

TEXAS REGISTER

In This Issue...

Attorney general's opinions on use of school bond proceeds and constitutionality of contributions by corporations in municipal bond elections 2034

New standard contract forms for real estate transactions proposed by Texas Real Estate Commission; proposed date of adoption—January 1 2035

Adopted amendment of State Board of Insurance to rule concerning unfair competition and unfair practices based upon sex or marital status; effective June 28 2040

Texas Parks and Wildlife Department's adopted revisions to rules on state park fees; effective June 29 2040

Administrative and licensing rule amendments adopted by Board of Vocational Nurse Examiners; effective June 30 2042



Office of the Secretary of State

USPS Publication Number 120090

NOTES ON THE ISSUE

The Board of Vocational Nurse Examiners is responsible for the examination and licensing of vocational nurses, for the establishment of minimum standards for the education of vocational nurses, for issuing licenses by reciprocity, for accrediting schools, and for surveying facilities where vocational nurse students obtain clinical experience. The board makes three adoptions in this issue. One adoption addresses contested cases brought before the board: the procedures, judicial review for a party aggrieved by a final order, proceedings included in judicial review, and the transmission of records to reviewing courts. The other adoptions concern application for licensure: procedure for applicants who fail to appear for an examination and the time limits a graduate has in applying for examination.

The Parks and Wildlife Department adopts amendments to rules governing park entrance and park user fees. The changes adopted in these amendments include increased fees for park entrance and use of overnight facilities and changes in the methods of computing the camp site fee. The rules also allow veterans with a disability of 60 percent or more to enter parks without paying the entrance fee. Further, the adoption allows the executive director to put a state park on the entrance fee system when he deems such action appropriate in accordance with the development or operational status of that park.

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



Steven C. Oaks
Secretary of State

The *Texas Register* is published twice weekly, at least 100 times a year, except March 7, June 2, November 28, and December 29, by the Texas Register Division, Office of the Secretary of State, 201 East 14th Street, P.O. Box 12887, Austin, Texas 78711, 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 are \$25 for one year. Back issues, when available, are \$1 each.

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 Texas Civil Statutes, Article 6252-13a. Second-class postage is paid at Austin, Texas, and additional entry offices.

Texas Register Division

Bill Lalla, Director
Tommy Denton
Annie Fitzpatrick
Mary Barrow
Linda Camp

Bobby Duncan
Terry Foster
Anne Lewis
Pam Fridrich

Magdalena Cortez
Charlotte Scroggins
Brenda Mills
Bill Pratt
Becky Willard

The Attorney General

Opinions

- 2036 *H-1174 (use of investment income from school bond proceeds)*
- 2036 *H-1175 (corporate contributions in municipal bond elections)*

Proposed Rules

Texas Real Estate Commission

- 2037 *Professional Agreements and Standard Contracts*

Board of Vocational Nurse Examiners

- 2041 *Education*

Adopted Rules

State Board of Insurance

- 2042 *General Provisions*

Texas Parks and Wildlife Department

- 2042 *Parks*
- 2044 *Wildlife*

Board of Vocational Nurse Examiners

- 2044 *Administration*
- 2044 *Licensing*

Open Meetings

- 2046 *Texas Air Control Board*
- 2046 *Texas Board of Architectural Examiners*
- 2046 *Texas Education Agency*
- 2046 *Office of the Governor*
- 2047 *Texas Department of Health*
- 2047 *Texas Department of Human Resources*
- 2047 *State Board of Insurance*
- 2048 *Merit System Council*
- 2048 *Texas Parks and Wildlife Department*
- 2048 *Texas Board of Private Investigators and Private Security Agencies*
- 2048 *Texas State Board of Public Accountancy*
- 2048 *Public Utility Commission of Texas*
- 2049 *Railroad Commission of Texas*
- 2050 *Texas Water Commission*
- 2052 *Regional Agencies*

In Addition

State Bar of Texas

- 2053 *Law Institutes*

Texas Education Agency

- 2053 *Consultant Contract Award*

Texas Health Facilities Commission

- 2054 *Notice of Applications*

Legislative Budget Board

- 2054 *Executive and Legislative Budget Offices*

Texas Register

- 2055 *Correction of Error*

Opinions

Summary of Opinion H-1174

Request from M. L. Brockett, commissioner of education, Austin, concerning the use of investment income from school bond proceeds.

Summary of Opinion: Interest earned on the investment of school bond proceeds pursuant to Section 20.42 of the Education Code must be spent for purposes authorized for the bond proceeds. Interest not needed for those purposes may be placed in the sinking fund or used to refund bonds pursuant to Section 20.05 of the Education Code.

Doc. No. 783786

Summary of Opinion H-1175

Request from Henry Wade, criminal district attorney, Dallas County, Dallas, concerning whether a corporation may make contributions and expenditures for the purpose of aiding or defeating the passage of a municipal bond issue.

Summary of Opinion: Insofar as Article 14.06, Texas Election Code, prohibits corporations from making contributions and expenditures "for the purpose of aiding or defeating the

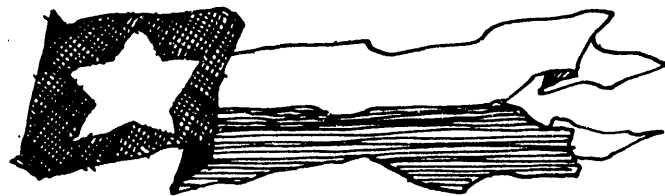
approval of any measures submitted to a vote of the people of this state or any subdivision thereof," it is unconstitutional. The prohibition against corporate contributions to candidates in a campaign for political office has not been overturned by the Supreme Court.

Issued in Austin, Texas, on June 7, 1978.

Doc. No. 783785

C. Robert Heath
Opinion Committee Chairman
Attorney General's Office

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



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 chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. 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 Real Estate Commission

Professional Agreements and Standard Contracts

Standard Contract Forms 402.04.02

The Texas Real Estate Commission is proposing to revise Subchapter 402.04.02, entitled Standard Contract Forms, by amending Rules 402.04.02.001-.003 and by adopting new Rules 402.04.02.004-.007.

In 1974, the State Bar of Texas and the Texas Real Estate Commission adopted an agreement, referred to as a "Statement of Principles," under which the Texas Real Estate Broker-Lawyer Joint Committee was created and, among other duties, was charged with drafting and revising earnest money contract forms, which lend themselves to standardization, for use in real estate transactions. It was contemplated that when such forms were approved by both the State Bar of Texas and the Texas Real Estate Commission and promulgated by the Texas Real Estate Commission, real estate licensees would be required to use such forms in appropriate transactions.

Since March 1, 1976, real estate licensees have been required to use forms numbered TREC No. 1-0 and TREC No. 2-0 in residential real estate transactions involving the assumption of an existing loan, unless the services of a lawyer are used to prepare the instrument for a particular sale.

The Texas Real Estate Broker-Lawyer Joint Committee has prepared forms revising many provisions in forms TREC No. 1-0 and TREC No. 2-0, and the revised forms have been approved by both the State Bar of Texas and the Texas Real Estate Commission.

The Texas Real Estate Broker-Lawyer Joint Committee has also prepared four additional standard contract forms appropriate for use in residential real estate transactions in-

volving Veterans Administration (VA) guaranteed loans, conventional loans, Federal Housing Administration (FHA) insured loans, and transactions in which the purchaser pays all cash or the owner finances the transaction. These additional forms have been approved by both the State Bar of Texas and the Texas Real Estate Commission.

The commission proposes to amend Rule 402.04.02.001 to require real estate licensees to use, when appropriate, the revised forms TREC No. 1-0 and TREC No. 2-0 and the additional forms which are numbered TREC No. 3-0, TREC No. 4-0, TREC No. 5-0, and TREC No. 6-0. The commission proposes to amend Rule 402.04.02.002 to incorporate all revisions to form TREC No. 1-0, Assumption of Loan—Residential Earnest Money Contract. The commission proposes to amend Rule 402.04.02.003 to incorporate all revisions to form TREC No. 2-0. (Currently, form TREC No. 2-0 is styled Addendum to Earnest Money Contract between the Under-signed Parties; under the proposed amendment, form TREC No. 2-0 is styled Property Condition Addendum.) The commission proposes to adopt Rule 402.04.02.004, which adopts by reference new form TREC No. 3-0, VA Guaranteed Loan—Residential Earnest Money Contract (Resale). The commission proposes to adopt Rule 402.04.02.005, which adopts by reference the new form TREC No. 4-0, Conventional Loan—Residential Earnest Money Contract (Resale). The commission proposes to adopt Rule 402.04.02.006, which adopts by reference the new form TREC No. 5-0, FHA Insured Loan—Residential Earnest Money Contract (Resale). The commission proposes to adopt Rule 402.04.02.007, which adopts by reference the new form TREC No. 6-0, All Cash or Owner Financed—Residential Earnest Money Contract (Resale). Copies of the forms proposed for adoption are attached.

The commission staff has determined that these proposed actions will have no fiscal implications for the state or units of local government.

Public comment is invited. Comments may be submitted in writing to the Texas Real Estate Commission, P.O. Box 12188, Austin, Texas 78711. Comments will be accepted until August 6, 1978.

These amendments and existing rules and adoptions of new rules are proposed under the authority of Article 6573a, Vernon's Annotated Texas Civil Statutes.

