

Texas Register

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- 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- Withdrawn Sections** - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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 accumulative quarterly and annual indexes to aid in researching material published.

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How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which a 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 17 (1992) is cited as follows: 17 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: "17 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written: "issue date 17 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, Austin. Material can be found using *Texas Register* indexes, the *Texas Administration Code*, section numbers, or TRD number.

Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved, collected volumes of Texas administrative rules.

How to Cite: Under the TAC scheme, each agency 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 rule (27 indicates that the section is under Chapter 27 of Title 1; 15 represents the individual section within the chapter).

Texas Register Art Project

This program is sponsored by the *Texas Register* to promote the artistic abilities of Texas students, grades K-12, and to help students gain an insight into Texas government. The artwork is used to fill otherwise blank pages in the *Texas Register*. The blank pages are a result of the production process used to create the *Texas Register*. The artwork does not add additional pages and does not increase the cost of the *Texas Register*.

Texas Register Publications



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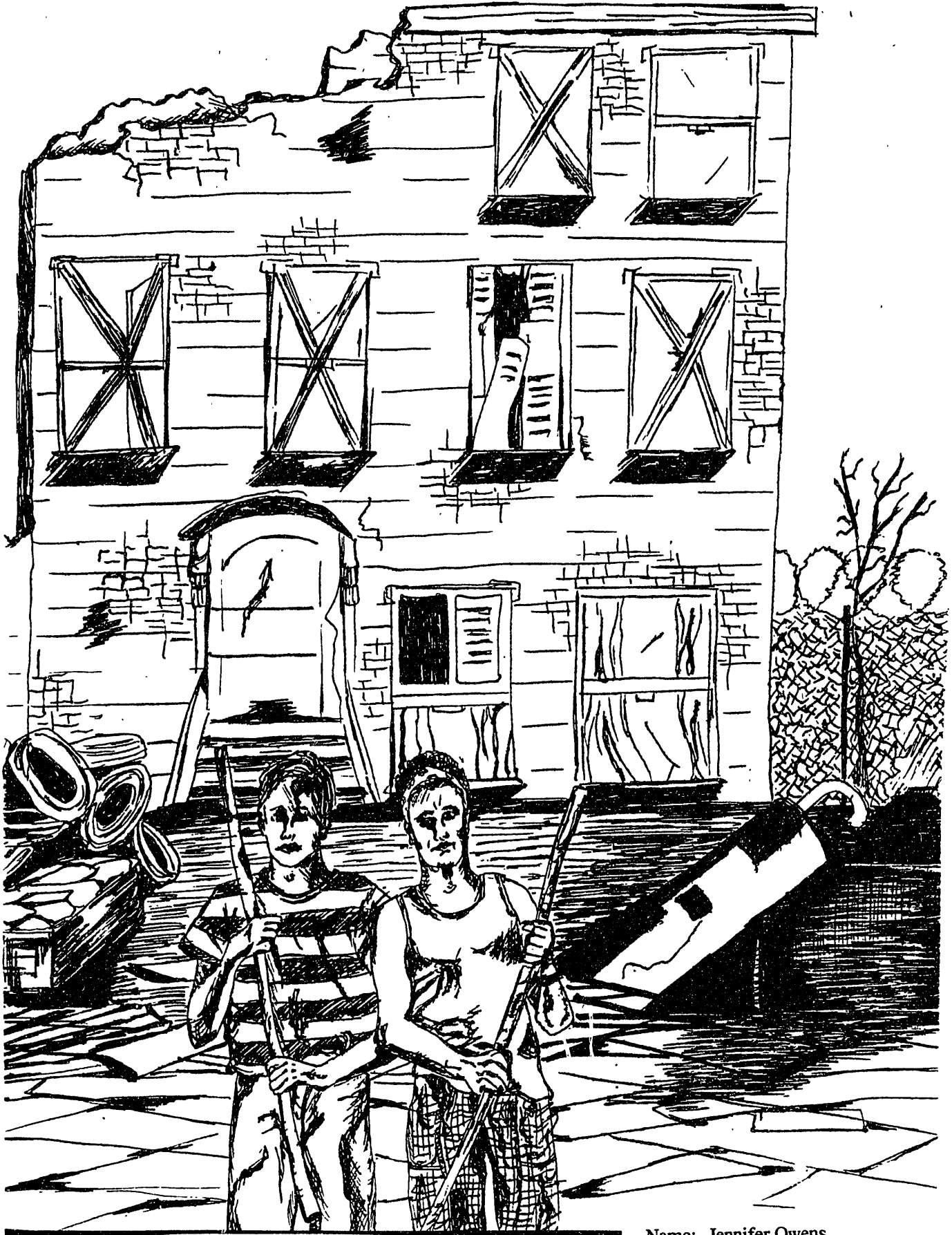
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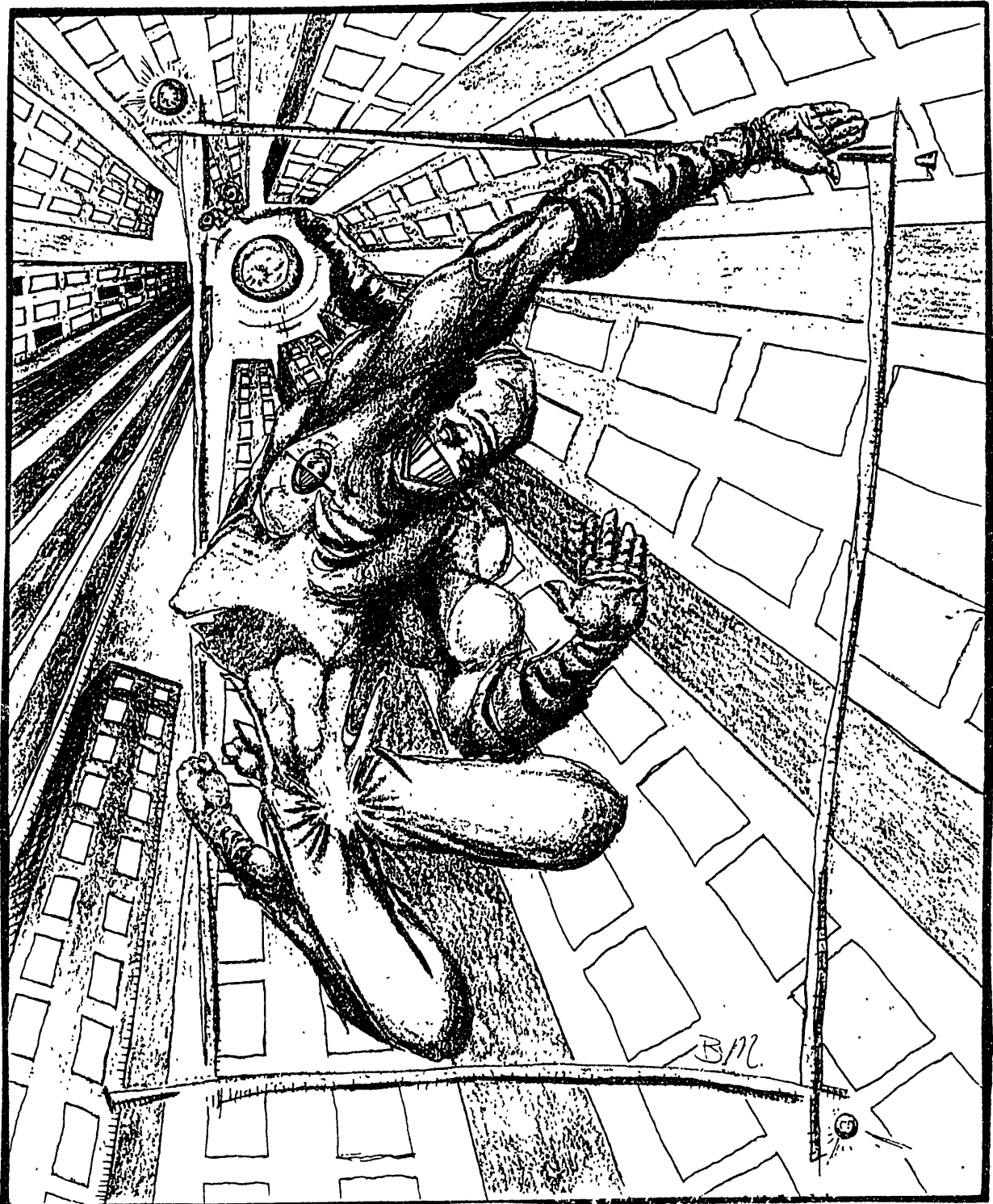
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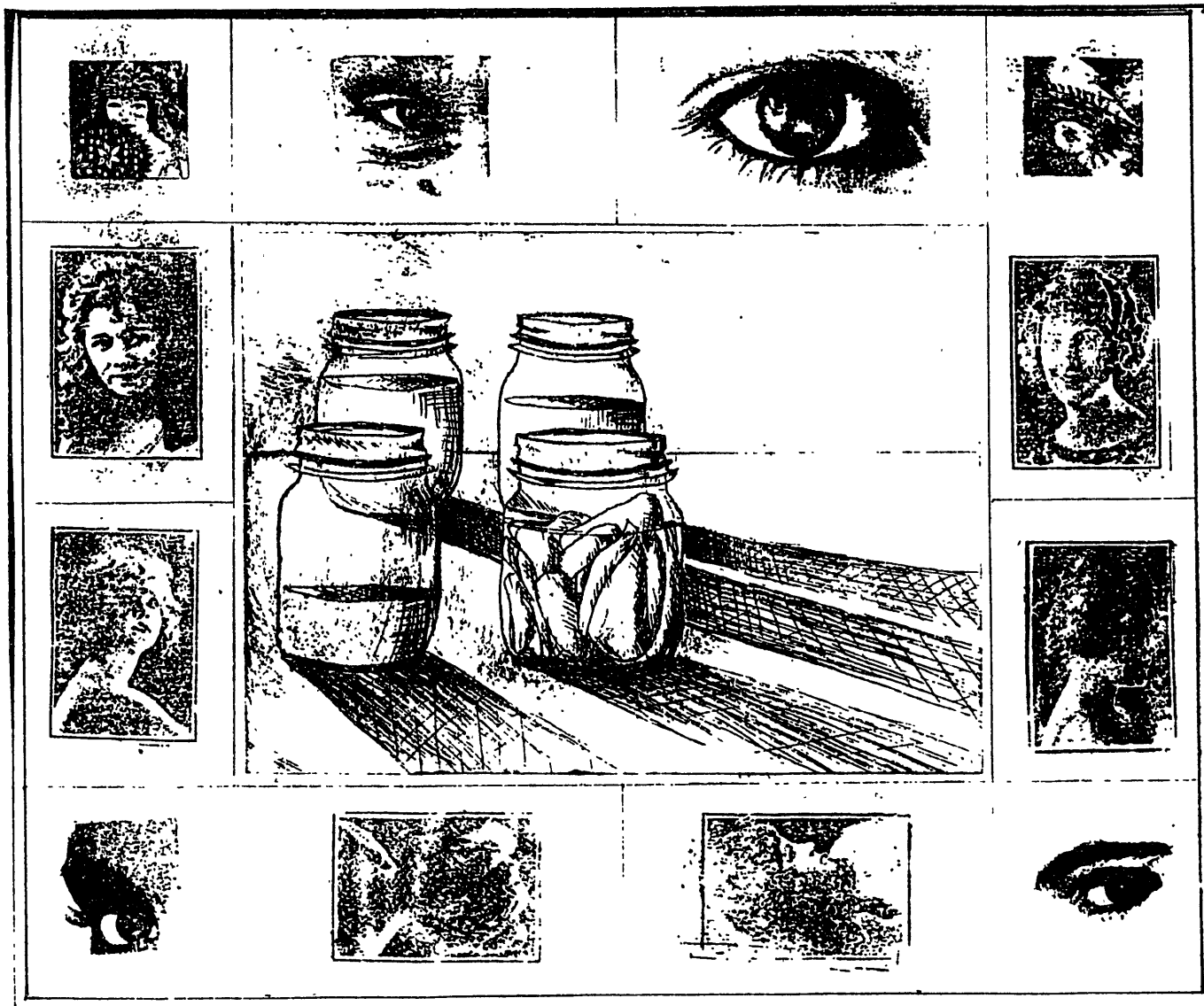
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Proposed Sections

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 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 46. Residential Care Program

Provider Participation

• 40 TAC §§46.2005, 46.2007, 46.2008

The Texas Department of Human Services (DHS) proposes amendments to §§46.2005, 46.2007, 46.2008, and 46.4001, concerning facility requirements, staffing requirements, training requirements, and method of contracting in its Residential Care Program chapter. The purpose of the amendments is to change the contracting methodology from competitive procurement to provider enrollment and to delete references to staff training.

Burton F. Raiford, commissioner, has determined that for the first five-year period the proposed sections will be in effect there will be no fiscal implications for state or local governments as a result of enforcing or administering the sections.

Mr. Raiford also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be that clients will have a choice of providers from whom to receive services. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the proposed sections.

Questions about the content of the proposal may be directed to Maria Garcia Montoya at (512) 450-3155 in DHS's Community Care Section. Comments on the proposal may be submitted to Nancy Murphy, Agency Liaison, Policy and Document Support-054, Texas Department of Human Services E-503, P.O. Box 149030, Austin, Texas 78714-9030, within 30 days of publication in the *Texas Register*.

The amendments are proposed under the Human Resources Code, Title 2, Chapter 22, which provides the department with the authority to administer public assistance programs.

§46.2005. Facility Requirements.

- (a) (No change.)

- (b) The facility must:

- (1)-(2) (No change.)

(3) reserve, at a minimum, space to serve one emergency care recipient, unless a request for a waiver is granted, in writing, from the regional director for services to the aged and disabled;

(3) [(4)] designate a separate bedroom area for recipients in dual facilities where nursing home recipients are co-housed in the facility;

(4) [(5)] accept all of the Texas Department of Human Services (DHS's) [department's] referrals if space is available;

(5) [(6)] accept and provide services to emergency care recipients;

(6) [(7)] provide services according to the recipient's service plan;

(7) [(8)] obtain the written approval of DHS [the department] before discharging recipients, except when DHS [department] staff cannot be reached and the recipient threatens the health or safety of others or himself;

(8) [(9)] help the recipient to prepare for transfer or discharge;

(9) [(10)] provide a minimum of two social and recreational activities per week. The facility must keep and provide a monthly activity calendar that shows the activities planned for the month;

(10) [(11)] provide each recipient with training in the emergency/disaster procedures and evacuation plan within three days from the date of service initiation. The training must be documented in the recipient's record;

(11) [(12)] document all training and orientation provided to residential care recipients and facility staff;

(12) [(13)] reserve the recipient's space in the facility as long as the recipient pays his bedhold charge for personal leave days that exceed the department's limit;

(13) [(14)] collect payment from the recipient according to DHS's [the department's] copayment policies. If payment

is not made on time, the facility must send notice to the recipient and a copy to DHS [the department] by the 10th of the same month;

(14) [(15)] not charge or take other recourse against a recipient, family member, or anyone acting on behalf of the recipient for any claim denied or reduced by DHS [the department] because of the facility's failure to meet any DHS [department] rule, regulation, or procedure; and

(15) [(16)] comply with applicable federal and state regulations, applicable statutes, appropriate service standards, and DHS [department] rules, procedures, and guidelines.

§46.2007. Staffing Requirements.

(a) The facility must have, as a minimum, a staff-recipient ratio of one to 15 during the day shift; one to 20 during the evening shift; and one to 40 during the night shift. The facility must maintain adequate staff to meet the needs of the residents.

(1) Private-pay residents must be included in calculating the staff-recipient ratios if the same staff are providing services to the private-pay residents and to department recipients.

(2) At least one staff person must be present at the facility when recipient is present.

(3) All staff providing personal care services, protective supervision, and other direct care services to the recipients may be included in calculating the staff-recipient ratio.]

(a) [(b)] The facility must have, or contract for, a full-time manager who is responsible for:

- (1)-(5) (No change.)

(b) [(c)] The facility attendants must be 18 years old or older and able to perform the following duties: personal care services; housekeeping; escort services; protective supervision; and other duties as assigned. The attendant must not provide personal care services until he has shown competence in this area to the satisfaction of the facility manager. If an attendant han-

dles food in the facility, he must meet the requirements described in the food service sanitation rules of the Texas Department of Health.

§46.2008. Training Requirements.

[(a) The facility must provide all staff with training in the fire/disaster and evacuation procedures within three work-days of employment. The training must be documented in the facility's records.

[(b) The facility manager must have at least seven hours of orientation in all the following areas before assuming responsibilities:

- [(1) basic principles of supervision;
- [(2) interpersonal skills for dealing with recipients and families;
- [(3) recipient characteristics and needs;
- [(4) community resources; and
- [(5) policies and procedures of the contract.

[(c) The facility must provide all attendants, before or at the time service begins, a general orientation about:

- [(1) the needs of the recipient and tasks to be provided;
- [(2) essential observation of the recipient's health; and

[(3) conditions about which the attendant should notify the facility manager.

[(d)]The facility must assess the additional training needs of each residential care attendant, develop a plan for remedying areas of deficiencies, and train each attendant. The facility must document that all attendants are competent to provide personal care before delivering services. Besides the topics covered during orientation, the facility must train the attendant in performing authorized tasks and in following safety and emergency procedures.

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 March 15, 1993.

TRD-9320253

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

Proposed date of adoption: June 1, 1993

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

◆ ◆ ◆
Provider Contracts

• 40 TAC §46.4001

The amendment is proposed under the Human Resources Code, Title 2, Chapter 22, which provides the department with the au-

thority to administer public assistance programs.

§46.4001. Method of Contracting. The method of contracting for residential care services is provider enrollment [competitive procurement. The department may renew contracts that were converted from the Supervised Living Program to the Residential Care Program up to four years from the date of the conversion. All contracts procured sole source must be competitively procured within four years of their conversion from supervised living to residential care].

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 March 15, 1993.

TRD-9320252

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

Proposed date of adoption: June 1, 1993

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

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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 REGULATION

Part II. Public Utility Commission of Texas

Chapter 23. Substantive Rules

Customer Service and Protection

• 16 TAC §23.45

The Public Utility Commission of Texas adopts an amendment to §23.45, concerning billing, with changes to the proposed text as published in the September 25, 1992, issue of the *Texas Register* (17 TexReg 6590). The purpose of the amendment is to prohibit a telecommunications utility providing any service to the state from charging a fee, penalty, interest, or other charge for delinquent payment of a bill for that service.

The amendment is adopted to conform with Texas Civil Statutes, Article 1446c, §48A. Because this amendment, as adopted, is mandated by statute, most of the comments received discussed the published amendment which provided that electric companies and cooperatives would also be prohibited from charging late payment penalties to the state.

During the 30-day comment period specified in the September 25, 1992, issue of the *Texas Register*, comments in favor of the proposed amendment were received from the State of Texas. Comments against the proposed amendment were received from El Paso Electric Company, Southwestern Public Service Company, Lamb County Electric Cooperative, Inc., Brazos Electric Cooperative, Inc., Texas Industrial Energy Consumers, Bailey County Electric Cooperative Association, Central Power and Light Company, The Association of Texas Electric Cooperatives, Inc., Houston Light & Power Company, Midwest Electric Cooperative, Inc., and Karnes Electric Cooperative, Inc. Comments offering an alternative to the proposal were received from the Comptroller. Comments containing information regarding the late payment of electric bills were received from Johnson County Electric Cooperative, DeWitt County Electric Cooperative, Inc., Lea County Electric Cooperative, Inc., Rusk County Cooperative, Inc., New Era Electric Cooperative, Inc., Deep East Texas Electric Cooperative, Inc., Coleman County Electric Cooperative, Fort Belknap Electric Cooperative, Lighthouse Electric Cooperative, Inc., Medina Electric Cooperative, Inc., and Navarro County Electric Cooperative, Inc. The United States Marine Corps filed comments requesting that the

amendment include federal agencies as well as state agencies.

