

Texas Register

Volume 18, Number 6, January 19, 1993

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Texas Register



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How to Use the Texas Register

Information Available: The 10 sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

Governor - Appointments, executive orders, and proclamations.

Attorney General - summaries of requests for opinions, opinions, and open records decisions.

Secretary of State - opinions based on the election laws.

Texas Ethics Commission - summaries of requests for opinions and opinions.

Emergency Sections - sections adopted by state agencies on an emergency basis.

Proposed Sections - sections proposed for adoption.

Withdrawn Sections - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after the proposal publication date.

Adopted Sections - sections adopted following a 30-day public comment period.

Open Meetings - notices of open meetings.

In Addition - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words "TexReg" and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 18 (1993) is cited as follows: 18 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written "18 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 18 TexReg 3."

How to Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, Room 245, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code*, section numbers, or TRD number.

Texas Administrative Code

The *Texas Administrative Code (TAC)* is the official compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the *TAC*. West Publishing Company, the official publisher of the *TAC*, releases cumulative supplements to each printed volume of the *TAC* twice each year.

The *TAC* volumes are arranged into Titles (using Arabic numerals) and Parts (using Roman numerals).

The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency. The *Official TAC* also is available on WESTLAW, West's computerized legal research service, in the TX-ADC database.

To purchase printed volumes of the *TAC* or to inquire about WESTLAW access to the *TAC* call West: **1-800-328-9352**.

The Titles of the *TAC*, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

How to Cite: Under the *TAC* scheme, each section is designated by a *TAC* number. For example in the citation 1 TAC §27.15:

1 indicates the title under which the agency appears in the *Texas Administrative Code*; *TAC* stands for the *Texas Administrative Code*; §27.15 is the section number of the rule (27 indicates that the section is under Chapter 27 of Title 1; 15 represents the individual section within the chapter).

How to update: To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Table of TAC Titles Affected*. The table is published cumulatively in the blue-cover quarterly indexes to the *Texas Register* (January 22, April 16, July 13, and October 12, 1993). In its second issue each month the *Texas Register* contains a cumulative *Table of TAC Titles Affected* for the preceding month. If a rule has changed during the time period covered by the table, the rule's *TAC* number will be printed with one or more *Texas Register* page numbers, as shown in the following example.

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The *Table of TAC Titles Affected* is cumulative for each volume of the *Texas Register* (calendar year).

Update by FAX: An up-to-date *Table of TAC Titles Affected* is available by FAX upon request. Please specify the state agency and the *TAC* number(s) you wish to update. This service is free to *Texas Register* subscribers. Please have your subscription number ready when you make your request. For non-subscribers there will be a fee of \$2.00 per page (VISA, MasterCard). (512) 463-5561.

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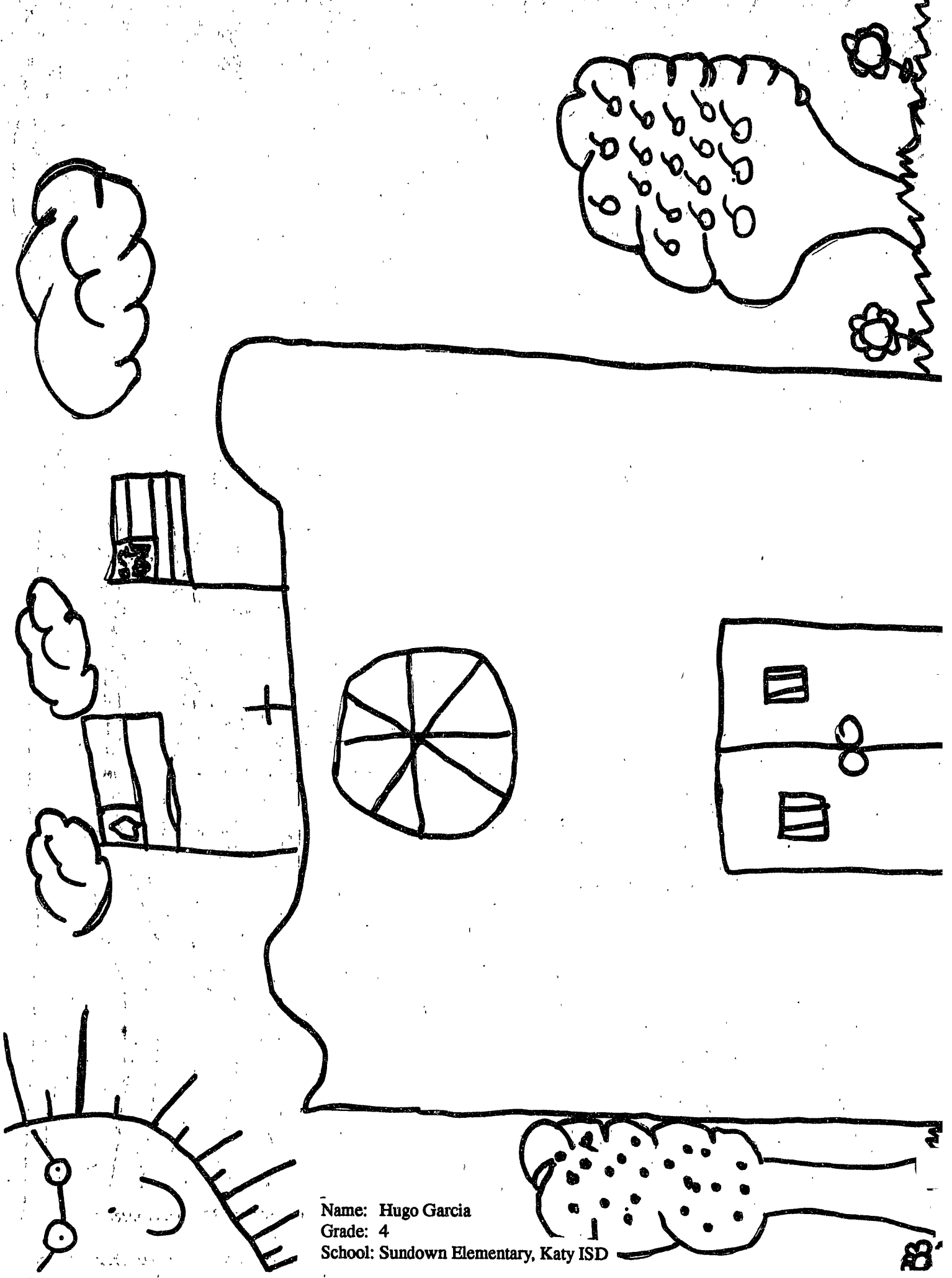
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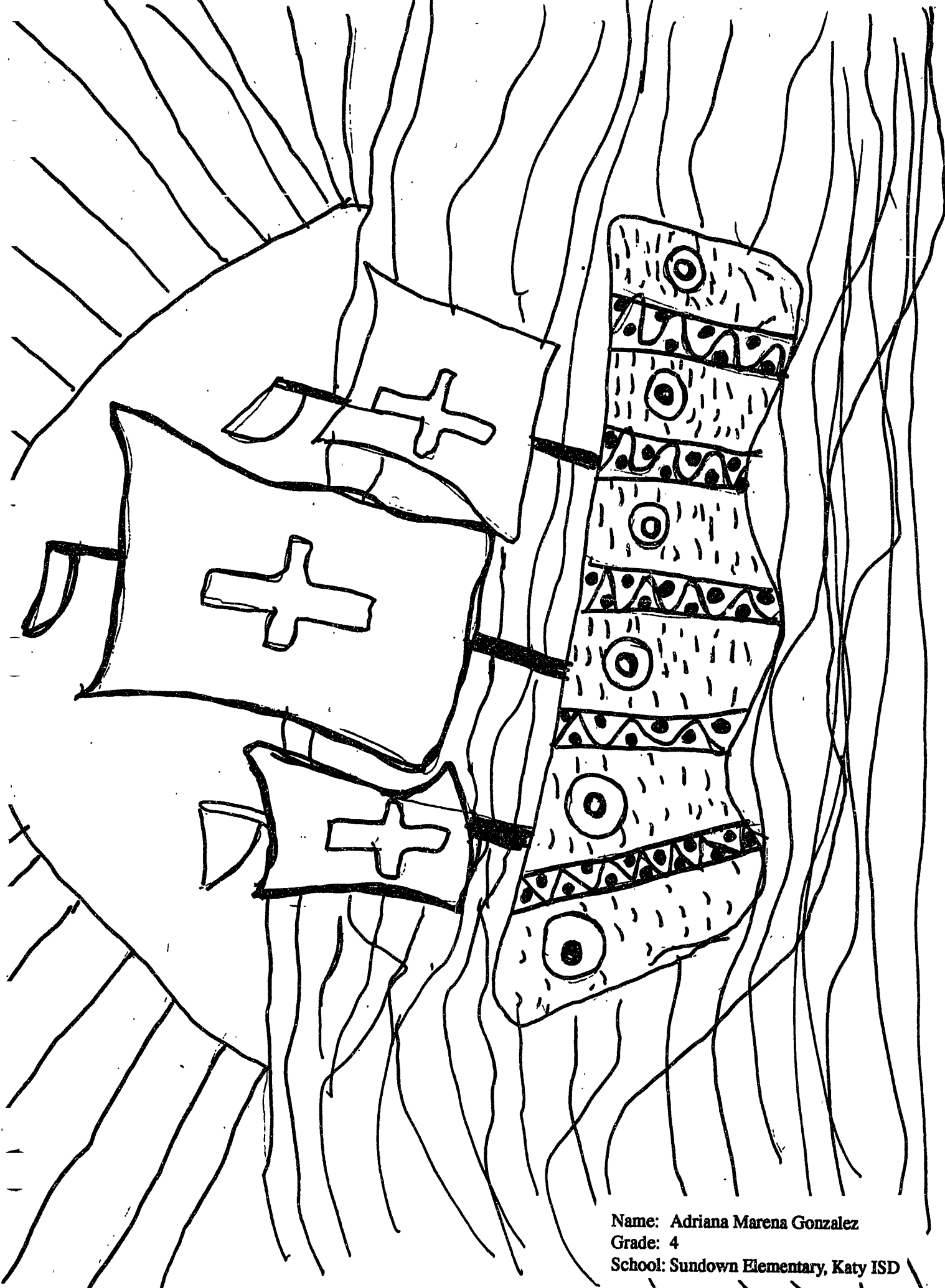
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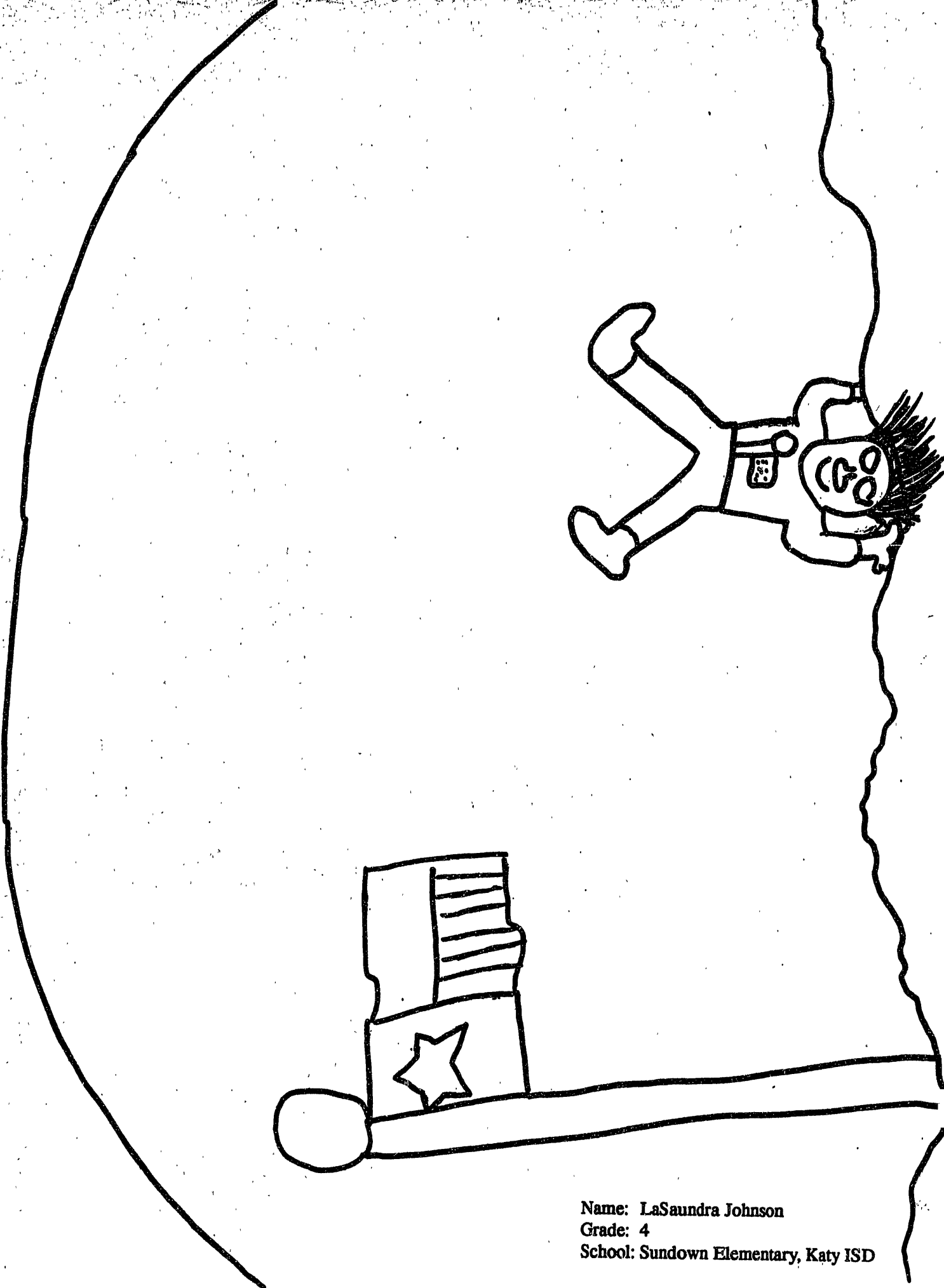
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Name: Hugo Garcia
Grade: 4
School: Sundown Elementary, Katy ISD



Name: Adriana Marena Gonzalez
Grade: 4
School: Sundown Elementary, Katy ISD



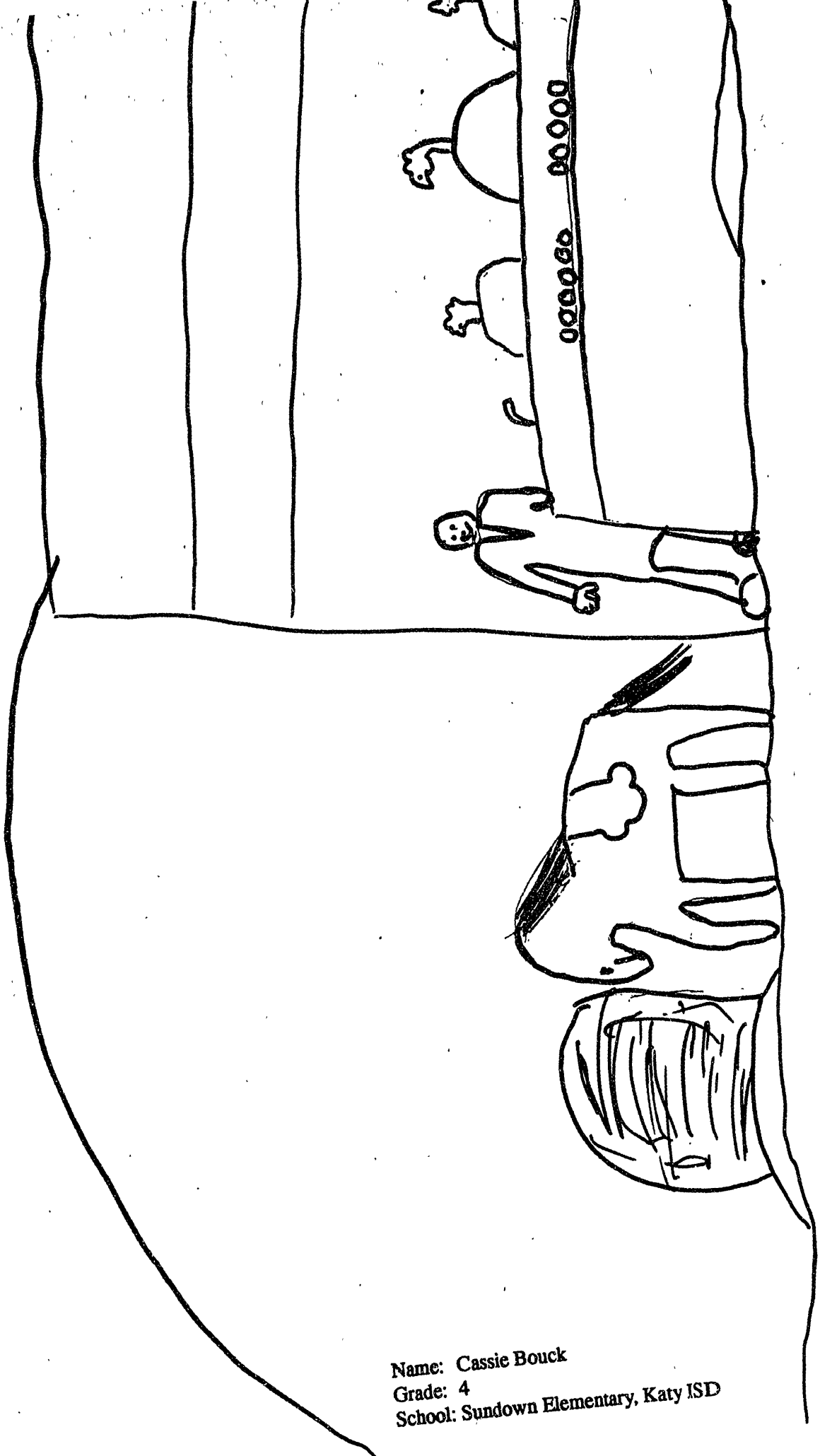
Name: LaSaundra Johnson
Grade: 4
School: Sundown Elementary, Katy ISD



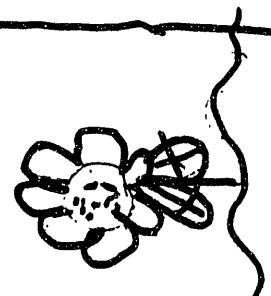
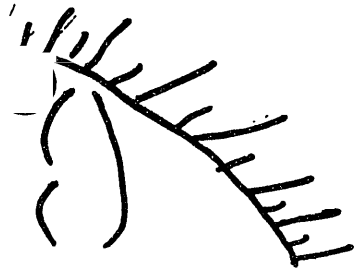
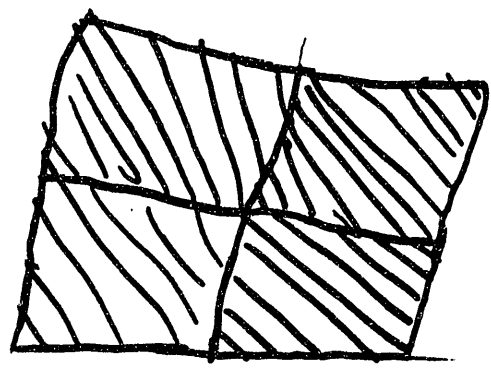
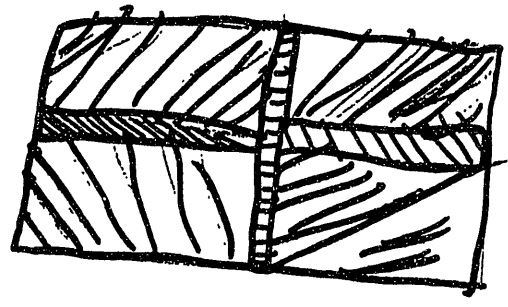
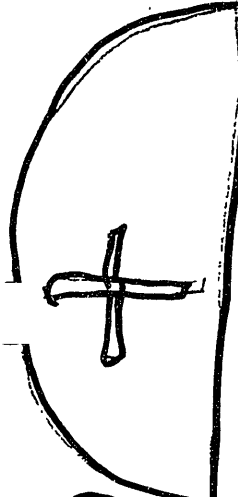
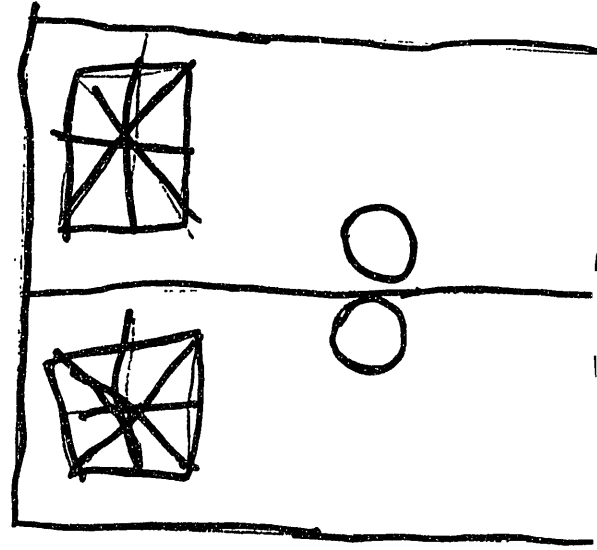
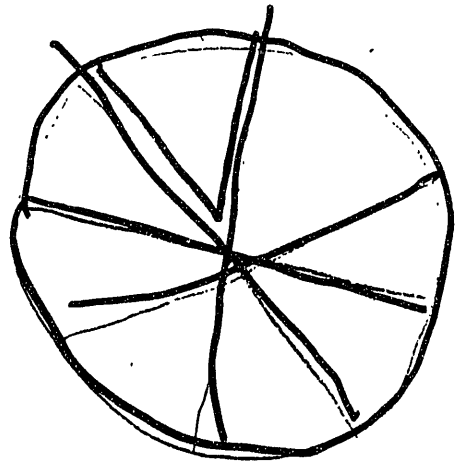
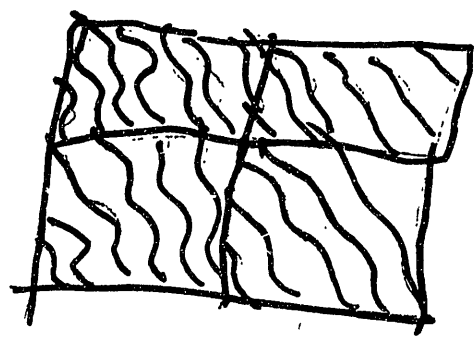
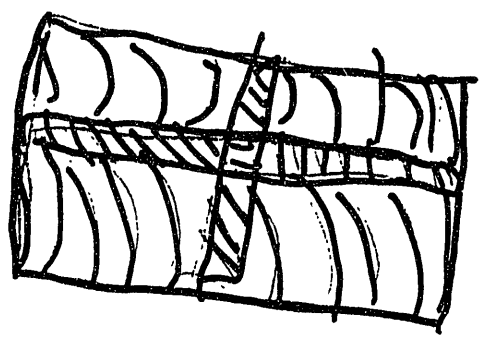
Name: Trace Hight

Grade: 7

School: Murchison Middle School, Austin ISD



Name: Cassie Bouck
Grade: 4
School: Sundown Elementary, Katy ISD



Name: Cecy Chicas
Grade: 4
School: Sundown Elementary, Katy ISD



Name: Justin Rivas
Grade 4
School: Sundown Elementary, Katy ISD

The Governor

As required by Texas Civil Statutes, Article 6252-13a, §6, the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in Chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1828.

