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Pages 2439 - 2468

TEXAS REGISTER

TEXAS STATE

OCT 27 1976

TEXAS DOCUMENTS

In This Issue...

Emergency amendments to procedural rules adopted by the Public Utility Commission of Texas

Airport development rules proposed by the Texas Aeronautics Commission

Procedural rules adopted by the Texas Commission for the Deaf

TEXAS STATE LIBRARY

SEP 7 1976

TEXAS DOCUMENTS



Office of the Secretary of State

NOTES ON THE ISSUE

The Texas Water Rights Commission has adopted a rule concerning sewer service lines and connections. Faulty construction of household and commercial sewer taps and service lines has caused an increase of infiltration and inflow of foreign materials into water district sewer lines. The rule, adopted on an emergency basis in July, gives water districts regulatory power over the construction of service lines and connections to the sewer system.

The Texas Aeronautics Commission is proposing the repeal of nine rules concerning the development of aviation facilities and proposes, as a replacement, what are believed to be more comprehensive rules. The proposed rules set forth all of the procedures to be followed by communities seeking state aid for airports. The procedures presented in the rules have been informally followed by the commission for some time and will be simplified and clarified by the proposed repeal and adoption.

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

Artwork: Gary Thornton

TEXAS REGISTER



Mark White
Secretary of State

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

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The Governor

Appointments

- 2442 *Branch Pilots for the Sabine Bar, Pass, and Tributaries*
- 2442 *Branch Pilots for Port of Houston on the Houston Ship Channel and the Galveston Bar*

Proclamations

- 2442 *DB 41-1591 (election of alderman of the City of Hidalgo)*

The Attorney General

Requests for Opinions

- 2443 *RQ-1454 (agreement between Texas State Board of Landscape Architects and Texas State Board of Dental Examiners)*
- 2443 *RQ-1455 (residency of member of Dental Laboratory Advisory Board)*
- 2443 *RQ-1456 (teacher employment requirements)*
- 2443 *RQ-1457 (compulsory brucellosis vaccination)*
- 2443 *RQ-1458 (release of bid acceptance study)*

Opinions

- 2444 *H-867 (tick eradication)*
- 2444 *H-868 (constitutionality of Texas Community Development Act)*
- 2444 *H-869 (payment for purchase of waste disposal system)*
- 2444 *H-870 (certification of alcoholism counselors)*

Emergency Rules

Public Utility Commission of Texas

- 2445 *Rules of Practice and Procedure*

Proposed Rules

Texas Adjutant General's Department

- 2447 *Personnel Rules and Procedures*

Texas Aeronautics Commission

- 2447 *Aviation Facilities Development Rules*

Adopted Rules

Texas Commission for the Deaf

- 2453 *General Rules of Practice and Procedure*

Texas Education Agency

- 2454 *State Commissioner of Education*

Office of the Governor

- 2455 *Criminal Justice Division*

Texas State Library

- 2455 *Rules for Library Development*

Texas Water Rights Commission

- 2455 *Water Districts*

Open Meetings

- 2457 *State Board of Control*

- 2457 *Texas County and District Retirement System*

- 2457 *Credit Union Commission*

- 2457 *Texas Education Agency*

- 2458 *State Board of Education*

- 2458 *Employees Retirement System of Texas*

- 2458 *Governor's Energy Advisory Council*

- 2459 *Joint Advisory Committee on Government Operations*

- 2459 *Texas Health Facilities Commission*

- 2459 *State Board of Insurance*

- 2460 *Texas Commission on Jail Standards*

- 2460 *State Board of Landscape Architects*

- 2460 *Legislative Budget Board*

- 2460 *Texas Legislative Council*

- 2461 *State Board of Morticians*

- 2461 *Texas Motor Vehicle Commission*

- 2461 *Board of Nurse Examiners*

- 2461 *Pan American University*

- 2461 *Board of Pardons and Paroles*

- 2462 *Texas Parks and Wildlife Department*

- 2462 *Texas Board of Physical Therapy Examiners*

- 2462 *Texas Private Employment Agency Regulatory Board*

- 2462 *State Department of Public Welfare*

- 2463 *Texas Optometry Board*

- 2463 *School Land Board*

- 2463 *Texas State Soil and Water Conservation Board*

- 2463 *Teacher Retirement System of Texas*

- 2464 *The University of Texas System*

- 2464 *Texas Water Rights Commission*

- 2464 *Quasi-State Agencies*

In Addition

Texas Health Facilities Commission

- 2466 *Certificate of Need Hearings*

- 2466 *Notice of Applications*

Railroad Commission of Texas

- 2467 *Correction of Error*

Office of State-Federal Relations

- 2468 *Public Hearing*

Appointments

Branch Pilots for the Sabine Bar, Pass, and Tributaries

Appointed August 23, 1976, for a four-year term to expire August 15, 1980.

Captain K. L. Selinidis
4010 Sunset Drive
Port Arthur, Texas 77640

Captain Millard A. Scott
Star Route 1, Box 187
Woodville, Texas 75979

Captains Selinidis and Scott are being reappointed.

Branch Pilots for the Port of Houston on the Houston Ship Channel and the Galveston Bar

Appointed August 23, 1976, for a four-year term to expire July 31, 1980.

Captain F. M. Kershaw
1106 Desirable Lane
Huffman, Texas 77336

Captain J. L. Williams
7650 Hereford
Houston, Texas 77017

Captains Kershaw and Williams are being reappointed.

Filed: August 26, 1976, 11:49 a.m.

Doc. No. 764542

Proclamations

Proclamation DB 41-1591

Whereas, a vacancy now exists in the position of alderman of the Board of Aldermen of the City of Hidalgo, and;

Whereas, C. W. Laughlin, judge presiding in Cause A-13026, *Pedro Garcia vs. Paul Henderson*, in the District Court, Hidalgo County, on July 29, 1976, did declare the election for Place Two Alderman of the City of Hidalgo held on April 5, 1976, to be null and void; and

Whereas, C. W. Laughlin did order on July 29, 1976, that the City of Hidalgo conduct an election for Place Two Alderman on October 2, 1976, to fill the vacancy on the Board of Aldermen;

Now, therefore, I, Dolph Briscoe, Governor of Texas, in view of the foregoing considerations, do hereby find the existence of an emergency and do hereby grant permission for the City of Hidalgo to hold an election on October 2, 1976, for the purpose of filling the vacancy presently existing on the Board of Aldermen of the City of Hidalgo.

In testimony whereof, I have hereunto signed my name and have officially caused the Seal of State to be affixed at Austin, this 23rd day of August, 1976.

Doc. No. 764585 Dolph Briscoe
Governor of Texas

Filed: August 31, 1976, 11:37 a.m.

For further information, please call (512) 475-4101.

Requests for Opinions

Summary of Request for Opinion RQ-1454

Request for opinion sent to Attorney General's Opinion Committee by A. R. Schwartz, Senate of the State of Texas, Austin.

Summary of Request: Is an agreement between the Texas State Board of Landscape Architects and the Texas State Board of Plumbing Examiners to define the scope of their regulatory authority valid and enforceable?

Filed: August 26, 1976, 11:49 a.m.

Doc. No. 764543

Summary of Request for Opinion RQ-1455

Request for opinion sent to Attorney General's Opinion Committee by Carl C. Hardin, Jr., Executive Director, Texas State Board of Dental Examiners, Austin.

Summary of Request: Is a member of the Dental Laboratory Advisory Board required to be a resident of the State of Texas?

Filed: August 30, 1976, 4:07 p.m.

Doc. No. 764577

Summary of Request for Opinion RQ-1456

Request for opinion sent to Attorney General's Opinion Committee by Oscar H. Mauzy, Texas Senate, Austin.

Summary of Request: In light of Section 16.310, Education Code, does an independent school district have authority to require as a term of employment that newly employed teachers report for and attend five days of preparation for no additional pay?

Filed: August 30, 1976, 4:07 p.m.

Doc. No. 764578

Summary of Request for Opinion RQ-1457

Request for opinion sent to Attorney General's Opinion Committee by H. Q. Sibley, D.V.M., Executive Director, Texas Animal Health Commission, Austin.

Summary of Request: Does the Texas Animal Health Commission have the authority to require compulsory brucellosis vaccination of animals under Section 23-A, Article 7014f-1, Texas Vernon's Civil Statutes?

Filed: August 30, 1976, 4:07 p.m.

Doc. No. 764579



Summary of Request for Opinion RQ-1458

Request for opinion sent to the Attorney General's Opinion Committee by Charles A. LeMaistre, Chancellor, University of Texas System, Austin.

Summary of Request: Does the Open Records Act require release of an evaluation and study demonstrating why a high bid for purchase of hospital beds was accepted when the study is claimed to be excepted from disclosure by Sections 3(a)(3) and 3(a)(11)?

Filed: August 30, 1976, 4:07 p.m.

Doc. No. 764580

Opinions

Summary of Opinion H-867

Request from H. Q. Sibley, Executive Director, Texas Animal Health Commission, Austin, concerning the Texas Animal Health Commission's authority in tick eradication "free areas" and related questions.

Summary of Opinion: The Animal Health Commission has authority to require the inspection for ticks of herds located on premises in a "free area" suspected of infestation, and it has authority to selectively require stock yards to construct scratching chute facilities at private expense for the inspection of cattle for ticks. With the exception of cattle, sheep, and hogs going directly to slaughtering facilities, the commission does not have authority to allow animals shipped from outside Texas and designated as slaughter animals to go to a livestock market without a health certificate.

Filed: August 26, 1976, 11:49 a.m.
Doc. No. 764544

Summary of Opinion H-868

Request from Lynn Nabers, Chairman, Health and Welfare Committee, House of Representatives, Austin, concerning the constitutionality of the Texas Community Development Act of 1975, Article 12691-4, Vernon's Texas Civil Statutes.

Summary of Opinion: The Community Development Act of 1975, Article 12691-4, Vernon's Texas Civil Statutes, is not violative of Section 52, Article III, of the Texas Constitution.

Filed: August 30, 1976, 11:15 a.m.
Doc. No. 764550

Summary of Opinion H-869

Request for opinion sent from Robert E. Schneider, Executive Director, Texas Water Rights Commission, Austin, concerning whether Section 25.031(c), Texas Water Code, authorizing special districts to purchase a portion of the capacity of a regional waste disposal system, can be applied constitutionally to bonds authorized prior to passage of the statute.

