

# TEXAS REGISTER



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How to Use the Texas Register

Information Available: The 11 sections of the Texas Register represent various facets of state government. Documents contained within them include:

Governor - Appointments, executive orders, and proclamations.

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

Secretary of State - opinions based on the election laws.

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

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

Proposed Rules - sections proposed for adoption.

Withdrawn Rules - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

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

Tables and Graphics - graphic material from the proposed, emergency and adopted sections.

Open Meetings - notices of open meetings.

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

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

How to Cite: Material published in the Texas Register is referenced by citing the volume in which the document appears, the words "TexReg" and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 21 (1996) is cited as follows: 21 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 "21 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 21 TexReg 3."

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

Texas Administrative Code

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

The TAC volumes are arranged into Titles (using

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

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

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

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

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

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

How to update: To find out if a rule has changed since the publication of the current supplement to the Texas Administrative Code, please look at the Table of TAC Titles Affected. The table is published cumulatively in the blue-cover quarterly indexes to the Texas Register (January 26, April 9, July 12, and October 8, 1996). In its second issue each month the Texas Register contains a cumulative Table of TAC Titles Affected for the preceding month. If a rule has changed during the time period covered by the table, the rule's TAC number will be printed with one or more Texas Register page numbers, as shown in the following example:dd

TITLE 40. SOCIAL SERVICES AND ASSISTANCE
Part I. Texas Department of Human Services
40 TAC §3.704.....950, 1820

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

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

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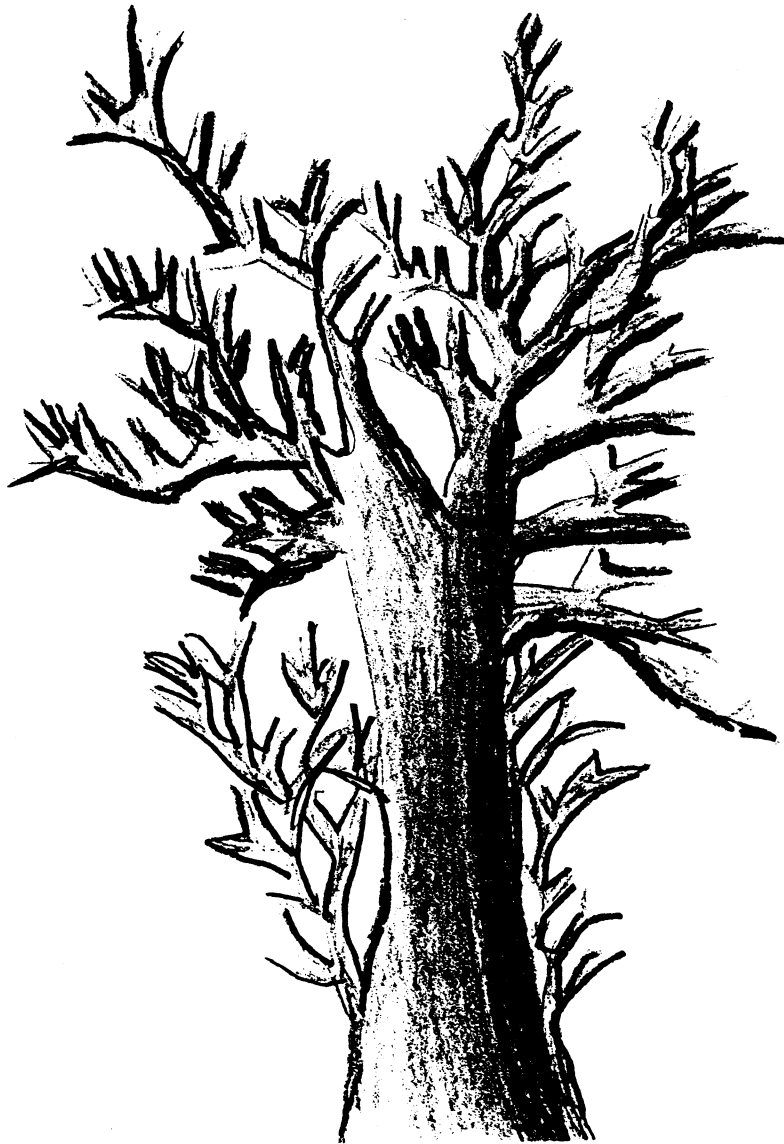
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Name: Brittney Weathers

Grade: 5

School: Sheridan Elementary School, Cypress Fairbanks ISD



# TABLES AND GRAPHICS

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Graphic material from the emergency, proposed, and adopted sections is published separately in this tables and graphics section. Graphic material is arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic material is indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word "Figure" followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph and so on. Multiple graphics in a rule are designated as "Figure 1" followed by the TAC citation, "Figure 2" followed by the TAC citation.

FIGURE 1: 25 TAC §229.350(a)

**DANGER**  
**ULTRAVIOLET RADIATION**

Repeated exposure to ultraviolet radiation may cause chronic sun damage characterized by wrinkling, dryness, fragility, and bruising of the skin, and skin cancer.

Failure to use protective eyewear may result in severe burns or permanent injury to the eyes. Medications or cosmetics may increase your sensitivity to ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications, have a history of skin problems, or believe you are especially sensitive to sunlight. Pregnant women or women taking oral contraceptives who use this product may develop discolored skin.

**IF YOU DO NOT TAN IN THE SUN, YOU ARE UNLIKELY TO  
[WILL NOT] TAN FROM USE OF AN ULTRAVIOLET LAMP OR  
SUNLAMP.**

FIGURE 2: 25 TAC §229.350(b)

**DANGER**  
**ULTRAVIOLET RADIATION**

1. Follow the manufacturer's instructions for use of this device.
2. Avoid too frequent or lengthy exposure. As with natural sunlight, exposure can cause serious eye and skin injuries and allergic reactions. Repeated exposure may cause skin cancer.
3. Wear protective eyewear. Failure to use protective eyewear may result in severe burns or permanent damage to the eyes.
4. Do not sunbathe before or after exposure to ultraviolet radiation from sunlamps.
5. Medications or cosmetics may increase your sensitivity to ultraviolet radiation. Consult a physician before using a sunlamp if you are using medication, have a history of skin problems, or believe you are especially sensitive to sunlight. Pregnant women or women using oral contraceptives who use this product may develop discolored skin.

**IF YOU DO NOT TAN IN THE SUN, YOU ARE UNLIKELY TO [WILL NOT] TAN FROM USE OF THIS DEVICE.**

**FIGURE 1: 28 TAC §3.10009(a)(2)**

(2) In Spanish:

"Aceptar un acuerdo \*viático puede perjudicar su elegibilidad para programas de asistencia pública, tal como asistencia medica (Medicaid), ayuda a familias con hijos menores (AFDC), ingreso de suplemento de seguro social (SSI), y programas de ayuda para medicinas. El dinero que usted recibe por su póliza de seguro de vida puede llevar impuestos. Antes de aceptar un contrato de acuerdo viático se le recomienda úrgidamente que consulte con un asesor de impuestos competente. Asi mismo con agencias de servicio social, acerca de como recibir dichos pagos pueden afectar a su familia, y la elegibilidad de su cónyuge para asistencia publica. Para mas información sobre acuerdos de viático llame al Texas Department of Insurance al 1-800-252-3439."

\* viático - pagos por adelantado de sus beneficios en una póliza de vida. Un acuerdo donde se le paga parte de sus beneficios por su póliza antes de morir.



**Figure 1: 28 TAC §3.10018**

**16. Reports of Historical Data**

If the applicant is applying for a certificate of registration on or before March 1, 1997, it must file, with its application, reports on certain historical data, using the form included as Figure 3 in § 3.10018 of Title 28, Texas Administrative Code (relating to Application and Reporting Forms).

**17. Medical Information**

Explain applicant's procedures for keeping all medical information confidential. Attach and describe applicant's form letters, form medical releases, or other formatted written material used for this purpose.

**18. Type of Business**

Explain the types of business, e.g., viatical settlements contracts, real estate sales, financial investments, etc., that applicant transacts and the geographical locations where it engages in a particular type of business. Describe the percentage of overall income and expenses devoted to each type of business.

**19. Marketing Techniques**

Describe how the applicant advertises and markets its business in general. More particularly, detail how individual clients/viators are contacted and communicated with. Explain how marketing representatives and other individuals who have direct contact with clients/viators are recruited, trained and compensated.

**20. Viatical Settlement Contract Forms**

Submit a copy of all applicant's viatical settlements contract forms that the applicant uses or plans to use to enter into viatical settlements with viators in Texas.

**21. Viatical Settlement Informational Materials**

Submit a copy of the applicant's informational materials that the applicant uses or plans to deliver to the prospective viators.

**22. Viatical Settlement Advertising or Solicitation**

Submit a copy of all advertising or solicitation materials that the applicant uses or plans to use to attract potential viators, or to otherwise market, promote or publicize its business or services.

Figure 1: 28 TAC §3.10018

23. Listing of All States Currently Pending Application for License


24. Listing of All States Currently Licensed or Registered


**Figure 1: 28 TAC §3.10018**

**25. Certifications**

I certify that the proposed applicant, and all officers, directors, controlling shareholders or partners of the applicant, and all other individuals employed or affiliated with the applicant who are performing any of the acts listed in the definition of viatical settlement company contained in § 3.10002, Title 28, Texas Administrative Code:

1. Have not misrepresented any fact in this application for the certificate of registration.
2. Have not been convicted, within ten years prior to the date of the application, of a felony or other crime involving fraud in any jurisdiction.
3. Are not conducting the applicant's financial affairs in such a manner as to jeopardize a viator's rights under a viatical settlement with the applicant, or under Article 3.50-6A, Texas Insurance Code, or Title 28, Chapter 3, Subchapter JJ, Texas Administrative Code.
4. Are engaging in the business of viatical settlement lawfully in all states.
5. Have not violated any provision of Article 3.50-6A, Texas Insurance Code, Title 28, Chapter 3, Subchapter JJ, Texas Administrative Code, any other insurance law made applicable to the business of viatical settlements by Article 3.50-6A or Subchapter JJ, or any state or federal securities laws applicable to the business of viatical settlements.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Full Legal Name ( Type or Print )

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Figure 1: 28 TAC §3.10018

**26. Biographical Information**

**Key Personnel**

Identify the applicant's officers, directors, and key management personnel and provide the job title and general responsibilities of each person.

Identity		Job Title and Responsibilities
Name		
Address		
Social Security Number	- -	

Identity		Job Title and Responsibilities
Name		
Address		
Social Security Number	- -	

**Ownership Interest**

Identify any person who has a beneficial interest or ownership of more than 10% of the applicant or the applicant's stock. Specify the corresponding percentage of ownership for each person identified.

Identity		Percentage
Name		
Address		
Social Security Number	- -	

Identity		Percentage
Name		
Address		
Social Security Number	- -	



Figure 1: 28 TAC §3.10018

**IRREVOCABLE CONSENT TO JURISDICTION OF THE COMMISSIONER  
OF INSURANCE AND TEXAS COURTS**

THE STATE OF \_\_\_\_\_ }  
}

}KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF \_\_\_\_\_ }  
}

That \_\_\_\_\_ of  
\_\_\_\_\_ (name of company)

\_\_\_\_\_ is filing herewith its application for a  
\_\_\_\_\_ (domiciliary city and state)

certificate of registration to operate as a viatical settlement company in the state of Texas, and its  
Appointment of Agent for Service of Process;

That, upon issuance by the Commissioner of Insurance of said certificate of registration,

\_\_\_\_\_ shall consent to the jurisdiction  
\_\_\_\_\_ (name of company)

of the Commissioner of Insurance and all Texas courts in relation to any transactions or other activity  
subject to regulation under Article 3.50-6A, Texas Insurance Code, Title 28, Chapter 3, Subchapter JJ,  
Texas Administrative Code and all other Texas statutes or regulations applicable to the business of  
viatical settlements; and

That such consent to the jurisdiction of the Commissioner of Insurance and the Texas courts  
shall be and remain irrevocable for as long as \_\_\_\_\_

\_\_\_\_\_ (name of company)

possesses a certificate of registration from the Commissioner of Insurance or engages in the business of  
viatical settlements in or from the state of Texas.

Witness our hands and the impress of the seal of said applicant, this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

(Corporate Seal--if applicable) \_\_\_\_\_

\_\_\_\_\_  
President  
(or authorized representative)

\_\_\_\_\_  
Secretary  
(or authorized representative)

Figure 1: 28 TAC §3.10018

THE STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

Before me, \_\_\_\_\_ on this day personally  
appeared \_\_\_\_\_

\_\_\_\_\_ both known to me to be the persons whose names are subscribed to the foregoing  
instrument, and acknowledged to me that they executed the same for the purposes and considerations  
therein expressed, in the capacities therein stated, and as the act and deed of

\_\_\_\_\_  
(name of company)

IN TESTIMONY WHEREOF, I hereunto sign my name and affix the impress of my official seal  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_  
County, State of \_\_\_\_\_

(Notary Seal)  
My Commission Expires  
\_\_\_\_\_

Figure 2: 28 TAC §3.10018

**APPLICATION TO TEXAS DEPARTMENT OF INSURANCE  
FOR REGISTRATION AS A VIATICAL SETTLEMENT BROKER**

Texas Department of Insurance  
P.O. Box 149104, Austin, TX 78714-9104

1. Type of Application Initial \_\_\_\_\_ Due to Change \_\_\_\_\_  
Brief Description of change, if applicable \_\_\_\_\_  
\_\_\_\_\_

2. Name of Applicant \_\_\_\_\_

3. Physical Address of Applicant \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Organizational Information  
\_\_\_\_\_ Individual \_\_\_\_\_ Corporation \_\_\_\_\_ Trust  
\_\_\_\_\_ Sole Proprietor \_\_\_\_\_ Partnership \_\_\_\_\_ Other

6. City and State of Incorporation (if appl.) City \_\_\_\_\_ State \_\_\_\_\_

7. Federal Employer Identification number or \_\_\_\_\_  
Social Security Number \_\_\_\_\_

8. Contact Person \_\_\_\_\_

9. Phone Number ( ) \_\_\_\_\_

10. Toll Free Number ( 800 ) \_\_\_\_\_

11. Fax Number ( ) \_\_\_\_\_

12. Resident Status \_\_\_\_\_ Resident of Texas  
\_\_\_\_\_ Non-Resident of Texas  
\_\_\_\_\_ Alien (Outside of U.S.A.)

13. Attorney for Service Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VIAT-BR.APP



**Figure 2: 28 TAC §3.10018**

If the applicant is not a resident of Texas, the applicant must complete and execute forms for Appointment of Agent for the Service of Process and for Irrevocable Consent to the Jurisdiction of the Commissioner of Insurance and the Texas Courts. Both of these forms are attached to this application.

The agent for service of process must be an individual with a Texas address who has an established place of business and who can be easily located and served with notices, legal process and papers. Do not appoint the Insurance Commissioner or a corporation.

The applicant's execution of these forms must be acknowledged. The back of the form for appointing an agent for service must bear the appointee's signed Certificate of acceptance.

**14. Reports of Historical Data**

If the applicant is applying for a certificate of registration on or before March 1, 1997, it must file, with its application, reports on certain historical data, using the form included as Figure 4 in § 3.10018 of Title 28, Texas Administrative Code (relating to Application and Reporting Forms).

**15. Medical Information**

Explain applicant's procedures for keeping all medical information confidential. Attach and describe applicant's form letters, form medical releases, or other formatted written material used for this purpose.

**16. Type of Business**

Explain the types of business, e.g., viatical settlements contracts, real estate sales, financial investments, etc., that applicant transacts and the geographical locations where it engages in a particular type of business. Describe the percentage of overall income and expenses devoted to each type of business.

**17. Marketing Techniques**

Describe how the applicant advertises and markets its business in general. More particularly, detail how the applicant contacts and communicates with individual clients/viators. Explain how marketing representatives and other individuals who have direct contact with clients/viators are recruited, trained and compensated.

**18. Viatical Settlement Advertising or Solicitation**

Submit a copy of all advertising or solicitation materials that the applicant uses or plans to use to attract potential viators, or to otherwise market, promote or publicize its business or services.

**19. Materials Provided to Viator**

Explain in detail what information is provided to the viator and by whom concerning the following subjects. Attach and describe any related written material provided to the viator not already attached in response to previous sections of this application.

- A. The catastrophic or life-threatening nature of the viator's illness.

**Figure 2: 28 TAC §3.10018**

- B. The viatical settlement contract.
- C. The benefits of the viator's life insurance policy.
- D. The release of medical records.

**20. Associates Within the Industry**

Give the identity of all viatical settlement companies or brokers which have paid or shared commissions with the broker in relation to viatical settlement transactions or with which the broker intends to transact business during the first year of registration.

