

500.6

1263

437

FILE COPY

Volume 2, Number 37, May 10, 1977

Pages 1789 - 1849

TEXAS REGISTER

In This Issue...

Final installment of adopted Texas Education Agency accreditation rules

AFDC amendments proposed by the State Department of Public Welfare

Food Stamp rules adopted by the State Department of Public Welfare

Proposed Teacher Retirement System rule on petitions for the adoption of rules

Legislative report



TEXAS STATE LIBRARY

MAY 9 1977

TEXAS DOCUMENTS

Office of the Secretary of State

USPS Publication Number 120090

NOTES ON THE ISSUE

1790

The third and final installment of the Texas Education Agency's adopted Planning and Evaluation rules is published in this issue. The rules set new principles, standards, and procedures for the accreditation of school districts. Rules published in this issue cover such topics as approved subjects and courses, requirements for high school graduation, and assignment of teachers.

The Teacher Retirement System is proposing a rule concerning procedures to be followed in petitioning the agency to adopt rules or hold public hearings. Under the Administrative Procedure and Texas Register Act, interested citizens may participate in the administrative process through means such as these.

The Legislature section of this issue contains a list of all bills signed by the governor through April 25. New lists will be published as bills are signed and a cumulative list will be published after the legislative session adjourns.

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

Artwork: Gary Thornton

TEXAS REGISTER

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

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

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

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



Mark White
Secretary of State

Texas Register Division

Bill Lalla, Director

Tommy Denton
Annie Fitzpatrick
Mary Barrow

Linda Camp
Bobby Duncan
Terry Foster

Anne Lewis
Jan Justice
Pam Fridrich

Proposed Rules

- Texas Education Agency
 - 1792 *State Commissioner of Education*
- State Department of Public Welfare
 - 1792 *AFDC*
 - 1793 *Child Welfare Services*
- Railroad Commission of Texas
 - 1793 *Gas Utilities Division*
- Teacher Retirement System of Texas
 - 1794 *Administrative Procedures*

Adopted Rules

- Comptroller of Public Accounts
 - 1797 *Tax Administration*
- Texas Education Agency
 - 1797 *Planning and Evaluation*
- Texas State Board of Examiners of Psychologists
 - 1806 *Applications*
- State Department of Public Welfare
 - 1807 *General Information*
 - 1807 *Food Stamps*
 - 1810 *Medical Assistance in State Institutions*
 - 1810 *Pharmacy Services*
- Railroad Commission of Texas
 - 1812 *Transportation Division*

The Legislature

- Legislative Report
 - 1814 *Consumer Affairs*
 - 1814 *Education*
 - 1814 *Energy*
 - 1814 *Environment*
 - 1814 *Government Administration*
 - 1814 *Tax*
- House of Representatives
 - 1815 *Bills Introduced*
- Senate
 - 1815 *Bills Introduced*
- Legislation Signed
 - 1816 *Chronological List*
- Bill Status
 - 1819 *House of Representatives*
 - 1828 *Senate*

Open Meetings

- 1835 *State Commission for the Blind*
- 1835 *Coordinating Board, Texas College and University System*
- 1835 *Texas Education Agency*
- 1836 *Employees Retirement System of Texas*
- 1836 *Finance Commission of Texas*
- 1836 *Good Neighbor Commission of Texas*
- 1837 *Office of the Governor*
- 1837 *Texas Health Facilities Commission*
- 1838 *Texas Historical Commission*
- 1838 *State Board of Insurance*
- 1839 *Governor's Special Advisor on Natural Resources*
- 1839 *Texas Organized Crime Prevention Council*
- 1839 *Board of Pardons and Paroles*
- 1840 *Texas Parks and Wildlife Department*
- 1840 *Proprietary School Advisory Commission*
- 1840 *Public Utility Commission of Texas*
- 1841 *Texas Water Development Board*
- 1841 *Texas Water Quality Board*
- 1841 *Texas Water Rights Commission*
- 1842 *West Texas State University*
- 1842 *Quasi-State Agencies*

In Addition

- Comptroller of Public Accounts
 - 1844 *Administrative Decisions*
- Governor's Energy Advisory Council
 - 1844 *Energy Policy Monitor*
- Texas Court of Military Appeals
 - 1844 *Rules of Practice and Procedure*
- Railroad Commission of Texas
 - 1847 *Extension of Time for Filing Comments on Proposed Regulation*
 - 1847 *Oil and Gas Division*
- Texas Register
 - 1848 *Correction of Error*
 - 1849 *Publication Schedule*
 - 1849 *Publication Schedule Change*

PROPOSED RULES

1792

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

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

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

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



Texas Education Agency State Commissioner of Education

Adoptions by Reference: General 226.13.90

The Texas Education Agency proposes to amend Rule 226.13.90.020, the permanent adoption by reference of *School District Data Submission to the Texas Education Agency*, Bulletin No. 742. The bulletin has been updated.

A copy of the updated manual is available for examination. Public comment on the proposed amendment to Rule 226.13.90.020 is invited. Comments may be sub-

mitted by telephoning the office of Dr. J. B. Morgan, Associate Commissioner for Policies and Services, at (512) 475-7077, or by writing to him at 201 East 11th Street, Austin, Texas 78701.

This amendment is proposed under the authority of Section 11.52(d), Texas Education Code.

.020. *School District Data Submission to the Texas Education Agency*, Bulletin No. 742. The rules for data submission to the Texas Education Agency are described in the official Texas Education Agency Bulletin, *School District Data Submission to the Texas Education Agency*, Bulletin No. 742, as amended April (March), 1977, which is adopted by this reference as the agency's official rule. A copy is available for examination during regular office hours, 8 a.m. to 5 p.m., except for holidays, Saturdays, and Sundays, at the Texas Education Agency (headquarters) Building, 201 East 11th Street, Austin, Texas.

Issued in Austin, Texas, on May 3, 1977.

Doc No 772216 M. L. Brockett
Commissioner of Education

Proposed Date of Adoption June 9, 1977

For further information, please call (512) 475-7077.

State Department of Public Welfare

AFDC

Process 326.10.71

The Department of Public Welfare proposes to amend Section (b) of its rule about the applicant's statement form in the Aid to Families with Dependent Children (AFDC) Program.

The applicant's statement form provides the department with information on which to base a determination of eligibility for AFDC. This signed application serves as a legal document which signifies the date and the intent of the individual to apply for AFDC. The amendment to the following rule changes current policy to indicate that the same applicant's statement form used to determine AFDC eligibility is also used to determine public assistance (PA) food stamp eligibility. This will reduce the number of forms to be filled out by the applicant.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 212, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701, within 30 days of publication in this *Register*.

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

.001. Applicant's Statement Form.

(b) A signed application on a department form is necessary to provide a legal document *that* [which] clearly signifies the date and the intent of the individual to apply for AFDC. This form advises the applicant of his *or her* rights and responsibilities, puts him *or her* on notice that he *or she* is liable for the accuracy of the information he *or she* provides and serves as a document that may be introduced in court when fraud *allegedly* has been committed. It also provides the department *with* information on which to base an accurate determination of eligibility. *The application used to determine AFDC eligibility is also used to determine PA food stamp eligibility.* [A food stamp program affidavit form will be sent to the applicant/recipient each time an applicant's statement form is sent. It serves as an application form and periodic and special review form for food stamp participation by AFDC households.]

Doc No 772181

Child Welfare Services

Protective Services for Children 326.50.72

The Department of Public Welfare (DPW) proposes to amend Section (a) of the following rule about children in need of protective services. The department is responsible for investigating all reports of children in need of protection and providing protection for those children requiring it.

This amendment clarifies that, under federal regulations, when a financial services worker becomes aware of an Aid to Families with Dependent Children (AFDC) case in which a child may be the victim of abuse, neglect, or exploitation, the worker must notify appropriate social services staff.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 197, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701, within 30 days of publication in this *Register*.

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

.005. Clarification of Complaint or Report of Children in Need of Protective Services.

(a) The complaint or report of a child in need of protective services can come from any source through any media. *State law requires the reporting by any person of suspected abuse, neglect, or exploitation of a child. Federal regulations specify that financial services staff must refer suspected abuse, neglect, or exploitation of a child in an AFDC case to appropriate social services staff.* The complainant should make an oral report immediately upon learning of a child in need of protection. [The Notification of Suspected Child Neglect or Abuse form is available for use as a written report to the department for those who wish to use it.]

Issued in Austin, Texas, on May 2, 1977.

Doc No 772203 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Proposed Date of Adoption June 9, 1977

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

Railroad Commission of Texas

Gas Utilities Division

Special Rules of Practice and Procedure and Substantive Rules 051.04.02

The Gas Utilities Division of the Railroad Commission of Texas is proposing to amend Rule 051.04.02.045. The purpose of the amendment is to delete publication of notice of rate hearing in the *Texas Register* and to provide for an additional length of time for notice in the event the notice of hearing is served by mail. Further, there is the elimination of publication of notices of hearings on rulemaking proceedings in the *Texas Register* and requiring interested parties to request being put on the service list for any hearings to be had on the proposed rule.

Public comment on amended Rule 051.04.02.045 is invited. Persons should submit their comments in writing to Joseph J. Piotrowski, Jr., Acting Director, Gas Utilities Division, Railroad Commission of Texas, P.O. Box 11967, Capitol Station, Austin, Texas 78711. Comments will be accepted for 30 days after publication in *Texas Register*.

This amendment of Rule 051.04.02.045 is proposed pursuant to Article 1446c (Supplement 1976) and Article

6050 *et seq.* (1962), Texas Revised Civil Statutes Annotated.

.045. Publication of Notice.

(a) *Service of notice in all proceedings: for purposes of computing the 10-day minimum for notice of hearing, three days shall be added to that period when the notice is served on the parties by mail. The mailing must be by registered or certified mail prepaid, addressed to the party's last known mailing address. There shall be a presumption of receipt of the mailed notice provided, however, that the party may offer proof of failure to receive notice within the allowed three day period. The minimum 10-day period shall begin on the fourth day after mailing and end on the 14th day after mailing.*

[(a)](b) Rate setting proceedings:

(1) In all rate proceedings, whether the commission has original or appellate jurisdiction, notice shall be given in the following ways:

[(A)] Publication by the Gas Utilities Division in the *Register* at least 10 days prior to the hearing date.]

(A) Publication in the Gas Utilities Division Bulletin by publishing twice monthly notice of all applications by which proceedings have been instituted before the division since the last previous publication of notices in the bulletin.

(B) *Service on the parties by mail as provided in Section (a) above.*

(2) *In addition to the notice required in Rule 051.04.02.045(b)(a)(1), above, notice shall also be given in rate proceedings involving only the commission's original jurisdiction in the following ways:*

(A) When the applicant furnishes a copy of its intent to change rates with the Gas Utilities Division, it shall also publish a statement of intent to change rates in conspicuous form and place once each week for four consecutive weeks in a newspaper having general circulation in each county containing territory affected by the proposed change. The statement of intent to change rates shall state the percentage increase in gross revenue that the utility expects the requested rate schedule to furnish as opposed to that furnished by the existing rate schedule.

(B) The applicant shall mail or deliver a copy of the proposed rate schedule to the appropriate officer of each affected municipality. The Gas Utilities Division may also require that notice be mailed or delivered to other affected persons or agencies.

(3) In addition to the notice required in Rule 051.04.01.045(b)(a)(1) above, notice shall also be given in rate proceedings involving only the commission appellate jurisdiction by serving all parties in the original rate proceeding.

[(b)](c) Rulemaking proceedings: In rulemaking proceedings, notice shall be given in the following ways:

[(1)] Publication by the Gas Utilities Division in the *Register* at least 30 days prior to the hearing date.]

(1) *Prior to the adoption of a proposed rule, 30 days' notice of intended action on the proposed rule shall be given by publication in the Texas Register pursuant to Article 6252A, Section 5 (Supplement 1976), Texas Revised Civil Statutes Annotated. Such notice shall be deemed to put interested parties on notice to inquire as to the hearing date on the proposed rule, if any, and to request being placed on the service list for any hearing which may be called in connection with the proposed rule.*

(2) The Gas Utilities Division shall mail notice to all persons who have made timely written requests of the commission for advance notice of its rulemaking proceedings.

(3) Publication in the Gas Utilities Division Bulletin by publishing twice monthly notice of all applications by which proceedings have been instituted before the division since the last previous publication of notices in the bulletin.

(4) The Gas Utilities Division may require the applicant to mail or deliver notice to other affected persons or agencies.

[(c)](d) Proceedings other than rate setting or rulemaking proceedings: In proceedings other than rate setting or rulemaking, notice shall be given in the following ways:

(1) Publication by the Gas Utilities Division in the *Register* at least 10 days prior to the hearing date.

(2) Publication in the Gas Utilities Division Bulletin by publishing twice monthly notice of all applications by which proceedings have been instituted before the division since the last previous publication of notices in the bulletin.

(3) The Gas Utilities Division may require the applicant to mail or deliver notice to other affected persons or agencies.

Issued in Austin, Texas, on May 2, 1977.

Doc No 772218 Joseph J. Piotrowski, Jr.
Gas Utilities Division
Railroad Commission of Texas

Proposed Date of Adoption June 9, 1977

For further information please call (512) 475-2747.

Teacher Retirement System of Texas

Administrative Procedures
334.02.00.004

The Teacher Retirement System is proposing a new rule to establish the procedures for petitioning the

system to adopt rules. Petition may be made informally or by formal written request to the executive secretary. The decision of the executive secretary on a formal request may be appealed to the State Board of Trustees of the retirement system.

The proposed rule would also establish procedures for requesting and conducting a public hearing on any proposed substantive rule. Views and arguments on proposed rules may be submitted informally or a hearing may be formally requested in writing by specified persons and groups.

Public comment on Proposed Rule 334.02.00.004 is invited. Persons should submit their comments in writing to Leonard Prewitt, Executive Secretary, Teacher Retirement System of Texas, 1001 Trinity, Austin, Texas 78701. Comments will be accepted until June 10, 1977.

This rule is promulgated under the authority of Section 3.59(i) of the Texas Education Code.

.004. Public Participation in Adoption of Rules.

(a) "Interested person" means any member of the Teacher Retirement System; any beneficiary of a member; any retiree of the Teacher Retirement System; any guardian, administrator, or executor of a member, retiree, or beneficiary; or any public school.

(b) Any interested person may informally request adoption of a rule by correspondence or conference with TRS staff members. If satisfactory results cannot be achieved in this manner, any interested person may petition the Teacher Retirement System to adopt, amend, or repeal a rule by filing a clear, written request to initiate rule-making procedures with the executive secretary. The petition shall set forth the exact text of the proposed rule and the petitioner's name and address, and the name, business address, and telephone number of petitioner's counsel, if any. The petition may also include written documents in support of the petition.

(c) The executive secretary shall grant or deny the petition within 60 days of its receipt. The executive secretary may consult informally with staff members and the petitioner in reaching a decision. The petition may be amended with consent of the petitioner at any time before a final decision is rendered.

(1) Upon granting the petition in writing, the executive secretary shall initiate rule-making proceedings pursuant to the Administrative Procedure and Texas Register Act and the rules and regulations of the Teacher Retirement System.

(2) Denial of the petition by the executive secretary, and reasons therefor, shall be in writing. The petitioner may appeal this decision to the board of trustees provided that a written notice of appeal is filed with the executive secretary within 10 days after the

decision of the executive secretary is issued. If no such notice of appeal is timely filed, or if the next regularly scheduled meeting of the board of trustees will occur more than 60 days after receipt of the petition by the executive secretary, and the petitioner is unwilling to waive the deadline for a final decision until that meeting, the decision of the executive secretary shall be the final decision of TRS. The final decision of the board shall be based on the written petition and written decision of the executive secretary unless the board orders a hearing on the petition. If the board approves the petition, the executive secretary shall initiate rule-making proceedings pursuant to the Administrative Procedure and Texas Register Act and the rules and regulations of the Teacher Retirement System.

(d) Oral and written data, views, and arguments on a proposed rule may be submitted informally to the executive secretary by informal conference or correspondence within 20 days after publication of notice of the proposed rule in the *Texas Register*.

(e) A written request for a public hearing on a proposed substantive rule may be submitted to the executive secretary within 10 days after publication of notice of the proposed substantive rule in the *Texas Register*, provided that the request is made by 25 persons, a governmental subdivision or agency, or an association having at least 25 members. The request shall contain the name and address of each person requesting the hearing and shall clearly specify the proposed rule for which a hearing is requested.

(f) The executive secretary shall schedule the proposed rule for hearing on a date no earlier than seven days after notice of the hearing date is published and no later than 20 days after receipt of the written request. The executive secretary or the board of trustees may reschedule the hearing in the interest of justice or administrative necessity or for good cause; however, the proposed rule shall not be adopted prior to the requested hearing.

(g) The executive secretary shall designate himself, a TRS employee, or a specially appointed person as hearing officer to take the testimony of any interested person in support of or in opposition to the rule. The hearing officer shall designate the order of taking testimony and may establish reasonable time limits on oral testimony, provided that reasonable opportunity is given to amplify oral testimony in writing. All hearings will be held in the offices of TRS in Austin, Texas, unless for good cause TRS shall designate another place of hearing.

Doc. No 772204

334.02.00.005

The Teacher Retirement System of Texas is proposing to adopt Rule 334.02.00.005, establishing procedures by which active members and retirees nominate active teachers and retired teachers, respectively, to be considered for appointment to the State Board of Trustees of the system pursuant to Section 3.59 of the Texas Education Code, as amended. The rule provides for voting by mail between September 1 and October 15 each year in which the term of a teacher or retired teacher member of the board expires. Official ballots are to be mailed by the retirement system to the last known home address of each person eligible to vote for a nominee. Persons eligible to be nominated for consideration by the governor may have their names listed on the official ballot by filing with the system on or before July 1 of that year a petition containing a minimum number of signatures of persons eligible to vote (500 signatures for active teacher candidates, 100 signatures for the retired teacher candidates). Ballots returned on or before the closing date for voting will be counted by the system under the supervision of the executive secretary. The qualified candidates receiving the three highest number of votes will be certified to the governor as being eligible for appointment.

Public comment on proposed Rule 334.02.00.005 is invited. Persons should submit their comments in writing to Leonard Prewitt, Executive Secretary, Teacher Retirement System of Texas, 1001 Trinity, Austin, Texas 78701. Comments will be accepted until June 10, 1977.

This rule is proposed under the authority of Subsections (a), (d), and (i) of Section 3.59, Texas Education Code, as amended.

.005. Nomination of Active Members and Retirees for Appointment to the State Board of Trustees.

(a) During any calendar year in which the term of office of an active teacher or retired teacher member expires, the Teacher Retirement System of Texas will conduct an election between September 1 and October 15 to select the nominees to be considered by the governor for appointment to the position.

(b) Active teacher members of the system may have their names listed on the official ballot as candidates for nomination to an active teacher position by filing an official petition bearing the signature, printed or typed name, and social security number of 500 active members of the system. Retired teachers may have their names listed on the official ballot as candidates for nomination to the retired teacher position by filing an official petition bearing the signature, printed or typed name, and social security number of at least 100 retirees of the system. Official petition forms shall be available from the Teacher Retirement System of

Texas, 1001 Trinity, Austin, Texas 78701. Official petitions must be filed by July 1 of the calendar year in which the election is to be held. A qualified member or retiree may sign more than one candidate's petition.

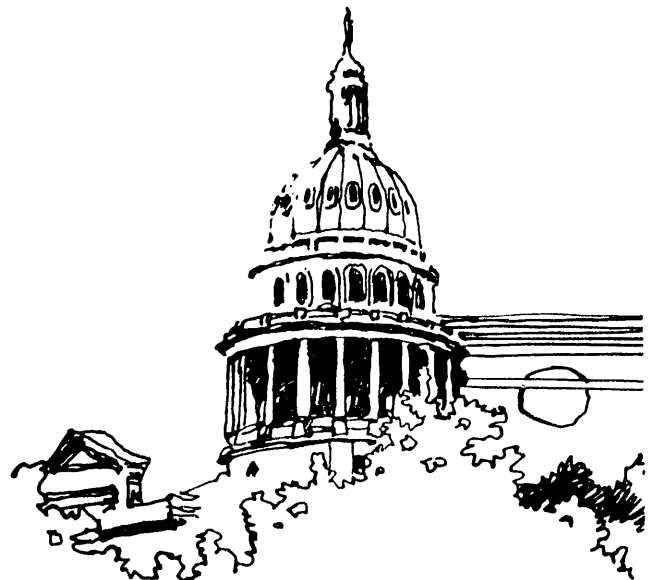
(c) Upon verification of petitions by the system, the names of qualified candidates shall be printed on the ballot. The ballot shall also provide space for write-in candidates. Ballots shall be mailed on or before September 1 of the year in which the election is held to the last known home address of each active member or retiree. Ballots must be returned to the Teacher Retirement System by October 15 of the year in which the election is held in order to be counted. The executive secretary shall cause the ballots to be counted. Names of the candidates for each position receiving the three highest number of votes shall be certified by the executive secretary to the governor.

Issued in Austin, Texas, on May 4, 1977.

Doc No 772205 Leonard Prewitt
Executive Secretary
Teacher Retirement System of
Texas

Proposed Date of Adoption June 10 1977

For further information please call (512) 477-9711



ADOPTED RULES

1797

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.

Comptroller of Public Accounts

Tax Administration

Sales Tax Division-- State Taxes 026.02.23

Under the authority of Article 20.11(A), Title 122A, Texas Civil Statutes, the Comptroller of Public Accounts has adopted Rule 026.02.23.003 to read as follows:

.003. Exemption Certificate.

(a) An exemption certificate may be issued only by an exempt organization as defined in Article 23.02(c), Texas Taxation-General Annotated, which contracts and pays for the hotel accommodations.

(b) Exemption numbers or tax numbers do not exist for the purposes of this act.

(c) The exemption certificate must be substantially in the form set out below:

Hotel Occupancy Tax Exemption Certificate

The undersigned hereby claims an exemption from payment of taxes under Chapter 23, Title 122A, for the rental of a hotel room or rooms from

The reason that said Occupant is claiming this exemption is:

Executed this the _____ day of _____, 19____.

Exempt Organization _____

Address _____

Signature _____

(d) The exempt status of any organization may be determined by contacting the Rulings Section, Sales Tax Division, 1-800-252-5555.

Issued in Austin, Texas, on April 29, 1977.

Doc No 772200

Bob Bullock

Comptroller of Public Accounts

Proposed Date of Adoption May 23, 1977

For further information please call (512) 475-3825

Texas Education Agency

Planning and Evaluation

Principles, Standards, and Procedures for the Accreditation of School Districts-- 1977 226.37.15

The State Board of Education has adopted new principles, standards, and procedures for the accreditation of school districts. These new standards were first published as proposed Rule 226.37.15.010. At the request of the Office of the Secretary of State, Texas Register Division, several rule numbers have been assigned to the final set of principles and standards.

A public hearing and extensive public review and discussion of the proposed rules were held. Several editorial and some substantive changes were made. Substantive changes include the following:

(1) Rule .010, Statutory Basis for Accreditation, was added;

(2) all districts seeking accreditation will come under the new standards in September, 1978, while under the proposed rules districts already into accreditation cycles could complete them under either the old or the new rules;

(3) districts may only remain on "advised" status for two years;

(4) proposed Indicator 2 of Standard 3A has been deleted ("No administrative or supervisory prerogatives are exercised by an individual member of the board or a committee of the board without full board approval");

(5) standard 4C, concerning assessment of student achievement, was redrafted and now includes the following indicator:

"(3) Information from a variety of valid instruments and sources is used for assessing student goal attainments. However, standardized achievement test scores are not used as the sole criteria for placement, promotion, or retention of students";

(6) four years of military science for grades 9-12 was added to the list of approved courses;

(7) driver education may now be counted toward local graduation credit only; and

(8) an outline of the accreditation planning process was added (Rule .395).

This is the last of three installments.

These rules are promulgated under the authority of Sections 11.26(a)(5) and 16.053, Texas Education Code.

.295. Principle 10. The district provides physical plant and equipment which are adequate to support a program that meets the educational needs of its students, are positive in effects upon teaching and learning, reflect citizens' esteem for their schools, and are designed and operated for maximum utilization. Standards:

(a) School buildings and their campuses afford adequate settings for carrying out the assigned instructional programs and supportive operations. Indicators:

(1) Design, size, and decor of facilities are appropriate to their functions.

(Note: In a multi-campus district, seriously deficient status of one or more buildings brings into question compliance with this standard. This is especially true where evidence of illegal discrimination or of indifference toward corrections exists. In general, however, the district is judged on the composite fit of all buildings/campuses with Standard 10a.)

(2) Facilities which house board meetings and the superintendent's office provide adequate space and are conveniently accessible for citizens and employees who participate in defining goals, policies, and programs (see Standard 3e (Rule .230)).

(b) School buildings, their campuses, and auxiliary facilities afford maximum safety, protection of health, and accommodation to physical conditions of those who use them. Indicators:

(1) Adequate provisions are made for safety of students on campus and from street traffic.

(2) Precautions to prevent fires and provisions for effective escape from fire and protection from dangers caused by severe weather conditions are installed.

(3) Ventilation, cooling, heating, and lighting protect the health and comfort of users.

(4) Adaptations for handicapped persons are provided.

(c) Operation and maintenance of physical facilities ensure continuously positive settings for users and observers. Indicators:

(1) The facilities are clean and orderly. Dependable functioning of mechanical systems is maintained. Restrooms and locker rooms are regularly cleaned and sanitized.

(2) If smoking is permitted on campus, it is restricted to designated areas.

(3) Operation and maintenance conserve the physical facilities and overcome unsatisfactory conditions produced by time and wear.

(4) Janitorial and operating supplies and replacement items are of good grade and are constantly adequate.

(d) Regular maintenance and inspection procedures for student transportation equipment and its daily operation ensures maximum safety.

(Note: The Division of School Transportation in the agency is responsible for enforcing regulations covering transportation of students.)

Indicators:

Beyond compliance with statutes, the district also provides prudent and corrective safeguards against dangers to students transported. The district has on hand adequate assurances as to safety of the equipment and the qualifications of operators whether these student transportation services are provided by the district or contracted to another party.

(e) Instructional equipment of satisfactory quality and quantity is available and is used to promote and support better teaching (see Standard 7d, Indicator 1 (Rule .270)). Indicators:

(1) Availability refers to presence of such equipment in the district or in other accessible repositories (such as the regional service centers). However, effective use is the test of availability.

(2) Since some such equipment requires technically competent personnel to ensure effective use, presence of such personnel is essential to the fulfillment of this standard.

(3) "Satisfactory quality and quantity" is judged by the district. However, by the proportion of its resources it devotes to such equipment, the district gives evidence of its seriousness in conforming to Standard 7d, Indicator 1 (Rule .270).

(4) In exercising these judgments, the district conducts assessments of its equipment resources, using criterion guides and teacher testimony as a part of its self-study as well as at more frequent intervals (see Standard 4d (Rule .240)).

.310. Essential Curriculum Elements Prescribed by State Law and State Board of Education Policy. The Texas Education Code mandates that each school district provide instruction for its students in certain

specified curriculum areas. State law further gives the Commissioner of Education authority to require additional curriculum elements (TEC 21.108). These curriculum elements are defined for purposes of school accreditation as essential or basic areas of learning in which basic competency is expected to be achieved by every student. The remainder of the curriculum may be regarded by the district as consisting of highly desirable learning outcomes, but not necessarily essential for every student to attain.

The statutes mandating these areas and a more detailed description of each are contained on the attached table "Essential Curriculum Elements Prescribed by State Law."

.320. Required Clock Hours and Days of Instruction. (The accreditation standards as adopted by the board include a section titled Required Clock Hours and Days of Instruction. The material in this section is contained in Rule 226.23.06.010.)

.330. Description of Balanced Elementary Curriculum. Each elementary school maintains a balanced curriculum offering, including English language arts (reading, literature, oral language, composition, speech, handwriting, spelling, mechanics, usage, and grammar), science, mathematics, social studies, art, drama, music (refers to general music, which is the basic program; choral and instrumental music may be offered in addition to general music), health, physical education, and, if desired, foreign languages. Curriculum content is not prescribed in detail by the agency, but local instructional plans may draw upon state curriculum frameworks and program standards as appropriate.

The elementary school curriculum is considered to be balanced when the offerings listed above are included in the instructional program for students. The responsibility for enabling all children to participate actively in a balanced curriculum which is designed to meet individual needs rests with the local school district.

The daily schedule includes instruction in the areas of English language arts, science, mathematics, social studies, and physical education. The time allocated for instruction in each of these areas is determined by results of student needs assessment conducted by the local school district (Principle 4, Standard 4c, Rule .240) and by diagnosis of individual pupil competencies and deficiencies.

The weekly schedule includes art, music, drama, and health. A balanced curriculum does not stress one of these areas to the detriment of others in the total program. In addition to being treated as separate subjects, art, music, and drama are included, when appropriate, in all areas of the elementary curriculum.

Career education, drug education, and safety education are integrated into all areas of the program. The inclu-

sion of foreign languages and industrial arts in the elementary curriculum is encouraged. Bilingual education is offered in accordance with appropriate statutes. Districts are encouraged to exceed minimum requirements of the laws.

Citizenship, conservation of natural resources, and understanding of the free enterprise system, are correlated with instruction in curriculum offerings.

Local instructional plans are in written form. They specify goals and objectives; describe procedures for diagnosis, prescription, and evaluation in terms of individual pupil progress and curriculum balance; and provide for cooperative planning by professional and nonprofessional staff members.

.340. List of Approved Subjects and Courses, Grades 7-12.

(a) The following list describes approved subjects and courses to be offered in grades 7-12 and indicates the amount of time for each subject in grades seven and eight and the number of quarter units of credit that can be awarded for each course in grades 9-12. This system of awarding credits in grades 9-12 is centered around a class period of 55 minutes in length. If the district wants to award credit on the basis of periods of greater length (for example, 80 minutes), a request should be sent to the Division of School Accreditation for complete information on the approved courses and the number of units of credit to be awarded when the extended class period is used.

(b) Courses offered for a unit of credit in grades 9-12 are scheduled for a minimum of 160 clock hours of class instruction. A course may be considered completed and credit awarded under either of the following conditions: the student has been enrolled in a course scheduled for the minimum clock hours and has made satisfactory progress; or the student has demonstrated achievement by meeting the standard requirements of the course, regardless of the time he or she has been enrolled in the course.

(Note: A unit of credit is the equivalent of the study of a subject that is scheduled for a minimum of 160 clock hours, which traditionally is one 55-minute period per day for the school year. This definition is based on the usual operation of schools. Deviations from the usual operation are acceptable for meeting the unit of credit so long as the school makes available the amount of time required to permit the individual to meet the acceptable achievement standards for the course. A quarter unit of credit is one-third of the minimum of 160 clock hours, or one-third of the acceptable achievement standards for the course.)

.350. Description of Content in Secondary Grades.

