures as outlined in extended suspension without pay are followed. The employee must be provided with an opportunity to file a complaint and subsequent grievance, if appropriate, in accordance with the administrative procedures within the department.

Issued in Austin, Texas, on August 2, 1976.

Doc. No. 764092 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Proposed Date of Adoption: September 9, 1976

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



**Employee Complaints and Grievance
Procedures 326.73.02**

The Department of Public Welfare proposes to amend Rule 326.73.02.004, part (a), which contains policies and procedures for the administrative review processes followed regarding employee complaints and grievances.

This amendment will require an employee to file a complaint within 10 days after an incident has occurred or within 10 days after a supervisory decision has been rendered.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau, 376, John H. Reagan Building, Austin, Texas 78701, within 30 days of publication of this Register.

This amendment is promulgated under the authority of Article 695c, Texas Civil Statutes.

.004. Administrative Review.

(a) If attempts to resolve the complaint between the employee and the supervisor fail, the employee contacts the regional personnel officer for regional employees or a state office personnel officer for state office employees. *A complaint should be presented to the appropriate personnel officer within 10 days after the alleged incident has occurred or within 10 days after a supervisory decision has been rendered.*

This time limitation may be extended if the employee can show that circumstances beyond his or her control prevented his or her filing the complaint. In reviewing the complaint the review officer is responsible for carrying out the following steps:

(1) The review officer interviews the complaining employee and his or her supervisor. In addition, the review officer *may* [is allowed to] interview any other persons who may be able to add to material facts surrounding the complaint.

(2) The complaining employee is the first person interviewed. It is important to establish communication and rapport with the complaining employee. The review officer follows the guidelines in this section and tells the complainant that the case will be investigated as *quickly* [expeditiously] as possible.

Issued in Austin, Texas, on August 2, 1976.

Doc. No. 764093 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Proposed Date of Adoption: September 9, 1976

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

ADOPTED RULES

2214

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.

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State Board of Insurance

Powers and Duties of the Board

Examinations 059.01.15

The State Board of Insurance has adopted Rules 059.01.15.201-220. No formal comments or requests for a hearing in respect of such rules were received.

These rules have been adopted heretofore as emergency rules. They are adopted pursuant to Articles 1.10, 1.15, 1.24, 2.08, 2.10, 3.01, 3.10, 3.25, 3.34, 3.39, 3.40, 4.09, 6.01, 6.02, 6.16, 17.17, 21.21, 21.28-C, 21.39, and 21.46 of the Texas Insurance Code, and Articles 4769, 7064, 7064a, and 8306, Section 28, Vernon's Annotated Texas Statutes. Such rules read as follows:

.201. Scope. These rules are supplementary to and cumulative of existing statutes and rules of the State Board of Insurance which affect the functioning of the Examination Division. In the case of an ambiguity or contradiction between these rules and any statute, the provisions of such statute control.

.202. Savings Clause. Each cause of action, pending litigation, matter in process before the State Board of Insurance or Commissioner of Insurance, or matter hereafter arising from an event occurring prior to the time these rules become effective shall be determined in accordance with and governed by the provisions of statutes, rules, orders, or interpretations of the State Board of Insurance in effect at the time of the occurrence of the subject event; and this rule operates to save the application of such past procedure and law to

any such event from amendment, change, or repeal notwithstanding any provision of these rules or any conflict or ambiguity therein.

.203. Preparation of Tax Returns. Instructions for tax returns by all domestic insurance companies authorized to transact life, accident, and health business in Texas, all foreign and alien life, health, and accident insurance companies, and all insurance companies authorized to transact property and casualty business in Texas are set out below. Further instructions for domestic, foreign, and alien companies, lloyds, reciprocals, and miscellaneous organizations transacting fire and casualty business are attached hereto and incorporated herein by reference. A Texas tax return form to be filled out by domestic, foreign, and alien companies, lloyds, reciprocals, and miscellaneous organizations transacting fire and casualty business is attached hereto and incorporated herein by reference. A Texas tax return form to be filed by domestic, foreign, and alien life, health, and accident companies is attached hereto and incorporated herein by reference. Copies of the instructions contained in this rule and the instructions and forms incorporated herein by reference may be obtained by contacting the Examination Division of the State Board of Insurance. The insurance companies set out above shall follow such instructions and submit such returns as are applicable to them.

Instructions

(1) Supplementary instructions for preparing tax returns for foreign life, accident, and health insurance companies: Subject: Schedule A, Texas Securities and Similar Securities. In accordance with the provisions of Article 4769, Vernon's Texas Civil Statutes, and Article 3.36 of the Texas Insurance Code, each company exercising the privilege of a reduced tax rate must file an itemized list of all securities used for both states in Schedule A of the Texas tax return. This list should be prepared in the same order as enumerated in Schedule A of the Texas tax return, making certain all securities qualify under the provisions of Article 4769, Vernon's Texas Civil Statutes, and Article 3.34 of the Texas Insurance Code. When the portfolio of investments in the annual statement has been reported in even dollars, the same procedure may be followed in furnishing the Schedule of Texas Securities and Similar Securities in Schedule A of the tax return. If the portfolio of investments in the annual statement has been reported in dollars and cents, then the Schedule of Texas Securities and Similar Securities should be reported in the same manner in Schedule A of the tax return. Bonds and debentures are to be reported at amortized or book value, stocks at actual cost, and real estate at market value. When bank deposits are used for a tax reducing item, a schedule of each bank listing the month-end balances for each bank, according to the company's ledger accounts, must be submitted and averaged for the calen-

dar year. The average of the bank balances for the 12-month period is to be entered on line 15, Schedule A of the tax return. All certificates of deposits reported in Schedule D of the annual statement must be averaged for the 12-month period in the schedule of bank balances. Pursuant to Attorney General's Opinion WW-1331, certificates of deposits are considered deposits in banks and must be included when computing Texas Securities and Similar Securities for a reduced tax rate. Savings and loan certificates are acceptable securities and may be entered on line 16, Schedule A of the tax return. A detail of the savings and loan certificates of Share Accounts must be furnished for those investments reflected in Schedule E of the annual statement in a lump sum amount, identifying the savings and loan companies, and the city and state where located. A detailed listing of the policy loans is not required as reported on line 12, Schedule A of the tax return, unless a request is made at a later date. The state of incorporation of a company issuing bonds or stocks determines the state of which such bond or stock is considered a security. *Moody's* and *Standard & Poor's* manuals are used by the Examination Division for determining the state of incorporation. Please note your records to submit this schedule and attach to the tax return when filed.

(2)(A) Supplementary instructions for all insurance companies authorized to transact property and casualty business in Texas: Subject: Procedure for Handling Recoupment of Assessments under the Provisions of Section 15, Article 21.28-C, Property and Casualty Insurance Guaranty Act of the Texas Insurance Code. Each property and casualty insurance company collecting premiums on Texas policies is obligated to pay the total gross premium tax due for the calendar year under the provisions of Article 7064, Vernon's Texas Civil Statutes. The gross remittance tendered in payment of each insurance company's gross premium tax obligation must be made in the individual company name and not in the name of the "group." If the payment is made by "group" check, the state warrant will be issued in the name of the "group" also. Each insurance company participating in the 1975 assessment will receive a State Treasury warrant in the amount equal to 20 percent of each participation assessment provided the gross premium taxes paid for 1975 exceed the amount of the assessment. Such State Treasury warrant is to be issued upon completion of each tax audit. Any insurance company that has withdrawn from the State of Texas will suffer a forfeiture of any amount of recoupment which exceeds the gross premium tax due for the year of withdrawal. When a company has a substantial premium volume reduction, it will be handled on an individual basis.

(B) As already stated, additional instructions to domestic, foreign, and alien companies, lloyds,

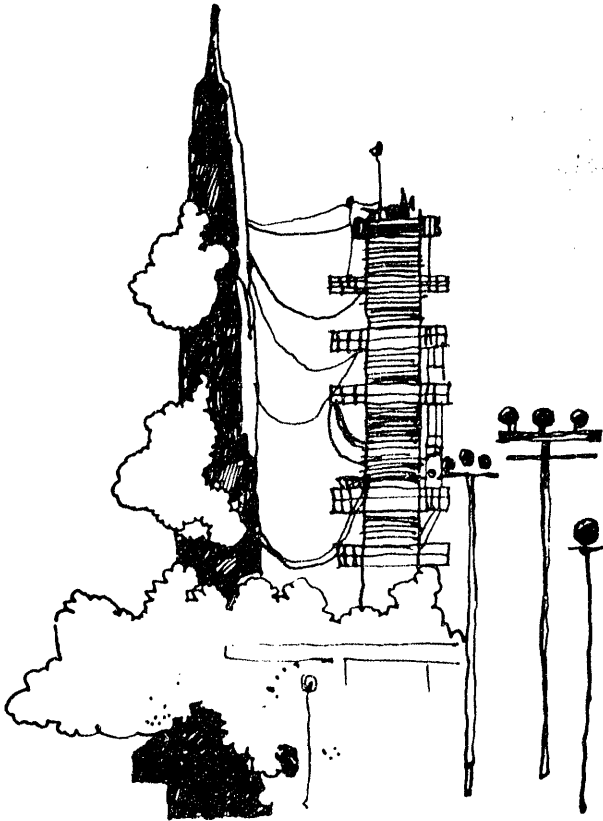
reciprocals, and miscellaneous organizations transacting property and casualty business in Texas for preparing tax returns are attached hereto and incorporated by reference herein.