Summary of Opinion: The enactment of Section 25.031(c) of the Texas Water Code does not affect the validity of Attorney General Opinion H-567 (1975) as it applies to the Inverness Forest Improvement District. The special district, limited by the bond election proposition submitted, may not acquire a contractual right to purchase a percentage of capacity in a regional system. However, the special district, in its discretion, may use bond proceeds to purchase an undivided, legal interest in a regional system. The special district may contract with a "district" for the operation of its portion of the regional system under Chapter 25 of the Water Code.

Filed: August 26, 1976, 4:07 p.m.
Doc. No. 764575

Summary of Opinion H-870

Request from Roy J. German, Chairman, Texas Commission on Alcoholism, Austin, concerning the authority of the Texas Commission on Alcoholism to certify "alcoholism counselors."

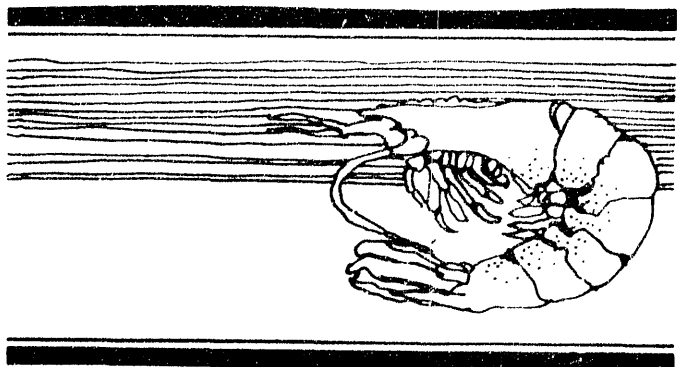
Summary of Opinion: The Texas Commission on Alcoholism has no authority to certify persons as "alcoholism counselors" or to require that a private corporation follow standards and procedures prescribed by the commission regarding such certification. Although the Department of Mental Health and Mental Retardation, the Department of Health Resources, and the Department of Corrections should seek the advice of the commission as to the standards to be used in employing alcoholism counselors, they are not bound by that advice.

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

Doc. No. 764576 C. Robert Heath
Opinion Committee Chairman
Attorney General's Office

Filed: August 30, 1976, 4:07 p.m.

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



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

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

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



Public Utility Commission of Texas

Rules of Practice and Procedure 052.01.00

These amendments were made at the meeting held by the commission on August 16, 1976, to adopt these emergency rules. The original unamended version of the rules was published in the August 20, 1976, edition of the *Texas Register*.

The amendment to 052.01.00.022 enlarged the definition of "respondent" to include any person being investigated by a municipality which has original jurisdiction over that person.

The amendment to 052.01.00.024 shortened the time to file interventions in major rate proceedings from 20 to 10 days.

The amendments to 052.01.00.039 permitted the items in the rate filing package mentioned in the rule to be modified for good cause and the times for filing to be modified for good cause.

The following amendments are adopted under the authority of Article 1446c, Vernon's Annotated Civil Statutes.

.022. Definitions.

(1) Applicant (Petitioner). Any party who has by written petition, including appeals, applied for or seeks an available remedy from the commission.

(2) Protestant. A person opposing any matter contained in applications or petitions submitted to the commission.

(3) Complainant. A person complaining to the commission of any act or omission committed by any person subject to the jurisdiction of the commission.

(4) Respondent. A person against whom any complaint has been filed or who is under formal investigation by the commission *or the applicable municipality in any appeal to the commission from the decision of the governing body of such municipality.*

(5) Intervenor. A party other than those listed who, upon showing a justiciable interest, is permitted to become a party to a proceeding.

(6) Staff. The employees of the Public Utility Commission of Texas who represent the public interest in any proceeding.

.024. Appearances.

(a) Proceedings other than major rate proceedings: Any affected person or agency may formally appear before the commission. The presiding examiner may require hearing participants of a similar class to select one person to represent them in the proceedings. In all regularly docketed cases other than major rate cases, a hearing participant may be permitted to appear formally in support of or in opposition to all or part of the remedy sought in any proceeding by filing its pleading at least 15 days in advance of the hearing date, and it may present any relevant and proper testimony and evidence bearing upon the issues involved in the particular proceeding, providing that any such appearance made within 30 days of a scheduled hearing shall not work to delay such hearing. Any affected person or agency wishing to formally appear before the commission must notify by mail at least 15 days in advance of the hearing date all the parties to the proceeding or proceedings in which the affected person or agency wishes to appear and the general counsel to the Public Utility Commission. Any person or agency not wishing to appear formally, but wishing only to appear for the pur-

pose of showing support or opposition or to make any general relevant statement showing support or opposition, may appear at the proceeding without notifying all known parties by mail.

(b) Major rate proceedings: All motions to intervene in major rate increase applications shall be filed within 10 [20] days from the date the application, petition, or statement of intent to change rates is filed with the commission. This motion to intervene shall clearly and specifically set forth the justiciable interest that the intervenor has for becoming a party to the proceeding. The commission or hearings examiner shall hold a hearing on the *fifth* [first] working day following this 10- [20]-day period to determine whether an intervention will be granted or denied and to classify or consolidate the intervenors for hearing purposes. All protests shall be filed within 45 days from the date the application, petition, or statement of intent to change rates is filed with the commission and must set forth the grounds of the protest clearly and specifically.

(c) Filing time exceptions: The times for filing set out in this rule may be modified by the commission for good cause.

.039. Time Limits for Filing Requests for Information and Prepared Testimony and Exhibits.

(a) In any major rate case, as defined by the act, all requests for information and prepared testimony and exhibits shall, unless otherwise provided by the commission, be filed as follows:

(1) All requests for information to a party shall be filed with the commission within 20 days from the date of the filing with the commission of an application, petition, or statement of intent to change rates, and copies of such request for information shall be sent by certified mail, return receipt requested, to all parties of record and the commission's general counsel. All answers to requests for information must be filed within 20 days from receipt of the request for information by the party.

(2) Any utility filing an application, petition, or statement of intent to change its rates must file all of its evidence, including the prepared testimony of all of its witnesses and exhibits, on the same date that such application, petition, or statement of intent to change its rates is filed with the commission. In addition, such filing shall include an opinion of an independent public accountant showing that an independent examination of the book amounts and accounting adjustments of the filing utility have been made and the results thereof for the 12-month test year. A utility filing for a change in rates shall be prepared to go forward at a hearing on the data which have been previously submitted and sustain the burden of proof of establishing that its proposed changes are just and reasonable, and the material submitted as the filing and supporting work papers shall be of such composition, scope, and format

so as to serve as the utility's complete case. Eleven sets of the application, petition, or statement of intent to change rates, rate filing package, working papers, supporting data, prepared testimony, and exhibits shall be submitted and filed with the commission, each securely bound in a cover. The book data included in the schedules and information required to be prepared and submitted as part of the filing shall be reported in a separate column or columns. All adjustments to book amounts shall also be shown in a separate column or columns so that book amounts, adjustments thereto, and adjusted amounts will be clearly disclosed, and any separation and allocation between interstate and intrastate operations shall be fully disclosed and clearly explained. In addition [to the foregoing], the utility must complete *and submit 11 copies of* the commission-prescribed rate filing package and all the applicable schedules contained therein in order to complete an original filing, and failure to file such complete rate filing package shall be considered an incomplete filing, and any application or statement of intent to change rates shall be subject to being dismissed and any time limits shall not begin to run thereon.

(3) All intervenors or protestants shall file their prepared testimony and exhibits, if any, within 45 days from the date of the original filing.

(4) The commission staff shall not be required to pre-file its prepared testimony of witnesses or exhibits and shall not otherwise be required to present its case prior to any proceeding thereon.

(5) *The items in the rate filing package may be modified by the commission for good cause.*

(b) In any other proceeding before the commission, the commission or its hearings examiner may require by order that motions in intervention, protests, requests for information, answers to requests for information, and prepared testimony and exhibits be filed prior to the date set for hearing.

(c) *The times for filing set out in this rule may be modified by the commission for good cause.*

Issued in Austin, Texas, on August 17, 1976.

Doc No. 764548 Roy J. Henderson
Director of Hearings and
Secretary
Public Utility Commission of
Texas

Effective Date: August 26, 1976

Expiration Date: December 9, 1976

For further information, please call (512) 475-7921.

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

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

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

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Texas Adjutant General's Department

Personnel Rules and Procedures

Application Procedures and Policies for State Employment 204.01.01

The Texas Adjutant General's Department is proposing to amend Rule 204.01.01.004 to make clear that any pre-employment interviews other than initial interviews need not be held at the time of initial application for state employment, but rather as deemed necessary by the selecting official.

Public comment on the proposed amendment to Rule 204.01.01.004 is invited. Comments may be submitted in writing to Captain Jack L. Slayton, Judge Advocate General, Texas Adjutant General's Department, P.O. Box 5218, Austin, Texas 78763. Comments will be accepted until September 24, 1976.

This amendment is proposed under the authority of Article 5781, Texas Civil Statutes.

.004. Application and Interview. Applicants for employment with this department will report to the State Personnel Office for an initial interview and complete an application. *Further interviews will be requested as deemed necessary by the selecting official.* [If a vacancy exists for which the applicant has made application, the applicant will then be sent to the appropriate supervisor for interview.]

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

Doc. No. 764558 Jack L. Slayton
Judge Advocate General
Texas Adjutant General's
Department

Proposed Date of Adoption: October 7, 1976

For further information, please call (512) 475-5057.

Texas Aeronautics Commission

Aviation Facilities Development Rules

105.03.00.001-.009

The Texas Aeronautics Commission proposes to repeal Rules 105.03.00.001-.009 upon adoption of Proposed Rules 105.03.00.101-.120. The existing rules have been incorporated in the proposed rules and are therefore no longer necessary.

Comment on the proposed repeal of Rules 105.03.00.001-.009 may be submitted in writing to John G. Soule, General Counsel, Texas Aeronautics Commission, P.O. Box 12607, Capitol Station, Austin, Texas 78711.

The repeal of these rules is proposed under the authority of Article 46c, Texas Civil Statutes.

.001. Airport Aid Procedures and Hearings. The following shall be the rules and procedures governing appearances before the commission at its public hearings on matters concerning airport aid:

The director or his representative(s) is authorized to meet with any community so requesting and to discuss matters concerning airport aid.

After due consideration of all facts involved, the director shall formulate a recommendation to be presented to the commission.

Nothing in this order shall preclude anyone the right to appear in person before the commission in public hearing.

Hearings before the commission are informal in nature. Their function is to obtain information on which the commission may base its decisions, and in this respect, they are more like legislative committee hearings. In presenting one's case to the commission, one may appear in person or may be represented by attorney or by anyone else. No rules of evidence are adhered to, and in the event parties with opposing views appear on the same docket, no cross-examination is invited but will be permitted with the approval of the examining officials. Written, graphic, or pictorial material pertaining to the question under discussion may be presented to the commission before, during, or after the hearing, and no particular form or method of presentation is required. The commission places no arbitrary limits on the lengths of the presentations but requests that the limitation on their available time be taken into consideration and that both oral and written presentations be as concise as possible.