The State of Texas makes several arguments why state agencies should be exempt from late payment penalties by both telecommunications and electric utilities. It states that the purpose of late payment penalties is to encourage prompt payment of bills. The State believes that this purpose makes no sense with regard to the State of Texas because the State may expend appropriated funds only on a warrant drawn by the Comptroller pursuant to Texas Civil Statutes, Article 6252-31, §2 (Vernon Supplement 1992). However, the Comptroller of Public Accounts commented that the average time for processing utility payments is 72 hours, including weekends and holidays. In addition, Texas Electric Cooperatives, Inc. (TEC) pointed out that if the statutory payment process was the true obstacle to on-time payment, then all state agency bills would be late. That is not the case. In fact, TEC surveyed its members and found that 28% of the state agency accounts regularly pay on time. The Comptroller indicated that it is the internal procedures of other agencies that prevents bills from being paid on time. To improve the payment process, the Comptroller suggests the expanded use of direct deposits and average monthly billings. In addition, the Uniform Statewide Accounting System is being developed and should be implemented in September of 1993.

The State of Texas also makes the argument that state agencies should not be treated inconsistently with regard to whether it is telephone or electric utility service at issue. It is the State's position that neither electric nor telephone utilities should be permitted to charge a late payment penalty to the state because Public Utility Regulatory Act, (PURA) §48A prohibits telecommunications utilities from charging a late payment penalty to state agencies. The State believes it is discriminatory for electric utilities to be allowed to impose such penalties, while telecommunications utilities can not.

The Commission disagrees. By specifying that telecommunications utilities may not impose a late charge, the Legislature intentionally excluded electric utilities from such a prohibition. The State correctly states that the Commission has a duty to insure that every public utility rate shall be just and reasonable and that rates shall not be unreasonably preferential, prejudicial, or discriminatory, but shall be sufficient, equitable, and consistent in application to each class of consumers, PURA §38 and §45. However, the State misstates the impact of these provisions by characterizing the statutory difference in treatment

by telephone and electric utilities as being unreasonably preferential, prejudicial, and discriminatory to state agencies.

It is the Commission's position that there shall be no unreasonable difference as to rates or service between classes of service, unless otherwise mandated by statute. Thus, the State shall be treated in the same manner as other commercial customers. All electric utility customers shall be treated consistently and all telephone utility customers shall be treated consistently, with one statutory exception. The State of Texas should be exempt from late payment penalties charged by telecommunications utilities, as mandated by PURA, §48A.

The State of Texas commented that the penalty amounts and due dates are not consistent among utilities, and that the penalty amounts are not related to direct costs incurred as a result of late payment. This rulemaking concerns exemption of the State from paying late payment penalties, not the amounts of such penalties or the due dates. Commission rules specify a maximum penalty amount and billing due dates. The State does not complain that these rules are being violated.

The State of Texas proposes that §23.45 be amended to conform with the due dates specified in the Prompt Payment Act, Texas Civil Statutes Article 601f. The Commission does not find this request persuasive. The Prompt Payment Act does not apply to payments made by a governmental entity in the event the terms of a contract specify other times and methods of payment or methods of resolving disputes or interest owed on delinquent payments. Docket Number 6200 recognized Commission-approved utility tariffs as the type of contracts included in this exception. Thus, the Commission denies the State of Texas' proposal.

Comments against the proposed rule stated that the State should not receive preferential treatment over other customers who likewise may find it difficult to pay their bills on time. The commenters believe it is unfair for other customers to bear the costs so that the State can avoid paying a penalty for late payment. TEC states that it is unjustified to single out state agencies from all other commercial consumers for special treatment regarding the delinquent payment penalty. The Commission agrees that all classes of customers should be treated equally, except as provided by statute.

In its survey of its members, TEC noted that only four of the 39 cooperatives attempted to impose the delinquent payment penalty. According to TEC, many electric cooperatives

have chosen not to assess state agencies for delinquent payment penalties because the state agencies usually refuse to pay. However, TEC believes that if the practice of imposing late payment penalties is abandoned, then delinquent payments will be encouraged. TEC states that a total of less than \$2,000 was paid by the state agencies to the 39 cooperatives for delinquent payment penalties in the past 12 months. The State estimates that the late payment penalty issue for electric utilities involves approximately \$500,000 to \$1 million based on late payment penalties incurred in the Bluebonnet Electric Cooperative service area.

Two commenters expressed concern that delinquent payments can increase the operating capital needs of the electric cooperative because it may have to borrow capital on a short-term basis in order to ensure an adequate cash flow. TEC asserts that the situation for electric distribution cooperatives is unique in that they have a large bill for purchased power that must be paid each month. Timely payment by the large customers is necessary to prevent serious strain on the cash flow of cooperatives. The Commission recognizes the importance of timely payment, and encourages all customers to promptly pay their bills.

Of the 11 commenters which filed information concerning the application of late payment penalties to state agencies, only one attempted to impose the late payment penalty to a state agency. As of the date of comment, the State had not paid the penalty.

The amendment as adopted specifies that a telecommunications utility providing any service to the state may not charge a fee, penalty, interest, or other charge for delinquent payment of a bill for that service. The published version would have exempted the state from paying late penalties to both electric and telecommunications utilities.

The amendment is adopted under Texas Civil Statutes, Article 1446c, §16, which provide the Public Utility Commission of Texas with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction.

§23.45. Billing.

(a) (No change.)

(b) Penalty on delinquent bills for retail service. A one-time penalty not to exceed 5.0% may be made on delinquent commercial or industrial bills; however, no such penalty shall apply to residential bills under this section. A telecommunications utility providing any service to the state, including service to an agency in any branch of government, shall not assess a fee, penalty, interest, or other charge to the state for delinquent payment of a bill for that service. The 5.0% penalty on delinquent commercial and industrial bills may not be applied to any balance to which the penalty was applied in a previous billing.

(c)-(n) (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 March 11, 1993.

TRD-9320232 John M. Renfrow
Secretary of the
Commission
Public Utility Commission
of Texas

Effective date: April 2, 1993

Proposal publication date: September 25, 1992

For further information, please call: (512) 458-0100

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**Part IV. Texas Department
of Licensing and
Regulation**

**Chapter 60. Texas Commission
of Licensing and Regulation**

Subchapter C. Fees

• 16 TAC §60.67

The Texas Department of Licensing and Regulation adopts an amendment to §60.67, concerning the auctioneer exam fee, without changes to the proposed text as published in the February 9, 1993, issue of the *Texas Register* (18 TexReg 799).

The amendment will allow the department to recover the costs of development and administration of the auctioneer exam.

The amendment will function the same.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 9100, which provide the Texas Department of Licensing and Regulation with the authority to set fees to cover the cost of administering programs regulated by the department.

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 March 10, 1993.

TRD-9320180 Jack W. Garlson
Executive Director
Texas Department of
Licensing and
Regulation

Effective date: April 2, 1993

Proposal publication date: February 9, 1993

For further information, please call: (512) 463-3127

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Chapter 67. Auctioneers

• 16 TAC §67.83

The Texas Department of Licensing and Regulation adopts an amendment to §67.83, concerning the auctioneer exam fee, without changes to the proposed text as published in

the February 9, 1993, issue of the *Texas Register* (18 TexReg 800).

The amendment will allow the department to recover the costs of development and administration of the auctioneer exam.

The amendment will function the same.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Civil Statutes, Article 8700, which provide the Texas Department of Licensing and Regulation with the authority to promulgate and enforce a code of rules to assure compliance with the Act.

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 March 10, 1993.

TRD-9320179 Jack W. Garlson
Executive Director
Texas Department of
Licensing and
Regulation

Effective date: April 2, 1993

Proposal publication date: February 9, 1993

For further information, please call: (512) 463-3127

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**TITLE 25. HEALTH SER-
VICES**

**Part II. Texas Department
of Mental Health and
Mental Retardation**

**Chapter 401. Client
Assignment and Continuity
of Services**

**Subchapter E. Preadmission
Screening and Annual Resi-
dent Review (PASARR) and
Alternate Placement**

• 25 TAC §§402.151-402.153, 402.158-402.161

The Texas Department of Mental Health and Mental Retardation adopts amendments to §§402.151-402.153 and new §§402.158-402.161. Section 402.153 and §§402.158-402.160 are adopted with changes to the text as proposed in the September 22, 1992, issue of the *Texas Register* (17 TexReg 6536). Sections 402.151-402.152 and §402.161 are adopted without changes and will not be republished. The repeal of existing §§401.158-402.159 is contemporaneously adopted in this issue of the *Texas Register*.

The purpose of the amendments and new sections is to implement policies and procedures for compliance with the Alternative Disposition Plan approved by the Health Care Financing Administration (HCFA) in compliance with federal laws and regulations.

Section 402.153 is revised to include definitions for the terms "basic needs," "consensus," "legally adequate consent," and "support services."

Section 402.158 is revised to clarify the type of assistance the applicant/resident or legal representative may request from the mental health and mental retardation authority (MHMRA) in regard to alternate placement. In addition, the department has clarified in the section that the MHMRA must locate alternative services and place residents who need specialized services and are inappropriately placed in a nursing facility.

Section 402.159 is revised to clarify the process followed in the event the resident does not have a legal representative and the IDT determines that the resident is not capable of providing legally adequate consent to alternate placement activities. Section 402.160 is revised to include additional references.

Section 402.158(d)(3) is revised to specify that the case manager must submit a request for a placement waiver if requested by the resident or legal representative. Language has been added to clarify the basis on which such a waiver may be granted. In subsection (d)(5) of the same section, language is added to clarify the conditions which must be met before alternate placement may proceed without the agreement of the resident or legal representative.

A public hearing was held on October 8, 1992, and testimony was received from three parents of minor nursing facility residents; Advocacy, Inc.; United Cerebral Palsy Association of Texas; Association for Retarded Citizens of Texas; and a provider in the Intermediate Care Facilities for the Mentally Retarded Program. Written comments were received from the Texas Council Risk Management Fund, a private physician, United Cerebral Palsy Association, two community mental health and mental retardation centers, San Antonio Alliance for the Mentally Ill, and Advocacy, Inc.

One commenter suggested that the subchapter include a provision requiring compliance with Titles II and IV of the Americans with Disabilities Act. The department responds that the federal legislation requires compliance and that it would be redundant to include such a provision. Situations in which there is non-compliance can be brought to the attention of the department's OBRA PASARR Determination Office.

Several commenters stated that the rules reflect a lack of emphasis on input from the personal physician of the nursing facility resident or applicant. The department responds that the issue is beyond the scope of this subchapter since the assessment process is regulated by the Texas Department of Health (TDH). However, the department notes it has worked with TDH which has oversight over the assessment process, to increase input from personal physicians in the assessment and determination processes through modifications of agency procedures and the assessment instrument.

A commenter had questions regarding how and to what degree the Texas Education Agency (TEA) was involved in the provision

of services to school-age residents of nursing facilities. The department replies that the issue is discussed in the OBRA PASARR Determination Program Policy and Procedure Manual for Specialized Services and Alternate Placement. TXMHMR and TEA have integrated the individualized education plan and the specialized services plan to ensure there is no duplication of services.

Several commenters noted that there is no acknowledgement in the proposal of differences between the pediatric and geriatric populations served by nursing facilities. The department responds that federal law and Medicaid regulations prohibit discrimination in assessment process or in the services provided based on differences in age. Information about individual's particular needs is gathered in assessment process and is considered in the services delivered. The assessment instrument has been revised to increase the amount of medical information that is collected.

Several commenters complained that the assessment and determination processes fail to place adequate emphasis on parent involvement. The department responds that TDH has modified the assessment procedures to notify parents in advance of PASARR assessment and to solicit their participation in the assessment process. The revisions are already in effect. The department further notes that consideration is given by TXMHMR to information provided by parents in the determination process.

A commenter questioned why the 30-month provision is not included in proposal. The department responds that discussion of the 30-month provision is included in rules of the Texas Department of Human Services (TDHS), the state's Medicaid agency, which is responsible for determining Medicaid eligibility.

Several commenters questioned the proposal's lack of detail regarding the qualifications of MHMRA case managers responsible for nursing facility residents who are receiving specialized services or who have been determined to require alternate placement. The department responds that qualifications for case managers are described in detail in the department's operating instruction (OI 401-2 related to Case Management), a document which deals with internal procedures of the agency. Language has been added in §402.159(e) to require MHMRA staff to comply with the operating instruction, which includes a description of educational requirements and other qualifications, including training, for case managers.

Several commenters charged that the provision requiring only three alternatives to be offered to residents recommended for alternate placement is unfair. The department responds that this issue has been debated by an inclusive OBRA/PASARR Task Force comprising representatives of parent and consumer organizations, advocacy organizations, MHMRAs, nursing facility industry, and four state agencies: Texas Department on Aging, TDH, TDHS, and TXMHMR as well as physicians. The consensus of the task force was that in order for the state to comply with the federal OBRA/PASARR legislation, which

requires some people to be alternately placed from nursing facilities, there must be some standard regarding the number of placement options that would be offered and the time span in which residents had to select one of those options.

One commenter suggested that nursing facility residents with a related condition would not be served by MHMRAs because such people are not included as a category in TXMHMR's "priority population." The department responds that nursing facility residents with a related condition will receive identified services from MHMRAs without being included in the department's "priority population." Situations in which assistance is denied to persons with a related condition can be brought to the attention of the department's OBRA PASARR Determination Office.

A commenter questioned whether the state was making any progress in developing alternate settings. The department responds that available resources are being used to the fullest extent to encourage the private and public sector to develop alternate settings for nursing facility residents required to be alternately placed. The state has received approval from HCFA to establish an OBRA Targeted Waiver Program to provide residential, treatment, and training services to identified nursing facility residents with mental retardation or related conditions. Providers are currently being certified in this program and former nursing facility residents are being enrolled. Federal OBRA legislation requires that this program be available only for former nursing facility residents; it is designated as the primary alternate placement resource for this population. Increases in the intermediate care facility for mental retardation (ICF/MR) program have been requested and approved to provide another placement resource for identified nursing facility residents. The class waiver program is also being utilized to provide residential treatment and training program to people with related conditions. The OBRA budget contains funding to provide residential and mental health services to former nursing facility residents with a mental illness. However, the program has not been funded the program at the level of need by the legislature.

Several commenters asked that the criteria for appropriate placements be specified. The department responds that the criteria is specified in §402.158(d)(2), but that a definition of "basic needs" has been added for clarification at the request of another commenter. The department further notes that the language of that provision was a consensus of the OBRA PASARR Task Force mentioned earlier. A definition of "support services" also is added because the term is utilized in the definition of basic needs.

Several commenters requested that a provision be added ensuring that residents who elect to be alternately placed but who are not required to be are given a complete explanation of the full consequences, i.e., loss of right to specialized services. The department responds that language in §402.159(a) has been modified to clarify that all possible consequences of various placement alternatives for which resident may be eligible must be explained. In addition, language has been

added to require that copies of the case manager's written monthly reports to the nursing facility must be provided to the resident or legal representative upon receipt of a written request.

One commenter asked that the sections specify that communication techniques and devices necessary to enable a resident to communicate be used to assure the resident full participation in all aspects of service planning, not just alternate placement. The department agrees and has modified the language as requested in §402.159(a).

One commenter requested that a resident who has been alternately placed be permitted to move from one alternate setting to another after leaving nursing facility. Another commenter requested that individuals who already have left the nursing facility should be permitted access to the OBRA Targeted Waiver Program. The department responds that HCFA has determined that former nursing facility residents may lose their eligibility for the waiver should they select another alternate setting after they initially have been placed. The department has no choice but to follow the HCFA guidelines.

One commenter questioned what should happen if a resident who has been determined to require alternate placement refuses to leave nursing facility. The department responds that the nursing facility is responsible for discharging the resident, but that language has been modified in §402.158(d) (5) to clarify the issue.

A commenter recommended that professional evaluations be obtained to ensure that a nursing facility resident can participate in making decisions. The department responds that evaluations by professionals are already included in the requirements for service provision and that this issue is the subject of current litigation and possible action by the legislature.

One commenter requested that a timeframe be specified in the subchapter during which "follow-up services" are to be provided by the MHMRA case manager. The department responds that its policy and procedure manual requires the IDT to specify a timeframe for follow up based on the individual's needs.

One commenter expressed concern that individuals in nursing facilities who are diagnosed as having a mental illness but who are not experiencing an acute episode will not receive specialized services. The commenter further stated that the definition of specialized services for individuals with a mental illness is vague and general when compared to the definition for individuals with mental retardation or a related condition. The commenter suggested that this was discriminatory but acknowledged that those provisions of the subchapter were not being considered for revision. The department responds that no amendments to those provisions had been proposed because the definitions are taken from federal rules. Also, the nursing facility and not the department is responsible for providing mental health services to residents.

A commenter expressed concern that few appropriate alternatives in the community exist for persons with a mental illness. The

commenter recommended state funding for personal care homes, Medicaid waivers and matching funds for persons with a mental illness, and the designation by the department of residential services as a core service. The department responds that the recommendations are beyond the scope of this subchapter, but noted that funds for residential and mental health services have been established for former nursing facility residents.

A commenter requested clarification concerning who is to provide written notification to nursing facility residents identified as needing alternate placement that their Medicaid benefits may be terminated. The commenter further requested that the MHMRA case manager be required to ensure receipt of the notification. The department agrees and has revised the appropriate provisions in §402.158(d)(1).

One commenter suggested that nursing facility residents may lose some placement options if they leave the nursing facility. The department responds that §402.159(a) requires the case manager to identify all possible consequences of various placement alternatives to all nursing facility residents seeking alternate placement.

Another commenter suggested that "communication accessibility" be defined and several commenters suggested that each section of the subchapter include statements requiring that communication techniques and devices be used with nursing facility residents. The department responds that neither recommendation is necessary since a statement included in §402.159(a) has been modified to clarify that appropriate communication techniques and devices should be used to facilitate residents' participation in all aspects of service planning.

Another commenter requested clarification concerning which discussions with the resident or legal representative are to be documented by the case manager. The department agrees and has revised §402.159(a) to indicate that discussions regarding placement preferences are to be documented.

Two commenters recommended clarification concerning the right of the nursing facility resident to refuse to allow an interdisciplinary team (IDT) member to attend meetings at which alternate placement is discussed. The department has incorporated this provision in §402.159(b).

Two commenters requested clarification regarding the responsibilities of the MHMRA for adult nursing facility residents who allegedly may be incompetent. The department responds that §402.159(c) has been revised to describe a process by which the IDT is to determine by consensus whether or not a resident who has no legal representative is capable of providing legally adequate consent to alternate placement activities. If the consensus is that the resident cannot provide such consent, the case manager must provide information to the resident's family or an interested party concerning how to obtain a legal guardian. Alternate placement activities are to continue when a guardian is named. Definitions of consensus and legally adequate consent have been added to §402.153.

Two commenters requested that certain detailed procedures now included in the department's policy and procedures manual be incorporated into the subchapter. The department responds that a provision has been added in §402.159 requiring MHMRAs to comply with all provisions described in manual. The manual is included as a reference in §402.159. Two commenters provided draft documents containing detailed procedures and requested their inclusion in the subchapter. The department responds that applicable sections of the draft procedures were previously incorporated; most provisions in the draft documents are contrary to Medicaid regulations and, therefore, may not be incorporated into the subchapter.

Several commenters submitted remarks concerning sections in the current subchapter for which amendments were not proposed. One commenter recommended that specialized services for people with mental illness be modified to also include people with chronic mental illness and that all people with a mental illness diagnosis be assessed. These recommendations exceed the requirements of the Omnibus Reconciliation Act of 1987 and proposed regulations from the Health Care Financing Administration. This recommendation would also duplicate services to be provided by the nursing facility as required by the applicable certification and licensure regulations. Two commenters suggested that the eligibility criteria for the Home and Community-based Services Program-OBRA (HCS-O) be modified to allow a former nursing facility resident who is alternately placed into another program to enter the HCS-O Program if they later choose to do so. This issue has been raised with the Health Care Financing Administration but no response has been received to date.