(3) Notice to all insurance companies authorized to transact property and casualty business in Texas: In keeping with prior experience, the Examination Division has determined that a number of companies did not desire to recover any part of their assessments under the Texas Guaranty Act. This particularly relates to those companies which had refunds or recoveries of token amounts wherein the expense of recording the recovery in their books exceeded the monetary value of recovery. Those companies not desiring to request recovery must endorse the participation receipt and return to Tax Analyst, State Board of Insurance, 1110 San Jacinto Street, Austin, Texas 78786.

.204. *Additional Balance Sheet Liability for Reinsurance on Paid and Unpaid Losses Due from Unauthorized Companies.* Additional balance sheet liability for reinsurance on paid and unpaid losses due from unauthorized companies must be reflected in the annual statements, examination reports, or other statements relative to the financial condition of companies admitted to do business in Texas. As a general rule, the credits allowed under the procedures established in the National Association of Insurance Commissioners' *Manual of Association Examination Practices and Procedures* will include only those instances when the reinsurer is licensed to do business in Texas, where funds are on hand and in absolute control of the ceding company, offsetting accounts are due such reinsurer, or the risks are located in states where the unauthorized reinsurer qualifies in accordance with the provisions of Article 6.16 of the Texas Insurance Code. In the last instance a considerably involved situation would ordinarily arise; therefore, claim for such items thereunder should be allowed only upon the company's assumption of the burden of proof thereof and the Examination Division's complete satisfaction that they have sufficiently proved their contention.

.205. *Instructions for Self-Insurer's-Workmen's Compensation Tax Return.* Tax report instructions for self-insurer's-workmen's compensation tax returns are set out below. A Texas tax return form for self-insurer's-workmen's compensation is attached hereto and incorporated by reference herein. It should be completed and returned to the State Board of Insurance, 1110 San Jacinto Street, Austin, Texas 78786, as outlined in this rule. A report must be completed and returned even though no medical and indemnity costs were incurred during the calendar year. Copies of the instructions contained in this rule and forms incorporated herein by reference may be obtained by contacting the Examination Division of the State Board of Insurance.

Instructions: Under the provisions of Section 28, Article 8306, Vernon's Texas Civil Statutes, all self-insurers under any of the Workmen's Compensation Acts of the State of Texas shall report to the State Board of Insurance the total amount of their medical and indemnity costs for the previous year and pay an amount of tax equal to one-fourth of one percent of the amount of the total medical and indemnity costs for the previous year. Said amount shall be collected at the same time and in the same manner as provided by law for the collection of taxes on gross premiums of such workmen's compensation and insurance carriers. This tax is due and payable annually to the State Board of Insurance on or before the first day of March.



.206. Admissible Assets. This rule is promulgated in reference to Attorney General's Opinion WW-293-A. The position of the State Board of Insurance relative to admissibility of assets is that the portion of any asset not qualifying as a legal investment shall not be admitted. The companies shall further be required to dispose of such inadmissible assets. The companies will not be required to dispose of inadmissible contributed assets.

.207. Discrimination as to Premium Notices to Accident or Health Insurance Policyholders. There shall be no discrimination between individuals of the same class and of essentially the same hazard holding policies or contracts of accident or health insurance as to the notification of such individuals of premiums due or about to become due.

The provisions of Article 21.21, Section 4, Paragraph 7(b) of the Texas Insurance Code, prohibit any discrimination between policyholders as to fees, rates, benefits, terms or conditions, "... or in any other manner whatever."

The discrimination as between policyholders in the expenditure of any company funds for such items as postage, office supplies, clerical salaries, machine and equipment time, etc., or in any other manner concerning the notification of such policyholders of premiums due or about to become due constitutes a violation of Article 21.21.

Therefore, if any company elects to follow the practice of furnishing premium notices to any policyholder, it shall be incumbent upon such company to follow a uniform practice of sending such premium notices to all policyholders. Wherever in the course of an examination the Examination Division finds that a company follows the practice of not sending notices to certain individuals with the apparent intention of bringing about a lapse of the policy by reason of failure of the policyholder to pay his premium within the period required by the contract, it shall accumulate such facts as necessary to show a violation, if any, of Article 21.21. In this connection reference is made to Section 7 of Article 1.10 of the Texas Insurance Code which provides that the State Board of Insurance shall suspend the entire business of any company while it is not in compliance with any provision of the laws relative to insurance.

.208. Unearned Premium Reserve for Inland Marine Insurance. In accordance with Articles 6.02 and 6.12 of the Texas Insurance Code inland marine and inland marine connected transportation coverages of transit or cargo risks will be reserved at 100 percent of the premium charged on unexpired risks. The coverages subject to the 100-percent reserve will ordinarily be identified as coverages written on flat rate bases and without stipulated terms other than expiration limits. All other inland marine coverages will be reserved in accordance with Article 6.01 of the Texas Insurance Code.

.209. Earned Surplus Debentures, Surplus Notes, Income Debentures, and Other Contingent Evidences of Indebtedness. Where in the course of an examination the Examination Division encounters any outstanding forms of indebtedness which are not held to be balance-sheet liabilities by the division, it shall indicate on the

examination report balance sheet by footnote immediately below the capital and surplus section, the amount of such outstanding contingent liabilities stating briefly the rate of interest accruing thereon, the probable due date, and the source from which such liabilities are to be paid.

.210. *Annual Statement Filing Instructions for County Mutual Insurance Companies.* Each county mutual insurance company shall recognize in its annual statement the liability for any outstanding debentures issued under the provisions of Article 17.17 of the Texas Insurance Code to the extent that the assets exceed the outstanding liabilities and the minimum required surplus.

.211. *Certificate or Letter of Representation.* Attached hereto and incorporated herein by reference is a copy of a certificate form or letter of representation to be obtained from the proper company officials during the course of each examination by the Examination Division of the State Board of Insurance. The certificate secured in each examination shall contain all of the information shown in the attached form and may be expanded as necessary in connection with any examination.

A statement shall be made in each examination report that the certificate or letter of representation was received from management during the course of the examination or that such a certificate or letter of representation was requested and management refused to sign such. Comments pertaining to the certificate or letter of representation shall be made in the scope of examination paragraph in legal reserve examination reports and in a general comments or special section in mutual assessment or county mutual examinations. A signed certificate shall be required in each examination regardless of the type of company being examined.

Copies of the form, which is attached and incorporated by reference, may be obtained by contacting the Examination Division of the State Board of Insurance.

.212. *Office Equipment, Furniture, Machines, and Labor-Saving Devices Referred to in Article 3.01 as Admitted Assets.* Commissioner's Order No. 14184 dated August 11, 1963, listed certain requirements of items which could be included as admitted assets under Article 3.01 of the Texas Insurance Code. This rule is supplemental to such order. The items enumerated in Article 3.01 may be admitted only in life insurance companies, local mutual aid associations, local mutual burial associations, statewide mutual assessment corporations, and stipulated premium companies. All other companies may not include these items as admitted assets. Any asset taken for items enumerated in Article 3.01 should be referred to as an "admitted asset" rather than an "investment."

The aggregate assets of both the Mortuary and Expense Funds may be considered as the basis for calculating the five-percent limitation in determining the amount which may be admitted by a company regulated by Chapter 14 of the Texas Insurance Code.

Only equipment, furniture, machines, and labor-saving devices used in the offices could be considered as admissible assets. Motor vehicles, aircraft, other transportation equipment, and any equipment other than that normally construed as office equipment are excluded and should not be admitted.