.002. *Airport Grant Applications.* The director shall establish and maintain set procedures whereby applications may be processed in an orderly and business-like manner consistent with this order and other policy directives of the commission. These procedures are to become effective immediately and are to remain in effect concurrently with this order.

.003. *Recommended Airport Requirements.* The following minimums are desired and encouraged under the Texas Airport Aid Program:

- (a) 100' x 3400' graded landing strip with a 50' x 3200' paved runway;
- (b) runway centerline to property line will be not less than 200 feet;
- (c) sufficient land or easement on either end of property to ensure that an approach minimum of 20 to 1 is attainable.

In the event the grantee community anticipates or is eligible for federal funds, sufficient land shall be available within the financial limitations of the grantee community to provide for minimum FAA requirements; and the commission shall not grant funds less than the amount necessary to finish the first step of construction, the first step of construction being at least a runway.

.004. *Airport Lighting.* It is the policy of the commission that all grant agreements shall include the following: "Where the authorized airport development project includes the installation of lighting, the sponsor agrees unconditionally that such lighting system would, whether automatically or manually, be in operation from sunset to sunrise."

.005. *Planning and Engineering.* The Texas Aeronautics Commission shall authorize reimbursement for costs of planning and engineering:

- (a) that were undertaken after September 1, 1965; and
- (b) that are reasonable and necessary for the development of that airport.

.006. *Retroactive Reimbursement of Costs.* It is the policy of this commission that no participation in airport development costs incurred prior to the issuance and acceptance of a grant shall be authorized subject to any applicant's right by written petition to request an exemption.

.007. *Advance Land Acquisition.* It is considered reasonable and proper that such land be counted as sponsorship within acceptable limitations and that the following Texas Aeronautics Commission policy shall prevail in regards to land acquisition for airport purposes:

- (a) Only airport lands acquired subsequent to May 13, 1946, may be accepted for sponsorship in making of a grant.
- (b) Only that land found necessary for airport purposes and that is reasonable in value may be considered for reimbursement.

.008. *Emergency Fund Regarding Airport Aid.* Any airport development funds appropriated by the legislature for any fiscal year, or carried forward from any previous fiscal year, and not already encumbered by specific grants approved by this commission, shall be made available to supplement existing grants to meet unforeseen cost overruns at such projects; and that in the event of an overrun which does not exceed 15 percent of the estimated original cost of the project, the commission's engineer is permitted to authorize such overrun cost against these funds for the purpose of protecting the funds already expended; and that in the event such overrun exceeds 15 percent of the original estimated cost of the project but does not exceed 25 percent, the commission's engineer is permitted to authorize such overrun cost against these funds with the approval of the director for the purpose of protecting the funds already expended; and that this order is subject to the provision of Article 46c-6(6) (1973) of the Texas Revised Civil Statutes Annotated requiring that all grants of funds be approved by the commission.

.009. *Heavy Equipment Fund.* The sum of \$5,000 will be set aside for the purpose of maintaining and operating the equipment furnished by the federal government under the grant provisions and contractual arrangements agreed to and as herein stated.

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

Doc. No. 764571 John G. Soule
 General Counsel
 Texas Aeronautics Commission

Proposed Date of Adoption: October 12, 1976

For further information, please call (512) 475-4768.

105.03.00.101-.120

The Texas Aeronautics Commission is proposing to adopt Rules 105.03.00.101-.120 to replace the commission's existing Aviation Facilities Development Rules. The proposed rules codify, clarify, and simplify procedures for administering the Texas Airport Aid Program. No substantive changes in the program are being proposed. Upon adoption of these proposed rules, Existing Rules 105.03.00.001-.009 will be repealed.

Public comment on the proposed rules is invited. Comments may be submitted in writing to John G. Soule, General Counsel, Texas Aeronautics Commission, P.O. Box 12607, Capitol Station, Austin, Texas 78711. Comments will be accepted until September 30, 1976.

These rules are proposed under the authority of Article 46c, Texas Civil Statutes.

.101. Purpose of Rules. The purpose of these rules is to set forth in a clear and concise manner the procedures, guidelines, and standards utilized to administer the Texas Airport Aid Program. These rules shall be construed liberally, with a view toward the purpose for which they were adopted.

.102. Scope of Rules. These rules shall be applicable to all applications for state aid for the construction, enlargement, repair, or planning of airports or air navigational facilities. These rules shall not be construed or interpreted so as to abridge, enlarge, modify, or otherwise change the authority of the commission or the substantive rights of any person.

.103. Definitions. As used in these rules, unless expressly stated otherwise:

(a) "The act" means the Texas Aeronautics Act, Article 46c-1 *et seq.*, Texas Civil Statutes.

(b) "The agency" means the Texas Aeronautics Commission.

(c) "Airport" means an area of land that is maintained for the landing and takeoff of aircraft and for receiving and discharging passengers and cargo.

(d) "Airport hazard" means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at any airport or is otherwise hazardous to such landing or taking off of aircraft. For further definition, see Article 46c-1(2), Texas Civil Statutes.

(e) "Applicant" means any eligible party or parties who are seeking state aid under the program.

(f) "Chief airport engineer" means the member of the staff responsible for administering the details of the program.

(g) "Commission" means the decision-making body composed of the appointed members of the Texas Aeronautics Commission.

(h) "Director" means the executive director of the Texas Aeronautics Commission.

(i) "Grant application" means a formal written ap-

plication for state aid which imposes certain obligations on the applicant if a grant offer is later accepted.

(j) "Grant agreement" means a formal written agreement between a sponsor and the agency which imposes certain obligations on both the sponsor and the agency.

(k) "Program" means the Texas Airport Aid Program.

(l) "Project" means construction, enlargement, repair, or planning of an airport or air navigational facility as part of the program.

(m) "Sponsor" means an applicant who has accepted a grant offer from the agency and has executed a grant agreement.

(n) "Staff" means employees of the agency.

.104. Eligibility. Any municipality, city, town, village, or county of the State of Texas whose population did not exceed 75,000 at the time of the last federal decennial census or any agency of the State of Texas with a governing board authorized to operate airports is eligible for aid under the program.

.105. Amount of Grant. Grants will be 50-50 state-sponsor matching grants with the maximum grant to any applicant in any one fiscal year being \$50,000. An applicant's matching funds may be in cash, in kind, or a combination of both.

.106. Grant Applications. Prior to the approval of any grant by the commission, the applicant shall submit a grant application in the form promulgated by the staff. The application shall contain covenants that, if a grant is approved and a grant offer is accepted:

(a) the airport or air navigational facility will remain under the applicant's control for at least 20 years;

(b) at least 50 percent of the total project cost will be provided from sources other than the State of Texas; and

(c) the applicant has the ability to finance and operate the airport or air navigational facility.

The application shall include a general description of the proposed project, the amount of state aid requested, the estimated total cost of the project, the source and availability of funds, and the estimated date that the project will begin.

To ensure adequate planning, the application shall also include:

(a) the location and a general description of land involved, including present ownership and the expected means of acquisition if not now owned;

(b) a narrative statement of how the project is to be accomplished;

(c) a narrative statement of planned aviation promotion and development after completion of the proposed project; and

(d) a narrative statement of expected community action to preserve the completed project for long-term aviation use.

The submission of an application neither insures inclusion of the proposed project in the program nor obligates the applicant to perform any services or to expend any funds. An application indicates an applicant's desire to be included in the program and provides a basis for programming available funds and approving grants.

.107. Evaluation and Determination of Need. Upon receipt of a grant application, the staff shall initiate an investigation to evaluate all facts pertinent to the proposed project. After such investigation, the staff shall make a preliminary determination as to whether a need exists for the project, including a determination of what priority, if any, the application should have over other requests for state aid.

In addition to the requirements imposed by statute, the need for a project shall be assessed in light of existing airports or air navigational facilities in the area and the overall needs of the state as specified in the Texas Airport System Plan, with due emphasis being placed on the following:

- (a) Operational safety.
- (b) Project urgency: How essential or significant is the need for the proposed project at this time in relation to requests of other applicants? Must the project be completed with this year's funds? What will be the consequences if the grant is not approved?
- (c) Preservation of existing facilities: Will the project prevent damage, deterioration, or loss of an existing facility?
- (d) Reliever capability: Will the proposed project alleviate traffic congestion at existing airports where such a problem exists?
- (e) Isolation of the community to be served by the proposed project.

.108. Programming. Prior to any commission meeting at which the allocation of program funds and the approval of grants will be considered, the staff shall provide to the commission and make available to all applicants (1) a list of all current grant applications, with a brief description and explanation of each application, and (2) staff recommendations as to allocation of funds and approval of grants based on the evaluations and determinations made pursuant to Rule .107 of these rules.

Only current applications will be considered for grants. Applications remain current for a period of one year from the filing thereof. New or updated applications may be submitted at any time.

.109. Approval of Grants and Allocation of Funds. A two-thirds vote of the entire commission is required for the approval of a grant under the act. Once a grant has been approved, the funds for such grant will be encumbered until disbursed to the sponsor or until the grant is cancelled or the project completed.

.110. Public Appearances at Commission Meetings. Any applicant, sponsor, or other person may appear before the commission at any meeting to be heard on matters relating to a project or proposed project. Appearances may be in person or by representative. Prepared materials pertaining to the discussion may be presented during the meeting. No particular form or style of presentation is required and the formal rules of evidence do not apply. Presentations should be as concise as possible. The commission reserves the right to limit the length of presentations.

.111. Grant Agreements.

(a) Procedure. After a grant has been authorized by the commission and all requirements imposed on the applicant have been satisfied, including the submission and approval of plans and specifications, a grant offer will be issued by the director. Prior to the disbursement of any funds by the agency, the applicant must accept the grant offer. Acceptance shall be in the manner provided by law for entering into binding contractual agreements.

Upon execution by the applicant, the offer and acceptance shall constitute a grant agreement between the agency and the sponsor. The agency and the sponsor shall be bound by all of the terms and conditions of the grant agreement. The executed grant agreement and certified proof of lawful acceptance shall be returned to the agency.