The amendments and new sections are adopted under the Health and Safety Code, Title 7, §532.015, which provides the Texas Board of Mental Health and Mental Retardation with rulemaking powers.

§402.153. Definitions. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

Advanced years-A chronological age of greater than 64 years of age or a chronological age of greater than 50 years along with a chronic or acute medical condition that is likely to significantly diminish life expectancy as certified by a physician.

Basic needs-The provision or acquisition of adequate food, clothing, safe and sanitary shelter, support services, and medical services to sustain life.

Case manager-Staff member designated by the MHMRA to ensure that a person receives needed resources and services.

Comatose state-A condition of profound unconsciousness caused by disease, trauma, or toxic substance.

Consensus-A negotiated agreement that all IDT members can and will support

in implementation. The negotiation process involves the open discussion of ideas with all parties encouraged to express opinions.

Convalescent care—Care provided after a person's release from an acute care hospital that is part of a medically prescribed period of recovery which does not exceed 120 days.

Dementia—A degenerative disease of the central nervous system as diagnosed by a physician in accordance with the International Classification of Diseases, 9th Revision, Clinical Modification (ICD-9-CM).

Function at the brain stem level—A significantly impaired state of consciousness characterized by normal respirations but minimal (mostly reflexive) response to environmental stimuli as certified by a physician.

Legally adequate consent—As determined by the IDT, the ability of a nursing facility resident to give consent when each of the following conditions has been met:

(A) legal capacity: the individual giving the consent is of the minimum legal age and has not been adjudicated incompetent to manage personal affairs by an appropriate court of law;

(B) comprehension of information: the resident has been informed of and comprehends the nature, purpose, consequences, risks, and benefits of accepting or rejecting the specific alternative placement; and

(C) voluntariness: the consent has been given voluntarily and free from coercion and undue influence. A determination that the resident is inappropriately placed in a nursing facility and must be alternately placed as required by Federal OBRA PASARR legislation and HCFA regulations does not constitute coercion or undue influence.

Legal representative—The parent of a minor or legal guardian of the applicant to a nursing facility or the resident of a nursing facility.)

Mental health and mental retardation authority (MHMRA)—A local services provider selected by the Texas Department of Mental Health and Mental Retardation to plan, facilitate, coordinate, or provide services in a local services area to persons with mental illness, mental retardation, and/or a related condition; this includes designated providers and departmental facility community services programs.

Mental illness—A current primary or secondary diagnosis of mental disorder (as defined in the Diagnostic and Statistical Manual of Mental Disorders, 3rd Edition, Revised (DSM-III-R) and limited to schizophrenic, paranoid, major affective, schizoaffective disorder, and atypical psychosis) existing in the absence of a primary

diagnosis of dementia (including Alzheimer's disease or a related disorder).

Mental retardation—A diagnosis of mental retardation (mild, moderate, severe, or profound) as described in Classification in Mental Retardation, American Association on Mental Deficiency, 1983 Revision, i.e., mental retardation is significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.

Nursing facility—A Texas Medicaid-certified institution providing nursing services. It does not include a non-Medicaid certified facility, or non-Medicaid certified distinct part of a facility, or a facility certified as an intermediate care facility for the mentally retarded or for people with related conditions.

Preadmission Screening and Annual Resident Review (PASARR)—The process of evaluating, reviewing, and establishing a person's need for nursing facility services in contrast to other services and for specialized services for mental illness or for mental retardation and/or a related condition.

Related condition—A severe, chronic disability as defined in 42 Code of Federal Regulations §43.1009, that:

(A) is attributable to:

(i) cerebral palsy or epilepsy; or

(ii) any other condition including autism, but excluding mental illness, found to be closely related to mental retardation because this condition results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with mental retardation, and requires treatment or services similar to those required for these persons;

(B) is manifested before the person reaches age 22;

(C) is likely to continue indefinitely; and

(D) results in substantial functional limitations in three or more of the following areas of major life activity:

(i) self-care;

(ii) understanding and use

of language;

(iii) learning;

(iv) mobility;

(v) self-direction; or

(vi) capacity for independent living.

Responsible party—A person as defined in rules of the Texas Department of Human Services (TDHS) in 40 TAC

§19.101 (relating to Definitions for Nursing Facility Standards).

Specialized services—

(A) For individuals with mental illness, the implementation of an individualized plan of care developed under and supervised by a physician or other qualified mental health professionals that prescribes specific therapies and activities for a person who is experiencing an acute episode of severe mental illness which necessitates supervision by trained mental health personnel.

(B) For individuals with mental retardation and/or a related condition, the implementation of an aggressive, continuous, and individualized program of specialized and generic training, treatment, health services, and related services that is directed toward the behaviors necessary for the person to function with as much self-determination and independence as possible and the prevention or deceleration of regression or loss of current optimal functional status. It does not include services to maintain generally independent people who are able to function with little supervision or in the absence of a continuous program of specialized services.

Substantial risk of serious harm to self or others—As determined by a court of law, a condition demonstrated either by a person's behavior or by evidence of severe emotional distress and deterioration in mental condition to the extent that the person cannot remain at liberty.

Support services—Services which may include social, psychological, habilitative, rehabilitative, or other assistance appropriate to the person's needs as determined by the IDT.

Terminal illness—As documented by a physician, a condition that results in a life expectancy of six months or less and requires continuous nursing care and/or medical supervision and treatment to address the person's physical condition.

Ventilator dependent—Reliance upon a respirator or respiratory ventilator as a life support system to assist with breathing because of a respiratory condition.

§402.158. *Roles of Nursing Facility and MHMRA in Seeking Alternate Placement for Applicants and Residents.*

(a) Applicants denied nursing facility admission as determined by PASARR.

(1) The applicant or legal representative may request that the MHMRA provide assistance to the applicant or legal representative in locating and moving to a setting other than a nursing facility.

(2) The MHMRA shall provide the same placement assistance to the appli-

cant as it would to any other person seeking such services.

(b) Appropriately placed nursing facility residents needing specialized services as determined by PASARR.

(1) The resident or legal representative may request that the MHMRA provide assistance to the resident or legal representative in locating and moving to a setting other than a nursing facility.

(2) The MHMRA shall provide the same placement assistance to the resident as it would to any other person seeking such services.

(3) If alternate placement is requested, then the MHMRA case manager, in consultation with the resident or legal representative, may facilitate location of alternative services and placement of the resident in a setting other than a nursing facility.

(c) Inappropriately placed nursing facility residents needing specialized services who can choose placement as determined by PASARR.

(1) The resident or legal representative may request the MHMRA to assist the individual in locating and moving to a setting other than a nursing facility.

(2) If alternate placement is requested, the MHMRA case manager, in consultation with the resident or legal representative, must locate alternative services and place the individual in a setting other than a nursing facility.

(d) Inappropriately placed nursing facility residents needing specialized services who are required to be alternately placed as determined by PASARR.

(1) The nursing facility resident shall be notified in writing by TXMHMR and TDHS that Medicaid benefits may be terminated six months from the date of the notification in accordance with 40 TAC §19.604(f)(7) (relating to OBRA PASARR Alternate Placement). The MHMRA case manager must ensure receipt of the letter and explain the consequences upon the resident's continued residence in a nursing facility to the resident or legal representative (as appropriate).

(2) Prior to termination of Medicaid benefits, the MHMRA case manager must present to the resident or legal representative up to three specific placement alternatives appropriate to the resident's basic needs, overall functioning, diagnosis(es), and for which the resident may be eligible. The MHMRA case manager must document all alternative resources and services presented, as well as, if applicable, the basis for refusal of services offered.

(3) A placement waiver for six months may be requested by the MHMRA

case manager from the OBRA PASARR Determination Program Office based upon the unavailability of specific alternatives, the inability of specific alternatives to meet the resident's basic needs, or at the request of the resident or legal representative. The placement waiver may be granted based upon a review of the ability of the alternatives for which the resident may be eligible to meet the resident's basic needs, as well as requirements for treatment, training, overall functioning and geographic preference. Any resident or legal representative not in agreement with the decision may appeal the decision to the TXMHMR OBRA PASARR Determination Program Office to receive a TDHS fair hearing according to 40 TAC Chapter 79, Subchapters L, M, and N (relating to Fair Hearings, Appeals Processes, and Hearing Procedures).

(4) If the resident or legal representative selects a placement, then the MHMRA case manager must assist the resident in moving.

(5) If the resident or legal representative refuses the three placement alternatives described in paragraph (2) of this subsection, all waiver periods granted have been exhausted, and/or the fair hearing results sustain the decision that an appropriate alternate placement had been offered, then the MHMRA case manager must assist the resident in locating a placement in an alternate setting that meets the resident's overall treatment and training needs. The resident's or legal representative's agreement is not required for the alternate placement. The resident must be discharged in accordance with 40 TAC §19.302 (relating to Transfer and Discharge). After the resident or legal representative has refused three placement alternatives and/or the fair hearing results sustain the decision that an appropriate alternate placement has been offered, the resident or legal representative may not appeal the subsequent alternate placement to the TXMHMR OBRA PASARR Determination Program Office to receive TDHS's fair hearing according to 40 TAC Chapter 79, Subchapters L, M, and N.

§402.159. Services and Documentation Provided by the MHMRA and Nursing Facility for Nursing Facility Residents Seeking Alternate Placement.

(a) The MHMRA case manager must document all discussions to obtain placement preferences with the resident or legal representative, as appropriate, in the resident's record and provide a monthly written report to the nursing facility as described in 40 TAC §19.604(f)(4) (relating to Preadmission Screening and Annual Resident Review). Upon receipt of a written request from the resident or legal repre-

sentative, the case manager shall provide a copy of the monthly written report to the resident or legal representative. The copies shall be provided monthly until and unless the request is withdrawn in writing. The case manager shall identify specific placement resources, treatment services, and the possible consequences of various placement alternatives for which the resident may be eligible. Communication techniques and devices should be utilized, as appropriate, to facilitate the resident's participation in all aspects of service planning.

(b) The MHMRA case manager shall invite the resident, legal representative(s), responsible party, family members, nursing facility representative(s), and attending physician to participate in interdisciplinary team meetings(s) to discuss alternate placement resources and develop a discharge plan outlining team member responsibilities for placement. The resident or legal representative(s) may identify individuals to be invited to the meeting and indicate that certain members may not attend. However, written information will be received and reviewed from all interdisciplinary team members.

(c) The MHMRA case manager shall obtain written agreement for the specific placement from the resident or legal representative(s), except as noted in §402.158(d)(5) of this title (relating to Roles of Nursing Facility and MHMRA in Seeking Alternate Placement for Applicants and Residents). If the resident does not have a legal representative and the interdisciplinary team (IDT), as defined in 40 TAC §19.604(e)(3) (relating to Specialized Services and Alternate Placement) determines by consensus that the resident is not capable of providing legally adequate consent to alternate placement activities, then the IDT shall direct the case manager to provide information to the family or other interested parties, as appropriate, regarding processes for securing a legal guardian. When the issue of legally adequate consent has been resolved and, if necessary, a legal guardian has been named, alternate placement activities shall continue.

(d) The MHMRA case manager must document implementation of the nursing facility resident's discharge plan in the resident's record and provide copies to the nursing facility.

(e) Staff of the MHMRA must comply with:

(1) TXMHMR OBRA PASARR Determination Program Policy and Procedure Manual for Specialized Services and Alternate Placement; and

(2) TXMHMR Operating Instruction (OI) 401-2 concerning Case Management.

§402.160. *References.* Reference is made in this subchapter to the following laws and standards:

(1) Omnibus Budget Reconciliation Act of 1987, Public Law 100-203, Title IV, Subtitle C, Nursing Home Reform, Part C, Medicaid;

(2) Omnibus Budget Reconciliation Act of 1990, Public Law 101-508, Title IV, Part E, §4801b;

(3) 42 Code of Federal Regulations §43.1009;

(4) International Classification of Diseases, 9th Revision, Clinical Modification (ICD-9-CM);

(5) Diagnostic and Statistical Manual of Mental Disorders, 3rd Edition (DSM-III-R);

(6) Classification in Mental Retardation, American Association on Mental Deficiency, 1983 Revision;

(7) 40 TAC §§19.101, 19.218, 19.219, and 19.604 (rules of the Texas Department of Human Services);

(8) TXMHMR Operating Instruction (OI) 401-2 concerning Case Management;

(9) TXMHMR OBRA PASARR Determination Program Policy and Procedure Manual for Specialized Services and Alternate Placement.

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 March 15, 1993.

TRD-9320249 Ann K. Utley
Chairman
Texas Department of
Mental Health and
Mental Retardation

Effective date: April 5, 1993

Proposal publication date: September 22, 1992

For further information, please call: (512) 465-4670

◆ ◆ ◆
**Subchapter E. Determination
Criteria for Preadmission
Screening and Annual Resi-
dent Review (PASARR)**

◆ ◆ ◆
• 25 TAC §402.158, §402.159

The Texas Department of Mental Health and Mental Retardation (TXMHMR) adopts the repeal of §401.158, §402.159, concerning references and distribution, in Chapter 402, Subchapter E concerning determination criteria for preadmission screening and annual resident review (PASARR), without changes to the proposed text as published in the September 22, 1992, issue of the *Texas Register*. The information in the sections is contempo-

raneously adopted, with revisions, in this issue of the *Texas Register* as §§402.160-402.161.

The repeal allows for the reorganization of sections in the subchapter and permits the inclusion of provisions related to alternate placement of nursing facility residents identified through PASARR as being inappropriately placed in a nursing facility and as needing specialized services for mental illness or for mental retardation and/or a related condition.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Article 5547-202, which provide the Texas Board of Mental Health and Mental Retardation with rulemaking powers.

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 March 15, 1993.

TRD-9320254 Ann K. Utley
Chairman
Texas Department of
Mental Health and
Mental Retardation

Effective date: April 5, 1993

Proposal publication date: September 22, 1992

For further information, please call: (512) 465-4670

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**TITLE 40. SOCIAL SER-
VICES AND ASSIS-
TANCE**

**Part I. Texas Department
of Human Services**

**Chapter 15. Medicaid
Eligibility**

**Subchapter B. Medicare and
Third-party Resources**

The Texas Department of Human Services (DHS) adopts amendments to §15.201 and §15.305. The amendment to §15.305 is adopted with changes to the proposed text as published in the February 5, 1993, issue of the *Texas Register* (18 TexReg 736). The amendment to §15.201 is adopted without changes to the proposed text, and will not be republished.

The justification for the amendment to §15.201 is to clarify the income limit for coverage of Medicare premiums, deductibles, and coinsurance charges paid by DHS for clients who have income equal to or less than 100% of the federal poverty level. The justification for the amendment to §15.305 is to delete a rule concerning three months prior Medicaid coverage that is located in another section in greater detail.

The amendments will function by expanding the eligibility requirements for the Qualified

Medicare Beneficiary program to allow more individuals to qualify for that program and by removing a duplicate rule.

No comments were received regarding adoption of the amendments. DHS, however, is adopting the amendment to §15.305 with a minor editorial change to correct the reference made to another subsection. In §15.305(i), DHS has changed the reference made to subsection (i) to that of subsection (h) to clarify the location of referenced program requirements.

◆ ◆ ◆
• 40 TAC §15.201

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs and under Texas Civil Statutes, Article 4413 (502), §16, which provides the Health and Human Services Commission with the authority to administer federal medical assistance funds.

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 March 15, 1993.

TRD-9320251 Nancy Murphy
Agency Liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: May 1, 1993

Proposal publication date: February 5, 1993

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

◆ ◆ ◆
**Subchapter C. Basic Program
Requirements**

◆ ◆ ◆
• 40 TAC §15.305

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs and under Texas Civil Statutes, Article 4413 (502), §16, which provides the Health and Human Services Commission with the authority to administer federal medical assistance funds.

§15.305. Eligibility Requirements for the Aged, Blind, or Disabled.

(a)-(c) (No change.)

(d) As a condition of eligibility, the client must furnish the department with a Social Security number (SSN). If the client is married, he must also provide his spouse's Social Security number. Failure of the client or his representative to follow through and secure an SSN is grounds for denial at the first periodic review.

(e) To be eligible, a client must file:

(1)-(2) (No change.)

(f) According to Public Law 96-272 a client who draws VA pension benefits grandfathered from December 31, 1978, is not required to apply for aid and attendance or any additional benefits under the 1979 VA pension plan. Clients who have changed to the 1979 pension plan or who initially obtain entitlement to a VA pension after January 1, 1979, are required to apply for aid and attendance or other potentially available benefits as a condition of eligibility.

(g) A disabled individual under 65 must accept vocational rehabilitation services available to him. If he refuses to accept these services without good cause, he is ineligible for Medicaid benefits. This provision does not apply to clients whose eligibility is because of blindness.

(h) An SSI client eligible because of disability and who is medically determined to be a drug addict or alcoholic must:

(1)-(2) (No change.)

(i) If the client does not comply with the requirements in subsection (h) of this section, he is ineligible for benefits. This provision does not apply to SSI clients whose eligibility is because of age or blindness.

(j) According to Public Law 101-508, a client is not required to accept, as a condition of eligibility, payments that a state may make as compensation to victims of crime.

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 March 15, 1993.

TRD-9320250 Nancy Murphy
Agency Liaison, Policy and
Document Support
Texas Department of
Human Services

Effective date: May 1, 1993

Proposal publication date: February 5, 1993

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

◆ ◆ ◆
**Part IX. Texas Department
on Aging**
**Chapter 251. Support
Documents**

Statutes and Regulations

• **40 TAC §251.7**

The Texas Department on Aging adopts the repeal of 40 TAC §251.7 concerning carryover policy, without changes to the proposed text as published in the January 1,

1993, issue of the *Texas Register* (18 TexReg 37). Section 251.7 has been revised in its entirety and resubmitted for proposed adoption under this chapter. Without adoption of this repeal, duplication of rules will occur.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Human Resources Code, §101, which provides the Texas Department on Aging with the authority to promulgate rules governing the operation of the department.

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 March 11, 1993.

TRD-9320121 Mary Sapp
Executive Director
Texas Department on
Aging

Effective date: October 1, 1993

Proposal publication date: January 1, 1993

For further information, please call: (512) 444-2727

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The Texas Department on Aging adopts new §251.7 concerning carryover policies to be followed by the Department regarding unexpended funds awarded to area agencies on aging, with changes to the proposed text as published in the January 1, 1993, issue of the *Texas Register* (18 TexReg 37).

The new section has been revised in its entirety and provides procedures to be followed regarding unexpended funds awarded to area agencies on aging. It implements new methods for determining the validity of carryover for each area agency and establishes a new process for distributing funds identified in the carryover process.

The new section will function to improved understanding of the processes used by the Department to accomplish the carryover process.

During the public comment period, comments were received from the Texas Association of Area Agencies on Aging (T4A), Houston Galveston Area Agency on Aging, South Plains Association of Governments, Region VI, Administration on Aging (DHHS), and the Operations Committee of the Texas Board on Aging.

Comment: One commenter recommended deletion of all references to "5.0%" in Section (d) and insert "6.0%". The commenter also commented that, "it is unclear how an AAA could qualify for the additional 1.0% carryover—moving from 5.0%–6.0%. Recommend changing all occurrences of 5.0% to 6.0% to eliminate this disparity."

Response: The purpose of the two rates was clarified to the satisfaction of all persons in attendance at the public hearing. Therefore, no change to the standard, as published, was approved by the Board on Aging.

One commenter recommended deletion from

(d): "In no case shall the total carryover exceed 5.0% of total Title III funding."

Response: Deletion was not appropriate after the explanation of the difference in the two rates. The phrase could have been removed had only one rate been used. Therefore, no change to the standard, as published, was recommended or made by the Board on Aging.

Comment: One commenter stated that subsection (e) would penalize the elderly, since most carryover is service money.