<b>Viatical Settlement Company</b>	<b>Viatical Settlement Broker</b>	<b>Referral Agent</b>
<sup>1</sup> [Betty Company 100 East St. Anytown, TX 79999 ( XXX ) XXX-XXXX]	[Bob Referral 750 West St. Anytown, TX 79999 ( XXX ) XXX-XXXX]	Yes
[Sam Company 500 West St. Anytown, TX 75555 ( XXX ) XXX-XXXX]	[Sally Broker 900 North St. Anytown, TX ( XXX ) XXX-XXXX]	No

<sup>1</sup> Bracketed information is for demonstration purposes only.



**Figure 2: 28 TAC §3.10018**

**23. Certifications**

I certify that the proposed applicant, all officers, directors, controlling shareholders or partners of the applicant, and all other individuals employed or affiliated with the applicant who are performing any of the acts listed in the definition of viatical settlement broker contained in § 3.10002, Title 28, Texas Administrative Code:

1. Have not misrepresented any fact in this application for the certificate of registration.
2. Have not been convicted, within ten years prior to the date of the application, of a felony or other crime involving fraud in any jurisdiction.
3. Are not conducting the applicant's financial affairs in such a manner as to jeopardize a viator's rights under a viatical settlement, or under Article 3.50-6A, Texas Insurance Code, or Title 28, Chapter 3, Subchapter JJ, Texas Administrative Code.
4. Are engaging in the business of viatical settlement lawfully in all states.
5. Have not violated any provision of Article 3.50-6A, Texas Insurance Code, Title 28, Chapter 3, Subchapter JJ, Texas Administrative Code, any other insurance law made applicable to the business of viatical settlements by Article 3.50-6A or Subchapter JJ, or any state or federal securities laws applicable to the business of viatical settlements.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Full Legal Name ( Type or Print )

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Figure 2: 28 TAC §3.10018

**24. Biographical Information**

**Key Personnel**

Identify the applicant's officers, directors, and key management personnel, and, if the applicant is an entity, all other individuals employed or affiliated with the entity who are performing any of the acts listed in the definition of viatical settlement broker contained in § 3.10002, Title 28, Chapter 3, Texas Administrative Code (relating to Definitions). Provide the job title and general responsibilities of each person identified.

Identity		Job Title and Responsibilities
Name		
Address		
Social Security Number	- -	

Identity		Job Title and Responsibilities
Name		
Address		
Social Security Number	- -	

**Ownership Interest**

Identify any person who has a beneficial interest or ownership of more than 10% of the applicant or the applicant's stock. Specify the corresponding percentage of ownership for each person identified.

Identity		Percentage
Name		
Address		
Social Security Number	- -	

Identity		Percentage
Name		
Address		
Social Security Number	- -	

Figure 2: 28 TAC §3.10018

**SERVICE OF PROCESS**

THE STATE OF \_\_\_\_\_ }

}

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF \_\_\_\_\_ }

That the \_\_\_\_\_ of

(name of applicant)

\_\_\_\_\_ does hereby nominate, constitute and appoint

(domiciliary city and state)

\_\_\_\_\_ located at \_\_\_\_\_,

(name of appointee)

(address)

\_\_\_\_\_, Texas \_\_\_\_\_ the true and lawful ATTORNEY of said applicant

(city)

(zip code)

for said State of Texas, to acknowledge service of legal process issued by any court of the state of Texas for and on behalf of said applicant, or on whom service of such process may be had, according to the Laws of said State of Texas; hereby waiving all claim or right of error by reason of such acknowledgment of such service of process, whether intermediate or final. And it is hereby admitted and agreed that such acknowledgment of service of process as aforesaid shall be taken and held to be as valid and sufficient in that behalf as if serviced upon the applicant according to the laws of said State of Texas, or any other State.

Witness our hands and the impress of the seal of said applicant, this \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_.

(Corporate Seal)  
(if applicable)

\_\_\_\_\_  
President  
(or authorized representative)

\_\_\_\_\_  
Secretary  
(or authorized representative)



Figure 2: 28 TAC §3.10018

THE STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

Before me, \_\_\_\_\_ on this day personally  
appeared \_\_\_\_\_

\_\_\_\_\_ both known to me to be the persons whose names are subscribed to the foregoing  
instrument, and acknowledged to me that they executed the same for the purposes and considerations  
therein expressed, in the capacities therein stated, and as the act and deed of said  
\_\_\_\_\_.

(name of broker)

IN TESTIMONY WHEREOF, I hereunto sign my name and affix the impress of my official seal  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_  
County, State of \_\_\_\_\_

(Notary Seal)  
My Commission Expires  
\_\_\_\_\_



**VIATICAL SETTLEMENT COMPANY REPORT**

**CERTIFICATION TO  
TEXAS DEPARTMENT OF INSURANCE**

**Relating to Viatical Settlement Contracts Effected  
as Defined in 28 TAC, Chapter 3, Subchapter JJ**

Filing in on behalf of:

\_\_\_\_\_  
Name of Viatical Settlement Company

\_\_\_\_\_  
Texas Co. ID #

**1. Reporting Period and Certification**

Check the specified period, for which the company is reporting, in the following list of reporting periods. **If the company applies for a certificate of registration on or before March 1, 1997, it must file, with its application, reports using this form for each reporting period for which the due date has passed at the time of the application.**

- \_\_\_\_\_ Calendar Year 1995 (report due with initial application)
- \_\_\_\_\_ January, 1996 - March, 1996 (report due May 15, 1996)
- \_\_\_\_\_ April, 1996 - June, 1996 (report due August 15, 1996)
- \_\_\_\_\_ July, 1996 - September, 1996 (report due November 15, 1996)
- \_\_\_\_\_ October, 1996 - December, 1996 (report due March 1, 1997)
- \_\_\_\_\_ Calendar Year 1996 (report due March 1, 1997)
- \_\_\_\_\_ Calendar Year \_\_\_\_\_ (report due March 1 of each of the following years)

I certify that the information provided in this document is true and accurate based upon my best knowledge, information and belief.

\_\_\_\_\_  
Signature and Title of Person Certifying  
Chief Executive Officer or Attorney for the named Viatical Settlement  
Company

\_\_\_\_\_  
Date

Viatical Settlement Company Report Certification

VIAT-CO.RPT

**Figure 3: 28 TAC §§3.10018**

**2. Company Report - Transactions**

Company Name \_\_\_\_\_

\_\_\_\_\_ Texas Co. ID #

Reporting Period \_\_\_\_\_

Report Prepared by: \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Date of Viatical Settlement	Rating	Rating Company	Life Expectancy in Months	Primary ICD Diagnosis	Type of Policy	Face Amount	Amount Paid to The Viator	Status
[1/1/95	A++	AM Best	12	178.8	IT	\$100,000	\$80,000	12]
[5/1/95	A++	AM Best	7	.042	IWL	\$100,000	\$60,000	N/A]
[6/1/95	C	S & P	24	042	IUL	\$1,000,000	\$500,000	Sold]

Heading	Information Requested
Date of Viatical Settlement	The Date of the viator entered into the viatical settlement.
Rating of the Insurer	Rating of the Insurer at the time of the Viatical Settlement.
Rating Company	Name of the Rating company providing the rating.
Life Expectancy in Months	The life expectancy of the viator at the time of the viatical settlement specified in whole months.
Primary ICD diagnosis	The primary diagnosis code, in numeric format, as defined by the International classification of diseases, as published by the U.S. Department of Health and Human Services.
Type of policy	The type of policy Viaticated. <sup>2</sup>
Face amount	The face Amount of the policy (or viaticated portion of the face amount) or the death benefit payable at the time of the viatical settlement.
Amount paid to the viator	The amount paid to or in behalf of the viator.
Status	For each contract effected during the reporting period a status as of the period ending date. The allowable status codes are: (A) The total number of months from the date of the initial viatical settlement to the date of death, if applicable. (B) "N/A" if the date of death of the viator has not been determined or verified; (C) "Sold" If the viatical settlement contract has been sold to another entity.

<sup>1</sup> Bracketed information is for demonstration purposes only.

<sup>2</sup> Allowable policy classifications are: (A) IT for individual term; (B) IWL for individual whole life; (C) IUL for individual universal life; (D) GT for group term; (E) GUL for Group Universal Life.

Figure 3: 28 TAC §§3.10018

**3. Company Report - Brokers**

Company Name \_\_\_\_\_

Reporting Period \_\_\_\_\_

Report Prepared by: \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

The identity of each viatical settlement broker to whom the company paid commissions or other forms of compensation, the number of transactions within the reporting period and whether or not the broker was a referral agent.

Broker	Number of Transactions	Referral Agent
[Broker & Co. 100 Main St. Anytown, Texas 99999 (222) 111-2222 Corporation	25	No]
[Mr. Ralph Broker 100 Broad St. Anytown, Oklahoma 77777 (444) 555-6666 Individual	15	No]

**VIATICAL SETTLEMENT BROKER REPORT**

**CERTIFICATION TO  
TEXAS DEPARTMENT OF INSURANCE**

**Relating to Viatical Settlement Contracts Effected  
as Defined in 28 TAC, Chapter 3, Subchapter JJ**

Filing in on behalf of:

\_\_\_\_\_  
Name of Viatical Settlement Broker

\_\_\_\_\_  
Texas Broker ID

**1. Reporting Record and Certification**

Check the specified period, for which the broker is reporting, in the following list of reporting periods. **If the broker applies for a certificate of registration on or before March 1, 1997, it must file, with its application, reports using this form for each reporting period for which the due date has passed at the time of the application.**

- \_\_\_\_\_ Calendar Year 1995 (report due with initial application)
- \_\_\_\_\_ January, 1996 - March, 1996 (report due May 15, 1996)
- \_\_\_\_\_ April, 1996 - June, 1996 (report due August 15, 1996)
- \_\_\_\_\_ July, 1996 - September, 1996 (report due November 15, 1996)
- \_\_\_\_\_ October, 1996 - December, 1996 (report due March 1, 1997)
- \_\_\_\_\_ Calendar Year 1996 (report due March 1, 1997)
- \_\_\_\_\_ Calendar Year \_\_\_\_\_ (report due March 1 of each of the following years)

I certify that the information provided in this document is true and accurate based upon my best knowledge, information and belief.

\_\_\_\_\_  
Signature and Title of Person Certifying  
Chief Executive Officer or Attorney for the named Viatical Settlement  
Broker

\_\_\_\_\_  
Date

Viatical Settlement Broker Report Certification

VIAT-BR.RPT

Figure 4: 28 TAC §§3.10018

2. Broker Report

Broker Name \_\_\_\_\_

Reporting Period \_\_\_\_\_

Report Prepared by: \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Viatical Settlement Company	Number of Transactions	Viatical Settlement Broker	Number of Transactions	Referral Agent
[Viatical Co. 200 Main St. Anytown, Texas 99999 (222) 333-4444 Corporation	25]	[Mr. Bob Referral 200 Broad St. Anytown, Texas 99999 (222) 333-4446 Individual]	4	Yes]
[ABC Company 201 Main Street Anytown, Texas 99999 (222) 333-4445 Corporation]	50]	[Broker & Broker 201 Broad St. Anytown, Kansas 44444 (111) 222-3334 Limited Partnership	15	No]

**Figure 1: 30 TAC §305.69(i)**

Modifications	Class	
<b>A. General Permit Provisions</b>		
1.	Administrative and informational changes	1
2.	Correction of typographical errors	1
3.	Equipment replacement or upgrading with functionally equivalent components (e.g., pipes, valves, pumps, conveyors, controls)	1
4.	Changes in the frequency of or procedures for monitoring, reporting, sampling, or maintenance activities by the permittee:	
	a. To provide for more frequent monitoring, reporting, sampling, or maintenance	1
	b. Other changes	2
5.	Schedule of compliance	
	a. Changes in interim compliance dates, with prior approval of the executive director	1 <sup>1</sup>
	b. Extension of final compliance date	3
6.	Changes in expiration date or permit to allow earlier permit expiration, with prior approval of the executive director	1 <sup>1</sup>
7.	Changes in ownership or operational control of a facility, provided the procedures of §305.65(g) are followed	1 <sup>1</sup>
8.	Six months or less extension of the construction period time limit applicable to commercial hazardous waste management units pursuant to §305.149(b)(2) or §305.149(b)(4)	2
9.	Greater than six-month extension of the commercial hazardous waste management unit construction period time limit pursuant to §305.149(b)(3) or §305.149(b)(4)..3	
10.	Any extension pursuant to §305.149(b)(3) of a construction period time limit for commercial hazardous waste management units which has been previously authorized under §305.149(b)(2)	3
<b>B. General Facility Standards</b>		
1.	Changes to waste sampling or analysis methods:	
	a. To conform with agency guidance or regulations	1
	b. To incorporate changes associated with F039 (multi-source leachate) sampling or analysis methods	1 <sup>1</sup>
	c. To incorporate changes associated with underlying hazardous constituents in ignitable or corrosive wastes	1 <sup>1</sup>
	d. Other changes	2
2.	Changes to analytical quality assurance/control plan:	
	a. To conform with agency guidance or regulations	1

b.	Other changes . . . . .	2
3.	Changes in procedures for maintaining the operating record . . . . .	1
4.	Changes in frequency or content of inspection schedules . . . . .	2
5.	Changes in the training plan:	
a.	That affect the type or decrease the amount of training given to employees . . . . .	2
b.	Other changes . . . . .	1
6.	Contingency plan:	
a.	Changes in emergency procedures (i.e., spill or release response procedures) . . . . .	2
b.	Replacement with functionally equivalent equipment, upgrade, or relocate emergency equipment listed . . . . .	1
c.	Removal of equipment from emergency equipment list . . . . .	2
d.	Changes in name, address, or phone number of coordinators or other persons or agencies identified in the plan . . . . .	1
7.	Construction quality assurance plan:	
a.	Changes that the CQA officer certifies in the record will provide equivalent or better certainty that the unity components meet the design specifications . . . . .	1
b.	Other Changes . . . . .	2
Note:	When a permit modification (such as introduction of a new unit) requires a change in facility plans or other general facility standards, that change shall be reviewed under the same procedures as the permit modification.(No change)	

**C. Ground-water Protection**

1.	Changes to wells:	
a.	Changes in the number, location, depth, or design of upgradient or downgradient wells of permitted groundwater monitoring system . . . . .	2
b.	Replacement of an existing well that has been damaged or rendered inoperable, without change to location, design, or depth of the well . . . . .	1
2.	Changes in groundwater sampling or analysis procedures or monitoring schedule, with prior approval of the executive director . . . . .	1 <sup>1</sup>
3.	Changes in statistical procedure for determining whether a statistically significant change in groundwater quality between upgradient and downgradient wells has occurred, with prior approval of the executive director . . . . .	1 <sup>1</sup>
4.	Changes in point of compliance . . . . .	2
5.	Changes in indicator parameters, hazardous constituents, or concentration limits (including ACLs):	

a.	As specified in the groundwater protection standard . . . . .	3
b.	As specified in the detection monitoring program . . . . .	2
6.	Changes to a detection monitoring program as required by §335.164(10) of this title (relating to Detection Monitoring Program), unless otherwise specified in this appendix . . . . .	2
7.	Compliance monitoring program:	
a.	Addition of compliance monitoring program pursuant to §335.164(7)(D) of this title (relating to Detection Monitoring Program), and §335.165 of this title (relating to Compliance Monitoring Program) . . . . .	3
b.	Changes to a compliance monitoring program as required by §335.165(11) of this title (relating to Compliance Monitoring Program), unless otherwise specified in this appendix . . . . .	2
8.	Corrective action program:	
a.	Addition of a corrective action program pursuant to §335.165(9)(B) of this title (relating to Compliance Monitoring Program) and §335.166 of this title (relating to Corrective Action Program) . . . . .	3
b.	Changes to a corrective action program as required by §335.166(8), unless otherwise specified in this appendix . . . . .	2
D.	Closure	
1.	Changes to the closure plan:	
a.	Changes in estimate of maximum extent of operations or maximum inventory of waste on-site at any time during the active life of the facility, with prior approval of the executive director . . . . .	1 <sup>1</sup>
b.	Changes in the closure schedule for any unit, changes in the final closure schedule for the facility, or extension of the closure period, with prior approval of the executive director . . . . .	1 <sup>1</sup>
c.	Changes in the expected year of final closure, where other permit conditions are not changed, with prior approval of the executive director . . . . .	1 <sup>1</sup>
d.	Changes in procedures for decontamination of facility equipment or structures, with prior approval of the executive director . . . . .	1 <sup>1</sup>
e.	Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, unless otherwise specified in this appendix . . . . .	2



f.	Extension of the closure period to allow a landfill, surface impoundment or land treatment unit to receive non-hazardous wastes after final receipt of hazardous wastes under 40 CFR 264.113(d) and (e) . . . . .	2
2.	Creation of a new landfill unit as part of closure . . . . .	3
3.	Addition of the following new units to be used temporarily for closure activities:	
a.	Surface impoundments . . . . .	3
b.	Incinerators . . . . .	3
c.	Waste piles that do not comply with 40 CFR 264.250(c) . . . . .	3
d.	Waste piles that comply with 40 CFR 264.250(c) . . . . .	2
e.	Tanks or containers (other than specified below) . . . . .	2
f.	Tanks used for neutralization, dewatering, phase separation, or component separation, with prior approval of the executive director . . . . .	1 <sup>1</sup>
<b>E.</b>	<b>Post-Closure</b>	
1.	Changes in name, address, or phone number of contact in post-closure plan . . . . .	1
2.	Extension of post-closure care period . . . . .	2
3.	Reduction in the post-closure care period . . . . .	3
4.	Changes to the expected year of final closure, where other permit conditions are not changed . . . . .	1
5.	Changes in post-closure plan necessitated by events occurring during the active life of the facility, including partial and final closure . . . . .	2
<b>F.</b>	<b>Containers</b>	
1.	Modification or addition of container units:	
a.	Resulting in greater than 25% increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a) below . . . . .	3
b.	Resulting in up to 25% increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a) below . . . . .	2
c.	Or treatment processes necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards or to treat wastes to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), with prior approval of the executive director. This modification may also	

		involve addition of new waste codes or narrative descriptions of wastes. It is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1 <sup>1</sup>
2.	a.	Modification of a container unit without increasing the capacity of the unit . . . . .	2
	b.	Addition of a roof to a container unit without alteration of the containment system . . . . .	1
3.		Storage of different wastes in containers, except as provided in F(4) below:	
	a.	That require additional or different management practices from those authorized in the permit . . . . .	3
	b.	That do not require additional or different management practices from those authorized in the permit . . . . .	2

Note: See §305.69(g) of this title (relating to Newly Listed Solid Waste Permit Modification at the Request of the Permittee or Identified Wastes) for modification procedures to be used for the management of newly listed or identified wastes.