(b) Terms and conditions. In addition to all other requirements imposed by law or by these rules, all grants approved by the commission shall be subject to the following terms and conditions:

- (1) The period of the grant agreement shall be 20 years from the date of a sponsor's acceptance.
- (2) The airport or navigational facility shall remain under the sponsor's control during the period of the agreement.
- (3) The airport or navigational facility shall be maintained by the sponsor in a safe and serviceable condition during the period of the agreement.
- (4) Consistent with safety and security requirements, a sponsor shall make the airport or navigational facility available to all users and shall provide adequate public access during the period of the agreement.
- (5) The sponsor shall not grant or permit anyone to exercise an exclusive right for the conduct of any aeronautical activity on or about an airport project landing area. Aeronautical activities include, but are not limited to, scheduled airline flights; charter flights; flight instruction; aircraft sales, rental, and repair; and aerial application. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting, and navigational aids.
- (6) Land identified in a sponsor's grant application and attorney's certificate of title shall be pledged to

airport use and shall not be removed from such use without prior written approval of the commission.

(7) A sponsor shall carry out and complete a project without undue delay and in accordance with the plans and specifications submitted to and approved by the staff.

(8) A sponsor, if requested by the agency, shall submit to the agency annual statements of airport or air navigational facility revenues and expenses.

(9) All fees collected for use of an airport or navigational facility constructed with funds granted under the program shall be reasonable and non-discriminatory. The proceeds of such fees shall be used solely for the development, operation, and maintenance of the airport or navigational facility.

(10) All development of an airport constructed with program funds shall be consistent with the airport layout plan approved by the staff and maintained by the sponsor. A reproducible copy of such plan, and all subsequent modifications thereto, shall be filed with the agency for approval by the staff.

(11) When airport lighting is part of a project, the sponsor shall operate such lighting from sunset to sunrise following completion of the project.

(12) The agency shall not be a party to any contract or commitment which a sponsor may enter into or assume in carrying out a project.

(c) Amendments and cancellation. A major amendment to or cancellation of a grant agreement requires a two-thirds vote of the entire commission. Minor amendments to a grant agreement may be made by the director at his discretion. The director shall determine what constitutes a major or minor amendment. A sponsor may appeal the director's determination to the commission by filing with the director a written statement of its specific objections. The director shall forward the statement of appeal to the commissioners.

.112. Public Hearings on the Project in the Local Community. Prior to accepting any grant offer issued by the agency and after sufficient notice of the time and place of such hearing, an applicant shall conduct a public hearing in the community where a project is proposed. Such hearing will afford interested parties an additional opportunity to be heard concerning a proposed project. The staff shall be represented at the hearing. A record of the hearing shall be maintained in the agency's files.

.113. Supplemental Grants. All airport development funds appropriated by the legislature for any fiscal year or carried forward from any previous fiscal year and not encumbered by specific grants approved by the commission shall be available to supplement existing grants to meet unforeseen cost overruns. The chief air-

port engineer may authorize supplemental grants to cover cost overruns not exceeding 15 percent of the original estimated cost of a project. The director may authorize supplemental grants to cover cost overruns not exceeding 25 percent of the original estimated cost of a project.

.114. Eligible Costs. Only costs necessary and proper for completion of a project will be eligible for reimbursement under a grant approved by the commission. The staff shall make a preliminary determination as to the allowability of payments for eligible costs. Such determination of allowability shall be final unless appealed by the sponsor to the commission. An appeal shall be filed in writing with the director who shall forward same to the commission for its consideration. Unless specifically authorized by the commission or by these rules, no costs incurred prior to the approval of a grant will be eligible for reimbursement.

.115. Grant Payments. Grant payments to the sponsor may be authorized upon application to the agency. Such payments will be in proportion to the amount of the project satisfactorily completed at the time of the payment application. Not more than 90 percent of the total grant will be paid prior to the completion of the project. The last 10 percent of the grant will be paid only after the staff has inspected and approved the completed project.

.116. Airport Zoning and Compatible Land Use. Insofar as is reasonable and within the sponsor's power, the sponsor shall, either (1) by acquisition and retention of easement or other interest in or rights to the use of land or airspace or (2) by the adoption and enforcement of comprehensive zoning regulations, take action to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities compatible with normal airport operations. To assist the sponsor in implementing these measures, the agency, upon request from a sponsor, will (1) prepare a zoning map, (2) provide a model zoning ordinance/order and procedures for the community to pass such ordinance/order, (3) act as an airport zoning commission, and (4) provide any other necessary assistance with respect to airport zoning pursuant to the Texas Airport Zoning Act, Article 46c-1 *et seq.*, Texas Civil Statutes. No sponsor shall be eligible for a subsequent grant under the program unless the sponsor has adopted and passed an airport hazard zoning ordinance/order.

.117. Land.

(a) Minimum requirements. No construction project will be considered for a grant unless the applicant can assure the acquisition of sufficient land for development, operation, and maintenance of the airport or air navigational facility. This requirement shall include

the amount of land needed for construction of necessary runways, taxiways, aircraft parking areas, and for initial and future construction of necessary structures, such as hangars

(b) Eligible costs. Only the cost of land needed for present and future development of an airport or air navigational facility is an eligible cost under the program. The cost of land acquired subsequent to May 13, 1946, but prior to the approval of a grant, and considered necessary for the project is an eligible cost under the program.

(c) Title. To the maximum extent possible, land to be utilized for a project under the program shall be held by the sponsor in fee simple, free and clear of all liens, easements, leases, and other adverse interests or encumbrances. Exceptions will be made only when it is impossible or impractical for the sponsor to acquire such title and the chief airport engineer determines that lesser title will not interfere with or adversely affect the present and future development, operation, and maintenance of the airport or air navigational facility.

(d) Certificate of title. The sponsor's attorney shall execute and mail to the agency a certificate of title in the form promulgated by the staff, indicating the sponsor's title to all land involved in a project.

.118. *Technical Services.* Insofar as is reasonably possible, engineering and technical service relating to airports and air navigational facilities will be provided by the staff to any person so requesting. The areas in which assistance is available include, but are not limited to, site selection, construction inspection, planning, airport layout and design, and airport hazard zoning. A charge may or may not be assessed for technical assistance.

.119. *Compliance.* If, after all reasonable attempts to assure compliance have failed, the commission finds

that a sponsor is unwilling or unable to comply with any of the terms and conditions of the grant agreement, the commission will (1) require a *pro rata* refund of money granted to the sponsor, (2) deny the sponsor's future requests for state aid, or (3) advise the attorney general to bring suit seeking reimbursement of amounts paid to the sponsor by the state pursuant to the grant agreement. To insure that a sponsor is in compliance with the terms and provisions of a grant agreement, the staff will make periodic inspections at the project site and shall immediately report to both the sponsor and the commission any noncompliance with or violation of the terms and provisions of the grant agreement.

.120. *Planning Grants.* Grants for planning shall also be available to eligible parties under the Texas Airport Aid Program. The primary purpose of such planning shall be to determine the facilities required to meet a community's short, intermediate, and long-term aviation needs. The need for a planning grant will be evaluated in light of the overall needs of the state as specified in the Texas Airport System Plan with due emphasis placed on complex situations such as:

- (a) providing service to more than one community or region;
- (b) unresolved questions concerning site selection or airspace limitations;
- (c) unique environmental conditions;
- (d) unusual or unique aviation needs; and
- (e) an apparent surplus of facilities and/or land.

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

Doc. No. 764572 John G. Soule
General Counsel
Texas Aeronautics Commission

Proposed Date of Adoption: October 12, 1976

For further information, please call (512) 475-4768.

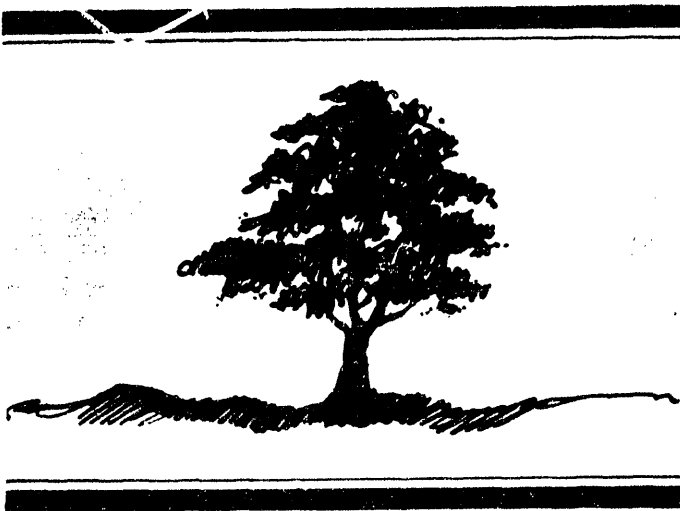
ADOPTED RULES

2453

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

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

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



Texas Commission for the Deaf

General Rules of Practice and Procedure

Rules and Regulations for Operations

332.01.01

The following rules are promulgated under the authority of Section 42, Article 4413, Vernon's Annotated Texas Statutes.

.001. Meetings.

(a) **Scheduling of meetings.** The commission shall hold at least six meetings a year. In addition, special meetings may be held in response to a call by the chairman or in response to written requests by four members of the commission. Dates, times, and places shall be scheduled by the chairman upon recommendation of the executive director with the best interest of the commission and the greatest representation of commission members as a consideration. The best interest of the commission in regard to convenience, funds, etc., must be considered in determining the sites of the meetings. All meetings, except those of executive sessions, shall be open to the public.

(b) **Agendas.** The chairman, with the assistance of the executive director, shall prepare and submit to each member of the commission prior to each meeting a preliminary copy of the agenda, outlining items that he believes should be considered by the commission, those required by law, and others as members have requested. Materials supplementing the agenda may be included. Official agendas are distributed the day of the commission meeting.

(c) **Quorum.** Four members of the commission shall constitute a quorum.

(d) **Rules of order.** The commission shall observe *Robert's Rules of Order Revised* except as otherwise provided by commission policies of this chapter or by statute.

(e) **Minutes.** "Official minutes" are those which the recording secretary prepares, the commission approves at a regular or special meeting, and are affixed with the original signature of the chairman and the secretary. Drafts of the minutes shall be forwarded to each member for review and comments or corrections prior to approval by the commission. Official minutes shall be kept in the office of the executive director to be available to a citizen desiring to examine them.

.002. **Officers.** The officers of the commission shall be a chairman, a vice-chairman, and a secretary, and such other officers as the commission shall from time to time elect.

(a) Elections.

(1) Officers shall be elected at the meeting held in August or September and shall take office effective October 1st each year.

(2) For the election of any officer, a simple majority vote of those present is needed, if members constitute a quorum. Officers may be re-elected. Should resignation, death, or incapacity for any reason create a vacancy in the office of chairman or vice-chairman, the other officers shall, at the next regular meeting, conduct an election to fill the unexpired portion of the former officer's term.