Appointments Made January 8, 1993

To be chair of the Texas Transportation Commission at the pleasure of the Governor: David E. Bernsen of Beaumont. Mr. Bernsen will be replacing Raymon Stoker of Odessa, who resigned from the commission.

To be a member of the Texas Transportation Commission for a term to expire February 1, 1993: Anne Shelmire Wynne, 2405 Pemberton Place, Austin, Texas 78703. Ms. Wynne will be filling the unexpired term of Raymon C. Stoker, Jr. of Odessa, who resigned.

Appointments Made January 11, 1993

To be chairman of the State Board of Education for a term to expire January 1, 1995: Carolyn Honea Crawford, 299 Manor, Beaumont, Texas 77706. Dr. Crawford is being reappointed.

To be a member of the Angelina and Neches River Authority Board of Directors for a term to expire September 5, 1995: Wylie A. Pirkle, III, Route 1, Box 105 B,

Larue, Texas 75770. Mr. Pirkle will be filling the unexpired term of George F. Middlebrook, III of Nacogdoches, who resigned.

To be a member of the State Board of Registration for Professional Engineers for a term to expire September 26, 1997: Linda Yee Chew, 2501 Savannah Avenue, El Paso, Texas 79930. Ms. Chew will be filling the unexpired term of James Ken Newman of Dallas, who resigned.

To be a member of the Southern Regional Education Board for a term to expire June 30, 1994: Rene Nunez, 819 Lakeshore Drive, El Paso, Texas 79932. Mr. Nunez will be filling the unexpired term of Mike Toomey of Austin, who resigned.

To be a member of the Texas Committee for the Humanities for a term to expire December 31, 1994: Diana S. Natalicio, Ph.D., 711 Cincinnati Avenue, El Paso, Texas 79902. Dr. Natalicio is being reappointed.

To be a member of the Texas Committee for the Humanities for a term to expire December 31, 1994: Martha Polan Landsman, 430 Morningside Drive, San Antonio,

Texas 78209. Ms. Landsman is being reappointed.

Appointments Made January 12, 1993

To be Executive Director of the Department of Housing and Community Affairs for a term at the pleasure of the Governor: Enrique Flores, 6706 Whitewing, Corpus Christi, Texas 78413. Mr. Flores will be replacing Susan J. Leigh of Austin, whose appointment was withdrawn.

To be a member of the Texas Board of Private Investigators and Private Security Agencies for a term to expire January 31, 1997: Melissa Hirsch, 1711 North Graham, Odessa, Texas 79763. Ms. Hirsch will be filling the unexpired term of Brenda Collier of Dallas, who resigned.

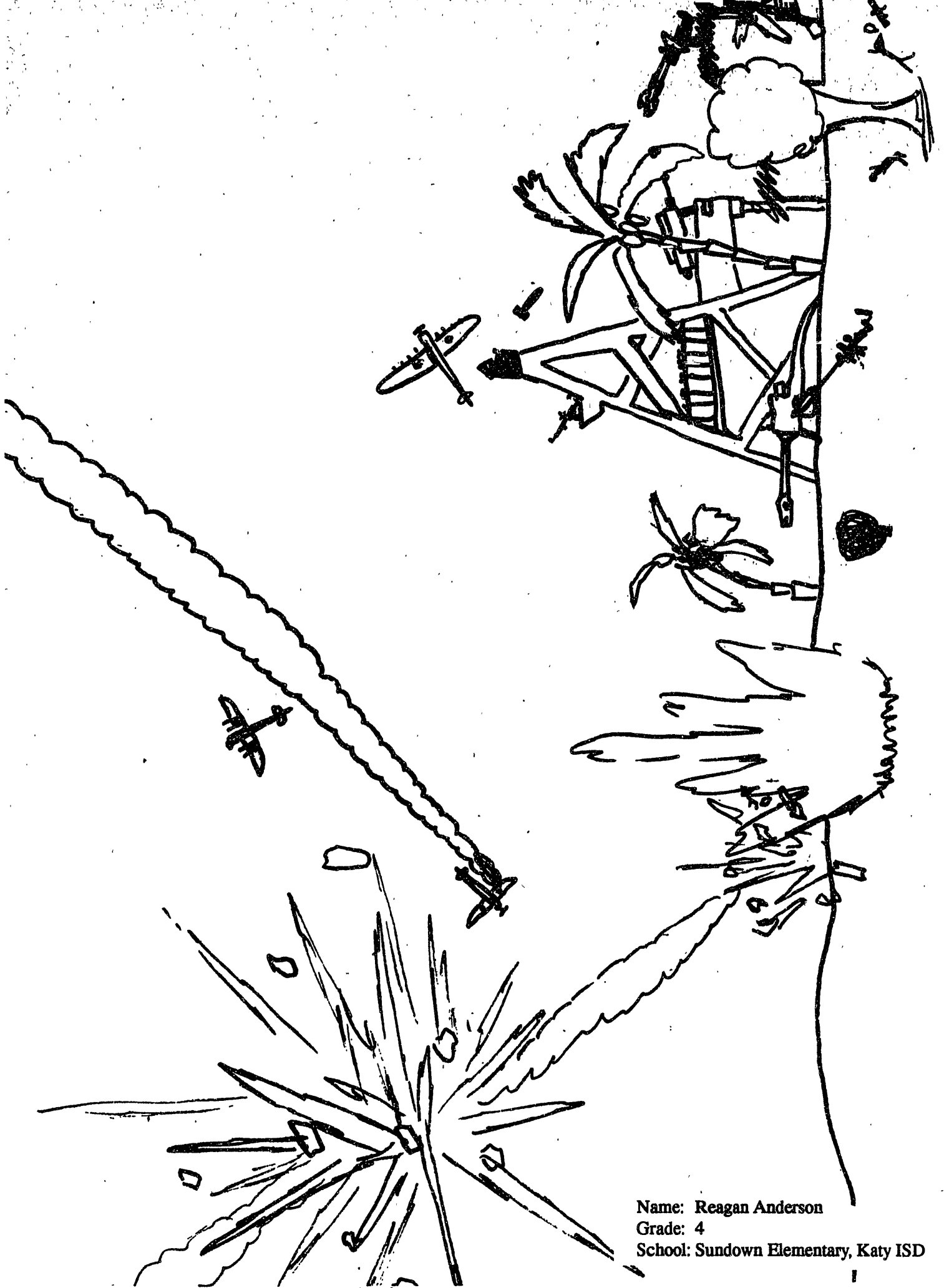
Please be advised that the appointment of Susan J. Leigh as Executive Director of the Texas Department of Housing and Community Affairs on March 3, 1992, is hereby withdrawn. Ms. Leigh was serving at the pleasure of the Governor.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317589

Ann W. Richards
Governor of Texas





Name: Reagan Anderson
Grade: 4
School: Sundown Elementary, Katy ISD

Proposed Sections

Before an agency may permanently adopt a new or amended section, or repeal an existing section, a proposal detailing the action must be published in the *Texas Register* at least 30 days before any action may be taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the section. Also, in the case of substantive sections, a public hearing must be granted if requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members.

Symbology in proposed amendments. New language added to an existing section is indicated by the use of bold text. [Brackets] indicate deletion of existing material within a section.

TITLE 7. BANKING AND SECURITIES

Part II. Texas Department of Banking

Chapter 25. Prepaid Funeral Contracts

• 7 TAC §25.20

(Editor's note: The following document was filed by the Texas Department of Banking to appear in the January 1, 1993, issue of the Texas Register. Due to an error by the Texas Register, it was not published. The earliest date of adoption is February 19, 1993.)

The Texas Department of Banking proposes new §25.20 to provide procedures for making a claim against the Guaranty Fund in connection with the sale of prepaid funeral contracts and to provide guidelines for determining the eligibility for payment of submitted claims.

Ann Graham, General Counsel, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section. The Department anticipates spending an average of eight hours of staff time in processing each claim made against the Guaranty Fund. Ms. Graham has determined that the proposed rule will have no local employment impact.

Ms. Graham, also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be to guarantee performance by sellers of prepaid funeral contracts of their obligations to purchasers. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Ann Graham, General Counsel, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705-4294.

The new rule is proposed under Texas Civil Statutes, Article 548b, §2 and §8A (Vernon Supplement 1992), which provide that the Department is authorized to prescribe reasonable rules concerning all matters incidental to the enforcement and orderly administration of Article 548b and to prescribe rules concerning maintaining a fund to guarantee performance by sellers of prepaid funeral contracts of their obligations to purchasers of prepaid funeral contracts.

§25.20. Guaranty Fund Claims Filing Procedures and Eligibility for Payment Standards.

(a) Who may make a claim. Unless expressly precluded from making a claim against the Guaranty Fund in subsection (b)(1), (2), or (3) of this section, the following parties and their heirs, successors, and assignees may make a claim against the Guaranty Fund:

(1) purchasers of prepaid funeral service and merchandise contracts from licensed permit holders;

(2) those selected to assume obligations and liabilities of a cancelled permit holder in the event they assumed those obligations and liabilities under a contract that expressly authorizes them to make a claim against the Guaranty Fund.

(b) Who cannot make a claim. All other claims, including claims submitted by the following parties and their heirs, successors, and assignees, will be denied:

(1) those who hold a contract that matured prior to the date of origin of the Guaranty Fund;

(2) those who purchased prepaid funeral goods and services from a vendor that did not obtain a prepaid funeral contract permit issued by the Department of Banking; and

(3) those who purchased prepaid funeral goods and services under a plan such as the one litigated in the case of *Sexton v. Mount Olivet Cemetery Association*, 720 S.W. 2d 129 (Tex. App.-Austin 1986)(specifically including, but not limited to, any prepaid funeral goods and services purchased from Mount Olivet Cemetery Association).

(c) Any claim submitted against either the Guaranty Fund or against any seized prepaid funeral contract funds by current or former prepaid funeral contract permit holders or their successors shall not be honored until any money that they or their predecessors owe to the Guaranty Fund or to any prepaid funeral contract funds has been offset against the claim. This provision shall not apply to a successor permit holder that purchased contracts of a

cancelled permit holder from the Commissioner. Claims by such a successor permit holder shall be governed by the contract under which assets and liabilities of the cancelled permit holder were assumed.

(d) Claims by individual purchasers will be handled on a case-by-case basis.

(e) Claims Approval Process and Right to Reconsideration.

(1) Delegation of Authority to Commissioner. The Guaranty Fund Advisory Council may delegate to the Commissioner the authority to settle and determine all claims against the Guaranty Fund up to such amount and with such restrictions as the Council may from time to time determine. These limits and restrictions shall be reflected in the minutes of the meetings of the Council:

(2) Appeals to the Guaranty Fund Advisory Council. Unless an appeal is expressly waived in a settlement agreement, any action by the Commissioner approving, modifying, or denying claims against the Guaranty Fund may be appealed to the Guaranty Fund Advisory Council by submitting a request for review to the Guaranty Fund Advisory Council within 30 days of receipt of notice of the Commissioner's action; otherwise the action of the Commissioner shall be final and not subject to review. Such request shall be addressed to the Guaranty Fund Advisory Council in care of the Commissioner and filed with the Commissioner on or before the close of business on the last day of the 30-day period.

(3) Hearings on claims. Either the Commissioner or the Guaranty Fund Advisory Council may direct that an administrative hearing be held on any claim in order to clarify the facts or law pertinent to its disposition. No claim shall be reduced or denied without affording the claimant an opportunity for a hearing; provided, however, that if a hearing has been held, or offered by the Commissioner and waived by the claimant, the Guaranty Fund Advisory Council need not offer another opportunity for a hearing. All hearings shall be conducted in compliance with the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a.

(f) Information required to be supplied by a claimant. A claimant shall provide the following information:

(1) a copy of the prepaid funeral contract and any amendments thereto;

(2) evidence of the status of the account, including whether the account is paid in full, the amount owed thereon and whether payments are current or delinquent;

(3) name of the seller;

(4) date of purchase;

(5) a certified copy of the death certificate of the purchaser or assignee, if applicable;

(6) a notarized statement setting forth any special circumstances that may bear on the claim; and

(7) any other information requested by the Department.

(g) Information to be supplied by the Department in connection with a claim submitted by a permit holder or its legal representative.

(1) The Department shall supply the Guaranty Fund Advisory Council with all requested information pertinent to the claim; and

(2) The Department shall provide the Guaranty Fund Advisory Council with its recommendations and analysis of the claim.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on December 18, 1992.

TRD-9216826

Ann Graham
General Counsel
Texas Department of
Banking

Earliest possible date of adoption: February 19, 1993

For further information, please call: (512) 475-1300



TITLE 16. ECONOMIC REGULATIONS

Part I. Railroad Commission of Texas

Chapter 3. Oil and Gas Division

Conservation Rules and Regulations

• 16 TAC §3.70

(Editor's note: The text of the following section proposed for repeal will not be published. The section may be examined in the offices of the Railroad Commission of Texas or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Railroad Commission of Texas proposes the repeal of §3.70 (Statewide Rule 80), concerning Forms Required. Section 3.70 set forth forms to be filed by appropriate know what and when to file. What and when to file changes frequently due to amendment of forms and rules; when they do change, a rule change is necessary to keep §3.70 updated. Since the primary purpose of §3.70 is informational and since it has no legal effect on its own, i.e., the particular rules and forms establish the legal filing requirements, not §3.70, it would be better for the information contained in §3.70 to be placed when in an appendix to the Oil and Gas Statewide Rulebook. In this way, changes in what and when to file could be communicated to the public simply by republishing the appendix versus going through a rulemaking process. The existing language in §3.70 was adopted by the commission on September 9, 1985, and published in the July 19, 1985, issue of the *Texas Register* (10 TexReg 3554).

Rita E. Percival, assistant systems analyst for the Oil and Gas Division, has determined that

for the first five-year period the repeal is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeal.

Jim McDougal, hearings examiner, also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will be a more efficient communication of commission procedural changes to the public. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to Jim McDougal, Railroad Commission of Texas, PO Box 12967, Austin, Texas 78711-2967. Comments will be accepted for 30 days after publication in the *Texas Register*.

The repeal is proposed under the Texas Natural Resources Code, §81.052, which provides the commission with the authority to adopt all necessary rules for governing and regulating persons and their operations under the jurisdiction of the commission.

§3.70. Forms Required.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on December 21, 1992.

TRD-9317585

Nolan Ward
Hearings Examiner, Legal
Division-General Law
Railroad Commission of
Texas

Earliest possible date of adoption: February 19, 1993

For further information, please call: (512) 463-7051



Withdrawn Sections

An agency may withdraw proposed action or the remaining effectiveness of emergency action on a section by filing a notice of withdrawal with the *Texas Register*. The notice is effective immediately upon filing or 20 days after filing. If a proposal is not adopted or withdrawn six months after the date of publication in the *Texas Register*, it will automatically be withdrawn by the office of the Texas Register and a notice of the withdrawal will appear in the *Texas Register*.

TITLE 19. EDUCATION

Part I. Texas Higher Education Coordinating Board

Chapter 17. Campus Planning

Subchapter C. Requesting Co- ordinating Board Endorse- ment of Real Property Ac- quisitions

- 19 TAC §17.63

The Texas Higher Education Coordinating Board has withdrawn from consideration for permanent adoption a proposed amendment §17.63 which appeared in the September 11, 1992, issue of the *Texas Register* (17 TexReg 6252). The effective date of this withdrawal is January 12, 1993.

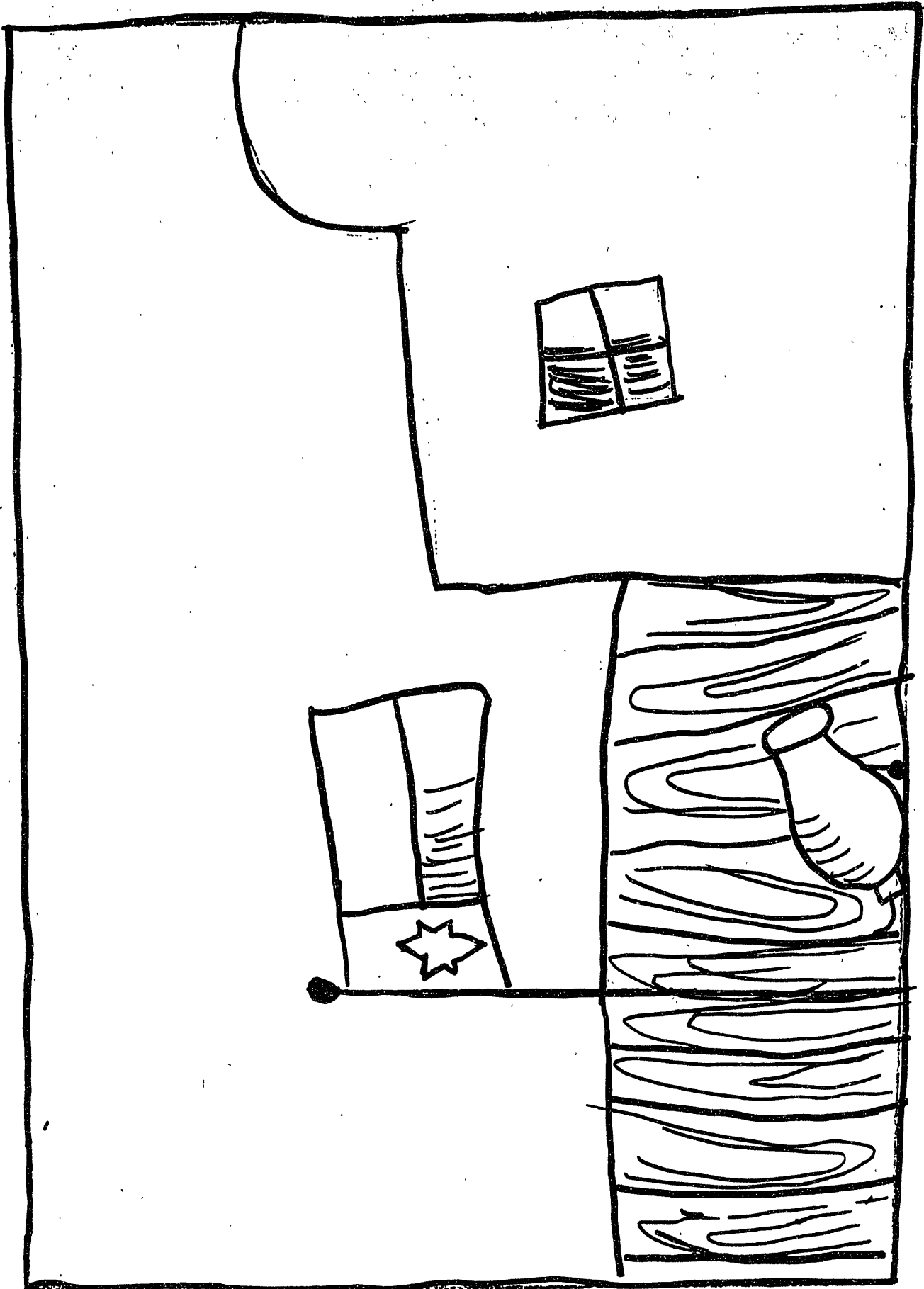
Issued in Austin, Texas, on January 12, 1993.

TRD-9317496 Sharon Jahsman
 Administrative Secretary
 Texas Higher Education
 Coordinating Board

Effective date: January 12, 1993

For further information, please call: (512)
483-6160





Name: Chad Greer

Grade: 4

School: Sundown Elementary, Katy ISD

Adopted Sections

An agency may take final action on a section 30 days after a proposal has been published in the *Texas Register*. The section becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

If an agency adopts the section without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. If an agency adopts the section with changes to the proposed text, the proposal will be republished with the changes.