.213. *Valuation of Subsidiaries.* The Examination Division has in the past and will in the future continue to value securities of controlled, affiliated, or subsidiary companies not engaged in the business of insurance on the valuation procedure as outlined under Section 4(C)(a) and (b) of the December 31, 1969, Valuation of Securities Book published by the Committee on Valuation of Securities of the National Association of Insurance Commissioners. Section 4(C)(a) and (b) is set out as follows:

(4)(C) Securities of Subsidiary, Controlled, or Affiliated Companies not Engaged in the Business of Insurance.

(a) The securities of a subsidiary or controlled company (of an insurance company) not engaged in the business of insurance shall have an Association Value determined on the basis of the value of only such of the assets of such company as would constitute lawful investment for the insurance company, if acquired or held directly by said insurer.

(b) Where a company not engaged in the business of insurance and an insurance company are determined to be affiliated under direct or indirect common control, and the latter owns securities of the former, the committee may in its discretion apply the provisions of (a), above, to such securities.

.214. *Calculation of the Liability for Unrealized Profit on the Sale of Foreclosed Property and/or Home Office Real Estate.* The Examination Division shall utilize formula set out below in the calculation or determination of the liability to be recognized in the financial statements of examination reports and annual statements for unrealized profit on the sale of foreclosed property and/or home office real estate. This formula has been adopted to encourage management to bargain or negotiate for cash down payments, preferably sizeable, in the sale of real property as described above or in the sale of investment real estate. The thrust of the formula is to allow the immediate earning of cash down payments less the expenses directly attributable to the sale of the property.

The formula is as follows:

$$\frac{\text{UNPAID BALANCE OF NOTE(S)}}{\text{THE ORIGINAL AMOUNT OF NOTE(S)}} \times \text{DEFERRED PROFIT AT THE DATE OF SALE}$$

The following schedule reflects examples based upon the hypothetical sale of real estate reflecting a substantial down payment and a lesser down payment:

ASSUMPTION OF SALE OF REAL ESTATE WITH BOOK VALUE OF \$45,000

Selling price		\$100,000
Book value		45,000
Gross Profit		<u>\$ 55,000</u>
Less selling expenses:		
Commission on sale	\$5,000	
Legal fees and miscellaneous expenses	<u>2,500</u>	<u>7,500</u>
Net Profit		<u>\$ 47,500</u>

	<u>Example No. 1</u>	<u>Example No. 2</u>
Selling price	\$100,000	\$100,000
Note receivable	50,000	75,000
Cash Down Payment	<u>\$ 50,000</u>	<u>\$ 25,000</u>
Selling expenses	7,500	7,500
Net Cash Down Payment	<u>\$ 42,500</u>	<u>\$ 17,500</u>
Net profit	\$ 47,500	\$ 47,500
Net cash down	42,500	17,500
Deferred Profit at Date of Sale	<u>\$ 5,000</u>	<u>\$ 30,000</u>

Loan made on December 31, 1973, to be retired at \$10,000 per year plus interest, with first principal payment due December 31, 1974.

DEFERRED PROFIT AT VARIOUS DATES

<u>Dates</u>	<u>Example No. 1</u>	<u>Example No. 2</u>
12/31/73	$\frac{\$50,000}{\$50,000} \times \$5,000 = \$5,000$	$\frac{\$75,000}{\$75,000} \times \$30,000 = \$30,000$
12/31/74	$\frac{\$40,000}{\$50,000} \times \$5,000 = \$4,000$	$\frac{\$65,000}{\$75,000} \times \$30,000 = \$26,000$
12/31/75	$\frac{\$30,000}{\$50,000} \times \$5,000 = \$3,000$	$\frac{\$55,000}{\$75,000} \times \$30,000 = \$22,000$

The above formula shall be applicable to all sales of real estate; provided however, companies shall have the option of adopting the current formula to prior transactions which have been subject to the procedure outlined in Exhibit A which follows the text of this rule. Should companies choose to apply the current formula to a prior transaction, the Examination Division shall allow similar treatment in the examination report. In the latter instance, the Examination Division still has the burden of verifying the factual presentations utilized in the company's decision.

The application of this formula shall be made only after thorough analysis of all written or verbal agreements relative thereto including but not limited to leaseback agreements, repurchase or buy-back agreements, con-

tingent deferred expenses, or other side agreements which have inherent qualities or characteristics which have a material effect on whether the selling transaction is *bona fide*.

Exhibit A: Calculation of the liability for unrealized profit on the sale of foreclosed property and/or home office real estate where a part of the profit is capitalized and will not be recovered until a future date. The formula is as follows:

"Unpaid balance of note" divided by "sale price," multiplied by "net profit" equals "liability for unrealized profit."

The following schedule reflects two examples of the practical application based on a token down payment and the sale without a down payment:

ASSUMPTION OF SALE OF REAL ESTATE WITH BOOK VALUE OF \$45,000

Selling price		\$100,000.00
Book value		45,000.00
Gross Profit		<u>\$ 55,000.00</u>
Less selling costs:		
Commission on sale	\$5,000.00	
Legal fees and miscellaneous charges	<u>2,500.00</u>	<u>7,500.00</u>
Net Profit		<u><u>\$ 47,500.00</u></u>

	<u>Example No. 1</u>	<u>Example No. 2</u>
Cash down payment	\$ 10,000.00	\$ -0-
Original loan retained	90,000.00	100,000.00
Selling Price	<u>\$100,000.00</u>	<u>\$100,000.00</u>

Loan made on December 31, 1964, to be retired at \$10,000 per year plus interest with first principal payment due December 31, 1965.

UNREALIZED PROFIT AT VARIOUS DATES

<u>Date</u>	<u>Example No. 1</u>	<u>Example No. 2</u>
12/31/64	$\frac{\$ 90,000}{\$100,000} \times \$47,500 = \$42,750$	$\frac{\$100,000}{\$100,000} \times \$47,500 = \$47,500$
12/31/65	$\frac{\$ 80,000}{\$100,000} \times \$47,500 = \$38,000$	$\frac{\$ 90,000}{\$100,000} \times \$47,500 = \$42,750$
12/31/69	$\frac{\$ 40,000}{\$100,000} \times \$47,500 = \$19,000$	$\frac{\$ 50,000}{\$100,000} \times \$47,500 = \$23,750$
12/31/72	$\frac{\$ 10,000}{\$100,000} \times \$47,500 = \$ 4,750$	$\frac{\$ 20,000}{\$100,000} \times \$47,500 = \$ 9,500$

.215. *Reporting and Treatment of Mortgage Loans Pledged to Secure Borrowings.* Companies are required to segregate pledged mortgages on their annual statement from other mortgages under an appropriate definitive caption. There will be no necessity for the company to suffer a surplus penalty, providing that other assets are maintained by the company in investments which are sufficient in quantity and grade to cover the statutory requirements for reserve funds, minimum capital, and minimum surplus. Further, if pledged mortgages are admitted in financial statements it will be necessary that the assignments pledging the mortgage not impair the company's rights to foreclose and such assignment fully describes and applies to the debt.

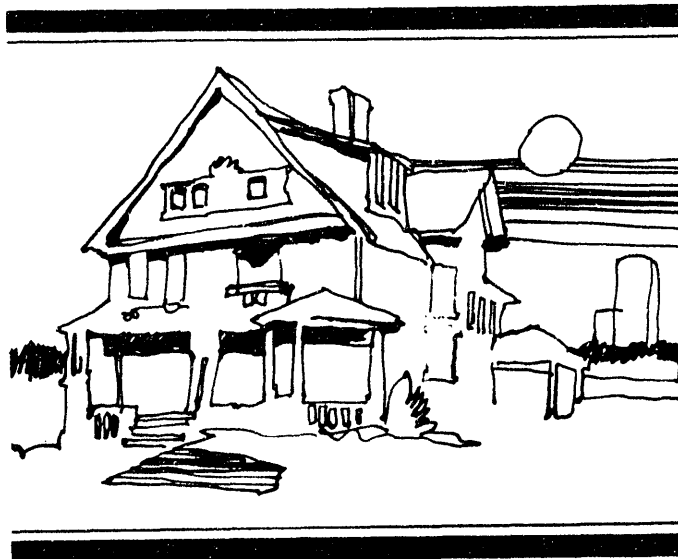
.216. *Annual Credit Insurance Privilege Fee under Articles 4.09 and 3.53, Texas Insurance Code.* Any company intending to issue policies of credit insurance under Articles 4.09 and 3.53 of the Texas Insurance Code during a particular year must send a check for \$500 in payment of the credit insurance privilege fee to the Examination Division during January of that year, or at the time such company first engages during the calendar year in the writing of such credit insurance if such time is later than January. The Examination Division does not invoice for this payment.