(b) Duties of chairman and vice-chairman.

(1) The chairman shall preside at all meetings.

In his absence, the vice-chairman shall preside and shall assume all other duties as the statutes and constitution provide.

(2) In case the office of chairman becomes vacant, the vice-chairman shall serve until a successor has been named.

(3) The chairman shall approve all expenditures for equipment and supplies which exceed \$500.

.003. *Executive Director.* The commission shall employ an executive director to serve as the chief administrative officer of the commission.

(a) The executive director shall be appointed to serve at the pleasure of the commission.

(b) To be qualified to serve in the position of executive director, a person should preferably be a deaf or hard-of-hearing person. In addition, the executive director should preferably have five or more years experience in programs serving the deaf or hard-of-hearing.

(c) *Duties.* The executive director shall:

(1) be the executive head of the commission and shall have the usual administrative responsibilities, including full authority to employ all personnel necessary to the discharge of the agency's staff responsibility;

(2) keep accurate account of the expenditure of funds appropriated to, or funds, gifts, equipment, or property acquired by, the commission;

(3) keep accurate minutes of all transactions and minutes of the commission;

(4) establish, maintain, and be administratively responsible for the commission's headquarters or offices;

(5) be custodian of all files, records, and materials for the commission;

(6) follow directives of the commission and operating procedure and laws of the state;

(7) furnish leadership in the development of the objectives and purpose of the commission as prescribed by law or the constitution; and

(8) represent the commission in any and all matters for which no other provisions are covered.

.004. *Funding.* The commission shall approve budget requests as prepared by the executive director and approve operating budgets of appropriated funds and funds from other sources as permitted by the constitution and the laws establishing the commission.

.005. *Policies of the Commission.*

(a) *Policy goals.* The commission conducts all business of the commission through the executive director. Policies of the commission are those arrived at when the commission is in official session with a quorum present. Members of the commission shall avoid implying that an individual's opinion represents the opinion or policy of the commission.

(b) *Adoption and amendment of commission policies.* Specific policies may be adopted or amended under the following conditions:

(1) Each member of the commission shall be furnished a copy of a proposed new policy or a proposed amendment in the preliminary and official agenda for the meetings at which it is to be considered.

(2) An affirmative vote by four members of the commission is required for the adoption of a new policy or policy amendment.

(3) New or amended policies shall be effective on the date of adoption unless otherwise specified.

Issued in Austin, Texas, on August 25, 1976.

Doc. No. 764545 Carl P. Roberts
Executive Director
Texas Commission for the Deaf

Proposed Date of Adoption: September 19, 1976

For further information, please call (512) 475-2492.

Texas Education Agency State Commissioner of Education Adoption by Reference 226.13.93

The Texas Education Agency has amended Rule 266.13.93.010, the permanent adoption by reference of the *Network-System Plan for Computer Services*. The plan has been updated.

The proposed updated plan was made available for public comment and review. Rule 226.13.93.010 was adopted with one change in the text proposed: the plan is dated simply 1976, rather than April, 1976.

This rule is promulgated under the authority of Section 11.33(d), Texas Education Code.

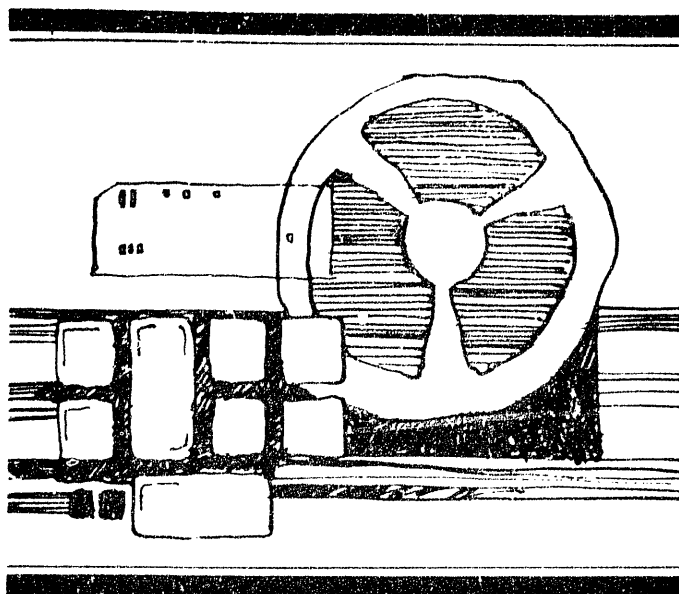
.010. *Network-System Plan for Computer Services.* The rules for computer services are described in the official Texas Education Agency Bulletin, *Network-System Plan for Computer Services, 1976*, which is adopted by this reference as the agency's official rule. A copy is available for examination during regular office hours, 8 a.m. to 5 p.m., except holidays, Saturdays, and Sundays, at the Texas Education Agency Building, 201 East 11th Street, Austin, Texas.

Issued in Austin, Texas, on August 25, 1976.

Doc. No. 764549 M. L. Brockette
Commissioner of Education

Effective Date: September 19, 1976

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



Office of the Governor

Criminal Justice Division

Rules and Guidelines of the Criminal Justice Division

The Law Enforcement Assistance Administration, under the authority of Public Law 93-83, Crime Control Act of 1973, and Public Law 93-415, Juvenile Justice and Delinquency Prevention Act of 1974, has issued Guideline Change G4340.1A, Chg-1, Variable Pass-Through Classification Procedures and Percentages, dated August 5, 1976 which is required to be implemented on the issue date. The guideline change was delivered to the Criminal Justice Division subsequent to August 24, 1976.

The Criminal Justice Division, under the authority of Public Law 90-351, Title I, Omnibus Crime Control and Safe Streets Act of 1968 as amended by Public Law 91-644, Omnibus Crime Control Act of 1970, and Public Law 93-83, Crime Control Act of 1973; and Public Law 93-415, Juvenile Justice and Delinquency Prevention Act of 1974, and rules and guidelines promulgated by the Law Enforcement Assistance Administration; and the provisions of Section 10(a)(3), Article 6252-13, Vernon's Annotated Civil Statutes, adopts by reference Guideline Change G4340.1A, Chg-1, Variable Pass-Through Classification Procedures and Percentages, and amends Rule 001 55.02.006, LEAA Guidelines Adopted by Reference, by adding a new subsection, (aaa) G4340.1A, Chg-1, Variable Pass-Through Classification Procedures and Percentages.

.006. LEAA Guidelines Adopted by Reference.
(aaa) G4340.1A, Chg-1, Variable Pass-Through Classification Procedures and Percentages.

Issued in Austin, Texas, on August 24, 1976.

Doc. No. 764555 Robert C. Flowers, Executive
Director
Criminal Justice Division
Office of the Governor

Effective Date: August 5, 1976

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

Texas State Library

Rules for Library Development

Guidelines for System Grants in FY 1977

351.20.03

This rule is promulgated under the authority of Article 5446a, Vernon's Annotated Civil Statutes.

.001. Adoption by Reference. The Texas State Library adopts by reference all rules contained in the *Guidelines for System Grants for 1977*.

Issued in Austin, Texas, on August 18, 1976.

Doc. No. 764557 Dorman H. Winfrey
Director and Librarian
Texas State Library

Effective Date: September 19, 1976

For further information, please call (512) 475-8651.

Texas Water Rights Commission

Water Districts

Sanitary Sewer System Rules and Regulations 129.09.60

The Texas Water Rights Commission has adopted its proposed amendment to Rule 129.09.60.001 with a change in the proposed text: "September 1, 1976" has been changed to "October 1, 1976" in Sections (e) and (f) of the rule. This change was made to give water districts another month to adopt and file the prescribed rules with the commission. This amendment became effective as an emergency rule on July 16, 1976. The purpose of this notice is to communicate that the commission is adopting the rule as a permanent rule.

The Texas Water Rights Commission, by authority of Section 6.055, Texas Water Code, has amended Rule 129.09.60.001 to read as follows:

.001. *Sanitary Sewer Service Lines and Connection.* All water districts which provide and propose to provide sanitary sewer service shall:

(a) adopt rules and regulations governing the construction of commercial and/or household sewer service lines and connections to the district's sanitary sewer system;

(b) complete and have operable sewer collection lines and treatment plant before any sewer connections are authorized;

(c) establish an inspection program to ensure that all new commercial and household connections are made in accordance with accepted construction practices prior to authorizing covering (back fill) of the service line trench;

(d) require that the district's inspector certify in writing that the sewer connection was installed in accordance with accepted construction practices and in compliance with the district's rules and regulations governing this type of work;

(e) prior to October 1, 1976, submit for commission approval copies of its rules, regulations, inspection procedures, method of certification, and method of financing;

(f) upon submission of each bond application, document to the commission that a sewer service connection inspection program was in force for all connections made after October 1, 1976, and that certification by the district's inspector is on file in the district's records.

Note: Suggested rules and regulations may be obtained from the commission on request. Strict enforcement of such rules will eliminate infiltration/inflow problems in service lines, sewage treatment plant overload and, as a result, reduce operation and maintenance costs.

Issued in Austin, Texas, on August 31, 1976.

Doc. No. 764587 Robert E. Schneider
Executive Director
Texas Water Rights Commission

Effective Date: September 20, 1976

For further information, please call (512)475-2711.

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

State Board of Control Meeting

A meeting of the State Board of Control will be held on Friday, September 10, 1976, 10 a.m., at 111 East 17th, Austin. The board will consider the authority to negotiate the purchase of rare books and literary collections; applications for burial in the state cemetery; proposed bill drafts for statutory changes; proposed construction of security guard booth at north entrance of the capitol; use of Board of Control property located near Barton Springs in Austin; informational items; and monthly reports. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Homer A. Foerster, Room 914, Lyndon B. Johnson Building, Austin, Texas 78701, telephone (512) 475-2211.

Filed: August 26, 1976, 12:36 p.m.
Doc. No. 764546

Texas County and District Retirement System Meeting

A meeting of the Board of Trustees of the Texas County and District Retirement System will be held on Thursday, September 9, 1976, 9 a.m., at the Hyatt Regency Hotel, 1200 Louisiana Street, Houston, to discuss applications for benefits, actuarial matters, and contribution rates. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from J. Robert Brown, 802 Perry Brooks Building, Austin, Texas 78701, telephone (512) 476-6651.

Filed: August 30, 1976, 2:54 p.m.
Doc. No. 764566

Credit Union Commission Cancellation of Meeting

A meeting of the Credit Union Commission of the Credit Union Department scheduled for Tuesday, September 14, 1976, 11 a.m., at Suite 206-E, 1106 Clayton Lane, Austin, is cancelled due to lack of a quorum. The subject was to have been a proposed regulation concerning electronic data processing for credit unions. The meeting will be re-scheduled at a later date.