(a) Curriculum content is not prescribed in detail by the agency, but local instructional plans may draw

upon curriculum frameworks and program standards as appropriate. Local instructional plans are in written form. They specify goals and objectives; describe procedures for diagnosis, prescription, and evaluation in terms of individual student progress and curriculum balance; and provide for cooperative planning by professional and nonprofessional staff members.

Each accredited secondary school (grades 7-12) makes available to students the subjects listed below:

English (six years);

mathematics (six years) including one year of algebra and one year of geometry;

science (six years) including biology, chemistry, and physics;

social studies (six years) including one year of Texas history * and geography in grade seven; two years of American history, including one year of American history and citizenship in grade eight, and three quarters of American history in any grade, 9-12; three quarters of either world history studies or world geography studies in any grade, 9-12; two quarters of American government which includes study of the Texas and United States Constitutions. ** Instruction on the essentials and benefits of the free enterprise system is incorporated within the required courses of American history, world history studies or world geography studies, and American government.

physical education (six years) in accordance with Section 21.117, Texas Education Code;

health in accordance with Sections 21.101 and 21.104, Texas Education Code;

vocational education programs offered according to student needs and actual or anticipated opportunities for gainful employment.

*Section 21.103, Texas Education Code

**Section 21.106, Texas Education Code

(Note: Because of the nature of the design of vocational education courses and the characteristic inclusion of a multi-quarter project or activity, the district shall enroll a student for three consecutive quarters in each vocational course in order for credit to be granted as earned.)

An elective course on the free enterprise system (one quarter unit) in accordance with Section 21.1031, Texas Education Code. A foreign language program according to local needs. Additional elective courses sufficient to meet the needs of students in grades 7 through 12.

(b) All students complete the following subjects in grades 7 and 8:

Subject, clock hours, minimum:

English language arts, 260

mathematics, 260

social studies, 260

Texas history and geography

American history and citizenship

science, 130

physical education, 130

English language arts includes reading, literature, composition (oral and written), spelling, grammar, usage, and mechanics.

Social studies includes a minimum of 130 clock hours in Texas history and geography, grade seven; a minimum of 130 clock hours in the study of American history and citizenship, grade eight, which is the first part of a two-year American history program to be continued in any grade, 9-12.

Science is taught by the laboratory method and organized according to one of the following plans:

Plan A: life science (45 clock hours, minimum) and earth science (45 clock hours, minimum) in grades seven and/or eight, for a minimum of 130 clock hours in the combined grades or.

Plan B: general science (a minimum of 130 clock hours) including life, earth, and physical science, in grades seven and/or eight.

In addition to the required subjects, students will complete 450 clock hours from the subjects listed below:

foreign languages

speech

art

drama

music

business education

general homemaking

industrial arts

health

science

occupational training

physical education

(c) Schools limit individual students to one period during the regularly scheduled school day for practice of inter-school competitive athletics and for programs in which body conditioning, training, or other activities in one of the team sports is the objective of the teacher and students.

Schools using one period per day for activities in competitive athletics have written board policies which outline the athletic program and state the beginning and ending dates of each team sport; have written guides for each team sport of the inter-school competitive athletic program stating the educational objectives and expected student outcomes; limit students to one 55-minute period during the regular school day for participation in competitive athletic activities or physical education; provide for athletes in their off-season a physical education class conducted according to a course outline that includes lifetime sports and other carry-over activities; require a minimum of two quarter units of health instruction (grades 9-12); or limit the amount of credit earned in competitive athletic ac-

tivities to five quarter units which may be counted in the minimum 55 quarter units required for high school graduation (grades 9-12).

.360. Requirements for High School Graduation.

(a) Graduates of each high school are awarded the same type of diploma. The transcript, rather than the diploma, records individual accomplishments, achievements, and courses completed.

(b) All students must complete at least 55 quarter units of credit or equivalent to receive a high school diploma. The required 55 quarter units include the following specified subjects:

- English (nine quarter units);
- world history studies or world geography studies (three quarter units);
- American history (three quarter units) (includes the second year of a two-year program begun in grade eight);
- American government (two quarter units);
- mathematics (six quarter units);
- science (six quarter units);
- physical education (five quarter units);
- health education (two quarter units);
- electives from the "List of Approved Subjects and Courses, Grades 7-12" (19 quarter units).

Courses taught as a part of the basic graduation requirement in grades 7-12 follow titles, credits, prerequisites, and time allotments found in the "List of Approved Subjects and Courses, Grades 7-12."

Schools desiring to develop courses not in the "List of Approved Subjects and Courses, Grades 7-12" submit a course description to the Division of School Accreditation, Texas Education Agency, for approval to teach such a course and submit an evaluation at the close of the year. A description of the teacher's preparation and qualifications for teaching the course must also be submitted.

Credit for a course not included in the approved list but given individual approval by the Division of School Accreditation may be used in the minimum 55 quarter units required for high school graduation under two conditions:

- (1) if the course has been approved and taught once; and
- (2) if the evaluation report submitted at the close of the course justifies its continuation and specifies how it will be used in meeting graduation requirements.

The graduation requirement in mathematics must be fulfilled by credit for any six quarter units from the "List of Approved Subjects and Courses, Grades 9-12". Local board policy ensures that the school will assist the student, with the approval of his parents, in selecting the courses appropriate to his needs in moving toward his educational goals.

The science requirement of six quarter units may be fulfilled in one of the following ways: completion of six quarter units of science taught by the laboratory method selected from the science courses for grades 9-12; or completion of 135 clock hours of science taught by the laboratory method as described in the requirements for grades seven and eight (this work in grades seven and eight is not to be counted as one of the 55 basic high school quarter units required for graduation), and three quarter units of science taught by the laboratory method from the science courses for grades 9-12.

Driver education may be offered to students who are 15 years of age but may not be one of the basic 55 quarter units required for graduation. Driver education, if offered, is available for all students 15 years of age or older. The course is scheduled and taught in compliance with the *Standards for an Approved Course in Driver Education in Texas Schools*, adopted jointly by the Texas Education Agency and the Department of Public Safety, 1970. The appropriate curriculum guide is required for the type of instruction being given. The guides are *Curriculum Guide for Driver Education*, *Curriculum Guide for Simulation and In-Car Instruction*, and *Curriculum Guide for Multi-Car Driving Range*. Each of the guides is published by the Texas Education Agency, and the latest revision is to be used. Instructors are scheduled to teach no more than six hours each day, including class, in-car instruction, and other subjects.

The requirement in health education and physical education should be completed by two quarter units in health education and five quarter units of physical education according to the approved state description of courses. Students are classified for physical education on the basis of health into one of the following:

- unrestricted-- not limited in activities;
- restricted-- excludes the more vigorous activities;
- adapted and remedial-- specific activities prescribed or prohibited for students so classified as directed by a physician licensed to practice in the State of Texas.

The district may develop a plan, approved by the board of trustees, which allows individual students to be graduated without fully meeting the physical education requirements. This plan should not waive the requirement for two quarter units of health education. (Effective scheduling minimizes the necessity for using this alternative.) Such a plan provides that: such students are participating in courses or activities that contribute to physical fitness such as band, cooperative vocational programs, and vocational shop programs; a student who has not completed the requirement in physical education will resume instruction in this subject when the conflict in scheduling is resolved; the permanent record of the student includes the alternative courses taken;

and no units of credit are given in physical education to students participating in this plan.

.370. Requirements for Assignment of Teachers.

(a) All professional personnel are graduates of colleges and universities which are

(1) approved by the Texas Education Agency for teacher education programs or

(2) otherwise recognized by the Texas Education Agency for public school professional employment purposes.

Exception: Certain exceptions are specified in Agency Bulletin 753, *Guidelines for School Personnel: Certification, Allocations, and Records.*

(b) All professional personnel hold valid Texas teachers certificates appropriate for their current assignments.

(c) Teachers are assigned in areas or subjects for which they have completed an approved program of teacher education.

(1) An individual who met standards which were in effect for teaching a subject prior to September 1, 1966, shall remain eligible to teach the subject without additional preparation. Requirements in effect for particular years prior to September 1, 1966, are detailed in Columns II and III in the "List of Requirements for Assignment of Teachers."

(2) An individual receiving a secondary certificate dated after September 1, 1966, must have the proper teaching field on the certificate in order to meet standards for teaching the subject in grades 7-12. Where teaching fields have been added after September 1, 1966, that modify minimum requirements for teaching a subject, such modifications are explained in footnotes on the appropriate page(s) of the "List of Requirements for Assignment of Teachers."

(3) An individual who met the preparation requirements in effect for a subject in the "List of Approved Subjects and Courses, Grades 7-12" on the date of issuance of the individual's certificate shall remain eligible to teach the subject even though additional preparation requirements may be subsequently added.

(4) If grades seven and eight are organized on a "self-contained" basis, the preparation of the teacher must comply with the standards applicable to elementary teachers. "Self-contained" is defined as a class which is taught by one teacher for 50 percent or more of the school day.

(5) Teachers in departmentalized grades seven and eight must have either the elementary, all-level, or secondary certificate with appropriate preparation as specified in Columns II, III, IV, and V. Teachers with an elementary area of specialization must meet the semester hour requirements shown in Column III in the "List of Requirements for Assignment of Teachers, Grades Seven and Eight Departmentalized."

(6) When emergency conditions require, a teacher may be assigned without the required preparation in accordance with regulations specified in Agency Bulletin 753, *Guidelines for School Personnel: Certification, Allocations, and Records* and further provided each teacher assigned under these conditions is reported to the school board.

.380. Regulations on Correspondence Courses and High School Credit by Examination/Performance.

(a) Correspondence courses. The district may establish a supervised correspondence study program for in-school and out-of-school youth and adults. The program, outlined in writing and approved by the board of trustees, has the following characteristics:

(1) For in-school youth:

(A) designates that courses are to be from the University of Texas Division of Extension in Austin or the Extension Division of Texas Tech University;

(B) limits units earned to six of the 55 quarter units required for graduation (students residing abroad are exempt from this limit);

(C) establishes local limitations on student eligibility for correspondence courses;

(D) requires prior approval by school authorities before a student enrolls for correspondence courses;

(E) provides for assignment of staff members to supervise correspondence work;

(F) ensures that correspondence courses are used for emergency or enrichment only and do not become a substitute for residence work.

(2) For out-of-school youth and adults:

(A) limits eligibility for individuals who are not enrolled in a day school. If individuals are under 18 years of age, verification of permanent withdrawal must be made by the principal of the last school attended;

(B) permits as many units as needed for graduation to be taken by correspondence;

(C) limits student enrollment to two correspondence courses simultaneously;

(D) specifies that only courses from members of the National University Extension Association or correspondence schools approved by the Division of School Accreditation may be used in public school correspondence programs;

(E) designates that the local district provide counseling, administrative, and clerical assistance necessary for operation of the adult program;

(F) requires a method for supervision of all written correspondence papers and the administration of all final examinations;

(G) recommends courses be completed within a reasonable time, usually within six months from the date of registration. Extension may be considered on the basis of individual merit.

(b) **High school credit by examination/performance.** The school system may develop a plan whereby students in grades 9-12 obtaining knowledge or skills outside the instructional program of the district may be granted credit in any subject on the "List of Approved Subjects and Courses" upon demonstration of competency by examination or performance test.

The local board of trustees will adopt policies authorizing the granting of credit by examination or performance test having the following characteristics:

(1) establishes eligibility of students who may take the examination or performance test;

(2) establishes procedures for students to take the examination or performance test. The administration should determine the time, place, length, and method of administering the examination or performance test;

(3) ensures that the particular examination or performance test used to validate the student's ability will verify that the student has demonstrated attainment of the knowledge, competencies, or skills that are the objectives of the course;

(4) sets the passing grade for accepting student work under these conditions in accordance with grades that are required of students attending regular classes;

(5) ensures that the examinations or performance tests are properly evaluated, certified by the examining teacher and the principal, and are retained as part of the student's permanent records.

.390. Requirements for Summer School Program.

(a) Summer school programs meet the same standards as the regular term except where special provisions apply.

(1) The summer program must be operated according to written policies of the board of trustees.

(2) The summer school program is administered by a specifically assigned staff member with the appropriate administrative endorsement. He or she has the authority and available time during the regular school term to plan and organize the summer school program of the district.

(3) Library programs and instructional resources are available on the same basis as during the regular term.

(4) Courses from "List of Approved Subjects and Courses, Grades 7-12" offered in summer school programs are comparable, insofar as content and achievement standards are concerned, to the same courses taught in the regular term.

(5) Regular school course guides and teaching plans when used in summer school are adjusted to compensate for differences in length of daily class periods and in the number of calendar days.

(6) The summer school equivalent of three quarter units in a regular term is based on a minimum

of 140 clock hours net instructional time. One quarter unit incorporates 47 clock hours. Net instructional time is defined as exclusive of registration, holidays, and daily class breaks.

(7) No individual teacher is assigned more than six hours of classroom teaching per day.

(8) Students secure prior approval from school officials before enrolling in correspondence courses while attending summer school.



.395. Accreditation Planning Purposes.

(a) Table 1: Outline of Accreditation Planning Process (Underlined steps are actions by TEA.)

(1) Preliminary steps.

(A) TEA notifies district of entry into process;

(B) TEA assigns consultant to district;

(C) district arranges for assistance from regional education service center or other source;

(D) district begins Phase I.

(2) Phase I: goals for student development.

(A) district arranges for constructive involvement of representatives of school and community;

(B) district considers goals for public school education in Texas;

(C) district establishes student development goals;

(D) board of trustees officially adopts goals;

(E) district sends copy of goals to TEA;

(F) agency consultant reviews goals, gives advisory feedback.

(3) Phase II: self-study.

(A) district assesses achievement of goals by students;

(B) district conducts program analysis to identify;

(i) discrepancies from principles and standards, and;

(ii) program weaknesses judged to be causing student learning discrepancies (needs);

(C) district designates high priority student learning;

(D) district sends copy of findings to TEA;

(E) agency consultant reviews priorities, gives advisory feedback;

(F) district provides for correction of remaining discrepancies from principles and standards.

(4) Phase III: five-year priorities plan for educational improvement.

(A) district builds five-year priorities plan to increase student achievement by strengthening programs;

(B) board of trustees approves five-year plan;

(C) district submits plan to TEA;

(D) TEA gives advisory feedback, approves plan, and informs district;

(E) district's accreditation status established by TEA.

(5) Phase IV: implementation of the five-year plan.

(A) district implements five-year plan;

(B) district evaluates progress, reports at least annually to TEA;

(C) TEA reviews evaluation reports;

(D) as necessary, TEA conducts on-site visits;

(E) district updates plan based on evaluation findings;

(F) TEA reviews proposed changes in five-year plan;

(G) district continuously monitors and maintains compliance with principles and standards;

(H) at end of five-year cycle, district submits final evaluation report to TEA.

(6) Continuation into succeeding cycle.

(A) TEA informs district of entry into accreditation planning process;

(B) district begins re-cycle of Phases I-IV above for succeeding five-year cycle.

(b) Description of accreditation planning process

(1) Notification. School districts will be notified as they are to enter into the Texas Education Agency school accreditation process. The districts should begin the first phase of the process as soon as they receive notification. A consultant from the agency's Division of School Accreditation will be assigned to each participating district to guide the district's activities during the process and to provide advice and assistance. Assistance can also be obtained from the regional education service center and other appropriate sources.

(2) Basis for accreditation. Accredited status for each district will be based upon the development of an approvable five-year plan for improvement and upon

the district's compliance with the agency's principles and standards for accreditation of schools. This five-year priorities plan for improvement is to be developed through an accountability/educational improvement approach; that is, it should be a practical plan to improve student achievement in selected priority goal areas. The construction of this five-year priorities plan is done in three phases:

(1) setting district goals for student development,

(2) conducting a self-study to identify student learning needs in relation to the goals and to identify causative program weaknesses, as well as other discrepancies from principles and standards, and

(3) making a five-year plan for educational improvement and for the resources to support it.

It is important to note that this plan is not intended to be a comprehensive plan for the district's total program. It is to be a design for making judiciously selected changes in the program in order to bring about improvement in a small number of high priority areas of student achievement. The number of priorities addressed in the plan should be enough to make significant improvement but not so many as to be unmanageable. Once this five-year priorities plan is approved by the agency, the district is accredited on the basis of it.

Continued accredited status throughout the remainder of the five-year period is dependent upon the district's implementation of the plan and making satisfactory progress toward the targets established in the plan, while at the same time remaining in substantial compliance with the principles and standards for accreditation.

The on-site accreditation visit to the district by an agency team will not necessarily be used as the initial step in the accreditation procedure is primarily responsible for the self-evaluation through the self-study, with provision for review of the self-study and its findings by the Division of School Accreditation. Periodic progress reports will be sent by the district to the division, and on-site visits by the assigned agency consultant and other agency staff will be conducted as necessary to provide assistance, gather information, or monitor the district's progress in developing or implementing its five-year priorities plan.

(3) Phase I: establishing goals for the district.

While the set of goals established by the district may also include other objectives, their essential purpose is to state the general areas of learning or human development that students are expected to acquire as a result of attending school in the district. In establishing its goals, the district should take into consideration the goals for student development in the goals for public school education in Texas established by the State

Board of Education. The process for establishing the district's goals should provide for appropriate participation of representatives of the community and the school. The purpose of such involvement is to ensure that the statement of goals ultimately adopted is understood by and acceptable to the school staff, students, and the community. Appropriate methods for such participation, as well as the amount of representative involvement to be sought, must be decided by the district's board and administration. The method and degree of school/community participation will vary from situation to situation. Such involvement should be constructive, that is, enough participation to ensure that the interests of students, staff, and citizens are heard by the board of trustees, but not so much involvement that it results in inordinate consumption of time and manpower beyond that necessary to accomplish the purpose. The statement of goals for student development is to be adopted by official action of the district's board of trustees and transmitted to the Division of School Accreditation. The district's agency consultant will review the statement of goals and give advisory feedback to the district.

(Note: If the district already has a set of goals that meet this description and which have recently been established, the district should confer with the agency consultant to determine whether these goals are acceptable to fulfill this requirement.)

(4) Phase II: conducting the self-study. The self-study should commence as soon as the district has adopted its statement of goals. The self-study uses as its basic references (1) the district's own goals for student development and (2) the agency's principles and standards for school accreditation. Other appropriate standards or criteria for good educational practice may also be used by the district.

The self-study has two major elements:

(A) assessment of the extent to which students are making progress toward achieving the district's goals for student development, and the identification of discrepancies in student learning (student learning needs), and

(B) diagnosis of the district's instructional program, including its support systems and resources, to identify weak elements in the program that are contributing to student learning needs and/or which are not in accord with the principles and standards for school accreditation.

A statement of the district's identified student learning needs and program deficiencies, with those of high priority designated, is to be sent to the Division of School Accreditation. The agency consultant will review this statement and give the district advisory feedback.

The district makes provision for correcting on a short-term basis (less than a year) other minor variations from principles and standards that were identified in the self-study.

(5) Phase III: making the five-year priorities plan for educational improvement. Based upon the priority student learning needs and the priority program deficiencies identified in the self-study, the district builds a practical plan to make improvements in student achievement and program effectiveness by setting targets to be attained over the five-year cycle. This plan lays out the steps the district has decided to take to bring about these improvements both in student goal achievement and in related program areas. The plan also makes provision for the resources required to carry out the program renewal targets, the means the district will employ to monitor and evaluate progress being made toward the targets, and the overall management of the implementation of the plan to ensure that it moves steadily forward throughout the five-year period.

The five-year priorities plan is to be approved by official action of the district's board of trustees and submitted to the Division of School Accreditation for approval. The agency consultant will advise and assist the district during the development of the plan, review the plan once submitted to the Division of School Accreditation, give advisory feedback to the district if necessary, guide the plan through the approval process in the agency, and inform the district once the plan has been approved.

(6) Phase IV: implementation of the five-year priorities plan. Once the plan is approved by the agency, the district's accredited status is established or reconfirmed. The next phase is the most important of all-- the implementation by the district of the commitments for action and achievement made in the plan. Continuous progress toward the fulfillment of the targets and actions contained in the plan is essential for the continuance of the district's accredited status throughout the five-year period. Continuous evaluation of progress should be carried out by the district itself, with progress reports sent to the agency at least annually. As necessary, on-site visits may be conducted by agency staff to gather information on the district's progress in implementing its plan. The findings of the district's own evaluation should be used to refine or adapt the plan itself if necessary. Such changes in the plan may be made with the concurrence of the Division of School Accreditation.

(7) Review and monitoring by the agency. The process of school accreditation outlined here places primary emphasis upon the right and responsibility of each school district to govern and manage its own programs effectively and in accord with the expectations and values of the local community. At the same time,

the Texas Education Agency is charged by law to establish and carry out effective procedures for the accreditation of schools that will ensure a basic level of quality education in the public school districts of the state.

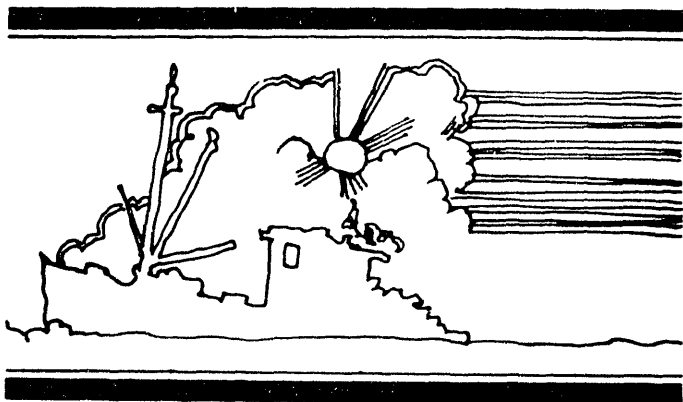
Both of these responsibilities can be carried out satisfactorily through the procedures described. The school district carries out its responsibility by building and implementing its five-year priorities plan for improvement and through its own continuous self-evaluation to ensure compliance with principles and standards. The agency discharges its responsibility by assigning a consultant from the Division of School Accreditation to guide and assist the district throughout the process, and by reviewing, approving, and monitoring the district's progress at various points in the development and implementation of its five-year priorities plan for educational improvement.

Issued in Austin, Texas, on April 27, 1977.

Doc No 772099 M. L. Brockette
Commissioner of Education

Effective Date: May 17, 1977

For further information please call (512) 475-3271



Texas State Board of Examiners of Psychologists

Applications 400.02.00

The Texas State Board of Examiners of Psychologists, by the authority of Article 4512c, Texas Civil Statutes, has adopted Rule 400.02.00.018 to read as follows:

.018. *Degree Requirements for Certification of Psychologists.* After July 1, 1979, a doctoral degree based upon a program of studies whose content is "primarily psychological" means a doctoral degree granted from a

department of psychology or educational psychology in an accredited institution where the applicant's transcript designates a major in psychology or educational psychology.

After July 1, 1979, the substantial equivalent of a doctoral degree based upon a program of studies whose content is primarily psychological means a minimum of 90 semester hours in psychology in a post-baccalaureate doctoral program which includes the following content areas:

- Abnormal psychology
- Cognitive processes
- Comparative psychology
- Development psychology
- History of psychology
- Learning
- Motivation
- Psychology of personality
- Physiological psychology
- Professional ethics in psychology
- Psychopharmacology
- Research design
- Sensation and perception
- Social psychology
- Statistics
- Theory and systems in psychology

Consideration should be given to the sequence in which the coursework is taken.

Until July 1, 1979, the substantial equivalence of a doctoral degree based upon a program of studies whose content is primarily psychological means a doctoral program in which 70 percent of the coursework completed is in psychology. This is a continuation of the board policy which has been in effect throughout 1976.

Any student intending to apply for certification under the substantial equivalency clause after July 1, 1979, must file with the Texas State Board of Examiners of Psychologists an affidavit during his or her first semester of graduate study which sets out the intended program of studies. Any student intending to apply for certification under the substantial equivalency clause before July 1, 1979, must file with the Texas State Board of Examiners of Psychologists an affidavit within six months of the date of publication of this rule in the *Texas Register*, which sets out the program of studies which he or she is currently pursuing.

Issued in Austin, Texas, on April 28, 1977.

Doc No 772150 Patricia S. Smith
Executive Secretary
Texas State Board of Examiners
of Psychologists

Effective Date: May 19, 1977

For further information, please call (512) 475-6983

State Department of Public Welfare

General Information

Special Projects 326.01.03

The Department of Public Welfare adopts the rule about existence of special projects as proposed in the March 11, 1977, issue of the *Texas Register*. This rule is a general statement that the department conducts research, demonstration, or developmental projects and that these projects are conducted in accordance with applicable state and federal laws.

No comments were received on the proposed rule; therefore, the department adopts the rule with no changes in the proposed text.

This rule has been approved by the State Board of Public Welfare and is adopted under the authority of Article 695c, Texas Civil Statutes.

.001. *Existence of Special Projects.*

(a) Under state and federal law, assistance and services may be provided by the department to limited numbers of persons within specified population groups or geographic areas in connection with a research, demonstration, or developmental project. Any such project will be conducted only for the purpose of promoting the objectives of, and in accordance with, applicable state and federal laws.

Doc No 772201

Food Stamps

Responsibilities 326.15.12

The Department of Public Welfare adopts the amendment to Section (a) of its rule about computer retention of case information in the Food Stamp Program. This amendment permits computer retention of certain food stamp cases for a period of one year after the negative action date.

No negative comments were received; however, the department has made minor editorial changes to the final rule for clarification.

This amendment has been approved by the State Board of Public Welfare and is adopted under the authority of Article 695c, Texas Civil Statutes.

.008. *Computer Retention of Case Information.*

(a) The household's case information and ATP issuance and redemption history are retained in the com-

puter's Food Stamp Master File. This information is available through the teleprocessing units for six months after the last negative action date for all cases denied for reasons other than failure to comply fully with work registration requirements and failure to repay overissuance of coupons received because of misrepresentation. Cases denied for these reasons are retained for 12 months after the negative action date. If there is no positive action on the household's case record during the six- or 12-month period, the case is erased from the computer and listed in the List of Cases Purged from the Food Stamp Master File.

Doc No 772182

Food Stamp Program Violations 326.15.14

The Department of Public Welfare adopts the amendment to its rule about reporting and processing violations in the Food Stamp Program. This amendment clarifies the reporting procedures for instances of Food Stamp Program violations pertaining to eligibility, certification, issuance, and redemption of authorization to purchase (ATP) cards or food coupons.

No negative comments were received on the proposed amendment; however, minor editorial changes have been made to the final rule.

This amendment has been approved by the State Board of Public Welfare and is adopted as amended under the authority of Article 695c, Texas Civil Statutes.

.003. *Reporting and Processing Program Violations.*

(a) All DPW personnel are responsible for reporting instances of Food Stamp Program violations pertaining to eligibility, certification, issuing, and redemption of ATPs or food coupons that are brought to their attention. Violations on the redemption of food coupons that are brought to their attention. Violations on the redemption of food coupons by retail grocery stores must be reported to the district Food Stamp Program director of the Food and Nutrition Service, USDA. Other instances of Food Stamp Program violations involving participant's misuse of food stamps, issuing of- fice personnel, and certification violations by workers are reported through appropriate DPW channels.

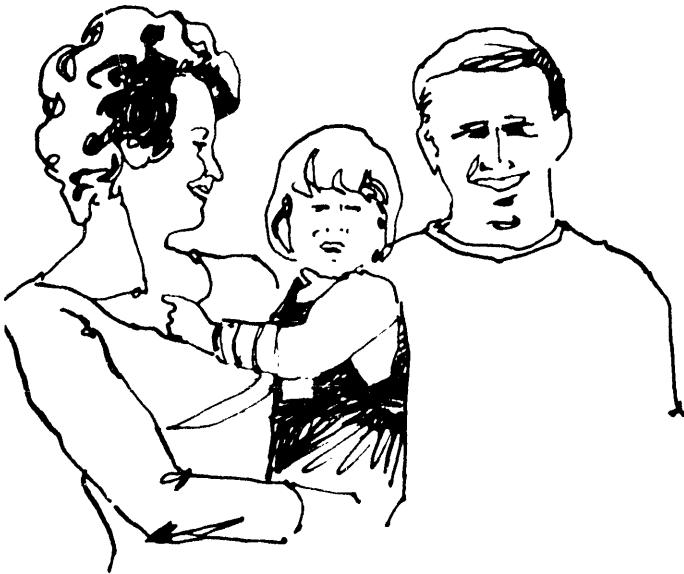
(b) If the department determines the report on misuse of food stamps by participants is valid, the facts will be referred to the regional administrator, United States Department of Agriculture, Food and Nutrition Service. The household will be denied participation for one month. If the same household is reported for misusing food stamps the second time and the report is determined valid the household will be denied for six months. If a third report is received and considered valid, the household will be denied for one year.

(c) Violations by food stamp participants relating to eligibility, basis of coupon allotment, or purchase price must be reported to the alleged violating household's certifying office. The household's case record will be reviewed for consistency with the information received.

(1) If the reported information is inconsistent with the data in the household's case record, the household's eligibility and basis of certification will be reviewed and the household recertified if eligible. Information affecting eligibility, coupon allotment, or purchase price must be verified and documented.

(2) The procedures prescribed in departmental rules about verification in the Food Stamp Program will be followed to the point where a firm determination of eligibility and basis of issuance can be established. If there is no fraud indicated, an adjustment in purchase price, coupon allotment, or denial of program benefits will be made, if appropriate. When potential fraud is indicated, the procedures contained in the rules on fraud and recovery will be followed.

Doc No 772183



Work Registration Requirement 326.15.34

The Department of Public Welfare adopts the amendment to its rules about the work registration requirement in the Food Stamp Program. These amendments clarify procedures for administering food stamp work registration requirements and establish lines of interagency communication with the Texas Employment Commission (TEC).

No negative comments were received on the proposed amendments; therefore, the department adopts the amendments with no changes in the proposed texts.

These amendments have been approved by the State Board of Public Welfare and are adopted under the authority of Article 695c, Texas Civil Statutes.

.001. Requirement.

(a) All able-bodied persons from age 18 through age 64 are required to register for work at the time of the application interview. The household will not be certified until completion of this requirement. Registration is accomplished by completing a Work Registration Form, or registering in the Work Incentive (WIN) Program. Unless a change in status occurs, a new form must be completed every six months as long as the registrant remains available for employment. A collection and use of information by the Food and Nutrition Service form must be attached to the Work Registration forms or appropriate information from the form may be read to applicant household members.

.002. Who Must Register.

(a) The worker must determine who is required to register. Generally, the requirement extends to all able-bodied persons from age 18 through age 64, including those who are not working because of a strike or lockout. Registration in the WIN Program constitutes an equivalent to work registration as long as WIN participation is continued. The recipient's AFDC case record may be used to verify WIN participation.

(b) Compliance with the work registration requirement is a prerequisite to certification. The requirement is one which cannot be waived. Benefits may not be granted conditionally prior to registration of all members of the household who are required to do so.

.007. Failure to Comply.