Response: While it is true that most carryover funds are derived from non-expenditure of service funds, it is the responsibility of the area agency to properly obligate those service funds to minimize carryover. Carryover funds derived from a particular service provider may indicate that the area agency has not adequately distributed funds within the planning and service area. Contrary to the comment, forcing the area agency to better analyze its funds allocations may cause improved service delivery to the elderly within each current year. Therefore, no change to the standards, as published, was recommended or made by the Board on Aging.

Comment: One commenter expressed concern regarding the obligation authority related to the carryover pool.

Response: The carryover pool is actually generated from current year funding. All prior year carryover is reobligated back to the source agency. Therefore, because there is no problem with obligation authority of funds in the pool, no change to the standard, as published, was made by the Board on Aging.

Comment: In addition to the public comment, the Board on Aging and the Department staff recommended that some minor changes be made to wording of the adopted text to improved clarity.

Response: Minor changes to the text have been incorporated as suggested.

The repeal is adopted under the Human Resources Code, §101, which provides the Texas Department on Aging with the authority to promulgate rules governing the operation of the department.

§251.7. Carryover policy—Older Americans Act, Title III.

(a) Background and purpose. The Texas Department on Aging has revised the policy regarding the carryover of unexpended funds awarded in the prior fiscal year. The new policy establishes the criteria under which a subgrantee agency may request authorization to expend Older Americans Act, Title III, funds during the fiscal year immediately following the fiscal year for which the funds were initially awarded.

(b) Carryover. Carryover is defined as any funds awarded for which no goods or services have been received, financial obligation encumbered, or services performed by employees, contractors, subgrantees, or other payees.

(c) Notification of grant award. The

notification of grant award issued by the Department authorizes the use of Title III funds for the specific federal fiscal year during which the award is issued (October 1-September 30). At the end of each federal fiscal year, grantees are provided a 90-day closeout period to determine the balance of unexpended funds. At the end of the closeout period, an end-of-year report is completed indicating the unexpended balance. Funds contracted, obligated, or awarded beyond the Department's grant period are considered unexpended. Accrued expenditures would include items or services contracted or purchased within the grant period, but where delivery is not made until a subsequent period. Conclusion of the obligation, including receipt of the goods or services and full and final payment, must be not later than 15 days prior to the due date of the end-of-year report. The request for use of carryover funds shall be an integral part of the grantee's annual area plan submission or as otherwise directed by the Department.

(d) Policy for approval. It is the policy of the Department to approve the carryover, with adequate justification, of up to 5.0% of funds awarded during the first three quarters of the grant period. Approval shall be based upon timely submission of adequate justification. Any funds awarded during the last quarter of the grant period will be allowed as carryover in addition to the 5.0% awarded, if any, through adequate justification. No agency will be automatically guaranteed any carryover, except for those grant awards made during the last quarter of the grant period. The allowable carryover shall be computed by determining 5.0% of all Title III funds awarded during the first three quarters of the fiscal year and

adding the amount of those grant awards made during the last quarter of the grant period. An exception to this policy may be considered as a grant or contract provision for projects which cause reasonable and necessary encumbered Title III funds to remain unspent. In no case shall the total carryover exceed 6.0% of the total Title III funding. In no case shall disallowed costs be permitted as carryover. Additionally, unexpended adequate proportion and maintenance of effort funds shall not be permitted as carryover, unless the grantee has received a waiver from the requirements of adequate proportion in accordance with §268.7 of this title (relating to Waiver of the Requirement to Provide an Adequate Proportion of Funding for Priority Services).

(e) Justification required. Adequate justification shall be defined as meeting those performance measures and financial standards outlined in the §255.35 of this title (relating to Staffing of Area Agency on Aging) Operations standards as established by the Department. Such standards shall be an integral part of the area plan and assurance of compliance shall be required by all grantees.

(f) Funds not approved. All funds not approved for carryover shall become part of a reallocation pool. Notifications of grant award for all reallocated funds shall be issued by the Department not later than February 15 of each fiscal year. Eligibility for participation in the funds reallocation shall be limited to grantee agencies that meet the following criteria:

(1) the agency did not have unexpended Title III funds in excess of 5.0% of the overall Title III funds awarded during the first three quarters of the grant period;

(2) grantee agencies eligible for reallocated funds must have met all of the performance measures and financial standards outlined in the §255.35 of this title as established by the Department;

(3) the grantee agency did not have any unresolved costs during the fiscal year related to aging funds; and

(4) the grantee agency met all adequate proportion and maintenance of effort requirements or obtained waiver from adequate proportion requirements in accordance with §268.7 of this title.

(g) Allocation formula. In accordance with the Human Resources Code, §101.029(d), the Department, by rule, shall adopt a reallocation formula that includes performance as a criterion, in addition to other criteria adopted by the department. Therefore, the funds in the reallocation pool shall be distributed using the Department's published funding formula, exclusive of consideration for any service and administration bases and phase-in after removal of all grantee agencies not meeting all the performance measures as outlined in subsection (f) of this section.

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 March 11, 1993.

TRD-9320120

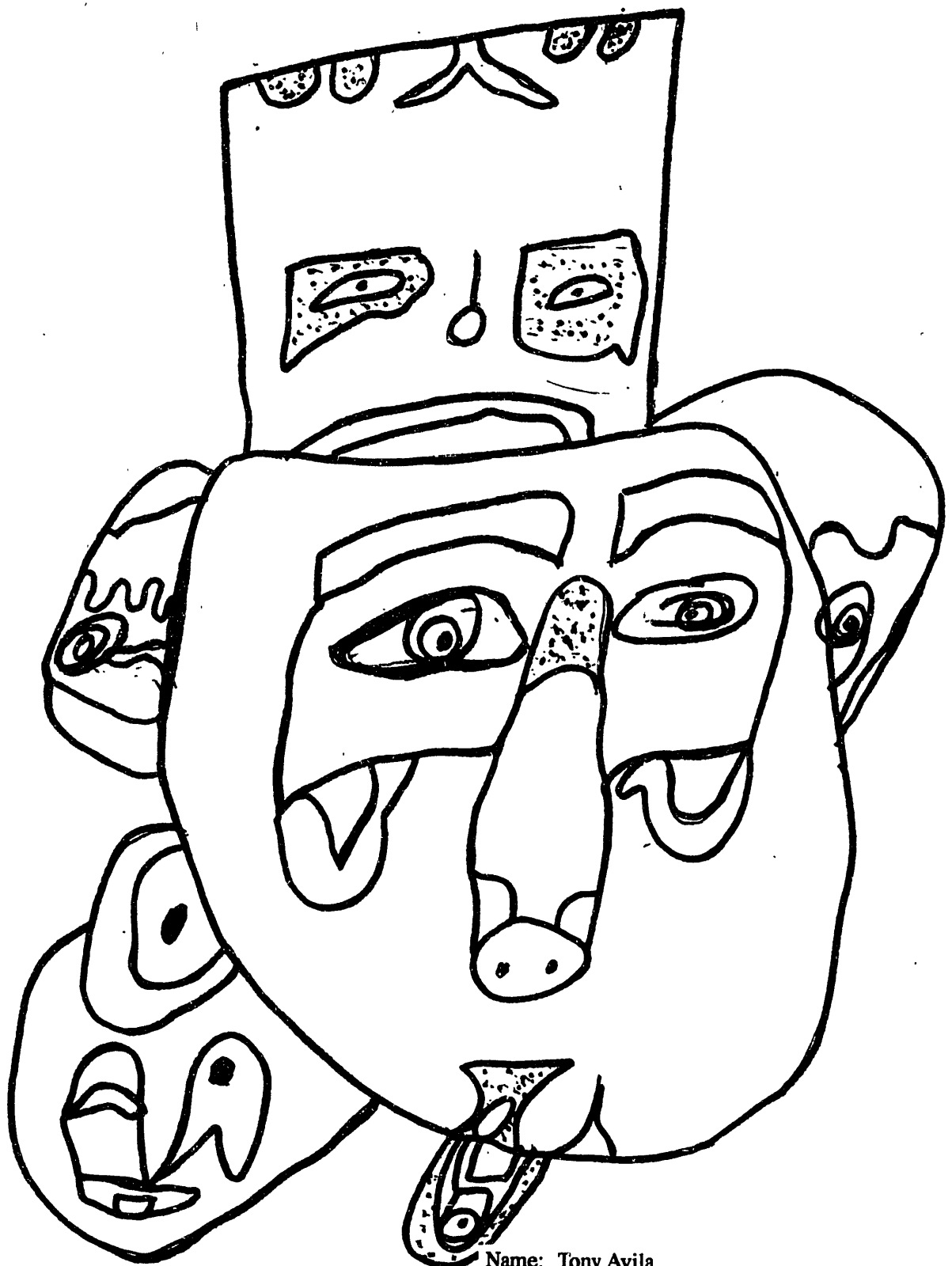
Mary Sepp
Executive Director
Texas Department on
Aging

Effective date: October 1, 1993

Proposal publication date: January 1, 1993

For further information, please call: (512) 444-2727

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Name: Tony Avila

Grade: 2

School: W.W. White Elementary, San Antonio ISD

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

Tuesday, March 23, 1993, 9:30 a.m. The Texas Board on Aging's Networking/Advocacy/Legislation Committee of the Texas Department on Aging will meet at 1949 South IH-35, Texas Department on Aging, Third Floor Conference Room, Austin. According to the agenda summary, the board will call the meeting to order; consider and possibly act on: approval of the minutes of the March 10, 1993 meeting; review various legislation for possible support; review status of legislation; consider legislation filed since last meeting for possible board support; and adjourn.

Contact: Mary Sapp, P.O. Box 12786, Austin, Texas 78711, (512) 444-2727.

Filed: March 15, 1993, 11:54 a.m.

TRD-9320258

Texas Commission on Alcohol and Drug Abuse

Tuesday, March 23, 1993, 8:30 a.m. The Board of Commissioners of the Texas Commission on Alcohol and Drug Abuse will meet at the Perry Brooks Building, 720 Brazos, Suite 800, Eighth Conference Room, Austin. According to the agenda, the commissioners will call the meeting to order, discuss approval of the December 15, 1992 Minutes, take action on disadvantaged business enterprise/historically underutilized business plan, take action on proposed drug offender education program rules, replacement on counselor licensure committee, accept internal audit report on human resources, State Auditor's Office Financial and Compliance Audit of Fiscal Year 1992 Federal Funds, report on agency budget expenditures-second quarter, quarterly performance-second quarter proposed revision

to agency operating budget, report on Houston recovery campus, report on mental health association proposal, public comments, executive director's report, chairman's report and adjourn.

Contact: Becky Davis, or David Tatum, 720 Brazos, #403, Austin, Texas 78701, (512) 867-8700.

Filed: March 11, 1993, 2:24 p.m.

TRD-9320142

Texas Alcoholic Beverage Commission

Tuesday, March 23, 1993, 2 p.m. The Texas Alcoholic Beverage Commission will meet at 5806 Mesa, Suite 180, Austin. According to the complete agenda, the commission will discuss approval of the minutes of the February 24, 1993, meeting; review and discuss administrator's report on agency activity; recognize TABC employees with twenty and above years of service; recognize Lieutenant Christina Guerra, TABC; Dr. Elly Soler, Education Service Center Region II; Deanna Alvarez, Texans' War on Drugs, Regional Coordinator and Jenny Allen for their outstanding contributions to the Spring Break Coastal Conference; discuss and possibly act on proposed legislation; proposed Historically Underutilized Businesses (HUB) Policy; and hear public comment.

Contact: Dick Durbin, P.O. Box 13127, Austin, Texas 78711, (512) 458-2500.

Filed: March 15, 1993, 2:07 p.m.

TRD-9320261

Coastal Coordination Council

Friday, March 19, 1993, 9 a.m. The Executive Committee of the Coastal Coordination Council will meet at Stephen F. Austin Building, Room 831, 1700 North Congress Avenue, Austin. According to the agenda summary, the committee will discuss approval of the minutes of the February 12, 1993 meeting; status report on Coastal Zone Management development grant schedule; update on analysis of the Coastal Management Program boundary alternatives; status report from the State Agency Task Force; discuss procedures for Coastal Coordination Council adoption of policies; proposed elevation of the Kenedy Causeway; and give agencies and the public an opportunity to comment on each agenda item.

Contact: Janet Fatheree, 1700 North Congress Avenue, Room 730, Austin, Texas 78701, (512) 473-5385.

Filed: March 11, 1993

TRD-9320160

Comptroller of Public Accounts

Monday, April 5, 1993, 10 a.m. The Tax Administration Division of the Comptroller of Public Accounts will meet at Stephen F. Austin Building, Room 118, 1700 North Congress Avenue, Austin. According to the complete agenda, the division will take public testimony and comments on proposed new \$3.20, regarding a producer's gross cash receipts under the natural gas production tax.

Contact: Wanda Hutcheson, 111 West Sixth Street, Austin, Texas 78701, (512) 463-4633.

Filed: March 11, 1993, 3:27 p.m.

TRD-9320148

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Texas Cosmetology Commission

Sunday, March 29, 1993, 1 p.m. The Texas Cosmetology Commission will meet at the Omni Austin Hotel, 700 San Jacinto Street, Austin. According to the complete agenda, the commission will call the meeting to order; make introductions; discuss approval of minutes of prior meetings; committee report on mobile beauty salons and possible vote; committee report on Glamour Shots and possible vote; committee report on sanitary rules and possible vote; final approval of facial/esthetician examination; possible other subjects for discussion without voting; meet in executive session to discuss personnel matters; and adjourn.

Contact: Alicia C. Ayers, 5717 Balcones Drive, Austin, Texas 78731, (512) 454-4674.

Filed: March 16, 1993, 9:14 a.m.

TRD-9320302

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Texas Department of Criminal Justice

Friday, March 19, 1993, (8 a.m. executive session) 9 a.m., regular session The Board of Criminal Justice of the Texas Department of Criminal Justice will meet at the Wyndham Warwick Hotel, 5701 Main Street, Houston. According to the agenda summary, the board will meet in executive session to discuss with board attorneys concerning agency litigation. The board will meet in regular session to discuss resolution of the board; consent items; extension of employment requests; dual employment requests; board reports; judicial advisory committee report; request for proposal-2,000 private prison beds; resolution-financing/authorizing ground lease-Harris County intermediate sanction facility; managed health care; appointment assistant director/internal affairs; public information; rules for final adoption-CJAD; construction; finance; introduce-TDCJ staff; discuss date/location next meeting; adjourn board of criminal justice. Convene Windham School Board: discuss consent; discussion item; meet in executive session; and take board action on contract nonrenewal.

Contact: Susan Power-McHenry, P.O. Box 13084, Austin, Texas 78711, (512) 475-3250.

Filed: March 11, 1993, 4:35 p.m.

TRD-9320174

Texas School for the Deaf

Friday, March 26, 1993, 1 p.m. The Governing Board of the Texas School for the Deaf will meet at 601 Airport, Large Conference Room, Austin. According to the agenda summary, the board will call the meeting to order; discuss approval of minutes of the December 11, 1992 meeting; business for informational purposes; business requiring board action; hear comments by board members; and adjourn.

Contact: Administrative Assistant, P.O. Box 3538, Austin, Texas 78764, (512) 440-5335.

Filed: March 12, 1993, 10:12 a.m.

TRD-9320186

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Texas Employment Commission

Tuesday, March 23, 1993, 9 a.m. The Texas Employment Commission will meet at the TEC Building, Room 644, 101 East 15th Street, Austin. According to the agenda summary, the commission will discuss approval of prior meeting notes; meet in executive session to discuss settlement offer in Sylvia Eamse versus Texas Employment Commission, et al; and relocation of agency headquarters; actions, if any, resulting from executive session; consideration of proposed or pending legislation and possible action with respect thereto; internal procedures of commission appeals; consideration and action on tax liability cases and higher level appeals in unemployment compensation cases listed on Commission Docket 12; and set date of next meeting.

Contact: C. Ed Davis, 101 East 15th Street, Austin, Texas 78778, (512) 463-2291.

Filed: March 15, 1993, 4:07 p.m.

TRD-9320292

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State Finance Commission

Thursday, March 25, 1993, 1 p.m. The Committee on Consolidation of the State Finance Commission will meet at 2601 North Lamar Boulevard, Austin. According to the complete agenda, the committee will discuss consolidation of the Department of Banking, the Savings and Loan Department, and the Office of the Consumer Credit Commissioner.

Contact: Catherine A. Ghiglieri, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1325.

Filed: March 12, 1993, 4:36 p.m.

TRD-9320239

Texas Department of Health

Saturday, March 20, 1993, 9:30 a.m. The Disease Control Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Bluebonnet Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the February 12, 1993 meeting; discuss and possibly act on proposed and emergency rule concerning Texas HIV medication program to expand the formulary to include Atovaquone.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler (512) 458-7488 or T.D. D. (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:34 p.m.

TRD-9320173

Saturday March 20, 1993, 10 a.m. The Texas Board of Health Internal Audit Subcommittee of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the January 16, 1993 meeting; discuss and possibly act on status of the auditor's office statewide review of the Texas Department of Health; status of the independent single audit reviews; independent single audit review report; and status of special projects.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D. (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:32 p.m.

TRD-9320170

Saturday, March 20, 1993, 10:30 a.m. The Environmental Health Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Bluebonnet Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the February 12, 1993 meeting; and discuss and possibly act on proposed amendments to the rules concerning fees for laboratory services for drinking water systems; final adoption of rules concerning Texas molluscan shellfish; final adoption of rules concerning administrative penalties for violation of Texas Youth Camp Safety and Health Act or order or rules or license issued under the Act; proposed amendments to rules for registration of manufacturers of food-including good manufacturing practices; proposed amendments to rules of licensing of whole-

sale distributors of drugs including good manufacturing practices; proposed amendments to the minimum standards for approved drug treatment programs; appointment to the wholesale drug advisory committee; and hear comments and announcements not requiring committee action.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:31 p.m.

TRD-9320166

Saturday, March 20, 1993, 11:30 a.m. The Legislative Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss and possibly act on the legislative update.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:34 p.m.

TRD-9320171

Saturday, March 20, 1993, 1 p.m. The Texas Board of Health Long Term Care Committee of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Bluebonnet Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the February 12, 1993 meeting; discuss and possibly act on proposed amendments to the rules governing licensure and Medicaid certification of nursing facilities relating to preadmission screening and annual resident assessment; final adoption of amendments to the rules governing licensure and Medicaid certification of nursing facilities related to activities, social services, clinical record, incident and accident reporting, and directors/durable powers of attorney for health care; repeal of existing rules and final adoption of rules concerning licensing standards for nursing facilities and related institutions; repeal of existing rules and final adoption of new rules concerning licensing standards for personal care facilities; repeal of existing rules and final adoption of rules concerning certification of long term care facilities participating in the Title XVIII Medicare Program and XIX Medicaid program; repeal of existing rules and final adoption of rules concerning licensing standards for adult day care and adult day health care facilities; and withdrawal of proposed rules and

reproposal of new rules concerning administrative penalties for nursing facilities and facilities serving persons with mental retardation and related conditions.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:31 p.m.

TRD-9320167

Saturday, March 20, 1993, 2 p.m. The Emergency and Disaster Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the January 15, 1993 meeting; discuss and possibly act on the annual report from the Trauma Technical Advisory Committee; and appointment to the Texas Emergency Medical Services Advisory Council.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:34 p.m.

TRD-9320172

Saturday, March 20, 1993, 5 p.m. The Texas Board of Health Personnel Committee of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss in executive session and discuss and possibly act on in open session appointments to the Texas Emergency Medical Services Advisory Council, the Wholesale Drug Advisory Committee and the Midwifery Advisory Board.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:32 p.m.

TRD-9320169

Saturday, March 20, 1993, 8:30 a.m. The Strategic Planning Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the January 15, 1993 meeting and discuss and possibly act on presentation of federal reimbursement to

Texas Department of Health for fiscal years 1988-1992; hear report of the Commissioner's Task Force on Maternal and Child Health; and report of the Commissioner's Task Force on Public Health Regions.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:31 p.m.