Additional information may be obtained from Harry L. Elliott, Suite 206-E, 1106 Clayton Lane, Austin, Texas 78723, telephone (512) 475-2295.

Filed: August 31, 1976, 10:43 a.m.
Doc. No. 764274a

Meeting

A meeting of the Credit Union Department will be held on Tuesday, September 21, 1976, 11 a.m. in Suite 206-E, 1106 Clayton Lane, Austin, to consider action on the proposed regulation pertaining to electronic data processing for credit unions.

Additional information may be obtained from Harry L. Elliott, 1106 Clayton Lane, Austin, Texas 78723, telephone (512) 475-2295.

Filed: September 2, 1976, 10:07 a.m.
Doc. No. 764629

Texas Education Agency Meeting

A meeting of the Proprietary School Advisory Commission of the Texas Education Agency will be held on Tuesday, September 14, 1976, 10 a.m., at the Texas Education Agency Building, 11th and Brazos, Austin, to consider staff reports, changes in guidelines, revised application forms, and other business.

Additional information may be obtained from Janice Boyd, 201 East 11th Street, Austin, Texas 78701, telephone (512) 475-2246.

Filed: September 2, 1976, 11:11 a.m.
Doc. No. 764632

State Board of Education Meeting

A meeting of the State Board of Education will be held on Saturday, September 11, 1976, 8:30 a.m., at 150 East Riverside Drive, Austin. The board will consider appeals from decision of the commissioner; appointment of the commissioner for a four-year term; agency administration; biennial budgets for TEA and schools for the deaf and for the blind; priorities of the board; teacher certification; standards for teacher education; State Board of Examiners for Teacher Education; vocational education; accreditation; pupil attendance accounting; pupil transportation services; authorization to accept grant for gifted/and talented; and other business.

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

Filed: September 2, 1976, 11:11 a.m.

Doc. No. 764633

Employees Retirement System of Texas

Meeting

A meeting of the Board of Trustees of the Employees Retirement System of Texas will be held on Monday, September 13, 1976, 10 a.m., at 1705 San Jacinto, Austin, to discuss reports of various retirement and death benefits, investments, actuarial valuation, building expansion, and group insurance.

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

Filed: September 1, 1976, 10:08 a.m.

Doc. No. 764591

Governor's Energy Advisory Council

Emergency Meeting

An emergency meeting of the staff representatives of the Governor's Energy Advisory Council was held on Wednesday, September 1, 1976, 2 p.m., at the Fifth Floor Conference Room, 7703 North Lamar, Austin, to discuss the 1978-79 budget and prepare for the council meeting.

Additional information may be obtained from Susan Conway, 7703 North Lamar, Austin, Texas 78752, telephone (512) 475-5491.

Filed: August 31, 1976, 10:04 a.m.

Doc. No. 764584

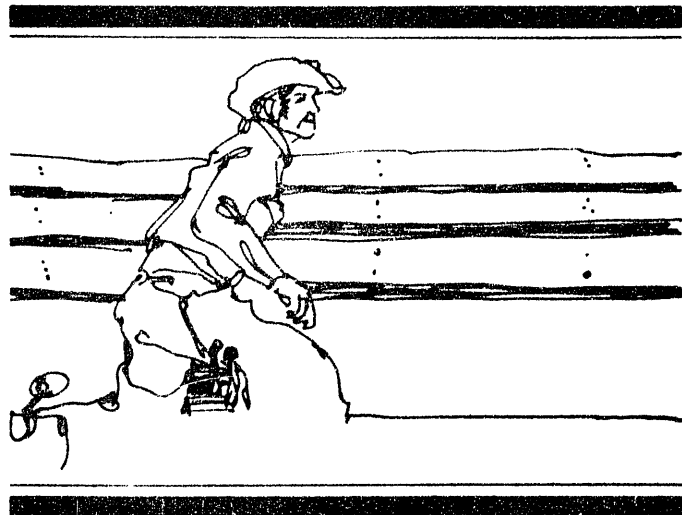
Emergency Meeting

An emergency meeting of the Governor's Energy Advisory Council was held on Thursday, September 2, 1976, 2 p.m., on the Senate Floor of the State Capitol, Austin, to discuss the budget, appointments, research, legislation, and reports. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Susan Conway, 7703 North Lamar, Room 502, Austin, Texas 78752, telephone (512) 475-5491.

Filed: August 30, 1976, 3:39 p.m.

Doc. No. 764574



Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Governor's Energy Advisory Council held on Thursday, September 2, 1976, 2 p.m., on the Senate Floor, State Capitol, Austin. The agenda included consideration of GEAC Program and Policy Status Report; the legislative report; potential endorsement for Air Products and Chemicals, Inc.; and the budgets for FY 1977 and 1978-79.

Additional information may be obtained from Susan Conway, 7703 North Lamar, Austin, Texas 78751, telephone (512) 475-5491.

Filed: September 2, 1976, 10:29 a.m.

Doc. No. 764630

Joint Advisory Committee on Government Operations

Hearing

A hearing by the Natural Resources Subcommittee of the Joint Advisory Committee on Government Operations will be held on Tuesday, September 7, 1976, 9:30 a.m., in the Lieutenant Governor's Committee Room, State Capitol, Austin, to discuss the Good Neighbor Commission and the Governor's Office of Migrant Affairs. A work session will follow the hearing.

Additional information may be obtained from Jean Williams, 912 Stephen F. Austin Building, Austin, Texas 78711, telephone (512) 475-7876.

Filed: August 31, 1976, 3:09 p.m.

Doc. No. 764586

Texas Health Facilities Commission

Meeting

A meeting of the Texas Health Facilities Commission will be held on Thursday, September 9, 1976, 10 a.m., at Suite 450, One Highland Center, 314 Highland Mall Boulevard, Austin, to discuss applications for certificates of need, exemption certificates, and declaratory rulings.

Additional information may be obtained from William D. Darling, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-4601.

Filed: September 1, 1976, 11:27 a.m.

Doc. No. 764597

State Board of Insurance

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the State Board of Insurance held Thursday, September 2, 1976, 10 a.m., at Room 408, 1110 San Jacinto, Austin. The added item was the insuring of covered call options.

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

Filed: August 30, 1976, 2:52 p.m.

Doc. No. 764561

Emergency Meeting

An emergency meeting of the State Board of Insurance was held on Thursday, September 2, 1976, 10 a.m., in Room 408, 1110 San Jacinto, Austin, to consider the appointment of an industry advisory committee to review deductibles in the fire and allied lines field, and decisions on hearings and meetings previously held.

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

Filed: August 30, 1976, 11:18 a.m.

Doc. No. 764551

Meeting

A meeting of the State Board of Insurance will be held on Tuesday, September 7, 1976, 2 p.m., at Room 408, 1110 San Jacinto, Austin, to discuss the commissioner's report and decisions on hearings and meetings previously held.

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

Filed: August 30, 1976, 2:53 p.m.

Doc. No. 764563

Meeting

A meeting of the State Board of Insurance will be held on Thursday, September 7, 1976, 10 a.m., at Room 408, 1110 San Jacinto, Austin, to discuss decisions on hearings and meetings previously held.

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

Filed: August 30, 1976, 2:52 p.m.

Doc. No. 764562

Meeting

A meeting of the State Board of Insurance will be held on Wednesday, September 8, 1976, 2 p.m., at Room 408, 1110 San Jacinto, Austin, to discuss decisions on hearings and meetings previously held.

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

Filed: August 30, 1976, 2:53 p.m.

Doc. No. 764564

Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Monday, September 13, 1976, 9 a.m., in Room 343, 1110 San Jacinto, Austin, to consider Guaranty Abstract Company, Marlin; Hardeman County Abstract Company, Quanah; Howard County Abstract Company, Big Spring; Lewisville Title Company, Lewisville; Person Abstract Company, Goliad; San Jacinto Title, Inc., Pasadena; and J. T. Taylor Abstract Company, Cooper; and the revocation of Title Insurance Agent's License under Article 9.37 of the Texas Insurance Code.

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

Filed: September 2, 1976, 8:47 a.m.
Doc. No. 764623

Hearing

A hearing by the Commissioner's Hearing Section of the State Board of Insurance will be held on Monday, September 20, 1976, 10 a.m., in Room 343, 1110 San Jacinto Street, Austin, to consider an application by American Exchange Life Insurance Company, Dallas, for an extension to hold real estate.

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

Filed: September 1, 1976, 8:54 a.m.
Doc. No. 764588

Texas Commission on Jail Standards

Meeting

A meeting of the Texas Commission on Jail Standards will be held on Tuesday, September 7, 1976, 10 a.m., in Room 2208, First City National Bank Building, Houston, to discuss a draft on jail operation and prisoner treatment and to finalize plans of a subcommittee for presentation to the commission.

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

Filed: August 30, 1976, 3:31 p.m.
Doc. No. 764570

State Board of Landscape Architects

Amendment to Agenda

The agenda of a meeting of the Texas State Board of Landscape Architects to be held on Thursday, September 16, 1976, 11 a.m., at the Hilton Hotel, 5600 North Central Expressway, Dallas, was amended to include a consideration of general business of the board.

Additional information may be obtained from Kathryn Mitchell, 320 Sam Houston Building, Austin, Texas 78701, telephone (512) 475-3530.

Filed: August 30, 1976, 2:52 p.m.
Doc. No. 764560

Legislative Budget Board Meeting

A meeting of the Legislative Budget Board will be held on Monday, September 13, 1976, 9 a.m., in Room 301, State Capitol, Austin, to consider appropriation requirements for the 1978-1979 biennium.

Additional information may be obtained from the Legislative Budget Office, Room 207-A, State Capitol, Austin, Texas 78711, telephone (512) 475-3426.

Filed: September 2, 1976, 10:46 a.m.
Doc. No. 764631

Texas Legislative Council Meeting

A meeting of the Property Tax Study Committee of the Texas Legislative Council will be held on Friday and Saturday, September 10-11, 10 a.m. each day, in Room 301 of the State Capitol, Austin, to discuss appraisal and assessment and taxpayers remedies.

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

Filed: August 30, 1976, 2:53 p.m.
Doc. No. 764565

State Board of Morticians Meeting

A meeting of the State Board of Morticians will be held on Monday through Thursday, September 13-16, 1976, 9 a.m. each day, at 1513 South Interstate 35, Austin (Monday only), and at 701 Congress, Austin, (Tuesday through Thursday), to discuss the budget, examinations, and other items of business. The complete agenda is posted in the East Wing of the State Capitol.