(a) In the event a registrant fails to comply with any of the requirements in Rule 326.15.34.004 during a period in which the household is participating, the worker must evaluate the case record for evidence of good cause, possible exemptions, or indications that the registrant is no longer a member of the household. If none of these situations exists, the worker will send a notice of adverse action to the recipient household immediately. The case will be placed on hold if the 10-day adverse action notice will expire between the cut-off date and the end of the month.

(b) The registrant must, within the 10-day notice of adverse action period, show good cause for non-compliance. If good cause is not established by the end of the adverse action period, the worker will deny the household.

(c) Once the case is denied, a form reporting that the client is not participating must be returned to the TEC office. This notifies TEC to deactivate their record for that particular household member(s).

.008. Good Cause.

(a) In determining whether good cause existed for failure to comply, the worker will consider all facts and circumstances, including those submitted by the household and the TEC office, existing at the time of the alleged failure. Good cause includes circumstances beyond the registrant's control.

(b) If the registrant does show good cause within the 10-day notice of adverse action period, the registrant will remain ineligible for food stamps and will receive the next month's ATP provided the certification period has not expired.

(c) Once good cause is established, a form reporting that the client is participating must be returned to the TEC office. This action notifies TEC to retain the registrant on active work registration status.

.009. Redetermination of Eligibility. When a household becomes ineligible for participation because of refusal of a member to comply with work registration requirements, eligibility may be reestablished (provided the household is otherwise eligible) upon the expiration of the one-year suspension, upon the member's becoming exempt from the work requirement, or upon the member's compliance as follows:

(a) refusal to register-- registration by the household member;

(b) refusal to report for interview to the TEC office where the member is registered-- reporting for the required interview;

(c) refusal to respond to a request from the TEC office requiring supplemental information regarding employment status or availability for work-- response to the employment office correspondence;

(d) refusal to report to an employer to whom the registrant has been referred by TEC-- reporting to such employer or another employer to whom the registrant is referred;

(e) refusal to accept an offer of suitable employment to which the registrant was referred by TEC-- acceptance by the household member of such employment or of any other employment of at least 30 hours per week;

(f) refusal to continue suitable employment to which the registrant was referred by TEC-- returning to such employment or acceptance of any other employment of at least 30 hours per week.

.010. Registrant Reporting Requirements. Although the TEC office should notify the certifying office when a registrant is placed on a job, the household is still responsible for reporting this to DPW. The client must report acceptance of employment or receipt of income from employment from any source by any member of the household in accordance with the reporting requirements.

.011. Reporting Changes in Status of Registrant. The certifying worker will advise TEC of any changes in food stamp eligibility. Any other changes affecting the status of the work registrant will be furnished to the TEC office on a Work Registration Information form. Workers send this form to TEC as soon as possible after the worker learns of a change. Changes reported include:

(a) address of registrant;

(b) registrant becomes exempt from work registration;

(c) registrant no longer food stamp recipient;

(d) any changes affecting the registrant's employment status or availability for work.

Doc No 772184



Sixty-Day Continuation 326.15.82

The Department of Public Welfare adopts the amendment to its rule about household transfers in the Food Stamp Program. The amendment adds the requirement that the recipient either be given a copy of a federal informational form or else appropriate information from the form must be read to the recipient.

No negative comments were received on the proposed amendment; therefore, the department adopted the rule with no changes in the proposed text.

This amendment has been approved by the State Board of Welfare and is adopted under the authority of Article 695c, Texas Civil Statutes.

.002. Certification of Household Transfer. A Certification of Household Transfer form is the document used to continue a household's certification from one county or state to another. Since the form is an extension of certification, the form provides the household's size and net food stamp income and the time period for which eligibility is continued. The worker in the new county may then determine the household's proper coupon allotment in the event that a household moves during a change in the coupon allotment tables or moves to a state which has a different coupon allotment size. A Collection and Use of Information by the Food and Nutrition Service form must be attached to the transfer form or appropriate information may be read to the household members.

Issued in Austin, Texas, on April 29, 1977.

Doc No 772185 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date May 19 1977

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

Medical Assistance in State Institutions

Support Documents 326.34.99

The Department of Public Welfare has amended its rules about vendor rates in state schools for the mentally retarded and in state chest hospitals by eliminating reference to specific rates. This is part of an on-going effort by the department to replace specific figures in its rules with descriptive statements of a more permanent nature. The amendments were proposed in the February 22, 1977, issue of the *Texas Register*. No comments were received, and no changes have been made in the rules as adopted.

These amendments have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

200. State Schools for the Mentally Retarded. The state schools provide Title XIX medical services including 24-hour care and active treatment programs for individuals with mental retardation and related develop-

mental disabilities. The vendor rates for state schools for the mentally retarded are based on reasonable cost data related to the institution's provision of that care and treatment.

.201. State Chest Hospitals. The state chest hospitals provide inpatient hospital care including medical, surgical, and other treatments to eligible patients age 65 and over who have tuberculosis or related respiratory diseases. The state chest hospitals are paid on a cost basis for delivering this care.

Issued in Austin, Texas, on May 2, 1977.

Doc No 772202 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date May 23 1977

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



Pharmacy Services

Reimbursement 326.40.08.001, .005-.006

The Department of Public Welfare (DPW) adopts the rules about reimbursement in the Texas Vendor Drug Program. These rules were adopted on an emergency basis effective August 26, 1976. DPW provides pharmaceutical services for Title XIX Medicaid recipients under the Texas Vendor Drug Program. Federal regulations require implementation of Maximum Allowable Cost (MAC)/Estimated Acquisition Cost (EAC) procedures in the Vendor Drug Program.

The federal MAC/EAC regulations provide that the cost of a drug cannot exceed the lowest of:

- (1) the maximum allowable cost (MAC) plus a reasonable dispensing fee;
- (2) the Estimated Acquisition Cost (EAC) plus a reasonable dispensing fee;

(3) the provider's usual and customary charge to the public.

The MAC portion of this program will not begin at this time as drugs with a Maximum Allowable Cost (MAC) have not been announced by the Department of Health, Education, and Welfare.

A public hearing on the proposed rules was held on October 28, 1976, and numerous comments were received. Some of the major points are discussed below.

Several comments were received which questioned fees, reimbursement formulas, and costs. Some felt that all providers would be subject to the same type of fee with no distinction between hospitals, independent pharmacists, dispensing physicians, and clinics. However, the program still provides for a variable fee, and the reimbursement formula still assigns different levels of fees to different types of operations (independent, institutional, clinic, and dispensing physician).

There was a request that DPW use Actual Acquisition Cost (AAC) as a basis for reimbursement. This method has been used in the past and was discontinued because of administrative burdens. DPW determined that the fairest methods of all providers would be reporting of the actual purchase source, using the Red Book listing as a standard reference.

Another comment stated that dispensing physicians and hospital out-patient departments should be allowed to participate in the program only if a community has no other pharmacy provider. However, there is no provision for excluding types of providers from the Texas Vendor Drug Program as long as they are licensed to practice. Generally, dispensing physicians and hospitals apply to participate in the program only when there is a certain population in need of pharmaceutical services which are not otherwise available.

Other comments addressed handling costs, third party claims, and adults. Some felt that there should be some allowance for increased handling fees for third party claims and for the extra paperwork required for tape service bureaus. However, DPW does pay half of the cost of processing third party claims. In addition, providers enter into contracts with tape service bureaus to provide extra services for the providers (such as automated inventory control and maintenance of accounts receivable) which make the total operation more efficient.

Another comment stated that problems with rejected or lost claims increase handling costs. However, DPW uses strict computer edits of claims to guarantee payment only for valid pharmacy claims. Often claims are rejected because of service to recipients who were ineligible on the service date. Providers are responsible for checking the eligibility form each time a prescription is filled.

Others felt that DPW audits of providers' files is unnecessary and time-consuming. Also some stated that peer review should act as a substitute for audits. However, audit of drug invoices is performed to substantiate the purchase source, as the "direct/wholesale option" is the mechanism for provider reimbursement under EAC. Also, peer review cannot substitute for audit because peer review is a method for ensuring delivery of quality health care to the recipients of a medical program. By contrast, an audit is a formal verification of an account book. The audit procedure examines areas which are outside peer review considerations, such as missing prescriptions, unauthorized refills, duplicate payments, and claims charged to the wrong recipient.

Another comment felt that the category of over-the-counter (OTC) drugs is unnecessary and should be eliminated. However, these drugs are included in the program to provide a broad range of treatment from which physicians may choose. In some instances, such as arthritis treated with aspirin, an inexpensive OTC drug can be more effective than an expensive legend drug.

DPW has made some minor changes to the final rules. As proposed, Rule .005 made reference to another rule which has subsequently been repealed. The reference in Rule .005 has been corrected accordingly. As a result of comments, a technical change has been made in the directions for completing the Pharmacy Claim form in Rule .006.

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

001. Legend and Non-Legend Medication. For all medication, legend and non-legend, covered by the Vendor Drug Program and appearing in the Texas Code Index and Supplements.

(a) Reimbursement to the pharmaceutical provider will be based upon acquisition cost, verifiable by invoice audit, plus the department's currently established dispensing fee per prescription, or the usual and customary price charged non-welfare customers, whichever is lower.

(b) Acquisition cost is defined as wholesale estimated acquisition cost (WEAC) or direct estimated acquisition cost (DEAC), as shown in the current Red Book or supplement, for the drug dispensed in the pharmacist's usual purchasing quantity, or maximum allowable cost (MAC) as published by the Department of Health, Education, and Welfare for selected multi-source products. Drugs not listed in the Red Book but listed in the Texas Drug Code Index are to be claimed at invoice cost. The Texas Drug Code Index will be used as the reference for allowable package sizes of purchased

drugs. No acquisition cost will be paid for samples dispensed.

(c) Non-legend drugs will be reimbursed on the basis of the usual charges to the non-welfare customers or acquisition cost plus 50 percent of cost, whichever is lower. No dispensing fee will be added to these items nor may the 50 percent of cost exceed the provider's assigned variable fee

(d) The department's variable dispensing fee is established for each pharmaceutical provider based upon cost accounting principles and service expense evaluation studies relating to the total cost incurred during the preparation and dispensing of prescriptions. Therefore, the amount paid by the department for dispensing costs may vary dependent upon the quality and quantity of services provided recipients. Those providers electing to provide a full range of pharmaceutical services will be eligible for reimbursement up to the maximum allowable rate

The maximum allowable rate would include expenses associated with:

- (1) 24-hour emergency services,
- (2) patient profiles,
- (3) delivery services,
- (4) annual participation of staff pharmacists in continuing education, and
- (5) maintaining a comprehensive and current pharmaceutical reference library.

(e) Reimbursement to licensed physicians who dispense their own drugs and to hospitals with out-patient pharmacies will be based on actual invoice cost, plus a dispensing fee as assigned by the department or usual and customary charge to non-welfare customers, whichever is lower.

005 Hospitals, Nursing Homes, and Government Institutions

(a) The provisions of Rule 326.40.08.001 do not apply to payments for non-legend drugs (OTC) in hospitals, nursing facilities, and other institutions where those drugs are included in the reimbursement formula and vendor payment to the institution

(b) If payment is made to government institutions, including tax supported hospitals, etc., they will be reimbursed on the basis of actual invoice cost (verifiable by audit) plus an assigned fee for medications dispensed to eligible recipients. This will be by agreement between the institution and the Department of Public Welfare.

006. *Brand Name Drugs.* Physicians specifying a brand name drug instead of a drug with a maximum allowable cost are to write, in their own hand, "Brand Necessary" on the face of the prescription. This enables payment at the brand name drug estimated ac-

quisition cost. To indicate this certification (override) on the Pharmacy Claim, enter "6" in the block for "location of recipient."

Doc No 772208

326.40.08.004

The Department of Public Welfare repeals Rule 326.40.08.004, as proposed in the October 12, 1976, issue of the *Texas Register*. This rule provided for reimbursement for insulin, non-legend drugs, and birth control tablets on the basis of the lower of the usual charge to the public or cost plus 50 percent of cost. This rule is repealed to eliminate conflict with federally mandated Maximum Allowable Cost (MAC)/Estimated Acquisition Cost (EAC) regulations.

Rule 326.40.08.004 is repealed under the authority of Articles 695c and 695j-1, Texas Civil Statutes, with the approval of the State Board of Public Welfare.

Issued in Austin, Texas, on May 3, 1977.

Doc No 772209 Raymond W Vowell
Commissioner
State Department of Public
Welfare

Effective Date June 1 1977

For further information please call (512) 475-4601

Railroad Commission of Texas

Transportation Division

System of Accounts and Records

051.03.03

The Railroad Commission of Texas has amended Regulation 051.03.03.003 by substituting the phrase "commodities, as described in Regulation 051.03.14.001" for the phrase "household goods and/or used office furniture and equipment" that was contained in Section (a) and by adding restrictive language to Section (b) limiting specialized motor carriers of commodities, as described in Regulation 051.03.14.001, except for those carriers earning less than \$50,000 per calendar year from the Texas intrastate transportation of commodities described in Regulation 051.03.14.001, to the system of accounts prescribed by the Interstate Commerce Commission for use by motor carriers of household goods.

This amendment is adopted under the authority of Section 4(a) of Article 911b, Texas Civil Statutes.

.003. Interstate Commerce Commission Accounting.

(a) Every motor carrier (other than specialized motor carriers of commodities, as described in Regulation 051.03.14.001) and motor bus company which maintains a system of accounts and records in compliance with the regulations of the Interstate Commerce Commission applicable to Class I and Class II motor carriers shall be deemed to have complied with the requirements of Regulations 051.03.03.004 and .005.

(b) Every specialized motor carrier of commodities, as described in Regulation 051.03.14.001, except for those carriers earning less than \$50,000 per

calendar year from the Texas intrastate transportation of commodities described in Regulation 051.03.14.001, shall maintain in its general ledger the Class I or Class II system of accounts prescribed by the Interstate Commerce Commission for use by motor carriers of household goods.

Issued in Austin, Texas, on April 29, 1977.

Doc No 772172 James H. Cowden
Transportation Division
Railroad Commission of Texas

Effective Date May 19 1977

For further information please call (512) 475-3207

Legislative Report

Continuing work on the general appropriations bill in the House and a record-breaking filibuster in the Senate occupied much of the legislature's time this past week and, as a result, action was taken on relatively few bills in committee and on the floor.

The House was expected to have completed its work on the appropriations bill (HB 510) on May 5. All appropriations measures-- bills directing that state money be used for specific activities-- must originate in the House. The general appropriations bill governs almost all of the expenditures of state funds for the next biennium (September 1, 1977, to August 31, 1979). Extensive revisions to HB 510 have taken place, both in committee and on the floor. The Senate is expected to begin consideration of the bill during the week of May 9.

Senator Bill Meier of Euless ended 43 hours of filibustering on May 4, breaking the previous state record of 42 hours and 34 minutes set several years ago. Senator Meier was speaking in favor of an amendment to SB 1275 to allow certain elements of worker's compensation claims to be made public. While filibustering is possible under the rules of the Senate, which set no limits on the length of time a senator may speak on a measure, the House rules prohibit representatives from speaking any longer than 10 minutes at a time (20 minutes if the member opens and closes debate). A filibuster keeps the Senate in continuous session for the duration of the senator's speech, therefore, while a filibuster is in progress committees may not meet without special permission. Senator Meier's amendment was not adopted by the Senate and SB 1275 was passed on May 4.

Consumer Affairs

The House State Affairs Committee reported favorably on HCR 27 on May 2. The resolution directs the Public Utility Commission to make an interim study of the feasibility of alternate energy rate structures and to report on its findings to the 66th Legislature in 1979.

HB 1122, prohibiting utilities from including advertising expenses in their rates, was referred to House State Affairs subcommittee on May 2.

Education

SB 232, which would require school districts, under certain conditions, to negotiate three-year contracts with teachers, was passed by the Senate on May 2. The bill now goes to the House.

Energy

Three concurrent resolutions expressing the legislature's wishes with regard to certain energy issues

have been referred to the House Energy Resources Committee. HCR 139 declares that, if sufficient progress toward the private construction of the deep-water port authorized by state and federal law is not made by 1979, the legislature intends to provide for a public body to finance and construct the port. HCR 140 memorializes the U.S. Congress to oppose extension of "coercive" federal price controls over intrastate natural gas supplies, declaring that "such dictating of prices by unelected officials in the federal government will not produce any new energy discoveries." HCR 141 memorializes Congress to levy the proposed federal reclamation fee on coal production only within those states which specifically request it because special federal funds for abandoned mine reclamation "are not needed in Texas because of the effective administration of this state's stringent surface mining and reclamation law."

SB 360, prohibiting the exercise of eminent domain to acquire oil, gas, lignite, and other fuels, was signed by the governor on April 29 and took effect immediately.

Environment

SB 578, the Coastal Wetlands Acquisition Act, was reported favorably from the House State Affairs Committee on May 2. The bill is one of four measures which would combine to form a comprehensive coastal management program. The other three bills (SB 576, SB 577, and SB 579) were reported favorably from the committee on April 25.

Government Administration

The Interstate Compact for the Conservation and Utilization of Natural Energy and Water Resources (HB 1653) was sent to the governor on May 3.

HB 1969, proposing the compilation and organization of all state agency rules into a Texas Administrative Code, was referred to House State Affairs subcommittee on April 26. If authorized, the code would be the first comprehensive publication of the rules of Texas state agencies.

Tax

HB 1, raising the inheritance tax exemption and providing for exemptions from state sales taxes on the consumption of gas and electricity, was referred to Senate Economic Development subcommittee on May 2. The bill was passed by the House on February 22.

The governor signed HB 298, allowing hotel occupancy taxes to be used for the development of the arts, on April 29. The bill will take effect 90 days after the legislature adjourns.

House of Representatives

Bills Introduced

Committee Referrals

HB 2219 Rains-- Relating to the regulatory authority of the Parks and Wildlife Department over wildlife resources in Kendall County (Environmental Affairs)

HB 2220 Whithead-- Relating to payment by the state of attorneys' fees and court reporters' fees in certain cases in counties with a state training school for delinquent children or a facility of the Department of Corrections (Criminal Jurisprudence)

HB 2221 R Wilson-- Relating to the anatomical board and regulation of recipients of certain anatomical donations (Health and Welfare)

HB 2222 Schieffer-- Amending Section 21.301 of the Texas Education Code (Public Education)

HB 2223 Schieffer-- Relating to fees and expenses of directors of the Benbrook Sewer and Water Authority (Natural Resources)

HB 2224 Looney-- Authorizing the Texas Employment Commission to sell certain state owned land and use the proceeds to acquire other land and buildings (State Affairs)

HB 2225 Whitehead-- Providing that the general law archery season is applicable in Leon County (Environmental Affairs)

HB 2226 Gilley-- Relating to the compensation and membership of the Hunt County Juvenile Board (Intergovernmental Affairs)

HB 2227 Laney-- Relating to the confidentiality of federal tax information required to be furnished by a taxpayer for state tax purposes (Ways and Means)

HB 2228 Presnal-- Granting the power of eminent domain to the Board of Regents of The Texas A&M University System to acquire certain property for the Texas Forest Service (Natural Resources)

HB 2229 B Clark-- Relating to the membership of the Smith County Juvenile Board (Intergovernmental Affairs)

HB 2230 Uher-- Relating to the jurisdiction of the court of domestic relations of Wharton County (Judicial Affairs)

HB 2231 Hubenak-- Relating to the audit of certain water districts (Natural Resources)

HB 2232 Wyatt *et al.*-- Relating to imposing an alternate tax on oil produced within this state based on a rate applying to the volume of oil produced and saved (Ways and Means)

HB 2233 Clark-- Relating to the division of a lot in a recorded subdivision (Intergovernmental Affairs)

HB 2234 Kubiak-- Relating to the dissolution of the Pond Creek Watershed Authority (Natural Resources)

HB 2235 Schleuter-- Relating to annexation, bonds and acquisition of water by the Bell County Water Control and Improvement District No. 1 (Natural Resources)

HB 2236 Millsap-- Relating to the election of the board of trustees of the Fort Worth Independent School District (Public Education)

HB 2237 Millsap-- Relating to the issuance of bonds by the Fort Worth Independent School District (Public Education)

HB 2238 Wilks-- Relating to the establishment, jurisdiction, and operation of municipal courts of record in the City of Fort Worth, and providing for municipal judges and other personnel of the courts (Judicial Affairs)

HB 2239 Donaldson-- Relating to the authority of certain hospital authorities to sell property to other political subdivisions (Intergovernmental Affairs)

HB 2240 Salinas-- Relating to persons who may be appointed as guardians (Judiciary)

HB 2241 Glossbrenner-- Relating to buck deer in Brooks County (Environmental Affairs)

HB 2242 Kaster-- Relating to travel expense reimbursements and the state's participation in group insurance premiums for state officers and employees (Appropriations)

HB 2243 Keese-- Authorizing the creation of a hospital district to be known as the Burleson County Hospital District, with boundaries cointensive with the boundaries of Burleson County (Intergovernmental Affairs)

Senate

Bills Introduced

Committee Referrals

SB 1298 Traeger-- Relating to primary elections and conventions held by political parties (State Affairs)

SB 1299 Harris-- Requiring persons engaged in the business of distributing or supplying motion pictures to exhibitors by rental, sale or licensing in this state to employ certain bidding procedures in order to promote fair and effective competition in the business of motion picture distribution and exhibition within the state (Economic Development)

SB 1300 McKnight-- Relating to the transfer of the East Texas Chest Hospital and all its land, buildings, facilities, improvements, equipment, supplies, and property from the governance of the Texas Board of Health Resources to the governance of the Board of Regents of The University of Texas System (State Affairs)

SB 1301 McKnight-- Relating to the compensation and membership of the Hunt County Juvenile Board (Intergovernmental Relations)

SB 1302 McKnight-- Relating to compulsory inspection of certain vehicles, inspection stations, inspectors, and uniform standards of safety (State Affairs)

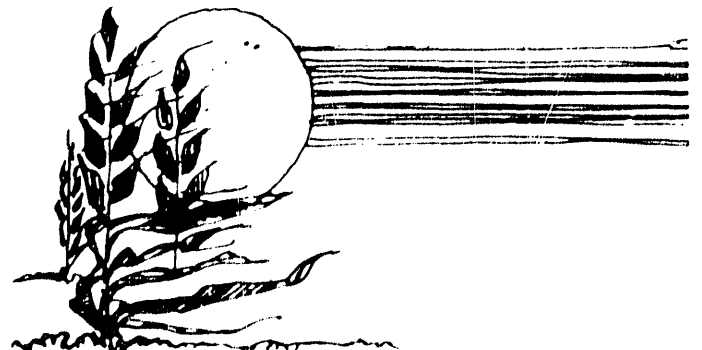
SB 1303 Ogg-- Relating to compromise and settlement of certain taxes due the State of Texas by the Comptroller of Public Accounts (State Affairs)

SB 1304 Hance-- Relating to exclusion of certain lands from noxious weed control districts (Natural Resources)

SB 1305 McKnight-- Relating to the student loan program (Education)

SB 1306 Creighton-- Relating to the authority of certain hospital authorities to sell property to other political subdivisions (Intergovernmental Relations)

SB 1309 Parker-- Authorizing the Texas Employment Commission to sell and convey certain land located in the City of Orange, Orange County, Texas (Intergovernmental Relations)



Legislation Signed

The following is a list of the bills and resolutions signed by the governor during the 65th Session of the Texas Legislature. The list is arranged by the dates the legislation was signed and includes effective dates where applicable.

A bill which contained an emergency clause and received a two-thirds record vote of the membership of each house on final passage may take effect immediately on signing by the governor, unless a later effective date is specified in the bill. A bill which did not receive the required number of votes or which did not contain an emergency clause will take effect 90 days after the session adjourns and is referred to as a 90-day bill. The effective date for all 90-day bills, based on a 140-day session adjourning on May 30, 1977, is August 28, 1977.

Lists of legislation will be published as bills and resolutions are signed. A cumulative list of all legislation signed by the governor will be published after the conclusion of the legislative session.

January 25, 1977

HCR 7 Hill-- Granting permission to the Texas Jaycees to use the chambers of the House and Senate January 22 and 23, 1977

February 1, 1977

HCR 16 Mayes-- In memory of Representative Henry Grady Perry

February 3, 1977

HCR 36 Nowlin - In memory of former Representative Joe Sage.

February 23, 1977

HB 95 Uher-- Relating to authority to close certain medical facilities owned by a county. Effective immediately

SB 331 Sherman-- Authorizing the railroad commission to make transfers between certain items of current appropriations. Effective immediately

HB 450 Laney-- Relating to cooperation between the houses and agencies of the legislature making appropriations. Effective immediately

HCR 44 Mayes-- Memorial resolution honoring a former member of the House of Representatives Mr. J. E. Ward

SCR 10 Trager-- Inviting an outstanding Texas scholar and historian to address a joint session of the Texas Legislature on March 2, 1977

February 24, 1977

SB 330 Lombardino-- Relating to the creation of certain new judicial districts and the reorganization of certain existing districts; providing for appropriation of funds. Effective April 1, 1977

SB 359 Truan-- Authorizing creation of Refugio County Memorial Hospital District. Effective immediately

SB 188 Williams-- Relating to areas of specialization designated in teacher certificates. Effective immediately

March 3, 1977

SB 324 Snelson-- Authorizing the Texas Employment Commission to exchange certain state-owned land for certain land owned by the First National Bank of Midland, Midland County, Texas. Effective immediately

SB 250 Aikin-- Relating to the combined tuition to be charged a student registering at two institutions of higher education. Effective immediately

March 7, 1977

HCR 23 Salinas-- Memorial resolution honoring a former member of the House of Representatives Mr. R. B. "Mac" McAlister. Effective immediately

HCR 45 Washington-- Memorial resolution honoring a former member of the House of Representatives Mr. G. J. Sutton. Effective immediately

HCR 39 Hoestenbach-- Designating Public School Week in Texas on March 7-11, 1977. Effective immediately

HCR 55 Leland-- Inviting President Carter to address a joint session of the Texas House and Senate to discuss his energy proposals. Effective immediately

March 10, 1977

HB 307 Bryant-- Relating to the authority of a justice of the peace and a medical examiner to permit the taking of corneal tissue for transplants, and providing immunity in certain civil suits. Effective immediately

HB 308 Bryant-- Relating to required training for certain persons who may enucleate eyes for anatomical donations and declaring an eye bank as a legal donee of an anatomical gift. Effective immediately

SB 391 Hance-- Relating to certain medical malpractice protection provided by The University of Texas System and The Texas A&M University System. Effective immediately

SB 456 Moore-- Relating to changes of domicile by state banks. Effective immediately

SCR 51 Harris and Meier-- Memorializing the U.S. Government to permit flights between DFW airport and Europe

March 15, 1977

HB 761 Gaston-- Relating to the authority of the Central Education Agency to allocate and distribute certain federal funds to the public junior colleges. Effective immediately

March 16, 1977

HB 292 Smith-- Relating to the disposal of confiscated game fish. Effective immediately

HB 388 Healy-- Relating to the open season for quail in Cottle, King, and Dickens counties, providing a penalty. 90-day bill

SB 30 Adams-- Relating to information on or attached to birth certificates concerning legitimacy of certain children and provisions for handling information on birth certificates of such children. 90-day bill

SB 109 Mengden-- Relating to the use of an alias driver's license by a law enforcement officer under certain circumstances. 90-day bill

HCR 9 Willis-- Resolution inviting Congressman Jim Wright from Texas as House Majority Leader to address a joint session of the Legislature

HCR 83 Tom Martin-- Memorial resolution honoring a distinguished citizen and former state employee, Mr. James Cullen Looney

HCR 85 Baker-- Memorial resolution honoring Vaughan Watkins "Boo" McLeod, a distinguished member of the Bar

March 17, 1977

SB 139 Traeger-- Relating to the election of directors of the Starr County Hospital District. Effective immediately.

March 22, 1977

HCR 93 Olson-- Recognizing March 22, 1977, as "Liberty and Justice for All Rally Day"

March 29, 1977

HB 509 Blake-- Relating to the immunity from suit of Stephen F Austin State University. Effective immediately.

SB 38 Moore-- Relating to limitations on the liability of air carriers. Effective immediately.

SB 93 Traeger-- Relating to the Texas Employees Uniform Group Insurance Benefits Act. Effective immediately.

SB 95 Traeger-- Relating to providing retirement annuity insurance and group life, accident, and health insurance for employees of public community/junior colleges and other higher educational institutions. Effective September 1, 1977.

HB 987 Patterson-- Relating to the audit of the fiscal affairs of certain districts created pursuant to Article III, Section 52(b), or Article XVI, Section 59, of the Texas Constitution. 90-day bill.

HCR 42 Kaster-- Resolution authorizing use of House and Senate chambers by Texas YMCA Youth and Government Program.

HCR 112 Laney-- Proclaiming March 21 as "American Agriculture Day" in Texas.

HB 372 Donaldson-- Relating to the office of district attorney for the 52nd and 220th Judicial Districts. Effective immediately.

March 30, 1977

SB 144 Adams-- Relating to the regulation of public surveyors as defined in this act. Effective immediately.

SB 191 Traeger-- Amending Article 8309, Revised Civil Statutes of Texas, 1925, as amended, by adding a new section thereto, to be known as Section 6, to include services of doctors of podiatric medicine within the coverage of certain workmen's compensation laws. Effective immediately.

SB 217 Farabee-- Relating to the offense by certain persons of offering to accept, agreeing to accept, or accepting or offering to give, agreeing to give, or giving a thing of value for a child for the purpose of adoption. Effective immediately.

SB 291 Jones of Taylor-- Relating to the seizure and disposition of illegal pelts and immunity from suit for game wardens or authorized employees. Effective immediately.

April 4, 1977

SB 111 Mengden-- Relating to the appropriation and allocation of funds to public junior and community colleges to cover the loss of tuition and laboratory fees resulting from tuition and fee exemptions under Sections 54 201 through 54 209 of the Texas Education Code. 90-day bill.

April 5, 1977

HB 97 Ribak-- Relating to the right to inspect a probation report. Effective immediately.

HB 148 Maloney-- Relating to authorization for discovery, entry on land or other property, and use of certain reports and other statements in agency proceedings. 90-day bill.

HB 720 Ezzell-- Authorizing the head of a mental hospital to discharge a resident patient absent without authority from a state hospital for the mentally ill for a continuous period of 18 months. 90-day bill.

HB 789 Massey-- Relating to the participation of the State of Texas in the Academic Common Market. 90-day bill.

SB 97 Adams-- Relating to the Senate sitting as a court of impeachment. 90-day bill.

SB 98 Adams-- Relating to the open season for taking furbearing animals in Cherokee County. Effective immediately.

SB 114 Mengden-- Permitting a voter who expects to serve as a poll watcher in an election precinct other than the precinct of his residence to vote absentee. 90-day bill.

SB 137 Traeger-- Relating to the addition of certain areas to the Cibolo Creek Municipal Authority and to the power and authority of the district. Effective immediately.