TRD-9320164

Saturday, March 20, 1993, 3 p.m. The Public Health Promotion Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Bluebonnet Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the February 12, 1993 meeting; discuss and possibly act on the progress report on the fiscal year 1993 public information plan; and hold an open discussion on committee activities.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:30 p.m.

TRD-9320162

Saturday, March 20, 1993, 4 p.m. The Family Health Services Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss approval of the minutes of the February 13, 1993 meeting; discuss and possibly act on final adoption of rules concerning midwifery education; and appointments to the midwifery advisory committee.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:30 p.m.

TRD-9320163

Sunday, March 21, 1993, 8 a.m. The Executive Committee of the Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, Windmill Room, Lubbock. According to the complete agenda, the committee will discuss and possibly act on items of procedure for the March 21, 1993 Texas Board of Health meeting.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D.D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:31 p.m.

TRD-9320165

Sunday, March 21, 1993, 9 a.m. The Texas Board of Health of the Texas Department of Health will meet at the Holiday Inn Civic Center, 801 Avenue O, University Room, Lubbock. According to the agenda summary, the board will discuss approval of the minutes of the February 13, 1993 meeting; hear commissioner of health's report; discuss and possibly act on resolutions; rules (HIV medication, drinking water fees, shellfish, youth camps, midwives, and long term care; committee reports (budget/finance; health provider, licensure, and certification; hospital and ambulatory care services; public health promotion; legislative; and strategic planning; committee appointments: (Texas Emergency, Medical Service Advisory Council, Wholesale Drug Advisory Committee, and Midwifery Board); emergency and disaster committee report for the Trauma Technical Advisory Committee; and hear announcements and comments.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484. For ADA assistance, call Richard Butler, (512) 458-7488 or T.D. D., (512) 458-7708 at least two days prior to the meeting.

Filed: March 11, 1993, 4:32 p.m.

TRD-9320168

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Texas Department of Housing and Community Affairs

Tuesday, March 23, 1993, 10 a.m. The Texas Weatherization Policy Advisory Council of the Texas Department of Housing and Community Affairs will meet at 811 Barton Springs Road, Third Floor Conference Room, Austin. According to the agenda summary, the council will consider funding distribution formula for the Texas Weatherization Assistance Program. 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 Aurora Carvajal at (512) 475-3822 five work days prior to the meeting so that appropriate arrangements can be made. Individuals using TDD machines may access 1 (800) RELAY TX. The Texas Department of Housing and Community Affairs does

not discriminate on the basis of race, color, natural origin, sex, religion, age or disability in employment or disability in employment or the provision of services.

Contact: J. Al Almaguer, 811 Barton Springs Road, Suite 250, Austin, Texas 78711, (512) 475-3937.

Filed: March 15, 1993, 4:35 p.m.

TRD-9320294

Wednesday, March 24, 1993, 2 p.m. The Programs Committee of the Board of Directors of the Texas Department of Housing and Community Affairs will meet at 811 Barton Springs Road, Suite 300, Austin. According to the agenda summary, the committee will consider and possibly act upon the following: HOME funds-application I, Regions 1 and 5 and Application III; Housing Assistance Fund Applications; Multi-family-financing fees of Department, refunding policies, and annual income adjustments; Single Family-lease purchase program, transfer of funds to Home Improvement Loan Program; report items-tax credit equity fund general discussion; direct lending by TDHCA; appeal process for HOME, Housing Trust Fund and Low Income Housing Tax Credits; and adjourn. Individuals who require auxiliary aids or services for this meeting should contact Aurora Carvajal, ADA responsible employee, at (512) 475-3822 or Relay Texas at 1-(800)-735-2989 at least two days before the meeting so that appropriate arrangements can be made.

Contact: Henry Flores, 811 Barton Springs Road, Suite 500, Austin, Texas 78704, (512) 475-3937.

Filed: March 16, 1993, 8:56 a.m.

TRD-9320298

Thursday, March 25, 1993, 9 a.m. The Audit Committee of the Board of Directors of the Texas Department of Housing and Community Affairs will meet at 811 Barton Springs Road, Suite 300, Austin. According to the complete agenda, the committee will call the meeting to order; take roll call; hear public comment; consider and possibly act on: procedures for evaluation of director of internal audit; modification of internal audit charter; policies and procedures for acceptance and priority of special projects; internal audit department policies and procedures; policy concerning employee misconduct; audit of community development block grant revolving loan fund; update on internal audit activities and findings; and adjourn. Individuals who require auxiliary aids or services for this meeting should contact Aurora Carvajal, ADA responsible employee, at (512) 475-3822 or Relay Texas at 1-(800) -735-2989 at least two days before the meeting so that appropriate arrangements can be made.

Contact: Henry Flores, 811 Barton Springs Road, Suite 500, Austin, Texas 78704, (512) 475-3937.

Filed: March 16, 1993, 8:56 a.m.

TRD-9320299

Thursday, March 25, 1993, 10:30 a.m. The Board of Directors of the Texas Department of Housing and Community Affairs will meet at 811 Barton Springs Road, Suite 300, Austin. According to the agenda summary, the board will consider and possibly act upon the following: Action items-award of HOME funds, Application I, Regions 1 and 5, Application III; award of housing assistance fund applications; multi-family refunding policy, single-family lease/purchase program, funds transfer to home improvement loan program, and evaluation process for internal auditor; reports/updates-timetable for 1993 internal audit plan, draft policy on handling allegations of impropriety with the Department; unified statewide accounting system; policy on approval of contracts; draft appeal process for housing finance applicants, Texas Association of Community Action Agencies, Resolution Trust Corporation and legislation; and adjourn. Individuals who require auxiliary aids or services for this meeting should contact Aurora Carvajal, ADA responsible employee, at (512) 475-3822 or Relay Texas at 1-(800)-735-2989 at least two days before the meeting so that appropriate arrangements can be made.

Contact: Henry Flores, 811 Barton Springs Road, Suite 500, Austin, Texas-78704, (512) 475-3937.

Filed: March 16, 1993, 8:56 a.m.

TRD-9320300

Wednesday and Thursday, March 31 and April 1, 1993, 2 p.m. and 9 a.m. respectively. (Rescheduled from March 31, 1993 at 9 a.m. to 2 p.m.) The State Community Development Review Committee of the Texas Department of Housing and Community Affairs will meet at the Sheraton Hotel, 500 North IH-35, Austin. According to the complete agenda, the committee will make funding recommendations on the planning/capacity building fund applications; colonia fund; community development fund; and appeals for the community development fund, colonia fund, and planning/capacity building fund. Individuals who require auxiliary aids or services for this meeting should contact Aurora Carvajal, ADA responsible employee, at (512) 475-3822 or Relay Texas at 1-(800) -735-2989 at least two days before the meeting so that appropriate arrangements can be made.

Contact: Ruth Cedillo, P.O. Box 13941, Austin, Texas 78711, (512) 475-3882.

Filed: March 11, 1993, 11:35 a.m.

TRD-9320135

Texas Incentive and Productivity Commission

Thursday, March 25, 1993, 10 a.m. The Texas Incentive and Productivity Commission will meet at the One Capitol Square, Fifth Floor, Room 5, 15th and Lavaca Streets, Austin. According to the revised agenda summary, the commission will be adding Twelfth Court of Appeals to agenda item IV, "Consideration of 1993 Productivity Plans".

Contact: M. Elaine Powell, P.O. Box 12482, Austin, Texas 78711, (512) 475-2393.

Filed: March 12, 1993, 3:30 p.m.

TRD-9320237

Department of Information Resources

Friday, March 19, 1993, 9 a.m. The Open Board of the Department of Information Resources will meet at the Rutherford Office Complex, 1821 Rutherford Lane, Suite 200, Austin. According to the agenda summary, the board will call the meeting to order; take roll call and witness registration; discuss adoption of September 1992 and January 1993 board minutes; hear executive director's report; discuss and possibly adopt DIR strategic plan instructions for information resources; 1992 statewide annual report; advisory committee for development of the November 1993 state strategic plan for information resource management; payment voucher approval authority; STAC policies and procedures; and other business.

Contact: John Hawkins, 300 West 15th Street, Suite 1300, Austin, Texas 78701, (512) 475-4714.

Filed: March 11, 1993, 3:54 p.m.

TRD-9320159

Texas Department of Insurance

Tuesday, March 23, 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 rescission of the Performance Insurance Company (PIC) transaction covering the claimants related to Texas Employees' Insurance Association (TEIA).

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

Filed: March 15, 1993, 2:50 p.m.

TRD-9320270

Wednesday, March 24, 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 whether disciplinary action should be taken against Southern Farm Bureau Casualty Insurance Company of Jackson, Mississippi, which holds a certificate of authority to do business as a foreign stock fire and casualty insurance company.

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

Filed: March 15, 1993, 2:51 p.m.

TRD-9320275

Wednesday, March 24, 1993, 9 a.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 agenda summary, the board will discuss personnel; litigation; commissioner's orders; solvency; budget; hear staff reports; discuss legislative update; consider the following filings by: American and Foreign Insurance Company, et al, Liberty Mutual Insurance Company, et al, Liberty Mutual Fire Insurance, American Modern Lloyds Insurance Company, Chrysler Insurance Company, and Hartford Fire Insurance Company, et al; consider proposed new 28 TAC §7.1801-7.1807 relating to withdrawal plan requirements and procedures and proposed amendment to 28 TAC §3.5702 concerning credit life and accident and health insurance; consider transfer of TDI administrative hearings and support services to state office of administrative hearings; consider request for cessation of acceptance of small premium policies for Hartford Casualty Insurance Company; consider excess of loss policies and workers compensation negotiated deductible endorsements by Houston General Insurance Company, et al.

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

Filed: March 12, 1993, 11:23 a.m.

TRD-9320201

Wednesday, March 24, 1993, 11 a.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 1929 concerning the appeal of Kamyr, Inc., from a decision of the Texas Workers' Compensation Insurance Facility; recommendation: deny appeal; and consider hearings officer's proposal for decision in Docket 1917 concerning the appeal of Cypress multinational Corporation from a decision of the Texas Workers' Compensation Insurance Facility; recommendation: deny appeal.

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

Filed: March 12, 1993, 11:23 a.m.

TRD-9320200

Wednesday, March 24, 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 whether disciplinary action should be taken against Terry Allen Teel, also known as Ted Teel doing business as Teel Insurance Agency of Dallas, who holds a Group I, Legal Reserve Insurance Agent's license, a Group II Insurance Agent's license and a Local Recording Agent's license.

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

Filed: March 15, 1993, 2:51 p.m.

TRD-9320274

Thursday, March 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 amendment of the Articles of Incorporation of Germaina Life Insurance Company, Brenham, increasing the authorized capital stock.

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

Filed: March 15, 1993, 2:50 p.m.

TRD-9320271

Friday, March 26, 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 exemption from examination regarding the Health Maintenance Organization license of David Allen Cates.

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

Filed: March 15, 1993, 2:50 p.m.

TRD-9320272

Friday, March 26, 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 whether disciplinary action should be taken against Thomas F. Nelson, Houston, who holds an Adjuster's license.

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

Filed: March 15, 1993, 2:51 p.m.

TRD-9320273

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Texas Commission on Jail Standards

Wednesday, March 24, 1993, 9 a.m. The Texas Commission on Jail Standards will meet at the Department of Public Safety, 5805 North Lamar Boulevard, Austin. According to the revised agenda summary, the commission will discuss new business: application for grants (FY 1994); review of city projects; and application for variances for Calhoun County.

Contact: Jack E. Crump, P.O. Box 12985, Austin, Texas 78711, (512) 463-5505.

Filed: March 15, 1993, 3:05 p.m.

TRD-9320278

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Texas Commission on Law Enforcement Officer Standards and Education

Monday, March 29, 1993, 1:30 p.m. The Texas Commission on Law Enforcement Officer Standards and Education will meet at the Doubletree Hotel, 6505 IH-35 North, Austin. According to the agenda summary, the commission will call the meeting to order; introduce new commissioner (if applicable); recognize visitors; give update on action on new Basic Peace Officer course; update on test for new BPOC; discuss proposed amendment to §211.77, Minimum Training Standards for Peace Officers-new basic peace officer course and §211.85, Proficiency Certificates-master peace officer certification; academy evaluations; academy license applications of Austin Community College, Navarro College, University of North Texas; discuss staff activities/reports; and adjourn.

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

Filed: March 15, 1993, 2:35 p.m.

TRD-9320267

Tuesday, March 30, 1993, 9 a.m. The Texas Commission on Law Enforcement Officer Standards and Education will meet at the Doubletree Hotel, 6505 IH-35 North, Austin. According to the agenda summary, the commission will call the meeting to order; introduce new commissioner and elect chairman, vice-chairman and secretary (if new commissioner appointed); recognize visitors; discuss approval of minutes of January 26, 1993 meeting; discuss and possibly act on proposed amendment to §211.77, Minimum Training Standards for Peace Officers-new Basic Peace Officer course, and to §211.85, Proficiency Certificates-master peace officer certification; academy license applications of Austin Community College, Navarro College, University of North Texas; discuss approval of achievement award nominations; equipment lease financing resolution; consider final orders on revocations; voluntary surrenders; hear public comments on any subject without discussion will be received; and adjourn.

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

Filed: March 15, 1993, 2:34 p.m.

TRD-9320266

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Texas State Board of Medical Examiners

Friday, March 12, 1993, 4 p.m. The Executive Committee of the Texas State Board of Medical Examiners met in an emergency meeting at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete agenda, the committee called the meeting to order; took roll call; considered the temporary suspension of the license of Robert Eugene Coats, D.O., Seagoville, Texas, license #G-7795; and adjourn. The emergency status was necessary because information had come to the attention of the agency and required prompt consideration.

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: March 12, 1993, 9:40 a.m.

TRD-9320176

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Texas Council on Offenders with Mental Impairments

Thursday, March 25, 1993, 10 a.m. The Executive Committee of the Texas Council on Offenders with Mental Impairments will meet at TDCJ-Paroles and Paroles Division-Council's Office, 8610 Shoal Creek Boulevard, Austin. According to the complete agenda, the committee will be called to

order; introductions made; hear public comments; discuss committees; hear committee reports; deferred adjudication issues; hear executive director's report; and adjourn.

Contact: Dee Kifowit, 8610 Shoal Creek Boulevard, Austin, Texas 78757, (512) 406-5406.

Filed: March 12, 1993, 8:55 p.m.

TRD-9320175

◆ ◆ ◆
Texas Board of Pardons and Paroles

Monday-Tuesday, March 22-23, 1993, 9 a.m. The Parole Board Panel of the Texas Board of Pardons and Paroles will meet at 2821 Guadalupe Street, Suite 106, San Antonio. According to the agenda summary, a panel (composed of three board members) will receive, review and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate actions to include decisions involving the withdrawal of warrants, issuing of subpoenas, the imposition of special conditions of parole and requests for parole services.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5407.

Filed: March 12, 1993, 1:50 p.m.

TRD-9320217

Monday-Tuesday, March 22-23, 1993, 9 a.m. The Parole Board Panel of the Texas Board of Pardons and Paroles will meet at 1010 Cadiz, Suite 105, Dallas. According to the agenda summary, a panel (composed of three board members) will receive, review and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate actions to include decisions involving the withdrawal of warrants, issuing of subpoenas, the imposition of special conditions of parole and requests for parole services.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5407.

Filed: March 12, 1993, 1:50 p.m.

TRD-9320215

Monday-Friday, March 22-26, 1993, 1:30 p.m. The Parole Board Panel(s) of the Texas Board of Pardons and Paroles will meet at 2503 Lake Road, Suite 2, Huntsville. According to the agenda summary, a panel (composed of three board members) will receive, review and consider information and reports concerning prisoners/inmates and administrative releasees subject

to the board's jurisdiction and initiate and carry through with appropriate actions to include decisions involving the withdrawal of warrants, issuing of subpoenas, the imposition of special conditions of parole and requests for parole services.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5407.

Filed: March 12, 1993, 1:50 p.m.

TRD-9320216

Wednesday-Thursday, March 24-25, 1993, 1 p.m. The Parole Board Panel(s) of the Texas Board of Pardons and Paroles will meet at 1212 North Velasco, Suite 201, Angleton. According to the agenda summary, a panel (composed of three board members) will receive, review and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate actions to include decisions involving the withdrawal of warrants, issuing of subpoenas, the imposition of special conditions of parole and requests for parole services.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5407.

Filed: March 12, 1993, 1:51 p.m.

TRD-9320218

Wednesday-Thursday, March 24-25, 1993, 1:30 p.m. and 9 a.m. respectively. The Parole Board Panel(s) of the Texas Board of Pardons and Paroles will meet at 1550 East Palestine, Suite 100, Palestine. According to the agenda summary, a panel (composed of three board members) will receive, review and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate actions to include decisions involving the withdrawal of warrants, issuing of subpoenas, the imposition of special conditions of parole and requests for parole services.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5407.

Filed: March 12, 1993, 1:49 p.m.

TRD-9320214

Thursday-Friday, March 25-26, 1993, 12:30 p.m. The Parole Board Panel(s) of the Texas Board of Pardons and Paroles will meet at Route 5, Box 258-A, Gatesville. According to the revised agenda summary, a panel (composed of three board members) will receive, review and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate ac-

tions to include decisions involving the withdrawal of warrants, issuing of subpoenas, the imposition of special conditions of parole and requests for parole services.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5407.

Filed: March 12, 1993, 1:50 p.m.

TRD-9320213

Texas State Board of Examiners of Psychologists

Thursday, March 25, 1993, 8:30 a.m. The Texas State Board of Examiners of Psychologists will meet at 9101 Burnet Road, Suite 212, Austin. According to the agenda summary, the board will consider the employment of the executive director.

Contact: Patricia S. Tweedy, 9101 Burnet Road, Suite 212, Austin, Texas 78758, (512) 835-2036.

Filed: March 15, 1993, 2:06 p.m.

TRD-9320259

Public Utility Commission of Texas

Monday, March 22, 1993, 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 commission will hold a hearing on the merits scheduled in Docket Number 10935-application of Gulf States Utilities Company to amend certificate of convenience and necessity for proposed transmission line within Montgomery County (Line 803).

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

Filed: March 12, 1993, 3:08 p.m.

TRD-9320234

Monday, March 22, 1993, 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 commission will hold a prehearing conference in Docket Number 10477-report on earnings sharing by Southwestern Bell Telephone Company Pursuant to Docket Number 8585.

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

Filed: March 11, 1993, 3:48 p.m.

TRD-9320157

Friday, March 26, 1993, 9 a.m. (Rescheduled from March 16, 1993, 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 commission will hold a prehearing conference in Docket Number 11822-complaint of Frederick L. Kay against Houston Lighting and Power Company.

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

Filed: March 11, 1993, 3:47 p.m.

TRD-9320156

Monday, March 29, 1993, 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 commission will hold a prehearing conference scheduled in Docket Number 10029-petition of Bartonville exchange for extended area service to the Dallas Metropolitan Exchange.

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

Filed: March 11, 1993, 3:46 p.m.

TRD-9320153

Monday, March 29, 1993, 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 commission will hold a prehearing conference in Docket Number 11817-complaint of Sharon A. Henry Southwestern Bell Telephone Company.

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

Filed: March 11, 1993, 3:46 p.m.

TRD-9320152

Friday, April 2, 1993, 1:30 p.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 commission will hold a prehearing conference scheduled in Docket Number 11804-application of South Plain Telephone Cooperation, Inc. to Revise Tariff.

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

Filed: March 12, 1993, 3:08 p.m.

TRD-9320235

Monday, May 24, 1993, 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 fourth prehearing conference in Docket Number 10832-Houston Lighting and Power Company standard avoided cost calculation for the purchase of firm energy and capacity from qualifying facilities, pursuant to Substantive Rule 23.66(h)(3).

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

Filed: March 15, 1993, 3:24 p.m.