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

Filed: August 31, 1976, 9:45 a.m.

Doc. No. 764582

Texas Motor Vehicle Commission

Meeting

A meeting of the Texas Motor Vehicle Commission will be held on Monday, September 27, 1976, 2 p.m., in Suite 914, Brown Building, 708 Colorado Street, Austin, to consider the election of a chairperson and a vice-chairperson; consumer complaint of Dennis Ruppert; and the license application of George Grubbs Datsun.

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

Filed: September 2, 1976, 8:47 a.m.

Doc. No. 764622

Board of Nurse Examiners Meeting

A meeting of the Board of Nurse Examiners will be held Tuesday, Wednesday, and Thursday, September 14-16, 1976, 8:30 each day, in Suite 502, 7600 Chevy Chase Drive, Austin, to discuss disciplinary hearings; school survey reports; curriculum changes; and irregular applicants. A copy of the complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Margaret L. Rowland, 7600 Chevy Chase Drive, Austin, Texas 78752, telephone (512) 451-0201.

Filed: September 2, 1976, 8:48 a.m.

Doc. No. 764624

Pan American University Meeting

A meeting of the Board of Regents of Pan American University will be held on Wednesday, September 8, 1976, 2:30 p.m., at the Conference Room of the Administration Building, Pan American University, Edinburg, to discuss contemplated litigation in executive session.

Additional information may be obtained from Dr. Ralph F. Schilling, Pan American University, Edinburg, Texas 78539.

Filed: September 1, 1976, 10:46 a.m.

Doc. No. 764593

Meeting

A meeting of the Board of Regents, Academic and Developmental Affairs Committee, of Pan American University will be held on Wednesday, September 8, 1976, 3:30 p.m., at the Conference Room of the Administration Building, Pan American University, Edinburg, to consider faculty employment in executive session.

Additional information may be obtained from Ralph F. Schilling, Pan American University, Edinburg, Texas 78539, telephone (512) 381-2101.

Filed: September 1, 1976, 10:46 a.m.

Doc. No. 764594

Meeting

A meeting of the Board of Regents of Pan American University will be held on Wednesday, September 8, 1976, 4 p.m., at the Conference Room of the Administration Building, Pan American University, Edinburg, to discuss the employment of faculty members for the 1976-77 academic year.

Additional information may be obtained from Dr. Ralph F. Schilling, Pan American University, Edinburg, Texas 78539, telephone (512) 381-2101.

Filed: September 1, 1976, 10:46 a.m.

Doc. No. 764595

Board of Pardons and Paroles

Meeting

A meeting of the Board of Pardons and Paroles will be held Monday through Friday, September 13-17, 1976, 9 a.m. each day, at 711 Stephen F. Austin Building, Austin, to review cases of inmates for parole consideration, to act

on emergency reprieve requests and other acts of executive clemency, and to review reports regarding persons on parole.

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

Filed: September 1, 1976, 10:07 a.m.
Doc. No. 764590

Texas Parks and Wildlife Department

Emergency Addition to Agenda

An emergency amendment was made to the agenda of a meeting of the Parks and Wildlife Commission of the Texas Parks and Wildlife Department held on Tuesday, August 31, 1976, 9 a.m., in Room 105 of the John H. Reagan Building, Austin. The added item was final funding for the San Jacinto Battleground, Seminole Canyon, Lake Mineral Wells, and Lost Maples State Parks.

Additional information may be obtained from Perry Spalding, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-3074.

Filed: August 31, 1976, 9:02 a.m.
Doc. No. 764581

Meeting

A meeting of the Fisheries Division, Environmental Branch, of the Texas Parks and Wildlife Department will be held on Tuesday, September 14, 1976, 2 p.m., in Room 100, John H. Reagan Building, Austin. The agenda includes consideration of an application by Gunderland Marine Supply, Inc., Corpus Christi, to perform maintenance dredging of an existing boat basin and access channel at the company's storage and servicing facility; and an application by the City of Llano to remove sand and gravel from the Llano River.

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

Filed: September 1, 1976, 8:54 a.m.
Doc. No. 764589

Texas Board of Physical Therapy Examiners

Meeting

A meeting of the Texas Board of Physical Therapy Examiners will be held on Saturday, September 18, 1976, 9 a.m., at the Ramada Inn Central, Dallas, to discuss enforcement practices, the Licensing Act, the new roster, legislation, exam scores, and board appointments. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Garland Picou, 1106 Clayton Lane, Austin, Texas 78701, telephone (512) 475-7956.

Filed: August 30, 1976, 2:51 p.m.
Doc. No. 764559

Texas Private Employment Agency Regulatory Board

Meeting

A meeting of the Committee on Nurses Registries, Babysitting Services, and Talent Agencies of the Texas Private Employment Agency Regulatory Board will be held on Friday, September 10, 1976, 9 a.m., at Suite 752, 1212 Main Street, Houston, to take public testimony on proposed rules for nurses registries, babysitter registries, and talent and modeling agencies.

Additional information may be obtained from Larry E. Kosta, P.O. Box 12157, Austin, Texas 78711, telephone (512) 475-7026.

Filed: August 30, 1976, 2:51 p.m.
Doc. No. 764558

State Department of Public Welfare

Meeting

A meeting of the Medical Care Advisory Committee of the State Department of Public Welfare will be held on Saturday, September 11, 1976, 9 a.m., in Room 411, John H. Reagan Building, Austin, to discuss the commissioner's report; a program overview of the Generation

Connection; nurse registries and temporary staffing; fee differentials based on localities; implementation of MAC/EAC; EPSDT program; and Texas Admission and Review Program.

Additional information may be obtained from John F. Boff, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-6391.

Filed: September 1, 1976, 4:13 p.m.

Doc. No. 764600

Texas Optometry Board

Meeting

A meeting of the Texas Optometry Board will be held on Tuesday, September 7, 1976, 10 a.m., at the Airport Marina Hotel, Dallas-Fort Worth Airport. The board will conduct a formal hearing of a licensee and a general business meeting to consider a presentation by representatives of the Texas Department of Health Resources concerning the optometric survey form and to discuss and act on various forthcoming meetings of importance to the board and items of business, such as a letter concerning a lease exemption extension, an ad appearing in a magazine, an application for an advertising permit, a request for a duplicate license, and reports of counsels and committees. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Lois Ewald, Room 115, 603 West 13th Street, Austin, Texas 78701, telephone (512) 475-4133.

Filed: August 30, 1976, 2:18 p.m.

Doc. No. 764554

School Land Board

Meeting

A meeting of the School Land Board of the State of Texas will be held on Tuesday, September 7, 1976, 10 a.m., in Room 831, 1700 North Congress Avenue, Austin, to consider two applications to purchase excess acreage; six pooling agreements; one easement application, coastal public lands; three permit alterations requests; 19 permit renewals; one franchise agreement; one cabin permit; and preliminary reports concerning five proposed land trades.

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

Filed: August 30, 1976, 11:28 a.m.

Doc. No. 764552

Texas State Soil and Water Conservation Board

Meeting

A meeting of the Texas State Soil and Water Conservation Board will be held on Thursday, September 16, 1976, 8 a. m., at the Inca Room of the South Park Inn, 3102 South Loop 289, Lubbock, to discuss Section 208 activities, PL 566 watershed activities, state conservation awards, appointments, matching funds, district director election results, and other business.

Additional information may be obtained from Harvey Davis, 1009 First National Building, Temple, Texas 76501, telephone (817) 773-2250.

Filed: September 1, 1976, 10:46 a.m.

Doc. No. 764592

Teacher Retirement System of Texas

Meeting

A meeting of the Board of Trustees of the Teacher Retirement System of Texas will be held on Friday, September 10, 1976, 10 a.m., at the fourth floor of 1001 Trinity, Austin, to discuss and take action on investments, and to consider actuarial tables, pending litigation, purchase of additional property, and members benefits. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Shari Cooper, 1001 Trinity, Austin, Texas 78701, telephone (512) 477-9711, extension 201.

Filed: August 30, 1976, 3:25 p.m.

Doc. No. 764569

Meeting

A meeting of the Investment Advisory Committee of the Teacher Retirement System of Texas will be held on Friday, September 10, 1976, 10 a.m., at the fourth floor, 1001 Trinity, Austin, to discuss investments. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Shari Cooper, 1001 Trinity, Austin, Texas 78701, telephone (512) 477-9711, extension 201.

Filed: August 30, 1976, 3:24 p.m.

Doc. No. 764568

The University of Texas System

Meeting

A meeting of the Board for Lease of University Lands of The University of Texas System will be held on Tuesday, September 7, 1976, 9:30 a.m., at the Braniff Counselor's Club Press Room of the Dallas-Fort Worth Airport, to discuss transfer of funds, applications for amendments to gas pooling agreements, and reports to the board. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Maxine R. Dean, 210 West Sixth Street, Austin, Texas 78701, telephone (512) 471-5781.

Filed: September 1, 1976, 1:44 p.m.

Doc. No. 764599

Texas Water Rights Commission

Cancellation of Meeting

A meeting of the Texas Water Rights Commission scheduled for Tuesday, September 7, 1976, 10 a.m., has been cancelled because of a lack of a quorum. New notice will be issued for the following week.

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

Filed: August 26, 1976, 4:27 p.m.

Doc. No. 764547

Quasi-State Agencies

Meetings Filed August 30, 1976

The Sabine River Authority of Texas, Board of Directors, will meet at Lake Country Inn, Center, on September 7, 1976, at 10:30 a.m. Further information may be obtained from John W. Simmons, P.O. Box 579, Orange, Texas 77630, telephone (713) 883-9334.

The East Texas Council of Governments, Executive Committee, met in the Blue Room, Allied Citizen Bank Building, Kilgore, on September 2, 1976, at 2 p.m. Further information may be obtained from Don R. Edmonds, 5th Floor, Citizens Bank Building, Kilgore, Texas 75662, telephone (214) 984-8641.

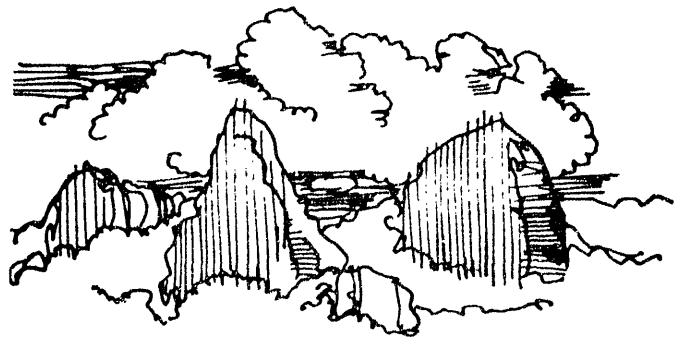
Doc. No. 764553

Meetings Filed August 31, 1976

The Alamo Area Council of Governments, Executive Committee, will meet at 532 Three Americas Building, San Antonio, on September 8, 1976, at 1:30 p.m. Further information may be obtained from Al J. Notzon III, 400 Three Americas Building, San Antonio, Texas 78205, telephone (512) 225-5201.