SB 192 Ogg-- Relating to the creation, administration, powers, and duties of the Office of Court Administration of the Texas Judicial System. Effective immediately.

SB 507 Farabee-- Relating to the curtailment of school operations due to emergencies. Effective immediately.

SCR 12 Ogg-- Memorial resolution on the death of Miss Ima Hogg.

April 6, 1977

HB 754 Donaldson-- Repealing Chapter 538, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 5143c, Vernon's Texas Civil Statutes), relating to the State Youth Development Council. Effective immediately.

SB 117 Moore-- Relating to the possession of certain firearms by hunters during the special archery season. 90-day bill.

HCR 74 Healy-- Memorial resolution honoring deceased former member of the Legislature, Judge Elbert Reeves.

SCR 5 Doggett-- Granting Fred Franke, Inc., permission to sue the state.

SCR 13 Ogg-- Permitting Fleetwood Construction Company to sue the state for repairs made to concrete.

SCR 14 Ogg-- Permitting Fleetwood Construction Company to sue the state for construction not included in plans.

SCR 18 Moore-- Permitting Evie Wooten to sue the state.

SCR 19 Moore-- Permitting Lewis Woodruff and Gale Woodruff to sue the Trinity River Authority.

SCR 74 Mauzy-- Requesting the House to return HB 502 to the Senate for corrections.

HB 282 Olson-- Relating to the authority of the Coordinating Board, Texas College and University System, to contract with medical schools, licensed hospitals, and nonprofit corporations for the purpose of providing state funds to family practice residency training programs. 90-day bill.

SCR 75 Adams-- Directing that state agencies be closed for one-half day April 8, 1977.

SCR 79 Williams-- Requesting that the Governor return SB 25 to Senate enrolling and engrossing clerk for corrections.

April 12, 1977

HB 3 Nugent-- Relating to the allocation and use of state revenue credited to the Omnibus Tax Clearance Fund and allocations from the State Highway Fund. Effective immediately.

SB 536 Aikin-- Authorizing the Public Utility Commission to transfer certain appropriations. Effective immediately.

April 13, 1977

HB 87 Kaster-- Relating to insurance coverage for certain radiation therapy centers, blood banks, and health organizations by the joint underwriting association. Effective immediately.

HB 377 Head-- Relating to loans, grants, and scholarships to medical students under the State Rural Medical Education Program. 90-day bill.

SB 23 Williams-- Relating to fishing license requirements for certain residents of hospitals or state schools who fish for therapeutic purposes. Effective immediately.

SB 303 Jones of Taylor-- Relating to the regulation of falconry and the protection and use of raptors. Effective September 1, 1977.

SB 543 Traeger-- Amending Chapter 75, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 6243h, Vernon's Texas Civil Statutes), establishing and governing the Texas Municipal Retirement System. Effective immediately.

HCR 70 Bock-- Declares April 14 "Hermann Seele Day" in Texas, the pioneer of the public school system in Texas.

SCR 45 Adams-- Requesting the Secretary of the Interior to determine if 1841 International Boundary Marker between the Republic of Texas and the USA merits designation as a National Historic Landmarker.

SCR 53 Moore and Parker-- Memorial resolution honoring deceased former State Senator Jop S. Fuller.

HCR 123 Adams-- Resolution permitting the Senate to adjourn from March 30 to April 4, 1977.

April 18, 1977

HCR 1 Anthony Hall-- Requesting review by the Social Security Administration of regulations governing certification of representative payees.

HCR 2 Gilley-- Permitting W. H. Hunt, Jr., and Annie Hunt right to sue the state.

HCR 26 Slack-- Granting Border Road Construction Company right to sue the state.

HCR 29 Nowlin-- Permitting Mario Figueroa to sue the state.

HCR 47 Uher-- Authorizing Kathleen Burke Dunbar to sue the state.

HCR 50 Stubbeman-- Authorizing C. E. Gladden to sue the state.

HCR 53 Delco-- Providing that Capitol Historical Marker be placed in permanent position on capitol grounds.

HB 149 Maloney-- Providing that the parties to administrative proceedings may file exceptions and replies to proposals for administrative decisions. 90-day bill.

HB 230 Olson-- Relating to the compensation and expenses of members of the Texas State Board of Podiatry Examiners. Effective immediately.

HB 314 Kubiak-- Relating to regulation of the style and format of certain periodic reports to the Governor or the Legislature. Effective immediately.

HB 810 Edwards-- Relating to the creation, jurisdiction, administration, and procedures of the County Court at Law of Walker County. Effective September 1, 1977.

HB 879 Simpson-- Relating to operation of a commercial motor vehicle or truck tractor by a person other than the owner or his agent. 90-day bill.

SB 25 Williams-- Relating to hunting and fishing license requirements for certain disabled veterans of the armed forces of the United States and for blind persons. 90-day bill.

SB 212 Brooks-- Relating to the penalty for failure to obey orders of the county fire marshal. 90-day bill.

SB 338 Williams-- Relating to the classification and promotion policies for members of police departments in cities of 1,200,000 population or more. 90-day bill.

SB 609 Mauzy-- Relating to persons authorized to conduct marriage ceremonies. 90-day bill.

April 25, 1977

HB 452 Willis-- Relating to the recovery of attorney's fees in suits founded on certain oral or written contracts. 90-day bill.

HB 455 Grant-- Relating to the term "workmen's compensation" as used in the laws of this state. 90-day bill.

HB 459 Grant-- Relating to restricting driving privileges to occupational, rehabilitation, or educational purposes after suspension of a driver's license. 90-day bill.

HB 570 Uher-- Relating to compensation of commissioners of certain navigation districts. Effective immediately.

HB 628 Weddington-- Relating to a system for gathering and dispensing notices of certain state job opportunities. Effective immediately.

HB 694 Nugent-- Relating to the application of the sales and use tax to newspapers and magazines. 90-day bill.

HB 760 Orr-- Relating to the regulation and inspection of boilers. Effective immediately.

HB 828 Grant-- Relating to the delivery of a state of the judiciary message by the chief justice of the supreme court. 90-day bill.

SB 26 Traeger-- Relating to procedures for the sale of real property under a tax lien or by the state or taxing unit having acquired the property. Effective immediately.

SB 59 Mengden-- Excluding from the definition of "sales price" in the Limited Sales, Excise and Use Tax Act receipts from certain mandatory service charges. Effective immediately.

SB 94 Jones of Harris-- Relating to chiropractic colleges being represented on the anatomical board and receiving dead bodies for research and teaching. Effective immediately.

SB 202 Schwartz-- Relating to the administration of the fiscal affairs of harbor and port facilities in certain cities. Effective immediately.

SB 203 Schwartz-- Authorizing the city of Galveston, Galveston County, Texas, or its board of trustees of the Galveston Wharves, to establish, operate, and maintain a United States foreign trade zone at Galveston, Galveston County, Texas, and subzones thereof under the Foreign Trade Zones Act (19 U.S.C.A. Sections 81a *et seq.* (1965), as amended) in accordance with regulations of the U.S. Foreign Trade Zones Board. Effective immediately.

SB 446 Parker-- Relating to examination requirements for certain applicants for a chiropractor's license. Effective immediately.

HCR 43 Chavez-- Granting National Seafoods, Inc., permission to sue the state.

HCR 46 Briscoe-- Memorial resolution honoring Uel Stephens.

HCR 73 Healy-- Commending the Honorable Elmer Tarbox.

HCR 122 Nugent-- Declaring April 12, 1977, as "Texas State Society for Prevention of Blindness Day."

HCR 131 John Wilson-- Commending the Honorable Lloyd Bentsen for his efforts to amend the Clean Air Act of 1970.

Bill Status

The following are bills and resolutions being considered by the 65th Texas Legislative Session. The list does not include every bill and resolution. Those appearing here have been chosen by the *Texas Register* according to a set of criteria to establish them as having statewide rather than local or regional impact, or creating a notable fiscal consideration, or causing a reasonable expectation of significant effect on current

statewide public policy; and promising some reasonable chance of passage. The criteria were applied to each bill and resolution when introduced. Through the course of the session, some of the criteria failed to justify the judgment to include the entry in the list. However, the list will remain cumulative, and the status of each bill and resolution will appear in each issue of the *Register* until the end of the session.

The bills covered in the legislative report of this section of the *Register* throughout the current session have been monitored from the following bill status list.

Each entry contains the number, author, a brief caption of its content, and the most recent action taken on it in the legislative process prior to the publication deadline of each issue of the *Register*.

House of Representatives

- HB 1 Wyatt Allen**-- Relating to the reduction of and exemptions and exclusions from various state taxes and making changes in the administration, collection, and enforcement of certain state taxes. Referred to Senate Economic Development subcommittee 5-2.
- HB 2 Massey** -- Relating to financing public school education. Referred to House Committee on Public Education. 1-12.
- HB 3 Nugent**-- Relating to the allocation and use of revenue received from sales and use taxes on the sale of motor vehicles, lubricating oils, parts, accessories, and tires. Effective immediately 4-14.
- HB 9 Head**-- Relating to time to be served of the maximum sentence imposed before eligibility for parole. Referred to House Committee on Criminal Jurisprudence. 1-12.
- HB 10 Leland**-- Creating a State Formulary Commission, allowing prescription drug product selections by pharmacists. Considered by Senate Committee on Human Resources in public hearing 4-26.
- HB 11 Leland**-- Allowing licensed pharmacists to advertise certain services and the contents of the poster listing the 100 most prescribed drugs in Texas. Referred to subcommittee of the House Committee on Health and Welfare. 3-14.
- HB 17 Miller** -- Relating to the imposition, collection, and administration of an occupation tax on refiners of motor fuel and diesel fuel. Referred to House Committee on Ways and Means. 1-12.
- HB 19 Leland** -- Relating to the creation, authority, responsibility, and procedures of the office of correctional ombudsman. Referred to House Committee on Social Services. 1-12.
- HB 22 Sullivant, et al** -- Relating to the valuation of open space land. Passed by the Senate 4-20.
- HB 23 Clark of Harris, Green of Harris, et al** -- Relating to authorizing and regulating group marketing of motor vehicle insurance. Reported favorably from House Committee on Insurance with amendments. 3-28.
- HB 26 Evans** -- Automatic termination of Regulatory Agencies Act. Referred to House Committee on State Affairs. 1-12.
- HB 31 Green of Harris** -- Relating to compulsory liability insurance for certain vehicles and amending the Texas Motor Vehicle Safety Responsibility Act. Reported from subcommittee of House Committee on Insurance favorably with amendments. 3-15.
- HB 32 Green of Harris** -- Providing for a hearing before certain utilities may charge customers for increased fuel costs. Referred to subcommittee of House Committee on State Affairs. 1-26.
- HB 41 Johnson** -- Relating to allowing pregnant women who meet the eligibility benefit conditions of the act to qualify for unemployment compensation. Reported from House Committee on Labor with substitute. 3-30.
- HB 54 Kaster**-- Removing the power of eminent domain from the Parks and Wildlife Department. Referred to Subcommittee on State Parks of House Committee on Environmental Affairs. 2-7.
- HB 55 Vale**-- Relating to settlement and judgment awards recovered by certain municipally owned gas or electric utilities. Referred to House Committee on Energy Resources. 1-13.
- HB 56 Vale**-- Relating to the determination of the average residential user's minimum energy needs and establishing rates for these needs. Referred to House Committee on Energy Resources. 1-13.
- HB 57 Vale**-- Relating to rates and fuel adjustment charges charged by certain public utilities. Referred to House Committee on Energy Resources. 1-13.
- HB 59 Johnson Allen** -- Relating to the creation, administration, and financing of a housing rehabilitation program involving the state and certain local governments. Referred to House Committee on State Affairs. 1-13.
- HB 60 Wilson of Fayette**-- Increasing the minimum reimbursement percentage rate from the Department of Highways and Public Transportation to cities and counties for the acquisition of certain rights of way. Referred to House Committee on Ways and Means. 1-13.
- HB 61 Wilson of Fayette**-- Relating to exempting from the Limited Sales, Use, and Excise Tax Act the sale, production, distribution, lease, or rental of, and the storage, use, or other consumption in this state of gas and electricity. Referred to subcommittee of House Committee on Ways and Means. 2-14.
- HB 64 Johnson Allen** -- Creating a public agency of the State of Texas to be known as the Texas Housing Finance Agency. Referred to House Committee on State Affairs. 2-17.
- HB 65 Hartung** -- Decreasing the rate of the Limited Sales, Use, and Excise Tax to three percent. Referred to subcommittee of House Committee on Ways and Means. 2-14.
- HB 68 Vale** -- Providing services for the diagnosis and correction of speech and hearing defects to students in nonpublic schools. Referred to House Committee on Public Education. 1-13.
- HB 69 Vale** -- Providing tuition assistance grants to families with financial need. Referred to House Committee on Public Education. 1-13.
- HB 79 Hubenak** -- Relating to transportation cost allotments under the Foundation School Program. Referred to House Committee on Public Education. 1-13.
- HB 80 Hubenak** -- Relating to supplemental allocations from the Foundation School Fund to school districts with increased enrollments. Referred to House Committee on Public Education. 1-13.
- HB 82 Hubenak** -- Relating to the creation of the Local Educational Equalization Fund. Referred to subcommittee of House Committee on Ways and Means. 4-11.
- HB 84 Bird** -- Relating to the competence of a defendant to stand trial in a criminal proceeding and making provisions for the defendant found incompetent to stand trial. Referred to subcommittee of House Committee on Criminal Jurisprudence. 1-25.
- HB 85 Uher** -- Relating to the redetermination of the price of certain natural gas. Considered by House Committee on Energy Resources in public hearing. 3-30.
- HB 86 Uher** -- Relating to hearings and determinations on certain natural gas contract provisions. Considered by House Committee on Energy Resources in public hearing. 2-22.
- HB 88 Weddington, et al** -- Providing for the holding of presidential primary elections. Reported from House Elections Committee with substitute. 4-18.
- HB 93 Bryant** -- Prohibiting the expenditure of public funds of political subdivisions to influence the outcome of elections. Referred to House Elections subcommittee. 4-13.
- HB 97 Ribak** -- Relating to the right of defense counsel to inspect a probation report. Signed by the governor effective immediately. 4-6.

- HB 99 Bock** - Relating to probation and parole. Referred to subcommittee of House Committee on Criminal Jurisprudence. 1 25
- HB 101 Hubenak** - Relating to the creation of the Local Educational Equalization Fund, providing for the dedication of certain sales tax receipts to the new fund, providing for the allocation and distribution of equalization funds to school districts. Referred to subcommittee on House Committee on Ways and Means. 4 11
- HB 103 Head** - Relating to temporary speed limits as set by the State Highway Commission. Referred to House Transportation Subcommittee on Motor Transportation. 4 12
- HB 104 Fox** - Relating to placement of names of candidates on the official ballot for a public election. Referred to subcommittee of House Committee on Elections. 3 23
- HB 108 Hall of Harris** - Relating to visitation privileges of inmates of the Texas Department of Corrections. Referred to House Social Services Subcommittee on Correctional Institutions. 4 20
- HB 111 Hall of Harris** - Relating to unemployment compensation benefits. Referred to House Committee on Labor. 3 15
- HB 113 Chavez** - Relating to payment of fees, court costs, restitution, and reparations by adult probationers. Reported favorably without amendments by House Committee on Criminal Jurisprudence. 3 30
- HB 119 Washington** - Relating to the selection of a grand jury and to procedures before a grand jury. Referred to subcommittee of House Committee on Criminal Jurisprudence. 2 8
- HB 122 Washington** - Relating to the time for the examining trial and for the grand jury inquiry into an offense. Referred to House Committee on Criminal Jurisprudence. 1 17
- HB 123 Green of Navarro** - Relating to the definition of public utility. Reported from House Natural Resources subcommittee with substitute. 4 18
- HB 133 Wilson of Fayette** - Relating to the imposition, administration, collection, and enforcement of a school district sales and use tax. Referred to House Committee on Ways and Means. 1 17
- HB 134 Wilson of Fayette** - Relating to the imposition, administration, collection, and enforcement of a county sales and use tax. Referred to House Committee on Ways and Means. 1 17
- HB 139 Fox** - Stating the powers and authority of the Railroad Commission of Texas relating to unitization. Considered by House Energy Resources Committee in public hearing. 4 5
- HB 140 Hernandez** - Relating to deposits and interest on deposits for certain utility services. Referred to House Committee on State Affairs. 1 17
- HB 141 Hall** - Requiring all state departments, agencies and institutions to list all permanent job openings with the Texas Employment Commission for a specified period of time before listing with any other public or private agency. Referred to House Committee on State Affairs. 1 17
- HB 144 A Hall** - Relating to the administration of the Texas Department of Corrections Work Furlough Program. Reported from House Social Services Committee favorably with amendments. 4 20
- HB 147 Massey et al.** - Relating to financing public school education, providing full state funding for the Foundation School Program. Laid on the table subject to call. 4 20
- HB 154 J. Wilson** - Relating to periodic review and termination of certain state regulatory agencies and advisory committees. Considered in formal meeting by subcommittee of House Committee on State Affairs. 4 12
- HB 160 Blake** - Relating to the allocation of revenue for farm to market roads. Reported favorably from House Committee on Ways and Means without amendments. 3 28
- HB 161 Vale** - Relating to allocations for capital outlay under the Minimum Foundation School Program. Referred to House Committee on Public Education. 1 17
- HB 173 Añen** - Relating to the creation of the office of ombudsman and its powers, duties, privileges, procedures, and qualifications. Considered by subcommittee of House Committee on State Affairs in public hearing. 4 4
- HB 174 G. Green** - Making it an offense to employ an illegal alien. Referred to subcommittee of House Committee on Labor. 3 21
- HB 750 Kaster** - Relating to the financing of public school education. Assigned to House Emergency Calendar Committee. 4 7
- HB 178 Johnson** - Relating to the creation, administration, and financing of a housing rehabilitation program involving the state and certain local governments. Considered by House State Affairs Committee in public hearing. 5 2
- HB 179 Cates** - Establishing ordinance-making power for county commissions. Considered by Senate Human Resources Committee in public hearing. 4 21
- HB 185 A Hall** - Relating to the Texas Minimum Wage Act of 1970. Reported from House Labor subcommittee with substitute. 4 13
- HB 186 Washington** - Decreasing the rate of the Limited Sales, Excise, and Use Tax to three percent. Referred to subcommittee of House Ways and Means Committee. 2 14
- HB 191 Ribak** - Relating to the establishment in the state treasury of an uninsured motorist fund to be composed of fees required of uninsured motorists upon vehicle registration. Referred to House Insurance Committee. 1 17
- HB 196 Miller** - Relating to the purchase, inspection, operation, and funding of school buses. Referred to subcommittee of House Transportation Committee. 3 29
- HB 200 Polumbo** - Relating to the jurisdiction of the Public Utility Commission of Texas over contracts for the sale of water between political subdivisions. Referred to subcommittee of House Natural Resources Committee. 2 2
- HB 201 Whitehead** - Relating to mentally ill criminal defendants and prisoners. Referred to subcommittee of House Criminal Jurisprudence Committee. 2 8
- HB 204 Rains** - Relating to financing public school education. Referred to subcommittee of House Public Education Committee. 2 15
- HB 205 Hudson** - Relating to day care centers for certain children and establishing an Advisory Committee on Day Care Centers. Referred to House Health and Welfare Committee. 1 18
- HB 218 Gaston** - Relating to the punishment for an offense, other than a capital felony, committed with a firearm. Referred to House Criminal Jurisprudence Committee. 1 18
- HB 221 Semos** - Relating to bail pending appeal. Referred to subcommittee of Criminal Jurisprudence Committee. 2 15
- HB 224 Caraway** - Relating to the prevention and treatment of alcohol abuse and alcoholism, providing for admission and commitment to treatment facilities, regulating treatment facilities. Reported from House Health and Welfare Committee with substitute. 4 26
- HB 229 Sullivant Bird** - Prohibiting telecommunications utilities from charging for and the Public Utility Commission from approving charges for telephone directory assistance. Considered by House State Affairs subcommittee in public hearing. 4 13
- HB 233 Maloney** - Relating to the effect in juvenile delinquency proceedings of the testimony of an accomplice. Reported favorably from House Judiciary Committee without amendments. 4 12
- HB 234 Maloney** - Relating to photographing children in connection with the investigation of criminal offenses. Reported from House Judiciary Committee with substitute. 4 20
- HB 235 Maloney** - Relating to a criminal offense of failure to supervise a child. Referred to subcommittee of House Criminal Jurisprudence. 2 22
- HB 236 Maloney** - Relating to payments for the support of a child detained pending adjudication of a petition alleging delinquent conduct or conduct indicating a need for supervision. Reported favorably without amendments from House Judiciary Committee. 4 12

- HB 237 Maloney**-- Relating to the grounds for the detention of a child taken into custody. Reported from House Judiciary Committee with substitute 4-20.
- HB 238 Maloney**-- Relating to the taking of a child into custody by a probation officer. Reported favorably without amendments from House Judiciary Committee. 4-12.
- HB 239 Maloney**: Relating to the prosecution as adults of persons 15 years old or over who are alleged to have committed certain offenses. Referred to subcommittee of House Criminal Jurisprudence Committee. 2-22.
- HB 241 G Green**: Relating to authorization and regulation of group marketing of motor vehicle insurance for persons over 55 years of age. Considered by House Insurance Committee in public hearing 3-15.
- HB 246 Torres**: Relating to allocation of funds under the Foundation School Program for the education of certain alien students. Referred to House Public Education Committee. 1-18.
- HB 249 Torres**: Relating to the allocation of personnel units under the Foundation School Program to school districts that experience marked increases or decreases in daily student attendance because of the enrollment of children of migrant agricultural farm workers. Laid on the table subject to call 4-20.
- HB 258 L Jones**: Relating to fraud in obtaining information concerning public assistance. Considered by House Health and Welfare Committee in formal meeting 4-4.
- HB 259 L Jones**: Relating to penalties for certain unauthorized uses of food stamp coupons and authorizations to purchase food stamp coupons. Considered by subcommittee of House Health and Welfare Committee in formal meeting 3-23.
- HB 261 G Green**: Relating to possession of a firearm by a felon, a person found incompetent to stand trial on a felony charge, or a person acquitted of a felony by reason of insanity. Referred to House Criminal Jurisprudence Committee. 1-18.
- HB 266 Cates**: Relating to proof of financial responsibility on registration of a motor vehicle. Considered by subcommittee of House Insurance Committee in formal meeting. 2-28.
- HB 269 Hudson**: Relating to the disqualification of a trial judge because of political endorsement by a party or an attorney representing a party in a case. Referred to House Committee on Elections. 1-18.
- HB 270 Hudson**: Relating to the creation of community service authorities and providing for the issuance of bonds by the authorities. Referred to House Intergovernmental Affairs Committee. 1-18.
- HB 271 Madla**: Relating to eligibility of public school students for transportation cost allotments under the Foundation School Program. Referred to House Public Education Committee. 1-18.
- HB 272 Madla**: Relating to eligibility of public school students for transportation cost allotments under the Foundation School Program. Referred to House Public Education Committee. 1-18.
- HB 276 Madla Bigham**: Relating to the establishment of a state program to provide compensation to certain victims of crime. Referred to House Health and Welfare subcommittee 4-18.
- HB 279 Moreno**: Relating to the duty of landlord and tenant to maintain residential rental premises in a condition fit for human habitation. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.
- HB 282 Olson**: Relating to the authority of the Coordinating Board Texas College and University System to contract with medical schools, licensed hospitals, and non profit corporations for the purpose of providing state funds to family practice residency training programs. Signed by the governor, effective in 90 days. 4-6.
- HB 284 Watson**: Relating to establishing the liability of school districts for certain medical expenses incurred by students injured in certain school athletic programs and requiring school districts to carry insurance to cover their liability. Referred to House Public Education Committee. 1-18.
- HB 297 Massey**: Relating to the authority of school districts to charge student fees. Reported from House Public Education Committee with substitute 4-26.
- HB 298 Lalor**: Relating to the uses to which local hotel occupancy taxes may be put. Effective in 90 days 4-29.
- HB 300 Vaughan Semos**: Relating to the creation of the Metro System Advisory Council and the study of a transition to the metro system. Considered by Senate Economic Development Committee in public hearing 4-27.
- HB 303 Wright**: Relating to the nonpartisan nomination and election of certain judicial officers and the procedures for their nomination and election. Referred to subcommittee of House Elections Committee. 3-23.
- HB 304 Hudson**: Relating to the administration of certain federally established day care programs. Referred to House Committee on Health and Welfare. 1-18.
- HB 310 G Green**: Relating to restrictions on conduct of the members of the State Board of Insurance, the Commissioner of Insurance and certain persons and entities. Referred to subcommittee of House Insurance Committee. 2-8.
- HB 312 Brown *et al***: Relating to the assessment of student proficiency in basic skills. Referred to House Public Education Committee. 1-18.
- HB 319 Bryant**: Relating to the requisites of an indictment, an information, and a complaint. Referred to House Criminal Jurisprudence Committee. 1-18.
- HB 331 Weddington**: Relating to authorizing cities to impose certain hotel occupancy taxes to provide funds for the encouragement, promotion, improvement, and application of the arts in the city. Reported favorably from House Business and Industry with amendments. 3-31.
- HB 333 Weddington**: Relating to discovery by the defendant of certain statements and conversations. Reported favorably from House Committee on Criminal Jurisprudence without amendments 4-26.
- HB 334 Waters Allen**: Relating to restoration of voting rights of persons convicted of a felony. Reported with substitute from House Committee on Elections. 4-7.
- HB 335 Allen**: Relating to periodic review and termination of certain state regulatory agencies and advisory committees. Considered in formal meeting by subcommittee of House State Affairs Committee. 4-12.
- HB 336 Allen**: Relating to the power of the attorney general in environmental matters. Referred to House Judicial Affairs Committee. 1-18.
- HB 339 Allen**: Relating to creation of a state personnel system and a state personnel board having powers, duties, and functions regarding employment policies and practices of certain state agencies. Referred to House State Affairs Committee. 1-18.
- HB 340 Allen**: Relating to a prison inmate's right to inspect information for consideration by the Board of Pardons and Paroles in determining whether to order his parole. Referred to subcommittee of House Criminal Jurisprudence Committee. 2-8.
- HB 341 Semos**: Relating to the admission in evidence of statements of an accused. Considered by House Jurisprudence subcommittee in formal meeting 4-5.
- HB 348 Laubhoff**: Relating to denial of probation to persons convicted of certain offenses. Referred to House Criminal Jurisprudence Committee. 1-26.
- HB 362 J Clark Allee**: Relating to the jurisdiction of the Public Utility Commission of Texas over contracts for the sale of water between certain purchasers and political subdivisions. Referred to subcommittee of House Natural Resources Committee. 2-2.
- HB 363 Allee**: Relating to certain duties of a landlord and the right of a tenant to make certain repairs. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.