4.		Storage or treatment of different wastes in containers:	
	a.	That require addition of units or change in treatment process or management standards, provided that the wastes are restricted from land disposal and are to be treated to meet some or all of the applicable treatment standards, or that are to be treated to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8 (a)(2)(ii), with prior approval of the executive director. This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1 <sup>1</sup>
	b.	That do not require the addition of units or a change in the treatment process or management standards, and provided that the units have previously received wastes of the same type (e.g., incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1
5.		Other changes in container management practices	

(e.g., aisle space, types of containers, segregation) . . . . . 2

**G. Tanks**

1. a. Modification or addition of tank units resulting in greater than 25% increase in the facility's tank capacity, except as provided in G(1)(c), G(1)(d), and G(1)(e) below of this appendix . . . . . 3
- b. Modification or addition of tank units resulting in up to 25% increase in the facility's tank capacity, except as provided in G(1)(d) and G(1)(e) below of this appendix . . . . . 2
- c. Addition of a new tank (no capacity limitation) that will operate for more than 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation, or component separation . . . . . 2
- d. After prior approval of the executive director, addition of a new tank (no capacity limitation) that will operate for up to 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation, or component separation . . . . . 1<sup>1</sup>
- e. Modification or addition of tank units or treatment processes necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards or to treat wastes to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), with prior approval of the executive director. This modification may also involve addition of new waste codes. It is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . . 1<sup>1</sup>
2. Modification of a tank unit or secondary containment system without increasing the capacity of the unit . . . . . 2
3. Replacement of a tank with a tank that meets the same design standards and has a capacity within +/-10% of the replaced tank provided: . . . . . 1
  - a. The capacity difference is no more than

	1500 gallons;	
b.	The facility's permitted tank capacity is not increased; and	
c.	The replacement tank meets the same conditions in the permit.	
4.	Modification of a tank management practice . . . . .	2
5.	Management of different wastes in tanks:	
a.	That require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process from that authorized in the permit, except as provided in G(5)(c) below . . . . .	3
b.	That do not require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process from that authorized in the permit, except as provided in G(5)(d) below . . . . .	2
c.	That require addition of units or change in treatment processes or management standards, provided that the wastes are restricted from land disposal and are to be treated to meet some or all of the applicable treatment standards or that are to be treated to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(1)(ii), with prior approval of the executive director. The modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1 <sup>1</sup>
d.	That do not require the addition of units or a change in the treatment process or management standards, and provided that the units have previously received wastes of the same type (e.g., incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1

Note: See §305.69(g) of this title (relating to Newly Listed Solid Waste Permit Modification at the Request of the Permittee or Identified Wastes) for modification procedures to be used for the management of newly listed or identified wastes.

H.	Surface Impoundments	
1.	Modification or addition of surface impoundment units that result in increasing the facility's surface impoundment storage or treatment capacity . . . . .	3
2.	Replacement of a surface impoundment unit . . . . .	3
3.	Modification of a surface impoundment unit without increasing the facility's surface impoundment storage or treatment capacity and without modifying the unit's liner, leak	

	detection system, or leachate collection system . . . . .	2
4.	Modification of a surface impoundment management practice . . . . .	2
5.	Treatment, storage, or disposal of different wastes in surface impoundments:	
	a. That require additional or different management practices or different design of the liner or leak detection system than authorized in the permit . . . . .	3
	b. That do not require additional or different management practices or different design of the liner or leak detection system than authorized in the permit . . . . .	2
	c. That are wastes restricted from land disposal that meet the applicable treatment standards or that are treated to satisfy the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), and provided that the unit meets the minimum technological requirements stated in 40 CFR 268.5(h)(2). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1
	d. That are residues from wastewater treatment or incineration, provided that disposal occurs in a unit that meets the minimum technological requirements stated in 40 CFR 268.5(h)(2), and provided further that the surface impoundment has previously received wastes of the same type (for example, incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . .	1
6.	Modifications of unconstructed units to comply with §§264.221(c), 264.222, 264.223 and 264.226(d) . . . . .	1 <sup>1</sup>
7.	Changes in response action plan:	
	a. Increase in action leakage rate . . . . .	3
	b. Change in a specific response reducing its frequency or effectiveness . . . . .	3
	c. Other Changes . . . . .	2

Note: See §305.69(g) of this title (relating to Newly Listed or Identified Wastes) for modification procedures to be used for the management of newly listed or identified wastes.

**I. Enclosed Waste Piles.** For all waste piles except those complying with 40 CFR 264.250(c), modifications are treated the same as for a landfill.

The following modifications are applicable only to waste piles complying with 40 CFR 264.250(c).

1. Modification or addition of waste pile units:
  - a. Resulting in greater than 25% increase in the facility's waste pile storage or treatment capacity . . . . . 3
  - b. Resulting in up to 25% increase in the facility's waste pile storage or treatment capacity . . . . . 2
2. Modification of waste pile unit without increasing the capacity of the unit . . . . . 2
3. Replacement of a waste pile unit with another waste pile unit of the same design and capacity and meeting all waste pile conditions in the permit . . . . . 1
4. Modification of a waste pile management practice . . . . . 2
5. Storage or treatment of different wastes in waste piles:
  - a. That require additional or different management practices or different design of the unit . . . . . 3
  - b. That do not require additional or different management practices or different design of the unit . . . . . 2

Note: See §305.69(g) of this title (relating to Newly Listed or Identified Wastes) for modification procedures to be used for the management of newly listed or identified wastes.

6. Conversion of an enclosed waste pile to a containment building unit . . . . . 2

**J. Landfills and Unenclosed Waste Piles**

1. Modification or addition of landfill units that result in increasing the facility's disposal capacity . . . . . 3
2. Replacement of a landfill . . . . . 3
3. Addition or modification of a liner, leachate collection system, leachate detection system, run-off control, or final cover system . . . . . 3
4. Modification of a landfill unit without changing a liner, leachate collection system, leachate detection system, run-off control, or final cover system . . . . . 2
5. Modification of a landfill management practice . . . . . 2
6. Landfill different wastes:
  - a. That require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system . . . . . 3
  - b. That do not require additional or different

management practices, different design of the liner, leachate collection system, or leachate detection system . . . . . 2

c. That are wastes restricted from land disposal that meet the applicable treatment standards or that are treated to satisfy the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), and provided that the landfill unit meets the minimum technological requirements stated in 40 CFR 268.5(h)(2). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . . 1

d. That are residues from wastewater treatment or incineration, provided that disposal occurs in a landfill unit that meets the minimum technological requirements stated in 40 CFR 268.5(h)(2), and provided further that the landfill has previously received wastes of the same type (for example, incinerator ash). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) . . . . . 1

Note: See §305.69(g) of this title (relating to Newly Listed or Identified Wastes) for modification procedures to be used for the management of newly listed or identified wastes.

- 7. Modifications of unconstructed units to comply with §§264.251(c), 264.252, 264.253, 264.254(c), 264.301(c), 264.302, 264.303(c), and 264.304 . . . . . 1<sup>1</sup>
- 8. Changes in response action plan:
  - a. Increase in action leakage rate . . . . . 3
  - b. Change in a specific response reducing its frequency or effectiveness . . . . . 3
  - c. Other changes . . . . . 2

**K. Land Treatment**

- 1. Lateral expansion of or other modification of a land treatment unit to increase areal extent . . . . . 3
- 2. Modification of run-on control system . . . . . 2
- 3. Modify run-off control system . . . . . 3
- 4. Other modifications of land treatment unit component specifications or standards required in the permit . . . . . 2
- 5. Management of different wastes in land treatment units:

- a. That require a change in permit operating conditions or unit design specifications . . . . . 3
- b. That do not require a change in permit operating conditions or unit design specifications . . . . . 2

Note: See §305.69(g) of this title (relating to Newly Listed or Identified Wastes) for modification procedures to be used for the management of newly listed or identified wastes.

- 6. Modification of a land treatment management practice to:
  - a. Increase rate or change method of waste application . . . . . 3
  - b. Decrease rate of waste application . . . . . 1
- 7. Modification of a land treatment unit management practice to change measures of pH or moisture content, or to enhance microbial or chemical reactions . . . . . 2
- 8. Modification of a land treatment unit management practice to grow food chain crops, or add to or replace existing permitted crops with different food chain crops, or to modify operating plans for distribution of animal feeds resulting from such crops . . . . . 3
- 9. Modification of operating practice due to detection of releases from the land treatment unit pursuant to 40 CFR 264.278(g)(2) . . . . . 3
- 10. Changes in the unsaturated zone monitoring system, resulting in a change to the location, depth, or number of sampling points, or that replace unsaturated zone monitoring devices or components thereof with devices or components that have specifications different from permit requirements . . . . . 3
- 11. Changes in the unsaturated zone monitoring system that do not result in a change to the location, depth, or number of sampling points, or that replace unsaturated zone monitoring devices or components thereof with devices or components having specifications not different from permit requirements . . . . . 2
- 12. Changes in background values for hazardous constituents in soil and soil-pore liquid . . . . . 2
- 13. Changes in sampling, analysis, or statistical procedure . . . . . 2
- 14. Changes in land treatment demonstration program prior to or during the demonstration . . . . . 2
- 15. Changes in any condition specified in the permit for a land treatment unit to reflect results of the land treatment demonstration, provided performance standards are met, and the executive director's prior approval has been received . . . . . 1<sup>1</sup>



16.	Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the wastes can be treated completely, provided the conditions for the second demonstration are substantially the same as the conditions for the first demonstration and have received the prior approval of the executive director . . . . .	1 <sup>1</sup>
17.	Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the waste can be treated completely, where the conditions for the second demonstration are not substantially the same as the conditions for the first demonstration . . . . .	3
18.	Changes in vegetative cover requirements for closure . . . . .	2

L. Incinerators, Boilers and Industrial Furnaces

1.	Changes to increase by more than 25% any of the following limits authorized in the permit: A thermal feed rate limit; a feedstream feed rate limit; a chlorine feed rate limit, a metal feed rate limit, or an ash feed rate limit. The executive director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means . . . . .	3
2.	Changes to increase by up to 25% any of the following limits authorized in the permit: A thermal feed rate limit; a feedstream feedrate limit; chlorine/chloride feed rate limit, a metal feed rate limit, or an ash feed rate limit. The executive director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means . . . . .	2
3.	Modification of an incinerator, boiler, or industrial furnace unit by changing the internal size of geometry of the primary or secondary combustion units, by adding a primary or secondary combustion unit, by substantially changing the design of any component used to remove HC1/C1 <sub>2</sub> metals or particulate from the combustion gases, or by changing other features of the incinerator, boiler, or industrial furnace that could affect its capability to meet the regulatory performance	

	standards. The executive director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means . . . . .	3
4.	Modification of an incinerator, boiler, or industrial furnace unit in a manner that would not likely affect the capability of the unit to meet the regulatory performance standards but which would change the operating conditions or monitoring requirements specified in the permit. The executive director may require a new trial burn to demonstrate compliance with the regulatory performance standards . . . . .	2
5.	Operating requirements:	
	a. Modification of the limits specified in the permit for minimum or maximum combustion gas temperature, minimum combustion gas residence time, oxygen concentration in the secondary combustion chamber, flue gas carbon monoxide and hydrocarbon concentration, maximum temperature at the inlet to the particulate matter emission control system, or operating parameters for the air pollution control system. The executive director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means . . . . .	3
	b. Modification of any stack gas emission limits specified in the permit, or modification of any conditions in the permit concerning emergency shutdown or automatic waste feed cutoff procedures or controls . . . . .	3
	c. Modification of any other operating condition or any inspection or recordkeeping requirement specified in the permit . . . . .	2
6.	Burning different wastes:	
	a. If the waste contains a POHC that is more difficult to burn than authorized by the permit or if burning of the waste requires compliance with different regulatory performance standards than specified in the permit. The executive director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means . . . . .	3
	b. If the waste does not contain a POHC that is more difficult to burn than	

authorized by the permit and if burning of the waste does not require compliance with different regulatory performance standards than specified in the permit . . . . . 2

Note: See §305.69(g) of this title (relating to Newly Regulated Wastes and Units) for modification procedures to be used for the management of newly regulated wastes and units.

- 7. Shakedown and trial burn:
  - a. Modification of the trial burn plan or any of the permit conditions applicable during the shakedown period for determining operational readiness after construction, the trial burn period, or the period immediately following the trial burn . . . . . 2
  - b. Authorization of up to an additional 720 hours of waste burning during the shakedown period for determining operational readiness after construction, with the prior approval of the executive director . . . . . 1<sup>1</sup>
  - c. Changes in the operating requirements set in the permit for conducting a trial burn, provided the change is minor and has received the prior approval of the executive director . . . . . 1<sup>1</sup>
  - d. Changes in the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided the change is minor and has received the prior approval of the executive director . . . . . 1<sup>1</sup>
- 8. Substitution of an alternate type of nonhazardous waste fuel that is not specified in the permit . . . . . 1

M. Corrective Action

- 1. Approval of a corrective action management unit pursuant to 40 Code of Federal Regulations §264.552 . . . . . 3
- 2. Approval of a temporary unit or time extension for a temporary unit pursuant to 40 Code of Federal Regulations §264.553 . . . . . 2

N. Containment Buildings.

- 1. Modification or addition of containment building units:
  - a. Resulting in greater than 25% increase in the facility's containment building storage or treatment capacity . . . . . 3
  - b. Resulting in up to 25% increase in the facility's containment building storage or treatment capacity . . . . . 2
- 2. Modification of a containment building unit or secondary containment system without increasing the capacity of the unit . . . . . 2
- 3. Replacement of a containment building with a containment building that meets the same design standards provided:
  - a. The unit capacity is not increased . . . . . 1

	b.	The replacement containment building meets the same conditions in the permit . . . . .	1
4.		Modification of a containment building management practice . . . . .	2
5.		Storage or treatment of different wastes in containment buildings:	
	a.	That require additional or different management practices . . . . .	3
	b.	That do not require additional or different management practices . . . . .	2

Figure 1 for 40 TAC §19.334

Number of Beds	Area Per Bed Minimum
4-15	18 square feet (Minimum 144 square feet)
16-20	17 square feet
21-25	16 square feet
26-30	15 square feet
31-35	14 square feet
36-40	13 square feet
41-50	12 square feet
51-60	11 square feet
61 and over	10 square feet (Example: 100 beds = 1,000 square feet)