The Texas Municipal Power Agency and Texas Power Pool, Inc., Boards of Directors, met at the Pool Offices, 7111 Bosque Boulevard, Waco, on September 1, 1976, at 10 a.m. Further information may be obtained from Paul R. Cunningham, 7111 Bosque Boulevard, Waco, Texas 75234, telephone (817) 776-4100.

Doc. No. 784583



Meetings Filed September 1, 1976

The Brazos Valley MH/MR Center, Board of Trustees, will meet in the Grand Jury Room on the third floor of the Brazos County Courthouse, Bryan, on September 10, 1976, 3 p.m. Further information may be obtained from Norman L. Beal, 202 East 27th Street, Bryan, Texas, telephone (713) 825-7712.

Doc. No. 764596

Meetings Filed September 2, 1976

The Houston-Galveston Area Council, Project Review Committee, will meet at 3701 West Alabama, Houston, on September 7, 1976, at 9:30 a.m. Further information may be obtained from Stevie Walters, 3701 West Alabama, Houston, Texas 77027, telephone (713) 627-3200.

The Alamo Area Council of Governments, Executive Committee, will meet at 532 Three Americas Building, San Antonio, on September 8, 1976, 1:30 p.m. Further information may be obtained from Al J. Notzon III, 400 Three Americas Building, San Antonio, Texas 78205, telephone (512) 225-5201.

The Panhandle Regional Planning Commission, Texas Panhandle Employment and Training Planning Committee, will meet at the American National Bank, 7th and Tyler, Amarillo, on September 9, 1976, at 2:30 p.m. Further information may be obtained from George Loudder, P.O. Box 9257, Amarillo, Texas, telephone (806) 376-4238.

The Sabine River Authority, Board of Directors, will meet at the Lake Country Inn, Center, on September 7, 1976, at 10:30 a.m. Further information may be obtained from John W. Simmons, P.O. Box 579, Orange, Texas 77630.

The Brazos Valley Development Council, Executive Committee, will meet at 3006 East 29th, Bryan, on September 9, 1976, at 1:30 p.m. Further information may be obtained from F. L. Thompson, P.O. Drawer 4128, Bryan, Texas 77801, telephone (713) 822-7421.

The Middle Rio Grande Development Council, A-95 Review Committee will meet at the Civic Center, Carrizo Springs, on September 7, 1976, at 3:15 p.m. Further information may be obtained from Elia Santos, P.O. Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

Doc. No. 764621

Texas Health Facilities Commission

Certificate of Need Hearings

September, 1976

The following applications for certificates of need will be considered in the offices of the Texas Health Facilities Commission, Suite 450, One Highland Center, Austin.

Galveston County, County Courthouse, Galveston, Texas 77550 (AH76-0611-007), is scheduled to appear at a hearing at 9:30 a.m. on September 7, 1976, to petition the commission for a certificate of need to replace two rooms of x-ray equipment at Galveston County Memorial Hospital in Texas City.

Fort Worth Osteopathic Hospital Corporation, 1000 Montgomery Street, Fort Worth, Texas 76107 (AH76-0409-001), is scheduled to appear at a hearing at 10 a.m. on September 7, 1976, to petition the commission for a certificate of need to expand and modernize the 200-bed Fort Worth Osteopathic Hospital. New construction will house the following existing departments: emergency outpatient, surgery recovery, radiology, labor/delivery, a shelled in dietary, and some new equipment. A separate plant will be constructed to support the new construction. The present diagnostic and treatment spaces will be remodeled to house office functions. Major code deficiencies throughout the hospital will be corrected.

East Texas Hospital Foundation, 1000 South Beckham, Tyler, Texas 75701 (AH76-0223-003), is scheduled to appear at a hearing at 9 a.m. on September 8, 1976, to petition the commission for a certificate of need to purchase and install at Medical Center a computerized axial tomography scanner with full-body capacity.

Texas Institute for Rehabilitation and Research, 1333 Moursund Avenue, Houston, Texas 77030 (AH76-0618-011), is scheduled to appear at a hearing at 10 a.m. on September 8, 1976, to petition the commission for a certificate of need to establish the transitional living project, a six-week live-in program for 14 participants each six weeks, designed to foster community integration of severely physically handicapped persons.

McGee Nursing Home, 615 South 8th Avenue, Teague, Texas 75860 (AN76-0507-001), is scheduled to appear at a hearing at 1:30 p.m. on September 9, 1976, to petition the commission for a certificate of need to change 10 existing beds from "custodial care unit" to "nursing home" for licensing purposes.

Clear Lake Hospital, 500 Medical Center Boulevard, Webster, Texas 77598 (AH76-0610-009), is scheduled to appear at a hearing at 9 a.m. on September 10, 1976, to petition the commission for a certificate of need to expand x-ray diagnostic units and to acquire and operate a computerized axial tomographic whole-body scanner.

The Killgore Children's Psychiatric Center and Hospital, Inc., 1200 Wallace Boulevard, Amarillo, Texas 79106, (AH76-0618-009), is scheduled to appear at a hearing at 10 a.m. on September 13, 1976, to petition the commission for a certificate of need to convert two playrooms to two four-bed inpatient wards.

Robert G. Huffman, 1409 North 17th Street, Memphis, Texas 79245 (AN76-0617-010), is scheduled to appear at a hearing at 10:30 a.m. on September 13, 1976, to petition the commission for a certificate of need to build Memphis Convalescent Center, an 80-ICF III bed nursing home.

Fil Am, Inc., 130 West 4th Street, Baird, Texas 79504 (AH76-0712-032), is scheduled to appear at a hearing at 9:30 a.m. on September 14, 1976, to petition the commission for a certificate of need to build a 30-bed addition to the existing 22-bed facility at Callahan General Hospital, to relocate the emergency room, to remodel the kitchen and patient rooms, to build a new business office, and to replace the x-ray equipment.

Grimes Memorial Hospital, 210 South Judson, Navasota, Texas 77868 (AH76-0218-010), is scheduled to appear at a rehearing at 9 a.m. on September 15, 1976, to petition the commission for a certificate of need to expand existing hospital facilities by adding 20 beds.

Issued in Austin, Texas, on August 25, 1976.

Doc. No. 764520 William D. Darling
General Counsel
Texas Health Facilities
Commission

Filed: August 25, 1976, 11:47 a.m.

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

Notice of Applications

Notice is given by the Texas Health Facilities Commission of applications (including a general project description) for declaratory rulings, exemption certificates, or administrative orders received during the period of August 17-31, 1976, and others not previously posted.

Should any person wish to contest the application for a

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

The contents and form of a notice of intent to contest an application for an exemption certificate, declaratory ruling, or administrative order must meet the minimum criteria set out in Rule 315.07.01.001(a)(4). Failure of a contesting party to supply the minimum necessary information in the correct form by the 12th day will result in a defective notice of intent to contest, and such application will be considered uncontested.

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

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

Leisure Arr Nursing Home, Houston
AN76-0825-001
EC-- Enlarge kitchen and dining room and remodel nursing station and activity room

Spohn Hospital Medical Plaza Building, Corpus Christi
AH76-0826-001
DR-- Purchase existing physician office building across the street from Spohn Hospital

Northwest Group Living Center, Houston
AA76-0830-005
DR-- Request for training-oriented program for retarded males

Bethania Hospital, Wichita Falls
AH76-0830-007
EC-- Modernization on intensive care unit equipment and rooms

Gulf Coast Medical Center, Wharton
AH76-0830-009
EC-- Request to increase size of hospital laboratory by 1,350 square feet

Cartwheel Lodge of Lewisville, Lewisville
AN76-0831-001
EC-- Change 60 existing beds from ICF III to ICF IV

Garland Community Hospital, Garland
AH76-0831-002
EC-- Acquisition of pulmonary function equipment to update existing service

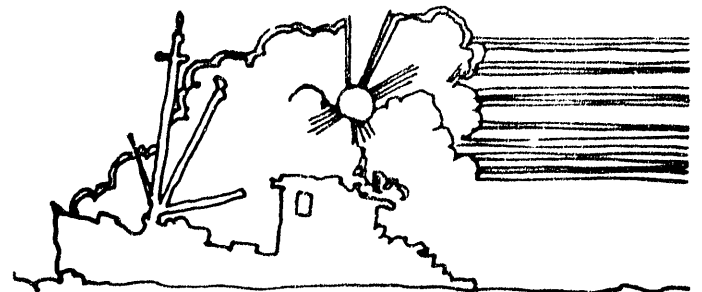
Garland Community Hospital, Garland
AH76-0831-003
EC-- Replacement of A.R. nuclear scanner with refurbished Searle Reio-graphic Pho-Gamma Camera HP

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

Doc. No. 764598 William D. Darling
General Counsel
Texas Health Facilities
Commission

Filed: September 1, 1976, 11:27 a.m.

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



Railroad Commission of Texas

Correction of Error

The chart which accompanied Proposed Rule 051.03.90.001 of the Railroad Commission of Texas published in the August 31, 1976, issue of the *Texas Register* (Volume 1, Number 68, page 2413), contained an incorrect date. The year "1980" in the 12th line of the chart should have read "1990."

Office of State-Federal Relations

Public Hearing

Beef Research and Information Program

The U.S. Department of Agriculture (USDA) will conduct a public hearing in Dallas, Texas, on proposed regulations for the Beef Research and Information Act. The hearing will be held on Tuesday, September 14, 1976 at the Baker Hotel, 1400 Commerce Street, beginning at 9:30 a.m., and to be continued beyond one day if necessary. A USDA administrative law judge will preside and take sworn statements from anyone wishing to testify. Cross-examination of witnesses will be in order.

The proposed regulations, drafted by representatives from national beef organizations and state cattlemen's associations, would establish a national beef board to be composed of 68 beef producers, including seven from Texas. The board would be responsible for the planning and directing of a national beef research and information program. Copies of the proposed regulations are available upon request from the Office of State-Federal Relations, 205 Sam Houston State Office Building, Austin, Texas 78711, (512) 475-7805.

Filed: August 30, 1976, 3:05 p.m.

Doc. No. 764573