HB 366 Allen-- Relating to proof of financial responsibility on registration of a motor vehicle or issuance or renewal of a license to operate a motor vehicle and maintenance of proof of financial responsibility. Considered by subcommittee of House Insurance Committee in formal meeting. 2-28

HB 370 Powers-- Relating to enactment of the Medical Liability and Insurance Improvement Act of Texas. Referred to subcommittee of House State Affairs Committee. 2-9

HB 374 Wright-- Relating to the employment of certain aliens in metropolitan areas. Referred to House Labor Committee. 3-21

HB 391 M. Garcia-- Relating to the authorization for students and faculty members to serve as nonvoting members of the governing board of each state-supported senior college or university. Reported favorably with amendments from House Higher Education Committee. 3-31

HB 344 M. Garcia-- Relating to the management and control of encumbered municipally owned public utility systems. Referred to House Committee on Intergovernmental Affairs. 1-19

HB 396 Olson-- Relating to creation of a state personnel system and a state personnel board having powers, duties, and functions regarding employment policies and practices of certain state agencies. Referred to Committee on State Affairs. 1-19

HB 400 J. Clark *et al.*-- Relating to a city's providing fire protection and enforcing its fire protection code in designated industrial districts within its extraterritorial jurisdiction. Reported from House Intergovernmental Affairs Committee with substitute. 4-19

HB 406 Polombo-- Relating to prohibiting the employment of illegal aliens. Referred to subcommittee of House Labor Committee. 3-21

HB 413 Bigham-- Relating to certain meetings to be held by water supply corporations. Referred to subcommittee of Natural Resources Committee. 2-16

HB 419 Johnson-- Relating to the prohibition of certain discriminatory acts in the provision of financial assistance for the purpose of purchasing, rehabilitating, improving, or refinancing housing accommodations. Referred to subcommittee of House Committee on Financial Institutions. 4-6

HB 421 Hudson-- Relating to the duty of a landlord to maintain a dwelling unit in safe condition. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing. 1-20

HB 426 Blythe-- Relating to the imposition, administration, and collection of an occupation tax on refiners of crude oil and petroleum distillates. Referred to subcommittee of House Committee on Ways and Means. 4-11

HB 427 Johnson-- Relating to the creation of the Texas Fair Housing Commission. Referred to House State Affairs Committee. 1-25

HB 455 Grant-- Relating to the term "workmen's compensation" in this state, changing it to "worker's compensation." Effective in 90 days. 4-25

HB 478 Head-- Relating to membership in the state bar, subjecting to certain rules all persons licensed to practice law in this state. Reported favorably with amendments from subcommittee of House Judicial Affairs Committee. 4-6

HB 501 Lalor-- Establishing a state elections commission to administer state laws regulating the financing of political campaigns and office-related activities of public officers; the filing of financial statements by public officers. Referred to House Committee on Elections. 2-2

HB 512 Evans-- Relating to the approval of state agency rules by legislative committees. Referred to subcommittee of House State Affairs Committee. 1-31

HB 513 Evans-- Relating to citizenship and residence requirements for municipal employees. Referred to House Committee on Intergovernmental Affairs. 1-20

HB 518 Hoestenbach *et al.*-- Relating to consideration of certain speeding violations in determining drivers' license suspensions and insurance availability and premiums. Referred to House Committee on Transportation. 1-20

HB 519 Bock *et al.*-- Relating to the creation of the Ad Valorem Tax Relief Fund. Referred to subcommittee of House Ways and Means Committee. 4-11

HB 531 Gilley-- Relating to proof of financial responsibility in accidents occurring on highways and on property that is not part of a highway and in judgments growing out of the ownership, maintenance, or use of motor vehicles on the highways and on property that is not part of a highway. Referred to House Committee on Transportation. 1-20

HB 545 Head-- Relating to civil and criminal sanctions against persons committing the offense of driving while intoxicated or under the influence of alcohol. Reported favorably from House Criminal Jurisprudence subcommittee with amendments. 5-2

HB 546 Evans-- Relating to the creation, administration, and functions of the Health and Welfare Services Transfer Board. Considered by House Health and Welfare Committee in public hearing. 4-12

HB 550 Evans and Olson-- Relating to the creation, administration, powers, duties, obligations, and privileges of the Department of Aging and Special Assistance. Considered by House Health and Welfare subcommittee in public hearing. 4-7

HB 551 Evans-- Relating to the creation, administration, powers, duties, obligations, and privileges of the Department of Child and Family Resources. Referred to subcommittee of House State Affairs Committee. 2-2

HB 555 Orr-- Providing for the regulation and control of automotive repair dealers. Reported favorably from House Business and Industry Committee with amendments. 4-12

HB 562 Cates-- Relating to a court's instructions to the jury on the laws of parole and commutation of sentence for good behavior. Referred to subcommittee of House Criminal Jurisprudence Committee. 2-22

HB 563 Hudson-- Relating to capital punishment. Referred to subcommittee of House Committee on Criminal Jurisprudence. 3-1

HB 564 Allred and Hartung-- Relating to the sale and purchase of a child. Referred to House Health and Welfare Committee. 1-20

HB 568 Hernandez-- Relating to reformation of the penalty in a capital case when the Court of Criminal Appeals is divided. Referred to subcommittee of House Criminal Jurisprudence Committee. 3-1

HB 569 Close-- Relating to the admission in evidence of statements of an accused in a criminal proceeding. Considered in formal meeting of subcommittee of House Criminal Jurisprudence Committee. 4-12

HB 571 Uher-- Relating to eligibility for probation, parole, and release to mandatory supervision, to conditional pardons, to prisoner classification, and to good conduct time. Referred to subcommittee of House Committee on Criminal Jurisprudence. 3-30

HB 576 Lewis-- Relating to ineligibility for probation for using or exhibiting a deadly weapon while committing a felony or in immediate flight after the commission of a felony. Referred to subcommittee of House Criminal Jurisprudence Committee. 3-15

HB 579 Evans-- Relating to periodic review and termination of certain agencies and advisory committees. Considered in formal meeting by subcommittee of House State Affairs Committee. 3-31

HB 580 Evans-- Relating to a process for legislative review of proposed rules of state agencies. Reported from House State Affairs Committee with substitute. 4-18

HB 587 Head-- Relating to chemical tests for intoxication. Referred to House Criminal Jurisprudence subcommittee. 4-19

HB 588 Hale-- Relating to employment contracts of certain teachers in this state. Referred to House Committee on Public Education. 1-20

- HB 592 Evans--** Relating to the exemption of the state from the application of certain provisions of federal law relating to parens patriae antitrust actions. Considered by House Committee on Judicial Affairs in formal meeting, 3-28.
- HB 594 Grant, Bird, Salinas, Denton, and Bigham--** Relating to registered nurses and the practice of professional nursing. Referred to House Committee on State Affairs, 3-8.
- HB 595 Ribak--** Relating to the creation of a competitive bidding system for the deposit of state funds. Considered by subcommittee of House Financial Institutions Committee in public hearing 4-7.
- HB 597 Washington--** Prohibits the sale of certain items on both the consecutive days of Saturday and Sunday. Referred to subcommittee of House Business and Industry Committee, 3-14.
- HB 610 Johnson, Briscoe, Baker, Price, and Robbins--** Providing that boards of trustees consult with representatives of teachers and groups of auxiliary personnel employed in a school district under certain conditions. Referred to House Committee on Public Education, 3-8.
- HB 613 Hale, et al. --** Relating to public school education. Considered by Public Education Committee in public hearing, 3-15.
- HB 623 J. Wilson--** Relating to transferring the responsibilities and functions of the Drug Abuse Prevention Division of the Texas Department of Community Affairs to the Texas Commission on Alcoholism. Referred to Subcommittee on Health of House Health and Welfare Committee, 2-14.
- HB 628 Weddington--** Relating to a system for gathering and dispensing notices of certain state job opportunities. Effective immediately 4-25.
- HB 629 Ribak--** Relating to the creation of a competitive bidding system for the deposit of state funds. Considered by House Committee on Financial Institutions in public hearing 4-6.
- HB 631 Caraway and Blythe--** Relating to the creation, administration, powers, duties, functions, and financing of metropolitan water authorities. Referred to House Committee on Natural Resources, 1-24.
- HB 632 Caraway--** Relating to periodic review and termination of certain state agencies and advisory committees. Considered in formal meeting by subcommittee of House State Affairs Committee 4-12.
- HB 640 Lalor--** Relating to the conduct and financing of political campaigns for elective public offices and for the office of state chairman of a political party, and to the financing of office-related activities of public officers that are not financed with public funds. Considered by House Elections Committee in public hearing 4-20.
- HB 642 Olson--** Creating the Texas Adult Probation Commission and providing for its powers and duties. Referred to House Committee on Criminal Jurisprudence, 1-24.
- HB 645 Uher--** Amending the Texas Mobile Homes Standards Act. Considered by House Labor Committee in public hearing, 3-29.
- HB 646 Kaster--** Relating to imprisonment without probation for certain offenses. Referred to subcommittee of House Criminal Jurisprudence Committee, 3-15.
- HB 657 Blythe, Lauhoff, and A. Hall--** Relating to the creation, administration, and powers of metropolitan rapid transit authorities. Reported from House Intergovernmental Affairs Committee with substitute 4-19.
- HB 662 J. Clark, Leland, Hernandez, Watson, Polumbo, and Reyes--** Relating to rights of certain public employees and to the creation of a state employer-employee relations board, its duties and powers. Referred to House Committee State Affairs, 1-25.
- HB 667 Vale--** Relating to the designation, acquisition, and administration of state wilderness parks. Referred to Subcommittee on State Parks of House Committee on Environmental Affairs, 2-21.
- HB 680 Collazo--** Relating to certain charges and discounts on bills of public utility customers. Reported favorably from House State Affairs subcommittee with substitute 4-28.
- HB 682 Collazo--** Relating to the number of commissioners of the Public Utility Commission. Considered by House State Affairs Committee in public hearing 5-2.
- HB 683 Collazo--** Relating to determination and promulgation of rates charged for certain sales of natural gas. Considered in public hearing by House Energy Resources Committee, 2-22.
- HB 684 Smith--** Relating to exempting from property taxes one motor vehicle belonging to each family or single adult. Considered by subcommittee of House Ways and Means Committee in public hearing, 3-7.
- HB 694 Wyatt and Florence--** Relating to the application of the sales and use tax to periodicals and to certain property used in the publication and distribution of periodicals. Effective in 90 days 4-25.
- HB 701 Smith and Simpson--** Relating to search warrants to search for and seize evidence of an offense. Considered by House Criminal Jurisprudence subcommittee in formal meeting 4-5.
- HB 714 Gonzales--** Relating to discrimination based on age in setting motor vehicle insurance. Considered by House Insurance subcommittee in public hearing 4-26.
- HB 722 Davis--** Relating to medical professional discipline and liability. Considered by State Affairs Committee in public hearing, 2-23.
- HB 738 Davis--** Relating to the coverage, powers, duties, operation, and financing of the Texas Medical Liability Insurance Underwriting Association. Considered by House State Affairs Committee in public hearing, 2-23.
- HB 749 Mayes--** Relating to organized crime and the interception of communications in the investigation of organized crime. Referred to House Criminal Jurisprudence Committee, 1-27.
- HB 750 Kaster** Relating to public school education. Referred to Senate Education Committee 4-26.
- HB 758 R. Green--** Relating to creation of the Texas Commission of Cosmetologists and Barbers. Considered by House Committee on State Affairs in public hearing, 2-28.
- HB 763 Keese--** Relating to the rights of teacher organizations in consultation meetings with a board of trustees. Referred to House Committee on Public Education, 1-27.
- HB 764 Sullivant and Browder--** Relating to the distribution of revenue from the limited sales, excise and use tax. Referred to subcommittee of House Committee on Ways and Means, 4-11.
- HB 784 Head--** Relating to number and election of the commissioners of the Public Utility Commission. Referred to subcommittee of House Committee on State Affairs, 3-30.
- HB 787 Laney--** Relating to the inheritance tax rates for certain persons. Referred to subcommittee of House Ways and Means Committee, 2-14.
- HB 791 Caraway--** Relating to limitations on the incorporation of a city within the extraterritorial jurisdiction of another city. Referred to House Intergovernmental Affairs Committee, 2-1.
- HB 792 Caraway--** Relating to limitations on municipal annexation. Referred to House Committee on Intergovernmental Affairs, 2-1.
- HB 793 Caraway--** Relating to the expansion of a municipality's extraterritorial jurisdiction after territory is annexed. Referred to House Intergovernmental Affairs Committee, 2-1.
- HB 794 Semos, Agnich, Johnson, and Cain--** Relating to increasing the maximum hotel occupancy tax for cities to four percent. Reported favorably from House Committee on Business and Industry without amendments, 3-7.
- HB 796 Millsap--** Relating to information about and programs to control and reduce the size of state government. Reported favorably from State Affairs Committee without amendments, 3-7.
- HB 799 Delco--** Relating to financial support for instructional television services. Reported favorably without amendments from House Committee on Public Education, 4-5.

HB 802 Wyatt-- Relating to unemployment compensation. Referred to subcommittee of House Labor Committee, 3-15.

HB 804 Blythe-- Relating to the imposition and administration of a tax on producers of coal. Referred to House Ways and Means Committee, 2-1.

HB 806 Weddington-- Relating to the creation and administration of a state employee development fund. Referred to House State Affairs Committee, 2-1.

HB 828 Grant-- Relating to the delivery of a state of the judiciary message by the Chief Justice of the Supreme Court. Effective in 90 days 4-25.

HB 833 Hoestenbach-- Relating to the employment of teaching assistants by institutions of higher education. Referred to Senate Committee on Education, 3-21.

HB 834 Gaston, Agnich, McDonald, and Smith-- Relating to reasonable charges by governmental bodies for providing the public with access to information. Referred to House State Affairs subcommittee 4-25.

HB 839 Davis-- Relating to raising revenue for the support of state government. Referred to subcommittee of House Ways and Means Committee, 2-14.

HB 844 Hoestenbach-- Authorizing the voters of a county to decide by election if the law prohibiting certain sales on consecutive Saturdays and Sundays applies in the county. Referred to subcommittee of House Business and Industry Committee, 3-14.

HB 845 Waters-- Relating to a warranty of habitability of rental residential premises. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.

HB 846 Peveto, *et al.*-- Adopting a property tax code and conforming provisions, amendments, and repeals. Referred to Senate Economic Development Committee 4-26.

HB 848 Ceverha and Blanton-- Relating to the penalty for the driving of a motor vehicle while under the influence of a controlled substance. Reported favorably without amendments from House Committee on Criminal Jurisprudence, 4-5.

HB 858 Vale-- Relating to an exemption from the franchise tax for certain persons manufacturing, selling, or installing solar energy devices. Reported favorably from House Ways and Means Committee without amendments, 3-28.

HB 893 Glossbrenner, *et al.*-- Relating to ballots used at elections. Referred to Senate State Affairs Committee, 4-5.

HB 897 Coody-- Relating to the penalties for obtaining welfare benefits or certain welfare information by fraudulent means and penalties for soliciting or charging attorney's fees for representing a client before the State Department of Public Welfare without a license to practice law. Referred to House Health and Welfare Committee, 2-7.

HB 898 Coody-- Relating to penalties for fraud in medical assistance. Referred to House Committee on Health and Welfare, 2-7.

HB 902 Bock-- Relating to conditions for sale of certain public land. Considered by subcommittee of House State Affairs Committee in formal meeting 4-20.

HB 903 Bird-- Relating to appointment of boards of equalization by county commissioners courts. Referred to House Committee on Intergovernmental Affairs, 2-7.

HB 906 Blanton-- Relating to granting immunity from criminal and civil liability to school districts, the board of trustees of school districts, and professional employees of school districts when dispensing medication to students. Reported from House Public Education Committee with substitute 4-26.

HB 907 Robbins-- Relating to a period of detention as a condition of felony probation. Referred to House Committee on Criminal Jurisprudence, 2-7.

HB 911 Jones-- Relating to the authority of a juvenile court to make appropriate orders for the benefit of the child, to require payments to cover the costs of probation for a child, to provide for monetary restitution for victims, to approve paroles of delinquent children from the Texas Youth Council, and to permit the use of certain statements by a child. Referred to House Judiciary subcommittee 4-19.

HB 917 Reyes-- Relating to the regulation of the sale of certain handguns. Criminal Referred to House Committee on Criminal Jurisprudence, 2-7.

HB 918 Hartung and Henderson-- Relating to the membership of the State Depository Board. Reported favorably from House Committee on Financial Institutions without amendments, 3-7.

HB 931 Henderson-- Relating to legislative review of proposed rules of state agencies. Referred to subcommittee of House State Affairs Committee, 3-21.

HB 938 Lalor-- Relating to periodic review and termination of certain state agencies. Considered by subcommittee of House State Affairs Committee in formal meeting 4-12.

HB 941 Close-- Relating to *ad valorem* tax exemptions for certain veterans and residence homesteads of elderly persons. Referred to House Committee on Intergovernmental Affairs, 2-10.

HB 945 Grant and Close-- Relating to the method of execution of convicts sentenced to death. Reported favorably from Senate Jurisprudence Committee 4-28.

HB 946 Allred-- Relating to the timing and form of notice of certain gas curtailments. Referred to House Energy Resources subcommittee 4-18.

HB 951 Bird and Whitehead-- Relating to competency to stand trial, insanity defenses, and commitment of mentally ill defendants. Reported favorably with amendments from House Criminal Jurisprudence Committee, 4-5.

HB 952 Green of Harris-- Relating to psychological examinations and treatment of persons who have abused or neglected a child. Considered in formal meeting by subcommittee of House Judiciary Committee 4-18.

HB 965 Chavez-- Relating to carrying firearms on or about one's person. Referred to House Committee on Criminal Jurisprudence, 2-10.

HB 970 Green of Harris-- Relating to written statements giving reasons for the removal of textbooks recommended by the textbook committee. Referred to House Committee on Public Education, 2-10.

HB 971 Wilson, *et al.*-- Relating to increasing the minimum requirement reimbursement percentage rate for the acquisition of certain rights-of-way. Reported favorably from House Transportation Committee without amendments 4-19.

HB 976 Waters-- Requiring all elections held by the state or by political subdivisions of the state to be held on a Saturday, with certain exceptions. Referred to House Committee on Elections, 2-14.

HB 980 Atkinson-- Relating to public school education. Considered by House Committee on Public Education in public hearing, 3-15.

HB 985 Vaughan-- Relating to the authority of a city to extend the application of certain ordinances to its area of extraterritorial jurisdiction. Referred to House Committee on Intergovernmental Affairs, 2-14.

HB 993 Powers-- Creating the Natural Resources Council. Considered by subcommittee of House State Affairs Committee in formal meeting 4-18.

HB 994 Powers-- Directing the Natural Resources Council to report to the governor on coastal problems. Considered by subcommittee of House State Affairs Committee in formal meeting 4-18.

HB 995 Powers-- Granting the certifying agency the duty and authority to certify those coastal wetlands which are essential to the public interest. Considered by subcommittee of House State Affairs Committee in formal meeting 4-18.

- HB 996 Powers-- Providing for the exercise by the state of the regulatory authority of the Corps of Engineers over the discharge of dredged or fill material. Considered by subcommittee of House State Affairs Committee in formal meeting 4-18.
- HB 1000 Hudson-- Relating to the duties and powers of state agencies to assist small businesses. Referred to House Committee on Business and Industry. 2-14.
- HB 1002 Hudson-- Relating to the composition of the Texas Indian Commission. Referred to House State Affairs subcommittee 4-25.
- HB 1003 Hudson-- Relating to an increase in the membership of the Texas Indian Commission. Referred to House State Affairs subcommittee 4-25.
- HB 1005 G. Hill, Schlueter, J. Wilson, Bush, Parker, and Finnell-- Relating to the punishment for using or exhibiting a firearm during the commission of certain felonies. Referred to House Committee on Criminal Jurisprudence. 2-21.
- HB 1006 Wyatt-- Relating to the registration and certification of persons engaged in the assessment of property for *ad valorem* taxation. Referred to subcommittee of House Committee on Ways and Means. 3-14.
- HB 1007 Wallace-- Providing means whereby a voter may express his lack of confidence in any of the candidates for certain offices in certain elections. Referred to House Elections subcommittee 4-20.
- HB 1012 Caraway-- Relating to the establishment of guidelines for academic workloads at state-supported institutions of higher education. Reported from House Committee on Higher Education with substitute. 3-31.
- HB 1016 Thompson-- Relating to a landlord's warranty of the habitability of residential premises. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.
- HB 1018 Thompson-- Relating to the provisions of rental agreements. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.
- HB 1028 Briscoe-- Relating to a housing rehabilitation program for blighted residential areas. Considered by House Committee on Business and Industry in public hearing 4-18.
- HB 1036 Florence-- Relating to the disposition of funds from the collection of vehicle license fees by counties in the State of Texas. Referred to House Committee on Intergovernmental Affairs. 2-15.
- HB 1038 Stubbeman-- Relating to certain procedures in trials of juveniles alleged to be in need of supervision or to have engaged in delinquent conduct. Considered by House Judiciary subcommittee in formal meeting 4-18.
- HB 1043 Cates and Close-- Relating to municipal annexation. Reported favorably from House Committee on Intergovernmental Affairs without amendments 4-19.
- HB 1048 Henderson and Uher-- Relating to medical professional discipline. Passed by Senate 4-19.
- HB 1053 Gonzales-- Relating to discrimination in rates and denial of automobile insurance to certain handicapped persons. Considered by House Insurance subcommittee in public hearing 4-26.
- HB 1076 Lewis and Millsap-- Relating to the appraisal of certain land, the use of which is limited to recreational, park, or open space purposes by deed restriction or voluntary restriction under certain circumstances. Reported favorably from House Ways and Means Committee with amendments. 4-4.
- HB 1085 Powers-- Relating to motions and applications for probation. Reported favorably from House Committee on Criminal Jurisprudence without amendments 4-26.
- HB 1095 Johnson and Vale-- Relating to prevention of drug dependence and to treatment and rehabilitation of drug-dependent persons. Referred to House Health and Welfare Committee. 2-17.
- HB 1096 Johnson-- Relating to the authority of municipal courts to commit persons whose commission of a misdemeanor results from chronic use of alcohol, to a special treatment facility in lieu of the imposition of a sentence or fine. Reported favorably from House Health and Welfare Committee without amendments 4-26.
- HB 1099 Brown-- Relating to pilot programs for the operation of schools on a year-round basis. Referred to House Public Education Committee. 2-17.
- HB 1100 Mankins-- Relating to denial of automobile liability insurance for certain handicapped persons. Considered by House Insurance subcommittee in public hearing 4-26.
- HB 1119 Hendricks-- Authorizing the Texas Department of Corrections to grant temporary furloughs to inmates to obtain medical treatment and to attend to family emergencies. Referred to House Social Services Committee. 2-21.
- HB 1122 Bush-- Relating to the consideration of advertising expenses in setting utility rates. Referred to House State Affairs subcommittee 5-2.
- HB 1123 Collazo-- Increasing the rate at which the local sales and use tax may be imposed. Referred to House Committee on Ways and Means. 2-21.
- HB 1125 McBee, Atkinson, Salinas, Ezzell, and Laney-- Relating to the administration of elections. Reported favorably with amendments from House Elections Committee. 4-13.
- HB 1136 Smith-- Relating to minimum standards for county jails. Referred to House Social Services Subcommittee on Correctional Institutions 4-6.
- HB 1148 Gonzales-- Relating to state-guaranteed student loans. Referred to Senate Education Committee 4-6.
- HB 1159 Semos-- Relating to enacting the Southern Growth Policies Agreement. Reported favorably with amendments from House Committee on Business and Industry. 3-31.
- HB 1182 Bock-- Relating to suits against a thief. Referred to subcommittee of House Committee on Criminal Jurisprudence. 3-15.
- HB 1200 Nugent, *et al*-- Relating to the imposition, administration, collection, and enforcement of an occupation tax on refiners of crude oil and petroleum distillates. Referred to subcommittee of House Committee on Ways and Means. 4-11.
- HB 1219 English-- Relating to exempting from the State Sales, Excise, and Use Tax Act certain energy saving materials and equipment. Reported favorably without amendments from House Committee on Ways and Means. 4-12.
- HB 1237 Blythe and Bird-- Relating to denial, nonrenewal, cancellation, and increase in rates for motor vehicle insurance. Referred to House Committee on Insurance. 2-24.
- HB 1249 Cain-- Relating to a landlord's duty to maintain residential premises in habitable condition. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.
- HB 1255 Wyatt-- Relating to the use and allocation of certain cigarette tax revenue. Reported favorably from subcommittee of House Committee on Ways and Means. 3-21.
- HB 1271 Miller-- Relating to work-release sentences for certain defendants. Read second time in House 4-14.
- HB 1273 R. Green-- Relating to jurisdiction of the Public Utility Commission of Texas over public utilities providing cable television service or community antenna television service. Referred to House Committee on State Affairs. 2-28.
- HB 1274 F. Green-- Relating to the power of a commissioners court to regulate the use of land in certain unincorporated areas. Referred to House Committee on Intergovernmental Affairs. 2-28.
- HB 1277 Brown-- Relating to the releasing of criminal history information for employment applications to private employers by state and local law enforcement agencies. Referred to House Committee on Criminal Jurisprudence. 2-28.

- HB 1281 R Green-- Relating to uninsured motorist coverage. Reported with substitute from House Insurance Committee. 4-5.
- HB 1287 Cain-- Relating to lawfulness of an arrest, search, or custody as an element of certain resisting or escape offenses. Referred to House Committee on Criminal Jurisprudence. 2-28.
- HB 1288 Bird-- Relating to setting rates on certain classifications of insureds for automobile insurance. Considered by House Insurance subcommittee in public hearing 4-26.
- HB 1320 Nabers, Hendricks, and Washington-- Relating to the state's burden of proof in a hearing to revoke probation. Referred to House Committee on Criminal Jurisprudence. 3-2.
- HB 1321 Nabers, Washington, and Hendricks-- Relating to a probationer's right to jury determination in a probation revocation hearing. Referred to House Committee on Criminal Jurisprudence. 3-2.
- HB 1322 D Hill-- Relating to the conditions of a work-release sentence. Reported favorably with amendments from House Criminal Jurisprudence Committee 4-19.
- HB 1325 Barrientos, Moreno, and M Garcia-- Relating to agricultural labor. Referred to House Agriculture and Livestock subcommittee 4-20.
- HB 1328 M Garcia-- Relating to the abolition of the defense of sovereign immunity with regard to certain claims against the state. Referred to House Judicial Affairs Committee. 3-2.
- HB 1329 M Garcia-- Relating to the abolition of the defense of governmental immunity with regard to certain claims against political subdivisions. Referred to House Committee on Judicial Affairs. 3-2.
- HB 1335 Uher-- Providing for the creation of public utility agencies by public entities to provide for the planning, financing, acquisition, construction, operation, and maintenance of facilities for water treatment and sewage systems. Referred to House Natural Resources subcommittee 4-20.
- HB 1340 Schieffer-- Requiring certain political parties to hold presidential primary elections and prescribing alternate methods for selecting delegates to national nominating conventions of those parties. Considered by House Elections subcommittee in formal meeting 4-13.
- HB 1346 Chavez-- Relating to restoration of the voting rights of persons convicted of a felony. Considered by House Elections Committee in public hearing 4-6.
- HB 1355 Vaughan-- Relating to the membership of the courts of civil appeals and the authority to sit in panels and to sit in other courts of civil appeals. Considered by House Judicial Affairs Subcommittee on Judicial Districts in public hearing 4-28.
- HB 1359 Smith, Gaston, McDonald, and Agnich-- Relating to availability of certain information maintained by governmental bodies as public information. Reported from House State Affairs Committee favorably without amendments 4-18.
- HB 1386 Adams and Collazo-- Dedicating all fees and charges for the maintenance and support of the Texas Department of Public Safety. Referred to House Transportation Committee 3-3.
- HB 1413 Lauhoff-- Relating to an exemption for coal-fired boiler systems and related equipment under the Limited Sales, Excise, and Use Tax Act. Considered by subcommittee of House Ways and Means Committee in formal meeting 4-6.
- HB 1428 Robbins-- Relating to presentence and diagnostic investigations of the defendant in certain criminal cases. Referred to House Criminal Jurisprudence Committee 3-7.
- HB 1434 Massey-- Relating to increasing the rate of the Limited Sales, Excise, and Use Tax Act. Referred to House Ways and Means subcommittee 4-11.
- HB 1446 Gaston-- Relating to the method of appointment or employment of executive heads of certain state agencies. Considered by House State Affairs subcommittee in formal meeting 4-20.
- HB 1447 Ribak-- Relating to removal of elective public officers of the state and its political subdivisions by recall elections and to filling vacancies recreated by this method of removal. Referred to House Elections Committee 3-7.
- HB 1452 Henderson-- Relating to petitions requesting municipal annexation. Referred to House Intergovernmental Affairs Subcommittee on Urban Affairs 4-26.
- HB 1453 Grant-- Relating to regional jails, the construction, ownership, and maintenance, and the jurisdiction of sheriffs over prisoners incarcerated in regional jails. Referred to Senate Committee on Intergovernmental Relations 4-13.
- HB 1454 Powers-- Regulating write-in candidacy for public office. Referred to House Elections subcommittee 4-6.
- HB 1458 R Wilson-- Relating to meetings and gatherings subject to the Texas Mass Gatherings Act. Referred to House Intergovernmental Affairs Committee 3-7.
- HB 1474 R Wilson-- Relating to the execution of a search warrant. Referred to House Criminal Jurisprudence Committee 3-8.
- HB 1503 Bush-- Relating to the powers and duties of municipalities with respect to tax increment financing. Referred to House Ways and Means Committee 4-27.
- HB 1511 Grant-- Relating to the accessibility of information held by certain governmental bodies. Referred to House State Affairs subcommittee 4-15.
- HB 1523 Vale-- Relating to a mandatory retirement age for public officers and employees. Referred to House State Affairs Committee 3-9.
- HB 1528 Powers-- Relating to placing a defendant on probation without an adjudication of guilt. Referred to House Criminal Jurisprudence subcommittee 4-26.
- HB 1531 Olson and Denton-- Relating to the issuing of certificates of indebtedness by certain counties for the purpose of providing funds for jail facilities. Referred to House Intergovernmental Affairs Committee 3-9.
- HB 1540 Untermeyer-- Relating to the removal of the disability to hold public office resulting from conviction for a felony offense where the defendant is placed on probation. Referred to House Criminal Jurisprudence Committee 3-9.
- HB 1548 Polumbo-- Relating to a landlord's duty to repair certain conditions in a residential rental premises. Considered by House Business and Industry Subcommittee on Consumer Protection in public hearing 4-20.
- HB 1634 Allen-- Relating to the authority of the Railroad Commission to set certain rates. Referred to House Energy Resources subcommittee 4-25.
- HB 1653 Craddick-- Relating to ratification of the Interstate Compact for the Conservation and Utilization of Natural Energy and Water Resources. Sent to the governor 5-3.
- HB 1654 Hubenak-- Relating to a speedy trial of criminal cases. Considered by House Criminal Jurisprudence subcommittee in formal meeting 4-12.
- HB 1664 Denton-- Relating to deposits paid to certain public utilities as a condition precedent to furnishing utility service. Referred to House State Affairs Committee 3-14.
- HB 1668 Chavez, Torres, and A Garcia-- Relating to grand juries with limited authority in multicounty areas. Referred to House Criminal Jurisprudence Committee 3-14.
- HB 1674 Nabers-- Relating to the imposition, rate, collection, administration, and enforcement of taxes on natural resources and energy-producing derivatives of natural resources. Referred to House Ways and Means Committee 3-14.
- HB 1686 Bird-- Relating to certain joint contractual and financing arrangements of certain public entities. Referred to House State Affairs Committee 3-14.