TITLE 16. ECONOMIC REGULATIONS

Part I. Railroad Commission of Texas

Chapter 11. Surface Mining and Reclamation Division

Subchapter D. Coal Mining • 16 TAC §11.221

The Railroad Commission of Texas adopts an amendment to §11.221, concerning state program regulations, with changes to the proposed text as published in the October 6, 1992, issue of the *Texas Register* (17 TexReg 6846).

The amendment of the section reflects revisions to the ownership and control provisions of permit processing requirements.

The revisions will revise the text of §§778.116, 786.215, and 778.225 of the regulations to address the requirements for a federally-approved coal regulatory program.

Texas Utilities Services, Inc. commented that a reference to §786.215(e) (1)(B) was misplaced. Although the adoption by reference does not change, the correction has been made in the actual text of the rule. Texas Utilities Services, Inc. acknowledged its support for the commission's proposed rules and noted the limitations imposed on the commission's discretion by Federal requirements.

The Office of Surface Mining Reclamation and Enforcement (OSM) made comments regarding the effectiveness of the text of the rules which are revised as compared to Federal counterpart regulations. OSM correctly noted that Texas law precludes the adoption of some provisions it supports, however OSM has previously approved those statutory provisions as a part of the Texas Program. OSM also misunderstands the effect of some provisions which will be clarified in the program amendment documents. Some comments cannot be addressed in this current rulemaking, and will be considered later, because those comments are not within the scope of this rulemaking. The commission disagrees with OSM regarding automatic suspension of permits and automatic rescission of permits because of the procedural requirements expressed in the Administrative Procedure and Texas Register Act as well as the Texas Surface Coal Mining and Reclamation Act.

The amendment is adopted under Texas Civil Statutes, Article 5920-11, §6, which provide the commission with the authority to promulgate rules pertaining to surface coal mining operations.

§11.221. State Program Regulations.

(a) The following rules contained in the document title "State Program Submissions and Enforcement, Department of the Interior," as amended, prepared by the commission and submitted to the Office of Surface Mining, are adopted by reference: Rules 051.07.04.001-.023, .069-.085, .100-.163, .170-.243, .300-.304, .306-.314, .317, .325-.328, .330-.393, .395-.422, .500-.591, .600, .610-.613, .620-.622, .624, .625, .650-.651, .660-.661, .670-.675, .680-.687, .690-.698, and .800-.817.

(b) The State Program Regulations are renumbered by commission Rule Adoption Order Number SMRD 2-87 by replacing the generic prefix number "051.07. 04" with new specific three-digit prefix numbers to identify the Part in which each regulation is located: 700.001-.007, 701.008-.009, 705.010-.019, 707.020-. 022, 708.023, 760.069-.070, 761.071-.072, 762.073-.077, 764.078-.085, 770.100-. 102, 771.103-.108, 776.109-.115, 778.116-.123, 779.124-.138, 780.139-.154, 782. 155-.163, 783.170-.184, 784.185-.199, 785.200-.205, 786.206-.221, 787.222-.223, 788.224-.233, 795.234-.243, 800.300-.303, 805.304-.307, 806.308-.311, 807. 312-.313, 808.314-.317, 815.325-.328, 816.330-.393, 816.395-.422, 817.500-.591, 819.600, 822.610-.613, 823.620-.625, 827.650-.651, 828.660-.661, 840.670-.675, 843.680-.687, 845.690-.698, and 850.700-.710.

(c) The commission has published the state program regulations, as amended January 11, 1993, in booklet form titled "Coal Mining Regulations." Copies may be obtained from the Surface Mining and Reclamation Division, PO Box 12967, Austin, Texas 78711-2967.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317453

Nolan Ward
Hearings Examiner, Legal
Division-General Law
Railroad Commission of
Texas

Effective date: February 1, 1993

Proposal publication date: October 6, 1992

For further information, please call: (512) 463-6841

TITLE 19. EDUCATION Part II. Texas Education Agency

Chapter 67. Instructional Resources

Subchapter A. State Textbook Program

Textbook Proclamation

• 19 TAC §67.31, §67.37

The Texas Education Agency adopts an amendment to §67.31, concerning proclamation, public notice, and schedule for adoption of textbooks, and new §67.37, concerning involvement of publishers in the proclamation development process, without changes to the proposed text as published in the October 23, 1992, issue of the *Texas Register* (17 TexReg 7507).

The amendment and new section are necessary to help ensure that students throughout the state receive quality textbooks and systems.

The amendment to §61.31 requires that each textbook proclamation contain an estimated number of units to be purchased during the first contract year and an estimated expenditure for each category in the proclamation. New §61.37 provides publishers the opportunity to give input to the State Board of Education (SBOE) during the early stages of the development of textbook proclamations.

No comments were received regarding adoption of the amendment and new section.

The amendment and new section are adopted under the Texas Education Code, §12.16, which authorizes the SBOE to promulgate rules concerning the manner of selection for all books on the multiple list of textbooks.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317580
Crisis Cloudt
Director of Policy Planning
and Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: October 23, 1992

For further information, please call: (512) 463-9701

Chapter 75. Curriculum

Subchapter D. Essential Elements-Grades 9-12

Essential Elements for English Language Arts; Other Languages; Mathematics; Science; Health; Physical Education; Fine Arts; Social Studies; Texas and United States History; Economics with Emphasis on the Free Enterprise System and its Benefits; and Business Education

• 19 TAC §75.70

The Texas Education Agency adopts an amendment to §75.70, concerning essential elements, Grades 9-12, without changes to the proposed text as published in the September 22, 1992, issue of the *Texas Register* (17 TexReg. 6529).

The amendment is necessary so that students will have to enroll in more rigorous courses that will better prepare them to meet real-world expectations and student outcomes.

The amendment establishes a date for phasing out the Business Mathematics course in business education for state graduation credit.

Plano ISD requested that the option to offer Business Mathematics for TAAS remediation purposes to 11th grade students continues to be made available.

The agency disagrees because Business Mathematics was not intended as a remediation course and the content is covered in other business education and math courses. A waiver option to continue the course is available to schools that are having success offering Business Mathematics.

The amendment is adopted under the Texas Education Code, §21.101, which authorizes the State Board of Education to promulgate rules prescribing the subjects and essential elements that comprise a well-balanced curriculum.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317579
Crisis Cloudt
Director of Policy Planning
and Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: September 22, 1992

For further information, please call: (512) 463-9701

Chapter 161. Advisory Groups

• 19 TAC §§161.1-161.5

The Texas Education Agency adopts the repeal of §§161.1-161.5, concerning advisory groups, without changes to the proposed text as published in the November 27, 1992, issue of the *Texas Register* (17 TexReg 8262).

Chapter 161 is being repealed in accordance with the sunset review process mandated by Senate Bill 1, 71st Legislature.

The sections in this chapter are being moved from the Texas Administrative Code to the State Board of Education Operating Rules to locate them more appropriately with other rules related to board operations.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Senate Bill 1, §2.25, 71st Legislature, Sixth Called Session, which authorizes the State Board of Education to review all rules, other than portions of Chapter 75, under Title 19, Texas Administrative Code, relating to public education.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317578
Crisis Cloudt
Director of Policy Planning
and Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: November 27, 1992

For further information, please call: (512) 463-9701

Chapter 165. Relationships with the United States Government and Its Agencies

State Board of Education Leadership

• 19 TAC §§165.1-165.3

The Texas Education Agency adopts the repeal of §§165.1-165.3, concerning State Board of Education (SBOE) leadership, without changes to the proposed text as published in the November 27, 1992, issue of the *Texas Register* (17 TexReg 8262).

Chapter 165 is being repealed in accordance with the sunset review process mandated by Senate Bill 1, 71st Legislature.

The repeals will result in a clearer, more concise statement of the rules relating to relationships with the federal government and agencies.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Senate Bill 1, §2.25, 71st Legislature, Sixth Called Session, which authorizes the State Board of Education to review all rules, other than portions of Chapter 75, under Title 19, Texas Administrative Code, relating to public education.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317582
Crisis Cloudt
Directors of Policy
Planning and
Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: November 27, 1992

For further information, please call: (512) 463-9701

Chapter 173. Rules and the Rulemaking Process

Subchapter A. Rules of the Texas Education Agency

• 19 TAC §§173.1-173.7

The Texas Education Agency adopts the repeal of §§173.1-173.7 and 173. 21-173.27, concerning rules and the rulemaking process, without changes to the proposed text as published in the November 27, 1992, issue of the *Texas Register* (17 TexReg 8263).

Chapter 173 is being repealed in accordance with the sunset review process mandated by Senate Bill 1, 71st Legislature.

The sections in this chapter are being moved from the Texas Administrative Code to the State Board of Education Operating Rules to locate them more appropriately with other rules related to board operations.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Senate Bill 1, §2.25, 71st Legislature, Sixth Called Session, which authorizes the State Board of Education to review all rules, other than portions of Chapter 75, under Title 19, Texas Administrative Code, relating to public education.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317583 Criss Cloudt
Director of Policy Planning
and Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: November 27, 1992

For further information, please call: (512) 463-9701

Subchapter B. Public Comments Regarding Rules

• 19 TAC §§173.21-173.27

The repeals are adopted under Senate Bill 1, §2.25, 71st Legislature, Sixth Called Session, which authorizes the State Board of Education to review all rules, other than portions of Chapter 75, under Title 19, Texas Administrative Code, relating to public education.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317584 Criss Cloudt
Director of Policy Planning
and Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: November 27, 1992

For further information, please call: (512) 463-9701.

Chapter 175. Proprietary Schools and Veterans Education

Subchapter E. Minimum Standards for Operation of Texas Proprietary Schools

• 19 TAC §§175.122, 175.127-175.129, 175.131

The Texas Education Agency adopts amendments to §§175.122, 175.127-175.129, and new §175.131, concerning minimum standards for operation of Texas proprietary schools. Section 175.127 is adopted with changes to the proposed text as published in the October 23, 1992, issue of the *Texas Register* (17 TexReg 7508). Sections 175.122, 175.128, and 175.129, and new §175.131 are adopted without changes and will not be republished.

The amendments and new section are neces-

sary to implement the Texas Proprietary School Act. The change in §175.127(b)(5)(I) adds the word "late" to distinguish that the interest penalty is due on late refunds. The change in §175.127(b)(11)(E) corrects an editorial mistake by adding that clause (iv) was not changed.

The amendments and new section implement the tuition protection fund, update the instructor qualification rules, and expand graduate outcome information provided to prospective students. They also update financial stability and application fee requirements involving renewal fees impacted by legislative changes, increase renewal fees, and clarify the prerequisites for program admission in both certificate and degree programs in proprietary schools.

No comments were received regarding adoption of the amendments and new section.

The amendments and new section are adopted under the Texas Education Code, §32.22, which authorizes the SBOE to adopt policies, regulations, and rules necessary for carrying out the provisions of the Texas Proprietary School Act.

§175.127. Minimum Standards for Operation of Proprietary Schools.

(a) (No change.)

(b) Schools desiring issuance and renewal of certificates of approval shall adhere to the following standards.

(1) Personnel.

(A) (No change.)

(B) Instructors.

(i) (No change.)

(ii) Instructors shall have specific qualifications as set forth in any of the subclauses (I)-(V) of this clause. In such cases where the practical experience is gained on a seasonal basis as an industry standard, such as tax preparation, the season of at least three months of experience shall be considered as one year of experience. The director may approve a variance from these specific qualifications with sufficient justification and an assurance that the program quality will not be lessened.

(I)-(IV) (No change.)

(V) Court reporting speedbuilding instructors shall hold a high school diploma or GED and have completed all court reporting theory requirements in a licensed court reporting school. The instructor shall also provide evidence of a minimum of one year of experience in the court reporting field. Experience shall be defined as court reporting, note reading, teaching court reporting theory, and/or stenography.

(iii) The instructor shall not be a current student in a same or similar program.

(iv) The instructor shall be of good reputation and character.

(v) Each instructor shall be evaluated annually. The report of the evaluation shall be available for review by representatives of the agency.

(vi) As determined by the director, an appropriate number of the faculty shall have the relevant license or certificate required for the job objective. The holder of the license or certificate shall actively participate in curriculum development and/or curriculum revision.

(vii) The school shall ensure continuity of instruction through the reasonable retention of the instructional staff.

(viii) The school shall maintain and update annually a written plan for staff development which includes at a minimum: continuing education, staff meetings, and attendance at trade and professional meetings. Documentation of implementation shall also be maintained.

(ix) The number of court reporting speedbuilding instructors who do not hold a court reporting certificate issued by a state, qualified under clause (ii)(V) of this subparagraph, related to instructor qualifications, shall not exceed 20% of the instructional staff.

(x) The school shall publish as a part of its catalog a list of the instructors including qualifications and the field to be taught.

(xi) Upon written notification to the director postmarked no later than the first day in the classroom, a person who has not been approved or disapproved as an instructor may serve as an instructor for no more than two weeks. This person shall have practical experience or education in the subject area to be taught. There shall be no more than one such person per grading period in an individual subject. It is the school's responsibility to ensure that students continue to receive a quality education.

(2) Admission requirements.

(A) The school shall submit for approval by the director its admission requirements for each program with justification for the requirements.

(i) The school shall require for admission into its programs proof of the following, as appropriate:

(I) high school graduation;

(II) a recognized high school equivalency credential; or

(III) ability to benefit by obtaining a satisfactory score on the approved entrance test.

(ii)-(vii) (No change.)

(B) (No change.)

(C) Prior to enrollment the school shall furnish the following to each prospective student:

(i)-(v) (No change.)

(vi) if available, the average starting salary and yearly starting salary range for the prospective student's program objective, and data about the number of job openings in the program objective in a specified area within the last 12 months with the name of the source;

(vii) regulations pertaining to incomplete grades;

(viii) written and verbal explanations of the difference between a loan and a grant, if the school participates in a loan or grant program;

(ix) requirements, if any, for any state or national licensing, certifications, or registrations;

(x) passage rates for programs which prepare students for state licensing, certification, or registration exams; and

(xi) for the applicants program, the completion, placement, and employment data required by paragraph (14)(G) of this subsection.

(D) (No change.)

(E) In addition, all schools shall use a form approved by the director to verify the student's receipt of the information required in subparagraphs (C) and (D) of this paragraph. At the discretion of the director, the form shall also include the following statements.

(i) "I have furnished information disclosing my previous education, training, and work experiences. I understand this will be evaluated and may result in my program length being shortened and the cost being reduced."

(ii) "I further realize that any grievances not resolved by the school may be forwarded to the Division of Proprietary Schools and Veterans Education, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, (512) 475-9475."

(iii) "A comparison of the cost to me for a similar program at other schools is available by contacting the Division of Proprietary Schools and Veterans Education, Texas Education Agency, Austin."

(F)-(G) (No change.)

(3)-(4) (No change.)

(5) Cancellation and refund policy.

(A)-(F) (No change.)

(G) For programs consisting of a combination of home study lessons and residence training, not more than \$100 will be retained by the school for those students who fail to enter residence training, unless the school submits affirmative evidence acceptable to the administrator disclosing the home study lessons are of such quality and content to reasonably assure that the students will achieve the stated objective without the residence training portion of the program.

(H) In reference to the Texas Education Code, §32.39(e), a school is considered to have made a good faith effort to consummate a refund if the student's file contains evidence of the following attempts:

(i) certified mail to the student's last known address;

(ii) certified mail to the student's permanent address; and

(iii) certified mail to the address of the student's parent, if different from the permanent address.

(I) Interest on late refunds for grants shall be paid to the tuition protection fund if the amount is \$15 or less. Any other interest assessed on a school's late payment of student refunds, as provided by the Texas Education Code, §32.39(e), shall be disbursed in the following priority order:

(i) to the student's account at the lending institution for the balance of principal and interest on the student loan;

(ii) to the student for tuition and fees paid directly by the student; and

(iii) to the tuition protection fund of any remaining balance of assessed interest.

(J) If it is determined that the method used by the school to calculate refunds is in error or the school does not

routinely pay refunds within the time required by the Texas Education Code, §32.39(b)(7) and (12), the school shall submit a report of an audit which includes any interest due as set forth in the Texas Education Code, §32.39(e), conducted by an independent certified public accountant or public accountant registered with the State Board of Public Accountancy, of the refunds due former students. The audit opinion letter shall be accompanied by a schedule of student refunds due which shall disclose the following information for the previous four years from the date of request by the agency for each student:

(i)-(iii) (No change.)

(6)-(10) (No change.)

(11) Financial stability.

(A) New school.

(i) (No change.)

(ii) If the school will be owned by a sole proprietor, the balance sheet may be reviewed, rather than audited by the accountant. The notes to the personal balance sheet shall disclose the amount of payments for the next five years to meet debt agreements as required by generally accepted accounting principles for other types of financial statements.

(iii) The balance sheet shall be accompanied by the owner's statement outlining any payments made since the balance sheet date and the expected expenses for the first three months of operation. These expenses may include, but are not limited to, the following:

(I)-(V) (No change.)

(iv) (No change.)

(B) General requirements for financial statements. Each certificated school shall furnish annually two copies of acceptable financial statements in association with an independent public accountant or certified public accountant not later than 120 days from the close of the school's fiscal year. These statements shall be consistent with generally accepted accounting principles except compilations and shall include the following:

(i) (No change.)

(ii) statement of results of operation (statement of income and retained earnings). This statement shall include the gross amount of tuition and fees earned net of refunds during the fiscal year for all programs approved under the Texas Education Code, Chapter 32, for each school;

(iii) (No change.)

(iv) the gross amount minus refunds of annual student tuition and fees for each school.

(C) Specific types of statements required. Certificated schools shall meet the following requirements.

(i) Schools shall submit audited financial statements which have been certified by an independent public accountant or certified public accountant at the end of their first year of operation. Schools whose certificate of approval bond amount is in excess of the highest amount of unearned tuition (as defined in §175.122 of this title (relating to Definitions)) experienced in the most recent fiscal year or expected to be experienced in the next fiscal year, whichever is higher, may submit either compiled financial statements or all of the requirements outlined in clause (iii) of this subparagraph in lieu of audited financial statements.

(ii) (No change.)

(iii) Schools whose certificate of approval bond amount is in excess of the highest amount of unearned tuition (as defined in §175.122 of this title) experienced in the most recent fiscal year or expected to be experienced in the next fiscal year, whichever is higher, may submit all of the following in lieu of the annual statements required in subparagraph (B)(i)-(iv) of this paragraph:

(I) a statement of the maximum amount of unearned tuition at any time during the most recent fiscal year and projected maximum unearned tuition at any time during the next fiscal year, and the gross amount minus refunds of Texas student tuition and fees earned during the fiscal year on all programs approved under Texas Education Code, Chapter 32;

(II) a copy of the annual income tax form filed specifically for the business; and

(III) an owner's affidavit on a form provided by the director certifying that the statement concerning unearned tuition and the copy of the annual income tax form are true and correct.

(iv) If the director determines that there exists a reasonable cause to question the validity of the compiled or reviewed financial statements submitted, information relating to tuition income, unearned tuition, annual income tax form, or the adequacy of the financial structure, the administrator may require an audit of a school at the school's expense that has been certified by an independent certified public accountant or public accountant. The owner

shall furnish any other evidence deemed appropriate by the administrator to establish financial stability.

(v) Schools which are subsidiaries of another corporation may submit, in lieu of the statements required in subparagraph (B)(i)-(iv) of this paragraph, the annual audited financial statements of the parent corporation provided that:

(I) said statements shall be accompanied by an audited list of any Texas student tuition refunds payable by the subsidiary school at the close of its fiscal year. In addition, the statements shall also be accompanied by an owner's statement reflecting the gross amount minus refunds of Texas student tuition and fees earned during the fiscal year on all programs approved under the Texas Education Code, Chapter 32. If the director determines there exists a reasonable cause to question the validity of this information, the amount reported as tuition and fees shall be audited by an independent certified public accountant or public accountant; and

(II) (No change.)

(D) Interim financial statements. If a school chooses to submit interim financial statements in addition to the annual statements to establish financial stability, those interim statements shall meet the minimum requirements in subparagraphs (B) and (C) of this paragraph.

(E) Financial stability required. The school shall have sufficient finances to establish and carry out a satisfactory program of education on a continuing basis.

(i) The balance sheet required in subparagraph (A) of this paragraph shall reflect sufficient cash to pay all expenses for the first three months of operation. To determine sufficient cash, see subparagraph (A) (iii) of this paragraph.

(ii) The applicant's balance sheet required in subparagraphs (A)-(D) of this paragraph shall reflect all of the following:

(I)-(II) (No change.)

(III) a current ratio of at least one-to-one. To determine this ratio, staff will deduct any unearned tuition from both the asset and liability sections, and deduct from the asset section and the equity section of the balance sheet, any subscription receivables, and/or related party receivables in connection with loans to

stockholders if the loan has been included in current assets for more than one year.

(iii)-(iv) (No change.)

(F) Federal audits. Schools which participate in federal financial aid programs shall submit a copy of each audit in accordance with reporting requirements of "Government Auditing Standards," the most current edition, issued by the comptroller general of the United States at the same time the audit report is submitted to the Department of Education.

(G) Change in ownership. Prior to a change in ownership of a proprietary school, the purchaser shall furnish the director an acceptable balance sheet which meets the requirements outlined in subparagraph (A) of this paragraph with the exception of subparagraph (A)(iii) of this paragraph. The purchaser shall furnish any other evidence deemed appropriate by the administrator to establish financial stability.