.001. Use of Standard Contract Forms [TREC No. 1-0 and TREC No. 2-0]. In any real estate transaction for which a standard contract form has been promulgated by the Texas Real Estate Commission, a Texas real estate licensee must use the standard contract form [After March 1, 1976, all Texas real estate licensees must use standard contract forms TREC No. 1-0 and TREC No. 2-0, where applicable, for residential assumption of loan transactions], except when [in situations where] the services of a lawyer are used to prepare the instrument for a particular sale. Standard contract form TREC No. 1-0 is promulgated for use in the sale of residential real property where there is an assumption of an existing loan. Standard contract form TREC No. 2-0 is promulgated for use as an addendum only to another promulgated standard contract form. Standard contract form TREC No. 3-0 is promulgated for use in the resale of residential real property where there is a Veterans Administration guaranteed loan. Standard contract form TREC No. 4-0 is promulgated for use in the

resale of residential real property where there is a conventional loan. Standard contract form TREC No. 5-0 is promulgated for use in the resale of residential real property where there is a Federal Housing Administration insured loan. Standard contract form TREC No. 6-0 is promulgated for use in the resale of residential real property where there is all cash or owner financing. Real estate licensees [brokers] may supply themselves with the forms for their use in any way they desire. Copies may be purchased from the commission [at a price of \$2.50 per pad of 50 copies of form TREC No. 1-0 and \$2.50 per pad of 50 copies of form TREC No. 2-0. Such price includes sales tax. A one dollar mailing and handling charge must accompany each order. Payment should be made in the form of a cashier's check or money order made payable to the Texas Real Estate Commission]. For those who desire to reproduce a [the] form in volume, "slick proofs" *may be purchased* [are available] from the commission [at a price of \$45 per three-page set (both forms). Such price includes sales tax. A one dollar handling and mailing charge must accompany each order. Payment should be made for the proofs in the form of a cashier's check or money order made payable to the Texas Real Estate Commission]. All "slick proofs" will be separately numbered for the purpose of control of reproduction. The control number on each proof must appear on all forms reproduced. When reproducing a [the] form, additions or changes are prohibited, except that brokers, organizations, or printing services may add their name and/or logo at the top of the front page, outside of the border surrounding the form itself. Also, the real estate broker's name may be inserted on the front page of a [the] form in the blank space provided [in Section Number 10] after the words *broker's fee* and the broker's name and license number may be printed in the signature section on the back page.

.002. *Standard Contract Form TREC No. 1-0. The Texas Real Estate Commission adopts by reference standard contract form TREC No. 1-0 approved by the State Bar of Texas and the Texas Real Estate Commission in 1978. This document is published by and available from the Texas Real Estate Commission, 4920 North Interregional Highway, Austin, Texas.*

[Assumption of Loan—Residential Earnest Money Contract
[Promulgated by Texas Real Estate Commission]

[1. Parties: _____ (seller) agrees to sell and convey to _____ (buyer) and buyer agrees to buy from seller the following property situated in _____ County, Texas, known as _____ (address).

[2. Property: Lot _____ Block _____, _____ Addition, City of _____, or as described on attached exhibit, together with the following fixtures, if any: curtain and drapery rods, venetian blinds, window shades, screens and shutters, awnings, wall-to-wall carpeting, mirrors fixed in place, attic fans, permanently installed heating and air conditioning units and equipment, lighting and plumbing fixtures, TV antennas, mail boxes, water softeners, shrubbery, and other property attached to the property and owned by seller. All property sold by this contract is called "property."

[3. Contract sales price:

[A. exact () approximate () cash down payment \$_____.
[B. Buyer's assumption of the unpaid balance of a promissory note, payable to noteholder, with present monthly in-

stallments of \$_____, including principal, interest and escrow deposit, with buyer's first payment due _____, the unpaid principal balance of which (allowing for an agreed \$100 variance) is _____ \$_____.

[C. Any balance of sales price to be evidenced by a second lien note payable to (check (1) or (2) below):

[(1) () Seller, bearing interest at the rate of _____% per annum, either in

[() lump sum on or before _____, or

[() principal and interest installments of \$_____, or more, per _____, with first installment payment on _____.

[(2) () Third party in principal and interest installments not in excess of \$_____ per month; land in the exact () approximate () (check "approximate" only if A above and D below are "exact") amount of _____ \$_____.

[D. Exact () approximate () total sales price of (sum of A, B, and C above) _____ \$_____.

[4. Earnest money: \$_____ of the cash down payment is herewith tendered and is to be deposited as earnest money with _____ as escrow agent, upon execution of the contract by both parties. Additional earnest money, if any, shall be deposited with the escrow agent on or before the _____ day of _____, 197_____, in the amount of \$_____.

[5. Special provisions: (Set forth above terms and conditions of a factual nature applicable to this sale, e.g., personal property included in sale, prior purchase or sale of other property, lessee's surrender of possession, and the like.)

[6. Representations: Seller represents that at the time of closing there will be no Title I liens, unrecorded liens, or Uniform Commercial Code liens against any of the property, that loan(s) will be without default, and escrow account will not be deficient. If above representations are untrue or if noteholder raises the existing interest rate above _____% or requires buyer to pay an assumption fee in excess of \$_____, then this contract may, at buyer's option, be declared null and void and earnest money shall be returned without delay. Representations shall survive closing.

[7. Title: Seller at seller's expense shall furnish either:

[() A. Owner's policy of title insurance (the title policy) issued by _____ in the amount of the sales price dated at or after closing, or,

[() B. Complete abstract of title certified by _____ to current date.

Notice to buyer: If neither an abstract of title nor a policy of title insurance is provided for herein, then as required by law, broker hereby advises you that you should have an abstract covering the real estate which you are hereby buying examined by an attorney of your own selection, or that you should be furnished with or obtain a policy of title insurance.

[8. Property condition (check A or B):

[() A. Buyer accepts the property in its present condition, subject only to the following exceptions: _____

[() B. Buyer requires inspections and repairs as provided by the attached addendum.

Buyer acknowledges that broker and sales associates have no responsibility or liability for the repair or replacement of the property or related equipment or fixtures.

[9. Proration: Taxes, insurance, rents, interest, and maintenance fees, if any, shall () shall not () be prorated to the date of closing. If these are not prorated, all funds held in escrow for payment of taxes, maintenance fees, and insurance shall be transferred to the account of buyer by seller without cost to buyer.

[10. Broker's fee: _____, as real estate broker ("broker") has negotiated this sale and seller agrees to pay broker in _____ County, Texas, a fee in cash in the amount of _____ of the total sales price at closing or upon seller's default when completion of sale is prevented through fault of seller.

[11. Closing: The closing of the sale shall be on or before _____ or within seven days after objections to title have been cured, whichever date is later.

[12. Possession: The property shall be delivered to buyer on _____ in its present condition, ordinary wear and tear expected, unless otherwise specified herein.

[13. Assumption approval: If noteholder requires approval of buyer, or can accelerate note upon assumption, or both, then approval of buyer and waiver of right of acceleration in writing by noteholder prior to closing shall be required, otherwise this contract may, at buyer's option, be declared null and void and earnest money shall be returned without delay. Buyer will use every reasonable effort to obtain such approval and waiver.

[14. Title approval: If abstract of title is furnished, seller shall deliver same to buyer within 20 days from the date of application therefor. Buyer or buyer's attorney shall have 20 days from date of buyer's receipt of abstract to examine and deliver a copy of the written report thereon to seller, stating any objections to title made by buyer, and only objections thereto so stated shall be considered. If owner's policy of title insurance is furnished, seller shall have 20 days from the date of application therefor to secure assurance that title insurance may be issued. In either instance, if title objections are disclosed, seller shall have 30 days to cure the same. Exceptions permitted to the deed and zoning ordinances shall not be valid objections to title.

[The title policy (form prescribed by State Board of Insurance of the State of Texas) shall guarantee buyer's title to be good and indefeasible subject only to the following:

- [A. Restrictive covenants affecting the property.
- [B. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or any overlapping of improvements.
- [C. All taxes for the current and subsequent years.
- [D. Any existing building and zoning ordinances.
- [E. Rights of parties in possession.
- [F. Any liens which are recited as part of the consideration for the property being purchased.

[Seller agrees to furnish at seller's expense tax certificates showing no delinquent taxes, and a general warranty deed conveying title subject only to liens created or assumed as a part of the consideration, taxes for the current year, usual restrictive covenants and utility easements common to any regularly platted subdivision where property is located, and any other reservations or exceptions acceptable to buyer. Each note herein provided shall be secured by a vendor's and deed of trust lien. A vendor's lien shall be retained and a

deed of trust to secure assumption required, which liens shall be automatically released on execution and delivery of a release by noteholder. Unless otherwise mutually agreed, the deed, notes, and deeds of trust shall be upon forms currently published by the State Bar of Texas, or those required by any lending institution or governmental agency providing funds, guaranties, or insurance for financing.

[15. Loss: If any part of property is damaged or destroyed by fire or other casualty loss, seller shall restore the same to its previous condition as soon as reasonably possible, but in any event within 30 days after the herein recited period of time for closing (and the closing date shall be extended accordingly); and if seller is unable to do so, buyer may cancel and terminate this contract, whereupon all earnest money shall be returned to buyer, and broker shall not be entitled to any fee.

[16. Default: If buyer fails to comply herewith, seller may either enforce specific performance or receive the earnest money as liquidated damages, one half of which (but not exceeding the amount of the broker's fee recited herein) shall be paid by seller to broker in full payment for broker's services. If seller is unable, through no fault of his or her own, to obtain abstract or title information from the title company or to make any repairs required herein, within the time herein specified, buyer may, at his or her option, extend the time or terminate the contract, and receive the earnest money back as the sole remedy. If seller fails to comply herewith for any other reason, buyer may demand the earnest money, thereby releasing seller from this contract, or buyer may either enforce specific performance hereof or seek such other relief as may be provided by law. If completion of sale is prevented by buyer's default, and seller elects to enforce specific performance, the broker's fee is payable only if and when seller collects judgment for such default by suit, compromise, settlement, or otherwise, and after first deducting the expenses of collection, and then only in an amount equal to one half of that portion collected, but not exceeding the amount of broker's fee.