.217. *Premium Taxes Provided for under Article 3.25 of the Texas Insurance Code due the State from Companies no Longer Currently Licensed in Texas.* Premium taxes due the State of Texas as provided for under Article 3.25 of the Texas Insurance Code are due from life insurance companies no longer currently licensed in Texas if such companies continue to collect renewal premiums from citizens of this state. Such companies are subject to pay each year the same occupation tax as is imposed by law on companies holding a certificate of authority to transact business in Texas.

Attached hereto and incorporated herein by reference is a form to be completed and returned to the Examination Division prior to March 1 annually along with a check to cover the taxes due. Taxes are subject to retaliatory law, Article 21.46 of the Texas Insurance Code.

.218. *The National Association of Insurance Commissioners' Valuations of Securities Manual.* The National Association of Insurance Commissioners' *Valuations of Securities Manual* has been previously adopted as "rules for the valuation of securities of insurers licensed in Texas" by Board Order No. 3923. Amendments to such manual as they occur were also adopted prospectively. Such board order is hereby amended as set out below:

The National Association of Insurance Commissioners' *Valuations of Securities Manual* as of December 31, 1974, will continue to be used by the Examination Division as proper evidence for the valuation of securities. However, the Examination Division is not bound by the provisions of such manual in cases where board-promulgated or board-adopted rules impose more stringent standards.



.219. *Shares of Stock Held as Investments or as Securities or Collateral Acquired under the "Private Offerings" Provision of the Securities Act of 1933.* This rule requires the president or chief executive officer of each insurance company licensed to conduct business in Texas to furnish the following detailed information for each stock investment, or stock held as collateral for a loan which was acquired as a "private offering," as described in the Federal Securities Act of 1933, where such stock investment or collateral either (1) bears a legend concerning resale of the stock or (2) management has issued an investment letter which cites the intention not to offer the shares of stock for resale:

(A) Give the name of the issuing corporation, the number of shares held, and the date or dates which the investment or investments were acquired.

(B)(1) State the company's original cost per share in the investment or investments.

(2) State whether the transaction was a cash transaction. If not, explain fully the consideration given in the exchange and how value was determined.

(3)(a) State whether the issuing corporation or corporations have outstanding shares of stock that do not bear a legend or were not issued under an investment letter.

(b) If the answer to (3)(a) is in the affirmative, state whether there was a market value available for these securities on the open market on even date with your acquisition or acquisitions. If the answer to (3)(b) was affirmative, furnish the market value per share.

(C)(1) State whether the company owns any other securities from the issuing corporation or corporations noted in (a) above which are not covered by legend or investment letter.

(2) If the answer to (C)(1) above is in the affirmative, describe fully such securities.

(D) Furnish a narrative statement or the exact language describing the limitations or restrictions placed upon the resale of the securities.

.220. *Premium Notes and Other Memoranda or Evidences of Premiums Payable as Admissible Assets of Fire and Casualty Insurance Companies.* Premium notes shall be admissible assets for fire and casualty insurance companies only when they meet the following conditions:

(A) Negotiable Premium Notes (Commissioner's Order No. 15333).

(1) The premium note must be a negotiable instrument (except as provided in Part B below). In other words, it must meet the following requirements:

(a) be in writing and signed by the insured or insureds;

(b) contain an unconditional promise or order to pay a sum certain in money;

(c) must be payable on demand, or at a fixed or determinable future time(s);

(d) must be payable to order or to bearer; and

(e) if the instrument is addressed to a drawee, the drawee must be named or otherwise indicated therein with a reasonable certainty.

(2) The note may contain other provisions not in conflict with the above.

(3) Installment payments must be current according to the conditions recited in the note. An installment will not be considered past due if the payment is received by and deposited by the company in a bank within 30 days after the due date recited in the note.

Premium notes which meet the above requirements shall be admitted as assets in an amount not to exceed the semi-monthly unearned premium of the individual policy related thereto. Premium notes or other memoranda or evidences of premiums payable which do not meet the above requirements shall not be admitted in their entirety.

(B) Non-Negotiable Premium Installments (Commissioner's Order No. 32607). Notwithstanding Part (A) above, certain premium installment agreements shall be recognized as admitted assets even though they are not in the form of negotiable promissory notes.

Non-negotiable premium installment agreements which provide for the payment of the balance of the total policy premium after the policy has become effective and which comply with the requirements set out below should be admitted as assets of insurers. Such requirements are as follows:

(1) The policyholder must have made some agreement in writing, obligating himself to pay a premium to the insurer according to a payment plan offered by the insurer.

(2) The form of the agreement and the insurer's mode of operation must be such that payments cannot be made to producing agents or field representatives, but only to the home office of the insurer.

(3) Installment payments must be current according to the conditions set forth in the payment plan offered by the insurer. An installment will not be considered past due if the payment is received by and deposited by the insurer in a bank within 15 days after the due date recited in the agreement.

(4) The unpaid premium installments shall be admitted as an asset in an amount not to exceed the semi-monthly unearned premium of the individual policy related thereto.

(5) The words "premium installment agreements" include not only formal documents but also applications for insurance, invoices, exchanges of correspondence, etc., which contain an agreement to pay the policy premium in accordance with a premium plan offered by the insurer.

Historical Explanation in Reference to Rule 059.01.15.220: The following is historical material which is felt to be important in understanding certain present policies of the Examination Division of the State Board of Insurance, particularly in reference to Rule 059.01.15.220. It consists of material which was at one time applicable to the functioning of such division, but is no longer in effect. Companies are in no way required to comply with the material contained herein.

Premium Notes and Other Memoranda or Evidences or Premiums Payable:

(A) The following refers to:

(1) A Board Order of February 9, 1956;

(2) Commissioner's Order No. 860 of December 31, 1957;

(3) Examination Division Memo No. 45-ED-11 of February 26, 1958; and

(4) Commissioner's Order No. 2832 of October 21, 1958.

As the Commissioner's Order No. 860 did not treat the matter of the policy holder's signature being required in order to qualify a premium note as an admissible asset, it appears that a number of companies erroneously interpreted that order as a rescission of the Board Order of February 9, 1956, wherein the board specifically es-

established that the policyholder's signature must appear on such note for it to qualify as an admissible asset. Since it appears that those companies followed such interpretation in good faith, notwithstanding the general dissemination of Memo No. 45-ED-11, the commissioner has authorized that premium notes and other memoranda or evidences of premiums payable accepted by a company in good faith in connection with the issuance of the company's own policies after the effective date of Commissioner's Order No. 860 and before the effective date of Commissioner's Order No. 2832 (i.e., calendar year 1958) shall not be not-admitted as an asset solely because of the absence of the signature of the policyholder.

(B) Under date of October 21, 1958, the commissioner issued his Order No. 2832 which revokes his Order No. 860 dated December 31, 1957, effective January 1, 1959. Accordingly, our Memo No. 45-ED-11 concerning premium notes will likewise be ineffective on and after January 1, 1959. A copy of the Commissioner's Order No. 2832 is available upon request. The order clearly sets out the treatment to be accorded premium notes as to their admissibility as assets in a company's balance sheet.

Issued in Austin, Texas, on July 30, 1976.

Doc. No. 764075 Pat Wagner
Deputy Chief Clerk
State Board of Insurance

Effective Date: August 19, 1976

For further information, please call (512) 475-3397.

Railroad Commission of Texas

Liquefied Petroleum Gas Division

Basic Rules 051.05.03

By notice issued in the *Texas Register* on May 25, 1976, the Railroad Commission of Texas announced the proposed amendments to its Liquefied Petroleum Gas Division Basic Rules, namely Rule 051.05.03.023, concerning the design, fabrication, assembly, and method of support of liquefied gas containers approved by the commission.

Pursuant to a hearing held on this matter on June 10, 1976, it was concluded that the matter required further study before further action is taken.

Pursuant to this commission action, the proposed amendment to 051.05.03.023 is withdrawn.

Filed: July 30, 1976, 2:54 p.m.

Doc. No. 764074

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.

State Banking Board Hearing

A hearing before the hearing officer of the State Banking Board will be held on Monday, August 23, 1976, 9 a.m., at 2601 North Lamar, Austin. The domicile change application for Travis Bank and Trust, Austin, to move from 711 West 38th Street to 911 West 38th Street will be considered.

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

Filed: August 5, 1976, 10:34 a.m.
Doc. No. 764141

Hearing

A hearing before the hearing officer of the State Banking Board will be held on Wednesday, August 25, 1976, 9 a.m., at 2601 North Lamar, Austin, to discuss a domicile change application for McAllen State Bank, McAllen, to move from its present location to a location approximately 1-1/2 blocks southeast.