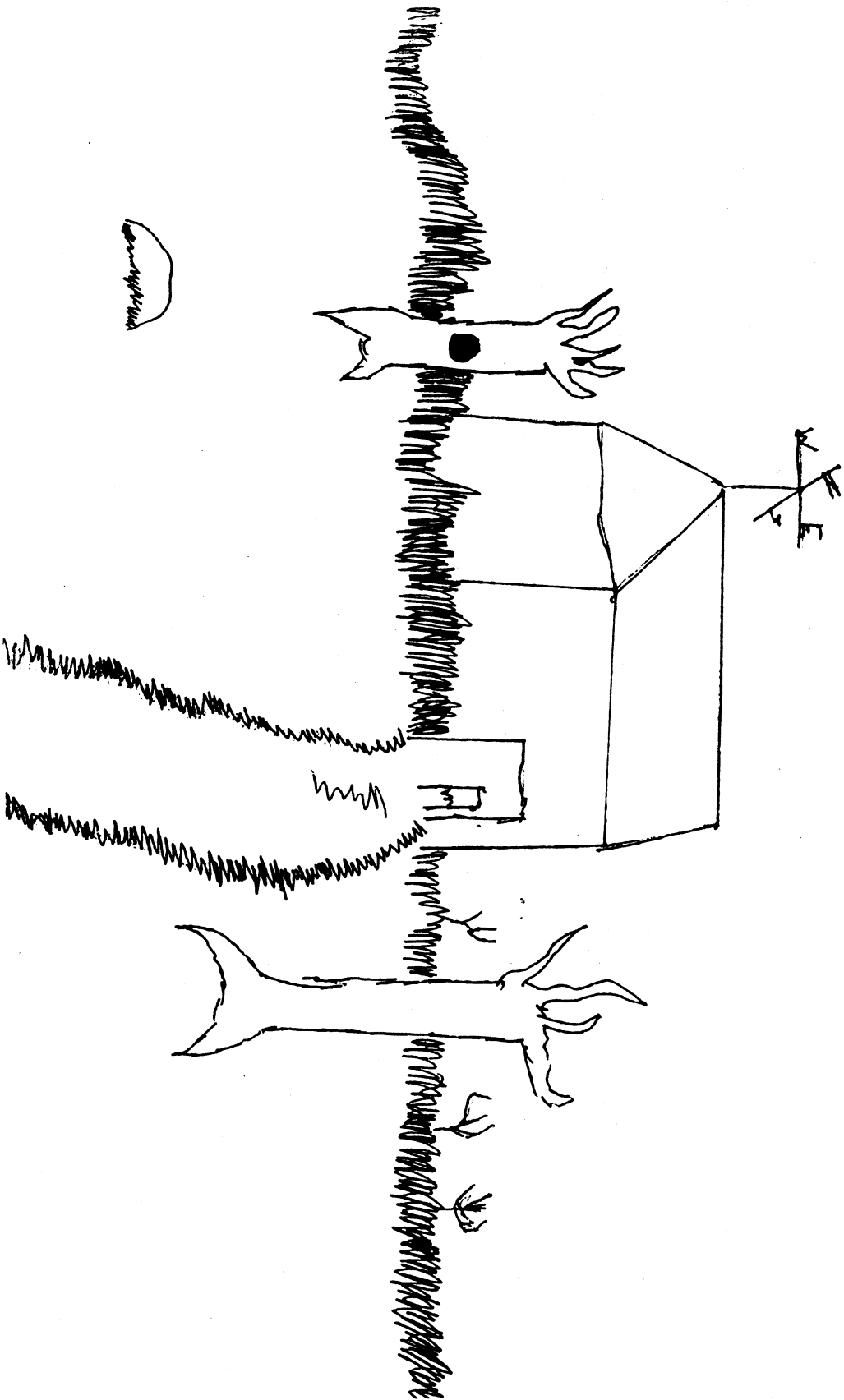
Figure 1 for 40 TAC 19.340(3)(C)(xi)

Area Designation	Air Movement In Relation To Adjacent Area	Minimum Total Air Changes Per Hour	All Air Exhausted To Outside	Design Temperature
Resident Room	--	2	--	75/78
Examination and Treatment Room	--	4	No	75/78
Physical Therapy	In	4	No	75/78
Occupational Therapy	--	4	No	75/78
Soiled Work or Holding Room	In	6	Yes	--
Clean Work or Holding Room	Out	4	No	--
Toilet Rooms	In	10	Yes	--
Bath and Shower Rooms	--	10	No	75/78
Janitors' Closets	In	10	Yes	--

Figure 1 for 40 TAC 90.68(a)(3)(A)

Number of Beds	Area Per Bed (Minimum)
1-15	18 square feet (Minimum 144 square feet)
16-20	17 square feet
21-25	16 square feet
26-30	15 square feet
31-35	14 square feet
36-40	13 square feet
41-50	12 square feet
51-60	11 square feet
61 and over	10 square feet (Ex: 100 beds = 1,000 square feet)

Name: Mike Trahan  
Grade: 6  
School: C. O. Wilson Middle School, Nederland 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 before 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 listed 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. All emergency meeting notices filed by governmental agencies will be published.

**Posting of open meeting notices.** All notices are posted on the bulletin board at the main office of the Secretary of State in lobby of the James Earl Rudder Building, 1019 Brazos, Austin. These notices may contain a 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 of Agriculture

Wednesday, February 14, 1996, 10:30 a.m.

TexasSweet Building, 901 Park Drive

Mission

Texas Citrus Producers Board

### AGENDA:

Call meeting to order

Action: Swearing in and seating of duly elected board members; approve minutes of August 18, 1995, meeting; election of officers for fiscal year 1996; review and action on proposed budget amendment; state and national brown Citrus Aphid and Tristeza proposals.

Discussion: Update of export and budwood projects; review revised rules for all commodity check-off programs; review old or new business.

Adjourn

Contact: Ray Prewett, 901 Business Park Drive, Mission, Texas 78752, (210) 584-1581.

Filed: February 6, 1996, 11:00 a.m.

TRD-9601618

Thursday, February 15, 1996, 10:30 a.m.

Board Room, Texas Sheep and Goat Raisers, 233 West Twohig

San Angelo

Texas Sheep and Goat Commodity Board

### AGENDA:

Opening remarks and welcome

Review and approval on minutes of last meeting

Review and approval of fiscal affairs

Reports of officers and directors

Discussion and action: New business—Election of officers; re-view/appoint Advisory Committee; review of telephone messages; annual reports; review proposals from Sul Ross University, Girvin Wildlife and Schlechicher County Producers Association; review "hot spots" procedures.

Unfinished business—Review status on various projects; Castleberry action by Attorney General's Office; Coyotes in Texas Symposium; reprinting publication; reports from "hot spot hunting" projects; Progress of Predators in the Classroom project; review reports from Gary Nunley on animal damage control; scheduling of next meeting.

Discussion: Other business.

Adjourn

Contact: Minnie Savage, 233 West Twohig, San Angelo, Texas 76902-3543, (915) 659-8777.

Filed: February 6, 1996, 11:17 a.m.

TRD-9601619

## Texas Bond Review Board

Tuesday, February 13, 1996, 10:00 a.m.

300 West 15th Street, Committee Room #5, Clements Building, Fifth Floor

Austin

Planning Session

### AGENDA:

I. Call to order

II. Approval of minutes

III. Consideration of proposed issues

A. Texas A&M University System—Revenue Financing System Bonds

B. Texas Water Development Board—Tax-Exempt General Obligation Texas Water Development Bonds, Series 1996A and 1996B

C. Texas Water Development Board—State Revolving Fund Senior Lien Revenue Bonds, Series 1996A

D. Texas Department of Housing and Community Affairs—Variable Rate Demand Multi-Family Housing Revenue Refunding Bonds (Dallas-Oxford Development) Series 1996B

E. Texas Department of Housing and Community Affairs—Multi-Family Housing Revenue Bonds (Harbors and Plumtree Apartments Project) Series 1996A, B, C and D

F. Texas Department of Housing and Community Affairs—Multi-Family Housing Revenue Bonds (Dallas-Fort Worth Apartments Project) Series 1996A, B, C and D

IV. Other business

V. Adjourn

Contact: Albert L. Bacarisse, 300 West 15th Street, Suite 409, Austin, Texas 78701, (512) 463-1741.

Filed: February 5, 1996, 4:08 p.m.

TRD-9601583

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**Texas Board of Chiropractic Examiners**

Saturday, February 17, 1996, Noon

7315 South Hulen

Fort Worth

Rules Committee

AGENDA:

The Rules Committee of the Texas Board of Chiropractic Examiners will meet on Saturday, February 17, 1996, at Noon to consider, discuss, take any appropriate action and/or approve rules on: 1) medical records; 2) child support; and 3) student loans.

Contact: Patte B. Kent, 333 Guadalupe, Tower III, Suite 825, Austin, Texas 78701, (512) 305-6700.

Filed: February 6, 1996, 2:08 p.m.

TRD-9601631

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**Texas Department of Commerce**

Wednesday, February 14, 1996, 9:30 a.m.

1700 North Congress Avenue, Room 118

Austin

Policy Board

AGENDA:

9:30 a.m. Call to order; recess into executive session; call back to order; adoption of the minutes from the meeting of November 8, 1995; report from the executive director; presentation of new tourism advertising campaign; update on transition of JTPA Program to Texas Workforce Commission; presentation of the Smart Job Fund grants awarded through December 1995; approve "net earnings" calculation of the Texas Small Business Industrial Development Corporation; approve appointing Texas Commerce Bank as trustee for department's Taxable Commercial Paper Notes Series A; authorize execution of trust agreement and funds management and depository agreement; approve staff's proposed plan of action extending a letter of credit to Commerce's Taxable Commercial Paper Notes

Series A (Texas Leverage Fund); adoption of amended grievance procedures of Job Training Partnership Act rules; approve agency's compliance with statewide planning and budgeting system; consider changing date of May board meeting to May 1, 1996; public comments; board comments; and adjourn.

Contact: Shirley Zimmerman, 1700 North Congress Avenue, Austin, Texas 78701, (512) 936-0158.

Filed: February 5, 1996, 3:33 p.m.

TRD-9601577

Wednesday, February 14, 1996, 11:20 a.m.

1700 North Congress Avenue, Room 118

Austin

Texas Economic Development Corporation

AGENDA:

11:20 a.m. Call to order; adoption of minutes from meeting of August 15, 1995; resolution authorizing Walter H. Criner, president and Kathy Hartensteiner, finance director to issue instructions to the State Treasurer to withdraw or transfer funds as described in the Funds Management Agreement between the State Treasurer and TEDC; approve contract for services and operating procedures with the Texas Department of Commerce and authorize the president of the corporation to execute contract; public comments; and adjourn.

Contact: Shirley Zimmerman, 1700 North Congress Avenue, Austin, Texas 78701, (512) 936-0158.

Filed: February 5, 1996, 3:33 p.m.

TRD-9601576

Wednesday, February 14, 1996, 11:40 a.m.

1700 North Congress Avenue, Room 118

Austin

Texas Small Business Industrial Development Corporation

AGENDA:

11:40 a.m. Call to order; approval of minutes from meeting of August 15, 1995; election of secretary/treasurer for TSBIDC; public comments; and adjourn.

Contact: Shirley Zimmerman, 1700 Congress Avenue, Austin, Texas 78701, (512) 936-0158.

Filed: February 5, 1996, 3:32 p.m.

TRD-9601575

Wednesday, February 14, 1996, 11:48 a.m.

1700 North Congress Avenue, Room 118

Austin

Texcap Financing Corporation

AGENDA:

11:48 a.m. Call to order; adoption of minutes from meeting of August 15, 1995; election of secretary/treasurer for Texcap Financing Corporation; public comments; and adjourn.

Contact: Shirley Zimmerman, 1700 North Congress Avenue, Austin, Texas 78701, (512) 936-0158.

Filed: February 5, 1996, 3:32 p.m.

TRD-9601574

Wednesday, February 14, 1996, 1:30 p.m.

1700 North Congress Avenue, Room 118

Austin

International Trade Commission and Texas Mexico Authority Joint Meeting

**AGENDA:**

1:30 p.m. Call to order; adoption of minutes from joint meeting of ITC/TMA September 15, 1994; adoption of minutes from ITC meeting held October 20, 1996; report from Texas Department of Agriculture; update on international initiatives; presentation on how TMAC promotes exports; update of TDDC International Tourism activities; update on international relations firms; discussion on how ITC and TMA can work together; ITC/TMA Committee assignments and focus for fiscal year 1996; public comments; and adjourn.

Contact: Shirley Zimmerman, 1700 North Congress Avenue, Austin, Texas 78701, (512) 936-0158.

Filed: February 5, 1996, 3:32 p.m.

TRD-9601573

**Comptroller of Public Accounts**

Monday, February 26, 1996, 10:00 a.m.

Lyndon B. Johnson State Office Building, 111 East 17th Street, Room 114

Austin

Public Assistance Fraud Oversight Task Force

**AGENDA:**

I. Call to order

II. Report from state agency representatives on current fraud control efforts

III. Task force discussion of final report

IV. Review of data currently available

V. Comments from the audience

VI. Adjourn

Contact: Annette LoVoi, 111 East 17th Street, Austin, Texas 78774, (512) 305-8610.

Filed: February 6, 1996, 2:23 p.m.

TRD-9601633

Monday, February 26, 1996, 2:00 p.m.

William B. Travis State Office Building, Room 1-100, 1701 North Congress Avenue

Austin

Interagency Task Force on Electronic Benefits Transfer

**AGENDA:**

I. Call to order

II. Reports from state agency representatives on further applications of Electronic Benefits Transfer

III. Discussion about the use of Electronic Benefits Transfer for additional public benefit programs

IV. Comments from the audience

V. Adjourn

Contact: Annette LoVoi, 111 East 17th Street, Austin, Texas 78774, (512) 305-8610.

Filed: February 6, 1996, 2:23 p.m.

TRD-9601634

**Texas Cosmetology Commission**

Saturday, February 24, 1996, 10:00 a.m.

Texas Cosmetology Commission, Hearing Room, 5717 Balcones Drive

Austin

Committee on Hair Braiding

**AGENDA:**

Braiding as a separate license; braiding incorporated into hair weaving; sanitation; curriculum; and adjourn.

Contact: Catherine Nahay, P.O. Box 26700, Austin, Texas 78755-0700, (512) 454-4674.

Filed: February 5, 1996, 11:49 a.m.

TRD-9601551

**Texas Commission for the Deaf and Hard of Hearing**

Friday, February 16, 1996, 9:00 a.m.

Brown-Healy Building, Room 7230, 4900 North Lamar Boulevard

Austin

Board

**AGENDA:**

Call to order/introduction of new commissioners; approval of minutes of December 1, 1995 meeting; executive director's report, including review/approval of strategic plan, approval of out of state training for staff, and discussion of financial report; direct services report; BEI report, including certifications, revocations, calendar updates, and discussion/possible action regarding proposed rules changes; information items; and adjournment.

Contact: Loyce Kessler, 4800 North Lamar Boulevard, #310, Austin, Texas 78756, (512) 451-8494.

Filed: February 5, 1996, 4:35 p.m.

TRD-9601587

**Texas Council of Purchasing from People with Disabilities**

Friday, February 16, 1996, 9:30 a.m.

General Services Commission, Central Services Building, Room 402, 1711 San Jacinto Boulevard

Austin

Performance Subcommittee

**AGENDA:**

Introduction of subcommittee members and guests;

Discuss and formulate recommendations for the council's approval regarding;

Item 1-Mission statement for the council;

Item 2-Goals and objectives for accomplishing the purpose of Chapter 122, Human Resources Code;

Item 3-Performance measures for the central nonprofit agency and community rehabilitation programs; and

Suggested agenda items for future consideration.

Contact: Rose-Michel Munguia, 1711 San Jacinto, Austin, Texas 78701, (512) 463-6422.

Filed: February 7, 1996, 9:13 a.m.

TRD-9601666

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**Texas Education Agency**

Wednesday, February 14, 1996, 8:30 a.m.

Nueces A Room, Marriott Bayfront Hotel, 900 North Shoreline  
Austin

State Parent Advisory Council for Migrant Education

AGENDA:

Welcome and introduction; minutes; discussion of migrant Upward Bound Program; discussion of migrant eligibility criteria; discussion of parliamentary procedures; overview of evaluation of the Migrant Education Program; discussion of schoolwide projects; discussion of the consolidated state plan; agenda recommendations for next meeting.

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

Filed: February 6, 1996, 2:14 p.m.

TRD-9601632

Wednesday, February 14, 1996, 1:00 p.m.

Room 1-104, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee on Students

AGENDA:

The SBOE Committee on Students will hold a public hearing to hear testimony on the proposed new 19 TAC Chapter 74, Curriculum Requirements. Anyone wishing to make a presentation to the committee must register by 5:00 p.m. on Monday, February 12, 1996, by calling Rosalie Nicholls at (512) 463-9597. Written comments, sent to the attention of Nicholls, will also be accepted by the February 12 deadline. Please provide 25 copies of written comments for distribution to board members. In order to accommodate as many speakers as possible and to ensure a balance in the testimony, there will be a three-minute time limit for each presentation. Professional organizations are requested to name one representative to speak on behalf of the membership. The text of the proposed rule is available on TENET using the TEA gopher under the legislation menu, or at <http://www.tea.state.tx.us>. Questions about the proposed rule should be directed to Janice Boyd at (512) 463-9592 or Rosalie Nicholls.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:07 p.m.