[17. Escrow: Funds are deposited with escrow agent with the understanding that escrow agent (1) does not assume or have any liability for performance or nonperformance of any party, (2) has the right to require the receipt, release, and authorization in writing of all parties before paying the deposit to any party, and (3) is not liable for interest or other charge on the funds held. Any excess of earnest money over the amount required for down payment shall be applied against buyer's closing costs.

[18. Expenses of sale: Preparing and recording deed of trust to secure assumption and one half of escrow fees shall be seller's expense. All other costs and expenses incurred in connection with this contract which are not recited herein to be the obligation of seller shall be the obligation of buyer. Unless otherwise paid, before buyer shall be entitled to return of earnest money, any such costs and expenses shall be deducted therefrom and paid to the creditors entitled thereto.

[19. Third party financing: If financing by third party is provided herein, buyer shall have 15 days to obtain the same, and failure to secure the same after reasonable effort shall render this contract null and void, and the earnest money returned without delay.

[20. Extended closing: If necessary to comply with Real Estate Settlement Procedures Act of 1974, closing shall be extended daily up to 30 days.

[21. Agreement of parties: This contract contains the entire agreement of the parties and cannot be changed except by their written consent.

[22. Consult your attorney: This is a legally binding contract. Read it carefully. If you do not understand the effect of any part, consult your attorney before signing. The broker cannot give you legal advice—only factual and business details concerning this land and its improvements. If desired, attorneys to represent parties may be designated below, and, so employment may be accepted, brokers shall promptly deliver a copy of this contract to such attorneys.

[Seller's attorney: _____

Buyer's attorney: _____

Executed in multiple copies effective the _____ day of _____, 197____ (broker fill in date after last party signs).

Receipt of \$_____ earnest money is acknowledged in the form of _____.

Escrow Agent	Date	Seller
By _____		Seller
Broker	License Number	Seller's address Phone
By _____		Buyer
Broker	License Number	Buyer
By _____		Buyer's Address Phone

[The form of this contract has been approved by the Texas Real Estate Commission and the State Bar of Texas. No representation is made as to the legal validity or adequacy of any provision in any specific transaction. It is not suitable for complex transactions and extensive riders or additions are not to be used. (9-75) TREC No. 1-0.]

.003. *Standard Contract Form TREC No. 2-0. The Texas Real Estate Commission adopts by reference standard contract form TREC No. 2-0 approved by the State Bar of Texas and the Texas Real Estate Commission in 1978. This document is published by and available from the Texas Real Estate Commission, 4920 North Interregional Highway, Austin, Texas.*

[Addendum to Earnest Money Contract
between the Undersigned Parties
Dated _____

[Check applicable boxes:

- () A. Termites: Seller agrees at his or her expense to furnish buyer with a letter of current date from a licensed exterminator stating there is no visible evidence of active termites or other wood-destroying insects or damage from same in need of repair to the improvements on the property. Said letter shall guarantee the improvements free of infestation for a period of 90 days.
- () B. Inspections by buyer, repairs by seller: Buyer, at buyer's option and expense, shall have 10 days from the effective date of the contract to have the

structure, foundation, roof, dishwasher, disposal, trash compactor, range, oven exhaust fan, heating and air conditioning system, plumbing (including well and septic tank) system, electrical system, swimming pool, and _____ inspected by specialists of buyer's choice and shall give seller written notice of required repairs to any of the above items which are not performing the function for which intended or which are in need of immediate repair. Failure to do so shall be deemed a waiver of buyer's inspection and repair rights and buyer agrees to accept property in its present condition. Seller shall cause the repairs to be made without delay and prior to closing. Any inspections or repairs shall be by trained and qualified parties who are licensed or bonded whenever such license or bond is required by law or by a manufacturer-approved service person in the event of equipment items.

[Repair expenses: Seller's repair expenses from A and B shall not exceed \$_____. If such repairs exceed such amount and seller refuses to pay the balance of the cost, buyer may pay the additional cost or accept the property with the above limited repairs, and this sale shall be closed as scheduled, or buyer may declare this contract null and void and the earnest money returned, less any inspection expenses to be paid to third parties. If seller fails to commence immediately and complete the agreed repairs, buyer may make the repairs and seller shall be liable up to the amount specified, and the same paid from the proceeds of the sale.

[If broker and sales associates are requested to recommend inspectors or repairmen, broker and sales associates are not liable for the results and have no responsibility for the performance of any firms making inspections or repairs pursuant to this contract.

Seller _____	Buyer _____
Seller _____	Buyer _____

Promulgated by Texas Real Estate Commission

[The form of this contract has been approved by the Texas Real Estate Commission and the State Bar of Texas. No representation is made as to the legal validity or adequacy of any provision in any specific transaction. It is not suitable for complex transactions and extensive riders or additions are not to be used. (9-75) TREC No. 2-0.]

.004. *Standard Contract Form TREC No. 3-0. The Texas Real Estate Commission adopts by reference standard contract form TREC No. 3-0 approved by the State Bar of Texas and the Texas Real Estate Commission in 1978. This document is published by and available from the Texas Real Estate Commission, 4920 North Interregional Highway, Austin, Texas.*

.005. *Standard Contract Form TREC No. 4-0. The Texas Real Estate Commission adopts by reference standard contract form TREC No. 4-0 approved by the State Bar of Texas and the Texas Real Estate Commission in 1978. This document is published by and available from the Texas Real Estate Commission, 4920 North Interregional Highway, Austin, Texas.*

.006. *Standard Contract Form TREC No. 5-0.* The Texas Real Estate Commission adopts by reference standard contract form TREC No. 5-0 approved by the State Bar of Texas and the Texas Real Estate Commission in 1978. This document is published by and available from the Texas Real Estate Commission, 4920 North Interregional Highway, Austin, Texas.

.007. *Standard Contract Form TREC No. 6-0.* The Texas Real Estate Commission adopts by reference standard contract form TREC No. 6-0 approved by the State Bar of Texas and the Texas Real Estate Commission in 1978. This document is published by and available from the Texas Real Estate Commission, 4920 North Interregional Highway, Austin, Texas.

Issued in Austin, Texas, on June 5, 1978.

Doc. No. 783819 Andy James
Administrator
Texas Real Estate Commission

Proposed Date of Adoption: January 1, 1979

For further information, please call (512) 475-6693.



Board of Vocational Nurse Examiners

Education

Vocational Nurse Education Records 390.02.05

The Board of Vocational Nurse Examiners is proposing to amend Rule 390.02.05.001. The rule states records are to be maintained on all students. The rule also states where the forms may be purchased. The rule has been amended to state correct mailing address for purchase of student forms.

The Board of Vocational Nurse Examiners has determined that the proposed amendment will cause no fiscal change.

Public comments on the proposed amendment are invited. Comments may be submitted by telephoning Waldeen D. Wilson, (512) 458-1203, or by writing to the Board of Vocational Nurse Examiners, 5555 North Lamar, Commerce Park, Building H, Suite 131, Austin, Texas 78751.

Amendment to Rule 390.02.05.001 is proposed under the authority of Vernon's Civil Statutes, Article 4528c.

.001. *Student Forms.* Student records shall be maintained on all students. Record forms may be developed by an individual school. Hospital forms are not to be used for student records. VN forms may be purchased from the [Industrial Education Department,] Instructional Materials Center [Service, Division of Extension], **Main Building 2400**, The University of Texas at Austin, Austin, Texas 78712.

Issued in Austin, Texas, on June 1, 1978.

Doc. No. 783781 Waldeen D. Wilson, R.N.
Executive Secretary
Board of Vocational Nurse Examiners

Proposed Date of Adoption: July 17, 1978

For further information, please call (512) 458-1203.

ADOPTED RULES

2042

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, and the adoption may go into effect no sooner than 20 days after filing, 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 chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. The fourth unit (three digits) indicates the individual rule.

State Board of Insurance

General Provisions

Unfair Competition and Unfair Practices 059.21.21

The State Board of Insurance has adopted an amendment to Rule 059.21.21.102 of the rules to Eliminate Unfair Competition and Unfair Practices Based upon Sex or Marital Status. The amendment was published in the *Texas Register* as a proposed rule on April 11, 1978 (3 TexReg 1342). No comments were received opposing the proposed amendment.

The State Board of Insurance, by authority of Texas Insurance Code Annotated, Article 21.21, Section 13, has amended Rule 059.21.21.102 to read as follows:

.102. Applicability and Scope. These rules apply to all individual, group, and blanket policies and contracts, and individual certificates of insurance delivered or issued for delivery in this state on or after January 1, 1978. They apply to all group certificates issued pursuant to group policies when the group policy is delivered or issued for delivery in this state on or after January 1, 1978. Provided, however, that to the extent these rules apply to group and individual accident and health policies, contracts, and certificates, the effective date is May 1, 1978.

Issued in Austin, Texas, on June 7, 1978.

Doc. No. 783784

Pat Wagner
Chief Clerk
State Board of Insurance

Effective Date: June 28, 1978

For further information, please call (512) 475-2551.

Texas Parks and Wildlife Department

Parks

Park Entrance and Park User Fees 127.40.01

The Texas Parks and Wildlife Commission has amended Rules 127.40.01.015-.017 and adopted a new rule relating to park entrance and park user fees. The new rule was proposed as .019, but was adopted as .018 because proposed Rule .018, concerning payment of a surcharge by nonresidents, was withdrawn.

The amendments to Rules 127.40.01.015-.017 and the new Rule 127.40.01.018 are adopted under the authority of Chapters 13 and 21, Texas Parks and Wildlife Code.

.015. State Park Entrance Fees.

(b) An annual \$15 entrance permit will apply at all state parks where entrance fees are prescribed in lieu of a daily entrance fee. The annual permit will admit the purchaser and all occupants of his private, noncommercial vehicle to all state parks where entrance fees are charged, whether on a per car or per person basis, but will not apply to commercial, quasi-public, or public buses or other such vehicles. A duplicate permit will be available at a rate of \$2.50 each. A replacement permit will be available at a rate of \$0.25 each.