- HB 1714 Edwards and Bush-- Relating to the Natural Death Act and a procedure for a person to provide in advance for the withdrawal or withholding of medical care when the person has a terminal condition. Referred to House State Affairs subcommittee 4-13.
- HB 1734 Tejada, *et al.*-- Relating to damages in the condemnation of property occupied as a home. Referred to House State Affairs subcommittee 4-18.
- HB 1738 Waters, *et al.*-- Relating to use of municipal funds by an incorporated city or town to influence legislation. Referred to House Intergovernmental Affairs Committee 3-15.
- HB 1746 Ezzell and Florence-- Relating to consolidation of the State Department of Public Welfare, the Texas Youth Council, and the Governor's Committee on Aging. Considered by subcommittee of House Health and Welfare Committee 4-7.
- HB 1799 Kubiak-- Relating to the creation and administration of an energy development fund to support research in and development of alternative energy sources. Referred to House Energy Resources subcommittee 4-18.
- HB 1818 Lator-- Relating to the prohibition of possession of burning tobacco products or smoking tobacco in certain places. Referred to House Criminal Jurisprudence Committee 3-15.
- HB 1831 Hale-- Concerning exemption from the limited sales and use tax of certain items used in broadcasting operations by radio and television broadcast stations. Reported from House Ways and Means Committee with substitute 4-25.
- HB 1842 Ragsdale-- Relating to a state agency's publication of notice of an invitation for bids or a request for proposals for professional or general services. Referred to House State Affairs Committee 3-15.
- HB 1857 Blythe-- Relating to the regulation of certain small utilities. Referred to House Natural Resources Committee 3-15.
- HB 1969 Von Dohlen-- Relating to the establishment of a Texas Administrative Code and the contents thereof. Referred to House State Affairs subcommittee 4-26.
- HB 1977 Orr-- Relating to the administrative reorganization of state government. Reported from House State Affairs Committee favorably with amendments 4-18.
- HB 2157 Wilson-- Adopting the Natural Resources Code, a formal revision of the statutes relating to the public domain, oil, gas, and other natural resources. Referred to House Energy Resources Committee, 4-4.
- HJR 2 Sullivan, *et al.*-- Relating to the appraisal of land for agricultural purposes. Referred to House Constitutional Amendments Committee 1-13.
- HJR 4 Hubenak-- Permitting the denial of bail for a limited time to a person charged with a felony under certain circumstances. Referred to House Constitutional Amendments subcommittee 4-20.
- HJR 5 Mayes-- Permitting the appraisal of agricultural land according to its productive value. Referred to subcommittee of House Constitutional Amendments 3-16.
- HJR 11 Bimpson-- Permitting the legislature to give budget execution authority to the governor. Reported from House Constitutional Amendments Committee with substitute 4-13.
- HJR 14 Head-- Providing an annual salary for the members of the legislature. Referred to subcommittee of House Constitutional Amendments Committee 3-9.
- HJR 15 Jones-- Relating to voter qualifications and elections. Considered by House Constitutional Amendments Committee in public hearing 4-20.
- HJR 16 Madla and Tejada-- Providing for annual regular sessions of the legislature. Referred to House Constitutional Amendments Committee 1-13.
- HJR 21 Bryant-- Providing for annual regular sessions of the legislature. Referred to subcommittee of House Constitutional Amendments 3-9.
- HJR 22 Kubiak-- Changing the term of office for the governor, lieutenant governor, attorney general, comptroller of public accounts, treasurer, commissioner of the general land office, secretary of state, and certain statutory state officers from four years to two years. Referred to subcommittee of House Constitutional Amendments Committee 3-9.
- HJR 23 Bryant-- Providing that the lieutenant governor and the speaker of the house shall each receive an annual salary equal to two-thirds the annual salary of the governor. Referred to subcommittee of House Constitutional Amendments Committee 3-9.
- HJR 41 Hubenak-- Relating to denial of bail to a person accused of a felony in certain circumstances. Referred to House Constitutional Amendments subcommittee 4-20.
- HJR 45 Willis-- Permitting the state to appeal in a criminal case from a trial court ruling that a law is unconstitutional. Referred to House Constitutional Amendments Committee 1-20.
- HJR 48 Smith-- Authorizing the legislature to exempt from taxation one motor vehicle belonging to each family or single adult. Referred to subcommittee of House Constitutional Amendments Committee 3-16.
- HJR 49 Close-- Guaranteeing the right of a person to work for an employer without regard to whether he is a member of or makes a payment to a labor organization. Referred to House Constitutional Amendments Committee 1-31.
- HJR 50 Gaston-- Authorizing the creation of state debt for the purpose of financing the construction of state buildings. Referred to House Constitutional Amendments Committee 1-31.
- HJR 51 Donaldson-- Relating to an individual's right to work. Referred to House Constitutional Amendments Committee 2-21.
- HJR 52 Donaldson-- Exempting livestock and poultry in the hands of the producer from taxation. Referred to House Constitutional Amendments Committee 1-31.
- HJR 53 Ribak-- Reserving in the people the powers of initiative and referendum. Referred to House Constitutional Amendments Committee 2-3.
- HJR 54 Bock-- Authorizing the establishment of certain bingo games and raffles for the benefit of nonprofit charitable organizations. Considered by House Constitutional Amendments Committee in public hearing 4-20.
- HJR 55 Grant-- Changing the name of the courts of civil appeals to courts of appeals and to prescribe their jurisdiction. Considered by House Constitutional Amendments Committee in public hearing 4-6.
- HJR 56 Ribak-- Limiting the length of time that a person may hold the office of state senator or state representative. Referred to subcommittee of House Constitutional Amendments Committee 3-9.
- HJR 57 Ribak-- Limiting the number of times that a person may be elected to the office of governor or lieutenant governor. Referred to subcommittee of House Constitutional Amendments Committee 3-9.
- HJR 63 Vale-- Authorizing the legislature to exempt from taxation solar or wind-powered energy devices. Considered by House Constitutional Amendments subcommittee in formal meeting 4-25.
- HJR 64 Smothers-- Limiting the existence of certain state agencies. Referred to House Constitutional Amendments Committee 2-14.
- HJR 65 Craddick, Hartung and Ribak-- Providing the legislature with the power to authorize counties, cities, or towns to issue revenue bonds for industrial or rural development purposes. Considered by House Constitutional Amendments Committee in public hearing 3-16.
- HJR 66 Baker-- Authorizing the legislature to convene in veto session. Referred to subcommittee of House Constitutional Amendments Committee 3-9.
- HJR 69 Ribak-- Authorizing removal of elective public officers of the state and of political subdivisions of the state by recall. Referred to House Constitutional Amendments Committee 2-22.

HJR 72 Head-- Increasing the duration of the regular session of the legislature. Referred to House Constitutional Amendments Committee 3-2.

HJR 73 Head-- Providing four-year terms of office for members of the house of representatives. Referred to House Constitutional Amendments Committee 3-2.

HJR 76 Salinas-- Providing for annual sessions of the legislature. Referred to House Constitutional Amendments Committee 3-3.

HJR 77 Vaughan-- Increasing the membership of the courts of civil appeals with authority to sit in panels or to sit in other courts of civil appeals. Referred to House Constitutional Amendments Committee 3-3.

HJR 79 Wyatt-- Abolishing state *ad valorem* taxes. Referred to House Constitutional Amendments Committee 3-3.

HJR 82 Massey-- Dedicating a portion of state sales, excise, and use taxes for the purposes of public school education. Referred to House Constitutional Amendments Committee 3-7.

HJR 86 Bush-- Relating to granting the legislature the power to authorize cities and towns to issue bonds to finance the redevelopment of certain blighted downtown areas. Referred to House Constitutional Amendments Committee 3-9.

HJR 90 Head-- Providing that a member of the house of representatives may not be elected to more than one term as speaker of the house. Referred to House Constitutional Amendments Committee 3-14.

HJR 91 Henderson, *et al.*-- Restricting the power of the legislature to increase state taxes in excess of eight percent of the total personal income of the state unless approved by a two-thirds vote of the membership of each house or by referendum. Referred to House Constitutional Amendments Committee 3-14.

HJR 95 Hale-- Relating to the appellate jurisdiction and to the writ authority of the court of criminal appeals. Considered by House Constitutional Amendments Committee in public hearing 4-6.

HJR 96 Hale and Grant-- Increasing the number of judges of the court of criminal appeals from five to seven, to change the name of courts of civil appeals to courts of appeals and granting such courts criminal jurisdiction as may be prescribed by law. Considered by House Constitutional Amendments Committee in public hearing 4-6.

HJR 98 Schieffer-- Establishing a capital reserve fund in the state treasury and providing that income from the investment of the fund be distributed to school districts to reduce *ad valorem* taxes on residence homesteads. Referred to House Constitutional Amendments Committee 3-14.

HJR 103 Gaston-- Authorizing additional colleges and universities of The University of Texas System and The Texas A&M University System to participate in certain benefits of the permanent university fund. Referred to House Constitutional Amendments Committee 3-15.

HJR 104 Gaston-- Authorizing additional postsecondary educational institutions to participate in certain benefits of the 10-cent *ad valorem* tax and for higher education in accordance with equitable formulas provided by law. Referred to House Constitutional Amendments Committee 3-15.

HJR 105 Henderson-- Providing that the state shall pay 10 percent of the residence homestead *ad valorem* tax. Referred to House Constitutional Amendments Committee 3-15.

HSR 51 Hudson-- Establishing a special interim study committee to investigate capital punishment in Texas. Referred to subcommittee of House Criminal Jurisprudence Committee 3-15.

HCR 27 Thompson-- Directing the Public Utility Commission of Texas to initiate a study of alternatives to the rate structure presently utilized by the state's public utilities. Reported from House State Affairs Committee favorably without amendments 5-2.

HCR 52 Davis *et al.*-- Relating to joint rules of house and senate. Referred to Senate Committee on Administration 4-5.

HCR 59 Briscoe-- Memorializing Congress to create a federal energy stamp program. Considered in public hearing of House Energy Resources Committee 4-5.

Senate

SB 1 Creighton-- Relating to the valuation of open-space land used to support the raising of livestock, farm crops, or forest products. Reported from Senate Economic Development Committee favorably substituted 2-7.

SB 2 Lombardino-- Relating to exempting consumption of gas and electricity in this state from sales, use, and excise tax. Referred to Senate Committee on Finance 1-24.

SB 3 Doggett-- Prohibiting the charging for telephone directory assistance. Reported favorably by House State Affairs subcommittee without amendments 4-28.

SB 4 Doggett-- Relating to the regulation of natural gas and certain gas utilities. Referred to Senate Natural Resources subcommittee 4-6.

SB 5 Doggett-- Relating to the receipt and position of pollution complaints by certain state agencies. Referred to Senate State Affairs Committee 1-11.

SB 6 Creighton-- Relating to decreasing the rate of limited sales, use, and excise tax to three percent for a two-year period beginning September 1, 1977. Referred to Senate Finance Committee 1-18.

SB 7 Creighton-- Relating to the payment of workmen's compensation judgments against the state or any department, division, or political subdivision thereof. Reported favorably from House Judiciary Committee without amendments 5-2.

SB 9 Hance-- Requiring fiscal estimates for certain bills and resolutions affecting local governments. Referred to Senate Administration Committee 1-11.

SB 20 Doggett-- Relating to contributions for state employees to the Old Age and Survivors Insurance program of the federal Social Security Act. Passed by the Senate 4-25.

SB 33 Brooks, Doggett-- Relating to the use of generic names for prescription drugs and to substitution of drugs by pharmacists in prescriptions. Referred to Senate Human Resources Committee 1-11.

SB 34 Moore-- Relating to the effect of certain speeding violations on insurance availability, premiums, and drivers' license suspensions. Referred to House Transportation Committee 2-17.

SB 39 Schwartz-- Creating the Texas Adult Probation Commission; providing for its powers and duties. Reported favorably from House Criminal Jurisprudence subcommittee without amendments 4-26.

SB 42 Mauzy-- Relating to discrimination against employees involved in workmen's compensation proceedings. Considered by Senate Jurisprudence Committee in public hearing 4-26.

SB 44 Mauzy-- Relating to confidentiality of certain records of the Industrial Accident Board. Considered by Senate Jurisprudence Committee in public hearing 4-12.

SB 46 Schwartz-- Relating to the identification, management, control, and use of coastal public land and coastal wetland. Referred to Senate Natural Resources Committee 1-11.

SB 49 Schwartz-- Relating to the authority of the attorney general to enforce on his own initiative certain state laws. Reported favorably by Senate Jurisprudence Committee 4-12.

SB 50 Moore-- Relating to the allocation and use of revenue from motor vehicle sales taxes. Referred to Senate Finance Committee 2-1.

SB 51 Schwartz, Mauzy-- Creating a State Commission on Human Rights. Referred to House State Affairs Committee, 3-31.

- SB 52 Harris--** Relating to bail pending appeal; providing for denial or revocation of bail in certain instances. Referred to House Criminal Jurisprudence Committee 3-29.
- SB 54 Doggett--** Relating to periodic review and termination of certain state regulatory agencies; the Texas Sunset Act. Reported from House State Affairs Committee with substitute 4-18.
- SB 57 Doggett--** Relating to public access to meetings of the board of directors of an electric cooperative corporation. Referred to subcommittee of Senate Intergovernmental Relations Committee 2-22.
- SB 63 Brooks--** Relating to creating a State Formulary System; allowing prescription drug product selections by pharmacists. Referred to Senate Human Resources Committee 1-11.
- SB 67 Schwartz--** Relating to the registration and certification of persons engaged in the assessment of property for ad valorem taxation; creating the State Board of Registration and Professional Certification for Assessors in Texas. Reported favorably from House Ways and Means Committee with substitute 4-21.
- SB 69 Schwartz--** Relating to the establishment of a procedure for resolving differences between agencies on matters relating to the equitable mitigation of adverse impacts on fish and wildlife resources for various construction practices, to expedite decision necessary for federal coordination. Passed by the Senate 4-27.
- SB 71 Lombardino--** Relating to the punishment for using or exhibiting a firearm during the commission of certain felonies. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 2-2.
- SB 80 Mengden--** Relating to proof of financial responsibility on registration of a motor vehicle or issuance or renewal of a license to operate a motor vehicle and maintenance of proof of financial responsibility. Referred to subcommittee of Senate Economic Development Committee 2-14.
- SB 82 Doggett--** Relating to the information required in the reporting of political contributions. Referred to Senate State Affairs Committee 1-11.
- SB 83 Schwartz--** Relating to classes of persons not qualified to vote. Reported from Senate State Affairs Committee favorably 2-1.
- SB 84 Doggett--** Relating to actions commenced by district attorneys and county attorneys concerning deceptive trade practices. Reported from Senate Human Resources Committee favorably 2-1.
- SB 87 Traeger--** Relating to certain unauthorized uses of food stamp coupons and of authorizations to purchase food stamp coupons. Sent to governor 4-25.
- SB 88 Brooks--** Relating to the prevention and treatment of alcohol abuse and alcoholism. Referred to Senate Human Resources Committee 1-11.
- SB 89 Brooks--** Relating to prevention of drug dependence and to treatment and rehabilitation of drug-dependent persons. Reported from Senate Human Resources Committee favorably substituted 3-7.
- SB 91 Brooks and Mauzy--** Relating to the establishment of school-community guidance center pilot programs financed under the minimum foundation school program. Referred to House Public Education Committee 2-9.
- SB 92 Doggett--** Providing for partial public financing of the campaigns of candidates for the office of railroad commissioner. Referred to Senate State Affairs Committee 1-11.
- SB 103 Farabee--** Relating to enactment of the Medical Liability and Insurance Improvement Act of Texas. Considered by Senate Jurisprudence Committee in public hearing 4-5.
- SB 105 Doggett--** Relating to the regulation of conduct designed to influence certain actions by the legislative and executive branches of government. Referred to Senate State Affairs Committee 1-11.
- SB 127 Meier--** Relating to creation of a state personnel system and a state personnel board having powers, duties, and functions regarding employment policies and practices of certain state agencies. Referred to subcommittee of Senate State Affairs Committee 3-21.
- SB 131 Doggett--** Relating to the qualifications of members of the Board of Regents of The University of Texas System. Reported from Senate Education Committee favorably 2-16.
- SB 133 Schwartz--** Relating to workmen's compensation for employees of political subdivisions. Reported from House Judiciary Committee favorably with amendments 4-6.
- SB 134 Jones of Harris--** Relating to public access to certain information in the custody of governmental bodies. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-23.
- SB 138 Traeger and Lombardino--** Relating to a system of fiscal notes for certain bills and joint resolutions affecting units of local government. Referred to Senate Administration Committee 1-12.
- SB 140 Santiesteban and Parker--** Relating to aid for secular courses taught by nonpublic schools. Passed by the Senate 4-28.
- SB 148 Farabee--** Relating to the Natural Death Act and a procedure for a person to provide in advance for the withdrawal or withholding of medical care when the person has a terminal condition. Referred to House State Affairs subcommittee 4-14.
- SB 149 Farabee and Doggett--** Relating to parole revocation hearings. Referred to Subcommittee on Criminal Matters of the Senate Jurisprudence Committee 1-25.
- SB 150 Farabee and Doggett--** Relating to temporary furloughs for inmates of the Texas Department of Corrections. Senate 90-day bill 3-24.
- SB 151 Meier--** Relating to organized crime and the interception of communications in the investigation of organized crime. Reported from Senate Jurisprudence Subcommittee on Criminal Matters with substitute 4-20.
- SB 152 Meier--** Relating to eligibility for probation, parole, and release to mandatory supervision, to conditional pardons, to prisoner classification, and to good conduct time. Reported favorably from House Criminal Jurisprudence Committee with amendments 4-26.
- SB 153 Meier--** Relating to a court's instructions to the jury on the laws of parole and commutation of sentence for good behavior. Referred to House Criminal Jurisprudence subcommittee 4-19.
- SB 154 Meier--** Relating to the penalties for obtaining welfare benefits or certain welfare information by fraudulent means and penalties for soliciting or charging attorney's fees for representing a client before the State Department of Public Welfare without a license to practice law. Referred to House Health and Welfare Committee 3-10.
- SB 155 Meier--** Relating to control by the Court of Criminal Appeals of extensions of time for appeals of criminal cases. Considered by House Criminal Jurisprudence Committee in public hearing 4-19.
- SB 156 Meier--** Relating to search warrants to search for and seize evidence of an offense. Referred to House Criminal Jurisprudence Committee 4-20.
- SB 157 Meier--** Relating to the admission in evidence of statements of an accused in a criminal proceeding. Passed by the Senate 4-27.
- SB 158 Meier--** Relating to bail pending appeal or disposition of a motion for new trial. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-9.
- SB 159 Meier--** Relating to penalties for fraud in medical assistance. Referred to House Health and Welfare Committee 3-10.
- SB 160 Meier--** Relating to civil and criminal sanctions against persons committing the offense of driving while intoxicated or under the influence of alcohol. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25.
- SB 163 Meier--** Relating to chemical tests for intoxication. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25.
- SB 165 Meier--** Relating to the suspension of driver's license, permit, or privilege of a minor who drives while intoxicated or while under the influence of alcohol. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25.

- SB 168 Clower-- Relating to the state's trust responsibility respecting Texas Indians. Passed by the Senate 4-27.
- SB 169 Clower-- Relating to the Railroad Commission of Texas and regulation by it of certain gas utilities. Reported favorably from Senate Natural Resources Committee with amendments 4-28.
- SB 170 Clower-- Relating to civil remedies for intercepting, attempting to intercept, or causing, aiding, or permitting interception of certain communications. Referred to House Transportation Committee 4-20
- SB 171 Clower-- Relating to the authority of a city to extend the application of certain ordinances to its area of extraterritorial jurisdiction. Considered by Senate Intergovernmental Relations Committee in public hearing 2-22.
- SB 174 Clower-- Relating to regular audits of utility companies under the jurisdiction of the Public Utility Commission of Texas or the Texas Railroad Commission. Referred to Senate Natural Resources Committee 1-17.
- SB 176 Clower-- Relating to the exempting from the sales and use tax wind-powered energy devices and certain insulation. Referred to Senate Finance Committee 1-17.
- SB 177 Clower-- Relating to the prohibition of certain acts by individuals, corporations, and labor organizations relating to political contributions. Referred to subcommittee of Senate State Affairs Committee 2-14
- SB 178 Clower-- Relating to reports by utility companies to the Public Utility Commission of Texas or the Texas Railroad Commission reflecting local property taxes of the utility property. Referred to Senate Natural Resources Committee 1-17
- SB 185 Sherman-- Relating to the powers and duties of certain pipeline companies for the transportation of coal and to the regulation of these pipeline companies as common carriers. Adoption of conference committee report by Senate 4-25
- SB 189 Williams-- Relating to residency requirements for city employees. Considered by House Intergovernmental Affairs Subcommittee on Urban Affairs in formal meeting 4-18
- SB 192 Ogg-- Relating to the creation, administration, powers, and duties of the Office of Court Administration of the Texas Judicial System. Effective immediately 4-5
- SB 196 Meier-- Amending various sections of the Penal Code. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25
- SB 197 Meier-- Amending various articles of the Code of Criminal Procedure. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25.
- SB 197 Meier-- Relating to temporary speed limits. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25
- SB 217 Farabee-- Relating to the sale and purchase of a child. Effective immediately 3-31
- SB 230 Aikin, Snelson, Kothmann, Lombardino, Clower, Brooks and Schwartz-- Relating to public school education. Referred to subcommittee of Senate Education Committee 3-9
- SB 232 Schwartz-- Relating to contracts of teachers in this state. Passed 5-2
- SB 235 Mengden-- Relating to the interception and use of wire or oral communications. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25.
- SB 240 Mengden-- Authorizing the issuance of search warrants to search for and seize evidence of a crime. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-23.
- SB 242 Mengden-- Relating to admission in evidence at the trial of a criminal case of the oral statements and admissions of guilt made by the accused. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-23.
- SB 243 Mengden-- Relating to assessment of sentence by the judge in criminal cases. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 1-25.
- SB 246 Mengden-- Relating to the elements of certain criminal offenses and the authorized penalties for certain criminal offenses. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 2-9
- SB 251 Moore-- Relating to the authority of the Railroad Commission to set certain rates. Referred to subcommittee of Senate Natural Resources Committee 2-23.
- SB 260 Clower-- Relating to the regulation of deceptive and unlawful trade practices in the repair of motor vehicles. Referred to Senate Human Resources Committee 1-24.
- SB 261 Harris-- Relating to availability of certain information maintained by governmental bodies as public information. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 2-9
- SB 262 Harris-- Relating to the availability of audit working papers of governmental bodies as public information. Considered by Senate Jurisprudence Committee in public hearing 2-22.
- SB 266 Mauzy and Parker-- Providing for the administration of family law by replacing the juvenile courts of Dallas and Harris counties and all functioning domestic relations courts with district courts of general jurisdiction to be called family district courts. Reported from Senate Intergovernmental Relations Committee favorably with amendments 4-6
- SB 269 Mauzy-- Relating to portions of the workmen's compensation law and the Deceptive Trade Practices-Consumer Protection Act. Considered by Senate Jurisprudence Committee in public hearing 4-26.
- SB 283 Brooks-- Relating to technical-vocational education. Reported favorably from House Public Education Committee without amendments 4-19
- SB 307 Truan-- Relating to bilingual education programs in public schools. Considered by Senate Education Committee in public hearing 4-6.
- SB 318 Truan-- Relating to certain rates charged by certain public utilities. Referred to Senate Natural Resources subcommittee 4-21.
- SB 329 Longoria-- Relating to standard time. Reported from Senate State Affairs Committee favorably 3-29
- SB 332 Patman-- Relating to biennial reports by the governor on the organization and efficiency of state agencies. Reported from House State Affairs subcommittee favorably without amendments 4-18.
- SB 334 Jones of Harris-- Providing for rights of appeal in criminal actions. Referred to House Criminal Jurisprudence Committee 4-20.
- SB 335 Schwartz, Mauzy, and Parker-- Relating to rights of certain public employees and to the creation of a state employer-employee relations board, its duties and powers. Referred to Senate State Affairs Committee 1-25
- SB 341 Moore-- Relating to the rights of teacher organizations in consultation meetings with a board of trustees. Referred to subcommittee of Senate Education Committee 3-16
- SB 344 Mauzy-- Relating to workmen's compensation law. Considered by Senate Jurisprudence Committee in public hearing 4-26.
- SB 345 Mauzy-- Relating to workmen's compensation awards. Considered by Senate Jurisprudence Committee in public hearing 4-12.
- SB 346 Mauzy-- Relating to the weekly compensation benefits paid to injured beneficiaries under the workmen's compensation law. Considered by Senate Jurisprudence Committee in public hearing 4-12.
- SB 352 Mauzy-- Providing that boards of trustees consult with representatives of teachers and groups of auxiliary personnel employed in a school district under certain conditions. Reported from Senate Education Committee favorably 4-6.

- SB 354 Clower--** Relating to the definition and regulation of certain public utilities. Reported favorably from Senate Natural Resources Committee with amendments 4-21.
- SB 355 Clower--** Relating to allowable legal expenses and other expenses of utility companies for rate-making purposes. Referred to Senate Natural Resources Committee 1-25.
- SB 360 Moore--** Prohibiting the exercise of the power of eminent domain for the purpose of taking oil, gas, lignite, coal, sulphur, uranium, plutonium, or any mineral, whether in place, or in the process of being mined and produced, or whether mined and produced, for use in connection with the acquisition, ownership, operation and maintenance of an electric facility. Effective immediately 4-29.
- SB 367 Ogg--** Relating to residence requirements for city employees. Considered by Senate Intergovernmental Relations Committee in public hearing 2-8.
- SB 372 Jones of Taylor--** Relating to workmen's compensation. Considered by Senate Jurisprudence Committee in public hearing 4-12.
- SB 373 Traeger--** Relating to the aggregate amount of Water Development Bonds for water quality enhancement purposes which may be issued pursuant to Article III, Section 49-d-1 of the Texas Constitution. Reported favorably from House Natural Resources Committee without amendments 4-20.
- SB 375 Hance--** Relating to fraud in obtaining public assistance or in obtaining information concerning public assistance. Considered by Senate Human Resources Committee in public hearing 2-22.
- SB 377 Hance--** Relating to penalties for unlawful fees for representing an applicant before the State Department of Public Welfare, for unlawful disclosure of welfare information, and for obtaining assistance by fraud. Considered by Senate Human Resources Committee in public hearing 2-22.
- SB 379 Hance--** Relating to penalties for certain unauthorized uses of food stamp coupons and authorizations to purchase food stamp coupons. Considered by Senate Human Resources Committee in public hearing 2-14.
- SB 386 Parker--** Relating to compensation of workmen engaged in public construction work. Referred to subcommittee of Senate Economic Development Committee 3-9.
- SB 399 Mengden--** Relating to the issuance of warning tickets for certain speeding violations and to the use of convictions of the violations in determining insurance availability and premiums. Referred to Senate Economic Development Committee 1-27.
- SB 400 Doggett--** Relating to regulation of monopolies, contracts, combinations, or conspiracies in restraint of trade or commerce. Referred to House State Affairs Committee 2-14.
- SB 407 Clower--** Relating to gas and electric meters for dwelling units in apartment houses. Referred to House Business and Industry subcommittee 4-25.
- SB 409 Clower--** Relating to the granting of credits against property taxes levied by the school districts of this state to persons who comply with certain energy conservation design standards in the construction or remodeling of residential structures. Referred to Senate Finance Committee 1-31.
- SB 420 Brooks--** Relating to periodic review and termination of certain state agencies and advisory committees. Referred to Senate State Affairs Committee 1-31.
- SB 422 Meier--** Relating to the creation, administration, and functions of the Health and Welfare Services Transfer Board. Reported from Senate Human Resources Committee favorably 3-15.
- SB 423 Meier--** Relating to the creation, administration, powers, duties, obligations, and privileges of the Department of Child and Family Resources. Reported from Senate Human Resources Committee favorably substituted 3-15.
- SB 424 Meier--** Relating to periodic review and termination of certain agencies and advisory committees. Referred to subcommittee of Senate State Affairs Committee 2-7.
- SB 429 Mauzy--** Relating to workmen's compensation benefits for employees recruited in this state. Reported favorably from House Judiciary Committee without amendments 5-2.
- SB 454 Jones of Taylor--** Adopting a property tax code and conforming provisions, amendments, and repeals. Referred to subcommittee of Senate Economic Development Committee 2-28.
- SB 464 Hance--** Relating to proof of financial responsibility on registration of a motor vehicle and on application for a driver's license and maintenance of proof of financial responsibility. Reported favorably from Senate State Affairs Committee with substitute 4-21.
- SB 467 Schwartz--** Relating to authorizing the governor to determine the need for a public deepwater port if a private facility is not built. Referred to Senate Economic Development Committee 2-2.
- SB 471 Schwartz--** Relating to the expunction of records of arrests. Passed by the Senate 4-28.
- SB 473 Jones of Taylor--** Relating to the requirement that the governor compile and make available to the public certain information concerning regulatory agencies. Referred to House State Affairs Committee 3-14.
- SB 474 Jones of Taylor--** Relating to the requirement that each agency of the state file an annual statement of financial condition with the comptroller of public accounts and the governor. Reported from Senate State Affairs Committee favorably 2-22.
- SB 493 Mengden--** Relating to primary elections held by political parties. Referred to Senate State Affairs Committee 2-3.
- SB 494 Mengden--** Relating to presidential primary elections. Referred to Senate State Affairs Committee 2-3.
- SB 500 Meier--** Relating to nonprofit legal services corporations and prepaid legal insurance. Considered by Senate Jurisprudence Committee in public hearing 4-26.
- SB 502 Andujar--** Relating to assessments imposed on public utilities under the jurisdiction of the Public Utility Commission. Referred to Senate Natural Resources subcommittee 4-6.
- SB 504 Mengden--** Relating to exemptions from the inheritance tax for spouses of decedents. Referred to Senate Finance Committee 2-7.
- SB 505 Clower--** Providing for the holding of presidential primary elections by certain political parties and prescribing the method for selecting delegates to national nominating conventions of those parties. Referred to Senate State Affairs subcommittee 4-13.
- SB 508 Mauzy--** Relating to who shall not be included as employees under the State Workmen's Compensation Act. Reported favorably from House Judiciary Committee without amendments 5-2.
- SB 518 Jones of Harris--** Authorizing enforcement of the Texas Clear Air Act by incorporated cities or towns within their extraterritorial jurisdiction. Referred to subcommittee of Senate Intergovernmental Relations Committee 3-22.
- SB 520 Jones of Harris--** Relating to the jurisdiction of city governments to prohibit the pollution of streams which constitute the source of water supply for such cities whether within or without the corporate limits of such cities. Referred to subcommittee of Senate Intergovernmental Relations Committee 3-22.
- SB 521 Jones of Harris, Doggett and Clower--** Relating to the creation of the office ombudsman and its powers, duties, privileges, procedures, and qualifications. Referred to Senate State Affairs Committee 2-8.
- SB 523 Braucklein--** Relating to the execution of a sentence of death. Reported from Senate Jurisprudence Committee favorably substituted 4-12.
- SB 529 Farabee--** Exempting a person from obtaining a water permit when the water is to be used for drilling oil and gas wells. Referred to House Committee on Natural Resources 4-7.
- SB 530 Mengden--** Relating to the method of voting at elections where names of nominees of political parties appear on the ballot. Referred to Senate State Affairs Committee 2-8.

SB 538 Brooks-- Relating to restrictions on admission of patients for alcoholic treatment of state mental hospitals. Referred to Senate Human Resources Committee 2-8.

SB 539 Brooks-- Relating to recommendations by community mental health and mental retardation centers of treatment alternatives for potential patients of state mental hospitals. Reported from Senate Human Resources Committee favorably 3-22.

SB 541 Brooks-- Relating to prerelease arrangements for follow-up and outpatient care for a patient released from a state mental hospital. Passed by Senate 4-26.

SB 544 Jones of Taylor-- Relating to the protection of the quality of human life, health, safety, and general welfare of county residents by the enactment of county ordinances. Reported from Senate Human Resources Committee favorably 3-29.

SB 549 Moore-- Relating to the fees and charges for the maintenance and support of the Department of Public Safety. Referred to House State Affairs Committee 3-28.

SB 555 Truan-- Relating to consolidation of the Department of Public Welfare, the Texas Youth Council, and the Governor's Committee on Aging. Reported from Senate Human Resources Committee favorably 4-14.

SB 560 Jones of Taylor-- Relating to various aspects of the operation and expenses of public school education. Referred to subcommittee of Senate Education Committee 3-9.

SB 562 Braecklein-- Relating to the penalty for the driving of a motor vehicle while under the influence of a controlled substance, dangerous drug, or other drug. Referred to Subcommittee on Criminal Matters of Senate Jurisprudence Committee 2-21.

SB 566 Doggett-- Relating to regulation of political activity of state employees. Passed by the Senate 4-12.

SB 572 Aikin-- Relating to the application of the sales and use tax to periodicals and to certain property used in the publication and distribution of periodicals. Referred to House Ways and Means Committee 3-10.

SB 576 Schwartz-- Creating the Natural Resources Council. Reported favorably from House State Affairs Committee with amendments 4-25.

SB 577 Schwartz-- Directing the Natural Resources Council to report to the governor on coastal problems. Reported favorably from House State Affairs Committee with amendments 4-25.

SB 578 Schwartz-- Granting the Certifying Agency the duty and authority to certify those coastal wetlands which are essential to the public interest. Reported favorably from House State Affairs Committee with amendments 5-2.

SB 579 Schwartz-- Providing for the exercise by the state of the regulatory authority of the Corps of Engineers over the discharge of dredged or fill material. Reported favorably from House State Affairs Committee without amendments 4-25.

SB 584 Clower-- Relating to uniform dates for holding general and special elections in this state. Referred to Senate State Affairs Committee 2-14.

SB 591 Hance-- Relating to an exemption from the franchise tax for certain persons manufacturing, selling, or installing solar energy devices. Referred to Senate Finance Committee 2-14.