TRD-9320288

Monday, June 21, 1993, 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 fifth prehearing conference in Docket Number 10832-Houston Lighting and Power Company standard avoided cost calculation for the purchase of firm energy and capacity from qualifying facilities, pursuant to Substantive Rule 23.66(h)(3).

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

Filed: March 15, 1993, 3:24 p.m.

TRD-9320286

Monday, June 28, 1993, 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 10832-Houston Lighting and Power Company standard avoided cost calculation for the purchase of firm energy and capacity from qualifying facilities, pursuant to Substantive Rule 23.66(h)(3).

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

Filed: March 15, 1993, 3:24 p.m.

TRD-9320287

Monday, August 9, 1993, 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 11776, application of Gulf States Utilities Company for approval of a joint venture cogeneration project and treatment of revenues (remand).

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

Filed: March 15, 1993, 3:25 p.m.

TRD-9320289



Railroad Commission of Texas

Monday, March 22, 9:30 a.m. The Railroad Commission of Texas will meet in the First Floor Conference Room 1-111, William B. Travis Building, 1701 North Congress Avenue, Austin. Agendas follow.

The commission will consider various applications and other matters within the jurisdiction of the agency including oral arguments at the time specified. The commission may consider the procedural status of any contested case if 60 days or more have elapsed from the date the hearing was closed or from the date the transcript was received. The commission will meet in executive session as authorized by the Open Meetings Act.

Contact: Carole J. Vogel, P.O. Box 12967, Austin, Texas 78711, (512) 463-6921.

Filed: March 12, 1993, 10:40 a.m.

TRD-9320195

The commission will consider and act on the personnel division director's report on division administration, budget, procedures, and personnel matters. The commission will meet in executive session to consider the appointment, employment, evaluation, re-assignment, duties, discipline and/or dismissal of personnel.

Contact: Mark Bogan, P.O. Box 12967, Austin, Texas 78711, (512) 463-7187.

Filed: March 12, 1993, 10:35 a.m.

TRD-9320187

The commission will consider and act on the Office of the Executive Director's report on commission budget and fiscal matters, administrative and procedural matters, personnel and staffing, state and federal legislation, and contracts and grants. The commission will discuss a proposed training agreement for the Gas Utilities Section of the Legal Division. The commission will meet in executive session to consider the appointment, employment, evaluation, re-assignment, duties, discipline and/or dismissal of personnel, and pending litigation; and consideration of a contract for public information services.

Contact: Walter H. Washington, Jr., P.O. Box 12967, Texas 78711-2967, (512) 463-7274.

Filed: March 12, 1992, 10:35 a.m.

TRD-9320189

The commission will consider and act on the Administrative Services Division Director's report on division administration, budget, procedures and personnel matters.

Contact: Roger Dillon, P.O. Box 12967, Austin, Texas 78711, (512) 463-7257.

Filed: March 12, 1993, 10:35 a.m.

TRD-9320190

The commission will consider and act on the Automatic Data Processing Division Director's report on division administration, budget, procedures, equipment acquisitions and personnel matters.

Contact: Bob Kmetz, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7251.

Filed: March 12, 1993, 10:39 a.m.

TRD-9320193

The commission will meet in consideration of category determinations under sections 102 (c)(1)(B), 102 (c)(1)(c), 103, 107, and 108 of the Natural Gas Policy Act of 1978.

Contact: Margie Osborn, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6755.

Filed: March 12, 1993, at 10:39 a.m.

TRD-9320194

The commission will consider and act on the Office of Information Services Director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schaible, P.O. Box 12967, Austin, Texas 78711, (512) 463-6710.

Filed: March 12, 1993, 10:35 a.m.

TRD-9320188

The commission will consider and act on the investigation division director's report on division administration, investigations, budget, and personnel matters.

Contact: Marcelo R. Montemayor, P.O. Box 12967, Austin, Texas 78711-2967, (512) 463-6828.

Filed: March 12, 1993, 10:39 a.m.

TRD-9320191

The commission will consider and act on the Division Director's report on budget and personnel matters related to organization of the Alternative Fuels Research and Education Division.

Contact: Dan Kelly, P.O. Box 12967, Austin, Texas 78711, (512) 463-7110.

Filed: March 12, 1993, 10:39 a.m.

TRD-9320192

Tuesday, March 23, 1993, 3 p.m. The Railroad Commission of Texas will meet at 1400 Smith Street, Enron Building, Houston. According to the complete agenda, the commission will meet with area citizens and may discuss matters relating to the commission. No deliberation will be held and no decisions will be taken by the commission on any pending cases or regular business.

Contact: Brenda Loudermilk, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-7149.

Filed: March 15, 1993, 1:42 p.m.

TRD-9320260

Texas Guaranteed Student Loan Corporation

Tuesday, March 23, 1993, 1:30 p.m. The Executive Committee of the Board of Directors of the Texas Guaranteed Student Loan Corporation will meet at the TGSLC Offices, 12015 Park 35 Circle, Austin. According to the complete agenda, the committee will discuss approval of the minutes of the January 21, 1993, meeting; hear Congressional update; direct lending update; and meet in executive session to discuss potential litigation.

Contact: Peggy Irby, 12015 Park 35 Circle, Austin, Texas 78754, (512) 835-1900.

Filed: March 15, 1993, 2:31 p.m.

TRD-9320263

Teacher Retirement System of Texas

Tuesday, March 16, 1993, 9 a.m. (Rescheduled from March 16, 1993). The Board of Trustees of the Teacher Retirement System of Texas met at 1000 Red River Street, Fifth Floor Board Room, Austin. According to the complete emergency revised agenda, the board considered report from the Attorney General's Office with respect to real estate investment matters including issues involved in TRS Opinion Request RQ-482: presentation of Attorney General's report to the Teacher Retirement System; discussed personnel related matters appearing in Attorney General's report pertaining to Gene Reischman; and considered authorizing forensic audit of real estate program. The emergency status was necessary due to content of Attorney General's report not disclosed until Friday, March 12, 1993.

Contact: Mary Godzik, 1000 Red River Street, Austin, Texas 78701-2698, (512) 397-6400.

Filed: March 15, 1993, 2:13 p.m.

TRD-9320262

Texas Department of Transportation

Friday, March 12, 1993, 1:15 p.m. The Texas Transportation Commission of the Texas Department of Transportation held an

emergency meeting at the Dewitt C. Greer Building, 125 East 11th Street, First Floor, Austin. According to the complete agenda, the commission met in executive session pursuant to Article 6252-17, §2(g), concerning the position of executive director; and considered position of executive director. The emergency status was necessary as immediate action was needed to enable the commission and the department to continue the discharge of duties concerning the safety and welfare of the traveling public.

Contact: Myrna Klipple, 125 East 11th Street, Austin, Texas 78701, (512) 483-3650.

Filed: March 12, 1993, 10:59 a.m.

TRD-9320199

Monday, March 29, 1993, 2 p.m. The Bicycle Rules Advisory Committee of the Texas Department of Transportation will meet at 200 East Riverside Drive, Room 102, Austin. According to the agenda summary, the committee will make opening remarks; introduce committee members; discuss approval of minutes; final review of proposed rulemaking concerning transportation enhancement program; briefing on the project development process by TxDOT staff; and discuss future rulemaking regarding bicycle road use on the state highway system.

Contact: Paul Douglas, 125 East 11th Street, Austin, Texas 78701, (512) 416-3125.

Filed: March 12, 1993, 11:27 a.m.

TRD-9320202

Texas Water Commission

Wednesday, March 24, 1993, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will consider approving the following matters: enforcement actions; meet in executive session; in addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including, but not limited to, rescheduling an item in its entirety or for particular action at a future date or time.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7905.

Filed: March 15, 1993, 8:48 a.m.

TRD-9320243

Wednesday, March 24, 1993, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North

Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will consider approving the following matters: new water quality permits; amendments to permits; renewal of water quality permits; water right permits; district matters; rate matters; examiner's memorandum and order; in addition, the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including, but not limited to rescheduling an item in its entirety or for particular action at a future date or time.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7905.

Filed: March 15, 1993, 8:48 a.m.

TRD-9320244

Friday, March 26, 1993, 10 a.m. The Municipal Solid Waste Management and Resource Recovery Advisory Council of the Texas Water Commission will meet at the Stephen F. Austin Building, 1700 Congress Avenue, Room 118, Austin. According to the complete agenda, the council will call the meeting to order-president Fran Coppinger; make introductions and special announcements; discuss approval of February 19, 1993 meeting minutes; hear presentation by Nancy Worst, Innovative Technologies (TWC policy review); review legislative issues and bills-majority of meeting; and adjourn.

Contact: Gary Trim, P.O. Box 13087, Austin, Texas 78711-3087, (512) 908-6708.

Filed: March 15, 1993, 3:14 p.m.

TRD-9320284

Wednesday, March 31, 1993, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 Congress, Room 118, Austin. According to the agenda summary, the commission will consider an emergency order Number 93-2E for East Cedar Creek Fresh Water Supply District to modify its method of disposal from irrigation to discharge. Treated wastewater from the district's irrigation fields will be discharged from the west side of the irrigation fields to a roadside ditch along Enchanted Oaks Drive for a distance of approximately 2,000 feet to Cedar Creek Reservoir in segment Number 0818 of the Trinity River Basin.

Contact: Vic Ramirez, P.O. Box 13087, Austin, Texas 78711, (512) 463-8069.

Filed: March 12, 1993, 9:54 a.m.

TRD-9320183

Thursday, April 1, 1993, at 10 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. Ac-

cording to the agenda summary, the commission will hold a hearing on Bulverde Utility Company, Inc. water rate increase effective February 13, 1993, for its service area in Bexar and Comal Counties, Texas. Docket Number 9913-R.

Contact: Heidi Jackson, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:27 p.m.

TRD-9320146

Wednesday, April 7, 1993, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will consider temporary order Number 93-3T for Lakeway Municipal Utility District to empty its effluent storage pond by increasing its authorized irrigation rate from 2.7 acre-feet/acre/year to 5.15 acre-inches/acre/month from April 1, 1993 to September 27, 1993. The facility and irrigation site are in the eastern portion of Lakeway, approximately 2.0 miles north of the intersection of Ranch Road 620 and Lakeway Boulevard, 250 feet west of Yaupon Creek in the Village of Lakeway in Travis County.

Contact: Bonnie Rubey, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 12, 1993, 9:53 a.m.

TRD-9320182

Monday, April 12, 1993, at 10 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 618, Austin. According to the agenda summary, the commission will hold a hearing on Oak Valley Water Supply's water rate increase effective January 11, 1993, for its service area in Bexar County, Texas. Docket Number 9880-G.

Contact: Bill Zukauckas, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:26 p.m.

TRD-9320144

Friday, April 16, 1993, at 10 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 211, Austin. According to the agenda summary, the commission will hold a hearing on Kelley Well Service's water rate increase effective January 1, 1993, for its service area in Liberty County, Texas. Docket Number 9879-G.

Contact: Joseph W. O'Neal, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:26 p.m.

TRD-9320143

Friday, April 16, 1993, at 10 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 543, Austin. According to the agenda summary, the commission will hold a hearing on I. M. Burns doing business as Catarina Water Works' water rate increase effective January 1, 1993, for its service area in Dimmitt County, Texas. Docket Number 9878-G.

Contact: Elizabeth Bourbon, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:24 p.m.

TRD-9320141

Tuesday, April 20, 1993, at 9 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 1149A, Austin. According to the agenda summary, the commission reviewed an application by Lakeway Municipal Utility District for an amendment to Permit Number 11495-01 to authorize disposal of treated domestic wastewater effluent by irrigation. The wastewater treatment facility and irrigation site are in the eastern portion of Lakeway, approximately 2.0 miles north of the intersection of Ranch Road 620 and Lakeway Boulevard, 250 feet west of Yaupon Creek in the Village of Lakeway in Travis County, Texas.

Contact: Bill Zukauckas, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:24 p.m.

TRD-9320140

Tuesday, April 20, 1993, 10 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet at the City Government Center, City Commission Room, 200 North 12th Street, Corsicana. According to the agenda summary, the examiner will consider application by City of Corsicana for a permit (Proposed Permit Number MSWS190) to authorize a Type I municipal solid waste management facility. The facility is to be approximately one mile southeast of the intersection of IH 45 and State Highway 31 and approximately 0.3 mile south of State Highway 31 on Jester Drive in Navarro County.

Contact: Linda Sorrells, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 15, 1993, 2:52 p.m.

TRD-9320277

Tuesday, April 27, 1993, at 9 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 1-100, Austin. Ac-

cording to the agenda summary, the commission initiated a minor amendment to Permit Number 11363-01, issued to Technology/Hydraulics, Inc., in order to change the term of the permit from ten years to five years and to upgrade the effluent storage requirements. The permit regulates the disposal of treatment domestic wastewater effluent by irrigation. The facility and irrigation site are within the Spicewood Balcones Subdivision, at 11207 Spicewood Parkway in Travis County.

Contact: Linda Sorrells, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:24 p.m.

TRD-9320139

Wednesday, April 28, 1993, at 10 a.m. The Office of the Hearings Examiners of the Texas Water Commission will meet at Environmental Pollution Control Building-Auditorium, 7411 Park Place, Houston. According to the agenda summary, the commission will review an application to authorize discharge treatment domestic wastewater effluent by Forest Point Municipal Utility District-Proposed Permit Number 13567-01.

Contact: Deborah Thomas, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: March 11, 1993, 2:13 p.m.

TRD-9320137

Wednesday, April 28, 1993, 2 p.m. The Office of Hearings Examiners of the Texas Water Commission will meet at the Environmental Pollution Control Building, Auditorium, 7411 Park Place, Houston. According to the agenda summary, the examiners will consider the application for authorization to discharge treated domestic wastewater effluent made by Jones Road Development Corporation/Proposed Permit Number 13623-01 before a hearings examiner of the Texas Water Commission.

Contact: Deborah Thomas, P.O. Box 13087, Austin, Texas 78701, (512) 463-7875.

Filed: March 12, 1993, 9:53 a.m.

TRD-9320181

Wednesday, May 26, 1993, at 9 a.m. The Texas Water Commission will meet at Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold a hearing on Texas Parks and Wildlife Department's Application Number 5449 for a permit to divert 863 acre-feet of water per annum from an on-channel reservoir on Caney Creek, tributary of the Sulphur River, Sulphur River Basin. Water will be impounded in the on-channel reservoir and subsequently diverted into three off-channel "wetlands cells" for water-

fowl habitat as part of the White Oak Mitigation Area for Cooper Lake. The on-channel reservoir and off-channel wetland cells are located within the flood pool of Wright Patman Lake, approximately 11 1/2 miles northwest of Linden in Cass County.

Contact: Mark Evans, P.O. Box 13087, Austin, Texas 78711, (512) 475-4584.

Filed: March 11, 1993, 2:27 p.m.

TRD-9320145

Committee of the Whole Senate on Redistricting, Ethics and Elections

Thursday, March 18, 1993, 4 p.m. The Subcommittee on Elections and Ethics of the Committee of the Whole Senate on Redistricting, Ethics Elections met at the Abilene Civic Center, Conference Room 1, 1100 North Sixth Street, Abilene. According to the complete agenda, the subcommittee met to take testimony related to reapportioning judicial districts as provided by Article V, Section 7a, Texas Constitution. Although the subcommittee took testimony at other meetings in Austin related districts for appellate courts, testimony was welcomed on this subject at the hearing. Information about judicial selection reform was also welcomed; however, it was outside the direct responsibility of the subcommittee.

Contact: Kim Herry, 415 William P. Clements Building, Austin, Texas 78701, (512) 463-0067.

Filed: March 11, 1993, 11:17 a.m.

TRD-9320134

Texas Workers' Compensation Research Center

Friday, March 26, 1993, 9 a.m. The Board of Directors of the Texas Workers' Compensation Research Center will meet at the Texas Department of Human Services, 701 West 51st Street, Room 103W, Austin. According to the agenda summary, the board will call the meeting to order; discuss approval of minutes of March 5, 1993; make announcements; discuss research progress report; research agenda discussion; confirm meeting of May 14, 1993; and adjourn. Individuals who may require auxiliary aids or services for this meeting should contact Lavon Guerrero at (512) 346-6197 at least two days prior to the meeting so that appropriate arrangements can be made.

Contact: Annette Gula, 3636 Executive Center Drive, Suite G-22, Austin, Texas 78731, (512) 346-6197.

Filed: March 16, 1993, 8:55 a.m.

TRD-9320297

Regional Meetings

Meetings Filed March 11, 1993

The Brazos Valley Solid Waste Management Agency Board of Trustees met at the College Station Council Chambers, 1101 Texas Avenue, College Station, March 16, 1993, at 1:15 p.m. Information may be obtained from Cathy Locke, 1101 Texas Avenue, College Station, Texas 77840, (409) 764-3507. TRD-9320149.

The Guadalupe-Blanco River Authority Board of Directors met at the Authority's Coletto Creek Administrative Office located approximately two miles west of Coletto Creek at Highway 59 and North approximately 1/2 mile adjacent to a County Road in Goliad County, March 18, 1993, at 10 a.m. (Revised agenda). Information may be obtained from John H. Specht, P.O. Box 271, Seguin, Texas 78156-0271, (210) 379-5822. TRD-9320147.

The Lamar County Appraisal District Board met at the Lamar County Appraisal District Office, 521 Bonham Street, Paris, March 16, 1993, at 5 p.m. (Revised agenda). Information may be obtained from Joe Welch, 521 Bonham, Street, Paris, Texas 75460, (903) 785-7822. TRD-9320136.

The North Plains Groundwater Conservation District Two Board of Directors met at 603 East First Street, Dumas, March 17, 1993, at 10 a.m. Information may be obtained from Richard Bowers or Carla Gray, 603 East First Street, Dumas, Texas 79029, (806) 935-6401. TRD-9320133.

The Pecan Valley Mental Health and Mental Retardation Region Board of Trustees will meet at the Pecan Valley MHMR Regional Clinical Office, 104 Charles Street, Granbury, March 24, 1993, at 8:30 a.m. Information may be obtained from Dr. Theresa Mulloy, P.O. Box 973, Stephenville, Texas 76401, (817) 965-7806. TRD-9320151.

The Riceland Regional Mental Health Authority Board of Trustees met at 3007 North Richmond Road, Wharton, March 18, 1993, at noon. Information may be obtained from Marjorie Dornak, P.O. Box 869, Wharton, Texas 77488, (409) 532-3098. TRD-9320161.

Meetings Filed March 12, 1993

The Austin Travis County Mental Health and Mental Retardation Center Board of Trustees, Personnel Committee met at 1430 Collier Street, Board Room, Austin, March

16, 1993, at 6 p.m. Information may be obtained from Sharon Taylor, P.O. Box 3548, Austin, Texas 78764, (512) 440-4031. TRD-9320240.

The Austin-Travis County Mental Health and Mental Retardation Center Finance and Control Committee met at 1430 Collier Street, Austin, March 17, 1993, at noon. Information may be obtained from Sharon Taylor, 1430 Collier Street, Austin, Texas 78704, (512) 447-4141. TRD-9320204.

The Central Texas Council of Governments Criminal Justice Advisory Board will meet at 302 East Central Avenue, Belton, March 19, 1993, at 9 a.m. Information may be obtained from Beth Stokes, P.O. Box 729, Belton, Texas 76513, (817) 939-1801. TRD-9320222.

The Dallas Area Rapid Transit Administrative Committee met at DART Headquarters, 1401 Pacific Avenue, Board Conference Room B, Austin, March 16, 1993, at noon. Information may be obtained from Nancy McKethan, 1401 Pacific Avenue, Dallas, Texas 75202, (214) 749-3347. TRD-9320198.

The Dallas Area Rapid Transit HOV Committee met at DART Headquarters, 1401 Pacific Avenue, Conference Room C, Austin, March 16, 1993, at 1 p.m. Information may be obtained from Nancy McKethan, 1401 Pacific Avenue, Dallas, Texas 75202, (214) 749-3347. TRD-9320197.