(c) An annual entrance permit of \$8 will be charged for entrance into any one state park as designated by the purchaser at the time of purchase. The entrance permit is prescribed in lieu of the daily entrance fee which would ordinarily be charged for entrance to the designated park. Once the holder of a permit has designated a certain state park, no transfer to a second park will be allowed under the same permit. The permit will admit the purchaser and all occupants of his private, noncommercial vehicle to the designated state park of his choice where entrance fees are charged, whether on a per car or per person basis, but will not apply to commercial, quasi-public, or public buses or other such vehicles. A replacement permit will be available at a rate of \$0.25 each.

(1) Persons 65 years of age or over and veterans of the armed services of the United States who, as a result of military service, have a service-oriented disability as defined by the Veterans Administration, consisting of the loss of the use of a lower extremity or of a 60 percent disability rating and who are receiving compensation from the United States government because of the disability, will not be required to pay an entrance fee at state parks. State parklands passports will be issued to eligible persons at state parks and the Austin headquarters. A driver's license, birth certificate, military discharge papers, or any other suitable identification considered sufficient proof for establishing the age and identity of an individual must be presented at the time the passport is issued to persons 65 years of age and over. Disabled veterans must establish eligibility by presenting one of the following:

- (1) disabled veteran's of Texas license plate receipt;
- (2) veteran's award letter (which establishes the degree of service-connected disability); or
- (3) tax exemption letter for Texas veterans.

(u) The executive director is authorized to establish an entrance fee in accordance with these rules at any site hereafter established as a state park when he deems such action is appropriate and in accord with applicable statutes.

.016. Facility Use Fees.

(a) Campsite—\$3

(b) Campsite with utilities:

(1) Campsite with electricity—\$4

(2) Campsite with electricity and sewage—\$5

(c) Shelters—screened and open:

(1) Screened shelter—\$6.50

(2) Open shelter—\$4.50

(e) Motor vehicles in excess of capacity limitations established for each campsite will be parked in an area or location at the park designated by the park manager. The executive director is authorized to prescribe a reasonable fee for each night a motor vehicle is parked in the area designated by the park manager.

(g) Group camp. Applicable rates shown in Sections (a), (b), and (c) of this rule will be charged for use of a group camp.

(1) Mess hall only—\$25

(2) Bunk houses, Lake Brownwood State Recreation Area only, each \$6.25 per day, capacity for each group camp will be posted at park headquarters where the facility is located.

(h) Group picnic site (day use only)—capacity:

(1) 1-25 persons—\$6.25

(2) 25-75 persons—\$12.50

(i) Cabins:

(1) 1-2 persons—\$12

(2) Each additional adult—\$3

(3) Each additional child 6-12 years of age—\$1

(4) Children under 6—Free

(Includes towels and linens.) Capacity for each cabin will be posted in the cabin and park headquarters.

(j) Lodge or court:

(1) Indian Lodge (Davis Mountains State Park)

(A) Single—\$16

(B) Double—\$18

(C) Double with twin beds—\$21

(D) Suite with twin beds—\$23

(E) Each additional adult—\$3

(F) Each additional child 6-12 years of age—\$1

(G) Children under 6—Free

(Includes towels, linens, maid service, telephone, and television.) Room capacity will be posted in rooms and registration desk. Indian Lodge will be closed for a two-week period beginning the second Monday in January of each year.

(2) San Soloman Springs Court (Balmorhea State Recreation Area)

(A) 1 person—\$13

(B) Each additional adult—\$3

(C) Each additional child 6-12 years of age—\$1

(D) Children 5 and under—Free

(E) Extra Cost for kitchen unit—\$4

(F) Roll-away bed—\$3

(Includes towels, linens, maid service, and television.)

(k) Individual lodges:

(1) Lost Pines Lodge, Bastrop State Park: Daily rate \$31.25, capacity: 8 persons. (Includes towels, linens, and maid service.)

(2) Beach Lodge, Lake Brownwood State Recreation Area: Minimum rate \$37.50 for 16 persons or less; \$3 for each additional person; Maximum rate \$62.50 for 26 persons total capacity. (Includes towels and linens.)

(3) Fisherman's Lodge, Lake Brownwood State Recreation Area: Daily rate \$37.50, capacity: 10 persons. (Includes towels and linens.)

(4) Bass Lodge, Daingerfield State Park: Minimum rate \$32.50 for 16 persons or less; \$3 each additional person; Maximum rate \$62.50 for 28 persons total capacity. (Includes towels and linens.)

(l) Group barracks—shelter and dining hall:

(1) 1-48 persons—\$62.50

(A) Each additional person—\$0.75.

(Hotel tax applicable to total amount.)

(B) Rate includes barracks sleeping quarters and dining room; recreational hall at Fort Parker available if 25 or more persons occupy facility.

(C) Dining hall only—\$37.50. (Hotel tax not applicable.)

(2) Groups desiring the use of barracks only, not to exceed 2 barracks, may occupy the facilities on a first come, first serve basis for a maximum of two days initially and then on a one-day basis thereafter when the total facility is not reserved, or when in the judgment of the park manager, a large group reservation is not anticipated. The rate for this type of usage will be \$0.75 times the maximum sleeping capacity of each barrack. The hotel tax is applicable to the total.

(3) Screened shelters and dining hall (McKinney Falls State Park only):

(A) 1-48 persons—\$62.50

(B) Each additional person—\$0.75

(C) Dining hall only—\$37.50

(Hotel tax not applicable)

(4) Individuals or groups desiring the use of screened shelters only at McKinney Falls State Park may occupy the shelters on a first come, first serve basis for a maximum of two days initially and then on a one-day basis thereafter when all or part of the area is not used for group occupancy. The rate is \$12. Occupancy is limited to 8 persons. The hotel tax is applicable.

.017. Reservation of State Park Facilities. Reservations for park facilities may be accepted at parks designated by the executive director. Reservations may not be made more than 90 days in advance. A nonrefundable fee is required for confirmation of each reservation. The executive director is authorized to prescribe the reservation fee in relation to the cost of providing the service.

.018. Day User Fee. A \$1 per day user fee will be collected on a per vehicle basis at state parks where feasible, in addition to established daily, annual, or restricted annual entrance permit fees.

Issued in Austin, Texas, on June 7, 1978.

Doc. No. 783816

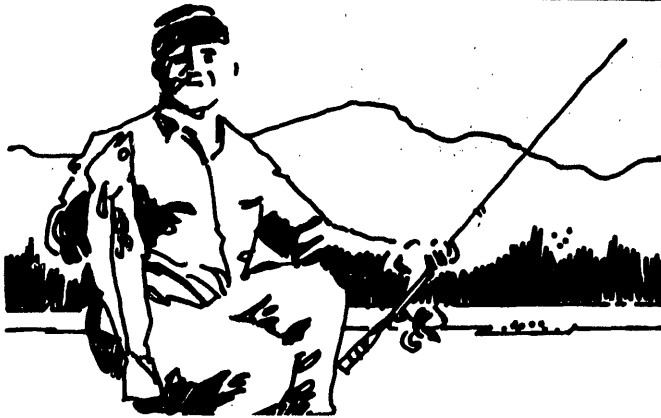
Maurine Ray

Administrative Assistant

Texas Parks and Wildlife Department

Effective Date: June 29, 1978

For further information, please call (512) 475-4845.



Wildlife

White-Winged Dove Sanctuaries 127.70.17

The Texas Parks and Wildlife Commission has adopted Rule 127.70.17.001-.004, which establish white-winged dove sanctuaries in Cameron, Hidalgo, and Starr Counties. There is no change in the proposed text.

These rules are adopted under the authority of Chapter 64, Subchapter C, Texas Parks and Wildlife Code.

.001. *Sanctuary A.* The area designated as Sanctuary A is closed to hunting during the white-winged dove season in even-numbered years, and is that area south of a line extending north from the international bridge at Brownsville along State Highway 415 to US 281, then north and west along US 281 to FM 1015 and south along FM 1015 to the international bridge near Progreso; and that area south of a line extending north along US 281 from the international bridge at Hidalgo, then north along FM 1926 to FM 1016, then west and north along FM 1016 to US 83 at Mission, then west along US 83 to Loop 374, then west along Loop 374 to FM 2062, then south along FM 2062 to the entrance of Bentsen State Park, and then along the east boundary of Bentsen State Park to the Rio Grande; and that area south of a line extending north from the Rio Grande at Los Ebanos along FM 886 to US 83, then west along US 83 to FM 755 at Rio Grande City, and then south along FM 755 to the Rio Grande.

.002. *Sanctuary B.* The area designated as Sanctuary B is closed to hunting during the white-winged dove season in odd-numbered years, and is that area west and south of a line extending north along FM 1015 from the international bridge near Progreso to US 281, and west along US 281 to the international bridge at Hidalgo; and that area south of a line extending north from the Rio Grande at Bentsen State Park along FM 2062 to Loop 374, then west along Loop 374 to US 83, then west along US 83 to FM 886, and then south along FM 886 to the Rio Grande at Los Ebanos; and that area south of a line extending north from the Rio Grande at Rio Grande City along FM 755 to US 83, then west along US 83 to first junction of FM 2098, then north and west along FM 2098 to the Rio Grande.

.003. *Open Season.* "Open season" means the period of time when it is lawful to take, kill, or pursue, or attempt to take or kill migratory game birds (Section 64.021(2), Texas Parks and Wildlife Code).

.004. *Penalty.* The penalty provided by law for violation of these rules is a fine of not less than \$25 nor more than \$100 (Section 64.026, Texas Parks and Wildlife Code).

Issued in Austin, Texas, on June 6, 1978.