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

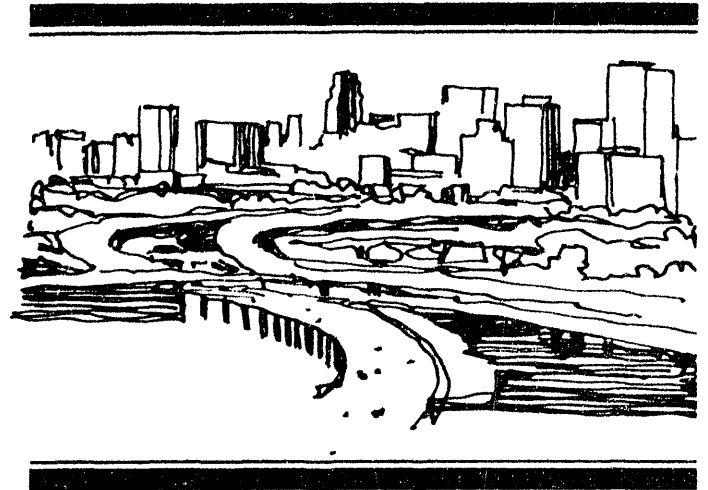
Filed: August 4, 1976, 11:17 a.m.
Doc. No. 764123

Hearing

A hearing before the hearing officer of the State Banking Board will be held on Wednesday, October 6, 1976, 9 a.m., at 2601 North Lamar, Austin, to discuss state bank charter applications for proposed Texas Bank and Trust, Bank of South Texas, and First Security Bank of Brownsville, all three to be located in Brownsville.

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

Filed: August 4, 1976, 11:18 a.m.
Doc. No. 764124



State Commission for the Blind

Meeting

A meeting of the Board of Directors of the State Commission for the Blind will be held on Friday, August 20, 1976, 10 a.m., in Suite 711, 122 North Main Avenue, San Antonio. The agenda includes approval of employees hired since last meeting; personnel data for discussion; placement report on general and MH/MR programs; report of the executive director; and new business.

Additional information may be obtained from Eileen Walker, P.O. Box 12866, Austin, Texas 78711, telephone (512) 474-1901.

Filed: August 2, 1976, 3:35 p.m.
Doc. No. 764087

Texas Coastal and Marine Council

Meeting

A meeting of the Texas Coastal and Marine Council will be held on Friday, August 20, 1976, 1 p.m., at Holiday Inn, 600 Strand, Galveston, to discuss dredging, spoil disposal, and mitigation. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Jenny Hanson, P.O. Box 13407, Austin, Texas 78711, telephone (512) 475-5830.

Filed: August 5, 1976, 10:08 a.m.
Doc. No. 764137

Texas Cosmetology Commission

Meeting

A meeting of the Texas Cosmetology Commission will be held on Monday, August 23, 1976, 9:30 a.m., at the Holiday Inn Central, Dallas. The agenda includes a reading of the proposed changes in the sanitary rulings; recommended changes in temporary licensing; several additions to policies in compliance with the Administrative Procedure and Texas Register Act; discussion of proposed legislation; and two requests from licensees to appear before the commission.

Additional information may be obtained from Ron Resech, 1111 Rio Grande, Austin, Texas 78701, telephone (512) 475-3304.

Filed: August 3, 1976, 11:03 a.m.
Doc. No. 764099

Texas Commission for the Deaf

Meeting

A meeting of the Texas Commission for the Deaf will be held on Saturday, August 14, 1976, 10 a.m., at the Texas School for the Deaf Board Room, 1102 South Con-

gress, Austin, to consider commission program structure; services to the elderly deaf; interpreter fee scale; acceptance of the commission's regulations and policies; and a report on 1978-79 budget proposal.

Additional information may be obtained from Joan Boerger Fowler, P.O. Box 12904, Capitol Station, Austin, Texas 78711, telephone (512) 475-2492.

Filed: August 4, 1976, 3:19 p.m.
Doc. No. 764131

Texas Education Agency

Meeting

A meeting of the Advisory Committee for the Texas Personnel Interchange Program of the Texas Education Agency will be held on Thursday, August 12, 1976, 9 a.m., at the Ramada Inn, 333 Northwest Loop 410, San Antonio. The committee will consider the report on Interchange Program; a report on slide presentation; committee policy; development of recommendations; and recommendations for the commissioner.

Additional information may be obtained from Russell A. Walker, 201 East 11th, Austin, Texas 78701, telephone (512) 475-2268.

Filed: August 2, 1976, 12:12 p.m.
Doc. No. 764081

Employees Retirement System of Texas

Meeting

A meeting of the Board of Trustees of the Employees Retirement System will be held on Monday, August 16, 1976, 10 a.m., at 1705 San Jacinto, Austin, to consider reports on various retirement, death, and disability benefits; budget estimates; certification of state contributions for retirement and group insurance for Fiscal Year 1976-77; investments; statutory distribution of interest; building expansion; uniform group insurance; election of chairman and vice-chairman; and certification of elected members to the Group Insurance Advisory Committee.

Additional information may be obtained from Everett L. Anschutz, P.O. Box 12337, Capitol Station, Austin, Texas 78711, telephone (512) 476-6431.

Filed: August 9, 1976, 11:03 a.m.

Doc. No. 764098

Office of the Governor Meeting

A meeting of the Criminal Justice Division Advisory Board of the Governor's Office will be held on Thursday and Friday, August 12 and 13, 1976, 1 p.m., in Room 618, Stephen F. Austin Building, Austin. The board will consider presentations and reports to the advisory board; will meet as subcommittees; and will reconvene upon completion of subcommittee meetings to discuss action on grant applications, discretionary grant applications, the "1977 Criminal Justice Plan for Texas," and new business. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Willis Whatley, 411 West 13th, Austin, Texas 78701, telephone (512) 475-6065.

Filed: August 4, 1976, 2:11 p.m.

Doc. No. 764132

Texas Health Facilities Commission

Meeting

A meeting of the Texas Health Facilities Commission will be held on Thursday, August 12, 1976, 10 a.m., in Suite 450, One Highland Center, 314 Highland Mall Boulevard, Austin, to consider 12 applications for certificates of need, exemption certificates, and administrative orders. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from William D. Darling, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940.

Filed: August 4, 1976, 11:53 a.m.

Doc. No. 764128

Texas Department of Health Resources

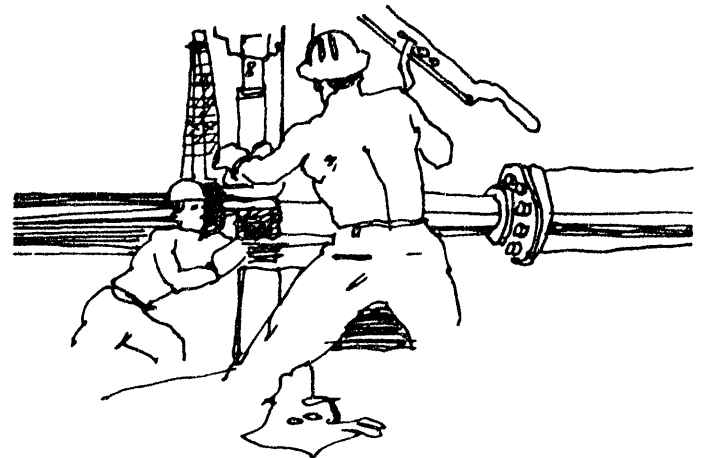
Meeting

A meeting of the Occupational Health and Radiation Control Division of the Texas Department of Health Resources will be held on Saturday, August 14, 1976, 8:30 a.m., in the auditorium, 1100 West 49th Street, Austin. The Radiation Control Branch will discuss the development of proposed changes to the "Texas Regulations for Control of Radiation."

Additional information may be obtained from Martin Wukasch, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 241.

Filed: August 4, 1976, 3:40 p.m.

Doc. No. 764133



Hearings

The Environmental Engineering Division of the Texas Department of Health Resources will consider applications for solid waste disposal sites at hearings to be held at the following times and locations:

Wednesday, August 25, 1976

9 a.m.-- (No. 353) Commissioner's Courtroom, Wood County Courthouse, Quitman; the City of Alba, applying for a site near Alba.

9 a.m.-- (No. 605) Same location as above; the City of Quitman, applying for a site in Quitman.

10 a.m.-- (No. 557) Same location as above; the City of Mineola, applying for a site in Mineola.

Thursday, August 26, 1976

10 a.m.-- (No. 826) Commissioner's Courtroom, Marion County Courthouse, Jefferson; Marion County, applying for a site near Jefferson and Lodi.

Thursday, August 31, 1976

9 a.m.-- (No. 585) County Courtroom, Jim Wells County Courthouse, Alice; the City of Orange Grove, applying for a site near Orange Grove.