SB 600 Jones of Harris-- Relating to class actions. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-16.

SB 612 Patman-- Relating to creation of a central depository for computer software documentation prepared by state agencies. Referred to Senate Administration Committee 2-15.

SB 615 Adams, Jones of Harris, Mauzy-- Relating to the size, term, interest, and disclosure requirements of certain regulated loans. Reported from Senate Economic Development Committee favorably with amendments 3-14.

SB 620 Braecklein-- Relating to the authority of municipal courts to commit persons whose commission of a misdemeanor results from chronic use of alcohol to a special treatment facility in lieu of the imposition of a sentence or fine. Considered by Senate Jurisprudence Committee in public hearing 4-26.

SB 623 Longoria-- Relating to the creation, jurisdiction, administration, and procedures of the Texas Statewide Court. Considered by Senate Jurisprudence Subcommittee on Criminal Matters in public hearing 4-20.

SB 626 Ogg-- Relating to the exemption from ad valorem taxation of properties dedicated to the preservation of wildlife and the conservation of wildlife areas owned by nonprofit organizations devoted to such purposes. Reported favorably from House Ways and Means Committee 4-21.

SB 629 Ogg-- Relating to the authority of certain cities to assume control of school districts within their territorial limits. Referred to House Committee on Public Education 4-12.

SB 630 Hance-- Providing for nonvoting student and faculty representatives on the governing boards of institutions of higher education. Reported favorably from Senate Education Committee 4-27.

SB 635 Farabee and Jones of Harris-- Relating to the powers and duties of municipalities with respect to tax increment financing. Referred to House Ways and Means Committee 4-27.

SB 652 Doggett-- Relating to defining members of the Board of Regents of The University of Texas System as appointed officers of a major state agency for purposes of financial statement requirements. Reported from Senate State Affairs Committee favorably with amendments 3-15.

SB 654 Mauzy-- Relating to authorizing and regulating group marketing of motor-vehicle insurance. Reported from Senate Human Resources Committee favorably with amendments 3-15.

SB 659 Adams and Aikin-- Relating to the use and allocation of certain cigarette tax revenue. Reported from House Ways and Means Committee favorably without amendments 3-29.

SB 662 Aikin-- Relating to the establishment of guidelines for academic workloads at state-supported institutions of higher education. Referred to Senate Education Committee 2-21.

SB 677 Andujar-- Providing for the establishment of a criminal history record system within the Texas Department of Public Safety. Referred to Senate Jurisprudence Committee 2-22.

HB 691 Hance-- Relating to the penalty for a felony of the first degree. Referred to Senate Jurisprudence Committee 2-22.

SB 694 Schwartz-- Providing for certain conditions which can be required of a convicted felon for the granting of felony probation. Referred to Senate Jurisprudence Committee 2-23.

SB 695 Schwartz-- Relating to the jurisdiction of the courts of this state to suspend further execution of their sentences and place the defendants on probation. Reported favorably from House Criminal Jurisprudence Committee without amendments 4-19.

SB 703 Hance-- Relating to the prosecution as adults of persons 15 years old or over who are alleged to have committed certain offenses. Referred to Senate Jurisprudence Committee 2-23.

SB 714 Meier-- Providing a right to appeal a decision of any board of equalization to a district court. Referred to subcommittee of Senate Economic Development Committee 3-28.

SB 721 Ogg-- Exempting from the Limited Sales Tax the receipts from the sale of tangible personal property to be used in solar energy systems. Referred to Senate Finance Committee 2-24.

SB 732 Ogg-- Relating to the simplification and reduction of the number of forms used by state agencies. Referred to Senate State Affairs Committee 2-28.

SB 737 Doggett-- Relating to the use of private consultants by state agencies and councils of government. Passed by the Senate 4-21.

SB 740 Ogg-- Relating to the places in which the possession of burning tobacco products or the smoking of tobacco is prohibited. Reported favorably from Senate Jurisprudence Committee with amendments 4-28.

SB 741 Parker-- Relating to the establishment of a system to assess and publicize the fiscal effects of certain municipal actions. Referred to House Committee on Intergovernmental Relations, 4-4.

SB 745 Mauzy-- Relating to the prohibition of the requirement that licensed attorneys pay dues as a prerequisite to the right to practice law. Considered by Senate Jurisprudence Committee in public hearing 4-26.

SB 761 McKnight and Hance-- Relating to the rulemaking procedure for certain state agencies. Referred to Senate State Affairs Committee 3-2.

SB 766 Traeger-- Relating to product liability. Considered by Senate Jurisprudence Committee in public hearing 4-26.

SB 770 Longoria and Mauzy-- Relating to restoration of the voting rights of persons convicted of a felony. Referred to Senate State Affairs Committee 3-2.

SB 777 Mauzy-- Relating to public school education. Referred to subcommittee of Senate Education Committee 3-9.

SB 782 Brooks and Jones of Harris-- Relating to the establishment of a sex offender treatment pilot program administered by the Department of Mental Health and Mental Retardation. Considered by Senate Human Resources Committee in public hearing 4-26.

SB 794 Mengden-- Relating to the decentralization of state agencies in the Central Texas area. Referred to Senate State Affairs Committee 3-3.

SB 801 Traeger-- Relating to the conservation, storage, and ownership of natural gas, and granting the right of eminent domain over a specific underground stratum and/or the mineral and royalty interest therein. Reported favorably from Senate Natural Resources Committee with substitute 4-21.

SB 802 Clower-- Relating to the redetermination of the price of certain natural gas. Referred to Senate Natural Resources Committee 3-7.

SB 803 Clower-- Relating to hearings and determinations on certain natural gas contract provisions. Referred to Senate Natural Resources Committee 3-7.

SB 818 Braecklein-- Relating to the conditions of a work-release sentence. Reported from Senate Jurisprudence Committee favorably 4-26.

SB 820 Snelson-- Relating to enacting the Southern Growth Policies Agreement. Failed to pass to third reading in House 4-20.

SB 824 Snelson-- Relating to the authority of school districts to charge student fees. Referred to Senate Education subcommittee 4-6.

SB 830 Doggett-- Relating to public employees of the State of Texas. Reported from Senate State Affairs Committee favorably with amendments 3-29.

SB 834 Jones, G-- Relating to runoff elections in cities and towns with populations of more than 200,000. Reported from subcommittee of Senate State Affairs Committee with substitute, 4-5.

SB 860 Moore and Harris-- Relating to the exemption of the state from the application of certain provisions of federal law relating to *parens patriae* antitrust actions. Referred to Senate Human Resources Subcommittee on Public Health and Welfare 4-19.

SB 861 Brooks-- Relating to the financing of public school education. Referred to subcommittee of Senate Education Committee 3-9.

SB 874 Jones of Taylor-- Relating to the issuing of certificates of indebtedness by certain counties for the purpose of providing funds for jail facilities. Reported favorably from Senate Intergovernmental Relations Committee with amendments 4-27.

SB 880 Doggett-- Relating to the consideration of advertising expenses in setting utility rates. Referred to Senate State Affairs Committee 3-9.

SB 890 Sherman-- Relating to a process for legislative review of proposed rules of state agencies. Reported favorably from Senate Intergovernmental Relations Committee 4-21.

SB 901 Brooks-- Relating to open meetings of government bodies, and allowing telephone conference calls provided facilities are provided for amplifying conversations for the public. Referred to House Committee on State Affairs, 4-4.

SB 979 Mengden-- Relating to contracts and financing by certain governmental entities for certain joint operations. Reported from Senate Intergovernmental Relations Committee favorably substituted 4-13.

SB 1094 Ogg-- Regulating write-in candidacy for public office. Referred to Senate State Affairs Committee 3-14.

SB 1110 Truan-- Relating to publication in the *Texas Register* of the Board of Control's notices of invitations for bids. Referred to Senate State Affairs Committee 3-14.

SB 1143 Doggett-- Providing express statutory authority for political subdivisions to finance, construct, complete, acquire, or operate facilities jointly, prescribing the manner for treatment of the cost thereof and the payment of contractual obligations. Referred to House Intergovernmental Affairs Committee 4-20.

SB 1159 Moore-- Providing a procedure for certain local governments to adopt powers of recall, referendum, and initiative. Referred to House Committee on Intergovernmental Affairs 3-29.

SB 1207 Sherman-- Adopting a Natural Resources Code. Third reading motion lost 5-2.

SB 1226 Sherman-- Relating to accessibility of government agency information, amending the Open Records Act. Reported favorably from Senate Jurisprudence Committee 4-28.

SCR 15 Clower-- Requesting the Public Utilities Commission to study the feasibility of a major revision of utility rate structures. Referred to Senate Natural Resources Committee 1-24.

SCR 16 Clower-- Requesting all cities within the state's Standard Metropolitan Statistical Areas to consider the adoption of ordinances regulating the automobile repair business. Referred to House Business and Industry Committee 3-28.

SCR 30 Mauzy-- Directing the State Board of Education to revise its accreditation standards for public schools. Referred to House Committee on Public Education 3-28.

SCR 31 Jones of Taylor-- Creating the Special Committee on Fiscal Responsibility. Referred to Senate State Affairs Committee 2-3.

SCR 41 Patman-- Memorializing Congress to amend the Internal Revenue Code to remove member contributions made to the Employees Retirement System and Judicial Retirement Administration and the Teacher Retirement System from the taxable base of a state employee's income. Referred to Senate State Affairs Committee 2-15.

SCR 52 Mengden-- Creating a special Joint Interim Committee to study decentralization of state agencies. Referred to Senate State Affairs Committee 3-3.

SJR 1 Creighton-- Proposing an amendment to the Texas Constitution to provide for methods of assessment for ranch, farm, forest, and other open-space lands. Referred to House Constitutional Amendments Committee 3-17.

SJR 3 Ogg-- Proposing an amendment to the Texas Constitution permitting the denial of bail to a person charged with a felony offense committed under certain circumstances. Referred to House Constitutional Amendments subcommittee 4-20.

SJR 4 Doggett-- Proposing an amendment to the Texas Constitution relating to the incurring of state debt. Referred to subcommittee of Senate Finance Committee 2-16.

SJR 6 Mengden-- Proposing an amendment to the Texas Constitution to limit the length of time that a person may hold the office of state senator or state representative. Referred to Senate State Affairs Committee 1-11.

SJR 7 Mengden-- Proposing an amendment to the Texas Constitution to limit the number of times that a person may be elected to the office of governor or lieutenant governor. Considered by Senate State Affairs Committee in public hearing 1-31.

SJR 8 Mengden-- Guaranteeing the right of a person to work for an employer without regard to whether he is a member of or makes a payment to a labor organization. Reported from Senate State Affairs Committee favorably 2-1.

SJR 10 Mengden-- Restricting the power of the legislature to increase state taxes in excess of eight percent of the total personal income of the state unless approved by a two-thirds vote of the membership of each house or by referendum. Referred to Senate Finance Committee 1-11.

SJR 11 Mengden-- Prohibiting the legislature from taxing personal or corporate incomes without approval by a popular vote. Referred to Senate Finance Committee 1-11.

SJR 14 Mengden-- Limiting the existence of certain state agencies. Referred to Senate State Affairs Committee 1-12.

SJR 16 Meier-- Relating to denial of bail to person accused of felony in certain circumstances. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-2.

SJR 20 Jones of Harris-- Eliminating state *ad valorem* tax. Referred to Senate Finance Committee 1-17.

SJR 23 Mengden-- Providing for detention without bail of a person accused of a felony involving violence against another. Considered by subcommittee of Senate Jurisprudence Committee in public hearing 3-2.

SJR 29 Patman-- Relating to the budget execution authority of the governor. Considered by Senate Finance Committee in public hearing 2-23.

SJR 32 Sherman-- Permitting the legislature to give budget execution authority to the governor. Referred to Senate Finance Committee 1-26.

SJR 35 Mengden and Clower-- Reserving in the people the powers of initiative and referendum. Referred to Senate State Affairs Committee 1-27.

SJR 38 Mauzy-- Authorizing additional colleges and universities of The University of Texas System and The Texas A&M University System to participate in certain benefits of the permanent university fund. Referred to Senate Education Committee 2-2.

SJR 39 Ogg-- Providing for a state medical malpractice insurance program and to appropriate funds to maintain the program. Reported from Senate Jurisprudence Committee favorably 3-2.

SJR 40 Moore-- Proposing a constitutional amendment requiring the state to finance current maintenance and operating expenses of public elementary and secondary schools. Reported from Senate State Affairs Committee favorably 2-24.

SJR 41 Hance-- Proposing a constitutional amendment to provide for periodic special sessions to consider the continuation or abolition of certain state agencies. Referred to Senate State Affairs Committee 2-8.

SJR 43 Mengden-- Proposing a constitutional amendment to prohibit state agencies from accepting gifts or grants from private sources. Referred to Senate State Affairs Committee 2-14.

SJR 44 Farabee and Jones of Harris-- Proposing a constitutional amendment to grant the legislature the power to authorize cities and towns to issue bonds to finance the redevelopment of certain blighted downtown areas. Referred to House Committee on Constitutional Amendments. 4-4.

SJR 45 Schwartz-- Proposing a constitutional amendment to permit more associate judges on a court of criminal appeals. Referred to House Committee on Constitutional Amendments 4-7.

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 Commission for the Blind

Meeting

A meeting of the Board of Directors of the State Commission for the Blind was held on Friday, May 6, 1977, 10 a.m., in Room 511, 314 West 11th Street, Austin, to continue the April 22, 1977, meeting, which was recessed in order for staff to accumulate additional factual and statistical data relative to items included on the April 22, 1977, agenda.

Additional information may be obtained from Donna Burnett, P.O. Box 12866, Austin, Texas 78711, telephone (512) 475-6810.

Filed: May 3, 1977, 8:09 a.m.

Doc. No. 772191

Coordinating Board, Texas College and University System

Meeting

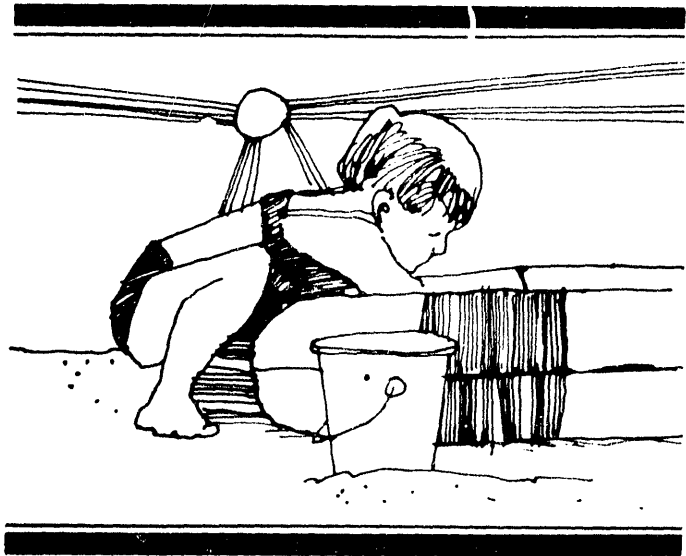
A meeting of the Community Service and Continuing Education Advisory Council of the Coordinating Board, Texas College and University System will be held on Wednesday, May 18, 1977, 1:30 p.m., in Conference Room 1113, Lyndon B. Johnson Building, 111 East 17th Street, Austin, to review comments and changes recommended by university presidents for the Annual Pro-

gram Plan of the Community Service and Continuing Education Program, and to allocate additional funds for Fiscal Year 1977 Title I projects.

Additional information may be obtained from Kenneth H. Ashworth, P.O. Box 12788, Austin, Texas 78711, telephone (512) 475-4361.

Filed: May 4, 1977, 10:06 a.m.

Doc. No. 772210



Texas Education Agency Meeting

A meeting of the State Board of Education of the Texas Education Agency will be held on Saturday, May 14, 1977, 8:30 a.m., at 150 East Riverside Drive, Austin.

The board will consider the following: agency administration; appeals on decisions of the commissioner; good neighbor scholarships; the Textbook Committee; teacher education standards (Advisory Committee); teacher preparation programs; state plans for vocational education and for adult education; teacher certification; recommendations of the Advisory Council; expenses for board members; duties and responsibilities of the commissioner; mineral leases by school districts; 1976-77 per capita apportionment; a request for authority to submit a proposal; a contract for the migrant summer program; policies of the board; mem-

bership in NASBE; the Texas Proprietary School Advisory Commission; school accreditation; contracting for exceptional children; aerospace-aviation education; conservation and environmental education; the permanent school fund; and other business. A detailed agenda is posted in the East Wing of the State Capitol.

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

Filed: May 5, 1977, 11:47 a.m.

Doc. No. 772224

Employees Retirement System of Texas

Meeting

A meeting of the Board of Trustees of the Employees Retirement System of Texas will be held on Monday, May 16, 1977, 10 a.m., at 1705 San Jacinto, Austin. The agenda includes review of bids from contractors for construction of a building, a status report on the Group Insurance Program, a discussion of legislation, and consideration of other business.

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

Filed May 3 1977 11:23 a.m.

Doc No 772198

Finance Commission of Texas

Emergency Meeting

An emergency meeting of the Banking Section of the Finance Commission of Texas will be held on Wednesday, May 11, 1977, 9:30 a.m., at 2601 North Lamar, Austin.

The agenda includes: a report on implementation of the Haskins and Sells Report, a report on legislation affecting banking (EFTS, credit union sharedrafts, and Texas Banking Code), consideration of adoption of a policy regarding insider transactions, a report on the condition of state chartered banks, a report on the condition of the Department of Banking, and nomination and election of a chairman for the Banking Section of the Finance Commission of Texas.

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

Filed: May 4, 1977, 12:00 p.m.

Doc. No. 772214

Emergency Meeting

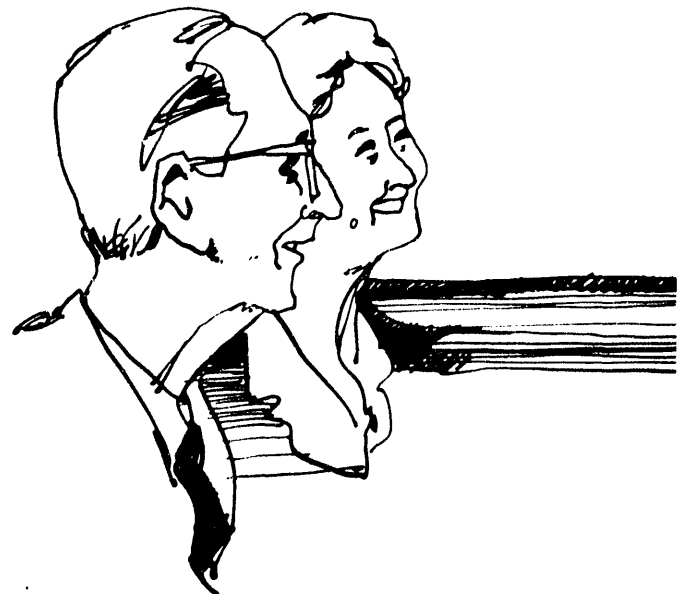
An emergency meeting of the Finance Commission of Texas will be held on Wednesday, May 11, 1977, 2 p.m., at 2601 North Lamar, Austin.

The commission will consider: a report on legislation affecting banks, savings and loan associations, and consumer credit companies; nomination and election of a chairman for the commission; a report on rule changes of the Savings and Loan Department; and a report on the condition of the Department of Banking, the Savings and Loan Department, and the Consumer Credit Commission. (The commission will convene in executive session for the purpose of discussing evaluation of personnel).

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

Filed: May 4, 1977, 12:00 p.m.

Doc No 772215



Good Neighbor Commission of Texas

Meeting

The second quarterly meeting of the Good Neighbor Commission of Texas will be held on Thursday through Saturday, May 12-14, 1977, 9 a.m. daily, at the Ancira Hotel, Monterrey, Nuevo Leon, Mexico. The agenda follows.

Thursday, May 12, 1977

Consideration of status of commission resolutions; quarterly financial report; executive director's report; and presentations on federal actions affecting border policy and problems, legal immigrant students in Texas, and the border cooperation project

Friday, May 13, 1977

Workshops with the International Good Neighbor Council (9 a.m. to 5 p.m.)

Saturday, May 14, 1977

Address by Senator Raul Longoria and consideration of resolutions adopted by the International Good Neighbor Council (9 a.m. to 11 a.m.)

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

Filed: May 4 1977. 4 37 p m

Doc No 772219

Office of the Governor Meetings

Various meetings of the State Manpower Services Council of the Governor's Budget and Planning Office will be held at 8:30 a.m. Wednesday (committee meeting), 1:30 p.m. Thursday (committee meetings), and 9 a.m. Friday (general session), May 18, 19, and 20, 1977, at the Quality Inn South, 2200 South Interregional, Austin. The agenda follows.

Wednesday, May 18, 1977

Review Committee-- special meeting, with presentations to be made by various state services contractors followed by committee discussion

Thursday, May 19, 1977

Review Committee-- presentations to be made by various state services contractors followed by committee discussion, consideration of the status of Vocational Education 112 non-financial agreements and 2nd quarter Fiscal Year 1977 performance, and various prime sponsor monitoring reports

Plans and Coordination Committee-- consideration of proposed legislation in Congress, SMSC proposed work plan for FY 1978, and Section 112 Supplemental Vocational Education Proposed Policy for FY 1978; review of State Plan for Vocational Education for FY 1978; and a status report on SMSC/Advisory Council for Technical-Vocational Education joint responsibility

Special Projects Committee-- status report on current council projects; consideration of monitoring of Title III program operations, criteria for FY 1978 council projects, and FY 1978 plan development; and review of job corps centers

Friday, May 20, 1977

State Manpower Services Council-- general session, to include the chairman's report; a report on federal legislation; and reports of the Review Committee, the Plans and Coordination Committee, and the Special Projects Committee, with discussion and council action

A detailed agenda is posted in the East Wing of the State Capitol.

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

Filed: May 3, 1977 11:21 a.m.

Doc No 772197

Texas Health Facilities Commission

Addition to Agenda

An addition is being made to the agenda of a meeting of the Texas Health Facilities Commission to be held on Thursday, May 12, 1977, 10 a.m., in Suite 450, One Highland Center, 314 Highland Mall Boulevard, Austin, to include consideration of an application and request by Methodist Hospital, Lubbock, for a certificate of need. The complete supplemental notice 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: May 4, 1977. 11:12 a.m.

Doc No 772212

Meeting

A meeting of the Texas Health Facilities Commission will be held on Thursday, May 19, 1977, 10 a.m., in Suite 450, One Highland Center, 314 Highland Mall Boulevard, Austin, to consider the following applications and requests.

Bexar County Hospital, San Antonio-- certificate of need

Tigua General Hospital, El Paso-- certificate of need

St. Joseph Hospital, Houston-- certificate of need and exemption certificate

Clayton Terrace Manor, Inc., Tyler-- certificate of need
Daniel Jarvis Home Health Agency, Inc., Bryan-- certificate of need

Matagorda County Hospital District, Bay City-- certificate of need

Medical Arts Hospital, Dallas-- exemption certificate

Wadley Hospital, Texarkana-- exemption certificate

Abilene State School, Abilene-- exemption certificate

Brownsville Medical Center, Brownsville-- exemption certificate

Hillcrest Baptist Hospital, Waco-- exemption certificate

Woodland Heights General Hospital, Lufkin-- exemption certificate

Golden Manor of Pittsburg, Pittsburg-- exemption certificate

McKenna Memorial Hospital, Inc., New Braunfels-- exemption certificate

Austin-Travis County MH/MR Center, Austin-- exemption certificate

Texas Elks Crippled Children's Hospital, Inc., Luling-- exemption certificate

Dallas County MH/MR, Garland-- declaratory ruling

Valley Eye Clinic and Hospital, Harlingen-- exemption certificate

C. W. and Caroline Bohne Memorial Hospital, Brenham-- exemption certificate

The Westbury Place, Houston-- exemption certificate

Texas Department of MH/MR, Austin-- two administrative orders

Gainesville Convalescent Center, Gainesville-- exemption certificate

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 78711, telephone (512) 475-6940.

Filed: May 4, 1977, 11:13 a.m.

Doc. No. 772213

Texas Historical Commission

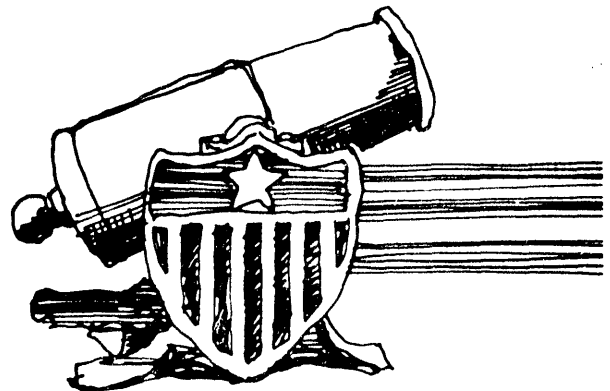
Emergency Additions to Agenda

Emergency additions were made to the agenda of a meeting of the Texas Review Board of the Texas Historical Commission held on Thursday, May 5, 1977, 1 p.m., at the Carrington-Covert House, 1511 Colorado, Austin, to include review of two additional sites: Old Reagan County Courthouse, Stiles, and Leesville School, Gonzales County.

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

Filed: May 4, 1977, 10:06 a.m.

Doc. No. 772211



State Board of Insurance Hearings

Hearings by the Commissioner's Hearing Section of the State Board of Insurance will be held on Thursday, May 19, 1977, 2 p.m. and 2:15 p.m., in Room 343, 1110 San Jacinto, Austin, to consider two applications by the Great Southwest Life Insurance Company, Dallas; one is for an increase in value of property, under Article 1.15 of the Texas Insurance Code (2 p.m.), and the other, for an extension of time to hold real estate, pursuant to Article 3.40 of the Texas Insurance Code (2:15 p.m.).

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

Filed: May 3, 1977, 9:42 a.m.
Doc. No. 772192

Governor's Special Advisor on Natural Resources

Meeting

A meeting of the Governor's Water Task Force of the Governor's Special Advisor on Natural Resources will be held on Thursday, May 12, 1977, 9 a.m., in Room 118, Stephen F. Austin Building, 17th and Congress, Austin.

The agenda includes: a report on tax-exempt bonds for water projects for governmental entities; consideration of a status report, the status of 1975 water assessment, and development of position papers for conference committees concerning the National Conference on Water in St. Louis, Missouri; a discussion of the Water Task Force meeting schedule; and a status report on 404 Legislation.

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

Filed: May 4, 1977, 4:42 p.m.
Doc. No. 772220

Texas Organized Crime Prevention Council

Meeting

A meeting of the Texas Organized Crime Prevention Council will be held on Monday, May 16, 1977, 10 a.m., in the commissioner's board room, Texas Department of Public Safety headquarters, 5805 North Lamar, Austin. The council will discuss the 1976 annual report to the governor and the organized crime brochure and hear a status report on the Texas Law Enforcement Intelligence Units Association.

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

Filed: May 5, 1977, 9:45 a.m.
Doc. No. 772221

Board of Pardons and Paroles

Meeting

A meeting of the Board of Pardons and Paroles will be held on Tuesday, May 10, 1977, 9 a.m., in Room 711, Stephen F. Austin Building, Austin, to receive comments on Rules 205.01.02.004-.009.

Additional information may be obtained from John Jasuta, 711 Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3675.

Filed: May 2, 1977, 2:56 p.m.
Doc. No. 772189

Meeting

A meeting of the Board of Pardons and Paroles will be held on Monday through Friday, May 16-20, 1977, 9 a.m. daily, in Room 711, Stephen F. Austin Building, Austin, 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.

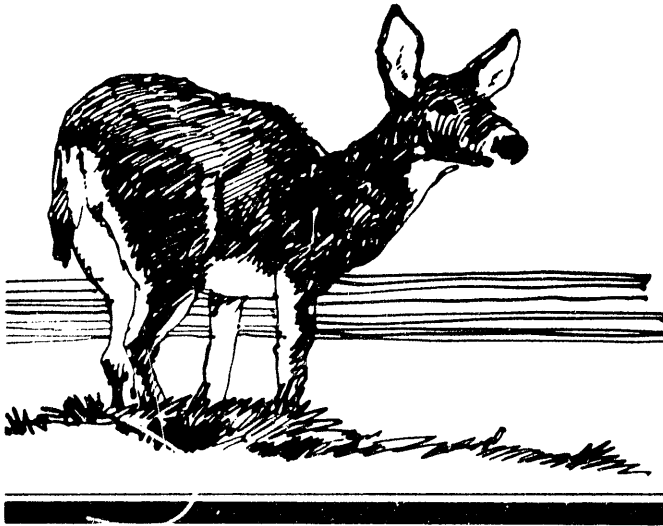
Filed: May 3, 1977, 9:42 a.m.
Doc. No. 772195

Meeting

A meeting of the Board of Pardons and Paroles will be held on Wednesday May 18, 1977, 9 a.m., in Room 711, Stephen F. Austin Building, Austin. A parole panel consisting of members of the Board of Pardons and Paroles and members of the Texas Parole Commission will conduct parole violation hearings.

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

Filed: May 3, 1977, 9:42 a.m.
Doc. No. 772196



Texas Parks and Wildlife Department

Meeting

A meeting of the Fisheries Division/Environmental Branch of the Texas Parks and Wildlife Department will be held on Tuesday, May 24, 1977, 2 p.m., in Room A-200, 4200 Smith School Road, Austin, to consider the application of Rogers Construction Company for a permit to remove approximately 100 cubic yards of sand per month from the Llano River, within the city limits of Llano, and adjacent to the property of Cordelia Norton on Salem Street (north side of river) and Oregon Street (south side of river) in Llano County.

Additional information may be obtained from C. Harris, 4200 Smith School Road, Austin, Texas 78744, telephone (512) 475-4831.

Filed: May 3, 1977, 9:42 a.m.

Doc No. 772193

Hearing

A hearing by the Parks Division of the Texas Parks and Wildlife Department will be held on Thursday, June 2, 1977, 2 p.m., in Room A-100, 4200 Smith School Road, Austin, to consider the proposed Concept Development Plan for Washington-on-the-Brazos Historical Park in Washington County. The plan will include development of the historic townsite, the Anson Jones complex, non-historic buildings, support facilities, and landscaping.

Additional information may be obtained from Dr. Harold D. Toy, 4200 Smith School Road, Austin, Texas 78744, telephone (512) 475-4995.

Filed: May 3, 1977, 1:27 p.m.

Doc. No. 772199

Proprietary School Advisory Commission

Meeting

A statutory meeting of the Proprietary School Advisory Commission of the Texas Education Agency will be held on Tuesday, May 10, 1977, 10 a.m., in the board room at 150 East Riverside, Austin, to consider a status report, the proposed rules of procedure for hearings on appeals, a change to guidelines, and other business.

Additional information may be obtained from Janice Boyd, 201 East 11th Street, Austin, Texas 78701, telephone (512) 475-2246.

Filed: May 2, 1977, 2:56 p.m.