Doc. No. 783780

Maurine Ray
Administrative Assistant
Texas Parks and Wildlife Department

Effective Date: June 28, 1978

For further information, please call (512) 475-4873.

Board of Vocational Nurse Examiners

Administration

Procedural Guidelines in Contested Cases 390.01.04

Under the authority of Vernon's Civil Statutes, Article 4528c, the Board of Vocational Nurse Examiners has amended Rule 390.01.04.005-.007 to read as follows:

.005. *Judicial Review.* Any person or party aggrieved or adversely affected by a final order in an individual proceeding is entitled to review by trial *de novo* as that term is used in appeals from justice of the peace court to county courts.

.006. *Proceedings for Judicial Review.* Proceedings for judicial review shall include:

(a) filing a petition in the district court of the applicants county of residence in the State of Texas within 30 days after the order is final and appealable, appellant is notified of the order;

(b) copies of the petition shall be served upon the agency and all other parties of record.

.007. *Transmission of Record to Reviewing Court.* Within 30 days after service of the petition for review or equivalent process upon it, or within such further time as the reviewing court may allow, the agency shall transmit to the reviewing court the original or a certified copy of the orders as entered by the board.

Doc. No. 783839

Licensing

Application for Licensure 390.03.01.012

Under the authority of Vernon's Civil Statutes, Article 4528c, the Board of Vocational Nurse Examiners has amended Rule 390.03.01.012 to read as follows:

.012. *Failure to Appear for Scheduled Examination.* An applicant who fails to appear for a scheduled examination:

(a) must submit a written request to be rescheduled for examination;

- (b) must submit a legitimate excuse for board review within four weeks following examination to be eligible to write licensure examination four times within two years;
- (c) forfeits fee. An additional fee will be required.

Doc. No. 783840

390.03.01.014

Under the authority of Vernon's Civil Statutes, Article 4528c, the Board of Vocational Nurse Examiners has amended Rule 390.03.01.014 to read as follows:

.014. Failure to Make Application for the Licensing Examination Within Two Years of Graduation. Graduates who do not apply to write the examination within two years of graduation will not be eligible for examination.

Issued in Austin, Texas, on June 9, 1978.

Doc. No. 783841

Waldeen D. Wilson, R.N.
Executive Secretary
Board of Vocational Nurse Examiners

Effective Date: June 30, 1978

For further information, please call (512) 458-1203.

2046 OPEN MEETINGS

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 an agenda or a summary of the agenda as furnished for publication by the agency and 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. These notices may contain more detailed agendas than space allows to be published in the *Register*.

Texas Air Control Board

Thursday, July 13, 1978, 9:30 a.m. The Texas Air Control Board will meet in the District Courtroom, second floor, Comal County Courthouse, New Braunfels. As summarized, an board examiner will conduct a compliance hearing with regard to Parker Brothers and Company, Inc.'s limestone quarry operation, New Braunfels, Comal County, for violations of Section 4.01(a) of the Texas Clean Air Act, and Rule 131.03.04.001, .002, and .005 of Regulation I and General Rule 5 of the rules and regulations of the Texas Air Control Board.

Additional information may be obtained from John B. Turney, 8520 Shoal Creek Boulevard, Austin, Texas 78758, telephone (512) 451-5711.

Filed: June 9, 1978, 1:25 p.m.
Doc. No. 783837

Thursday, July 13, 1978, 2 p.m. The Texas Air Control Board will meet in the District Courtroom, second floor, Comal County Courthouse, New Braunfels. As summarized, an board examiner will conduct a contested case hearing for the purpose of receiving testimony and evidence relative to the proposed particulate emission reduction offered by Parker Brothers and Company, Inc., from its existing limestone quarry facilities located in Comal County, in the amount of not less than 1,023 tons per year as an emission offset for the particulate emissions that will occur at the General Portland, Inc., facility proposed to be constructed pursuant to Permit Application C-6048 at a site in Comal County, which modeling shows to be a nonattainment area for total suspended particulates.

Additional information may be obtained from John B. Turney, 8520 Shoal Creek Boulevard, Austin, Texas 78758, telephone (512) 451-5711.

Filed: June 9, 1978, 1:25 p.m.
Doc. No. 783838

Texas Board of Architectural Examiners

Wednesday, June 21, 1978, 5 p.m. The Texas Board of Architectural Examiners will meet at the Bonaventure Hotel, 5th and Figueroa Street, Los Angeles, California. This meeting will be held while members are attending the annual meeting of the National Council of Architectural Registration Boards. As summarized, items to be considered include reinstatement of license, rules and regulations, and qualifying test.

Additional information may be obtained from Philip D. Creer, Suite H-117, 5555 North Lamar, Austin, Texas 78751, telephone (512) 458-1363.

Filed: June 9, 1978, 1:25 p.m.
Doc. No. 783836

Texas Education Agency

Saturday, June 10, 1978, 8:30 a.m. The State Board of Education made an emergency addition to the agenda of a meeting held in the board room, Riverside Square North, 150 East Riverside Drive, Austin. The addition included adoption of amendments to the following as emergency rules: Policy 3252, Bilingual Education; Administrative Procedure 3252, Bilingual Education; and Policy 3715, Principles, Standards, and Procedures for the Accreditation of School Districts.

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

Filed: June 8, 1978, 2:50 p.m.
Doc. No. 783803

Office of the Governor

Sunday, June 25, 1978, 2 p.m. The State Advisory Committee of the Governor's Committee on Aging will meet in the La Reyna Room, Hilton Palacio del Rio, San Antonio, to review the State Plan on Aging for fiscal year 1979 to make recommendations to the Committee on Aging.

Additional information may be obtained from Vernon McDaniel, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-2717.

Filed: June 12, 1978, 9:56 a.m.
Doc. No. 783856

Tuesday, June 27, 1978, 2 p.m. The nine-member board of the Governor's Committee on Aging will meet in the Mission Room, San Antonio Convention Center, San Antonio, to conduct a final review of the State Plan on Aging for fiscal year 1979.

Additional information may be obtained from Vernon McDaniel, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-2717.

Filed: June 12, 1978, 9:56 a.m.
Doc. No. 783857

Texas Department of Health

Monday, June 12, 1978, 12:15 p.m. The Maternal and Child Health Division of the Texas Department of Health met in emergency session at Totah's Restaurant, 2911 Houston Highway, Victoria. As summarized, the meeting included the following: secretary's report; report on incorporation; report on application for recognition of tax exemption under IRS regulations and affect on United Way application; budget report; discuss urgency of county and school contracts to be made by appointed board members of Calhoun and Jackson Counties; report from child study clinic staff member; and report on grant applications.

Additional information may be obtained from Clift P. Price, M.D., 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7352.

Filed: June 9, 1978, 3:47 p.m.
Doc. No. 783851

Saturday, June 17, 1978, 8:30 a.m. The Texas Board of Health and the Texas Board of Mental Health and Mental Retardation will meet in the board room, Texas Department of Health, 1100 West 49th Street, Austin. As summarized, the boards will consider the policy and practices governing the placement of mentally impaired citizens in alternate care facilities.

Additional information may be obtained from Jimmy Helm 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7488.

Filed: June 9, 1978, 3:48 p.m.
Doc. No. 783852

Saturday, June 17, 1978, 10:30 a.m. The Texas Board of Health will meet in the board room, 1100 West 49th Street, Austin. As summarized, the meeting will include the following: commissioner's report; report on six-year plan and legislative program; proposed rules for grading nursing homes and custodial care homes; rules amending licensing standards for nursing and custodial care homes on use and administration of medications; emergency adoption of rules on certification and decertification of long-term care facilities; emergency adoption of rules on agency hearing procedures; report on planned proposal to the governor of Texas for identification of regional boundaries and agencies for municipal solid waste; appointment to the Crippled Children Program Committee and the Nursing Home Committee; reports from Crippled Children Physician Applicants Committee and Crippled Children Hospital Applicants Committee.

Additional information may be obtained from Jimmy Helm, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7488.

Filed: June 9, 1978, 3:48 p.m.
Doc. No. 783853

Monday, July 10, 1978, 10 a.m. The Texas Department of Health will meet in the courtroom, County Court of Law, Guadalupe County Courthouse, Seguin, to conduct a hearing to determine if the application for renewal of the nursing home license and application for a nursing and custodial home license should be denied for Virley's Nursing Home, Seguin.

Additional information may be obtained from R. V. Smith, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 458-7236.

Filed: June 8, 1978, 1:49 p.m.
Doc. No. 783796

Texas Department of Human Resources

Tuesday, June 20, 1978, 9 a.m. The Advisory Committee on Child Care Facilities of the Texas Department of Human Resources will meet at the Joe C. Thompson Center, 26th and Red River, Austin. The summarized agenda includes: report on day care standards; report on foster care standards for ED and MR children; report on "Minimum Standards for Child-Placing Agencies (24-hour care and adoption); status of annual report; EPSDT screening report; complaint investigations; "E" letter on Sims case; and committee report on proposed revision regarding notification of parents.

Additional information may be obtained from Mike Rollins, 510 South Congress, Austin, Texas 78704, telephone (512) 475-7041.

Filed: June 8, 1978, 2:04 p.m.
Doc. No. 783801

State Board of Insurance

Monday, June 20, 1978, 10 a.m. The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider automobile insurance rate deviation filing by American Fidelity Insurance Company.

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

Filed: June 9, 1978, 1:14 p.m.
Doc. No. 783833

Thursday, June 22, 1978, 10 a.m. The State Board of Insurance will meet in Room 408, 1110 San Jacinto, Austin, to consider a proposed key rate schedule.

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

Filed: June 9, 1978, 1:14 p.m.
Doc. No. 783834

Thursday, July 6, 1978, 10 a.m. The State Board of Insurance will meet in Room 142, 1110 San Jacinto, Austin, to consider the fire hearing agenda items.