9:30 a.m.-- (No. 603) Same location as above; the City of Premont, applying for a site near Premont.

10 a.m.-- (No. 379) Same location as above; Brooks County, applying for a site in Falfurrias.

10:30 a.m.-- (No. 242) Same location as above; Franklin F. Kelly, applying for a site near Sinton.

Wednesday, September 1, 1976

10 a.m.-- (Nos. 713, 714, and 783) County Courtroom, Zapata County Courthouse, Zapata; Zapata County, applying for three sites; two sites near San Ygnacio, and one site near Zapata.

Thursday, September 2, 1976

11 a.m.-- (No. 519) Meeting Room 1, Laredo Civic Center, 2400 San Bernardo Avenue, Laredo; City of Laredo, applying for a municipal solid waste disposal site near Laredo.

Additional information may be obtained from Jack C. Carmichael, 1110 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 258.

Filed: July 30, 1976, 11:17 a.m.

Doc. No. 764062 and 764063

Texas Historical Commission

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Texas Review Board of the Texas Historical Commission held Tuesday, August 3, 1976, 1 p.m., at the Carrington-Covert House, 1511 Colorado, Austin. The addition was made to include Trinity Episcopal Church, Galveston County; Frank Kell Home, Wichita Falls, Wichita County; and City Hall, Houston, Harris County.

Additional information may be obtained from Joe Williams, 1511 Colorado, Austin, Texas 78701, telephone (512) 475-3094.

Filed: August 2, 1976, 3:16 p.m.

Doc. No. 764083

State Board of Insurance Hearings

The following hearings will be held by the Commissioner's Hearing Section of the State Board of Insurance in Room 343, 1110 San Jacinto Street, Austin. Additional information may be obtained from J. C. Thomas, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-4230. The dates and subject matter of the hearings are as follows:

Friday, August 13, 1976, 10 a.m.: application of Bankers Commercial Life Insurance Company, Dallas, for amendment to articles of incorporation increasing capital;

Friday, August 13, 1976, 2 p.m.: application for approval of reinsurance agreement between Hillier Funeral Insurance Company, Bryan (local mutual aid), and Hillier Insurance company, Bryan (stipulated premium company);

Friday, August 13, 1976, 2:15 p.m.: application for approval of reinsurance agreement between Hillier Burial Association, Bryan, and Hillier Insurance Company, Bryan (stipulated premium company);

Monday, August 16, 1976, 2 p.m.: application of H. J. Shands, Jr., for approval of acquisition of American Equitable Life Insurance Company, White Oak, under Section 5, Article 21.49-1;

Monday, August 16, 1976, 2:30 p.m.: application of Diboll Development Company for approval of acquisition of American Equitable Life Insurance Company, White Oak, under Section 5, Article 21.49-1;

Wednesday, August 18, 1976, 10 a.m.: application of Texas Investors Life Insurance Company, Daingerfield, for amendment to articles of incorporation increasing capital;

Wednesday, August 18, 1976, 2 p.m.: application of James H. Evans for approval of acquisition of American Health and Accident Life Insurance Company, Ennis, under Sections 5 and 1.29, Article 21.49-1;

Friday, August 20, 1976, 10 a.m.: application of Home Security Life Insurance Company, Pauls Valley, Oklahoma, for reservation of name-- protested by Home Life Insurance Company and Home Life Insurance Company of Texas;

Wednesday, August 25, 1976, 2 p.m.: application of Transport Insurance Company of Iowa, Des Moines, Iowa (stock casualty company), for admission to Texas;

Wednesday, August 25, 1976, 2:15 p.m.: application for approval of merger agreement between Transport

Insurance Company, Fort Worth (stock fire and casualty company), and Transport Insurance Company of Iowa, Des Moines, Iowa (stock casualty);

Thursday, August 26, 1976, 2 p.m.: application of Mony Reinsurance Corporation, Dover, Delaware (stock fire and casualty company), for admission to Texas;

Tuesday, August 31, 1976, 10 a.m.: application of Lone Star Life Insurance Company, Dallas, for amendment to articles of incorporation increasing capital;

Wednesday, September 1, 1976, 10 a.m.: application for approval of reinsurance agreement between Cooperative Security Life Insurance Company, Tyler (local mutual aid), and New Cooperative Security Life Insurance Company, Tyler (stipulated premium company).

Filed: August 3, 1976, 1:56 p.m.

Doc. No. 764101-764113

Board for Lease of the Texas Library and Historical Commission

Emergency Meeting

An emergency meeting of the Board for Lease of the Texas Library and Historical Commission was held on Tuesday, August 3, 1976, 9:45 a.m., in Room 831, 1700 North Congress, Austin, to consider offering Liberty County lands for oil and gas lease sale.

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

Filed: August 2, 1976, 3:19 p.m.

Doc. No. 764086

Legislative Audit Committee

Meeting

A meeting of the Legislative Audit Committee will be held on Monday, August 16, 1976, 8:30 a.m., in Room 301, State Capitol, Austin, to approve the State Auditor's operating budget for Fiscal Year 1977.

Additional information may be obtained from George W. McNeil, P.O. Box 12067, Austin, Texas 78711, telephone (512) 475-4115.

Filed: August 2, 1976, 3:58 p.m.

Doc. No. 764088

Texas Legislative Council Meeting

A meeting of the Property Tax Study Committee of the Texas Legislative Council will be held Friday through Sunday, August 13-15, 1976, 10 a.m. daily, in the Old Supreme Court Room of the State Capitol, Austin, to discuss assessment and collection.

Additional information may be obtained from Ron Patterson, P.O. Box 12128, Austin, Texas 78711, telephone (512) 475-2736.

Filed: August 4, 1976, 11:18 a.m.

Doc. No. 764125

Legislative Library Board Meeting

A meeting of the Legislative Library Board will be held on Monday, August 16, 1976, 8:45 a.m., in Room 301, Senate Finance Committee Room, State Capitol, Austin, to discuss the appointment of the director and the approval of the operating budget.

Additional information may be obtained from the Legislative Reference Library, P.O. Box 12488, Capitol Station, Austin, Texas 78701, telephone (512) 475-4626.

Filed: August 3, 1976, 9:50 a.m.

Doc. No. 764095

Texas Motor Vehicle Commission

Meeting

A meeting of the Texas Motor Vehicle Commission will be held on Friday, August 20, 1976, 10 a.m., at Suite 914 of the Brown Building, 708 Colorado Street, Austin. The agenda includes a hearing report in Proceeding 68--

consumer complaint of Dennis Ruppert; and a hearing report in Proceeding 67-- protest of application of Northeast Toyota, Universal City, Texas.

Additional information may be obtained from Russell Harding, P.O. Box 13287, Capitol Station, Austin, Texas 78711, telephone (512) 476-3587.

Filed: August 5, 1976, 9:48 a.m.
Doc. No. 764135

Texas National Guard Armory Board

Meeting

A meeting of the Texas National Guard Armory Board will be held on Saturday, August 14, 1976, 1 p.m., in Building 64, Camp Mabry, Austin. The agenda includes consideration of personnel matters; armory and other construction; right-of-way easement; repair and improvements; fiscal matters; and sale of property.

Additional information may be obtained from Harry B. Kelton, West Austin Station, Austin, Texas 78763, telephone (512) 475-5481.

Filed: August 5, 1976, 11:34 a.m.
Doc. No. 764143

Texas Parks and Wildlife Department

Emergency Meeting

An emergency meeting of the Fisheries Division, Environmental Branch, of the Texas Parks and Wildlife Department will be held on Tuesday, August 10, 1976, 2 p.m., in Room 100, John H. Reagan Building, 15th and Congress, Austin. The application of Dow Chemical, U.S.A., to perform maintenance dredging in the Brazos River, Brazoria County, will be considered.

Additional information may be obtained from C. E. Sharp, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-4471.

Filed: August 3, 1976, 10:05 a.m.
Doc. No. 764096

Meeting

A meeting of the Fisheries Division, Environmental Branch, of the Texas Parks and Wildlife Department will be held on Tuesday, August 17, 1976, 2 p.m., in Room 100, John H. Reagan Building, 15th and Congress, Austin, to discuss the application of Fort Bend County for renewal of a permit to remove gravel for county road construction from the Brazos River, Fort Bend County; and the application of Chambco Company for a permit to dredge sand and gravel for commercial purposes from the Brazos River.

Additional information may be obtained from C. E. Sharp, Texas Parks and Wildlife Department, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-4471.