(H) Other requirements. All financial statements shall identify the name of the independent public accountant or certified public accountant associated with the statements and be in accordance with generally accepted accounting principles. Compilations shall be accompanied by the owner's affidavit that the statements are true and correct. Accountants from states other than Texas shall give their state license number.

(12)-(15) (No change.)

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317581 Criss Cloutt
Director of Policy Planning
and Evaluation
Texas Education Agency

Effective date: February 3, 1993

Proposal publication date: October 23, 1992

For further information, please call: (512) 463-9701

◆ ◆ ◆
TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services
Chapter 61. Community Services

Volunteer Services

The Texas Department of Human Services (DHS) adopts the repeal of §§61.9001-

61.9004 and 61.9013-61.9018, new §§61.9001-61.9003 and 61.9013, and amendments to §§61.9005-61.9008 and §§61.9010-61.9012 without changes to the proposed text as published in the December 8, 1992, issue of the *Texas Register* (17 TexReg 8515). New §61.9004 is adopted with a change to the proposed text.

Justification for the repeals, new sections, and amendments will be a volunteer program with clear rights, benefits, and responsibilities.

The repeals, new sections, and amendments will function by reflecting organizational changes in DHS and the addition of risk management practices to protect volunteers and DHS.

The department received no comments regarding the adoption of the repeals, amendments, and new sections. The department made an addition to §61.9004(a) to clarify that limitations exist for volunteer insurance coverage.

• 40 TAC §§61.9001-61.9004, 61.9013-61.9018

The repeals are adopted under the Human Resources Code, Title 2, Chapter 22 which authorizes the department to administer public assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317454

Nancy Murphy
Agency Liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: February 1, 1993

Proposal publication date: December 8, 1992

For further information, please call: (512) 450-3765

◆ ◆ ◆
• 40 TAC §§61.9001-61.9004, 61.9013

The new sections are adopted under the Human Resources Code, Title 2, Chapter 22 which authorizes the department to administer public assistance programs.

§61.9004. *Volunteer Insurance.*

(a) All volunteers directly supervised by Texas Department of Human Services (DHS) staff or by DHS-designated volunteers are covered for excess accident and personal liability insurance. This is a secondary insurance and covers the volunteer in the performance of volunteer services with some limitations, as specified in the Volunteers Insurance Service Association, Inc., Insurance Plan.

(b) If funds are available, volunteers, especially those who transport clients, may be covered for excess automobile insurance. The insurance is secondary and will only apply if the volunteer has met state insurance requirements.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel

and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317455

Nancy Murphy
Agency Liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: February 1, 1993

Proposal publication date: December 8, 1992

For further information, please call: (512) 450-3765

◆ ◆ ◆
• 40 TAC §§61.9005-61.9008, 61.9010-61.9012

The amendments are adopted under the Human Resources Code, Title 2, Chapter 22 which authorizes the department to administer public assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317456

Nancy Murphy
Agency Liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: February 1, 1993

Proposal publication date: December 8, 1992

For further information, please call: (512) 450-3765

Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. Some notices may be received too late to be published before the meeting is held, but all notices are published in the *Texas Register*.

Emergency meetings and agendas. Any of the governmental entities named above must have notice of an emergency meeting, an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. Emergency meeting notices filed by all governmental agencies will be published.

Posting of open meeting notices. All notices are posted on the bulletin board at the Office of the Secretary of State in lobby of 221 East 11th Street, Austin. These notices may contain more detailed agenda than what is published in the *Texas Register*.

Meeting Accessibility. Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, agencies must provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, large print or braille documents. In determining type of auxiliary aid or service, agencies must give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify the contact person listed on the meeting summary several days prior to the meeting by mail, telephone, or RELAY Texas (1-800-735-2989).

Texas Department on Aging

Thursday, January 14, 1993, 9:30 a.m. The Texas Board on Aging of the Texas Department on Aging met at the Texas Department on Aging, 1949 South IH-35, Third Floor Large Conference Room, Austin. According to the complete emergency revised agenda, the board heard committee reports, Area Agency on Aging (AAA) Operations Committee; considered and possibly acted on withdrawing the proposed repeal of 40 TAC §255.12, Designation of Planning and Service Areas; and the proposed new 40 TAC §255.12, State Procedures to Provide Due Process; and published proposed amendment to 40 TAC §255.12, Designation of Planning and Service Areas; and deleted from Item G, board committee reports, AAA Operations Committee, entire section reading "Reports on". The emergency status was necessary as amendment was being made pursuant to the direction of the Chair of the AAA Operations Committee of the Texas Board on Aging as a result of the receipt of additional information not previously available.

Contact: Mary Sapp, P.O. Box 12687, Austin, Texas 78711, (512) 444-2727.

Filed: January 13, 1993, 8:41 a.m.

TRD-9317572

Texas Animal Health Commission

Friday, January 22, 1993, 9 a.m. The Texas Animal Health Commission will meet at 210 Barton Springs Road, First Floor Conference Room, Austin. According to the agenda summary, the commission will discuss approval of minutes and actions

of executive director; present awards to employees; consider resolution granting authority to executive director on equipment financing; discuss workers compensation; risk management and risk classification; reports on proposal for joint training program concerning free trade between Mexico and United States; committee report on supervision of duties of internal auditor; consider adopting amendments to rules on brucellosis; discuss fever ticks and swine; report and discuss swine brucellosis; and discuss EIA survey and proposals.

Contact: Jo Anne Conner, P.O. Box 12966, Austin, Texas 78711, (512) 479-6697.

Filed: January 12, 1993, 2:49 p.m.

TRD-9317507

State Bar of Texas

Thursday, January 21, 1993, 1:30 p.m. The Executive Committee of the State Bar of Texas will meet at the La Posada Hotel, 1000 Zaragoza Street, Laredo. According to the agenda summary, the committee will call the meeting to order; take roll call; hear report of the chair of the board; president; president-elect; office of general counsel; grant review; immediate past president; commission for lawyer discipline; and report from Supreme Court Liaison.

Contact: Pat Hiller, 1414 Colorado Street, Austin, Texas 78701, (512) 463-1451.

Filed: January 13, 1993, 3:41 p.m.

TRD-9317635

Friday, January 22, 1993, 9 a.m. The Board of Directors of the State Bar of Texas will meet at the La Posada Hotel, 1000 Zaragoza Street, Laredo. According to the

agenda summary, the committee will call the meeting to order; take roll call; give invocation; reports from chair of the board; president; executive director; TYLA President; president-elect; office of general counsel; board committees: appeals; general counsel advisory; grant review; legislative policy; minority representation; nominations and elections, and professional development/bar committees, sections and divisions: annual meeting committee; lawyer referral service, committees, and sections Texas Lawyers Assistance Program; Texdex, Inc.; Texas Bar Foundation; Task Force to study certification of legal assistants; commission for lawyer discipline; immediate past president; Supreme Court liaison; court of criminal appeals liaison; federal judicial liaison; judicial section liaison; and hear remarks from the general public.

Contact: Pat Hiller, 1414 Colorado Street, Austin, Texas 78701, (512) 463-1451.

Filed: January 13, 1993, 3:40 p.m.

TRD-9317634

State Board of Barber Examiners

Tuesday, February 2, 1993, 8:30 a.m. The State Board of Barber Examiners will meet at 9101 Burnet Road, Suite 103, Austin. According to the complete agenda, the board will discuss approval of minutes of the previous meeting; sign teacher and school certificates; hear reports by the executive director; read letters to the board; adopt amendments to Rule 51.17 Speciality Equipment; meet in executive session; and adjourn.

Contact: Mary Jo King, 9101 Burnet Road, Suite 103, Austin, Texas 78758, (512) 835-2040.

Filed: January 14, 1993, 9:58 a.m.

TRD-9317659

Texas Bond Review Board

Thursday, January 21, 1993, 10 a.m. The Texas Bond Review Board will meet at the Central Services Building, Room 402, Austin. According to the agenda summary, the board will call the meeting to order; discuss approval of minutes; consider proposed issues; consider Texas Turnpike Authority financing for Houston Ship Channel Bridge; discuss other business; and adjourn.

Contact: Beverly S. Bunch, 300 West 15th Street, Suite 409, Austin, Texas 78701, (512) 463-1741.

Filed: January 13, 1992, 3:51 p.m.

TRD-9317643

Texas Department of Commerce

Thursday, January 21, 1993, 8:30 a.m. The State Job Training Coordinating Council Program Policy Committee of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the council will take action on JTPA Youth Program eligibility for 14-15 year old individuals with disabilities and older individual program policy; tentative action will be taken on SJTCC recommendation regarding application of the Administrative Procedures and Texas Register Act (APTRA) to JTPA; policy briefings will be presented on capacity building strategy and deobligation/reobligation policy; literacy, communities-in-schools, and quality work force planning programs; and briefings will be presented on JTPA amendments and regulations related to program policy, program performance reports, and 52 week follow-up report. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:50 p.m.

TRD-9317640

Thursday, January 21, 1993, 8:30 a.m. The Strategic Planning/Coordination Committee of the State Job Training Coordinating Council of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the committee will act on State Job Training Coordinating Council comment on Carl Perkins Vocational/Education and Applied Technology Act Plan; Modifications to PY92-93 goals and objectives; and PY93 Education Coordination Policy (Section 123); briefings will be presented on the SJTCC comment on State Master Plan for Career and Technical Education; JTPA amendments and regulations; strategic planning and coordination provisions; and the North American Free Trade Agreement. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:51 p.m.

TRD-9317641

Thursday, January 21, 1993, 8:30 a.m. The State Job Training Coordinating Council Smart Jobs Training Plan Committee of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the council will hold an informational session for members of the Oversight and Worker Adjustment Committees on the Smart Jobs Training plan; and upcoming legislative issues. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:51 p.m.

TRD-9317642

Thursday, January 21, 1993, 1:30 p.m. The State Job Training Coordinating Council Oversight Committee of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the committee will act on the Collin County Reorganization Plan Status; briefings will be presented on the JTPA amendments and regulations related to program oversight; update on internal monitoring unit; update

on SDA technical assistance plan status; PY92 first quarter fiscal report; and PY92 second quarter monitoring report. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:48 p.m.

TRD-9317637

Thursday, January 21, 1993, 1:30 p.m. The State Job Training Coordinating Council Worker Adjustment Committee of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, a site visit for committee members will be held at the Austin Travis County PIC Dislocated Worker Program; briefings will be presented on PY91 Dislocated Worker Program final report; JTPA Amendments and Defense Authorization Act Regulations; implications for Title III Programs; update on implementation of PY92-93 Title III Policy and Program; and update on defense conversion adjustment grants. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:49 p.m.

TRD-9317638

Thursday, January 21, 1993, 1:30 p.m. The State Job Training Coordinating Council Smart Jobs Training Plan Informational Session of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the council will hold an information session for the Strategic Planning/Coordination and Program Policy Committees on the Smart Jobs Training Plan; and upcoming legislative issues. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:49 p.m.

TRD-9317639

Friday, January 22, 1993, 8:30 a.m. The State Job training Coordinating Council of the Texas Department of Commerce will meet at the Omni Hotel, 700 San Jacinto Street, Austin. According to the agenda summary, the council will discuss committee items; standard reports and briefings; council member reports on Summer Youth Program visits; and action on the adoption of the Smart Jobs Training Plan and the adoption of the SJTCC comments on DOL final interim rules. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or persons who need assistance in having English translated into Spanish, should contact Kevin Faulkner, (512) 320-9885 (TDD 320-9698 or Relay Texas 800 735-2988) at least two days before this meeting so that appropriate arrangements can be made.

Contact: Alexa Ray, P.O. Box 12728, Austin, Texas 78711, (512) 320-9884.

Filed: January 13, 1993, 3:48 p.m.

TRD-9317636

Texas Education Agency

Friday, January 22, 1993, 9 a.m. The Committee on Student Learning of the Texas Education Agency will meet at the Guest Quarters Hotel, Bluebonnet One Room, 303 West 15th Street, Austin. According to the agenda summary, the committee will make introduction and comments; report on the State Board of Education's recommendations to the 73rd Texas Legislature—this will be a presentation of the board's major recommendations to the legislature for improving student achievement; request for approval of the report of the Committee on Student Learning to the 73rd Texas Legislature—discussion of the proposed vision statement for the Committee on Student Learning and the committee's first report to the legislature; report on process to determine real world requirements for Texas students—an update on the development of a statewide grassroots process to derive real world requirements for Texas students; status report on student assessment—report on the activities of the Technical Advisory Committee on Assessment and its recommendations concerning a statewide accountability system; report on Technical Advisory Committee on Developmentally Appropriate Instruction—report on developmental activities in establishing the committee's second technical advisory committee; and discuss committee business.

Contact: Marvin Veselka, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9533.

Filed: January 13, 1993, 10:28 a.m.

TRD-9317593

Monday-Tuesday, February 1-2, 1993, 10 a.m. and 8:30 a.m. respectively. The Software Advisory Committee of the Texas Education Agency will meet at the Texas Education Agency, Travis Building, Room 1-110, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will give a history and update of the Software Advisory Committee and Software Selection Tools for Texas Schools; options for software selection tools that can be made available to Texas schools; vote on the software selection tool to make available and recommendations to the State Board of Education (First two mandates); development of an action plan for working with software designers and publishers in developing and making available computer software suited to classroom use (Third mandate); and discuss Software Advisory Committee's long-range goals and short-term plans.

Contact: Karen Kahan, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9064.

Filed: January 12, 1993, 3:06 p.m.

TRD-9317536

Wednesday, February 3, 1993, 8:30 a.m. The State Parent Advisory Council for Migrant Education of the Texas Education Agency will meet at the Red Lion Hotel, 6121 IH-35 North at US 290, Austin. According to the complete agenda, the council will welcome guests; make introductions; orientation; discussion of by-laws of the State Parent Advisory Council for Migrant Education; discuss approval of the minutes; discuss Migrant State Plan objectives; evaluation of migrant program discussion; election of officers; and recommendations for agenda items.

Contact: Frank Contreras, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9067.

Filed: January 12, 1993, 3:06 p.m.

TRD-9317537

Thursday, February 4, 1993, 9 a.m. The Advisory Committee on Student Assessment of the Texas Education Agency will meet at the William B. Travis Building, Room 1-104, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will advise the Texas Education Agency on the development and administration of the student assessment program; reports from subcommittees; Fall TAAS results; NAPT report formats; update on writing collection; updates on new test

development; legislative progress report; future directions; topics added by committee; and date and preliminary agenda for next meeting.

Contact: Keith Cruse, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9536.

Filed: January 12, 1993, 3:05 p.m.

TRD-9317535

Employees Retirement System of Texas

Friday, January 22, 1993, 9 a.m. The Group Benefits Advisory Committee of the Employees Retirement System of Texas will meet at the Texas Rehabilitation Commission, 4900 North Lamar Boulevard, Austin. According to the agenda summary, the committee will call the meeting to order; recognition of visitors and guests; discuss approval of minutes from previous meeting; officer nomination and election; establishment of committee member terms; ERS update; discuss other related benefit matters; and adjourn.

Contact: James W. Sarver, 18th and Brazos Streets, Austin, Texas 78701, (512) 867-3217.

Filed: January 13, 1993, 10:18 a.m.

TRD-9317590

Governor's Office

Friday-Saturday, January 22-23, 1993, 1 p.m. and 9:30 a.m. respectively. The Governor's Commission for Women of the Governor's Office will meet at 9721 Arboretum Boulevard, Stouffer Austin Hotel, Austin. According to the agenda summary, the commission will call the meeting to order; and discuss approval of minutes. A representative from the Department of Health will present an overview of women's health issues and a representative from the Health and Human Services Commission will give a report on legislative initiatives. The meeting continues with the approval of the health report and a review of the Hall of Fame events and breaks at 4 p.m. The meeting reconvenes on Saturday, with a report from the State Agency Council and committee reports; and adjourn.

Contact: Cynthia Wise Galvan, P.O. Box 12428, Austin, Texas 78711, (512) 475-2615.

Filed: January 13, 1993, 9:05 a.m.

TRD-9317574

Health and Human Services Commission

Wednesday, January 27, 1993, 9:30 a.m. The Physician Payment Advisory Committee of the Health and Human Services Commission will meet at the National Heritage Insurance Company, 11044 Research Boulevard, Building A, Presentation Room, Austin. According to the complete agenda, the committee will make opening remarks; hear state medicaid director's comments; discuss approval of minutes; provider participation update; November 25, 1992 medicare RBRVS proposal; health financing administration pediatric surgical refinements; open discussion; set next meeting; and adjourn.

Contact: Geri Willems, P.O. Box 13247, Austin, Texas 78711, (512) 502-3256.

Filed: January 12, 1993, 1:42 p.m.

TRD-9317509

Texas Historical Commission

Thursday, January 21, 1993, noon. The Executive Committee of the Texas Historical Commission will meet at the 15th Street Cafe, Guest Quarters Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will review and discuss Texas Public Finance Authority agreement; nominations committee report; 1994-1995 budget request; and Parks and Wildlife Memorandum of Agreement.

Contact: Cindy Laguna Dally, P.O. Box 12276, Austin, Texas 78711, (512) 463-5768.

Filed: January 12, 1993, 1:45 p.m.

TRD-9317511

Thursday, January 21, 1993, 2 p.m. The Texas Preservation Trust Fund Committee of the Texas Historical Commission will meet at the 15th Street Cafe, 303 West 15th Street, Austin. According to the complete agenda, the committee will make reappointments to the advisory board; and discuss other business.

Contact: Stan Graves/Lisa Harvell, P.O. Box 12276, Austin, Texas 78711, (512) 463-6094.

Filed: January 12, 1993, 1:46 p.m.

TRD-9317515

Friday, January 22, 1993, 8 a.m. The Main Street Committee of the Texas Historical Commission will meet at the 15th Street Cafe, Guest Quarters Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will give an update on Main Street Cities; and discuss preservation day.

Contact: Cindy Laguna Dally, P.O. Box 12276, Austin, Texas 78711, (512) 463-6100.

Filed: January 12, 1993, 1:46 p.m.

TRD-9317516

Friday, January 22, 1993, 8:30 a.m. The National Register Programs Committee of the Texas Historical Commission will meet at the 15th Street Cafe, Guest Quarters Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will discuss approval of FY 1993 certified local government grants; state board of review workshop and meeting; and quarterly report of activities.

Contact: Marlene Casarez, P.O. Box 12276, Austin, Texas 78711, (512) 463-6094.

Filed: January 12, 1993, 1:47 p.m.

TRD-9317517

Friday, January 22, 1993, 8 a.m. The Archeology Committee of the Texas Historical Commission will meet at the 15th Street Cafe, Guest Quarters Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will review and discuss stewardship network; Texas Archeology Awareness Week; OSA budget/projects; and publications.

Contact: Robert J. Mallouf, P.O. Box 12276, Austin, Texas 78711-2276, (512) 463-6090.

Filed: January 12, 1993, 1:46 p.m.

TRD-9317514

Friday, January 22, 1993, 8:30 a.m. The Local History Programs Committee of the Texas Historical Commission will meet at the 15th Street Cafe, Guest Quarters Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will call the meeting to order; and give update on departmental activities and workload.

Contact: Frances Rickard, 1511 Colorado Street, Austin, Texas 78701, (512) 463-6100.

Filed: January 12, 1993, 1:46 p.m.

TRD-9317513

Friday, January 22, 1993, 9:30 a.m. The Texas Historical Commission will meet at the Austin History Center, 810 Guadalupe Street, Austin. According to the agenda summary, the commission will hear chairman's report; discuss action items; information items; and adjourn.

Contact: Cindy Laguna Dally, P.O. Box 12276, Austin, Texas 78711, (512) 463-5768.

Filed: January 12, 1993, 1:46 p.m.

TRD-9317512

Texas Department of Human Services

Friday, January 22, 1993, 10 a.m. The Texas Board of Human Services of the Texas Department of Human Services will meet at 701 West 51st Street, First Floor, East Tower, Public Hearing Room, Austin. According to the complete agenda, the board will consider action on approval of December 18, 1992, minutes; hear chairman's comments and announcements; hear religious community advisory committee report; medicaid reimbursement rate report requested by HCR 237; discharge rules in LTC/NFR for licensure and medicaid certification; ICF-MR standards regarding provider applications and reconsideration of level-of-care determination and effective dates; ICF-MR reimbursement rates for state schools; reimbursement adjustment for in-home services for total parenteral hyperalimentation; amendments to policies and procedures; FY 1993 budget adjustments; commissioner's report; meet in executive session with attorney concerning pending litigation; reconvene in open session to take action, if necessary, resulting from discussion in executive session.

Contact: Sherron Heinemann, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-3048.

Filed: January 12, 1993, 12:30 p.m.

TRD-9317505

Tuesday, January 26, 1993, 9 a.m. The Drug Use Review Board of the Texas Department of Human Services will meet at 701 West 51st Street, Third Floor, West Tower, Conference Room 1W, Austin. According to the complete agenda, the board will discuss approval of minutes from November 10, 1992; discuss criteria and standard development as defined by OBRA 90; review of profiles on Alorazolam usage; general discussion of educational intervention methods; update on prospective DUR and the on-line pharmacy claims adjudication system; scheduling next meeting; and adjourn.

Contact: Curtis Burch, P.O. Box 149030, Austin, Texas 78714-9030, (512) 380-6988.

Filed: January 13, 1993, 4:10 p.m.

TRD-9317646

Tuesday, January 26, 1993, 9:30 a.m. The Religious Community Advisory Committee of the Texas Department of Human Services will meet at 701 West 51st Street, First Floor, West Tower, Conference Room 1W, Austin. According to the complete agenda, the committee will make introductions; set meeting dates; hear board report; securing consumer input; update on House

Bill 7 and client access; legislative update; adolescent pregnancy advisory committee summit report; agency structural changes; concerns of members; and adjourn.