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

Filed: June 9, 1978, 1:14 p.m.
Doc. No. 783835

Merit System Council

Monday, June 26, 1978, 1 p.m. The Merit System Council will meet in Room 507, Brown Building, 8th and Colorado Streets, Austin, to conduct an appeal hearing, as summarized in the agenda.

Additional information may be obtained from Leo F. Brockmann, P.O. Box 1389, Austin, Texas 78767, telephone (512) 477-9665.

Filed: June 8, 1978, 1:49 p.m.
Doc. No. 783797

Texas Parks and Wildlife Department

Tuesday, July 11, 1978, 2 p.m. The Fisheries Division/Resource Protection Branch of the Texas Parks and Wildlife Department will meet in Room A-200, 4200 Smith School Road, Austin, to consider an application of Columbia Communities, Inc., for a permit to remove approximately 2,200 cubic yards of marl (total) by means of dragline from Clear Lake for the purpose of constructing a marina. The project is located near the intersection of Repsdorf Road and Nasa Road 1 in Seabrook, Harris County, adjacent to the property of S. E. Cavalier. (Corps of Engineers Public Notice No. 12485)

Additional information may be obtained from Chester D. Harris, 4200 Smith School Road, Austin, Texas 78744, telephone (512) 475-4831.

Filed: June 8, 1978, 1:49 p.m.
Doc. No. 783800

Texas Board of Private Investigators and Private Security Agencies

Tuesday, June 20, 1978, 10 a.m. The Texas Board of Private Investigators and Private Security Agencies will meet in the first floor conference room, 7600 Chevy Chase Drive, Austin. The agenda of this special called meeting will include the following, as summarized: discussion and possible board action on commissioned security officer training program and related matters; approval of new licenses, suspension orders, reinstatement orders, certificates for replacement managers, terminations, revocations, and denials; discussion and possible board action on agency audit for fiscal year 1977 and first quarter of fiscal year 1978; and two requests for waiver of board Rule 399.27.00.001.

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

Filed: June 9, 1978, 10:19 a.m.
Doc. No. 783818

Texas State Board of Public Accountancy

Tuesday, June 20, 1978, 9 a.m. The Texas State Board of Public Accountancy will meet at the Fairmont Hotel, Ross and Akard, Dallas. As summarized, the subjects of the meeting will include: consideration of approval of ratification of CPA certificates; report on CPA candidate characteristics and performance; review of memorandum from legal counsel regarding disclosure of professional corporation status; report on NASBA audit of Galveston examination process; review of additional security precautions as to the exam process; consideration of matters relating to the TSCPA examination on board rules; update on pending matters; and consideration of enforcement matters.

Additional information may be obtained from Pauline Thomas, 940 American Bank Tower, 221 West 6th Street, Austin, Texas 78701, telephone (512) 476-6971.

Filed: June 9, 1978, 2:17 p.m.
Doc. No. 783850

Public Utility Commission of Texas

Tuesday, June 20, 1978, 9:30 a.m. The Hearings Division of the Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin, to conduct a prehearing conference regarding an appeal of Parker Service Company from the City of Aledo (Docket No. 1840), as summarized in the agenda.

Additional information may be obtained from Roy J. Henderson, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-6111.

Filed: June 8, 1978, 1:49 p.m.
Doc. No. 783798

Monday, June 26, 1978, 10 a.m. The Public Utility Commission of Texas will meet in Suite 400N, 7800 Shoal Creek Boulevard, Austin, to conduct a pre-hearing regarding a complaint of Limestone County Electric Cooperative, Inc., Southwestern Electric Service Company and petition for recertification in dually certified areas (Docket No. 1914).

Additional information may be obtained from Roy J. Henderson, Suite 400N, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 458-6111.

Filed: June 8, 1978, 1:49 p.m.
Doc. No. 783799

Railroad Commission of Texas

Monday, June 12, 1978, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas made an emergency addition to the agenda of a meeting held in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to include consideration of an administrative matter and a request for gas field rules, as summarized in the agenda.

Additional information may be obtained from Synda Arbuckle, P.O. Box 12967, Austin, Texas 78711, telephone (512) 475-6155.

Filed: June 9, 1978, 11:36 a.m.
Doc. No. 783826

Monday, June 12, 1978, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas made an emergency addition to the agenda of a meeting held in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to include consideration of the following items, as summarized: gas field rules in various fields and counties, State of Texas; and one Rule 37 exception request. Due to the fact that these applications have been set to be heard at past conferences, and have all been passed at said conference, this supplemental notice of meeting is issued so that these matters can be considered at this meeting.

Additional information may be obtained from Luci Castleberry, P.O. Box 12967, Austin, Texas 78711, telephone (512) 475-3003.

Filed: June 9, 1978, 11:38 a.m.
Doc. No. 783822

Monday, June 12, 1978, 9 a.m. The Office of Special Counsel and Communications of the Railroad Commission of Texas made an emergency addition to the agenda of a meeting held in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to review the communications system. Acceptance of the system will expedite commission control and full operation of the system; therefore, consideration on less than seven days' notice is required.

Additional information may be obtained from Rex H. White, Jr., Room 1001, Ernest O. Thompson Building, Austin, 78701, telephone (512) 475-4686.

Filed: June 9, 1978, 11:35 a.m.
Doc. No. 783830

Monday, June 12, 1978, 9 a.m. The Transportation Division of the Railroad Commission of Texas made an emergency addition to the agenda of a meeting held in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider Docket No. 022600ZZR, as summarized in the agenda.

Additional information may be obtained from John G. Soule, P.O. Box 12967, Austin, 78701, telephone (512) 475-3207.

Filed: June 9, 1978, 11:35 a.m.
Doc. No. 783829

Monday, June 19, 1978, 9 a.m. The Gas Utilities Division of the Railroad Commission of Texas will meet in the Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider the following items, as summarized: Gas Utilities Dockets 1457, 1559, and 1604; director's report; and litigation and personnel matters (executive session).

Additional information may be obtained from Joy Wood, P.O. Box 12967, Austin, 78711, telephone (512) 475-2747.

Filed: June 9, 1978, 11:36 a.m.
Doc. No. 783827

Monday, June 19, 1978, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas will meet in the Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider the following items, as summarized in the agenda: various applications for tidal disposal, SWR 38, reclamation plant, gas field rules, temporary field rules, exceptions to SWR 14(B)(2), proper pluggings, Rule 37 cases, temporary field rules; various administrative exceptions to SWR 11, SWR 23, suspend allocation formula, SWR 14(B)(2), new oil and gas field discoveries, exception to SWR 11, SWR 8(C), SWR 26/27 and request for hearing. The commission will also hear the director's report and conduct an executive session.

Additional information may be obtained from Luci Castleberry, P.O. Box 12967, Austin, 78711, telephone (512) 475-3003.

Filed: June 9, 1978, 11:37 a.m.
Doc. No. 783824

Monday, June 19, 1978, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas will meet in the Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider the proper plugging of the Lee Jarmon, Taylor lease (12588), 14 unidentified wells in the Acher County Regular Field, Archer County (Docket No. 9-68.359).

Additional information may be obtained from Synda Arbuckle, P.O. Box 12967, Austin, 78711, telephone (512) 475-3256.

Filed: June 9, 1978, 11:37 a.m.
Doc. No. 783825

Monday, June 19, 1978, 9 a.m. The Surface Mining Division of the Railroad Commission of Texas has made an addition to the agenda of a meeting to be held in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider an amendment of a contract between the Railroad Commission of Texas and Pittman Engineering Company, to provide the commission with an independent estimate of the cost of reclamation of lands disturbed from surface mining operations. The existing contract was originally executed on March 29, 1977, and is required pursuant to Chapter 131.202(b) of the Texas Natural Resources Code.

Additional information may be obtained from J. Randel Hill, P.O. Box 12967, Austin, 78711, telephone (512) 475-7520.

Filed: June 9, 1978, 11:35 a.m.

Doc. No. 783831

Monday, June 19, 1978, 9 a.m. The Surface Mining Division of the Railroad Commission of Texas will meet in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider the permit application of San Miguel Electric Power Cooperative, Inc., to conduct a lignite surface mining operation in Atascosa County. The commissioners will consider the recommendation of the hearings examiner to approve the permit application in accordance with the examiner's recommended provisions.

Additional information may be obtained from Carmen Ramos, P.O. Box 12967, Austin, 78711, telephone (512) 475-6520.

Filed: June 9, 1978, 11:38 a.m.

Doc. No. 783821

Monday, June 19, 1978, 9 a.m. The Transportation Division of the Railroad Commission of Texas will meet in the 10th floor conference room, Ernest O. Thompson Building, 10th and Colorado Streets, Austin, to consider the following applications, as summarized to amend authority, for bus rate, for motor brokers license, to consolidate authority, to divide authority, for new authority, for rail rate, for reinstatement, to sell authority, for truck rate, to transfer authority, for voluntary suspension, and for group representation. The commission will also consider an amendment to Transportation Regulation 051.03.16.004.

Additional information may be obtained from John G. Soule, P.O. Box 12967, Austin, 78711, telephone (512) 475-3207.

Filed: June 9, 1978, 11:36 a.m.

Doc. No. 783828

Monday, June 19, 1978, 9 a.m. The Transportation Division of the Railroad Commission of Texas will meet in the 10th floor conference room, E. O. Thompson Building, 10th and Colorado, Austin, to consider applications for new authority and to sell authority, as summarized in the agenda. The commission will also consider proposed rulemaking.

Additional information may be obtained from John G. Soule, P.O. Box 12967, Austin, 78711, telephone (512) 475-3207

Filed: June 9, 1978, 4:51 p.m.