The Dallas Area Rapid Transit Rail Committee met at DART Headquarters, 1401 Pacific Avenue, Conference Room C, Austin, March 16, 1993, at 3 p.m. Information may be obtained from Nancy McKethan, 1401 Pacific Avenue, Dallas, Texas 75202, (214) 749-3347. TRD-9320196.

The Dallas Area Rapid Transit Board of Directors' met at DART Headquarters, 1401 Pacific Avenue, Conference Room C, Austin, March 16, 1993, at 5 p.m. Information may be obtained from Nancy McKethan, 1401 Pacific Avenue, Dallas, Texas 75202, (214) 749-3347. TRD-9320227.

The Education Service Center, Region 17 Board of Directors will meet at 1111 West Loop 289, Lubbock, April 6, 1993, at 9 a.m. Information may be obtained from Virgil E. Flathouse, 1111 West Loop 289, Lubbock, Texas 79416, (806) 793-4854. TRD-9320185.

The East Texas Council of Governments Private Industry Council met at the ETCOG Offices, Kilgore, March 18, 1993, at 9:30 a.m. Information may be obtained from Glynn Knight, 3800 Stone Road, Kilgore, Texas 75662, (903) 984-8641. TRD-9320219.

The Ellis County Appraisal District Appraisal Review Board met at 406 Sycamore Street, Waxahachie, March 16, 1993, at 9 a.m. Information may be obtained from Dorothy J. Phillips, P.O. Box 878, Waxahachie, Texas 75165, (214) 937-3552. TRD-9320238.

The Fisher County Appraisal District Board of Directors met at the Fisher County Appraisal/Tax Office, Roby, March 15, 1993, at 7 p.m. Information may be obtained from Betty Mize, P.O. Box 516, Roby, Texas 79543, (915) 776-2733. TRD-9320224.

The Golden Crescent Service Delivery Area Private Industry Council, Inc. Oversight Committee met at 2401 Houston Highway, Victoria, March 15, 1993, at 6:30 p.m. Information may be obtained from Sandy Heiermann, 2401 Houston Highway, Victoria, Texas 77901, (512) 576-5872. TRD-9320221.

The Golden Crescent Service Delivery Area Private Industry Council, Inc. Executive Committee met at 2401 Houston Highway, Victoria, March 17, 1993, at 6:30 p.m. Information may be obtained from Sandy Heiermann, 2401 Houston Highway, Victoria, Texas 77901, (512) 576-5872. TRD-9320220.

The Harris County Appraisal District Board of Directors met at 2800 North Loop West, Eighth Floor, Houston, March 17, 1993, at 9:30 a.m. Information may be obtained from Margie Hilliard, P.O. Box 920975, Houston, Texas 77292-0975, (713) 957-5291. TRD-9320177.

The Lampasas County Appraisal District Board of Directors met at 109 East Fifth Street, Lampasas, March 18, 1993, at 7 p.m. Information may be obtained from Janice Henry, P.O. Box 175, Lampasas, Texas 76550, (512) 556-8058. TRD-9320184.

The Lower Colorado River Authority Ad Hoc Committee on Board Fees and Expenses met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320212.

The Lower Colorado River Authority Audit Committee met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320211.

The Lower Colorado River Authority Finance and Administration Committee met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320210.

The Lower Colorado River Authority Energy Operations Committee met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320209.

The Lower Colorado River Authority Conservation and Environmental Protection Committee met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320208.

The Lower Colorado River Authority Natural Resources Committee met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320207.

The Lower Colorado River Authority Planning and Public Policy Committee met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320206.

The Lower Colorado River Authority Board of Directors met at 3701 Lake Austin Boulevard, Hancock Building, Austin, March 17, 1993, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3283. TRD-9320205.

The Middle Rio Grande Development Foundation, Inc. Board of Directors met at the Holiday Inn, 920 East Main Street, Uvalde, March 17, 1993, at noon. Information may be obtained from Mike Patterson, P.O. Box 1199, Carrizo Springs, Texas 78834, (210) 876-3533. TRD-9320229.

The Middle Rio Grande Development Council Board of Directors will meet at the Fort Clark Springs Restaurant, Highway 90 West, Brackettville, March 22, 1993, at 1 p.m. Information may be obtained from Mike Patterson, P.O. Box 1199, Carrizo Springs, Texas 78834, (210) 876-3533. TRD-9320228.

The North Central Texas Council of Governments for the North Central Texas Job Training Consortium Private Industry Council met at 616 Six Flags Drive, Centerpoint Two, Arlington, March 18, 1993, at 10 a.m. Information may be obtained from Mike Gilmore, P.O. Box 5888, Arlington, Texas 76005-5888, (817) 640-3300, extension 162. TRD-9320223.

The San Antonio River Authority Board of Directors will meet at the SARA General Office, Board Room, 100 East Guenther, San Antonio, March 17, 1993, at 2 p.m. (Revised agenda). Information may be ob-

tained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78283-0027, (210) 227-1373. TRD-9320178.

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Meetings Filed March 15,
1993

The Atascosa County Appraisal District Board of Directors met at Fourth and Avenue J, Poteet, March 18, 1993, at 1:30 p.m. Information may be obtained from Vernon A. Warren, P.O. Box 139, Poteet, Texas 78065-0139, (210) 742-3591. TRD-9320256.

The Austin Travis County Mental Health and Mental Retardation Center Board of Trustees held an emergency meeting at 1430 Collier Street, Board Room, Austin, March 17, 1993, at 11 a.m. The emergency status was necessary as immediate action regarding a legal matter was required. Information may be obtained from Sharon Taylor, P.O. Box 3548, Austin, Texas 78764-3548, (512) 447-4141. TRD-9320293.

The Brown County Appraisal District Agricultural Advisory Board met at 403 Fisk Avenue, Brownwood, March 18, 1993, at 10 a.m. Information may be obtained from Doran E. Lemke, 403 Fisk Avenue, Brownwood, Texas 76801, (915) 463-5676. TRD-9320245.

The Central Plains Center for Mental Health and Mental Retardation and SA Board of Trustees will meet at 208 South Columbia Street, Plainview, March 25, 1993, at 5:30 p.m. Information may be obtained from Seth Halbert, 2700 Yonkers, Plainview, Texas 79072, (806) 192-2636. TRD-9320255.

The Central Texas Council of Governments Executive Committee will meet at 302 East Central, Belton, March 25, 1993, at 12:30 p.m. Information may be obtained from A. C. Johnson, P.O. Box 729, Belton, Texas 76513, (817) 939-1801. TRD-9320265.

The Coryell City Water Supply District Board of Directors met at the CCWSD Office, FM 929, Coryell City, March 18, 1993, at 7 p.m. Information may be obtained from Helen Swift, Route 2, Box 93, Gatesville, Texas 76528, (817) 865-6089. TRD-9320291.

The Education Service Center, Region XIII Board of Directors will meet at the ESC, Region XIII, ESC Conference Room 201, 5701 Springdale Road, Austin, March 22, 1993, at 12:45 p.m. Information may be obtained from Dr. Roy C. Benavides, 5701 Springdale Road, Austin, Texas 78723, (512) 929-1300. TRD-9320257.

The Galveston Bay National Estuary Program Scientific Technical Advisory Com-

mittee will meet at The Inn at San Luis, 5400 Seawall Boulevard, Crystal Ballroom, Galveston, March 19, 1993, at 9 a.m. Information may be obtained from Judy Fennis, 711 West Bay Area Boulevard, Suite 210, Webster, Texas 77598, (713) 332-9937. TRD-9320279.

The Galveston Bay National Estuary Program Citizens' Advisory Steering Committee will meet at The Inn at San Luis, 5400 Seawall Boulevard, Crystal Ballroom, Galveston, March 19, 1993, at 2:30 p.m. Information may be obtained from Judy Fennis, 711 West Bay Area Boulevard, Suite 210, Webster, Texas 77598, (713) 332-9937. TRD-9320281.

The Galveston Bay National Estuary Program Management Committee will meet at The Inn at San Luis, 5400 Seawall Boulevard, Crystal Ballroom, Galveston, March 20, 1993, at 8:30 a.m. Information may be obtained from Judy Fennis, 711 West Bay Area Boulevard, Suite 210, Webster, Texas 77598, (713) 332-9937. TRD-9320280.

The Galveston Bay National Estuary Program Policy Committee will meet at The Inn at San Luis, 5400 Seawall Boulevard, Crystal Ballroom, Galveston, March 20, 1993, at 2 p.m. Information may be obtained from Judy Fennis, 711 West Bay

Area Boulevard, Suite 210, Webster, Texas 77598, (713) 332-9937. TRD-9320282.

The Grayson Appraisal District Board of Directors will meet at 205 North Travis Street, Sherman, March 24, 1993, at 7:15 a.m. Information may be obtained from Angie Keeton, 205 North Travis Street, Sherman, Texas 75090, (903) 893-9673. TRD-9320248.

The Gulf Bend Mental Health and Mental Retardation Center Board of Trustees will meet at the Gulf Bend MHMR Center, 1404 Village Drive, Victoria, March 25, 1993, at noon. Information may be obtained from Sharon Pratkan, 1404 Village Drive, Victoria, Texas 77901, (512) 575-9611. TRD-9320269.

The Nolan County Central Appraisal District Board of Directors will meet at the Nolan County Courthouse, Third Floor, Sweetwater, March 19, 1993, at 7 a.m. (Rescheduled from March 12, 1993). Information may be obtained from Steven G. Beck, P.O. Box 1256, Sweetwater, Texas 79556, (915) 235-8421. TRD-9320290.

The Nortex Regional Planning Commission General Membership Committee will meet at the Offices of Nortex Regional Planning Commission, Conference Room, 4309 Jacksboro Highway, Wichita Falls, March 25, 1993, at noon. Information may

be obtained from Dennis Wilde, P.O. Box 5144, Wichita Falls, Texas 76307-5144, (817) 322-5281. TRD-9320285.

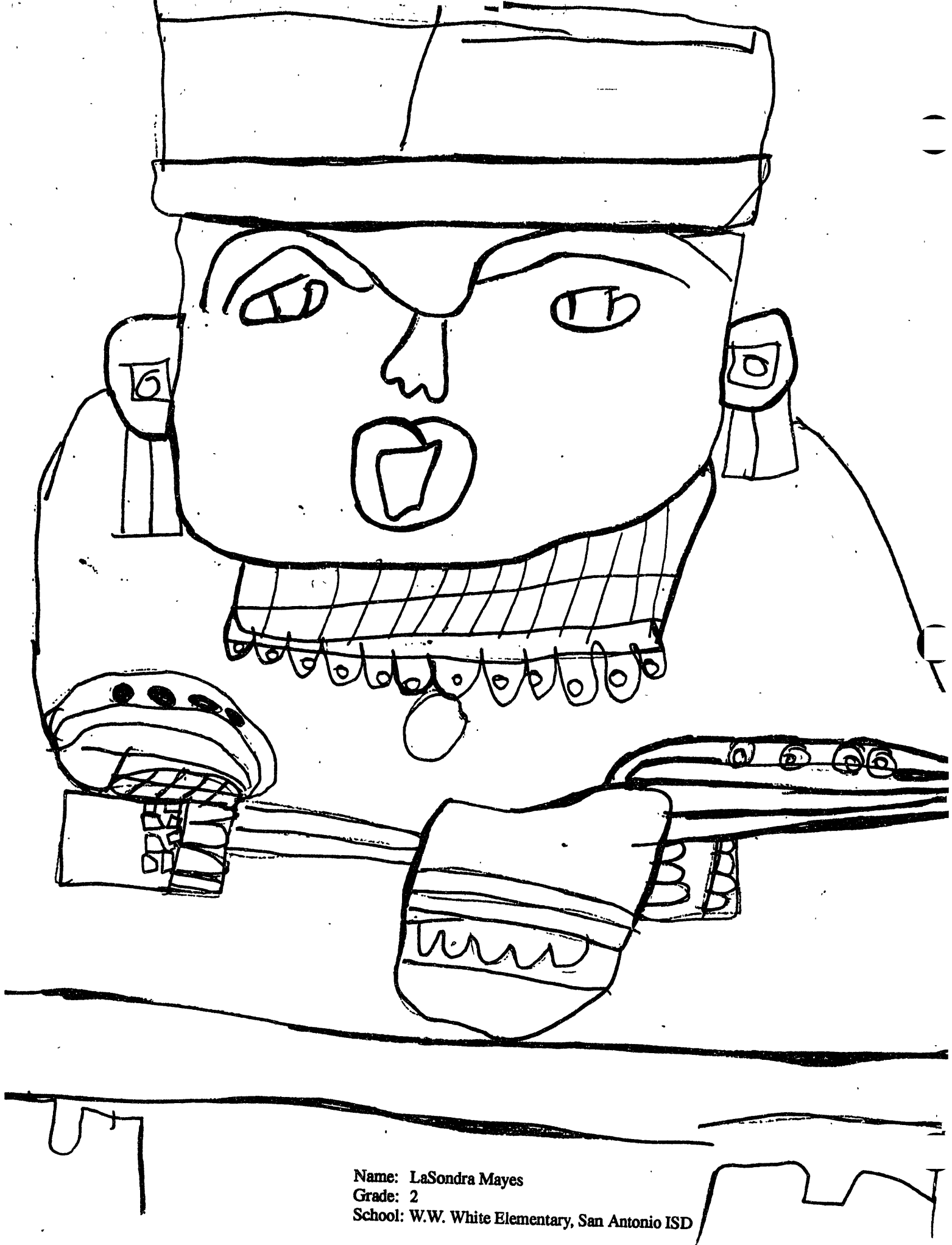
The Northeast Texas Municipal Water District Board of Directors will meet at Highway 250 South, Hughes Springs, March 22, 1993, at 10 a.m. Information may be obtained from J. W. Dean, P.O. Box 955, Hughes Springs, Texas 75656, (903) 639-7538. TRD-9320247.

The San Jacinto River Authority Board of Directors will meet in the Bluebonnet Room, Ninth Floor Houston Club Building, 811 Rusk Street, Houston, March 24, 1993, at 12:30 p.m. Information may be obtained from James R. Adams, P.O. Box 329, Conroe, Texas 77305, (409) 588-1111. TRD-9320246.

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**Meetings Filed March 16,
1993**

The East Texas Council of Governments Board of Directors will meet at the Marshall Civic Center, Marshall, March 25, 1993, at 7:30 p.m. Information may be obtained from Glynn Knight, 3800 Stone Road, Kilgore, Texas 75662, (903) 984-8641. TRD-9320296.

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Name: LaSondra Mayes
Grade: 2
School: W.W. White Elementary, San Antonio ISD

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 Department of Banking Notice of Application

The Texas Civil Statutes, Article 342-401a, requires any person who intends to buy control of a bank to file an application with the Banking Commissioner for the Commissioner's approval to purchase control of a particular bank. A hearing may be held if the application is denied by the Commissioner.

On March 5, 1993, the Banking Commissioner received an application to acquire control of Iraan State Bank, Iraan, by Harold G. Cox, Albany; Jay M. Gober, Graham; John D. Huffman, Albany; W. E. Harper, Woodson; and Charles R. Gober of Throckmorton.

Additional information may be obtained from: William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on March 10, 1993.

TRD-9320228 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: March 12, 1993

Texas Department of Commerce Request for Proposal-Job Training Partnership Act

In accordance with the Job Training Partnership Act (JTPA), Public Law 97-300, the Texas Department of Commerce (Commerce) announces a Request for Proposals (RFP) to operate Older Individual Programs in Texas. The Older Individual Program is authorized under the JTPA, §124. The programs will provide training services that assist older workers in successfully competing in the labor market for unsubsidized jobs.

Detailed information regarding the project format is set forth in the Request for Proposal Instructions which will be available approximately on March 16, 1993, at the following location: Texas Department of Commerce, Work Force Development Division, First City Centre, 816 Congress, Suite 1300, P.O. Box 12728, Austin, Texas 78711.

The deadline for receipt of proposals in response to this request will be Monday, May 17, 1993, at 4 p.m. (CST).

Responses received after this deadline will not be considered.

Commerce reserves the right to accept or reject any or all proposals submitted. Commerce is under no legal requirement to execute a resulting contract on the basis of this advertisement and intends the material provided only as a means of identifying the various contractor alternatives. Commerce intends to use responses as a basis for further negotiation of specific project details with potential contractors. Commerce will base its choice on demonstrated competence, qualifications, and evidence of superior conformance with criteria.

This RFP does not commit Commerce to pay any costs incurred prior to execution of a contract. Issuance of this material in no way obligates Commerce to award a contract or to pay any costs incurred in the preparation of a response. Commerce specifically reserves the right to vary all provisions set forth any time prior to execution of a contract where Commerce deems it to be in the best interest of the State of Texas.

Availability of funds for the Older Individual Program is subject to the approval of the State Job Training Coordinating Council.

For further information regarding this notice, or to obtain copies of the RFP Instructions, please contact: Arturo Gil, Texas Department of Commerce, Work Force Development Division, First City Centre, 816 Congress Avenue, Suite 1300, P.O. Box 12728, Austin, Texas 78711, (512) 320-9826.

Issued in Austin, Texas, on March 9, 1993.

TRD-9320242 Cathy Bonner
Executive Director
Texas Department of Commerce

Filed: March 15, 1993

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).

Types of Rate Ceilings

Effective Period
(Dates are Inclusive)

Consumer (1)/Agricultural/
Commercial (2) thru \$250,000

Commercial(2)
over \$250,000

Indicated (Weekly) Rate - Art. 1.04(a)(1)

03/15/93-03/21/93

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 March 8, 1993.

TRD-9320075 Al Endsley
Consumer Credit Commissioner

Filed: March 10, 1993

◆ ◆ ◆
Texas Department of Human Services
Correction of Error

The Texas Department of Human Services proposed amendments to 40 TAC §48.2103, concerning community care for aged and disabled. The rule appeared in the March 5, 1993, *Texas Register* (18 TexReg 1401).

Due to an error in the submission §48.2103(a)(4)(A)(i)-(iii) was not printed in bold to indicate that it was new.

It should have read:

"(i) For waiver participants with spouses who live in the community, the income and resource eligibility requirements are determined according to the spousal impoverishment provisions in the Social Security Act, §1924, and as specified in the Medicaid State Plan and subsection (a) of this section.

(ii) After the participant is determined to be eligible for Medicaid, DHS determines the amount of the participant's income applicable to payment.

(iii) To determine the amount of the participant's income applicable to payment, DHS uses the same methodology as if the participant were residing in an institution, except that the personal needs allowance is equal to the institutional cap."

◆ ◆ ◆
Texas Department of Insurance
Company Licensing

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

Application for name change in Texas for North American Life and Casualty Company, a foreign life insurance company. The home office is in Minneapolis, Minnesota. The proposed new name is Allianz Life Insurance Company of North America.

Application for Admission in Texas for Armor Insurance Company, a foreign fire insurance company. The home office is in Tampa, Florida.

Application for Admission in Texas for Asset Guaranty Insurance Company, a foreign fire insurance company. The home office is in New York, New York.

Application for Admission in Texas for Atlantic Alliance Fidelity and Surety Company, a foreign fire insurance company. The home office is in Cherry Hill, New Jersey.

Application for Incorporation in Texas for Metropolitan Lloyds Insurance Company of Texas, a domestic fire insurance company. The home office is in Irving, Texas.

Application for Admission in Texas for MedPlans 2000 Inc., a foreign third party administrator. The home office is in Fort Scott, Kansas.

Application for name change in Texas for Underwriters National Assurance Company, a foreign life insurance company. The home office is Indianapolis, Indiana. The proposed new name is New Era Life Insurance Company of the Midwest.

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

TRD-9320230 Linda K. von Quintus-Dorn
Chief Clerk
Texas Department of Insurance

Filed: March 12, 1993

◆ ◆ ◆
Public Utility Commission of Texas
Notice

The Public Utility Commission of Texas will conduct a Second Prehearing Conference in Docket Number 11441 at 10 a.m., Thursday, March 25, 1993, at the Commission's offices located at 7800 Shoal Creek Boulevard, Austin. The purpose of the prehearing conference is to consider the admission of additional parties and the adoption of a prehearing and discovery schedule leading to a hearing on the merits.