Filed: August 3, 1976, 9:49 a.m.
Doc. No. 764094

Meeting

A meeting of the Administrative Division of the Parks and Wildlife Department will be held on Monday, August 23, 1976, 9 a.m., in Room 100, John H. Reagan Building, Austin, to discuss the proposed repeal and adoption of departmental affirmative action rules (127.60.01.001-.004 and 127.06.01.005-.008).

Additional information may be obtained from Donald L. Brann, Texas Parks and Wildlife Department, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-3074.

Filed: August 5, 1976, 9:48 a.m.
Doc. No. 764134

Board of Pardons and Paroles

Meeting

A meeting of the Board of Pardons and Paroles will be held Monday, Tuesday, Thursday, and Friday, August 16, 17, 19, and 20, 1976, 9 a.m. daily, at 711 Stephen F. Austin Building, Austin. The board will convene to review cases of inmates for parole consideration, to act on emergency reprieve requests and other acts of executive clemency, and to review reports regarding persons on parole.

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

Filed: August 3, 1976, 4:31 p.m.

Doc. No. 764119

Hearing

A hearing by the Board of Pardons and Paroles will be held on Wednesday, August 18, 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, 711 Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3363.

Filed: August 3, 1976, 4:31 p.m.

Doc. No. 764120

Public Utility Commission of Texas

Emergency Meeting

An emergency meeting of the Public Utility Commission of Texas was held on Monday, August 9, 1976, 10 a.m., in Suite 450N, 7800 Shoal Creek, Austin. This meeting was held on an emergency basis due to the need to comply with the statutory time limitations for rendition of final orders set out in Section 16d, Article 6253-13, Vernon's Annotated Civil Statutes. The commission will consider three dockets concerning telephone utilities and two dockets concerning electric utilities. The complete agenda is posted in the East Wing of the State Capitol.

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

Filed: August 4, 1976, 9:27 a.m.

Doc. No. 764121

State Department of Public Welfare

Meeting/Hearings

A meeting of the Advisory Committee on Child Care Facilities of the State Department of Public Welfare will be held on Monday and Tuesday, August 23-24,

1976, beginning at 9:30 a.m. Monday, in Room 2-110, Joe C. Thompson Center, Austin. The agenda includes hearings on the licensing handbook; training for providers and licensing staff; consideration of additional sets of minimum standards needed; changes in existing standards; adoption of Advisory Committee bylaws; and procedures for election of next year's officers. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Jean English, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-7041.

Filed: August 3, 1976, 10:42 a.m.

Doc. No. 764097

Texas Real Estate Commission

Emergency Meeting

An emergency meeting of the Texas Real Estate Commission was held on Monday, August 9, 1976, 10 a.m., in Room 414, Archives and Records Building, Austin. Emergency action was necessary on licensure requirements of telephone solicitors, and the research grant for the Broker-Lawyer Joint Committee.

Additional information may be obtained from D. Carolyn Busch, P.O. Box 12188, Capitol Station, Austin, Texas 78711, telephone (512) 475-4250.

Filed: August 2, 1976, 4:31 p.m.

Doc. No. 764089

Records Preservation Advisory Committee

Meeting

A meeting of the Records Preservation Advisory Committee will be held on Wednesday, August 18, 1976, 2:30 p.m., in Room 205, Lorenzo De Zavala State Archives and Library Building, Austin, to discuss the Open Records Act.

Additional information may be obtained from Jimmy Hausenfluke, P.O. Box 12927, Capitol Station, Austin, Texas 78711, telephone (512) 475-6651.

Filed: August 5, 1976, 9:48 a.m.

Doc. No. 764136

Texas State University System

Meeting

A meeting of the Building Committee of the Board of Regents, Texas State University System, will be held on Thursday, August 12, 1976, 2 p.m., in the Vista Room, Lakeway Inn, Lakeway, to review construction projects and documents.

Additional information may be obtained from Gary Whittle, 505 Sam Houston Building, Austin, Texas 78701, telephone (512) 475-3876.

Filed: August 4, 1976, 3:19 p.m.

Doc. No. 764130

Meeting

A meeting of the Board of Regents of the Texas State University System will be held on Thursday and Friday, August 12 and 13, 1976, 3:30 p.m. and 9 a.m. respectively, in the Vista Room, Lakeway Inn, Lakeway. The board will meet in executive session to review legal and personnel matters, and in open session to consider general business and reports to the board. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Gary Whittle, 505 Sam Houston Building, Austin, Texas 78701, telephone (512) 475-3876.

Filed: August 4, 1976, 3:19 p.m.

Doc. No. 764129

Texas Tech University

Meeting

A meeting of the Board of Regents of Texas Tech University was held on Thursday and Friday, August 5 and 6, 1976, 5 p.m. and 10 a.m., respectively, in the Board of Regents Suite, Administration Building on campus, Lubbock, to discuss reports and action on executive session; Committee of the Whole; academic and student affairs; campus and building; public affairs, development and university relations; finance; athletics; and election of officers for 1976-77.

Additional information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, telephone (806) 742-2161.

Filed: August 2, 1976, 3:17 p.m.

Doc. No. 764085

Texas Tech University School of Medicine

Meeting

A meeting of the Board of Regents of Texas Tech University School of Medicine was held on Thursday and Friday, August 5 and 6, 1976, 5 p.m. and 8:30 a.m., respectively, in the Board of Regents Suite, Administration Building on campus, Lubbock, to discuss reports and action on executive session; academic and student affairs; Campus and Building Committee; Finance Committee; public affairs, development, and university relations; and election of officers for 1976-77.

Additional information may be obtained from Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, telephone (806) 742-2161.

Filed: August 2, 1976, 3:17 p.m.

Doc. No. 764084

Texas Water Quality Board

Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Tuesday, August 31, 1976, 10 a.m., in the Houston-Galveston Area Council Conference Room, 3701 West Alabama, Houston, to consider an application for a permit by Montgomery County Municipal Utility District No. 24, 1811 Houston Natural Gas Building, Houston, Texas 77002. The complete 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: August 3, 1976, 4:04 p.m.

Doc. No. 764114

Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Thursday, September 2, 1976, 10 a.m., in the Council Chamber, City Hall, 212 North Bonner, Tyler, to consider applications for permits by the following: West Cedar Creek Municipal Utility District (Plant No. 1); and Brown-Miller Pickle Company.

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

Filed: August 3, 1976, 4:04 p.m.

Doc. No. 764115

Hearings

Hearings by the Hearings Division of the Texas Water Quality Board will be held on Wednesday, September 8, 1976, 10 a.m., in the San Antonio River Authority Building Conference Room, 100 East Guenther, San Antonio. The agenda includes consideration of an application for an amendment to Permit 10232 by the City of New Braunfels and applications for permits by the following: Southern Living and Leisure, Inc.; South Texas Electric Coop; Brown and Root, Inc; H. B. Zachry Company; Guadalupe-Blanco River Authority. The complete notice is posted in the East Wing of the State Capitol.

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

Filed: August 3, 1976, 4:04 p.m.

Doc. No. 764116

Hearing

A hearing by the Hearings Division of the Texas Water Quality Board will be held on Wednesday, September 8, 1976, 10 a.m., in the Council Chamber, New City Hall, 1212 Avenue M, Huntsville, to consider applications for permits by: Pat D. Cooper (Cooper Properties Apartments); Oak Ridge Water Company (Jungle Village Sewage Treatment Plant); Meyers-Brown Development Company (Stowaway Subdivision Sewage Treatment Plant); and Pineywoods Baptist Encampment. c/o C. H. Whiteside Ana-Lab Corporation.

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

Filed: August 3, 1976, 4:05 p.m.

Doc. No. 764117

Texas Water Rights Commission

Hearing

A hearing by the Texas Water Rights Commission will be held on Tuesday, September 21, 1976, 10 a.m., at the Stephen F. Austin Building, 1700 North Congress, Austin, to consider E. Vern Lane's Application No. 3635; W-N Associates, A Partnership's Application No. 3637; and Capitol Cattle Company's Application No. 3636. The complete notice is posted in the East Wing of the State Capitol.

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

Filed: August 3, 1976, 4:06 p.m.

Doc. No. 764118

Quasi-State Agencies

Meetings Filed August 2, 1976

The Ark-Tex Council of Governments, Executive Committee, met at the Cypress Creek Country Club, Mount Vernon, on August 5, 1976, at 5 p.m. Further information may be obtained from Genevieve Watson, P.O. Box 5307, Texarkana, Texas 75501, telephone (501) 774-3481.

The Ark-Tex Council of Governments, Board of Directors, met at the Cypress Creek Country Club, Mount Vernon, on August 5, 1976, at 7:30 p.m. Further information may be obtained from Genevieve Watson, P.O. Box 5307, Texarkana, Texas 75501, telephone (501) 774-3481.