Contact: Susan Smith, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-3135.

Filed: January 12, 1993, 12:46 p.m.

TRD-9317506

Texas Department of Insurance

Wednesday, January 13, 1993, 1:30 p.m. The State Board of Insurance of the Texas Department of Insurance held an emergency meeting at the William P. Hobby Building, Room 100, 333 Guadalupe Street, Austin. According to the complete agenda, the board held a public hearing under Docket Number 1974 to consider possible action on a petition filed by Aberdeen Group, Inc., seeking immediate relief from action taken by the Texas Workers' Compensation Insurance Facility and/or consideration of the merits of the petition. The emergency status was necessary due to an unforeseeable situation requiring immediate review by the board in accordance with Texas Civil Statutes, Article 6252-17, §3A, and Article 21.28, §7.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: January 12, 1993, 3:56 p.m.

TRD-9317557

Thursday, January 21, 1993, 9 a.m. The Commissioner's Hearing Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the proposed plan of merger of Lincoln Income Life Insurance Company, Frankfort, Kentucky into Bankers National Life Insurance, Amarillo, with Bankers National Life Insurance Company being the survivor.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 12, 1993, 3:55 p.m.

TRD-9317555

Thursday, January 21, 1993, 8:30 a.m. The State Board of Insurance of the Texas Department of Insurance will meet at 333 Guadalupe Street, William P. Hobby Building, Room 1350I, Austin. According to the complete agenda, the board will consider any necessary response to actions, request, or other occurrences from the 73rd Legislative Session and from committees and members thereof.

Contact: Angelia Johnson, 333 Guadalupe

Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: January 13, 1993, 11:29 a.m.

TRD-9317602

Thursday, January 21, 1993, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the request for hearing by Texas Workers' Compensation Insurance Facility for commissioner to perform an official act pursuant to 28 TAC §1.78 in regards to State Service, Inc.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 12, 1993, 3:56 p.m.

TRD-9317556

Thursday, January 21, 1993, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the proposed plan of merger of LIC Life Insurance Company, Amarillo, and Beneficial Standard Life Insurance Company of Texas, Amarillo, into Jefferson National Life Insurance Company of Texas, Amarillo, with Jefferson National Life Insurance Company of Texas being the survivor.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 12, 1993, 3:55 p.m.

TRD-9317554

Friday, January 22, 1993, 1:30 p.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the reinsurance agreement whereby Winters Life Insurance Company, Winters, will be reinsured by Texas Directors Life Insurance Company, Abilene.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 12, 1993, 3:55 p.m.

TRD-9317553

Monday, January 25, 1993, 1:30 p.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public

hearing to consider the application for the restatement of the articles of incorporation with amendment of Benefit Life Insurance Company, Richardson, increasing the authorized capital.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 12, 1993, 3:55 p.m.

TRD-9317552

Tuesday, January 26, 1993, 8:30 a.m. The State Board of Insurance of the Texas Department of Insurance will meet at 333 Guadalupe Street, William P. Hobby Building, Room 1350I, Austin. According to the complete agenda, the board will consider any necessary response to actions, requests, or other occurrences from the 73rd Legislative Session and from committees and members thereof.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: January 13, 1993, 11:29 a.m.

TRD-9317601

Thursday, January 27, 1993, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the proposed plan of merger of Lincoln Income Life Insurance Company, Frankfort, Kentucky into Bankers National Life Insurance, Amarillo, with Bankers National Life Insurance Company being the survivor. Docket Number 11656.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: January 12, 1993, 3:55 p.m.

TRD-9317555

Wednesday, January 27, 1993, 1:30 p.m. The State Board of Insurance of the Texas Department of Insurance will meet at the William P. Hobby Building, Room 100, 333 Guadalupe Street, Austin. According to the complete agenda, the board will consider hearings officer's proposal for decision in Docket Number 1868; and Docket Number 1882 concerning the appeals of Liberty Mutual Insurance Company from decisions of the Texas Workers' Compensation Insurance Facility.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 436-6527.

Filed: January 13, 1993, 4:16 p.m.

TRD-9317647

Thursday, January 28, 1993, 8:30 a.m. The State Board of Insurance of the Texas

Department of Insurance will meet at 333 Guadalupe Street, William P. Hobby Building, Room 1350I, Austin. According to the complete agenda, the board will consider any necessary response to actions, requests, or other occurrences from the 73rd Legislative Session and from committees and members thereof.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: January 13, 1993, 11:29 a.m.

TRD-9317600

Texas Commission on Law Enforcement Officer Standards and Education

Tuesday, January 26, 1993, 1 p.m. (Continuing Wednesday, January 27, 1993, at 9 a.m., if necessary). The Texas Commission on Law Enforcement Officer Standards and Education will meet at the Doubletree Hotel, 6505 IH 35 North, Austin. According to the revised agenda summary, the commission will discuss revising the agenda to add a new agenda item: public comments on any subject without discussion will be received.

Contact: Fred Toler, 1033 LaPosada, #175, Austin, Texas 78752, (512) 450-0188.

Filed: January 12, 1993, 10:56 a.m.

TRD-9317500

Texas Board of Licensure for Nursing Home Administrators

Friday, January 15, 1993, 10 a.m. The Finance Committee of the Texas Board of Licensure for Nursing Home Administrators met at 4800 North Lamar Boulevard, Suite 310, Austin. According to the emergency revised compete agenda, the committee possibly reviewed Fiscal Year 1992 annual financial report and prepared to report to the board; possibly discussed the feasibility of holding board meetings outside of Austin; presented figures on implementing the \$10 fee; reviewed financial statements for agency sponsored seminars; reviewed expenditures vs. budget for fiscal year 1993; reviewed cash flow statement; reviewed the LBB's budget recommendations to Senate finance committee; and adjourned. The emergency status was necessary due to LBB's Budget recommendations received January 12, 1993, board needs to discuss before April meeting to plan strategy.

Contact: Janet Lacy, 4800 North Lamar Boulevard, Suite 310, Austin, Texas 78756, (512) 458-1955.

Filed: January 13, 1993, 3:13 p.m.

TRD-9317631

Friday, January 15, 1993, 1 p.m. The Board of the Texas Board of Licensure for Nursing Home Administrators met at 4800 North Lamar Boulevard, #250, Austin. According to the emergency revised agenda summary, the board called the meeting to order; took roll call; discussed approval of agenda; approval of minutes; received public comment; heard reports; updated litigation; reviewed and possibly acted on proposal for decision concerning Kenneth W. Jewel; discussed partial endorsement fee; discussed final vote on proposed Rule 247.1(e); discussed final vote on proposed Rule 249.5, and final vote on proposed Rule 247.1(a); discussed final vote to repeal current §243 and possibly adopted new §243; met in executive session to receive information from staff regarding an overview of the disciplinary process; discussed disciplinary process and looked at revising disciplinary rules; upcoming meetings; elected officers; announced next meeting date, place, and time; and adjourned. The emergency status was necessary due to the board receiving a proposal for decision on Kenneth Jewel on January 12, 1993, and feels that action should be taken immediately to eliminate the health and safety threat to the citizens of Texas he now poses.

Contact: Janet Lacy, 4800 North Lamar Boulevard, Suite 310, Austin, Texas 78756, (512) 458-1955.

Filed: January 12, 1993, 12:53 p.m.

TRD-9317508

Texas Optometry Board

Friday, January 22, 1993, 1:30 p.m. The Texas Optometry Board will meet at the Houston Hilton Plaza, 6633 Travis Street, Houston. According to the agenda summary, the committees of the board: Continuing Education, Rules Committee, along with remaining committees will meet; informal conference of the Investigation-Enforcement Committee; regular meeting of the board will convene to consider reports of secretary-treasurer, legal counsel, executive director, and committee chairpersons; appearance of individuals who have not met continuing education requirements for licensure renewal; cancellation of licenses; sunset matters; International Association of Board of Examiners in Optometry (IAB) matters; death of board member; election of vice-chairman vacancy; committee assignments; public comment at 4 p.m., time certain; meet in executive session, §2(e), Article 6252-17, Vernon's Annotated Civil Statutes, to discuss with board attorney pending litigation between Royal, Cole, Lenscrafters and Texas Optometry Board; board examination will be conducted on January 23, 1993, followed by grading ses-

sion in open meeting, University of Houston and College of Optometry.

Contact: Lois Ewald, 9101 Burnet Road, Suite 214, Austin, Texas 78758, (512) 835-1938.

Filed: January 13, 1993, 3:57 p.m.

TRD-9317644

Texas Parks and Wildlife Department

Wednesday, January 20, 1993, 10 a.m. The Regulation Committee-Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Parks and Wildlife Headquarters Complex Building B, 4200 Smith School Road, Austin. According to the agenda summary, the committee will discuss approval of regulations committee minutes from the November 4, 1992, meeting; an update of the White-Tailed Deer Herd Management Tag Program; proposed new rule relating to a Memorandum of Understanding between Texas Department of Transportation and Texas Parks and Wildlife Department; a briefing on proposed 1993-1994 hunting and fishing regulations; sand and gravel dredging; proposed Moratorium on sand dredging in the San Jacinto River and proposed amendment to rules setting prices for sand and gravel dredged from state-owned streams; a petition for rulemaking regarding shrimp nursery area definitions; a briefing on the nationwide Migratory Bird Harvest Information Program; a briefing on proposed 1993-1994 Early Season Migratory Game Bird Proclamation; and amendments to Wildlife Rehabilitation Regulations.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:50 p.m.

TRD-9317549

Wednesday, January 20, 1993, 2 p.m. The Finance Committee-Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Parks and Wildlife Headquarters, Building B-First Floor, 4200 Smith School Road, Austin. According to the agenda summary, the committee will discuss approval of committee minutes from the November 4, 1992, meeting; the Capital Program; briefing on legislative appropriations request; briefing on federal funds; and other business.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:49 p.m.

TRD-9317546

Wednesday, January 20, 1993, 2 p.m. The

Land Acquisition and Development Committee-Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Parks and Wildlife Headquarters Complex Building B-First Floor, 4200 Smith School Road, Austin. According to the agenda summary, the committee will discuss approval of committee minutes from the November 4, 1992, meeting; Arroyo Colorado Boat Ramp-Public Comment; and the Capital Program.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:49 p.m.

TRD-9317547

Wednesday, January 20, 1993, 2 p.m. The Land Acquisition and Development Committee-Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Parks and Wildlife Headquarters Complex Building C-First Floor, 4200 Smith School Road, Austin. According to the agenda summary, the committee will discuss approval of committee minutes from the November 4, 1992, meeting; Fiscal Year 1993 Acquisition Program; and land acquisitions-Grimes County and Kimble County.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:50 p.m.

TRD-9317548

Wednesday, January 20, 1993, 5:30 p.m. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Headliner's Club, Bank One Building, 221 West Sixth Street, Austin. According to the agenda summary, the commission plan to have dinner at 5:30 p. m., January 20, 1993, although this function is primarily a social event and no formal action is planned, the commission may discuss items on the public hearing agenda scheduled for 9 a.m., January 21, 1993.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:50 p.m.

TRD-9317550

Thursday, January 21, 1993, 9 a.m. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Parks and Wildlife Headquarters Complex Building B, 4200 Smith School Road, Austin. According to the agenda summary, the commission will discuss approval of minutes; and land acquisition-Grimes County, Kimble County, and Henderson County.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:49 p.m.

TRD-9317545

Thursday, January 21, 1993, 9 a.m. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Parks and Wildlife Headquarters Complex Building B, 4200 Smith School Road, Austin. According to the agenda summary, the commission will discuss approval of minutes; hear presentation of Retirement Certificates and Service Awards; presentation of Shikar-Safari Award; presentations by Texas Black Bass Unlimited; presentation by Native Prairies Association of Texas; recognize major sponsors of Texas Wildlife Exposition 1992; elect vice-chairman; discuss local park funding; biennial budget request; the Capital Program; Fiscal Year 1993-1994 State Park Fee Schedule; proposed Moratorium on sand dredging in the San Jacinto River; amendment to Wildlife Rehabilitation Regulations; Memorandum of Understanding between Texas Department of Transportation and Texas Parks and Wildlife Department; briefing on proposed 1993-1994 hunting and fishing regulations; briefing on proposed 1993-1994 Early Season Migratory Game Bird Proclamation; Elephant Mountain Wildlife Management Area Advisory Committee; Admiral Nimitz Museum State Historical Park-name change; easement for drill site-Falcon State Park, Starr County; land acquisition-Grimes County and Kimble County; and Texas Freshwater Fisheries Center at Athens.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 12, 1993, 3:49 p.m.

TRD-9317544

Tuesday, January 26, 1993, 1 p.m. The Regulations Committee of the Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the Holiday Inn, Highway 59 and South Loop, Nacogdoches. According to the agenda summary, the committee will hold a public hearing to discuss and receive comments regarding White-tailed Deer Management and Proposed Deer Regulations for 1993-1994.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 13, 1993, 2:35 p.m.

TRD-9317623

Tuesday, January 26, 1993, 7 p.m. The Regulations Committee of the Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet at the VFW Hall, 1349 Walnut Street, Columbus. According to the agenda summary, the committee will hold a public hearing to discuss and receive comments regarding White-tailed Deer Management and Pro-

posed Deer Regulations for 1993-1994.

Contact: Andrew Sansom, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: January 13, 1993, 2:35 p.m.

TRD-9317622

Polygraph Examiners Board

Friday, January 22, 1993, 9 a.m. The Polygraph Examiners Board will meet at the Holiday Inn Austin Airport, 6911 North IH-35, Board Room III, Austin. According to the complete agenda, the board will hold election of officers for the 1993 calendar year; close meeting to administer licensing exam; reconvene in open meeting to discuss approval of October 1992 board meeting minutes; consider applications for licensure; adoption of Regulation 391.3(13); review of board approved polygraph schools and standards for approval of schools; and give an agency update.

Contact: Bryan M. Perot, P.O. Box 4087, Austin, Texas 78773, (512) 465-2058.

Filed: January 13, 1993, 4:03 p.m.

TRD-9317645

Texas Property and Casualty Insurance Guaranty Association

Thursday, January 21, 1993, 9 a.m. The Board of Directors of the Texas Property and Casualty Insurance Guaranty Association will meet at 9420 Research Boulevard, Echelon III, Suite 400, Austin. According to the agenda summary, the board will discuss approval of minutes; introduce new employees/personnel update; report on the new structure of the Texas Department of Insurance; report on results of the financial audit; update on 1992 receiverships; status of PIC Rescission; TEIA update and mediation proposal; conservator's report; attorney's report; discuss projections for 1993 insolvencies; provide update on seminar for SDR's; discuss computer resolution; discuss financial report; discuss and possibly take action on TPCIGA budget; funding source agreements for the Liquidation Division termination; and adoption of the NCIGF's Guiding Principles.

Contact: Marvin Kelly, 9420 Research Boulevard, Echelon III, Suite 400, Austin, Texas 78759, (512) 345-9335.

Filed: January 13, 1993, 2:03 p.m.

TRD-9317621

Public Utility Commission of Texas

Wednesday, January 13, 1993, at 9:05 a.m. The Administrative of the Public Utility Commission of Texas met at 7800 Shoal Creek Boulevard, Austin. According to the emergency revised complete agenda, the administrative considered whether to participate in a conference of right related to El Paso Electric Company's IRS letter ruling. The emergency status was necessary due to the conference of right held on or before January 26, 1993.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 12, 1993, 2:48 p.m.

TRD-9317532

Wednesday, January 27, 1993, at 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a prehearing conference in Docket Number 11653, petition for extended area service between the Nocona and Montague exchanges.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 13, 1993, 2:59 p.m.

TRD-9317628

Wednesday, February 3, 1993, at 9 a.m. The Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Austin. According to the complete agenda, the commission will hold a workshop on a model to be used for local Exchange Telecommunications Carriers' Intrastate Cost Allocations-P-9075.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 12, 1993, 2:44 p.m.

TRD-9317530

Monday, February 8, 1993, at 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11364, application of Contel of Texas, Inc. to establish rates for the provisioning of fiber and associated material to connect the Cain Elementary School to an existing 10 megabit video fiber network connecting the schools in the Whitehouse Independent School District.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 12, 1993, 2:44 p.m.

TRD-9317528

Friday, February 19, 1993, at 9 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a prehearing conference in Docket Number 10955, application of Southwestern Public Service Company for a certificate of convenience and necessity for a proposed transmission line within Lubbock, Lynn, and Garza counties.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 13, 1993, 2:59 p.m.

TRD-9317630

Thursday, March 4, 1993, at 9 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a second prehearing conference in Docket Number 11566, application of United Telephone Company of Texas, Inc. for approval of new advanced business connection (ABC) service.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 12, 1993, 2:44 p.m.

TRD-9317531

Monday, March 8, 1993, at 9 a.m. (Rescheduled from Monday, March 1, 1993, at 10 a.m.). The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11567, application of Kaufman County Electric Cooperative, Inc. for authority to change rates.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 12, 1993, 2:44 p.m.

TRD-9317529

Monday, June 7, 1993, at 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11119, application of Century Telephone Enterprises, Inc. to implement a tax adjustment Substantive Rule 23.21(d).

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 13, 1993, 2:59 p.m.

TRD-9317629

Monday, June 7, 1993, at 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 10895, application of Lufkin-Conroe Telephone Exchange, Inc. for approval of calculation of House Bill 11 tax adjustment factors for 1992 pursuant to Public Utility Commission Substantive Rule 23.21(d).

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 13, 1993, 2:58 p.m.

TRD-9317627

Thursday, June 17, 1993, at 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11039, application of GTE Southwest, Inc. for approval of calculation of House Bill 11 tax adjustment factors for 1992 pursuant to Substantive Rule 23.21(d).

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 13, 1993, 2:58 p.m.

TRD-9317626

Tuesday, July 6, 1993, at 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11025, application of AT&T Communications of the Southwest, Inc. for approval of calculation of House Bill 11 tax adjustment factors for 1992 pursuant to Public Utility Commission Substantive Rule 23.21(d).

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 13, 1993, 2:58 p.m.

TRD-9317625

Monday, October 4, 1993, at 9 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11336, general counsel's inquiry into the reasonableness of the rates, terms, and conditions of Southwestern Bell Telephone Company's Central Office-based PBX-type services for which flexible pricing is permitted.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: January 12, 1993, 2:43 p.m.

TRD-9317526

State Securities Board

Thursday, January 21, 1993, 9:30 a.m. The State Securities Board will meet in Room 1250A, Texas Department of Insurance, 333 Guadalupe, Austin. According to the agenda summary, the board will discuss approval of the minutes of the October 26, 1992, meeting; published proposals to amend §115.1, §115.4, and Chapter 131; new rule proposals to amend §109.3 and §123.3; create new §133.26, a money market fund status determination form; create new §133.27 a year-end report of money market fund sales form; repeal §133.28; create new Chapter 124 regarding periodic payment plans; create new §139.4 regarding new exemption for certain Mexican securities; discuss legislative matters: fining authority, in-house counsel, agency's LAR, and miscellaneous; new business items for subsequent meetings; division directors' and commissioner's reports; and elect chairman.

Contact: Richard D. Latham, 221 West Sixth Street, Suite 700, Austin, Texas 78701, (512) 474-2233.

Filed: January 13, 1993, 11:25 a.m.

TRD-9317598

Board for Lease of State-owned Lands

Thursday, January 21, 1993, 2 p.m. The Board for Lease of Texas Parks and Wildlife Lands of the Board for Lease of State-owned Lands will meet at the Stephen F. Austin Building, General Land Office, 1700 North Congress Avenue, Room 833, Austin. According to the agenda summary, the board will discuss approval of the minutes of the previous board meeting; and discuss easement applications for drillsites, Falcon State Park, Starr County.

Contact: Linda K. Fisher, 1700 North Congress Avenue, Room 836, Austin, Texas 78701, (512) 463-5016.

Filed: January 13, 1993, 1:58 p.m.

TRD-9317620

Texas Guaranteed Student Loan Corporation

Thursday, January 21, 1993, 9:15 a.m. The Policy and Planning Committee of the Texas Guaranteed Student Loan Corporation will meet at 12015 Park 35 Circle,

Suite 300, Austin. According to the complete agenda, the committee will discuss approval of the minutes of December 10, 1992; security policy; long-range plan update; and diversification opinion.

Contact: Peggy Irby, P.O. Box 15996, Austin, Texas 78761, (512) 835-1900.

Filed: January 13, 1992, 1:21 p.m.

TRD-9317608

Thursday, January 21, 1993, 10:30 a.m. The Finance Committee of the Texas Guaranteed Student Loan Corporation will meet at 12015 Park 35 Circle, Suite 300, Austin. According to the complete agenda, the committee will discuss approval of the minutes of October 14, 1992; lender agreement reserve requirement; annual report and financial audit; health insurance renewal; pension plan update; first quarter corporate performance/board status report format; meet in executive session to discuss personnel compensation; and litigation.

Contact: Peggy Irby, P.O. Box 15996, Austin, Texas 78761, (512) 835-1900.

Filed: January 13, 1993, 1:21 p.m.

TRD-9318607

Thursday, January 21, 1993, 3 p.m. The Board of Directors of the Texas Guaranteed Student Loan Corporation will meet at 12015 Park 35 Circle, Suite 300, Austin. According to the complete agenda, the board will discuss approval of the minutes of December 10, 1992; lender school advisory nominations; health insurance renewal; financial audit; corporate update; meet in executive session to discuss president search.