Docket Number 11441 involves the requests by certain information providers for an order from the Commission requiring telephone local exchange companies (LECs) to provide a new telephone service allowing the use of a three-digit telephone number (designated an N-1-1 number) for accessing the information services. At the present time, the Commission has received requests from the following listed information providers seeking the assignment of an N-1-1 number in the following listed areas.

Information Provider—Area to be Served:

Infodial, Inc.—Houston and San Antonio metropolitan areas;

Austin American—Statesman—Austin metropolitan area;

Longview News—Journal—Longview metropolitan area;

Waco Tribune—Herald—Waco metropolitan area;

Lufkin Daily News—Lufkin metropolitan area;

Dallas Morning News—Collin, Dallas, Deaton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties.

Any person who wishes to seek the assignment of an N-1-1 number for any use, whether in the previously listed areas or in any other areas of the State, should file a Motion to Intervene in Docket Number 11441 prior to the commencement of the Second Prehearing Conference on March 25, 1993. Motions to Intervene should be mailed or delivered to the Public Utility Commission of Texas, 7800 Shoal Creek Boulevard, Austin, Texas 78757 and should specifically refer to Docket Number 11441. Faxed material is not acceptable for filing. Any person filing a Motion to Intervene should also appear at the Second Prehearing Conference. Further information may be obtained by calling the PUC Public Information Office at (512) 458-0256 or, (512) 458-0221, teletypewriter for the deaf.

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

TRD-9320231 John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: March 12, 1993

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Notices of Intent to File Pursuant to Public Utility Commission 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 Public Utility Commission Substantive Rule 23.27 for approval of customer-specific PLEXAR-Custom Service for Electrocom, Arlington.

Docket Title and Number. Application of Southwestern Bell Telephone Company for Approval of Plexar-Custom Service for Electrocom pursuant to Public Utility Commission Substantive Rule 23.27(k). Docket Number 11842.

The Application. Southwestern Bell Telephone Company is requesting approval of Plexar-Custom Service for Electrocom. The geographic service market for this specific service is the Arlington 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 March 11, 1993.

TRD-9320158 John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: March 11, 1993

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Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to Public Utility Commission Substantive Rule 23.27 for approval of Plexar-Custom Service for the City of Hurst.

Docket Title and Number. Application of Southwestern Bell Telephone Company for Approval of Plexar-Custom Service for the City of Hurst pursuant to Public Utility Commission Substantive rule 23.27(k). Docket Number 11837.

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

City of Hurst. The geographic service market for this specific service is the Hurst 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 March 11, 1993.

TRD-9320155 John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: March 11, 1993

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

Docket Title and Number. Application of Southwestern Bell Telephone Company for Approval of Plexar-Custom Service for Taylor County pursuant to Public Utility Commission Substantive Rule 23.27(k). Docket Number 11836.

The Application. Southwestern Bell Telephone Company is requesting approval of Plexar-Custom Service for Taylor County. The geographic service market for this specific service is the Abilene 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 March 11, 1993.

TRD-9320154 John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: March 11, 1993

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Notice of Proceeding for Approval of Extended Area Service

Notice is given to the public of the filing with the Public Utility Commission of Texas of a joint petition on March 5, 1993, seeking approval of extended area service (EAS) pursuant to §23.49(i) of the Public Utility Commission of Texas substantive rules. The following is a summary of the joint petition.

Project Title and Number: *Joint Petition of Southwestern Bell Telephone Company and GTE Southwest, Inc. to Provide Extended Area Service to Certain Communities in the Lower Rio Grande Valley* Project Number 11840, before the Public Utility Commission of Texas.

The Joint Petition: In Project Number 11840, Southwestern Bell Telephone Company, serving communities in the Brownsville, Donna, Edcouch, Harlingen, Los Fresnos, McAllen, Mercedes, Mission, Pharr, Rio Hondo, San Benito, and Sullivan City exchanges, and GTE Southwest, Inc., serving La Feria, Lyford, Raymondville, Santa Rosa, and Weslaco exchanges, have requested optional flat-rate,

one-way, direct dialed calling between all of the aforementioned exchanges. Customers choosing to subscribe to the optional EAS will pay a flat-rate monthly additive in addition to the basic local exchange charges, as follows:

Class of Service-Rate Additive Per Line:

Residence-\$25;

Business-\$50.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757, or call the Public Utility Commission Public Information Office (512) 458-0256. The telecommunications device for the deaf (TDD) number for the Public Information Office is (512) 458-0221.

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

TRD-9320233

John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: March 12, 1993

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**Texas Department of Transportation
Request for Information**

Introduction. The Texas Department of Transportation (TxDOT) publishes this request for information for the future development of a Business Information Systems Plan that will incorporate a top down, high level assessment of department information needs for all business areas of the department, an assessment of the department's existing information systems as well as relevant architectures and infrastructures, and implementation/migration strategies to ensure that all future systems development or enhancement efforts support the department's information needs. The envisioned plan will provide guidance for the logical and orderly development, re-development, enhancement, and selection of various computer software to support all identified business areas and will complement similar efforts of interfacing entities such as the Federal Highway Administration (FHWA).

With an annual budget of approximately \$2 billion, the department's responsibilities include planning, designing, constructing, maintaining, and operating a comprehensive intermodal state transportation system that includes highways, public transportation, aviation, Gulf intercoastal waterways, and motor vehicle registration and titling.

The department has approximately 15,000 employees in 24 district offices located geographically across the state and 20 division offices located in Austin, Texas. Each district office oversees multiple area and maintenance section offices. The district offices divide responsibility for highway development within the state. The divisions support the activities of the districts and the departments other transportation activities.

Department automation users are interconnected locally using various types of local area networks and statewide using two wide area networks: SNA for Amdahl 5991-1100A access and Ethernet for VAX/UNIX/Intergraph access. The department has a large base of information systems utilizing Amdahl 5991-1100A resources for support of operational functions statewide and engineering systems utilizing the VAX/UNIX/Intergraph environment for support of engineering functions statewide.

Purpose. This request for information (RFI) is to solicit information only from interested vendors concerning their approach to developing a business information systems plan as described in the introduction of this document; it is not a request for proposals (RFP), and proposals are not to be submitted.

Contents of this RFI are for guidance only and should not be viewed as constraining guidelines. The RFI describes what TxDOT envisions as a business information systems plan; however, any suggestions or comments on how we may enhance the requirements of the future plan would be welcome.

Request for Information. Firms that have developed a business information systems plan or that have the capability of developing such a plan are asked to provide information to TxDOT. TxDOT seeks the following general information: typical components of a business information systems plan; the firm's approach for completion of a plan or for supplying part of the services required for development and implementation of a typical business information systems plan; planning, migration, and implementation strategies or methodologies necessary or available for supporting a business information systems plan; other services or products available that are related to development or implementation of a business information systems plan; the estimated time frame and human resources (department and consultant) necessary to implement a business information systems plan. Please include the name and telephone number of a contact person.

Response Date and Agency Contact. Firms who can provide this information are asked to submit two copies within 14 days from the date of this publication of this notice in the *Texas Register* to the following address: Texas Department of Transportation, Information Resources Management Office, Attention: Rebecca Murdock, 125 East 11th Street, Austin, Texas 78701-2483. If you have any questions, please call (512) 475-0712.

Disclaimer. Firms responding to this public notice will not be compensated for the information provided. Neither TxDOT nor the responding firms are obligated or expected to receive any benefit resulting from submitting information. The information furnished as a result of this public notice may be modified or otherwise included in a request for proposals.

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

TRD-9320225

Diane L. Northam
Legal Administrative Assistant
Texas Department of Transportation

Filed: March 12, 1993

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**Texas Department of
Transportation/Division of Aviation
Request for Proposals**

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 664-4.

The Division of Aviation will solicit and receive proposals for professional engineering services for the preparation of a Site Selection Study, Environmental Assessment and an Airport Master Plan at the following airport: Maverick County-Eagle Pass, TxDOT Project Number 94-06-011.

Those interested consulting engineers should submit five

copies of brief proposals for each project consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Transportation, Division of Aviation, Attention: Anna Saldana, TxDOT Project Number 94-06-011, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262; 410 East Fifth Street, Austin, Texas 78701.

Proposals must be received by 4 p.m., Thursday, April 8, 1993.

Procedures for award-Procedure for award will be in accordance with FAA Advisory Circular AC 150/5100/14B.

The estimated project cost is \$60,000.

The County of Maverick reserves the right to reject any or all proposals received and to conduct new consulting engineer selection procedures for future projects.

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TxDOT (TAC/TDA) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

Proposals will be reviewed by a consultant selection committee in order to identify from three to five consultants who will be interviewed by the committee. The final consultant selection will be made following completion of interviews.

If there are any questions concerning the project, please contact Charles Riordan, Project Manager, Division of Aviation, Texas Department of Transportation, at (512) 476-9262.

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

TRD-8320203

Diane L. Northam
Legal Administrative Assistant
Texas Department of
Transportation/Division of Aviation

Filed: March 12, 1993

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Texas Water Commission
Notice of Application For Waste
Disposal Permit

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of March 8, 1993-March 12, 1993.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester, would be adversely affected by the granting of the application. If the commission determines that the request sets out

an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 30 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 463-7906.

Listed are the name of the applicant and the city in which the facility is located, type of facility, location of the facility, permit number, and type of application-new permit, amendment, or renewal.

Bastrop County Water Control and Improvement District Number 3; the wastewater treatment facilities; are approximately 400 feet north of Pearce Lane, six miles north of the intersection of Pearce Lane and State Highway 21 and 18 miles west of the City of Bastrop in Bastrop County; renewal; 12963-01.

Beazer West, Inc.; a sand and gravel mining operation at the Cobb Plant; the plant site is approximately 3.1 miles south of Seagoville near Bilindsay Road and Malloy Bridge Road, Dallas County; renewal; 02970.

Bevil Oaks Municipal Utility District; the wastewater treatment facilities; are approximately 6.5 miles northwest of the intersection of State Highway 105 and U.S. Highway 287, at a point 2.3 miles north of State Highway 105, in the northeast corner of the Town of Bevil Oaks, approximately 200 feet south of Pine Island Bayou in Jefferson County; renewal; 11551-01.

City Public Service of San Antonio, W.B. Tuttle Steam Electric Station; the plant site is at 9843 Perrin-Beitel, adjacent to and on the west side of FM Road 2252, approximately one mile North of IH 410 on the North Side of the City of San Antonio in Bexar County; renewal; 01516.

City of Dallas; the Elm Fork Water Treatment Plant; the plant site is approximately 300 yards west of the Interstate Highway 35E and approximately 300 yards south of Sandy Lake Road in the City of Carrollton, Dallas County; renewal; 10060-05.

Exxon Corporation, Mont Belvieu Plastics Plant; a polyethylene manufacturing plant; the plant site is immediately west of the Southern Pacific Railroad Line (about one mile west of State Highway 146) and immediately east of Hatcherville Road and approximately two miles northwest of the City of Mount Belvieu, Chambers and Liberty County; renewal; 02546.

James P.S. Griffith; the Tejas Properties Wastewater Treatment Plant; the plant site is in the northern portion of the City of Houston, approximately 16.7 miles north-northeast of the City of Houston central business district, at a point 1.9 miles west of U.S. Highway 59, and approximately 1,000 feet north of Jetero Boulevard just east of Lee Road in Harris County; renewal; 11160-01.

Johann Haltermann, Limited; a plant recovering saleable products from off-specification petroleum products and solvents by fractional distillation; the plant site is at 16717 Jacintoport Boulevard on the north side of the Houston Ship Channel approximately 1.6 miles east of the intersec-

tion of Sheldon Road and Jacintoport Boulevard near the community of Channel view in Harris County; renewal; 02458.

City of Harker Heights; the wastewater treatment facilities; are approximately 3,000 feet northwest of the intersection of U.S. Highway 190 and FM Road 3219, approximately 1/4 mile north of U.S. Highway 190 on the south bank of Nolan Creek in Bell County; renewal; 10155-01.

Harris County Water Control and Improvement District Number 119; the wastewater treatment plant is approximately 2,000 feet south of Spring Cypress Road and 5,000 feet east of the intersection of Louetta Road and Spring Cypress Road in Harris County; renewal; 11024-01.

Hooks Independent School District; the proposed wastewater treatment facilities will serve the Hooks Independent School District Junior High School; the plant site is on the east side of FM Road 560, approximately three miles north of Interstate Highway 30 in Bowie County; new; 13634-01.

Hung's Shrimp Farm, Inc.; a mariculture facility to rear shrimp for human consumption; the plant site is at the southeast corner of the intersection of FM 2925 and FM 1847, extending from that intersection eastward approximately 1.2 miles along FM 2925 and extending from that intersection southward approximately 0.95 miles along FM 1847, near the City of Arroyo City, Cameron County; new; 03457.

Itel Rail Corporation; the railcar cleaning and repair yard; is at 407 West Brentwood, the intersection of West Brentwood Drive and the Missouri-Pacific Railroad, approximately one east of Beltway 8 in the Community of Channelview in Harris County; renewal; 01922.

Lakeside Utilities, Inc.; the wastewater treatment facility and irrigation site; are on Haynie Flat road, approximately two miles north of the intersection of State Highway 71 and Haynie Flat Road in Travis County; amendment; 13477-01.

Lake Travis Independent School District; the wastewater treatment facility and subsurface disposal site are west of Ranch Road 620, approximately two miles north-northwest of the intersection of Ranch Road 620 and State Highway 71 in Travis County; renewal; 12920-01.

Lemont Federal Savings Association, RTC; the wastewater treatment facility and subsurface disposal site; are at the Southlake Plaza Shopping Center at the northwest corner of the intersection of Shady lane and Northwest Parkway East (State Highway 114) in Tarrant County; renewal; 13315-01.

Lufkin Industries, Inc.; the wastewater treatment plant; the plant site is approximately six miles east of the City of Lufkin on U.S. Highway 69, Angelina County; renewal; 01268.

Montgomery County Municipal Utility District Number 24; the wastewater treatment facilities; are approximately 2-1/2 miles east of U.S. Highway 59, and 1/2 mile northwest of the point where White Oak Creek leaves Montgomery County in Montgomery County; renewal; 11789-01.

National Convenience Stores Inc.; a convenience store and truck stop; the plant site is on the northwest corner of Interstate Highway 10 and Magnolia Avenue, approximately 1.8 miles west of the intersection of IH 10 and the

San Jacinto River in the City of Houston, Harris County; new; 03517.

Nucor Corporation; a steel products manufacturing company by evaporation; the plant site is on the north side of U.S. Highway 79 at a point approximately 1.2 miles west of the intersection of U.S. Highway 79 with the State FM 39, in Leon County; renewal; 01897.

City of Pasadena; the Golden Acre East Plant, Permit Number 10053-07, to the Golden Acre Plant, Permit Number 10053-03. Upon completion of the diversion, Permit Number 10053-07 would be canceled. The plant site is on the north bank of Armand (Middle) Bayou in the 6300 Block of Spencer Road in southeast Pasadena, Harris County; amendment; 10053-03.

Positive Feed, Inc.; a livestock feed manufacturing plant; the plant site is on the east side of State Highway 36 and approximately 0.3 mile northeast of the intersection of State Highway 36 and FM 2187 in Austin County; renewal; 02314.

Ravago America Corporation; a facility which reprocesses sub-standard grades of polyethylene, polypropylene and polystyrene; the plant site is at 18121 Cochran Road, approximately 2.8 miles south of U.S. Highway 290, Waller County; new; 03467.

Texas Instruments Inc.; an electronic components manufacturing plant; the plant site is at 12201 Southwest Freeway in the City of Stafford in Fort Bend County; amendment; 01225.

Texas Utilities Electric Company; the Forest Grove Steam Electric Station; the plant site is on the north shore of Forest Grove Reservoir off FM 2329 and approximately seven miles northwest of the City of Athens in Henderson County; renewal; 02032.

The North American Coal Corporation, Trinity Lignite Mine; the mine is currently inactive; the plant site is on an irregular tract of land approximately five miles in length and two miles in width and located about one mile south of the City of Malakoff and State Highway 31, west of the City of Trinidad and northwest of the City of Cross Roads in Henderson County; renewal; 02606.

West Harris County MUD Number 7; the wastewater treatment plant; is approximately 5.9 miles northwest of the intersection of Interstate Highway 10 and State Highway 6 at a point 1.9 miles north of Interstate Highway 10 approximately 5,500 feet northwest of the intersection of Fry Road and Franz Road on the southwest bank of South Mayde Creek, west of the City of Houston in Harris County; renewal; 12140-01.

Ronald West; a dairy operation; the dairy is on the east side of County Road 1226 approximately 2.6 miles northwest of the intersection of County Road 1226 and U.S. Highway 67 in Johnson County; new; 03566.

West Texas Utilities Company; the Abilene Steam Electric Station; the plant site is on the west bank of Cedar Creek, north of U.S. Highway 80 in the City of Abilene, Taylor County; renewal; 00964.

Robert M. Williams; operates the Clean as a Whistle Car Wash; the plant site is adjacent to State Highway 208, approximately one mile north of the intersection of State Highway 208 and State Highway 4, Hood County; renewal; 02926.

Randi L. Willis; a dairy operation; the dairy is on the north side of State Highway 36 approximately 1.5 miles north-

west of the intersection of State Highway 36 and FM Road 1689 in Comanche County; new; 03453.

ARCO Chemical Company; two non-commercial hazardous waste disposal wells; the wells are used for disposal of wastes generated during the manufacture of synthetic organic chemicals; Waste disposal wells WDW-148 and WDW-162 are located on company property, approximately 2.5 miles north of Channelview, Harris County; WDW-148 is approximately 1,200 feet from the west line and approximately 8,720 feet from the south line of the Peter J. Duncan Survey, A-232. WDW-162 is approximately 1,000 feet from the northwest line and approximately 7,300 feet from the southeast line of the Peter J. Duncan Survey, A-232; amendment; WDW-148 and WDW-162.

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

TRD-9320241 Gloria A. Vasquez
Chief Clerk
Texas Water Commission

Filed: March 12, 1993

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Texas Water Development Board
Applications Received

Pursuant to the Texas Water Code, §6.195, the Texas Water Development Board provides notice of the following applications received by the Board: Sandy Land Underground Water Conservation District, P.O. Box 130, Plains, Texas 79355, received December 18, 1992, appli-

cation for an increase in financial assistance in the amount of \$200,000 from the Agricultural Water Conservation Bond Program; City of Lone Star, P.O. Box 218, Lone Star, Texas 75668-0218, received February 24, 1993, application for financial assistance in the amount of \$365,000; \$350,000 from the Water Quality Enhancement Account and \$15,000 from the Water Supply Account, both of the Texas Water Development Fund; La Joya Water Supply Corporation, P.O. Drawer 518-A, La Joya, Texas 78560, received January 6, 1993, application for financial assistance in an amount not to exceed \$79,500 from the Research and Planning Fund; County of Zavala, Zavala County Courthouse, Crystal City, Texas 78839, received February 22, 1993, application for financial assistance in an amount not to exceed \$22,488 from the Research and Planning Fund; City of Temple, P.O. Box 987, Temple, Texas 76503, received February 3, 1993, application for an increase in financial assistance in the amount of \$1,460,000 from the State Water Pollution Control Revolving Fund; County of El Paso County Courthouse, 500 East San Antonio Avenue, El Paso, Texas 79901, received February 1, 1993, application for financial assistance in the amount of \$2,179,997 from the Colonia Plumbing Loan Fund.

Additional information concerning this matter may be obtained from Craig D. Pedersen, Executive Administrator, P.O. Box 13231, Austin, Texas 78711.

Issued in Austin, Texas, on March 10, 1993.

TRD-9320098 Craig D. Pedersen
Executive Administrator
Texas Water Development Board

Filed: March 10, 1993
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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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