TRD-9601639

Wednesday, February 14, 1996, 2:00 p.m. or upon adjournment of the public hearing on proposed new 19 TAC Chapter 74, Curriculum Requirements, which begins at 1:00 p.m. on February 14, 1996.

Room 1-104, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee on Students

AGENDA:

The Committee on Students will hold a work session on the proposed new 19 TAC Chapter 74, Curriculum Requirements, proposed new 19 TAC Chapter 76, Extracurricular Activities, and proposed amendments to 19 TAC Chapter 89, Subchapter D, Special Education Services, §§89.61-89.63.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:08 p.m.

TRD-9601640

Thursday, February 15, 1996, 9:00 a.m.

Room 1-104, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee of the Whole

AGENDA:

Public testimony; address by Governor George W. Bush to the SBOE; commissioner's comments; request for approval of the external audit report of the Texas Permanent School Fund; amendment to the strategic asset allocation plan and authorization to allocate a corresponding sum from the Texas Permanent School Fund for investment in the Texas Growth Fund; fourth quarter (1995) Permanent School Fund external manager performance report; discussion of pending litigation (this discussion will be held in executive session in accordance with §551.071(1)(A), Texas Government Code, and will include a discussion of Edgewood ISD et al v. Meno and related school finance litigation; Angel G. et al v. Meno, et al relating to students with disabilities residing in care and treatment facilities; Maxwell, et al v. Pasadena ISD relating to Texas Assessment of Academic Skills (TAAS) testing; and Casias, et al v. Moses, et al, relating to accountability intervention-The Committee of the Whole will meet in Room 1-103 to discuss pending litigation).

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:08 p.m.

TRD-9601641

Thursday, February 15, 1996, 1:00 p.m.

Room 1-111, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee on Personnel

AGENDA:

Public testimony; request for approval of open-enrollment charter school applications; request for approval of an additional endorsement program for the University of Mary Hardin-Baylor; discussion of ongoing communications activities; and status report on the accreditation, interventions, and sanctions of school districts.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:08 p.m.

TRD-9601642

Thursday, February 15, 1996, 1:00 p.m.

Room 1-100, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee on Students

AGENDA:

Public testimony; proposed repeal of 19 TAC Chapter 75, Curriculum; Subchapters A and E-J, and proposed new 19 TAC Chapter 74, Curriculum Requirements; proposed repeal of 19 TAC Chapter 75, Subchapter K, Extracurricular Activities, and proposed new 19 TAC Chapter 76, Extracurricular Activities; proposed repeal and re-adoption of 19 TAC Chapter 89, Adaptations for Special Populations; proposed repeal of 19 TAC Chapter 133, Pupil-School Relations; discussion of proposed amendments to the University Interscholastic League 1996-1997 constitution and contest rules to be effective 1996-1997; discussion of the final Consolidated State Plan under the Improving America's Schools Act; update on the clarification of essential knowledge and skills process.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:09 p.m.

TRD-9601643

Thursday, February 15, 1996, 1:00 p.m.

Room 1-104, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee on School Finance

AGENDA:

Public testimony; school finance update; proposed new 19 TAC Chapter 105, Subchapter B, Maximum Indirect Cost Allowable on Certain Foundation School Program Allotments; proposed repeal and re-adoption of 19 TAC Chapter 109, Budgeting, Accounting, and Auditing; report on back-ordered textbooks and recommendations for penalties.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:09 p.m.

TRD-9601644

Friday, February 16, 1996, 8:30 a.m.

Room 1-104, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE) Committee on Long-Range Planning

AGENDA:

Public testimony; proposed repeal and re-adoption of 19 TAC Chapter 53, Regional Education Service Centers; update on the development of the Long-Range Plan for Technology, 1996-2010; discussion of federal governmental relations activities.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:09 p.m.

TRD-9601645

Friday, February 16, 1996, 8:30 a.m.

Room 1-100, William B. Travis Building, 1701 North Congress

Avenue

Austin

State Board of Education (SBOE) Committee on the Permanent School Fund

AGENDA:

Public testimony; ratification of the purchases and sales to the investment portfolio of the Permanent School Fund (PSF) for the month of January; review of PSF securities transactions and the investment portfolio; report of the PSF executive administrator.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:10 p.m.

TRD-9601646

Friday, February 16, 1996, 1:00 p.m.

Room 1-104, William B. Travis Building, 1701 North Congress Avenue

Austin

State Board of Education (SBOE)

AGENDA:

Invocation; roll call; approval of January 12, 1996 SBOE minutes; public testimony; resolutions of the SBOE; approval of consent agenda; request for approval of the external audit report of the Texas Permanent School Fund (PSF); amendment to strategic asset allocation plan and authorization to allocate a corresponding sum from the Texas PSF for investment in the Texas Growth Fund; request for approval of open-enrollment charter school applications; proposed repeal of 19 TAC Chapter 75, Curriculum, Subchapters A and E-J, and proposed new 19 TAC Chapter 74, Curriculum Requirements; proposed repeal of 19 TAC Chapter 75, Subchapter K, Extracurricular Activities, and proposed new 19 TAC Chapter 76, Extracurricular Activities; proposed repeal and re-adoption of 19 TAC Chapter 89, Adaptations for Special Populations; proposed repeal of 19 TAC Chapter 133, Pupil-School Relations; proposed new 19 TAC Chapter 105, Subchapter B, Maximum Indirect Cost Allowable on Certain Foundation School Program Allotments; proposed repeal and re-adoption of 19 TAC Chapter 109, Budgeting, Accounting, and Auditing; report on back-ordered textbooks and recommendations for penalties; proposed repeal and re-adoption of 19 TAC Chapter 53, Regional Education Service Centers; ratification of the purchases and sales in the investment portfolio of the PSF for the month of January; information on agency administration.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: February 6, 1996, 3:10 p.m.

TRD-9601647

Friday-Saturday, February 16-17, 1996, 1:00 p.m. and 8:30 a.m., respectively.

Stouffer Austin Hotel, Frio Room, 9721 Arboretum Boulevard

Austin

Continuing Advisory Committee (CAC) for Special Education

AGENDA:

Friday, the committee will hear welcoming remarks and good news; approve the December 1-2, 1995, minutes; and discuss the following: a Texas Education Agency (TEA) update, State Board of Education (SBOE) rules review, CAC appointments, Texas Successful Schools Award System (TSSAS) inclusion awards, staff development grants, special education hearing officer decisions, conference reports, Technology Long-Range Plan Impact on students with

disabilities, information on complaints and medication, and responses to letters/requests and unmet needs.

Saturday, the committee will cover old business; review the CAC survey findings; finalize plans for regional meetings; assign letters; approve letters; plan next meeting; and adjourn.

Contact: Shirley Stanford, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9359.

Filed: February 7, 1996, 9:54 a.m.

TRD-9601684

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**State Employee Charitable Campaign**

Thursday, February 15, 1996, 9:00 a.m.

210 East Ninth Street

Fort Worth

Local Employee Committee

AGENDA:

1. Approve minutes
2. Finalize plans for appreciation luncheon
3. Review timeline for 1996 and schedule appropriate dates
4. Review membership for LEC and recommend new members
5. Review report from State Policy Committee

Contact: Sara Marshall, 210 East Ninth Street, Fort Worth, Texas 76102, (817) 878-0000, Fax: (817) 878-0005.

Filed: February 5, 1995, 3:33 p.m.

TRD-9601578

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**Texas Commission on Fire Protection**

Wednesday, February 21, 1996, 9:00 a.m.

12675 North Research Boulevard

Austin

Fire Protection (Sprinkler) Advisory Council

AGENDA:

- I. Review, discussion, and possible action regarding minutes from previous meeting.
- II. Discussion and possible action regarding proposed rule amendments, new sections, or repeals to 37 TAC Chapter 541 concerning fire sprinkler systems.
- III. Discussion and possible action regarding the presentation to the Commission on Fire Protection concerning action taken on agenda item II.
- IV. New matters from the public not included in preceding agenda items which may be discussed in future meetings.
- V. Discussion and possible action on future meeting dates.

Contact: Carol Menchu, 12675 North Research Boulevard, Austin, Texas 78759, (512) 918-7100.

Filed: February 7, 1996, 9:53 a.m.

TRD-9601683

**Office of the Governor-Criminal Justice Division**

Thursday, February 15, 1996, 10:00 a.m.

State Bar of Texas, Texas Law Center, 1414 Colorado, Room 104  
Austin

Governor's Juvenile Justice Task Force

AGENDA:

- I. Call to order
- II. Approval of minutes
- III. Reports from committee chairs
- IV. Other Business
- V. Adjourn to subcommittee meetings
  - A. Fine-Tuning Code-Rooms 206/207
  - B. Implementation-Room 204
  - C. Legislation/Appropriations-Rooms 202/203
  - D. Resources-Room 201
  - E. Strategy-Room 208

Contact: Karen Greene, 1100 San Jacinto, Austin, Texas 78701, (512) 463-1919.

Filed: February 6, 1996, 9:31 a.m.

TRD-9601597

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**Texas Department of Information Resources**

Thursday, February 15, 1996, 9:00 a.m.

WPC Building, Fifth Floor, Committee Room 5, 300 West 15th Street

Austin

Board

AGENDA:

- Call to Order, Roll Call and Witness Registration
1. Adoption of September Meeting Minutes
  2. Biennial Report
  3. Update on the TIF Board
  4. Review the Sunset recommendations
  5. Quarterly Financial Report
  6. Status on the award of partnership WTDROC
  7. Executive Director's Report
  8. Recruitment of Technical Staff
  9. Other Business

Adjournment

Contact: Yvonne Montgomery, 300 West 15th Street, Suite 1300, Austin, Texas 78701, (512) 475-1715.

Filed: February 5, 1996, 4:30 p.m.

TRD-9601586

## Texas State Board of Medical Examiner

February 9, 1996, 11:00 a.m.

333 Guadalupe, Tower 3, Suite 610

Austin

Hearings Division

Emergency Agenda:

### AGENDA:

Probation Appearance, 11:00 a.m.—Patrick A. Titus, MD, Houston, Texas.

Probation Appearance, 11:00 a.m.—Leopold Villegas, DO, Bridge City, Texas.

Probation Appearance, 12:30 p.m.—David M. McClellan, MD, Crosby, Texas

Probation Appearance, 12:30 p.m.—Lynn L. Pearson, MD, Jasper, Texas.

Probation Appearance, 12:30 p.m.—Mark D. Pucek, MD, Houston, Texas.

Probation Appearance, 1:30 p.m.—Marshall J. Brooks, MD, Atlanta, Texas.

Probation Appearance, 1:30 p.m.—Jesse M. Brooks, MD, Atlanta, Texas.

Probation Appearance, 1:30 p.m.—Richard J. Kondejewski, MD, League City, Texas.

Probation Appearance, 1:30 p.m.—Eric Scheffey, MD, Houston, Texas.

Probation Appearance, 2:30 p.m.—Raymond D. Hicks, MD, Dallas, Texas.

Probation Appearance, 3:15 p.m.—Louis A. Lopez, M.D. Galveston, Texas.

Executive session under authority of the Open Meetings Act, §551.071 of the Government Code, and Article 4495b, §2.07(b) and §2.09(o), Texas Revised Civil Statutes, regarding pending or contemplated litigation.

Reason for Emergency: Information has come to the attention of the agency and requires prompt consideration.

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 305-7016, Fax: (512) 305-7008.

Filed: February 5, 1996, 3:33 p.m.

TRD-96015801

Wednesday, February 14, 1996, 12:15 p.m.

333 Guadalupe, Tower 3, Suite 610

Austin

Hearings Division

### AGENDA:

Probation Appearance, 12:15 p.m.—Harlan J. Borcharding, DO, Minneola, Texas.

Probation Appearance, 12:15 p.m.—Doyle F. Gallman, DO, Mansfield, Texas.

Probation Appearance, 12:15 p.m.—Adolph F. Kauffmann, MD, Fort Worth, Texas.

Probation Appearance, 12:15 p.m.—Thomas R. Leconey, MD, Fort Worth, Texas.

Probation Appearance, 1:15 p.m.—Ardashes Mirzatzuny, MD, Terrell, Texas.

Probation Appearance, 1:15 p.m.—David E. Winslow, DO, Addison, Texas.

Probation Appearance, 2:15 p.m.—Keith D. Beck, MD, San Antonio, Texas.

Probation Appearance, 2:15 p.m.—William D. Todd, MD, Kerrville, Texas.

Probation Appearance, 2:30 p.m.—Paul E. McLean, MD, Corpus Christi, Texas.

Probation Appearance, 2:30 p.m.—Larry R. Sands, MD, San Antonio, Texas.

Probation Appearance, 2:30 p.m.—Richard J. Tamez, DO, San Antonio, Texas.

Termination Request, 1:45 p.m.—Charles C. Bittle, MD, Sanger, Texas.

Termination Request, 3:15 p.m.—Ernest T. Roman, MD, McAllen, Texas.

Termination Request, 3:45 p.m.—Douglas H. Rankin, MD, Austin, Texas.

Termination Request, 4:15 p.m.—Robert D. Hill, MD, Seguin, Texas.

Executive session under authority of the Open Meetings Act, §551.071 of the Government Code, and Article 4495b, §§2.07(b) and §2.09(o), Texas Revised Civil Statutes, regarding pending or contemplated litigation.

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 305-7016, Fax: (512) 305-7008.

Filed: February 5, 1996, 3:33 p.m.

TRD-9601579

## Midwestern State University

Thursday, February 8, 1996, 2:00 p.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

Board of Regents Executive Committee

### AGENDA:

The Executive Committee will review the August 3, 1995 and November 9, 1995 committee minutes and will receive a report concerning the Bolin Science Hall renovation and use of temporary Buildings. The committee will receive recommendations and discuss the 1994-1995 Updates for the Strategic Master Plan for 1990-1995, the Clark Student Center renovation, Allied Health Sciences Building architectural services, naming and location of the allied Health Sciences Building, the Fain Hall renovation project, parking lot engineering services, Killingsworth HVAC program, new Bookstore contract from June 1, 1996-May 31, 2001, and special items to be included in the new legislative appropriations request.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 11:58 a.m.

TRD-9601561

Thursday, February 8, 1996, 3:30 p.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

Board of Regents Finance and Audit Committee

AGENDA:

The Finance Committee will review minutes of the committee meeting November 9, 1995 and will receive information concerning non-resident and foreign student tuition rates in 1996-1997. The Committee will receive recommendations and discuss the summer school budge, Division of Education course fee increase, soccer tournament expense, and the sale of HEAF bonds for Bolin Science Hall renovation project. The Committee will further be asked to ratify items \$15,000 and under in Fiscal Year 1995-1996 approved by President per Board authorization. At the conclusion of the Committee meeting, Board members will have an opportunity to view a video entitled "Protecting Public Funds: Your Responsibilities Under the Public Funds Investment Act." Each Board member is legislative required to view this video which is produced by the Office of the Governor and the Texas Higher Education Coordinating Board.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 11:58 a.m.

TRD-9601556

Thursday, February 8, 1996, 4:00 p.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

AGENDA:

The Personnel and Curriculum Committee will review minutes of committee meetings August 3, 1995 and November 9, 1995. Information will be received concerning enrollment and small class reports in the spring semester 1996, and the last day enrollment report for the fall 1995. Information will be presented concerning a proposed joint Ph.D. program with MSU and the University of North Texas. The committee will receive recommendations and consider position changes in the Fiscal Year 1995-1996 budget and approval of the graduate and undergraduate catalogs. Policy Manual revisions will be presented as follows: Policy 3.216 regarding Termination/Discharge of Staff Employees, and Policy 4.117 regarding liability insurance requirements for the use of university buildings by outside groups.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 11:58 a.m.

TRD-9601557

Thursday, February 8, 1996, 4:30 p.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

Board of Regents Student Services Committee

AGENDA:

The Student Services Committee will review minutes of the committee meetings August 3, 1995 and November 9, 1995 and will receive information concerning residence halls occupancy levels. The committee will consider recommendations regarding room and board rates in 1996-1997.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 11:58 a.m.

TRD-9601558

Thursday, February 8, 1996, 5:00 p.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

Board of Regents University Development Committee

AGENDA:

The University Development Committee will review minutes of the committee meetings August 3, 1995 and November 9, 1995. Summaries of gifts, grants and pledges September 1, 1995-January 12, 1996 will be presented for review of the Board. Resolutions of Appreciation will be presented as necessary, including resolutions for the J.S. Bridwell Foundation and Burger King Corporation.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 11:58 a.m.

TRD-9601559

Thursday, February 8, 1996, 5:15 p.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

Board of Regents Athletics Committee

AGENDA:

The Athletics Committee will review minutes of the committee meetings August 3, 1995 and November 9, 1996 and will receive recommendations and discuss the restructuring of coaching staff salaries. The Committee will receive information concerning Title IX compliance, the NCAA Convention and Lone Star Conference Meeting, Athletic Honors and the 1996 football schedule.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 11:58 a.m.