Contact: Peggy Irby, P.O. Box 15996, Austin, Texas 78761, (512) 835-1900.

Filed: January 13, 1993, 1:21 p.m.

TRD-9318606

Thursday, January 21, 1993, 4 p.m. The Executive Committee of the Texas Guaranteed Student Loan Corporation will meet at 12015 Park 35 Circle, Suite 300, Austin. According to the complete agenda, the committee will discuss approval of the minutes of October 14, 1992; and meet in executive session to discuss litigation issues.

Contact: Peggy Irby, P.O. Box 15996, Austin, Texas 78761, (512) 835-1900.

Filed: January 13, 1993, 1:20 p.m.

TRD-9318605

Friday, January 22, 1993, 8 a.m. The Board of Directors of the Texas Guaranteed Student Loan Corporation will meet at the Guest Quarters Hotel, 303 West 15th Street, Austin. According to the complete agenda, the board will meet in executive session to work on search for new president/CEO; and adjourn.

Contact: Peggy Irby, P.O. Box 15996, Austin, Texas 78761, (512) 835-1900.

Filed: January 13, 1993, 1:20 p.m.

TRD-9318604

Texas Department of Transportation

Thursday, January 21, 1993, 9 a.m. The Motor Vehicle Board of the Texas Department of Transportation will meet at 815 Brazos Street, Suite 302 (Brazos Building), Austin. According to the agenda summary, the board will call the meeting to order; take roll call; discuss approval of the minutes of motor vehicle board meeting on December 2, 1992; argument on proposal for decision; agreed orders; orders of dismissal-licensing and enforcement; other: review of litigation status report and review of consumer complaint recap report including decisions made by examiners, division director, and board; and adjourn.

Contact: Russell Harding, 815 Brazos, Suite 300, Austin, Texas 78701, (512) 476-3587.

Filed: January 12, 1993, 3:10 p.m.

TRD-9317538

University Interscholastic League

Wednesday, January 20, 1993, 10:30 a.m. The Waiver Review Board of the University Interscholastic League will meet at the Sheraton Hotel, 500 North IH-35, Austin. According to the agenda summary, the board will consider a request for waiver of: Everett Williams, Cherokee High School, Four Year Rule; Susan Hearn, Ballinger High School, Four Year Rule; Joaquin Rangel, Morgan High School, Parent Residence Rule; Mike Dunlap, Itasca High School, Parent Residence Rule; Jermaine Blackwell, Yoakum High School, Parent Residence Rule; and Curtis Arens, New Braunfels High School, Parent Residence Rule.

Contact: Charles Breithaupt, 2622 Wichita Street, Austin, Texas 78705, (512) 471-5883.

Filed: January 13, 1993, 9:41 a.m.

TRD-9317587

Texas Water Commission

Thursday, January 28, 1993, 6 p.m. The Texas Water Commission will meet at the Alpine City Hall-City Council Chambers, 309 West Sul Ross Avenue, Alpine. According to the agenda summary, the commission will discuss an application for a municipal solid waste facility permit by City of Alpine, proposed Permit Number MSW2197.

Contact: Ann Scudday, P.O. Box 13087, Austin, Texas 78711, (512) 908-6687.

Filed: January 12, 1993, 1:56 p.m.

TRD-9317519

Thursday, February 4, 1993, 10 a.m. The Texas Water Commission will meet at the Kingsland Library, Corner of Polk and Davis Streets, Kingsland. According to the agenda summary, the commission will hold a public meeting to consider an application for a municipal solid waste facility permit by Recycle With Kim Cor Hauling, Inc., proposed Permit Number MSW2206.

Contact: Ann Scudday, P.O. Box 13087, Austin, Texas 78711, (512) 908-6687.

Filed: January 13, 1993, 1:52 p.m.

TRD-9317614

The Texas Water Development Board

Wednesday, January 20, 1993, 3 p.m. The Finance Committee of the Texas Water Development Board will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 513-F, Austin. According to the agenda summary, the committee will consider approval of minutes of the November 18, 1992, meeting; Cameron Park and other pending EDAP projects; innovative technology projects for the colonias; additional funding to El Paso public service board for Westway project; federal colonia grant funds policy issues and State grant to loan ratio; additional allowance for Colonia Plumbing Loan Program administrative costs; Rider Number Eight, emergency financial assistance; quarterly investment report; standard loan commitment expiration period; First Southwest Company financial advisory contract extension; and items on the January 21, 1993, TWDB agenda. Additional non-committee board members may be present to deliberate but will not vote in the committee meeting.

Contact: Craig D. Pedersen, P.O. Box 13231, Austin, Texas 78711, (512) 463-7847.

Filed: January 12, 1993, 3:02 p.m.

TRD-9317533

Wednesday, January 20, 1993, 3 p.m. The Audit Committee of the Texas Water Development Board will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 513-F, Austin. According to the agenda summary, the committee will consider minutes of the August 19, 1992, meeting; approval of a revised audit plan; approval of revisions to the Internal Audit Charter; adoption of the audit committee responsibility statement; a performance plan for the Internal Auditor; briefings on current projects in progress and on State Auditor's office work; and items on the agenda of the

January 21, 1993, board meeting. Additional non-committee board members may be present to deliberate but will not vote in the committee meeting. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or braille, are requested to contact Donna Darling at (512) 463-8422 two working days prior to the meeting so that appropriate arrangements can be made.

Contact: Craig D. Pedersen, P.O. Box 13231, Austin, Texas 78711, (512) 463-7847.

Filed: January 12, 1993, 3:03 p.m.

TRD-9317534

Thursday, January 21, 1993, 9 a.m. The Texas Water Development Board will meet at 105 West 15th Street, John H. Reagan Building, Room 101, Austin. According to the agenda summary, the board will consider approval of minutes; DFM report; executive administrator's briefing; resolutions commending Dunning, Chavez, Arnold and Zimmermann; extensions to Arcola, Hill Country WSC, Holiday Lakes, El Paso, Sebastian MUD, Greater Texoma Utility Authority and Starr County WCID #2; transfer funds for Lavaca-Navidad River Authority (LNRA) loan; financial assistance to Rayburn County MUD, Sandy Land UWCD, Walnut Creek SUD, Board of Regents-Texas A&M, Brazoria County FWSD #1, Harris County Utility District, Cities of Canton, Bryan, River Oaks, LaCoste, Breckenridge, Wellman, Coldspring; amending East Cedar Creek FWSD commitment and Fort Worth bond ordinances; North Central Texas COG, Odessa and Texas Water Commission (TWC) contracts and transfer of funds; \$54,000,000 bond sale; loan contract with LNRA; memo of agreement with TWC and TP&WD; legislation for board financing of municipal solid waste projects; audit and policy/finance committee meeting items; audit committee responsibility statement; and discuss litigation.

Contact: Craig D. Pedersen, P.O. Box 13231, Austin, Texas 78711, (512) 463-7847.

Filed: January 13, 1993, 1:44 p.m.

TRD-9317610

Texas Water Resources Finance Authority

Thursday, January 21, 1993, 9 a.m. The Texas Water Resources Finance Authority will meet at the John H. Reagan Building, Room 101, 105 West 15th Street, Austin. According to the complete agenda, the authority will consider approval of the min-

utes of the meeting of November 19, 1992; and consider the payment of expenses to be incurred from February 16, 1993 through August 15, 1993.

Contact: Craig Pedersen, P.O. Box 13231, Austin, Texas 78711, (512) 463-7847.

Filed: January 13, 1993, 1:43 p.m.

TRD-9317609

West Texas Municipal Power Agency

Tuesday, January 19, 1993, 10 a.m. The Board of Directors of the West Texas Municipal Power Agency will meet at 916 Texas Avenue, Conference Room, Lubbock. According to the complete agenda, the board will discuss approval of the minutes of the November 2, 1992, meeting; recognize Joan Baker; consider West Texas Municipal Power Agency Operating and Maintenance Agreement; changing annual meeting times; discuss potential for new members; financial report; consider other potential legal actions of WTPMA; and election of officers.

Contact: Robert Massengale, P.O. Box 2000, Lubbock, Texas 79457, (806) 767-2015.

Filed: January 12, 1993, 1:57 p.m.

TRD-9317521

Regional Meetings Meetings Filed January 12, 1993

The Austin Travis County MHMR Center Board of Trustees, Personnel Committee will meet at 1430 Collier Street, Board Room, Austin January 18, 1993, at 6 p.m. Information may be obtain from Sharon Taylor, P.O. Box 3548, Austin, Texas 78764, (512) 447-4141. TRD-9317551.

The Central Counties Center For MHMR Services Board of Trustees will meet at 304 South 22nd Street, Temple, at January 19, 1993, 7:45 p.m. Information may be obtain from Eldon Tietje, 304 South 22nd Street, Temple, Texas 76501, (817) 778-4841, extension 301. TRD-9317510.

The Central Texas MHMR Center Board of Trustees met at 408 Mulberry Drive, Brownwood, January 18, 1993, 5 p.m. Information may be obtain from Saul Pullman, P.O. Box 250, Brownwood, Texas 76804, (915) 646-9574, extension 102. TRD-9317504.

The Harris County Appraisal District Board of Directors will meet at 2800 North Loop West, Eight Floor, Houston, January 19-20, 1993, at 9 a.m. Information may be obtain from Margie Hilliard, P.O. Box 920975, Houston, Texas 77292-0975, (713)

957-5291. TRD-9317501.

The Harris County Appraisal District Board of Directors will meet at 2800 North Loop West, Eight Floor, Houston, January 21, 1993, at 9 a.m. Information may be obtained from Margie Hilliard, P.O. Box 920975, Houston, Texas 77292-0975, (713) 957-5291. TRD-9317502.

The Jasper County Appraisal District Board of Directors met at 137 North Main, Jasper, January 15, 1993, at noon. Information may be obtained from David W. Luther, 137 North Main, Jasper, Texas 75951, (409) 384-2544. TRD-9317503.

The Limestone County Appraisal District Board of Directors will meet at the Courthouse Board Room, Ground Floor, Limestone County, Groesbeck, January 19, 1993, at 1 p.m. Information may be obtained from Clydene Hyden, P.O. Drawer 831, Groesbeck, Texas 76642, (817) 729-3009. TRD-9317524.

The Nortex Regional Planning Commission General Membership Committee will meet at 4309 Jacksboro Highway, Office of Nortex Regional Planning Commission-Conference Room, Wichita Falls, January 21, 1993, at noon. Information may be obtained from Dennis Wilde, P.O. Box 5144, Wichita Falls, Texas 76307-5144, (817) 322-5281. TRD-9317518.

The Scurry County Appraisal District Board of Directors will meet at 2616 College Avenue, Snyder, January 19, 1993, 8 a.m. Information may be obtained from L. R. Peveler, 2612 College Avenue, Snyder, Texas 79549, (915) 573-8549. TRD-9317525.

The Texas Municipal League Intergovernmental Risk Pool Board of Trustees Finance Committee Meeting met at Westin Paso del Norte Hotel, Kohlberg Room, El Paso, January 15, 1993, at 3 p.m. Information may be obtained from Marvin Townsend, 211 East Seventh Street, Austin, Texas 78701, (512) 320-1325. TRD-9317541.

The Texas Municipal League Intergovernmental Risk Pool Board of Trustees Underwriting Committee Meeting met at Westin Paso del Norte Hotel, Board Room, El Paso, January 15, 1993, at 3 p.m. Information may be obtained from Marvin Townsend, 211 East Seventh Street, Austin, Texas 78701, (512) 320-1325. TRD-9317543.

The Texas Municipal League Intergovernmental Risk Pool Board of Trustees Executive Committee Meeting met at Westin Paso del Norte Hotel, Poncho Villa Room, El Paso, January 15, 1993, at 3 p.m. Information may be obtained from Marvin Townsend, 211 East Seventh Street, Austin, Texas 78701, (512) 320-1325. TRD-9317542.

The Texas Municipal League Intergovernmental Risk Pool Board of Trustees met at Westin Paso del Norte Hotel, Kohlberg Room, El Paso, January 16, 1993, at 8 a.m. Information may be obtained from Marvin Townsend, 211 East Seventh Street, Austin, Texas 78701, (512) 320-1325. TRD-9317540.

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**Meetings Filed January 13,
1993**

The Bastrop Central Appraisal District Appraisal Review Board will meet at the Bastrop Central Appraisal District, 1200 Cedar Street, Bastrop, January 19, 1993, at 9 a.m. Information may be obtained from Dana Ripley, P.O. Box 578, Bastrop, Texas 78602, (512) 321-3925. TRD-9317633.

The Bastrop Central Appraisal District Board of Directors will meet at the Bastrop Central Appraisal District, 1200 Cedar Street, Bastrop, January 21, 1993, at 7:30 p.m. Information may be obtained from Dana Ripley, P.O. Box 578, Bastrop, Texas 78602, (512) 321-3925. TRD-9317632.

The Bell-Milam-Falls Water Supply Corporation will meet at the Rogers Community Center, Rogers, January 19, 1993, at 7 p.m. Information may be obtained from Dwayne Jekel, P.O. Drawer 150, Cameron, Texas 76520, (817) 697-4016. TRD-9317569.

The Bell-Milam-Falls Water Supply Corporation Board of Directors will meet at the Rogers Community Center, Rogers, January 19, 1993, at 7 p.m. Information may be obtained from Dwayne Jekel, P.O. Drawer 150, Cameron, Texas 76520, (817) 697-4016. TRD-9317570.

The Central Texas Council of Governments Central Texas Private Industry Council, Inc. will meet at 302 East Central, Belton, January 28, 1993, at 10 a.m. Information may be obtained from Susan Kamas, P.O. Box 729, Belton, Texas 76513, (817) 939-3771. TRD-9317613.

The Education Service Center, Region 17 Board of Directors will meet in the Board Room, 1111 West Loop 289, Lubbock, February 2, 1993, at 9 a.m. Information may be obtained from Virgil E. Flathouse, 1111 West Loop 289, Lubbock, Texas 79416, (806) 793-4854. TRD-9317616.

The Erath County Appraisal District Appraisal Review Board will meet in the Board Room, 1390 Harbin Drive, Stephenville, January 19, 1993, at 9 a.m. Information may be obtained from Nicole Minder, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434. TRD-9317619.

The Fort Bend County Education District Board of Trustees met at the Lamar CISD Administration Building, Board Room, 3911 Avenue I, Rosenberg, January 18, 1993, at 6 p.m. Information may be obtained from Jerome D. Bourgeois, 2706 St. Andrews Place, League City, Texas 77573, (713) 334-5639. TRD-9317586.

The Guadalupe-Blanco River Authority Board of Directors will meet at the Authority's Offices, 933 East Court Street, Seguin, January 21, 1993, at 10 a.m. Information may be obtained from John H. Specht, P.O. Box 271, Seguin, Texas 78156-0271, (210) 379-5822. TRD-9317612.

The Hale County Appraisal District Board of Directors will meet at 302 West Eighth Street, Plainview, January 21, 1993, at 7 p.m. Information may be obtained from Linda Jaynes, P.O. Box 29, Plainview, Texas 79072, (806) 293-4226. TRD-9317591.

The Henderson County Appraisal District Board of Directors met at 1751 Enterprise, Athens, January 18, 1993, at 7:30 p.m. Information may be obtained from Helen Marchbanks, 1751 Enterprise, Athens, Texas 75751, (903) 675-9296. TRD-9317650.

The Hood County Appraisal District Board of Directors will meet at 1902 West Pearl, District Office, Granbury, January 19, 1993, at 7:30 p.m. Information may be obtained from Harold Chesnut, P.O. Box 819, Granbury, Texas 76048, (817) 573-2471. TRD-9317649.

The Houston-Galveston Area Council Projects Review Committee will meet at 3555 Timmons Lane, Second Floor, Conference Room A, Houston, January 19, 1993, at 9:15 a.m. Information may be obtained from Rowena Ballas, P.O. Box 22777, Houston, Texas 77227-2777, (713) 627-3200. TRD-9317596.

The Houston-Galveston Area Council Board of Directors will meet at 3555 Timmons Lane, Second Floor, Conference Room A, Houston, January 19, 1993, at 10 a.m. Information may be obtained from Cynthia Marquez, P.O. Box 22777, Houston, Texas 77227-2777, (713) 627-3200. TRD-9317595.

The Jack County Appraisal District Board of Directors will meet at 210 North Church Street, Jacksboro, January 19, 1993, at 7 p.m. Information may be obtained from Gary L. Zeitler or Donna Hartzell, P.O. Box 958, Jacksboro, Texas 76458, (817) 567-6301. TRD-9317592.

The Johnson County Rural Water Supply Corporation met at the JCRWSC Office, Highway 171 South, Cleburne, January 18, 1993, at 7 p.m. Information may be obtained from Charlene SoRelle, P.O. Box 509, Cleburne, Texas 76033, (817) 645-6646. TRD-9317597.

The Johnson County Rural Water Sup-

ply Corporation met at the JCRWSC Office, Highway 171 South, Cleburne, January 18, 1993, at 7 p.m. Information may be obtained from Charlene SoRelle, P.O. Box 509, Cleburne, Texas 76033, (817) 645-6646. TRD-9317603.

The Lamar County Appraisal District Board will meet at the Lamar County Appraisal District Office, 521 Bonham Street, Paris, January 19, 1993, at 5 p.m. Information may be obtained from Joe Welch, 521 Bonham Street, Paris, Texas 75460, (903) 785-7822. TRD-9317594.

The Mills County Appraisal District will meet in the Mills County Courthouse Jury Room, Goldthwaite, January 21, 1993, at 6:30 p.m. Information may be obtained from Cynthia Partin, P.O. Box 565, Goldthwaite, Texas 76844, (915) 648-2253. TRD-9317617.

The North Texas Private Industry Council of Nortex Regional Planning Commission will meet at the Nortex Regional Planning Commission, 4309 Jacksboro Highway, Wichita Falls, January 27, 1993, at 12:15 p.m. Information may be obtained from Tom O'Neil, First State Bank, Drawer A, Archer City, Texas 76351, (817) 574-4507. TRD-9317573.

The Riceland Regional Mental Health Authority Board of Trustees will meet at 3007 North Richmond Road, Wharton, January 21, 1993, at noon. Information may be obtained from Marjorie Dornak, P.O. Box 869, Wharton, Texas 77488, (409) 532-3098. TRD-9317648.

The Texas Youth Commission Board will meet at 4900 North Lamar, Suite 1430,

Austin, January 21, 1993, 9:30 a.m. Information may be obtained from Ron Jackson, P.O. Box 4260, Austin, Texas 78765, (512) 483-5001. TRD-9317599.

The Wheeler County Appraisal District Board of Directors met at the District's Office, County Courthouse Square, Wheeler, January 18, 1993, at 6:30 p.m. Information may be obtained from Larry M. Schoenhals, P.O. Box 1200, Wheeler, Texas 79096, (806) 826-5900. TRD-9317618.

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**Meetings Filed January 14,
1993**

The Alamo Area Council of Governments Area Judges will meet at 118 Broadway Street, Suite 420, San Antonio, January 19, 1993, at 10 a.m. Information may be obtained from Al J. Notzon III, 118 Broadway, Suite 400, San Antonio, Texas 78205, (512) 225-5201. TRD-9317660.

The Alamo Area Council of Governments Management Committee will meet at 118 Broadway Street, Suite 420, San Antonio, January 19, 1993, at 11 a. m. Information may be obtained from Al J. Notzon III, 118 Broadway, Suite 400, San Antonio, Texas 78205, (512) 225-5201. TRD-9317651.

The Alamo Area Council of Governments will meet at 118 Broadway Street, Suite 420, San Antonio, January 19, 1993, at 11:45 a.m. Information may be obtained from Al J. Notzon III, Suite 400, Austin, Texas 78205, (512) 225-5201. TRD-9317654.

The Alamo Area Council of Governments Board of Directors will meet at 118 Broad-

way Street, 118 Broadway, Suite 420, San Antonio, January 19, 1993, at 1 p.m. Information may be obtained from Al J. Notzon III, Suite 400, San Antonio, Texas 78205, (512) 225-5201. TRD-9317652.

The Brazos Valley Development Council Overall Economic Development Program Advisory Committee will meet at the BVDC Conference Room, 3006 East 29th Street, Bryan, January 28, 1993, at 3:30 p.m. Information may be obtained from Jill Hyde, P.O. Drawer 4128, Bryan, Texas 77805, (409) 776-2277. TRD-9317656.

The Coastal Bend Council of Governments Membership will meet at the Nueces County Courthouse, Commissioners Courtroom, Third Floor, 901 Leopard Street, Corpus Christi, January 22, 1993, at 2 p.m. Information may be obtained from John P. Buckner, P.O. Box 9909, Corpus Christi, Texas 78469, (512) 883-5743. TRD-9317657.

The Golden Crescent Private Industry Council, Inc. Quality Work Force Planning Committee will meet at the Edna Chamber of Commerce Building, Edna, January 19, 1993, at 6:30 p.m. Information may be obtained from Carol Matula, 2401 Houston Highway, Victoria, Texas 77901, (512) 576-5872. TRD-9317653.

The Tax Appraisal District of Bell County Appraisal Review Board will meet at the Tax Appraisal District, of Bell County, 411 East Central Avenue, Belton, January 29, 1993, at 8:30 a.m. Information may be obtained from Mike Watson, P.O. Box 390, Belton, Texas 76513-0390, (817) 939-5841, Extension 29. TRD-9317658.

In Addition

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

Texas Air Control Board

Notice of Opportunity to Comment on Administrative Actions

Notice of Opportunity to Comment on Settlement Agreements of Administrative Enforcement Actions.