Doc. No. 772187

Public Utility Commission of Texas

Meeting

A meeting of the Public Utility Commission of Texas will be held on Wednesday, May 25, 1977, 9 a.m., in Suite 450N, 7800 Shoal Creek Boulevard, Austin, to consider the matter of the 439 Water Supply Corporation vs. Karl Albright, individually doing business as Eagle Point Water Company.

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

Filed: May 3, 1977, 9:42 a.m.

Doc. No. 772194

Texas Water Development Board

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Texas Water Development Board held on Friday, May 6, 1977, 9 a.m., in the Aboretum Room at the Hyatt Regency, 1200 Louisiana, Houston. The addition included consideration of an application by the City of Greenville (Docket RE-0013) for approval of plans to construct a levee adjacent to Long Branch Creek, a tributary of the Cowleech Fork of the Sabine River in Hunt County.

Additional information may be obtained from James M. Rose, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-3187.

Filed: May 2, 1977, 2:56 p.m.

Doc. No. 772188

Texas Water Quality Board

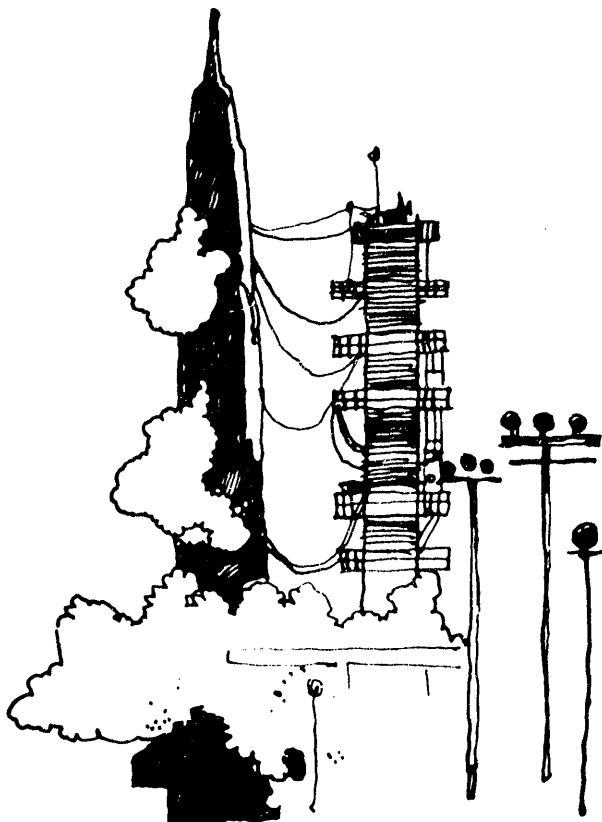
Emergency Amendment to Agenda

An emergency amendment was made to the agenda of a meeting of the Texas Water Quality Board held on Thursday, May 5, 1977, 9 a.m., in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin, to delete consideration of Texaco, Inc. (Port Arthur Refinery), for a voluntary amendment to permit, and consideration of the State of Texas water quality inventory. Additions to the agenda included consideration of a transfer of permit from First Development Corporation Commander's Point to Curtis Biddle, Jr., and consideration of an application by Moody, Texas (C-48-1231-03), for a state loan under Senate Bill 847.

Additional information may be obtained from Harold Jobs, 1700 North Congress, Austin, Texas 78701, telephone (512) 475-4781.

Filed: May 4, 1977, 9:45 a.m.

Doc. No 772207



Texas Water Rights Commission

Hearing

A hearing by the Texas Water Rights Commission will be held on Friday, June 3, 1977, 10 a.m., at the Stephen F. Austin Building, 1700 North Congress, Austin.

The commission will consider an application by the City of Jacksboro to amend Permit 1505A, pursuant to commission Rule 129.06.10, and an application by Jacksboro Country Club for a contractual permit based on a contract with the City of Jacksboro. The complete agenda and hearing 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 May 2 1977 11 06 a.m.

Doc No 772175

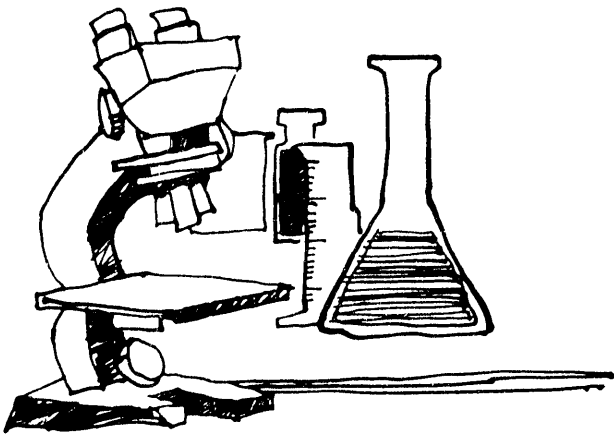
Hearing

A hearing by the Texas Water Rights Commission will be held on Friday, June 29, 1977, 10 a.m., at the Stephen F. Austin Building, 1700 North Congress, Austin, to consider an application by Seguin Municipal Utilities to amend Certified Filings 802 and 803. The complete hearing 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: May 2, 1977, 11:06 a.m.

Doc No. 772176



West Texas State University

Addition to Agenda

An addition was made to the agenda of a meeting of the Board of Regents of West Texas State University held on Monday, May 9, 1977, 10 a.m., in Room 216 of the Activities Center on the WTSU campus, Canyon, to include consideration of a request to have legislation introduced in the Legislature to permit the sale of approximately 100 acres of land to the Canyon Industrial Foundation.

Additional information may be obtained from Lloyd I. Watkins, Box 997, W.T. Station, Canyon, Texas 79016, telephone (806) 656-3962.

Filed May 5, 1977 11:19 a.m.

Doc No 772223

Quasi-State Agencies

Meetings Filed May 2, 1977

The Austin-Travis County MH/MR Center, Board of Trustees, met at 1430 Collier, Austin, on May 5, 1977, at 6:30 p.m. (closed executive session) and at 7 p.m. Further information may be obtained from John W. Weimer, 1430 Collier, Austin, Texas 78704, telephone (512) 447-4141.

Doc. No. 772190

Meetings Filed May 4, 1977

The Brazos Valley MH/MR Center, Board of Trustees, will meet at 202 East 27th Street, Bryan, on May 10, 1977, at 5:30 p.m. Further information may be obtained from Dean Breitingner, 202 East 27th Street, Bryan, Texas 77801, telephone (713) 779-6467.

The Golden Crescent Subarea Advisory Council, Nominating Committee, will meet in the Sam Houston Room at the Victoria Bank and Trust Building, Victoria, on May 18, 1977, at 6:30 p.m. Further information may be obtained from Emily M. Petersen, Station 1, Box 2378, Kingsville, Texas 78363, telephone (512) 595-5545.

The Lubbock Regional MH/MR Center, Human Development Center, will meet at 1210 Texas Avenue, Lubbock, on May 10, 1977, at 4:30 p.m. Further information may be obtained from Gene Menefee, 1210 Texas Avenue, Lubbock, Texas 79401, telephone (806) 763-4213.

The Panhandle Regional Planning Commission, Panhandle Area Agency on Aging Advisory Council, will meet at 1322 Tyler Street, Amarillo, on May 11, 1977, at 2 p.m. The Panhandle Health Systems Agency will meet in the auditorium at the Texas Tech Regional Academic Health Center, 1400 Wallace, Amarillo, on May 11, 1977, at 7:30 p.m. Further information may be obtained from George Loudder, P.O. Box 9257, Amarillo, Texas 79105, telephone (806) 372-3381.

The Permian Basin Regional Planning Commission, Board of Directors, will meet at the Air Terminal Office Building, Midland, on May 11, 1977, at 1:30 p.m. Further information may be obtained from Susan Cobbs, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

The Rio Bravo RC&D Project, RC&D Board of Directors committee, will meet at the Multipurpose Center, Zapata, on May 10, 1977, at 9:30 a.m. Further information may be obtained from Jack Hereford, P.O. Box 421, Rio Grande City, Texas 78582, telephone (512) 487-2912.

The South Texas Health Systems Agency, Lower Rio Grande Valley Subarea Health Council, will meet at the Rodeway Inn, Mercedes, on May 11, 1977, at 7 p.m. Further information may be obtained from Alfredo R. Delgado, Station 1, Box 2378, Kingsville, Texas 78363, telephone (512) 595-5545.

Doc. No 772206

Meetings Filed May 5, 1977

The Deep East Texas Council of Governments Area Agency on Aging, Aging Advisory Council, will meet in Room 209 of the Science Building, Angelina College, Lufkin, on May 13, 1977, at 1:30 p.m. Further information may be obtained from Martha Jones, P.O. Drawer 1170, Jasper, Texas 75901, telephone (713) 384-5704.

The Education Service Center Region XIV, Board of Directors, will meet at 3001 North Third, Abilene, on May 19, 1977, 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 Heart of Texas Council of Governments, Board of Directors, will meet at Winkler's Restaurant, North Highway 14, Mexia, on May 12, 1977, at 7 p.m. Further information may be obtained from David R. Rayburn, 110 South 12th, Waco, Texas 76701.

The Sabine Valley Regional MHMR Center, Board of Trustees, will meet at 1602 West Grand Avenue, Marshall, on May 12, 1977, at 7:30 p.m. Further information may be obtained from Frances H. Willis, P.O. Box 1128, Longview, Texas 75601.

The San Jacinto Basin Planning Advisory Commission met in the large conference room, Houston-Galveston Area Council, 3701 West Alabama, Houston, on May 9, 1977, at 7:30 p.m. Further information may be obtained from Dennis J. Crowley, P.O. Box 329, Conroe, Texas 77301, telephone (713) 588-1111.

Doc. No 772222

Comptroller of Public Accounts

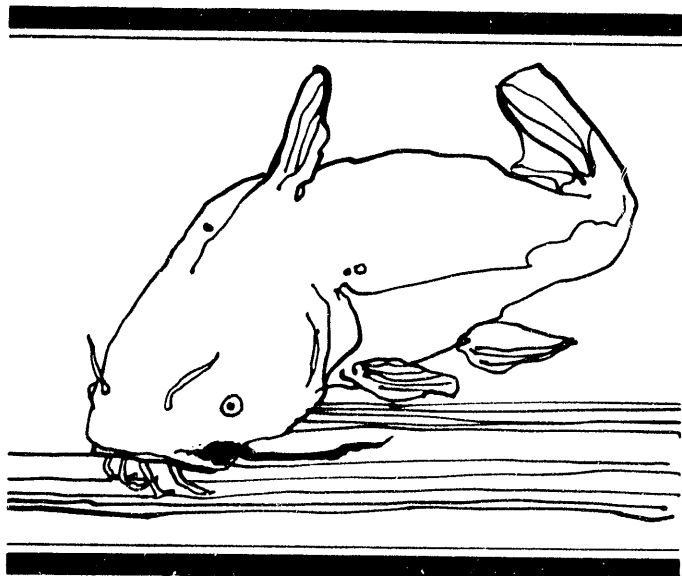
Administrative Decisions

Administrative Decision H-7979

H-7979: A person who builds cabinets, delivers them to his customer at a jobsite, and puts them in place, but does not affix them to the realty and who has no responsibility for any finishing work to be performed after delivery, is a seller of tangible personal property rather than a "contractor" under Article 20.01(T)(1969), Texas Taxation-- General Annotated.

For copies of recent opinions selected and summarized by the Legal Services Division, contact the Harriet Burke, Legal Services Division, P.O. Box 13528, Austin, Texas 78711. Copies will be edited to comply with confidentiality statutes.

Filed: May 4, 1977, 3:44 p.m.
Doc No 772217



Governor's Energy Advisory Council

Energy Policy Monitor

Severance Tax

In the April 29, 1977, issue of the "Energy Policy Monitor," the Governor's Energy Advisory Council reports that, following the example of Montana, the states of

New Mexico, North Dakota, and Wyoming recently enacted legislation to increase severance taxes on their coal. A similar situation is presently under consideration in Colorado.

New Mexico increased its severance tax on coal ten-fold from 0.5 percent of gross value to a tax of 38 cents per ton.

North Dakota increased its coal severance tax from 52 cents per ton to 65 cents per ton. An additional 4.5 percent in the severance tax was enacted in Wyoming. Wyoming's coal tax now includes 8.5 percent severance tax, two percent coal impact tax and 6.5 percent *ad valorem* tax. A 1.5 percent severance tax increase was also enacted to cover retroactively 1976 production.

Colorado is considering legislation to increase its severance tax on underground coal from 0.7 cents per ton up to 60 cents per ton.

Based on Texas' anticipated 1985 imports of five million tons of New Mexico coal, 18 million tons of Wyoming coal, and three million tons of Colorado coal, annual tax payments by Texas consumers to these states (assuming the Colorado legislation passes) will be \$1.9 million, \$18 million, and \$1.8 million, respectively.

Filed: May 3 1977
Doc No 21A9

Texas Court of Military Appeals

Rules of Practice and Procedure

The Texas Court of Military Appeals adopts and promulgates the following rules of practice and procedure to govern actions before this court. Such rules are adopted and promulgated in conformity with and are authorized by Section 67, Article 5788, Revised Civil Statutes of Texas (Texas Code of Military Justice); Acts 1975, 64th Legislature, page 687, Chapter 287, Section 1.

These rules became effective on April 15, 1977, and shall be recorded in the minutes of this court.

The official copy of these rules of practice and procedure as approved by this court shall be preserved by the clerk of this court in his office as one of the permanent records of the Texas Court of Military Appeals.

Rule 1. Name Section 67, Article 5788, Revised Civil Statutes of Texas, provides that the name of the Court is "Texas Court of Military Appeals."

Rule 2. Seal. The seal of the court is of the following description: a star of five points encircled by olive and live oak branches, and the words "Texas Court of Military Appeals."

Rule 3. Jurisdiction. The Texas Court of Military Appeals shall, in the exercise of its appellate jurisdiction, upon petition of an accused, hear and review the record in:

- (a) all general and special courts-martial; and
- (b) all other cases where a judge of this court has made a determination that there may be a constitutional issue involved.

Rule 4. Sessions and Quorum.

(a) The Texas Court of Military Appeals shall meet annually at the call of the chief judge to consider any matter before the court and to review the rules of practice and procedure of the court. It shall also meet at any other time that business comes before the court, at the call of the chief judge.

(b) Three of the judges shall constitute a quorum. The concurrence of three judges shall be necessary for the rendition of a final decision of the court. In the absence of a quorum, any judge may make any necessary order relating to any matter pending before the court which does not constitute a final decision.

Rule 5. Process. All process of the court, except mandates, shall be in the name of the State of Texas and shall contain the given names as well as the surnames of the parties.

Rule 6. Parties. The accused shall be the appellant in all cases.

Rule 7. Clerk.

(a) The clerk of the court shall be designated by the Judge Advocate General of the State Military Forces, and shall serve at the pleasure of the Judge Advocate General of the State Military Forces.

(b) The clerk of the court shall keep the office of the court at the seat of the state government, Austin, Texas.

(c) Before he enters on the execution of his office, the clerk shall take an oath in the form prescribed for appointed officers by Article 16, Section 1, of the Constitution of the State of Texas.

(d) The clerk shall be the custodian of records and shall not permit an original record, pleading, or other paper relative to a case to be taken from the courtroom or from the clerk's office without an order from a judge of the court.

Rule 8. Docket

(a) The clerk shall maintain a docket in which shall be entered the receipt of all pleadings or other papers filed and any action by the court relative to a case. Entries in the docket shall be noted

chronologically on the page or pages assigned to the case showing briefly the date, the nature of each pleading or other paper filed, and the substance of any action by the court.

(b) Upon receipt of the petition for review, the case shall be assigned a docket number having as its prefix the last two digits of the calendar year in which the case is filed. All pleadings or other papers subsequently filed in the case shall bear this number.

(c) The clerk shall immediately notify in writing the judges of this court, the State Judge Advocate General, the accused and his appellate counsel of the receipt and docketing of the case, including the docket number assigned.

Rule 9. Professional Requirements.

(a) Any person admitted to practice before the Supreme Court of Texas who is a member in good standing of the State Bar of Texas may appear before this court.

(b) If appellate counsel participated in the court-martial of the accused, he may appear before this court.

(c) Counsel who is not admitted to practice law in the State of Texas may, in a given case and upon motion, appear before this court.

(d) Civilian and military appellate counsel who are qualified to appear before this court shall file an entry of appearance in writing before participating in a case.

Rule 10. Mandatory Assignment of Appellate Defense Counsel. In all cases in which the State of Texas is represented by counsel before the court, the accused shall be represented by appellate defense counsel consistent with these rules.

Rule 11. Method of Appeal. The jurisdiction of this court may be invoked by the filing with the clerk of the court of a petition for review, either *pro se* or by counsel for the accused, within 60 calendar days from the time of receipt by the accused of actual notice of the final action on his case. The petition shall be substantially in the form set forth in Appendix A.

Rule 12. Petition for Review; Pleading; Computation of Time; Enlargement.

(a) The accused shall file a petition for review as set forth in Section 67 of Article 5788, Revised Civil Statutes of Texas, and such petition shall be deemed to have been timely filed upon the date postmarked on the envelope containing the petition, or, in the absence of a postmark, if received by the clerk within three working days, excluding Sundays and holidays, after the expiration of 60 days from the time of receipt by the accused of actual notice of the final action on his case.

(b) All other pleadings or other papers relative to a case, transmitted by mail or other means for filing in the office of the clerk, shall not be deemed to have been filed until received in his office.

(c) Except as otherwise stated, in computing any period of time prescribed or allowed by these rules, by order of court, or by an applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation.

(d) When by these rules or by notice given thereunder, or by order of court, an act is required or allowed to be done at or within a specified time, the court for good cause shown may at any time in its discretion:

(1) Before expiration of the period so prescribed or extended, with or without motion or notice, order the period extended if request therefor is made before the expiration of the period as originally prescribed or as extended by previous order, or

(2) Upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect.

(3) Nothing herein contained shall authorize the extension of the time for filing a petition for review as required by Section 67 of Article 5788.

Rule 13. Motions; Time of Service; Other Matters.

(a) All motions, unless made during the course of a hearing, shall state with particularity the relief sought and the grounds therefor.

(b) Any opposition to a motion shall be filed within 15 days after receipt by the opposing party of service of the motion.

(c) Whenever a party has the right or is required to do some act or undertake some action within a prescribed period of time, three days shall be added to the prescribed period when service is made by United States mail. When service is made outside the continental limits of the United States, 15 days shall be added thereto.

(d) The court may extend any times prescribed by these rules, may grant continuances and postponements from time to time, and may take such other action the court considers necessary for a full, fair, and expeditious disposition of a case.

Rule 14. Provisions Applicable to Pleadings or Other Papers Filed.

(a) All pleadings or other papers relative to a case shall be filed in the office of the clerk.

(b) An original and eight legible copies of all pleadings or other papers relative to a case shall be filed.

(c) All pleadings or other papers relative to a case shall be printed and typewritten.

(1) If printed, they shall be in such form and size that they can be conveniently bound together.

(2) If typewritten, they shall be double-spaced on legal cap white paper securely fastened at the top.

(d) All record references shall show page numbers and any exhibit designations.

(e) All pleadings or other papers relative to a case shall bear either the original signature of the accused or his counsel or both and shall show the name and address of the person signing, together with his active or reserve rank or grade, if any, and the capacity in which he signs the paper. Such signature shall constitute a certificate that the statements made therein are true and correct to the best of the knowledge, information, and belief of the person signing the pleading or paper, and that the pleading or paper is filed in good faith and not for the purpose of unnecessary delay.

Rule 15. Service

(a) Contemporaneously with the filing of any pleading or other paper relative to a case in the office of the clerk, service of the same shall be made on all other counsel.

(b) Any pleading or other paper filed relative to a case shall be served on all other counsel by United States mail or in person. A certificate of service shall be included in the original pleading or other paper filed substantially in the following form:

Certificate of Service

I certify that a copy of the foregoing was (mailed) (served in person) to all counsel on the _____ day of _____, 19____.

(Name)

(Address)

Rule 16. Brief in Support of Petition for Review.

(a) Appellant's brief shall be filed within 30 days of the granting of review.

(b) Appellee's brief shall be filed within 25 days of the filing of appellant's brief.

(c) A brief of an *amicus curiae* shall not be filed in the case; however, such briefs shall be noted by the clerk and may be considered by the court. No leave of the court is necessary for permission to submit an *amicus curiae* brief which must be in the same form as set forth in Appendix B.

Rule 17. Petition for Review, Motions, and Notice.

(a) Oral argument may be permitted on a petition for review at the discretion of the court.

(b) Oral argument will not be permitted on motions except when authorized by the court.

(c) The clerk shall give at least 10 days' notice in writing of the time and place for any hearing.

Rule 18. Petition for Rehearing, Modification, or Reconsideration.

(a) Any party desiring a rehearing of any matter determined by the Texas Court of Military Appeals may, within 15 days after notice of the decision is received by each party or his counsel, file with the clerk of said court his motion in writing for a rehearing thereof, distinctly specifying the grounds relied upon for the rehearing. If the court delivers an opinion in connection with the overruling of a motion for rehearing, a further motion for rehearing may be filed by the losing party within 15 days after such opinion is delivered; but a further motion for rehearing shall not be made as a matter of right in any other case. Any motion for rehearing may be amended any time before the expiration of the 15-day period allowed for filing it, and, with leave of the court, any time before its final disposition.

(b) If a motion or amended motion is filed pursuant to Rule 18(a), the opposing party shall have 10 days in which to file a response.

(c) Except when ordered by the court, oral argument will not be permitted on a petition for rehearing, modification, or reconsideration.

Rule 19. Mandates. Mandates shall issue after the expiration of 22 days from the date the opinion of the court is filed with the clerk, unless a petition for rehearing, modification, or reconsideration is filed, or the time is shortened or enlarged by order of the court, or unless the parties stipulate that it will be issued at an earlier date.

Rule 20. Opinions.

(a) All opinions of the court shall be retained by the clerk for preservation as a part of the permanent official records of this court. The opinions of the court shall be cited as TCMA; by court-martial number and the surname of the accused.

(b) The reproduction, printing, and distribution of all opinions shall be pursuant to the direction of and under the supervision of the clerk.

Issued in Austin, Texas, April 25, 1977.

Doc. No 772094 Jack L. Slayton
 Judge Advocate General
 Texas Adjutant General's
 Department

Filed: April 26, 1977, 2:37 p.m.

For further information, please call (512) 475-5057

Railroad Commission of Texas

Extension of Time for Filing Comments on Proposed Regulation 051.03.17.015

Pursuant to Section 5 of Article 6252-13a (Supplement 1976), the Administrative Procedure and Texas Register Act of 1975, Texas Revised Civil Statutes Annotated, notice of the Railroad Commission of Texas' intention to adopt Regulation 051.03.17.015, Approval of Agreements between Carriers, Shippers, and Other Parties in Interest Concerning Group Representation, was published in the *Texas Register*, Volume 2, Number 27, pages 1281-1283 (April 5, 1977). Public comment on Proposed Regulation 051.03.17.015 was invited by submission of written comments to the commission by May 3, 1977. In response to the requests of six commentators to extend the May 3 deadline, the commission has extended the deadline for the filing of written comments to June 3, 1977.

Additional information may be obtained from John R. Whisenhart, P.O. Box 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-3207.

Filed April 29, 1977, 3:15 p.m.

Doc No 772171

Oil and Gas Division

Interpretive Order 051.02.02.030-.031

The Railroad Commission of Texas, on petition of interested persons, is proposing the amendment of the penultimate paragraph of its Interpretive Order concerning gas market demand determination and allowable allocation procedures presently administered through its General Conservation Rule and Regulations of Statewide Application, with specific reference to Statewide Rules 051.02.02.030 and .031.

Public comment on the proposed amendment to the interpretive order is invited. Comments may be submitted to Fred H. Young, Chief Legal Counsel, Railroad Commission of Texas, Oil and Gas Division, P.O. Drawer 12967, Austin, Texas 78711. Comments will be accepted until 30 days after re-publication of notice in the *Texas Register*.

This order is being republished because the text which was published in the May 3, 1977, issue of the *Register* (Volume 2, Number 35, page 1733) contained a typographical error.

This amendment to the interpretive order is proposed under authority of Articles 6008 and 6049a, Revised Civil Statutes of Texas.

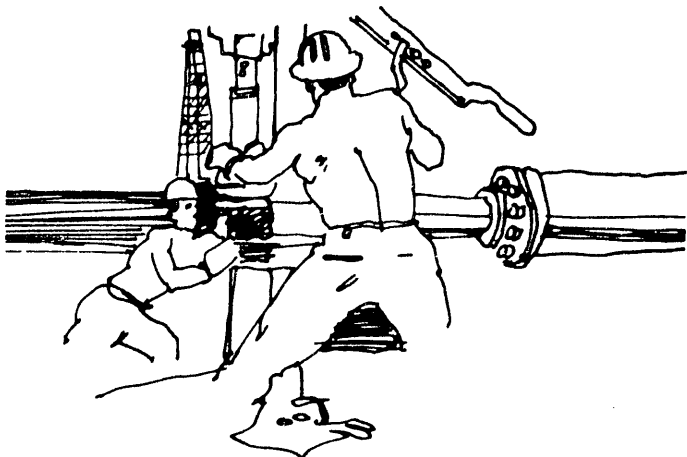
"It is further ordered that *to the extent that* the provisions of any and all gas purchase or other agreements between producers and gas purchasers [which] contravene or are inconsistent with the provisions of this order, and *only to that extent, such contractual provisions* are rendered inoperative, including, without limitation, provisions relative to (1) gas purchasers nominating to take gas in certain amounts or at certain levels, or (2) producers asserting damages, or other remedies against gas purchasers in the event of *reduction* [reductions] in or *cancellations* [cancellation] of *allowables*. *In no event, however, shall the provisions of the order invalidate or otherwise affect the contractual obligations of gas purchasers to take and pay for (or pay for if not taken) any certain percentage, not to exceed 65 percent, of either the greater of the deliverability test volume as reported on Form G-10, or the deliverability capacity of the seller determined under any such gas purchase contract or gas purchase contracts* [allowables and (3) obligations requiring gas purchasers to take, or pay for if not taken, quantities greater than allowables set by this commission].

Issued in Austin, Texas, on April 20, 1977.

Doc No 772011 Fred H. Young
Oil and Gas Division
Railroad Commission of Texas

Filed: April 20, 1977 3 14 p m

For further information, please call (512) 475-6155



Texas Register Correction of Error

The Food Service Sanitation rules of the Texas Department of Health Resources, which appeared in the April 29, 1977, and May 3, 1977, issues of the *Texas Register* contained several errors. Corrections are as follows:

(1) The listing of addresses where copies of the proposed rules may be inspected contained an error in the TDHR Public Health Region 7 address appearing on pages 1586 and 1666. That address should be 1517 West Front Street, Tyler, Texas 75701.

(2) The last sentence of Section (p) of Rule .002, Definitions, should read: "The term does not include clean, whole, or uncracked, odor-free shell eggs or foods which have a pH level of 4.5 or below or a water activity (Aw) value of 0.85 or less."

(3) The term defined in Section (t) of Rule .002, Definitions, is "sanitization."

(4) Section (e)(7) of Rule .003, Food Care, should read: "Reservice. Once served to a consumer, portions of leftover food shall not be served again except that packaged food, other than potentially hazardous food, that is still packaged and is still in sound condition may be re-served."

(5) Section (a)(4) of Rule .005, Equipment and Utensils, should read: "Plastics. Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, crazing, chipping, and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods, and which meet the general requirements set forth in paragraph (1) of subsection (a) of this rule, are permitted for repeated use."

(6) Section (a)(5) of Rule .005 should read: "Mollusk and crustacea shells. Mollusk and crustacea shells may be used only once as a serving container. Further reuse of such shells for food service is prohibited."

(7) The methods for sanitization of food-contact surfaces listed in Section (a)(3)(E) of Rule .006, Cleaning, Sanitization, and Storage of Equipment and Utensils, should show the word "or" between each of the methods to indicate that one method is sufficient.

(8) Section (f)(2)(B) of Rule .007, Sanitary Facilities and Controls, should read: "Garbage or refuse storage rooms, if used, shall be constructed of easily cleanable, nonabsorbent, washable materials, shall be kept clean, shall be insect-proof and rodent-proof, and shall be large enough to store the garbage and refuse containers that accumulate."

(9) The last sentence of Section (a)(4) of Rule .009, Mobile Food Units, should read: "All water distribution pipes or tubing shall be constructed and installed in accordance with the requirements of these rules."

Publication Schedule for the Texas Register

Listed below are the deadline dates for the May through July, 1977, issues of the *Texas Register*. Because of our printing schedule, material received after the deadlines for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the *Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Friday of the preceding week and Monday of the week of publication. An asterisk beside a publication date indicates that the deadlines have been moved because of state holidays. Please note that the issue published on July 22 will be a quarterly index. No other material will be published in this issue. The *Texas Register* will not be published on June 21.

FOR ISSUE PUBLISHED ON:	ALL COPY EXCEPT NOTICES OF OPEN MEETINGS BY NOON ON:	ALL NOTICES OF OPEN MEETINGS BY NOON ON:
Monday, May 2	Wednesday, May 4	Thursday, May 5
Tuesday, May 10	Friday, May 6	Monday, May 9
Friday, May 13	Wednesday, May 11	Thursday, May 12
Tuesday, May 17	Friday, May 13	Monday, May 16
Friday, May 20	Wednesday, May 18	Thursday, May 19
Tuesday, May 24	Friday, May 20	Monday, May 23
Friday, May 27	Wednesday, May 25	Thursday, May 26
Tuesday, May 31	Thursday, May 26	Friday, May 27
• Friday, June 3	Wednesday, June 1	Thursday, June 2
Tuesday, June 7	Friday, June 3	Monday, June 6
Friday, June 10	Wednesday, June 8	Thursday, June 9
Tuesday, June 14	Friday, June 10	Monday, June 13
Friday, June 17	NO ISSUE PUBLISHED	Monday, June 20
Tuesday, June 21	Friday, June 17	Thursday, June 23
Friday, June 24	Wednesday, June 22	Monday, June 27
Tuesday, June 28	Friday, June 24	Thursday, June 30
Friday, July 1	Wednesday, June 29	Friday, July 1
Tuesday, July 5	Thursday, June 30	Thursday, July 7
• Friday, July 8	Wednesday, July 6	Monday, July 11
Tuesday, July 12	Friday, July 8	Thursday, July 14
Friday, July 15	Wednesday, July 13	CUMULATIVE INDEX
Tuesday, July 19	Wednesday, July 20	Thursday, July 21
Friday, July 22	Friday, July 22	Monday, July 25
Tuesday, July 26		
Friday, July 29		

Publication Schedule Change

Deadline date for the issue of June 3, 1977, will be moved back one day due to a state holiday on May 30. The deadline for rules will be noon on Thursday, May 26; the deadline for open meetings will be noon on Friday, May 27.