Doc. No. 783855

Tuesday, June 20, 1978, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas will meet at the Driskill Hotel, 117 East 7th Street, Austin, to conduct statewide oil and gas hearing, as summarized in the agenda.

Additional information may be obtained from Sydna Arbuckle, P.O. Box 12967, Austin, 78711, telephone (512) 475-3256.

Filed: June 9, 1978, 11:37 a.m.

Doc. No. 783823

Texas Water Commission

Monday, June 12, 1978, 10 a.m. The Texas Water Commission made an emergency addition to the agenda of a meeting in the Stephen F. Austin Building, 1700 North Congress, Austin, to include consideration of the examiner's proposal for a decision on an application by Cape Lago, Inc., for a permit (No. 11924) to discharge an average of 0.10 million gallons per day of treated effluent from a sewage treatment plant to be located one half mile west of Lake Conroe Dam in Montgomery County.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 8, 1978, 3:16 p.m.

Doc. No. 783804

Monday, June 19, 1978, 10 a.m. The Texas Water Commission will meet in the Stephen F. Austin Building, 1700 North Congress, Austin, to consider the following items, as summarized in the agenda: application for bond issue; approval of plans and specifications for a district; petition for creation of a district; examiner's proposals for decision on water quality permits; voluntary cancellation of water quality permits; application for water rights permit; and application for approval of plans for a reclamation project of a drainage district.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 8, 1978, 3:16 p.m.

Doc. No. 783815

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the 3rd floor auditorium, Bank of the Southwest, 910 Travis Street, Houston, to consider an application by James T. Bennett (Schiller Road Plant No. 1), Houston. As summarized, the applicant seeks a permit to allow for a discharge of domestic sewage effluent from a sewage treatment plant to serve a population of 1500 people.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.

Doc. No. 783806

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the 3rd floor auditorium, Bank of the Southwest, 910 Travis Street, Houston, to consider an application by the Park Ten Municipal Utility District (c/o Vinson and Elkins, Houston). The applicant seeks an amendment to Permit No. 11455 to accommodate plant expansion and increased treatment capacity, as summarized.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783807

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the 3rd floor auditorium, Bank of the Southwest, 910 Travis Street, Houston, to consider a request for a permit by Anchortank, Inc., P.O. Box 3116, Texas City, for a permit to allow for a discharge not to exceed an average flow of 62,000 gallons per day of industrial wastewater effluent and variable amount of rainfall runoff from the bulk liquids terminal, as summarized in the agenda.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783808

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the 3rd floor auditorium, Bank of the Southwest, 910 Travis Street, Houston, to consider a request for a permit by Harris County Utility District No. 14, c/o Fulbright and Jaworski, Bank of the Southwest Building, Houston, to allow for a discharge of domestic sewage effluent from a sewage treatment plant to serve a population equivalent to 1,000 people, as summarized in the agenda.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783809

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the 3rd floor auditorium, Bank of the Southwest, 910 Travis Street, Houston, to consider a request for a permit by Plantation Municipal Utility District, 2000 West Loop South, Suite 1600, Houston, to allow for a discharge of domestic sewage effluent from a sewage treatment plant to serve a population equivalent to 3,500 people, as summarized in the agenda.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783810

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the 3rd floor auditorium, Bank of the Southwest, 910 Travis Street, Houston, to consider a request by the Airport Utilities, Inc. (Holiday Inn Airport), 2010 North Loop West, Suite 119, Houston, to amend Permit No. 11159 to accommodate a modification of the treatment plant to increase treatment capacity due to motel expansion.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783813

Tuesday, June 20, 1978, 10 a.m. The Texas Water Commission will conduct a hearing in the Stephen F. Austin Building, 1700 North Congress, Austin, to consider a request by the Upjohn Company, P.O. Box 685, La Porte, to amend Permit No. 00663 to accommodate an increase in the level of production and improvements in the wastewater treatment system, as summarized in the agenda.

Additional information may be obtained from Phillip Paine, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783814

Thursday, June 22, 1978, 10 a.m. The Texas Water Commission will conduct a hearing at the Robert E. Lee Youth Center, Fort Brown Memorial Center, Brownsville, to consider an application by Tarpon Seafood, Port Isabel. As summarized, the applicant seeks a permit to allow for a discharge not to exceed an average flow of 1,230,000 gallons per month of process generated wastewater from the shrimp and fish processing dock.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783811

Thursday, June 22, 1978, 10 a.m. The Texas Water Commission will conduct a hearing at the Robert E. Lee Youth Center, Fort Brown Memorial Center, Brownsville, to consider an application by Port Isabel Marine Railway, Inc., Port Isabel. As summarized, the applicant seeks a permit to allow for a discharge not to exceed an average flow of 52,000 gallons per month of industrial wastewater effluent from the trawler and boat repair shop.

Additional information may be obtained from John Sutton, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-1468.

Filed: June 8, 1978, 3:16 p.m.
Doc. No. 783812

Tuesday, June 27, 1978, 10 a.m. The Texas Water Commission will meet in the Stephen F. Austin Building, 1700 North Congress, Austin, to consider notices of hearing on petitions for organization of the following districts, as summarized in the agenda: Harris County Municipal Utility District No. 77, containing approximately 278.19 acres; and Harris-Fort Bend Counties Municipal Utility District No. 1, containing approximately 343.732 acres.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 9, 1978, 4 p.m.

Doc. No. 783854

Wednesday, June 28, 1978, 10 a.m. The Texas Water Commission will meet in the Stephen F. Austin Building, 1700 North Congress, Austin, to consider notices of hearing on petitions for organization of the following districts, as summarized in the agenda: Harris County Water Control and Improvement District No. 145, containing 1796.38 acres; and Harris County Municipal Utility District No. 162, containing 343.267 acres.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, telephone (512) 475-4514.

Filed: June 8, 1978, 3:16 p.m.

Doc. No. 783805

Regional Agencies

Meetings Filed June 9, 1978

The Brazos Valley MH/MR Center, Board of Trustees, met in the board room, second floor, 202 East 27th Street, Bryan, on June 15, 1978, at 4 p.m. Further information may be obtained from Dr. Linda S. Davis, 202 East 27th Street, Bryan, 77801, telephone (713) 779-2000.

The Concho Valley Council of Governments, Executive Committee, will meet in the St. Angelus Room, Central National Bank, 36 West Beauregard, San Angelo, on June 16, 1978, at 2 p.m. Further information may be obtained from James F. Ridge, 7 West Twohig Building, Room 505, San Angelo, Texas 76903, telephone (915) 653-1214.

The City of El Paso, Policy Advisory Committee, Urban Transportation Study, met in the City Council Chambers, City-County Building, 505 East San Antonio, El Paso, on June 14, 1978, at 11 a.m. Further information may be obtained from Judith M. Price, 106 North Ochoa, El Paso, Texas, telephone (915) 543-6770.

The Gulf Bend MH/MR Center, Board of Trustees, will meet at 2105 Port Lavaca Drive, Victoria, on June 22, 1978, at noon. Further information may be obtained from T. G. Kelliher, Jr., P.O. Box 2238, Victoria, Texas 77901, telephone (512) 578-5262.

The Lubbock Regional MH/MR Center, Human Development Center, met at 1210 Texas Avenue, Lubbock, on June 13, 1978, at 4:30 p.m. Further information may be obtained from Gene Menefee, 1210 Texas Avenue, Lubbock, Texas 79401, telephone (806) 763-4213.

The Middle Rio Grande Development Council, Consultant Selection and Criminal Justice Advisory Committees, met at the Civic Center, 1915 Avenue F, Del Rio, on June 15, 1978, at 4 p.m. Further information may be obtained from Elia G. Santos, P.O. Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

The San Antonio River Authority, Non-Designated Area San Antonio River 208 Basin Advisory Committee, will meet at 100 East Guenther, San Antonio, on June 20, 1978, at 2 p.m. Further information may be obtained from Russell L. Masters, P.O. Box 9284, Guilbeau Station, San Antonio, Texas 78204, telephone (512) 227-1373.

Doc. No. 783817

Meetings Filed June 12, 1978

The Capital Area Planning Council, Executive Committee, will meet in the CAPCO conference room, Suite 400, 611 South Congress, Austin, on June 20, 1978, at 2 p.m. Further information may be obtained from Richard G. Bean, 611 South Congress, Suite 400, Austin, Texas 78704, telephone (512) 443-7653.

The Trinity River Authority, Central Regional Wastewater System Right-of-Way Committee, will meet in the Executive Conference Room, 2723 Avenue E East, Arlington, on June 21, 1978, at 10 a.m. Further information may be obtained from Geri Elliott, P.O. Box 5768, Arlington, Texas 76011, telephone (817) 461-3151.

Doc. No. 783858



State Bar of Texas

Law Institutes

The State Bar of Texas is sponsoring two institutes, Preventing Malpractice Claims and Opening and Maintaining a Law Office, at the annual State Bar convention being held June 28, 1978, at the Sheraton-Fort Worth in the Grand Ballroom.

The Preventing Malpractice Claims Institute will be held from 8:30 a.m. (registration) until noon. This institute is designed to offer excellent practical suggestions on how to conduct your practice so that malpractice claims are much less likely to occur, and how to deal with them constructively if they do. There is also a short explanation of the reciprocal insurance exchange being organized to offer coverage to Texas lawyers. Written material furnished includes *Attorneys' Malpractice Prevention Manual* by Duke Nordlinger Stern and Laurie Hutzler.

Registration for the second institute, Opening and Maintaining a Law Office, begins at 1:15 p.m. and the program adjourns at 5 p.m. In this institute, two nationally recognized authorities will give advice on effective techniques on maintaining and building a law practice after opening an office, and four Texas solo practitioners will respond with comments from their own experience. Written material furnished includes *How to Start and Build a Law Practice* by Jay Foonberg and *How to Operate an Efficient Law Office* by Paul Luvera, Jr.