The Texas Air Control Board (TACB) Staff is providing an opportunity for written public comment on the listed Agreed Board Orders (ABO's) pursuant to the Texas Clean Air Act, §382.096, Health and Safety Code, Chapter 382. The Act, §382.096, requires that the TACB may not approve these ABO's unless the public has been provided an opportunity to submit written comments. Section 382.096 requires that notice of the proposed orders and of the opportunity to comment must be published in the *Texas Register* no later than the thirtieth day before the date on which the public comment period closes, which in this case is February 18, 1993. Section 382.096 also requires that the TACB promptly consider any written comments received and that the TACB may withhold approval of an ABO if a comment indicates the proposed ABO is inappropriate, improper, inadequate or inconsistent with the requirements of the Texas Clean Air Act. Additional notice is not required if changes to an ABO are made in response to written comments.

A copy of each of the proposed ABO's is available for public inspection at both the TACB's Central Office, located at 12124 Park 35 Circle, Austin, Texas 78753, (512) 908-1000 and at the applicable Regional Office listed below. Written comments about these ABO's should be sent to the Staff Attorney designated for each ABO at the TACB's Central Office in Austin, and must be received by 5 p.m. on February 18, 1993. Written comments may also be sent by facsimile machine to the Staff Attorney at (512) 908-1850. The TACB Staff Attorneys are available to discuss the ABO's and/or the comment procedure at the listed phone numbers; however, §382.096 provides that comments on the ABO's should be submitted to the TACB in writing.

Company: Celotex Corporation, a division of Jim Walter Corporation Location: Houston, Harris County, Type of Facility: asphalt roofing manufacturing plant, Rule Violated: TACB Rule 101.4, emitting one or more air contaminants, or combinations thereof, in such concentration and of such duration as were or tended to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, Penalty: \$24,000, Staff Attorney: David Todd, (512) 908-1851, Regional Office: 5555 West Loop, Suite 300, Houston, Texas 77401, (713) 666-4964.

Company: Cooper, Incorporated, Location: San Marcos, Hays County, Type of Facility: asbestos abatement project, Rule Violated: TACB Rule 101.20(2), which requires compliance with Federal National Emissions Standards for hazardous air pollutants (asbestos), Penalty: \$500, Staff

Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 500 Lake Air Drive, Suite 1, Waco, Texas 76710, (817) 772-9240, (817) 772-9241.

Company: Dewitt Enterprises, Incorporated, Location: near Sherman, Grayson County, Type of Facility: trailer manufacturing plant, Rule Violated: TACB Rule 116.1, unauthorized construction, Penalty: \$250, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 6421 Camp Bowie Boulevard, Suite 312, Fort Worth, Texas 76116, (817) 732-5531, (817) 732-5532.

Company: Jimmie Dickey, Location: near Woodrow, Lubbock County, Type of Facility: owns property, Rule Violated: TACB Rule 111.101, allowing or permitting outdoor burning without the prior written consent of the Executive Director, Penalty: \$2,500, Staff Attorney: David Todd, (512) 908-1851, Regional Office: 4630 50th Street, Suite 600, Lubbock, Texas 79414, (806) 796-3494, (806) 796-3495.

Company: Five Point Salt Water Disposal, Location: SH-158, three miles east of I-10, Midland County, Type of Facility: salt water disposal facility, Rule Violated: TACB Rule 116.1, unauthorized construction, Penalty: \$975, Staff Attorney: Terry G. Salem, (512) 908-1827, Regional Office: 1901 East 37th Street, Suite 101, Odessa, Texas 79762, (915) 367-3871, (915) 367-3872.

Company: Franklin Manufacturing and Supply, Incorporated, Location: Burleson, Johnson County, Type of Facility: metal fabrication plant, Rule Violated: TACB Rule 116.1, unauthorized construction, Penalty: \$250, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 6421 Camp Bowie Boulevard, Suite 312, Fort Worth, Texas 76116, (817) 732-5531, (817) 732-5532.

Company: Gulf Metals Industries, Location: Houston, Harris County, Type of Facility: wire reclaimer plant, Rule Violated: TACB Rule 101.4, nuisance level dust emissions; TACB Rule 116.4, failing to comply with General Provision conditions relating to dust control; TACB Rule 101.6, failing to report an upset condition, Penalty: \$10,000, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 5555 West Loop, Suite 300, Bellaire, Texas 77401 (713) 666-4964.

Company: Hirschfeld Steel Company, Incorporated, Location: San Angelo, Tom Green County, Type of Facility: girder and heavy fabrication plant, Rule Violated: TACB Rule 116.1, unauthorized construction, Penalty: \$2,475, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 1901 East 37th Street, Suite 101 Odessa, Texas 79762 (915) 367-3871, (915) 367-3872.

Company: Hydra Rig, Incorporated, Location: Fort Worth, Tarrant County, Type of Facility: oil field equipment manufacturing plant, Rule Violated: TACB Rules 116.1 and 116.4, operating a sandblasting facility with sand usage rate which violates Special Exemption X-14073 and Standard Exemption Number 102(b). These actions also

violate TACB Agreed Board Order 91-10(g). Penalty: \$2,000, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 6421 Camp Bowie Boulevard, Suite 312, Fort Worth, Texas 76116, (817) 732-5531, (817) 732-5532.

Company: The Paks Corporation, Location: Segovia, Kimble County, Type of Facility: cedar oil mill, Rule Violated: TACB Rule 111.111(a)(1)(B), also violating Agreed Board Order Number 88-04(e), causing, suffering, allowing or permitting opacity to exceed 20% during the test period for boiler stacks. Penalty: \$8,000, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 4335 Piedras West, Suite 101 San Antonio, Texas 78228, (210) 734-7981 (210) 734-7981.

Company: Pioneer Aggregates, Location: Bridgeport, Wise County, Type of Facility: rock crusher plant, Rule Violated: TACB Rule 116.5, failing to comply with representations in the applications for TACB Permit, Penalty: \$2,500, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 6421 Camp Bowie Boulevard, Suite 312, Fort Worth, Texas 76116, (817) 732-5531 (817) 732-5532.

Company: Rexene Products Company, Location: Odessa, Ector County, Type of Facility: petrochemical manufacturing plant, Rule Violated: TACB Rule 101.20(2), which requires compliance with Federal National Emissions Standards for hazardous air pollutants (asbestos). TACB Rule 101.4, emitting one or more air contaminants, or combinations thereof, in such concentration and of such duration as were or tended to be injurious to or to adversely affect human health or welfare, animal life, vegetation or property or as to have interfered with normal use and enjoyment of animal life, vegetation, or property. TACB Rules 101.6, failing to report an upset condition. TACB Rule 101.7, failing to give proper notification of certain maintenance activities. Penalty: \$76,000, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 1901 East 37th Street, Suite 101, Odessa, Texas 79762, (915) 367-3871, (915) 367-3871.

Company: Texaco Chemical Company, Location: Conroe, Montgomery County, Type of Facility: organic chemical manufacturing plant, Rule Violated: TACB Rule 101.20(1), failure to comply with the applicable new source performance standards for equipment leaks of volatile organic compounds (VOC); TACB Rule 120.11, failing to perform quarterly cylinder gas audits. Penalty: \$10,500, Staff Attorney: David Todd, (512) 908-1851, Regional Office: 5555 West Loop, Suite 300, Houston, Texas 77401, (713) 666-4964.

Company: Texas Galvanizing, Incorporated, Location: Hurst, Tarrant County, Type of Facility: zinc galvanizing plant, Rule Violated: TACB Rule 116.1, unauthorized construction, Penalty: \$1,875, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 6421 Camp Bowie Boulevard, Suite 312, Fort Worth, Texas 76116, (817) 732-5531, (817) 732-5532.

Company: Tonka Corporation, a division of Hasbro, Incorporated, Location: El Paso, El Paso County, Type of Facility: toy manufacturing plant, Rule Violated: TACB Rule 101.4, emitting one or more air contaminants, or combinations thereof, in such concentration and of such duration as were or tended to be injurious to or to adversely affect human health or welfare, animal life, vegetation or property; §382.085(b) of the Texas Health and Safety Code and Subparagraph 9(b) of ABO Number 90-07(s), failing to submit requested application material

in a timely manner, Penalty: \$32,000, Staff Attorney: David Todd, (512) 908-1851, Regional Office: 1200 Golden Key Circle, Suite 369, El Paso, Texas 79925, (915) 591-8128, (915) 591-8129.

Company: Vadco Marble, Incorporated, Location: Houston, Harris County, Type of Facility: cultured marble production plant, Rule Violated: TACB Rule 116.1, unauthorized construction, Penalty: \$1,250, Staff Attorney: Walter Ehresman, (512) 908-1843, Regional Office: 5555 West Loop, Suite 300, Houston, Texas 77401, (713) 666-4964.

Company: Wilson Systems, Incorporated, Location: near Odessa, Ector County, Type of Facility: salt water disposal plant, Rule Violated: TACB Rule 101.4, emitting one or more air contaminants, or combinations thereof, in such concentration and of such duration as were or tended to be injurious to or to adversely affect human health or welfare, animal life, vegetation or property; TACB Rule 116.1, unauthorized construction. Penalty: \$4,000, Staff Attorney: David Todd, (512) 908-1851, Regional Office: 1901 East 37th Street, Suite 101, Odessa, Texas 79762, (915) 367-3871.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317571 Lane Hartssock
Deputy Director, Air Quality Planning
Texas Air Control Board

Filed: January 13, 1993

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Ark-Tex Council of Governments
Request for Proposal

The Ark-Tex Council of Governments (ATCOG) is soliciting proposals for the provision of training under Title IIB of the Job Training Partnership Act (JTPA), Public Law 97-300.

Allowable training activities may include, but are not limited to: Texas Academic Skills Program (TASP) and Texas Assessment of Academic Skills (TAAS) preparation; computer assisted instruction, basic education skills remediation; and/or English as a Second language. The period of performance is June 1, 1993-September 30, 1993.

The service area includes the following counties in Texas: Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus.

In order to ensure that all respondents are provided sufficient assistance in completing proposals, a respondent's conference will be held at the Ark-Tex Council of Governments Conference Room, Building A, Centre West, 911 North Bishop Road, Texarkana, on Wednesday, January 20, 1993, at 10:30 a.m.

Potential respondents may obtain a copy of the RFP, Scoring Guidelines and Procedures, and Project Scoring Criteria by contacting Genevieve Burchell or Cindy Armstrong, Ark-Tex Council of Governments, P.O. Box 5307, Texarkana, Texas 75505, or call (903) 832-8636. The deadline for proposal submission is February 12, 1993, at 5 p.m. The Ark-Tex Private Industry Council will score the proposals. Respondents will be notified in writing of the date, time, and place of the meeting at which the proposals will be scored.

Issued in Austin, Texas, on January 6, 1993.

Filed: January 11, 1993

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**Office of Consumer Credit
Commissioner**

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, as amended (Texas Civil Statutes, Articles 5069-1.04).

<u>Types of Rate Ceilings</u>	<u>Effective Period (Dates are Inclusive)</u>	<u>Consumer ⁽¹⁾/Agricultural/ Commercial ⁽²⁾ thru \$250,000</u>	<u>Commercial⁽²⁾ over \$250,000</u>
Indicated (Weekly) Rate - Art. 1.04(a)(1)	01/18/93-01/24/93	18.00%	18.00%

⁽¹⁾Credit for personal, family or household use. ⁽²⁾Credit for business, commercial, investment or other similar purpose.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317523

Al Endsley
Consumer Credit Commissioner

Filed: January 12, 1993

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Texas Education Agency

Request for Public Comment

Pursuant to the requirements of Public Law 100-297, the Texas Education Agency is providing notice and requesting public comment regarding the recommendations made by the Chapter 2 State Advisory Committee on the use of ESEA Chapter 2 federal funds for the 1993-1994 school year, specifically the formula for distributing entitlement funds to local school districts and the special discretionary projects to be conducted by the agency.

The State of Texas will receive approximately \$31,664,941 from Chapter 2 of the ESEA for 1993-1994. Of the total amount received, the law requires that not less than 80% (approximately \$25,331,953) should be distributed to public school districts on a formula entitlement basis and that no more than 20% (approximately \$6,332,988) be reserved by the state education agency to fund special discretionary projects, provide technical assistance to school districts, and administer Chapter 2 programs. The proposed formula to be used to allocate the 80% entitlement funds to local school districts (as constrained by ESEA, Chapter 2 law, Public Law 100-297, §1512) is: Step 1-determine public and private nonprofit school enrollment by local education agency (LEA) and for the state; Step 2-determine high cost students (those on free and reduced price lunch) by LEA and for the state. Compare the number and percentage for each category of high cost students (as defined by Public Law 100-297, §1572(b)(2)(A)) by LEA to the statewide average number

and percentage of high cost students in the computations; Step 3-calculate the per capita amount for the state by dividing the sum of Step 1 plus Step 2 into 80% of the state grant award for Chapter 2; Step 4-multiply the per capita amount computed in Step 3 times the sum of Step 1 plus Step 2 for each LEA. Based upon the most recent data available, the per capita amount for fiscal year 1993 (school year 1992-1993) is approximately \$5.35.

The special discretionary projects and funding amounts recommended by the Chapter 2 State Advisory Committee on December 10-11, 1993, for 1993-1994 are as follows: Using Technology for Access to Problem Solving (\$750,000); Texas Education Agency Staff Development and Training (\$160,000); Effective Middle Schools Project (\$678,469; includes a new component for services to gifted/talented students); Texas Excellence and Equity Initiative (TEEI)(\$2, 294,549; formerly Education Service Center Funding for Targeted Campuses-Texas Renewal Initiative and Enabling Equity on Elementary Campuses Through Capacity Enhancement); Partnership Schools Initiative (\$385,000); Accelerated Tutorials for Students in At-Risk Situations (\$481,732); and State Administration-maximum of \$1,583,247 (approximate) may be reserved by the agency for administrative expenditures related to planning, supervising, monitoring, evaluating, and operating Chapter 2 programs; to provide technical assistance in implementing targeted assistance programs; and for activities to carry out effective schools programs. The Chapter 2 Advisory Committee recommended not funding the Texas School Improvement Initiative (TSII)(\$296, 000); Evaluation of Prekindergarten Programs and School Counseling and Guidance Services (\$79,423); Cooperative Superintendency Program (\$297,481); and Teacher Preparation: Impact on Quality of Instruction (\$65,000).

The State Board of Education will consider funding for projects recommended by the Advisory Committee at the March 1993 board meeting. Any comments received from the public regarding the formula for distributing the 80% funds to school districts or for the funding of special

discretionary projects will be submitted to the board at that time.

Comments regarding the use of the Chapter 2 funds for 1993-1994 should be addressed to Earin Martin, Chapter 2 State Coordinator, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, and must be received by Monday, February 1, 1993. Questions regarding this matter should be directed to Ms. Martin at (512) 463-9269.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317576 Lionel R. Meno
Commissioner of Education

Filed: January 13, 1993

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Texas Department of Health

Correction of Error

The Texas Department of Health adopted amendments to 25 TAC §141.15, concerning massage establishment registration and renewal. The rule appeared in the December 8, 1992, *Texas Register* (17 TexReg 8547).

Due to an error in the agency's submission (m)(1), subparagraph (J) was omitted. It should read as follows.

"(J) a beauty shop in compliance with Texas Civil Statutes, Article 8451a."

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Designation of Sites Serving Medically Underserved Populations

The Texas Department of Health is required under Texas Civil Statutes, Article 4495b, §3.06, to designate sites serving medically underserved populations. In addition, the department is required to publish notice of its designations in the *Texas Register* and to provide an opportunity for public comment on the designations.

Accordingly, the department has designated the following as sites serving medically underserved populations: the Family Medical Clinic, 9709 Bruton Road, Suite 8, Dallas, Texas 75217. Designations are based on proven eligibility as sites serving a disproportionate number of clients eligible for federal, state, or locally funded health care programs.

Oral and written comments on the designations may be directed to Carol Daniels, Chief, Bureau of State Health Data and Policy Analysis, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756; (512) 458-7261. Comments will be accepted for 30 days from the date of this notice.

Issued in Austin, Texas, on January 12, 1993.

TRD-9317585 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Local Emergency Planning Committee

Development Grants Request for Proposals

Introduction. The Texas Department of Health (department) is requesting proposals for "LEPC Development

Grants" to be awarded to counties or cities governing Local Emergency Planning Committees (LEPCs) to further their work in chemical emergency planning and community right-to-know.

Description of Activities. LEPCs are mandated by the federal Emergency Planning and Community Right-to-Know Act (EPCRA or SARA, Title III) to provide planning and information for the community relating to chemicals in use, storage and transit. A grant may be used by a LEPC in various ways, depending on a community's needs.

Eligible Applicants. Each proposal shall be developed by a LEPC, in cooperation with the county and local governments. The proposal must be approved by a vote of the LEPC and endorsed by the county judge or the head of a local government entity, whichever exercises control over the LEPC. The county or local supporters must support the costs until reimbursement is made by the department through monthly billings.

Budget Limitations. The grants will have a total funding of \$75,000 (one time only) from state fee funds. Proposals will be capped at \$3,000 each, unless multiple LEPCs in separate counties join in a grant proposal which will be capped at \$3,000 per county covered. In counties where there are multiple LEPCs, each LEPC can submit separate proposals or joint proposals, which will be capped at \$3,000. The projects must be related to protecting vulnerable populations (schools, hospitals, nursing homes, etc.) from exposures resulting from chemical accidents, planning, responding or training for chemical emergencies, or providing right-to-know information to the community. Any proposals for equipment must show how the equipment will be used for one of the previously mentioned purposes.

Examples of Proposals. Grants could include purchasing a computer or portable facsimile transmittal machine, partially defraying the costs for a public warning system, printing and mailing costs for outreach to industry or the public, training costs for emergency responders, personal protective equipment or hazardous materials response gear, hiring temporary facilitators to organize or to augment chemical inventory data, or improving pre-incident planning utilizing chemical inventory data.

Final Selection and Contract Period. The Hazard Communication Branch at the department shall review the proposals with the assistance of department's Bureau of Emergency Management and the Department of Public Safety's Division of Emergency Management. The department is under no obligation to award all of the grants. Grant contracts begin May 1, 1993, and end August 31, 1993.

Application Forms and Deadline. A more complete request for proposals and application package can be obtained from Joseph H. Thomas, Information Coordinator, Hazard Communication Branch, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (800) 452-2791, or (512) 834-6600. Completed applications must be received at the previously mentioned address by 5 p.m., February 16, 1993.

Issued in Austin, Texas, on January 12, 1993.

TRD-9317580 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Cancellation of Public Hearings Regarding HIV Early Intervention Projects

The Texas Department of Health announces that the following public hearings have been cancelled: Region 1-January 26, 1993, 10 a.m., Conference Room, Public Health Region 1, 2408 South 37th Street, Temple; Region 2-Lubbock HIV Service Delivery Area-January 21, 1993, 9-12 a.m., Conference Room, 1202 Jarvis Lane, Lubbock; Amarillo HIV Service Delivery Area-January 22, 1993, 1-4 p.m., Meeting Room A, Downtown Public Library, 4th & Buchanan, Amarillo; Region 3-January 21, 1993, 9:30 a.m., Conference Room, Public Health Region 3, 619 West Texas, Midland; and Region 8-January 22, 1993, 1-4 p.m., Conference Room, Public Health Region 8, 601 West Sesame Drive, Harlingen.

Issued in Austin, Texas, on January 12, 1993.

TRD-9317562 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice is hereby given that the Bureau of Radiation Control (bureau) ordered Luis Alvarez, M.D. (registrant-R15851) of Houston to cease and desist using any sources of radiation at his facility until health-related violations found during a recent inspection of his operations have been corrected. The bureau determined that the continued use of radiation sources at this facility constitutes a threat to public health and safety. The registrant is further required to provide written evidence satisfactory to the bureau regarding the actions to correct the violations and the methods to prevent their recurrence.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 12, 1993.

TRD-9317564 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Emergency Cease and Desist and Impoundment Order

Notice is hereby given that the Bureau of Radiation Control (bureau) ordered Gulf Nuclear, Incorporated (licensee-L01654) of Odessa to cease and desist receiving or disposing/transferring any licensable amount of radioactive material in Texas, and to surrender to the bureau for impoundment all radioactive material in its possession in Texas. The order was issued because the licensee's lack of an authorized radiation safety officer and an active radiation safety program is a threat to the public's health and safety.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 12, 1993.

TRD-9317561 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Emergency Cease and Desist Order

Notice is hereby given that the Bureau of Radiation Control (bureau) ordered Bernard J. Hersh, D.P.M. (registrant-R04714) of Dallas to cease and desist using any sources of radiation at his facility until health-related violations found during a recent inspection of his operations have been corrected. The bureau determined that the continued use of radiation sources at this facility constitutes a threat to public health and safety. The registrant is further required to provide written evidence satisfactory to the bureau regarding the actions to correct the violations and the methods to prevent their recurrence.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 12, 1993.

TRD-9317559 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Intent to Revoke Certificates of Registration

Pursuant to Texas Regulations for Control of Radiation (TRCR), Part 13, (25 Texas Administrative Code, §289.112), the Bureau of Radiation Control (bureau), Texas Department of Health (department), filed a complaint against the following registrants: William A. Jones, M.D., Houston, R16700; Medical Surgical Diagnostic Clinic, Pampa, R15042; Ronnie R. Huse, D.C., Stephenville, R14053; Sanford T. Ward, D.O., P.A., El Paso, R13925; Accumin Analysis, Inc., Houston, R12093; Michael L. Dunavant, D.V.M., Lubbock, R11913; B.J. Jones, D.D.S., Dallas, R09859; William F. Powell, M.D., Gainesville, R03696; Sun Valley Regional Hospital, El Paso, R03178; CR Technology, Inc., Laguna Hills, California, R19205; Frank N. Varon, D.D.S., Houston, R18978; George V. Garcia, M.D., Laredo, R02476; Coleman County Community Hospital, Coleman, R00788; Byron W. Baker, D.D.S., Rosenberg, R14954; 61st Street Immediate Care, Galveston, R14419; Dynamed Corporation, Victoria, R16273.