TRD-9601560

Friday, February 9, 1996, 9:00 a.m.

3410 Taft Boulevard, Hardin Board Room

Wichita Falls

Board of Regents

AGENDA:

The Board of Regents will consider the minutes of the November 10, 1995 and December 21, 1995 Board of Regents meetings and review the financial reports for the months of October, November and December 1995. The Board will consider recommendations and receive information from the Executive, Finance and Audit, Personnel and Curriculum, Student Services, University Development and Athletic Committees. The Board of Regents of Midwestern State University reserves the right to discuss any items in Executive Session whenever legally justified and properly posted in accordance with the Texas Open Meetings Act, Government Code, §§551.071-551.085.

Contact: Deborah L. Barrow, 3410 Taft Boulevard, Wichita Falls, Texas 76308, (817) 689-4212.

Filed: February 5, 1996, 3:31 p.m.

TRD-9601571





## Texas Natural Resource Conservation Commission

Tuesday, February 13, 1996, 9:00 a.m.

12100 Park 35, Building A, Room 257, Second Floor  
Austin

Irrigators Council

### AGENDA:

Meeting called to order; certification of successful candidates from the February irrigators and installers exams; committee reports and enforcement reports will be heard; sites and dates for upcoming exam will be decided; reports from TNRCC staff will be addressed; various items of informational interest will be heard.

Contact: Bettye Jean Urban, P.O. Box 13087, MC-178, Austin, Texas 78711, (512) 239-6659, (512) 239-6658, or (512) 239-6719.

Filed: February 5, 1996, 3:31 p.m.

TRD-9601572

Wednesday, February 14, 1996, 9:30 a.m.

12118 North Interstate 35, Building E, Room 201S

Austin

### AGENDA:

The commission will consider approving the following matters on the agenda: hearing request; authorization to construct; industrial hazardous waste enforcement; petroleum storage tank enforcement; air quality matter; motion for reevaluation; motion for rehearings; rules; proposal for decisions; executive session; 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. (Registration for 9:30 a.m. agenda starts 8:45 a.m. until 9:25 a.m.)

Contact: Doug Kitts, 12100 Park 35 Circle, Austin, Texas 78753, (512) 239-3317.

Filed: February 6, 1996, 2:48 p.m.

TRD-9601636

## Board of Nurse Examiners

Tuesday, February 13, 1996, 9:00 a.m.

333 Guadalupe, Tower 3, Suite 460

Austin

Eligibility and Disciplinary Committee

### AGENDA:

The Eligibility and Disciplinary Committee will meet to review and take action on eight declaratory orders; 14 agreed orders; and five eligibility matters.

Contact: Erlene Fisher, Box 140466, Austin, Texas 78714, (512) 305-6811.

Filed: February 5, 1996, 3:20 p.m.

TRD-9601568

Tuesday, February 13, 1996, 9:00 a.m.

333 Guadalupe, Tower 3, Suite 460

Austin

Eligibility and Disciplinary Committee

Emergency Revised Agenda

### AGENDA:

The Eligibility and Disciplinary Committee will meet to consider the application for initial licensure from Linda Gay McKinney.

Contact: Erlene Fisher, Box 140466, Austin, Texas 78714, (512) 305-6811.

Filed: February 6, 1996, 12:37 p.m.

TRD-9601624

Friday, February 16, 1996, 9:30 a.m.

333 Guadalupe, Tower 2, Room 225

Austin

Advisory Committee on Advanced Nursing Practice

### AGENDA:

1. Call to order

2. Announcements

3. Membership

Expiration of terms

New representative-Psych/Mental Health CNS

4. Update on prescriptive authority

a. Rule 222.2 published re: CNS requirements for prescriptive authority

b. CNS approved by waiver-Eligibility for prescriptive authority

c. Update on BME rules

5. New curricular guidelines for NP/CNS programs: effective January, 1997

6. Charge from the board

Master's degree for advanced practice

7. Old business

a. Guidelines for petitions for waiver from the certification requirements effective for new graduates January, 1996

b. Guidelines for refresher course or extensive orientation after lapse in practice of four years or more

8. Scheduling next meeting

9. Adjournment

Contact: Sally Glaze, Box 140466, Austin, Texas 78714, (512) 305-6844.

Filed: February 6, 1996, 10:58 a.m.

TRD-9601616

## Texas State Board of Plumbing Examiners

Friday, February 16, 1996, 8:30 a.m.

929 East 41st Street

Austin

Enforcement Committee

### AGENDA:

8:30 a.m.-Call to order and roll call (February 16, 1996).

Consideration of minutes of December 14-15, 1995 Enforcement Committee meeting for adoption as recorded (February 16, 1996)

Review of citation list and possible action (February 16, 1996)

Review of applicants with criminal backgrounds/possible action (February 16, 1996)

Complaint cases for review:

The following cases will be reviewed by and possibly acted upon by the committee as time allows February 16, 1996: Numbers 95-0519, 96-0078, 95-0493, 96-0176, 96-0185, 96-0195, 95-0258, 95-0256, 95-0251, 95-0373, 95-0312, 95-0313, 95-0414, 95-0339, 95-0192, 95-0374, 95-0352, 95-0280, 95-0372, 95-0353, 95-0395, 95-0381, 95-0394, 95-0388, 95-0360, 95-0379, 95-0363, 95-0239, 95-0435, 94-0072, 95-0107, 95-0233, 95-453, 95-0517, 96-0012, 96-0060, 96-0030, 96-0058, 96-0111, 96-0123, 96-0125, 96-0147, 96-0149, 96-0139, 96-0114, 96-0159.

Contact: Robert L. Maxwell, 929 East 41st Street, Austin, Texas 78751, (512) 458-2145, Ext. 233.

Filed: February 7, 1996, 9:24 a.m.

TRD-9601670

## Texas Residential Property Insurance Market Assistance Program

Thursday, February 15, 1996, 9:15 a.m.

333 Guadalupe, Tower I, Rooms 1250A and 370A

Austin

Executive Committee

AGENDA:

1. General meeting (Room 1250A, 9:15 a.m.)

- Anti-trust statement
- Public input forum
- General administrative matters
- Working group reports and discussion
- Discussion and review of revised draft of plan of operation
- Letter of non-eligibility for coverage by a licensed insurer in the voluntary market
- MAP application forms

Other House Bill 1367 provisions that relate to MAP

2. Working group 1 issues (Room 1250A, 1:00 p.m. or upon adjournment of General meeting)

- Anti-trust statement
- Eligibility
- Criteria for mandatory participation
- Monitoring MAP activity
- Suggestion for designating underserved area
- Letter of non-eligibility for coverage by a licensed insurer in the voluntary market, if necessary

-Other House Bill 1367 provisions that relate to MAP

Working group 2 issues (Room 370A, 1:00 p.m. or upon adjournment of General meeting)

- Anti-trust statement
- Participating insurers

-Participating agents

-Operations

-MAP application forms, if necessary

-Other House Bill 1367 provisions that relate to MAP

Contact: Lyndon Anderson, 333 Guadalupe Street, Austin, Texas 78711, (512) 322-2235.

Filed: February 6, 1996, 10:34 a.m.

TRD-9601612

## Telecommunications Infrastructure Fund Board

Friday, February 9, 1996, 8:00 a.m.

E1.010, State Capitol Extension, 1400 North Congress Avenue, Capitol Extension

Austin

Emergency Meeting

AGENDA:

- I. Call to order open meeting/quorum call-Chairman Carolyn Bacon
- II. Public testimony-only for those who signed up but did not give public testimony at January 12, 1996, meeting
- III. Presentation from State Grants Team
- IV. Discuss elements of TIF strategic goals and vision statement
- V. Executive session: discussion of employment and evaluation of specific executive director applicants pursuant to Government Code, §551.074
- VI. Adjourn

Reason for Emergency: Inclement weather resulted in state agency shutdown and road closures. Meeting posted on next available date, February 5, 1996.

Contact: Jim Glotfelty or Danner Bethel, P.O. Box 12428, Austin, Texas 78701, (512) 936-8432.

Filed: February 5, 1996, 5:01 p.m.

TRD-9601588

Saturday, February 10, 1996, 8:00 a.m.

E1.010, State Capitol Extension, 1400 North Congress Avenue, Capitol Extension

Austin

Emergency Meeting

AGENDA:

- I. Call to order open meeting/quorum call-Chairman Carolyn Bacon
- II. Discuss elements of TIF strategic goals and vision statement
- III. Executive session: discussion of employment and evaluation of specific executive director applicants pursuant to Government Code, §551.074
- IV. Adjourn

Reason for Emergency: Inclement weather resulted in state agency shutdown and road closures. Meeting posted on next available date, February 5, 1996.

Contact: Jim Glotfelty or Danner Bethel, P.O. Box 12428, Austin, Texas 78701, (512) 936-8432.

Filed: February 5, 1996, 5:04 p.m.

TRD-9601589

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**Texas Southern University**

Monday, February 12, 1996, 10:00 a.m.

3100 Cleburne/Hannah Hall-Room 116

Houston

Finance and Buildings and Grounds Committee

**AGENDA:**

Meeting to consider: matters relating to financial reporting systems, and budgets; fiscal reports from the administration; investments; contract awards; and informational items.

Contact: Janet Lightfoot, 3100 Cleburne, Houston, Texas 77004, (713) 529-8911.

Filed: February 6, 1996, 1:44 p.m.

TRD-9601626

◆ ◆ ◆  
**Texas State Technical College System**

Friday, February 9, 1996, 11:00 a.m.

Texas Higher Education Coordinating Board, Building 4, Room 160, 7745 Chevy Chase Drive

Austin

Board of Regents

**AGENDA:**

Response to Senate Education Committee

Contact: Sandra J. Krumnow, 3801 Campus Drive, Waco, Texas 76705, (817) 867-4890.

Filed: February 6, 1996, 10:10 a.m.

TRD-9601606

Friday, February 9, 1996, 11:05 a.m.

Texas Higher Education Coordinating Board, Building 4, Room 160, 7745 Chevy Chase Drive

Austin

Board of Regents Closed Meeting

**AGENDA:**

Following Item VI of the agenda and shown as Item VII, the Board of Regents will recess from open meeting into closed meeting in accordance with Chapter 551 of the Texas Government Code for the specific purpose provided in §§551.071, 551.074, and 551.075 and will discuss the following:

Consultation with attorney regarding subjects protected by attorney client privilege including contract matters relating to system operations, review detailed legal implications of various TSTC operating scenarios relative to Senate Education Committee review, consider and discuss contract matters relating to TSTC System personnel

Contact: Sandra J. Krumnow, 3801 Campus Drive, Waco, Texas 76705, (817) 867-4890.

Filed: February 6, 1996, 10:10 a.m.

TRD-9601605

**Texas Department of Transportation**

Friday, February 23, 1996, 9:00 a.m.

Grand Prairie Municipal Airport, Final Approach Restaurant (Private Room), 3116 South Great Southwest Parkway

Grand Prairie

Aviation Advisory Committee

**AGENDA:**

Convene. Approval of minutes from October 21, 1995 meeting. Approval of resolution regarding Airport Improvement Program. Report on department's reduction in force plan. Status report on "Pilot Routine Maintenance Program" performed by districts. Status report on legislatively directed aviation needs study. Report on Aviation Division's ongoing review of project programming and engineering cost control. Status report on Sunset Review of the Department. Public comment.

Contact: Suetta Murray, 150 East Riverside, Austin, Texas 78704, (512) 416-4504.

Filed: February 7, 1996, 9:44 a.m.

TRD-9601681

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**University of North Texas/University of North Texas Health Science Center**

Thursday, February 8, 1996, 1:30 p.m.

Administration Building, Room 201, Avenue C at Chestnut, University of North Texas

Denton

Board of Regents, Role and Scope Committee

**AGENDA:**

UNTHSC: No agenda items

UNT: Major gifts report; personnel transactions; routine academic reports; national student exchange fee; implementation of Blue Ribbon Committee report (Part I)

Contact: Jana Dean, P.O. Box 13737, Denton, Texas 76203, (817) 369-8515.

Filed: February 5, 1996, 11:48 a.m.

TRD-9601546

Thursday, February 8, 1996, 2:00 p.m.

Administration Building, Board Room, Avenue C at Chestnut, University of North Texas

Denton

Board of Regents, Budget and Finance Committee

**AGENDA:**

UNT/UNTHSC: Presentation by state auditors

UNTHSC: Gift report; investment report; report on interest earnings; internal audit update

UNT: Chairs for the Union; resolution authorizing the issuance of consolidated university revenue bonds, series 1996, awarding the sale of the bonds to the best bidder therefore and resolving other matters related thereto; purchase of pianos; transfer of property; Texas Education Agency funds; gift report; investment report; report of interest earnings; internal audit update.

Contact: Jana Dean, P.O. Box 13737, Denton, Texas 76203, (817) 369-8515.

Filed: February 5, 1996, 11:48 a.m.

TRD-9601547

Thursday, February 8, 1996, 3:30 p.m.

Administration Building, Board Room, Avenue C at Chestnut, University of North Texas

Denton

Board of Regents, Advancement Committee

AGENDA:

UNTHSC: Gift report; UNTHSC/TCOM foundation update; Silver Anniversary update

UNT: Status of search for vice president for development; gift report; capital campaign update; public affairs update; strategic planning effort; athletics update

Contact: Jana Dean, P.O. Box 13737, Denton, Texas 76203, (817) 369-8515.

Filed: February 5, 1996, 11:49 a.m.

TRD-9601549

Thursday, February 8, 1996, 3:30 p.m.

Administration Building, Room 201, Avenue C at Chestnut, University of North Texas

Denton

Board of Regents, Facilities Committee

AGENDA:

UNTHSC: Project status report

UNT: Environmental education, Science and Technology building; renovate library annex; recreational sports fields; lease of land for telecommunications switch; advancement center addition and renovation; Fouts Field funding; project status report

Contact: Jana Dean, P.O. Box 13737, Denton, Texas 76203, (817) 369-8515.

Filed: February 5, 1996, 11:49 a.m.

TRD-9601548

Friday, February 9, 1996, 8:00 a.m.

Diamond Eagle Suite, University Union, University of North Texas

Denton

Revised Agenda

Board of Regents

AGENDA:

UNTHSC: Approval of minutes; gift report; president's update on Fort Worth Medical Industry Cluster (strategic plan); executive session (UNT/UNTHSC: legislative update; planning for fiscal year 1997 budgets; revision of board bylaws; investment video) UNTHSC: affiliations; update on current lawsuits. UNT: Major gifts report; implementation of Blue Ribbon Committee report (Part I); piano purchase; University Union Food Court and bookstore renovations; review of telecommunications issue; athletics update; master plan update; update on lawsuits; acquisition of property for Music and Fine Arts Education building site; acquisition of building and land for UNT police station; Dallas Downtown Education Center

UNT: Approval of minutes; executive session; major gifts report; personnel transactions; routine academic reports; national student exchange fee; implementation of Blue Ribbon Committee report

(Part I); chairs for the Union; resolution authorizing the issuance of consolidated university revenue bonds, series 1996, awarding the sale of the bonds to the best bidder therefore and resolving other matters related thereto; purchase of pianos, transfer of property; Texas Education Agency funds; gift report; environmental education, Science and Technology building; renovate library annex; recreational sports fields; lease of land for telecommunications switch; advancement center addition and renovation; project status report; chancellor's update on the use of major gifts to support university projects

Contact: Jana Dean, P.O. Box 13737, Denton, Texas 76203, (817) 369-8515.

Filed: February 5, 1996, 11:48 a.m.

TRD-9601545

## The University of Texas at El Paso

Tuesday, February 13, 1996, 2:00 p.m.

500 University, Administration Building, Room 310

El Paso

Institutional Animal Care and Use Committee

AGENDA:

I. Call to order by Chairman James V. Devine.

II. Discussion of protocol "CNS AChE Activity in Primates."

Contact: James V. Devine, Ph.D., The University of Texas at El Paso, (915) 747-5551 or Fax: (915) 747-6553.

Filed: February 6, 1996, 10:58 a.m.

TRD-9601617

## Texas Water Development Board

Wednesday, February 14, 1996, 3:00 p.m.

Stephen F. Austin Building, Room 513F, 1700 North Congress Avenue

Austin

Finance Committee

AGENDA:

1. Consider approval of the minutes of the meeting of January 17, 1996.

2. Quarterly briefing on investments.

3. Briefing and discussion on a request from Bartonville Water Supply Corporation for financial assistance to directly purchase outstanding notes owned by General Electric Capital Credit.

4. Briefing and discussion on the Rensselaerville Institute's proposal to develop a community self-help funding program for small-scale water/wastewater infrastructure projects along the Texas-Mexico border.

5. Briefing on present and future EDAP projects.

6. Report on the status of approved contracts.

7. May consider items on the agenda of the February 15, 1996 board meeting.

\*Additional non-committee board members may be present to deliberate but will not vote in the committee meeting.