Because of the vital contribution support staff can make, any lawyer attending may bring support staff members to either institute, or both, on a complimentary basis (excluding written material).

John Bell, Jr., chairman, PEER Committee, will preside over both institutes, and the topics, times, and speakers are as follows:

9 a.m.—Welcoming remarks—Travis Shelton, president, State Bar of Texas.

9:05 a.m.—How to Prevent Administrative and Clerical Malpractice within the Attorney's Office—Joe Holloway, Poe & Associates, insurance administrators, Tampa, Florida.

9:50 a.m.—Malpractice Insurance Coverage for Texas Lawyers—The New Texas Reciprocal Insurance Exchange—James Lovell, Dumas, chairman, State Bar of Texas Insurance Trust.

10:05 a.m.—Break.

10:20 a.m.—Attorneys' Fees, Fee Contracts, Ethics, and Legal Malpractice—John Nicols, Houston.

11:05 a.m.—Having a Fool for a Client—How to Avoid Self-Malpractice—Sam Smith, Miami Beach, Florida.

Noon—Adjourn.

1:40 p.m.—Welcoming Remarks—Travis Shelton, president, State Bar of Texas.

1:45 p.m.—How to Start and Build a Law Practice—Jay Foonberg, Beverly Hills, California.

2:45 p.m.—Break.

3 p.m.—How to Operate an Efficient Law Office—Essentials of Organization and Delegation—Paul Luvers, Jr., Mount Vernon, Washington.

3:30 p.m.—Responses from Texas Solo Practitioners—Mitchell Davenport, Jacksboro; Mary Sue Black, Richardson; Walter Irvin, Dallas; R. Leonard Weiner, Houston.

4:15 p.m.—Question and Answer Panel—All participants.

5 p.m.—Adjourn.

To register for either institute, or both, use the annual convention preregistration form from the May or June *Texas Bar Journal*. Payment of the convention registration fee, as set out in the form, is required for lawyers but not for support staff personnel. The fee for each institute separately is \$20. The fee for both is \$30 (\$35 after June 19). If you have already registered for the convention but did not register for these institutes, send in the unused May or June *Texas Bar Journal* convention registration form with payment for the institutes (or institute) only, and write on the bottom that you have already registered for the convention.

Issued in Austin, Texas, on June 7, 1978.

Doc. No. 783820 Judy Bolton
Institute Facilities Coordinator
State Bar of Texas

Filed: June 9, 1978, 11:16 a.m.

For further information, please call (512) 475-6842.

Texas Education Agency Consultant Contract Award

Description and Consultant: The Texas Education Agency has entered into a private consultant contract with Touche Ross and Company for a study of the operations of the State Permanent School Fund and of the agency's Investment Office.

Terms of Contract: Work under the contract commences June 5, 1978, and is to be completed by August 31, 1978, for a fee not to exceed \$73,346.

Project Report: The product of the study will be a written report containing findings and recommendations regarding internal controls, investment analysis capacity, and staffing in the operation of both the fund and the Investment Office. The report will be presented on August 31, 1978, and forwarded to State Board of Education members for their consideration at their September 9, 1978, meeting.

Issued in Austin, Texas, on June 5, 1978.

Doc. No. 783795 J. B. Morgan
Associate Commissioner for
Policies and Services
Texas Education Agency

Filed: June 8, 1978, 1:49 p.m.

For further information, please call (512) 475-3511.

Texas Health Facilities Commission

Notice of Applications

Notice is given by the Texas Health Facilities Commission of applications (including a general project description) for declaratory rulings or exemption certificates accepted May 30 through June 5, 1978.

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

The contents and form of a notice of intent to become a party to an application for a declaratory ruling or exemption certificate must meet the minimum criteria set out in Rule 506. Failure of a party to supply the minimum necessary information in the correct form by the 12th day will result in a defective notice of intent to become a party and such application will be considered uncontested.

The fact that an application is uncontested will not mean that it will be approved. The application will be approved only if the commission determines that it qualifies under the criteria of Sections 3.02, 3.03, or 6.02 of Article 4418(h), Vernon's Annotated Texas Statutes, and Rules 302, 502, and 515.

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

Autumn Leaves, Dallas

AN75-0530-005

EC—Replace 200-bed custodial facility to comply with licensing, certification, safety, and health requirements

Newburn Memorial Hospital, Jacksonville

AH78-0530-018

EC—Acquire equipment to perform electroencephalograms

Newburn Memorial Hospital, Jacksonville

AH78-0530-020

EC—Acquire modular building for additional office space

Newburn Memorial Hospital, Jacksonville

AH78-0530-022

EC—Acquire telemetry monitoring equipment

Newburn Memorial Hospital, Jacksonville

AH78-0530-024

EC—Acquire protein electrophoresis equipment for laboratory

Azalea Manor, Sealy

AN78-0306-025

EC—Construct a 100-square foot addition to existing facility for additional office space

Deaton Hospital, Inc., Galena Park

AH75-0910-016E (053178)

EC—Request extension of completion deadline in E/C AH75-0910-016 to replace a 25-bed acute care facility

Bexar County Hospital, San Antonio

AH78-0601-001

EC—Replace pulmonary function laboratory equipment

Bluebonnet Psychiatric Center, Inc., Bryan

AO78-0522-040

EC—Upgrade existing fire alarm system to comply with life safety code requirements

Southwest Texas Methodist Hospital, San Antonio

AH78-0602-015

EC—Acquire echocardiography equipment

E. Richard Parker, M.D., Austin

AO78-0602-021

DR—That neither an E/C nor a certificate of need is required to construct facility at 901 West 34th Street, Austin, for office surgical procedures and physicians' private offices

Midland Memorial Hospital, Midland

AH78-0523-001

EC—Acquire portable Ocuscan 400 scanner for examination of ocular and orbital abnormalities

Issued in Austin, Texas, on June 9, 1978.

Doc. No. 783832

Dan R. McNery

General Counsel

Texas Health Facilities Commission

Filed: June 9, 1978, 11:53 a.m.

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

Legislative Budget Board Executive and Legislative Budget Offices

Joint Budget Hearing Schedule** on Appropriations Requests for the 1980-81 Biennium

June 12-16, 1978

Date	Time	Agency	Location
June 14	9 a.m.	Courts of Civil Appeals	Room 301, State Capitol, Austin, Texas
		First District, Houston	
		Second District, Fort Worth	
		Third District, Austin	
		Fourth District, San Antonio	
		Fifth District, Dallas	
		Sixth District, Texarkana	

Texas Register Correction of Error

Adopted Rule 131.08.00.010(a)(5)(A) by the **Texas Air Control Board**, appearing in the June 9, 1978, issue of the **Texas Register** (3 TexReg 1989) should have read as follows:

(5) Exemption of previously permitted facilities.

(A) Upon written request by the owner or operator of a facility which previously has received a permit from the Texas Air Control Board, the executive director may exempt the relocation of such facilities from the requirements of this rule if he finds: (1) no indication that operation of the facility at the proposed new location will significantly affect ambient air quality; and (2) no indication that operation of the facility at the proposed new location will create a nuisance.

June 15	9 a.m.	Seventh District. Amarillo	Room 301, State Capitol, Austin, Texas
June 15	11 a.m.	Eighth District. El Paso	Room 301, State Capitol, Austin, Texas
June 15	1:30 p.m.	Ninth District. Beaumont	Room 301, State Capitol, Austin, Texas
June 15	3 p.m.	Tenth District. Waco	Room 301, State Capitol, Austin, Texas
		Eleventh District. Eastland	
		Twelfth District. Tyler	
		Thirteenth District. Corpus Christi	
		Fourteenth District. Houston	
		Supreme Court of Texas	
		State Prosecuting Attorney before Court of Criminal Appeals	
		State Law Library	
		Judiciary Section, Comptroller's Department	

****Note:** Please confirm above dates, times, and locations in the event you plan to attend a hearing, since experience has shown that some rescheduling always occurs.

Issued in Austin, Texas, on June 7, 1978.

Doc. No. 783782 James P. Oliver
Assistant Director
Legislative Budget Board

Filed: June 7, 1978, 3:37 p.m.

For further information, please call (512) 475-3426.



Second Class Postage

PAID

Austin, Texas
and Additional Entry Offices

RECEIVED
JUN 16 1978
STATE DOCUMENTS
TEXAS DEPOSITORY
University of Houston
Victoria Campus Library

TEXAS REGISTER

Please use the blank below to order a new subscription, to renew existing subscriptions, or to indicate change of address. Questions concerning existing subscriptions should refer to the subscription number on the mailing label from the back of an issue. If copies of back issues are desired, this form may be used for that purpose, also. Specify in the appropriate blank the number of new or renewed subscriptions requested, or the exact dates of the back issues ordered. All subscriptions are \$25 per year for 100 issues. Each copy of back issues is \$1 per copy. The Directory sells for \$5 per copy. Please allow three weeks for processing.

For information concerning
the *Texas Register* call:
(512) 475-7886



APPLICATION FORM

For Renewal or Change of Address, Affix Label

FIRST NAME (Please Type or Print)

LAST NAME

OR

COMPANY, FIRM OR AGENCY

ADDRESS

CITY

STATE

ZIP CODE

- _____ New Subscriptions at \$25 per year
- _____ Renewed Subscriptions at \$25 per year
- _____ Copies of the Directory at \$5 per copy
- _____ Copies of back issues at \$1 per copy
- _____ Please specify dates of issues desired

Amount Enclosed Bill Me

Mail to:
Secretary of State
Texas Register Division
P.O. Box 12887
Austin, Texas 78711

PLEASE MAKE CHECKS OR MONEY ORDERS PAYABLE TO SECRETARY OF STATE

75068006
UNIVERSITY OF HOUSTON
VICTORIA CAMPUS
VICTORIA TX 77901