The department intends to revoke the certificates of registration; order the registrants to cease and desist use of radiation machine(s); order the registrants to divest themselves of such equipment; and order the registrants to present evidence satisfactory to the bureau that they have complied with the orders and the provisions of the Health and Safety Code, Chapter 401. If the fee is paid within 30 days of the date of each complaint, the department will not issue an order.

This notice affords the opportunity to the registrants for a hearing to show cause why the certificates of registration should not be revoked. A written request for a hearing must be received by the bureau within 30 days from the date of service of the complaint to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed or if the fee is not paid, the certificates of registration will be revoked at the end of the 30-day period of notice. A copy

of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 12, 1993.

TRD-9317567 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Intent to Revoke a Radioactive Material License

Pursuant to Texas Regulations for Control of Radiation (TRCR), Part 13, (25 TAC, §289.112), the Bureau of Radiation Control (bureau), Texas Department of Health (department), filed a complaint against Independent Inspection Corporation, Wichita Falls, L02513. The department intends to revoke the radioactive material license; order the licensee to cease and desist use of such radioactive materials; order the licensee to divest himself of the radioactive material; and order the licensee to present evidence satisfactory to the bureau that he has complied with the orders and the provisions of the Health and Safety Code, Chapter 401.

This notice affords the opportunity to the licensees for a hearing to show cause why the radioactive material licenses should not be revoked. A written request for a hearing must be received by the bureau within 30 days from the date of service of the complaint to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed, the radioactive material licenses will be revoked at the end of the 30-day period of notice. A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 12, 1993.

TRD-9317563 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Intent to Revoke Radioactive Material Licenses

Pursuant to Texas Regulations for Control of Radiation (TRCR), Part 13, (25 Texas Administrative Code, §289.112), the Bureau of Radiation Control (bureau), Texas Department of Health (department), filed a complaint against the following licensees: Larry McVay Operating Company, Inc., Powell, L04391; Cornerstone Diagnostic Center, Houston, L04376; Crown Central Petroleum Corporation, Houston, L01344; Wadley Institutes of Molecular Medicine, Dallas, L00630; Landscaping & Maintenance Services, Inc., Dallas, L03025.

The department intends to revoke the radioactive material licenses; order the licensees to cease and desist use of such radioactive materials; order the licensees to divest themselves of the radioactive material; and order the licensees to present evidence satisfactory to the bureau that they have complied with the orders and the provisions of the Health and Safety Code, Chapter 401. If the fee is paid

within 30 days of the date of each complaint, the department will not issue an order.

This notice affords the opportunity to the licensees for a hearing to show cause why the radioactive material licenses should not be revoked. A written request for a hearing must be received by the bureau within 30 days from the date of service of the complaint to be valid. Such written request must be filed with David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189. Should no request for a public hearing be timely filed or if the fee is not paid, the radioactive material licenses will be revoked at the end of the 30-day period of notice. A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on January 12, 1993.

TRD-9317568 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Notice of Public Hearing

The Texas Department of Health will conduct a public hearing regarding the statewide comprehensive plan as proposed in the Texas application for third year funding of Ryan White/Title II activities.

The hearing will be held at 9:30 a.m. on Tuesday, January 26, 1993, at the Texas Department of Health, Room M-739, 1100 West 49th Street, Austin, Texas 78756. Additional information may be obtained from Betty Cooper, Director, HIV Services Program, Texas Department of Health, at (512) 458-7209. For ADA assistance, call Richard Butler (512) 458-7488 or T.D.D. (512) 458-7708 at least two days prior to the meeting.

Issued in Austin, Texas, on January 12, 1993.

TRD-9317566 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: January 12, 1993

Texas Department of Human Services Notice of Public Hearing

The Texas Department of Human Services (TDHS) will conduct a public hearing to receive comments on the department's proposed dispensing expense fee for the Vendor Drug program. The hearing is held in compliance with 40 TAC §24.102(j), which requires a public hearing on proposed reimbursement rates for medical assistance programs. The public hearing will be held on February 5, 1993, at 9 a.m. in the department's public hearing room of the John H. Winters Center (701 West 51st Street, Austin, First Floor, East Tower). Interested parties may request to have mailed to them or may pick up a briefing package concerning the proposed dispensing expense fee on or after January 22, 1993, by contacting Sherri Williams, MC E-601, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-4817.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317457 Nancy Murphy
Agency Liaison, Policy and Document

Filed: January 11, 1993

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Texas Department of Insurance
Company Licensing

The following applications have been filed with the Texas Department of Insurance and are under consideration:

1. Application for Admission in Texas for Consumers Protective Life Insurance Company, a foreign life insurance company. The home office is in Little Rock, Arkansas.
2. Application for Admission in Texas for Consumer Service Casualty Insurance Company, Inc., a foreign fire insurance company. The home office is in Pittsburgh, Pennsylvania.
3. Application for Incorporation in Texas for Fidelity Administrators, Inc., a domestic third party administrator. The home office is in Fort Worth, Texas.
4. Application for name change in Texas for Bausch & Lomb Insurance Company, a foreign fire insurance company. The home office is in Rochester, New York. The proposed new name is First Community Insurance Company.
5. Application for Incorporation in Texas for Independent Reciprocal Exchange, a domestic reciprocal insurance company. The home office is in Wylie, Texas.
6. Application for name change in Texas for American Independent Reinsurance Company, a foreign fire insurance company. The home office is in New York, New York. The proposed new name is Seven Hills Insurance Company.
7. Application for name change in Texas for Lifetime Security Life Insurance Company, a foreign life insurance company. The home office is in Louisville, Kentucky. The proposed new name is Western Pioneer Life Insurance Company.

Issued in Austin, Texas, on January 12, 1993.

TRD-9317558 Linda K. von Quintus-Dom
Chief Clerk
Texas Department of Insurance

Filed: January 12, 1993

◆ ◆ ◆
Public Utility Commission of Texas
Notice of Intent to File Pursuant to PUC
Substantive Rule 23.27

Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to PUC Substantive Rule 23.27 for approval of customer-specific PLEXAR-Custom Service for IBM, Austin.

Docket Title and Number. Application of Southwestern Bell Telephone Company for approval of Plexar-Custom Service for IBM pursuant to PUC Substantive Rule 23.27(k). Docket Number 11701.

The Application. Southwestern Bell Telephone Company is requesting approval of Plexar-Custom Service for IBM.

The geographic service market for this specific service is the Austin area.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Public Information Section at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317527 John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: January 12, 1993

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State Committee of Examiners for
Speech-Language Pathology and
Audiology
Correction of Error

The State Committee of Examiners for Speech Language Pathology and Audiology proposed amendment to 22 TAC §741.198, concerning formal hearings. The rule appeared in the December 8, 1992, Texas Register (17 TexReg 8502).

The reference in subsection (a) to Chapter 1 means Chapter 1 in Title 25 not Title 22. The subsection should read as follows.

"(a) The Committee shall abide by the Texas Department of Health's formal hearing procedures in 25 TAC Chapter 1, (relating to the Board of Health) [§§1.21-1.34] with the following exceptions:"

◆ ◆ ◆
Texas Department of Transportation,
Division of Aviation
Notice of Contract Award

Under the provisions of Texas Civil Statutes, Article 664-4, the Texas Department of Transportation publishes this notice of a consultant contract award for providing professional engineering services.

The request for qualifications for professional engineering services was published in the *Texas Register* on September 4, 1992 (17 TexReg 6118).

The consultant will provide engineering services for the design and construction administration phases for the following TxDOT project: 93-39-053, Hereford Municipal Airport.

The engineering firm for these services is McMorries & Associates, Inc., 6300 Canyon Drive, Amarillo, Texas 79109.

The total value of the contract is \$7,361 and the contract period started on January 8, 1993, until the completion of the project.

If there are any questions, please contact Karon Wiedemann, Manager, Grant Administration, Division of Aviation, (512) 476-9262.

Issued in Austin, Texas, on January 12, 1993.

TRD-9317539 Diane L. Northam

Filed: January 12, 1993

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Texas Water Commission
Meeting Notice

A meeting of the Management Committee of the Galveston Bay National Estuary Program is scheduled for: Wednesday, January 20, 1993, 9 a.m., Bayou Building, Forest Room, University of Houston-Clear Lake, Houston.

Following opening remarks and approval of minutes, the Committee will hear a program update from the Program Director. The Committee will approve the Advisory Committee Reports from their last meetings and Project Final Reports. The Committee will then discuss and tentatively approve the Fiscal Year 1994 Projects and Budget. The CCMP Workshop draft agenda will be tentatively approved before discussing the Financial Planning Committee Goals/Guidelines. The Committee will then consider any other business, a date for the next meeting, and will adjourn.

Issued in Houston, Texas, on January 8, 1993.

TRD-9317522 Frank S. Shipley
Director
Galveston Bay National Estuary Program

Filed: January 12, 1993

◆ ◆ ◆
Notice of Receipt of Application For
Municipal Solid Waste Permit

Following is a Notice of Receipt of Application and Declaration of Administrative Completeness for a municipal solid waste permit issued during the period of December 14-18, 1992.

The application has been determined to be administratively complete, and will now be subject to a technical evaluation by the staff of the Texas Water Commission. Persons should be advised that the application is subject to change based on such evaluation.

The notice is issued pursuant to the Texas Health and Safety Code, §361.0665. Any person who may be affected by the facility is entitled to request a hearing from the Commission. The Commission will issue further notice of the application and the terms of any proposed draft permit once the technical evaluation is completed.

Information concerning the application may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Bell Processing, Inc.; Type I landfill; located 4,000 feet west of FM Road 1634 and two miles north of Highway 277 and six miles west of the center of Wichita Falls, Wichita County; amendment; MSW1827-A.

Issued in Austin, Texas, on January 11, 1993.

TRD-9317520 Gloria A. Vasquez
Chief Clerk
Texas Water Commission

Filed: January 12, 1993

Public Notice

The Texas Water Commission has extended its deadline for receiving written comments on proposed amendments to 31 TAC §§335.1, 335.5, 335.6, and 335.8, and new §§335.551-335.569. The original deadline of Sunday, January 17, 1993, at 5 p.m. has been changed and extended to Monday, February 1, 1993, at 5 p.m.

For further information, please contact Glenn Hall, Staff Attorney, Legal Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 908-2061.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317588 Mary Ruth Holder
Director, Legal Division
Texas Water Commission

Filed: January 13, 1993

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Request for Proposal

The On-Site Wastewater Treatment Research Council (Council) issues this Request for Proposals (RFP), pursuant to the Health and Safety Code, Chapter 367, leading to the possible awards of contracts during fiscal year September 1, 1992-August 31, 1993, to conduct applied research at accredited colleges and universities, other governmental entities and acceptable private research centers in the State of Texas, regarding on-site treatment and disposal technology applicable to this State. Publication of this RFP does not obligate the Council to make an award if a suitable proposal is not received.

Description of Planning Objectives. The purpose of this project is to provide the Council with the following described real property and facilities located in Travis County, Texas, for the purpose of establishing a location for research and demonstration projects to be funded by the Council: laboratory space: up to six hundred (600) square feet of laboratory space with equipment and materials to be provided by the Receiving Agency, the Council, or its grant recipient(s); and demonstration sites: up to four acres of land for field demonstrations of on-site wastewater technology ("the demonstration sites") with the location of such demonstration sites to be approved by the Performing Agency.

Description of Funding Consideration. The Council will provide funding from the on-site wastewater treatment research account.

Criteria For Eligibility. For a corporation organized under the Texas Business Corporation Act, Article 1.01 et seq, proof that is not delinquent in a tax owed the state under the Tax Code, Chapter 171. In order to assure equitable distribution of limited funds and to avoid conflicts of interest, the following criteria are established for acceptability of applicants: Texas-based applicants will be given priority consideration and only in unusual circumstances will this priority be disregarded; research projects shall be conducted in Texas; project duration will be a minimum of one year to a maximum of three years; and a member of the On-site Wastewater Treatment Research Council is not eligible to submit a research proposal.

Proposal Rating. In addition to providing specific comments, each evaluator will, where appropriate, rate the proposals in the following areas: degree to which the proposal is responsive to the overall purpose and funding

criteria or the specific purpose of an individual solicitation; qualifications of project staff and directly-related project and staff experience; reasonableness of proposed budget and time schedule; availability of matching funds or services, if any; project organization and management; and other information as may be required for the specific project.

Application Procedure, Deadlines, and Contact Person For Additional Information. Twelve copies of the research proposal must be filed with the Council prior to 5 p.m. on January 29, 1993. A contract must be executed and work must be underway as soon as possible after Council approval of an application. The copies must be submitted to the On-site Wastewater Treatment Research Council in care of Texas Water Commission, Ground Water Section, P.O. Box 13087, Austin, Texas 78711-3087, Attention: Ted Johns, Executive Secretary.

Statement of Contract Terms and Required Completion Date. Procedures for awarding contracts shall comply with Texas Civil Statutes, Article 6252-11c, and with Article 664-4, where applicable.

Contractual agreements and associated funding will terminate on or before August 31, 2001.

Issued in Austin, Texas, on January 13, 1993.

TRD-9317575 Theodore H. Johns
Executive Secretary-One-site Wastewater
Treatment Research Council
Texas Water Commission

Filed: January 13, 1993



1993 Publication Schedule for the *Texas Register*

Listed below are the deadline dates for the January-December 1993 issues of the *Texas Register*. Because of printing schedules, material received after the deadline for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the *Texas Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication. No issues will be published on July 30, November 5, November 30, and December 28. A asterisk beside a publication date indicates that the deadlines have been moved because of state holidays.

FOR ISSUE PUBLISHED ON	ALL COPY EXCEPT NOTICES OF OPEN MEETINGS BY 10 A.M.	ALL NOTICES OF OPEN MEETINGS BY 10 A.M.
1 Friday, January 1	Monday, December 28	Tuesday, December 29
2 Tuesday, January 5	Wednesday, December 30	Thursday, December 31
3 Friday, January 8	Monday, January 4	Tuesday, January 5
4 Tuesday, January 12	Wednesday, January 6	Thursday, January 7
5 Friday, January 15	Monday, January 11	Tuesday, January 12
6 Tuesday, January 19	Wednesday, January 13	Thursday, January 14
Friday, January 22	1992 ANNUAL INDEX	
7 Tuesday, January 26	Wednesday, January 20	Thursday, January 21
8 Friday, January 29	Monday, January 25	Tuesday, January 26
9 Tuesday, February 2	Wednesday, January 27	Thursday, January 28
10 Friday, February 5	Monday, February 1	Tuesday, February 2
11 Tuesday, February 9	Wednesday, February 3	Thursday, February 4
12 Friday, February 12	Monday, February 8	Tuesday, February 9
13 Tuesday, February 16	Wednesday, February 10	Thursday, February 11
14 *Friday, February 19	Friday, February 12	Tuesday, February 16
15 Tuesday, February 23	Wednesday, February 17	Thursday, February 18
16 Friday, February 26	Monday, February 22	Tuesday, February 23
17 Tuesday, March 2	Wednesday, February 24	Thursday, February 25
18 Friday, March 5	Monday, March 1	Tuesday, March 2
19 Tuesday, March 9	Wednesday, March 3	Thursday, March 4
20 Friday, March 12	Monday, March 8	Tuesday, March 9
21 Tuesday, March 16	Wednesday, March 10	Thursday, March 11
22 Friday, March 19	Monday, March 15	Tuesday, March 16
23 Tuesday, March 23	Wednesday, March 17	Thursday, March 18
24 Friday, March 26	Monday, March 22	Tuesday, March 23
25 Tuesday, March 30	Wednesday, March 24	Thursday, March 25
26 Friday, April 2	Monday, March 29	Tuesday, March 30
27 Tuesday, April 6	Wednesday, March 31	Thursday, April 1
28 Friday, April 9	Monday, April 5	Tuesday, April 6
29 Tuesday, April 13	Wednesday, April 7	Thursday, April 8
Friday, April 16	FIRST QUARTERLY INDEX	
30 Tuesday, April 20	Wednesday, April 14	Thursday, April 15

31 Friday, April 23	Monday, April 19	Tuesday, April 20
32 Tuesday, April 27	Wednesday, April 21	Thursday, April 22
33 Friday, April 30	Monday, April 26	Tuesday, April 27
34 Tuesday, May 4	Wednesday, April 28	Thursday, April 29
35 Friday, May 7	Monday, May 3	Tuesday, May 4
36 Tuesday, May 11	Wednesday, May 5	Thursday, May 6
37 Friday, May 14	Monday, May 10	Tuesday, May 11
38 Tuesday, May 18	Wednesday, May 12	Thursday, May 13
39 Friday, May 21	Monday, May 17	Tuesday, May 18
40 Tuesday, May 25	Wednesday, May 19	Thursday, May 20
41 Friday, May 28	Monday, May 24	Tuesday, May 25
42 Tuesday, June 1	Wednesday, May 26	Thursday, May 27
43 *Friday, June 4	Friday, May 28	Tuesday, June 1
44 Tuesday, June 8	Wednesday, June 2	Thursday, June 3
45 Friday, June 11	Monday, June 7	Tuesday, June 8
46 Tuesday, June 15	Wednesday, June 9	Thursday, June 10
47 Friday, June 18	Monday, June 14	Tuesday, June 15
48 Tuesday, June 22	Wednesday, June 16	Thursday, June 17
49 Friday, June 25	Monday, June 21	Tuesday, June 22
50 Tuesday, June 29	Wednesday, June 23	Thursday, June 24
51 Friday, July 2	Monday, June 28	Tuesday, June 29
52 Tuesday, July 6	Wednesday, June 30	Thursday, July 1
53 Friday, July 9	Monday, July 5	Tuesday, July 6
Tuesday, July 13	SECOND QUARTERLY INDEX	
54 Friday, July 16	Monday, July 12	Tuesday, July 13
55 Tuesday, July 20	Wednesday, July 14	Thursday, July 15
56 Friday, July 23	Monday, July 19	Tuesday, July 20
57 Tuesday, July 27	Wednesday, July 21	Thursday, July 22
Friday, July 30	NO ISSUE PUBLISHED	
58 Tuesday, August 3	Wednesday, July 28	Thursday, July 29
59 Friday, August 6	Monday, August 2	Tuesday, August 3
60 Tuesday, August 10	Wednesday, August 4	Thursday, August 5
61 Friday, August 13	Monday, August 9	Tuesday, August 10
62 Tuesday, August 17	Wednesday, August 11	Thursday, August 12
63 Friday, August 20	Monday, August 16	Tuesday, August 17
64 Tuesday, August 24	Wednesday, August 18	Thursday, August 19
65 Friday, August 27	Monday, August 23	Tuesday, August 24
66 Tuesday, August 31	Wednesday, August 25	Thursday, August 26
67 Friday, September 3	Monday, August 30	Tuesday, August 31
68 Tuesday, September 7	Wednesday, September 1	Thursday, September 2
69 *Friday, September 10	Friday, September 3	Tuesday, September 7

70 Tuesday, September 14	Wednesday, September 8	Thursday, September 9
71 Friday, September 17	Monday, September 13	Tuesday, September 14
72 Tuesday, September 21	Wednesday, September 15	Thursday, September 16
73 Friday, September 24	Monday, September 20	Tuesday, September 21
74 Tuesday, September 28	Wednesday, September 22	Thursday, September 23
75 Friday, October 1	Monday, September 27	Tuesday, September 28
76 Tuesday, October 5	Wednesday, September 29	Thursday, September 30
77 Friday, October 8	Monday, October 4	Tuesday, October 5
Tuesday, October 12	THIRD QUARTERLY INDEX	
78 Friday, October 15	Monday, October 11	Tuesday, October 12
79 Tuesday, October 19	Wednesday, October 13	Thursday, October 14
80 Friday, October 22	Monday, October 18	Tuesday, October 19
81 Tuesday, October 26	Wednesday, October 20	Thursday, October 21
82 Friday, October 29	Monday, October 25	Tuesday, October 26
83 Tuesday, November 2	Wednesday, October 27	Thursday, October 28
Friday, November 5	NO ISSUE PUBLISHED	
84 Tuesday, November 9	Wednesday, November 3	Thursday, November 4
85 Friday, November 12	Monday, November 8	Tuesday, November 9
86 Tuesday, November 16	Wednesday, November 10	Thursday, November 11
87 Friday, November 19	Monday, November 15	Tuesday, November 16
88 Tuesday, November 23	Wednesday, November 17	Thursday, November 18
89 Friday, November 26	Monday, November 22	Tuesday, November 23
Tuesday, November 30	NO ISSUE PUBLISHED	
90 Friday, December 3	Monday, November 29	Tuesday, November 30
91 Tuesday, December 7	Wednesday, December 1	Thursday, December 2
92 Friday, December 10	Monday, December 6	Tuesday, December 7
93 Tuesday, December 14	Wednesday, December 8	Thursday, December 9
94 Friday, December 17	Monday, December 13	Tuesday, December 14
95 Tuesday, December 21	Wednesday, December 15	Thursday, December 16
96 Friday, December 24	Monday, December 20	Tuesday, December 21
Tuesday, December 28	NO ISSUE PUBLISHED	

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