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

Filed: February 6, 1996, 3:32 p.m.

TRD-9601648

Thursday, February 15, 1996, 9:00 a.m.

Stephen F. Austin Building, Room 118, 1700 North Congress Avenue

Austin

**AGENDA:**

The board will consider: minutes; executive, financial and committee reports; financial assistance for Angelina and Neches River Authority, Fort Worth, Giddings, Rockport, Lower Valley Water District, Hurst Creek Municipal Utility District, and Glenlake Water Supply Corporation; a standard charge schedule for the Hydrographic Survey Program; contract with LBJ School of Public Affairs; facility planning application from Laredo to amend Webb County application and transfer of funds; amendment to El Paso Public Service board facility planning contract for Canutillo area and transfer of funds; revisions to investment policy and investment rules; consensus water planning; sale of \$20 million 1996A and \$15 million 1996B State of Texas Water Development Bonds, selection of co-managers and necessary related actions; sale of \$250 million TWDB State Revolving Fund Senior Lien Revenue Bonds 1996A, selection of co-managers, and necessary related actions; request from Houston for a preliminary eligibility determination under the capital improvement plan option; proposal for a rule amendment to modify the grant to loan methodology used on EDAP projects; strategic planning process; Franklin County Water District's offer to purchase board interest in Lake Cypress Springs and executive session as needed.

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

Filed: February 6, 1996, 3:32 p.m.

TRD-9601649

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**Texas Workforce Commission**

Wednesday, February 14, 1996, 9:00 a.m.

Room 644, TEC Building, 101 East 15th Street

Austin

**AGENDA:**

Prior meeting notes; staff reports; presentation of summary of audit report on labor exchange operations; internal procedures of commission appeals; consideration and action on tax liability cases and higher level appeals in unemployment compensation cases listed on Texas Employment Commission Docket 7; discussion, consideration, and possible action with regard to transfer of programs pursuant to House Bill 1863; consideration and possible proposal for adoption of rules regarding administration of the Skills Development Funds; and set date of next meeting.

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

Filed: February 6, 1996, 4:14 p.m.

TRD-9601655

**Texas Council on Workforce and Economic Competitiveness**

Thursday, February 15, 1996, 8:15 a.m.

Concourse Clarion Hotel, Oxford A Room, 6789 Boeing Drive  
El Paso

Program Policy and Oversight Committee

**AGENDA:**

8:15 a.m.-Call to order, public comment, announcements: timelines of committee activities for 1996; 8:30 a.m.-action item: job opportunities and basic skills state plan modification; 9:00 a.m.-policy briefing item: JTPA governor's coordination and special services plan; 9:15 a.m.-policy briefing item: JTPA Title III Dislocated Workers state plan; 9:30 a.m.-policy briefing item: JTPA Title IIA Adult Program, Title IIC Youth Program and Title III Dislocated Worker local plan approvals; 10:00 a.m.-action item: JTPA Title III Dislocated Worker Program Policy; 10:30 a.m.-Adjourn

Note: Following adjournment of the Program Policy and Oversight Committee meeting, the full council will tour the Job Corps and Health Magnet School sites from 10:45 a.m. until 3:00 p.m.

Notice: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services should contact Val Blaschke, (512) 912-7158 (or Relay Texas (800) 735-2988), at least two days before this meeting so that appropriate arrangements can be made.

Contact: Val Blaschke, P.O. Box 2241, Austin, Texas 78768, (512) 912-7158.

Filed: February 6, 1996, 10:11 a.m.

TRD-9601608

Thursday, February 15, 1996, 3:30 p.m.

Concourse Clarion Hotel, Oxford B Room, 6789 Boeing Drive  
El Paso

Performance and Evaluation Committee

**AGENDA:**

3:30 p.m.-Call to order, public comment, announcements: timelines of committee activities for 1996; 3:45 p.m.-policy briefing item: evaluation report on funds distribution and program availability of career and technology education; 4:15 p.m.-briefing item: evaluation report on implementation of the state plan on career and technology education; 4:30 p.m.-briefing item: update on skills standards activities; 4:45 p.m.-Adjourn

Notice: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services should contact Val Blaschke, (512) 912-7158 (or Relay Texas (800) 735-2988), at least two days before this meeting so that appropriate arrangements can be made.

Contact: Val Blaschke, P.O. Box 2241, Austin, Texas 78768, (512) 912-7158.

Filed: February 6, 1996, 10:11 a.m.

TRD-9601609

Thursday, February 15, 1996, 3:30 p.m.

Concourse Clarion Hotel, Oxford A Room, 6789 Boeing Drive  
El Paso

Performance and Evaluation Committee

**AGENDA:**

3:30 p.m.-Call to order, public comment, announcements: timelines of committee activities for 1996; 3:45 p.m.-action item: JTPA Section 123 Program policy; 4:15 p.m.-tentative action item: redesignation requests from South Plains area; 4:45 p.m.-policy briefing item: Texas Workforce Commission planning process; implications for TCWEC strategic plan; 5:15 p.m.-policy briefing item: incentive policy for encouraging consolidation and integration; 5:30 p.m.-Adjourn

Notice: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services should contact Val Blaschke, (512) 912-7158 (or Relay Texas (800) 735-2988), at least two days before this meeting so that appropriate arrangements can be made.

Contact: Val Blaschke, P.O. Box 2241, Austin, Texas 78768, (512) 912-7158.

Filed: February 6, 1996, 10:11 a.m.

TRD-9601610

Friday, February 16, 1996, 8:30 a.m.

El Paso Independent School District Professional Development Center, 6500 K Boeing Drive

El Paso

Full Council Meeting

**AGENDA:**

8:30 a.m.-Call to order, public comment, announcements: TALC survey-copies for members; 9:00 a.m.-public officials comments; 9:15 a.m.-committee reports; 9:45 a.m.-consent agenda; 10:15 a.m.-briefing item: assessment of state's readiness for block grants under proposed federal legislation; 10:30 a.m. -break; 11:00 a.m.-briefing item: report on pilot customer exit survey for the one-stop career center system; 11:15 a.m.-briefing item: El Paso industry involvement in School-to-Work; 11:45 a.m.-briefing item: El Paso Community College Program presentation; 12:15 p.m.-Adjourn

Note: From 1:30 p.m.-3:00 p.m. there will be an optional tour of the El Paso ISD Technology Learning Labs for interested council members.

Notice: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services should contact Val Blaschke, (512) 912-7158 (or Relay Texas (800) 735-2988), at least two days before this meeting so that appropriate arrangements can be made.

Contact: Val Blaschke, P.O. Box 2241, Austin, Texas 78768, (512) 912-7158.

Filed: February 6, 1996, 10:11 a.m.

TRD-9601611

**Texas Youth Commission**

Thursday, February 15, 1996, 9:00 a.m.

Dell University, 2214 West Braker Lane

Austin

Commission Industries Advisory Committee

**AGENDA:**

Review procedure guide for Texas Youth Commission Industries Program

Contact: Ron Foy, 4900 North Lamar Boulevard, Austin, Texas 78765, (512) 483-5164.

Filed: February 7, 1996, 9:28 a.m.

TRD-9601673

**Regional Meetings**

**Meetings Filed February 5, 1996**

The Bell County Tax Appraisal District Appraisal Review Board met at 411 East Central Avenue, Belton, February 12, 1996, at 9:00 a.m. Information may be obtained from Mike Watson, P.O. Box 390, Belton, Texas 76513, (817) 939-5841. TRD-9601531.

The Bell-Milam-Falls WSC Board met at the Office-FM 485 West, Cameron, February 8, 1996, at 8:30 a.m. Information may be obtained from Dwayne Jekel, P.O. Drawer 150, Cameron, Texas 76520, (817) 697-4016. TRD-9601527.

The Central Texas MHMR Center Board of Trustees met 1101 Seventh Street, Brownwood, February 12, 1996, at 6:00 p.m. Information may be obtained from Saul Pullman, P.O. Box 250, Brownwood, Texas 76804, (915) 646-9574, Ext. 102. TRD-9601569.

The Education Service Center, Region V Board will meet at 2295 Delaware Street, Beaumont, February 14, 1996, at 3:30 p.m. Information may be obtained from Robert E. Nicks, 2295 Delaware Street, Beaumont, Texas 77703-4299, (409) 838-5555. TRD-9601567.

The Education Service Center, Region XVIII (Revised Agenda.) Board of Directors met at 2811 LaForce Boulevard, Midland, February 8, 1996, at 6:00 p.m. Information may be obtained from Dr. Vernon Stokes, P.O. Box 60580, Midland, Texas 79711, (915) 563-2380. TRD-9601570.

The Edwards Aquifer Authority Board met in the Board Room, San Antonio River Authority, 100 East Guenther, San Antonio, February 10, 1996, at 10:00 a.m. Information may be obtained from Alice Contreras, P.O. Box 15830, San Antonio, Texas 78212, (210) 270-0800. TRD-9601582.

The Erath County Appraisal District Board of Directors will meet at 1390 Harbin Drive, Stephenville, February 13, 1996, at 7:00 a.m. Information may be obtained from Vicky Greenough, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434. TRD-9601532.

The Houston-Galveston Area Council Transportation Policy Council will meet at 3121 Buffalo Speedway, H.E.S.S. Building, Houston, February 16, 1996, at 9:30 a.m. Information may be obtained from Alan C. Clark, P.O. Box 22777, Houston, Texas 77227-2777, (713) 627-3200. TRD-9601534.

The Jones County Appraisal District Board of Directors will meet at 1137 East Court Plaza, Anson, February 15, 1996, at 8:30 a.m. Information may be obtained from Susan Holloway, P.O. Box 348, Anson, Texas 79501, (915) 823-2422. TRD-9601565.

The Nolan County Central Appraisal District Board of Directors will meet at Betty's Breakfast, Oak Street, Sweetwater, February 13, 1996, at 7:00 a.m. Information may be obtained from Patricia Davis, P.O. Box 1256, Sweetwater, Texas 79556, (915) 235-8421. TRD-9601542.

The Palo Pinto Appraisal District Appraisal Review Board will meet at the Courthouse, Highway 180, Palo Pinto, February 14, 1996, at 1:30 p. m. Information may be obtained from Carol Holmes, P.O. Box 250, Palo Pinto, Texas 76484-0250, (817) 659-1281. TRD-9601528.

The Permian Basin Regional Planning Commission Board of Directors will meet at 2910 La Force Boulevard, Midland, February

14, 1996, at 1:30 p.m. Information may be obtained from Terri Moore, P.O. Box 60660, Midland, Texas 79711, (915) 563-1061. TRD-9601566.

▶ **The Tarrant Appraisal District Tarrant Appraisal Review Board** will meet at 2329 Gravel Road, Fort Worth, February 28-29, 1996, at 8:00 a.m. Information may be obtained from Linda G. Smith, 2329 Gravel Road, Fort Worth, Texas 76118-6984, (817) 284-8884. TRD-9601544.

**The Texas Council Risk Management Fund Board of Trustees and Advisory Committee Strategic Planning Session** met at the Stouffer Austin Hotel, Trinity Room, 9721 Arboretum Boulevard, Austin, February 8, 1996, at 8:00 a.m. Information may be obtained from Spencer McClure, Westpark Building 3, Suite 240, 8140 Mopac Expressway, Austin, Texas 78759, (512) 794-9268. TRD-9601529.

**The Texas Council Risk Management Fund Board of Trustees and Advisory Committee** met at the Stouffer Austin Hotel, Wedgewood Room, 9721 Arboretum Boulevard, Austin, February 9, 1996, at 8:00 a.m. Information may be obtained from Spencer McClure, Westpark Building 3, Suite 240, 8140 Mopac Expressway, Austin, Texas 78759, (512) 794-9268. TRD-9601530.

**The Tri County Special Utility District (SUD) Board of Directors** met at Highway 7 East, Marlin, February 12, 1996, at 7:00 p.m. Information may be obtained from Patsy Booher, P.O. Box 976, Marlin, Texas 76661, (817) 803-3553. TRD-9601550.

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**Meetings Filed February 6, 1996**

▶ **The Austin Transportation Study Policy Advisory Committee** met at the Joe C. Thompson Conference Center, 26th and Red River, Room 2.102, Austin, February 12, 1996, at 6:00 p.m. Information may be obtained from Michael R. Aulick, P.O. Box 1088-Annex, Austin, Texas 78767, (512) 499-2275. TRD-9601623.

**The Bexar-Medina-Atascosa Counties Water Control and Improvement District Number 1 Board of Directors** met at 221 Highway 132, Natalia, February 12, 1996, at 8:00 a.m. Information may be obtained from John W. Ward, III, P.O. Box 170, Natalia, Texas 78059, (210) 665-2132. TRD-9601620.

**The Brazos Valley Development Council (Emergency Meeting.) Criminal Justice Advisory Committee** met at 1706 East 29th Street, Bryan, February 8, 1996, at 1:30 p.m. (Reason for emergency: Grant deadlines.) Information may be obtained from Linda McGill, P.O. Drawer 4128, Bryan, Texas 77805-4128, (409) 775-4244. TRD-9601604.

**The Capital Area Planning Council Executive Committee** will meet at 2520 IH-35 South, Suite 100, Austin, February 14, 1996, at Noon. Information may be obtained from Richard G. Bean, 2520 IH-35 South, Suite 100, Austin, Texas 78704, (512) 443-7653. TRD-9601591.

**The Colorado River Municipal Water District Board of Directors** will meet at 460 East 24th Street, Big Spring, February 14, 1996, at 10:00 a.m. Information may be obtained from O. H. Ivie, P.O. Box 869, Big Spring, Texas 79721-0869, (915) 267-6341. TRD-9601635.

**The Hale County Appraisal District Board of Directors** will meet at the Cotton Patch Cafe, 3314 Olton Road, Plainview, February 15, 1996, at 7:00 p.m. Information may be obtained from Linda Jaynes, P.O. Box 329, Plainview, Texas 79073, (806) 293-4226. TRD-9601659.

▶ **The Hamilton County Appraisal District Board** will meet at 119 East Henry, Hamilton, February 13, 1996, at 7:00 a.m. Information may be obtained from Doyle Roberts, 119 East Henry, Hamilton, Texas 76531, (817) 386-8945. TRD-9601654.

**The Lometa Rural Water Supply Corporation Board of Directors** will meet at 506 West Main Street, Lometa, February 15, 1996, at 7:00 p.m. Information may be obtained from Levi G. Cash or Tina L. Hodge, P.O. Box 158, Lometa, Texas 76853, (512) 752-3505. TRD-9601629.

**The Lometa Rural Water Supply Corporation Board of Directors** will meet at 506 West Main Street, Lometa, February 15, 1996, at 8:00 p.m. Information may be obtained from Levi G. Cash or Tina L. Hodge, P.O. Box 158, Lometa, Texas 76853, (512) 752-3505. TRD-9601630.

**The Lower Rio Grande Valley Development Council Hidalgo County Metropolitan Planning Organization** will meet in the LRGVDC Conference Room, 311 North 15th Street, McAllen, February 13, 1996, at 6:00 p.m. Information may be obtained from Edward L. Molitor, 311 North 15th Street, McAllen, Texas 78501, (210) 682-3481. TRD-9601622.

**The Red Bluff Water Power Control District Board of Directors** met at 111 West Second Street, Pecos, February 12, 1996, at 1:00 p.m. Information may be obtained from Jim Ed Miller, 111 West Second Street, Pecos, Texas 79772, (915) 445-2037. TRD-9601607.

**The Rio Grande Council of Governments Board of Directors** will meet at the Rio Grande Council of Governments, 1100 North Stanton, Fourth Floor, El Paso, February 16, 1996, at 1:00 p.m. (MST). Information may be obtained from Lidia Flynn, 1100 North Stanton, Suite 610, El Paso, Texas 79902, (915) 533-0098. TRD-9601614.

**The South Franklin Water Supply Corporation Board of Directors** will meet at the Office of South Franklin Water Supply Corporation, 4430 Highway 115, South of Mount Vernon, February 13, 1996, at 7:00 p.m. Information may be obtained from Richard Zachary, P.O. Box 591, Mount Vernon, Texas 75457, (903) 860-3400. TRD-9601625.

**The Trinity River Authority of Texas Huntsville Regional Water Supply System Right-of-Way Committee** will meet at 1117 Tenth Street, Huntsville, February 13, 1996, at 1:30 p.m. Information may be obtained from James L. Murphy, P.O. Box 60, Arlington, Texas 76004, (817) 467-4343. TRD-9601638.

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**Meetings Filed February 7, 1996**

**The Education Service Center, Region X Board of Directors** will meet at 400 East Spring Valley Road, Richardson, February 14, 1996, at 12:30 p. m. Information may be obtained from Joe Farmer, 400 East Spring Valley Road, Richardson, Texas 75081, (214) 231-6301, Ext. 302. TRD-9601660.