The East Texas Council of Governments, Executive Committee, met in the Blue Room, Allied Citizens Bank Building, Kilgore, on August 5, 1976, at 7 p.m. Further information may be obtained from Don R. Edmonds, 5th floor, Citizens Bank Building, Kilgore, Texas 75662, telephone (214) 984-8641.

The Education Service Center Region IX, Joint Committee, met in the Clipper Room, 1212 Broad, Wichita Falls, on August 5, 1976, at 10 a.m. Further information may be obtained from H. M. Fullerton, 3014 Old Seymour Road, Wichita Falls, Texas 76309, telephone (817) 322-6928.

The Education Service Center Region IX, Board of Directors, met in the Clipper Room, 1212 Broad, Wichita Falls, on August 5, 1976, at 1:15 p.m. Further information may be obtained from H. M. Fullerton, 3014 Old Seymour Road, Wichita Falls, Texas 76309, telephone (817) 322-6928.

Doc. No. 764082

Meetings Filed August 3, 1976

The Deep East Texas Council of Governments, Aging Advisory Council, will meet at Angelina College, Science Building, Lufkin, on August 10, 1976, at 1:30 p.m. Further information may be obtained from Martha Jones, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Brazos Valley MH/MR Center, Board of Trustees, will meet at the Brazos County Courthouse, Bryan, on August 10, 1976, at 5 p.m. Further information may be obtained from Norman L. Beal, 202 East 27th, Bryan, Texas 77801, telephone (713) 779-6467.

The West Central Texas Municipal Water District, Board of Directors, will meet at the WCTMWD Conference Room, Third Floor, 174 Cypress, Abilene, on August 17, 1976, 9:30 a.m. Further information may be obtained from Victor Jaeggli, Box 2362, 174 Cypress, Abilene, Texas 79604, telephone (915) 673-8254.

Doc. No. 764100

Meetings Filed August 4, 1976

The Deep East Texas Council of Governments, Alcohol/Drug Abuse Advisory Committee, will meet in the Harvest Room, Lufkin Federal Savings and Loan Association, Lufkin, on August 16, 1976, at 7 p.m. Further information may be obtained from Gary Butler, P.O. Box 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Education Service Center Region XIV, Board of Directors, will meet at 3001 North 3rd, Abilene, on August 12, 1976, at 3 p.m. Further information may be obtained from Dr. Thomas Lawrence, P.O. Box 3258, Abilene, Texas 79604, telephone (915) 677-2911.

The Harris County W.C.I.D. No. 76, Board of Directors, met at 12203 Frazier River Drive, Houston, on August 9, 1976, at 7:30 p.m. Further information may be obtained from James O. Benton, Jr., 1114 Thornton Road, Houston, Texas 77018.

The West Texas Council of Governments, Advisory Committee on Rural Affairs, will meet at the Alpine City Hall, Alpine, on August 11, 1976, at 2 p.m. Further information may be obtained from E. Ray Hill, 1200 North Mesa, El Paso, Texas 79902, telephone (915) 544-3827.

Doc. No. 764122

Meetings Filed August 5, 1976

The Middle Rio Grande Development Council, Regional Alcoholism and Drug Abuse Advisory Committee, will meet at Uvalde City Hall, Uvalde, on August 12, 1976, at 10 a.m. Further information may be obtained from Richard P. Thomas, Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

The Education Service Center Region VIII, Board of Directors and Joint Committee, will meet in Rick's Restaurant, Highway 271 North, Mount Pleasant, on August 25, 1976, at 6:30 p.m. Further information may be obtained from Thomas Carney, 100 North Riddle, Mount Pleasant, Texas 75455, telephone (214) 572-6676.

Doc. No. 764142

General Land Office Texas Coastal Management Program Public Hearings

The Texas Coastal Management Program, led by the General Land Office, is holding a series of public hearings starting August 9, 1976. Preliminary recommendations for changes in the current coastal management process will be discussed.

Although notice of these public hearings was published in the *Texas Register* on July 6 and July 9 of this year, the following schedule is a reminder to interested citizens of the dates and locations of the hearings. All hearings will begin at 9 a.m.

Wednesday, August 11, 1976, Holiday Inn-Emerald Beach, 1102 South Shoreline, Corpus Christi

Friday, August 13, 1976, Victoria Bank and Trust, 120 South Main Street, Victoria

Monday, August 16, 1976, Service Center, 2105 Avenue M, Bay City

Wednesday, August 18, 1976, Marriott Motor Hotel, 2100 South Braeswood and Greenbriar, Houston

Friday, August 20, 1976, County Courthouse, Jury Assembly Room, 722 Moody, Galveston

Monday, August 23, 1976, Red Carpet Inn, 55 Interstate 10 North, Beaumont

Wednesday, August 25, 1976, Marriott Motor Hotel, 2101 Stemmons Freeway, Dallas

Monday, August 30, 1976, El Tropicano Hotel, 110 Lexington Avenue, San Antonio

Wednesday, September 1, 1976, Stephen F. Austin Building, Room 118, 1700 North Congress, Austin

For further information, contact Gary Catron, General Land Office, 1700 North Congress, Austin, Texas 78701, telephone (512) 475-6902.

Issued in Austin, Texas, on July 30, 1976.

Doc. No. 764049 Bob Armstrong
 Commissioner
 General Land Office

Filed: July 30, 1976, 10:48 a.m.

For further information, please call (512) 475-6092.

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, exemption certificates, or administrative orders received during the period of July 27, 1976-August 2, 1976, and others not previously posted.

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, declaratory ruling, or administrative order must meet the minimum criteria set out in Rule 315.07.01.001(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 Rules 315.07.01.001, 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.

Heritage Manor Nursing Home, Plano
AN76-0728-001

EC-- Change in level of care of 75 ICF-III beds to Skilled in 150 bed facility

Colonial Convalescent and Nursing Home, Nixon
AN76-0730-010

EC-- Construction of office and dining area additions

Mesquite Community Hospital, Mesquite
AH75-0627-003-E

AO-- Extension of 6.02 Exemption Certificate development deadline for project to construct new 120-bed acute care general hospital

Texoma Regional MH/MR Center, Denison
AA76-0712-002

EC-- Renovation of leased building and transfer of administrative services thereto

Twilight Home, Corsicana
AN76-0802-011

EC-- Construction of chapel/auditorium and storage area

Eldridge Memorial Hospital, Sugarland
AH75-1010-007-E

AO-- Extension on 3.02(a)(4) Exemption Certificate deadline for project to construct 142-bed replacement hospital facility

St. Luke's Episcopal and Texas Children's Hospitals, Houston
AH76-0802-007

EC-- Purchase of automatic chest unit with processor for chest radiography

Texas Department of MH/MR for Genetics Screening and Counseling Center, Denton
AA76-0729-001

DR-- Establishment of a one-day monthly clinic in Paris

Texas Healthcare Facilities, Inc., Dallas
AN76-0619-010-E

AO-- Six-month extension on 6.02 Exemption Certificate development deadline for application to construct 240-bed nursing home

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

Doc. No. 764127 William D. Darling
General Counsel
Texas Health Facilities
Commission

Filed: August 4, 1976, 11:53 a.m.

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

Certificate of Need Re-Hearings

August, 1976

Humana of Texas, Inc., One Riverfront Plaza, Louisville, Kentucky 40201, owner of Medical City Dallas Hospital (AH76-0203-011) is scheduled to appear at a re-hearing at 1:30 p.m. on August 18, 1976, in the offices of the Texas Health Facilities Commission for a certificate of need to purchase a computerized axial tomographic whole body scanner.

Home Help Care, Inc., 11613 January Drive, Austin, Texas 78753, (AS75-1104-012) is scheduled to appear at a re-hearing at 1:30 p.m. on August 23, 1976, in the offices of the Texas Health Facilities Commission, Suite 450, One Highland Center, Austin, to petition the commission for a certificate of need to acquire a computerized axial tomographic whole body scanner.

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

Doc. No. 764126 William D. Darling
General Counsel
Texas Health Facilities
Commission

Filed: August 4, 1976, 11:53 a.m.

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

Texas Register

Correction of Error

Section (a) of Proposed Rule 339.01.00.022 of the *Merit System Council*, published in the August 3, 1976, issue of the *Texas Register* (Volume 1, Number 60, page 2151), contained a typographical error. A comma was omitted between the words "employee" and "representation" in the last sentence of that section. The sentence should read: The term "labor organization" means any organization of any kind, or any agency or employee, representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with one or more employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.