**The Gillespie Central Appraisal District Board of Directors** will meet at the Gillespie County Courthouse, County Courtroom, 101 West Main, Fredericksburg, February 15, 1996, at 9:00 a.m. Information may be obtained from Mary Lou Smith, P.O. Box 429, Fredericksburg, Texas 78624, (210) 997-9807. TRD-9601676.

**The High Plains Underground Water Conservation District Number 1 Board** will meet at 2930 Avenue Q, Board Room, Lubbock, February 13, 1996, at 10:00 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181. TRD-9601672.

**The Liberty County Central Appraisal District Appraisal Review Board** will meet at 315 Main Street, Liberty, February 15, 1996, at 9:30 a.m. Information may be obtained from Sherry Greak, P.O. Box 10016, Liberty, Texas 77575, (409) 336-5722. TRD-9601668.

**The Local Government Investment Cooperative Board of Directors** will meet at 7001 Preston Road, Suite 300, Dallas, February 15, 1996, at 3:00 p.m. Information may be obtained from Patrick

Shinkle, 7001 Preston Road, Suite 300, Dallas, Texas 75202, (214) 522-8830 or Fax: (214) 522-7667. TRD-9601667.

**The South Plains Association of Governments Executive Committee** will meet at 1323 58th Street, Lubbock, February 13, 1996, at 9:00 a.m. Information may be obtained from Jerry D. Casstevens, P.O. Box 3730, Freedom Station, Lubbock, Texas 79452-3730, (806) 762-8721. TRD-9601661.

**The South Plains Association of Governments Board of Directors** will meet at 1323 58th Street, Lubbock, February 13, 1996, at 10:00 a.m. Information may be obtained from Jerry D. Casstevens, P.O.

Box 3730, Freedom Station, Lubbock, Texas 79452-3730, (806) 762-8721. TRD-9601662.

**The Upshur County Appraisal District Board of Directors** met at Warren and Trinity Streets, Gilmer, February 12, 1996, at 1:00 p.m. Information may be obtained from Louise Stracener, P.O. Box 280, Gilmer, Texas 75644-0280, (903) 843-3041. TRD-9601664.

**The Wood County Appraisal District Board of Directors** will meet at 210 Clark Street, Quitman, February 15, 1996, at 1:30 p.m. Information may be obtained from W. Carson Wages or Lou Brooke, P.O. Box 518, Quitman, Texas 75783-0518, (903) 763-4891. TRD-9601671.







§309 Effluent Limitations; §314 Toxic Pollutant Effluent Standards and Prohibitions; §315 Pretreatment Regulations for Existing and New Sources of Pollution; §321 Control of Certain Activities by Rules; §330 Municipal Solid Waste; §334 Underground and Aboveground Storage Tanks.

State agency thresholds submitted for approval by the Council pursuant to §505.26 may be found in the following issues of the *Texas Register*:

RRC: published October 17, 1995 (20 TexReg 8442)

TNRCC: published December 12, 1995 (20 TexReg 10502)

TPWD: published December 22, 1995 (20 TexReg 10974)

TxDOT: published March 24, 1995 (20 TexReg 2199)

GLO: published December 5, 1995 (20 TexReg 10271)

Persons may request a copy of the request for certification and approval of thresholds, including a copy of all rules and the agency's reasoned justification supporting the request. For copies please contact Janet Fatheree, Council Secretary, General Land Office, 1700 North Congress Avenue, Austin, Texas 78701-1495 (Phone: (512) 463-5385 or 1-800-852-3224).

Comments on the request for certification and approval of thresholds may be submitted to Janet Fatheree, Council Secretary, General Land Office, 1700 North Congress Avenue, Austin, Texas 78701-1495 (Phone: (512) 463-5385, FAX: (512) 475-0680). In order to be considered, comments must be received by 5:00 p.m. on Thursday, March 14, 1996.

Issued in Austin, Texas, on February 7, 1996.

TRD-9601682      Garry Mauro  
Chairman  
Coastal Coordination Council

Filed: February 7, 1996

## Texas Education Agency

### Invitation for Review and Comment on Proposed State Board of Education Rules for Adult Basic and Secondary Education

The Texas Education Agency (TEA) invites review and comment about proposed State Board of Education (SBOE) rules for adult basic and secondary education.

#### NEW LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
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The Woodlands	Lexicon Genetics Incorporated	L04932	The Woodlands	0	01/26/96
Throughout Texas	Highlander Environmental Corporation	L04917	Midland	0	01/30/96
Throughout Texas	City of Colleyville	L04926	Colleyville	0	01/17/96
Throughout Texas	Sam Engineering & Testing Incorporated	L04930	Irving	0	01/17/96
Throughout Texas	Milam Testing Services	L04949	Queen City	0	01/29/96

Legislation enacted by the 74th Texas Legislature necessitates the repeal and adoption of new rules for adult education. The Texas Education Code, Chapter 29, Subchapter H, authorizes SBOE to adopt rules for adult education.

The proposed new rules reflect changes enacted in Senate Bill 1, clarify language in current rules, and provide consistency with the federal state plan for adult education. The proposed changes were developed in coordination with a workgroup representing school districts, colleges, education service centers, community-based organizations, and literacy councils.

The proposed rules were discussed at the January 1996 SBOE meeting. It is anticipated that SBOE will consider final adoption of the rules at its April 1996 meeting.

Interested individuals are encouraged to submit comments regarding the proposed rules by February 28, 1996. To obtain a materials packet for the review and comment process, please write or call the Texas Education Agency, Division of Adult and Community Education, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9294.

Issued in Austin, Texas, on January 7, 1996.

TRD-9601669      Criss Cloudt  
Associate Commissioner for Policy Planning  
and Research  
Texas Education Agency

Filed: February 7, 1996

## Texas Department of Health Licensing Actions for Radioactive Materials

The Texas Department of Health has taken actions regarding licenses for the possession and use of radioactive materials as listed in the table below. The subheading labeled "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout Texas" indicates that the radioactive material may be used on a temporary basis at job sites throughout the state.

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
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Abilene	NC-SCHI, Inc. dba Abilene Regional Medical Center	L02126	Abilene	11	01/18/96
Abilene	NC-SCHI, Inc. Abilene Regional Medical Center	L02434	Abilene	38	01/18/96
Albany	Welco Incorporated	L04787	Albany	1	01/18/96
Amarillo	Syncor International Corporation	L03398	Amarillo	19	01/25/96
Arlington	Arlington Memorial Hospital	L02217	Arlington	40	01/25/96
Arlington	Arlington Scientific, Inc.	L03971	Arlington	11	01/26/96
Austin	Seton Medical Center	L02896	Austin	40	01/18/96
Austin	Austin Cancer Center	L03995	Austin	4	01/17/96
Beaumont	St. Elizabeth Hospital	L00269	Beaumont	62	01/17/96
Burnet	Highland Lakes Medical Center	L03515	Burnet	15	01/23/96
Colorado city	Mitchell County Hospital	L01643	Colorado City	15	01/25/96
Corpus Christi	Spohn Hospital	L02357	Corpus Christi	16	01/29/96
Corpus Christi	Spohn Hospital	L02495	Corpus Christi	44	01/26/96
Corpus Christi	Doctors Regional Medical Center	L02816	Corpus Christi	36	01/18/96
DFW Airport	Delta Airlines	L03967	DFW Airport	10	01/29/96
Dallas	Baylor College of Dentistry	L00323	Dallas	26	01/30/96
Dallas	Texas Instruments, Inc.	L00946	Dallas	71	01/26/96
Dallas	Medical City Hospital Dallas	L01976	Dallas	89	01/23/96
Denton	Denton Regional Medical Center	L02764	Denton	28	01/23/96
El Paso	Columbia Medical Center - West	L02715	El Paso	20	01/23/96
Fort Worth	William C. Conner Research Center Alcon Labs, Inc.	L01281	Fort Worth	34	01/25/96
Fort Worth	Harris Methodist Fort Worth	L01837	Fort Worth	60	01/23/96
Fort Worth	All Saints Episcopal Hospital	L02212	Fort Worth	39	01/26/96
Fort Worth	Syncor International Corporation	L02905	Fort Worth	39	01/18/96
Galena Park	United States Gypsum Company	L03896	Galena Park	4	01/25/96
Galveston	The University of Texas Medical Branch	L01299	Galveston	43	01/19/96
Houston	Memorial Care System c/o Memorial Hospital Southwest	L00439	Houston	50	01/23/96
Houston	University of Texas M.D. Anderson Cancer Center	L00466	Houston	59	01/23/96
Houston	Baylor College of Medicine	L00680	Houston	56	01/30/96
Houston	General Welding Works, Inc.	L02895	Houston	34	01/17/96
Houston	Mallinckrodt Medical, Inc.	L03008	Houston	41	01/18/96
Houston	Rosewood Medical Center	L03283	Houston	6	01/26/96
Houston	Womans Hospital of Texas, Inc.	L04834	Houston	1	01/18/96
Kingwood	Columbia Kingwood Plaza Hospital	L04482	Kingwood	9	01/18/96
Llano	Llano Memorial Hospital	L04438	Llano	6	01/29/96
Lubbock	Methodist Hospital	L00483	Lubbock	84	01/18/96
Midland	CHC-A of Midland, Inc.	L03386	Midland	21	01/17/96
Mission	Valley Nuclear Incorporated	L04521	McAllen	6	01/18/96
Nacogdoches	AMI Nacogdoches Medical Center	L02853	Nacogdoches	13	01/23/96
Pasadena	Texas Industrial X-Ray Inc.	L01851	Pasadena	57	01/18/96
Plano	ARCO Exploration and Production Technology Company	L00134	Plano	58	01/18/96
Point Comfort	Formosa Plastics Corporation Texas	L03893	Point Comfort	11	01/18/96
San Antonio	The University of Texas Health Science Center	L01279	San Antonio	69	01/17/96
San Antonio	Metropolitan Hospital	L02232	San Antonio	32	01/25/96
San Antonio	Santa Rosa Health Care Corporation	L02237	San Antonio	37	01/17/96
San Antonio	Heart Center of Central San Antonio	L04860	San Antonio	3	01/23/96
The Woodlands	Triplex Pharmaceutical Corporation	L04344	The Woodlands	9	01/30/96
Throughout Texas	Professional Service Industries, Inc.	L00203	Houston	85	01/18/96
Throughout Texas	Professional Service Industries, Inc.	L00203	Houston	86	01/25/96
Throughout Texas	Texaco Incorporated - Houston Research Center	L00247	Houston	64	01/18/96
Throughout Texas	Schlumberger Technology Corporation	L01833	Houston	97	01/30/96
Throughout Texas	Huntingdon Engineering and Environmental, Inc.	L01934	Houston	49	01/29/96

CONTINUED AMENDMENTS TO EXISTING LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
Throughout Texas	Bix Testing Laboratories	L02143	Baytown	73	01/18/96
Throughout Texas	H & G Inspection Company, Inc.	L02181	Houston	101	01/18/96
Throughout Texas	Technical Welding Laboratory, Inc.	L02187	Pasadena	107	01/19/96
Throughout Texas	Sperry-Sun Drilling Services, Inc.	L02603	Houston	40	01/30/96
Throughout Texas	Raytheon Engineers & Contractors, Inc.	L02662	Houston	52	01/25/96
Throughout Texas	Geotest Engineering, Incorporated	L02735	Houston	31	01/25/96
Throughout Texas	METCO	L03018	Houston	48	01/17/96
Throughout Texas	METCO	L03018	Houston	49	01/22/96
Throughout Texas	X-Cel Group, Inc.	L03548	Odessa	38	01/18/96
Throughout Texas	NMC Diagnostic Services, Inc.	L03574	San Antonio	27	01/26/96
Throughout Texas	D-Arrow Inspection Incorporated	L03816	Houston	51	01/26/96
Throughout Texas	Conlan Engineering Company, Inc.	L04134	Tyler	9	01/26/96
Throughout Texas	Liberty Technical Services	L04570	Deer Park	22	01/17/96
Throughout Texas	Liberty Technical Services	L04570	Deer Park	23	01/22/96
Throughout Texas	Quality Assurance Services, Inc.	L04601	Grand Prairie	10	01/29/96
Throughout Texas	Combest Geoscience	L04652	San Angelo	3	01/25/96
Throughout Texas	SOLOCO, Incorporated	L04708	Bridge City	6	01/17/96
Throughout Texas	Adams Brothers Incorporated	L04771	Athens	32	01/30/96
Throughout Texas	Sam Engineering & Testing Incorporated	L04930	Irving	1	01/23/96
Throughout Texas	Shell Oil Company	L04933	Deer Park	1	01/30/96

RENEWALS OF EXISTING LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
Arlington	The University of Texas at Arlington	L00248	Arlington	25	01/19/96
Llano	Llano memorial hospital	L04438	Llano	6	01/29/96
Throughout Texas	Finnigan Corporation	L01186	Austin	35	01/26/96
Throughout Texas	Murray, Thomas and Griffin, Inc.	L04481	Texarkana	3	01/17/96
Throughout Texas	Amtech Roofing Consultants, Inc.	L04486	Dallas	2	01/30/96

TERMINATIONS OF LICENSES ISSUED:

Location	Name	License#	City	Amend- ment #	Date of Action
Big Spring	Colorado River Municipal Water District	L04446	Big Spring	1	01/18/96
Bryan	Elf Atomchem North America, Inc.	L04202	Bryan	4	01/18/96
Fort Worth	Twin Oaks Medical Center	L03364	Fort Worth	17	01/30/96
Galveston	Hydrogeologic/Engineering of Texas, Inc.	L04740	Galveston	1	01/26/96
Stanton	Martin County Hospital	L03882	Stanton	3	01/26/96

AMENDMENTS TO EXISTING LICENSES DENIED:

Location	Name	License#	City	Amend- ment #	Date of Action
Throughout Texas	Bonded Inspections, Inc.	L00693	Garland	0	01/16/96
Throughout Texas	Scientific Measurement Systems, Inc.	L02696	Austin	0	01/29/96
Throughout Texas	Goolsby Testing Laboratories, Inc.	L03115	Humble	0	01/16/96
Throughout Texas	Liberty Technical Services	L04570	Deer Park	0	01/25/96

In issuing new licenses and amending and renewing existing licenses, the Texas Department of Health, Bureau of Radiation Control, has determined that the applicants are qualified by reason of training and experience to use the material in question for the purposes requested in accordance with Texas Regulations for Control of Radiation in such a manner as to minimize danger to public health and safety or property and the environment; the applicants' proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property and the environment; the issuance of the license(s) will not be inimical to the health and safety of the public or the environment; and the applicants satisfy any applicable special requirements in the Texas Regulations for Control of Radiation.

This notice affords the opportunity for a hearing on written request of a licensee, applicant, or "person affected" within 30 days of the date of publication of this notice. A "person affected" is defined as a person who is resident of a county, or a county adjacent to the county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and any local government in the county; and who can demonstrate that he has suffered or will suffer actual injury or economic damage due to emissions of radiation. A licensee, applicant, or "person affected" may request a hearing by writing Richard A. Ratliff, P.E., Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189.

Any request for a hearing must contain the name and address of the person who considers himself affected by Agency action, identify the subject license, specify the reasons why the person considers himself affected, and state the relief sought. If the person is represented by an agent, the name and address of the agent must be stated.

Copies of these documents and supporting materials are available for inspection and copying at the office of the Bureau of Radiation Control, Texas Department of Health, Exchange Building, 8407 Wall Street, Austin, Texas, from 8:00 A.M. to 5:00 P.M. Monday through Friday (except holidays).

Issued in Austin, Texas, on January 31, 1995, by Susan K. Steeg, General Counsel, Office of General Counsel, Texas Department of Health. (Telephone (512) 834-6688)

In issuing new licenses and amending and renewing existing licenses, the Texas Department of Health, Bureau of Radiation Control, has determined that the applicants are qualified by reason of training and experience to use the material in question for the purposes requested in accordance with *Texas Regulations for Control of Radiation* in such a manner as to minimize danger to public health and safety or property and the environment; the applicants' proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property and the environment; the issuance of the license(s) will not be inimical to the health and safety of the public or the environment; and the applicants satisfy any applicable special requirements in the *Texas Regulations for Control of Radiation*.

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Issued in Austin, Texas, on January 31, 1996.

TRD-9601675 Susan K. Steeg  
General Counsel, Office of General  
Counsel  
Texas Department of Health

Filed: February 7, 1996

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**Texas Department of Human Services**  
**Availability of Funds**

The Texas Department of Human Services announces the availability of funds for public information and outreach activities regarding citizenship and naturalization, and for English language and civics instruction for adult Eligible Legalized Aliens (ELAs) who have not met the requirements of section 312 of the Immigration and Nationality Act for purposes of becoming naturalized as citizens of the United States.

**SUMMARY:** The Texas Department of Human Services (DHS) Office of Immigration and Refugee Affairs announces the availability of up to \$447,553 for the provision of naturalization and citizenship services to Eligible Legalized Aliens (ELAs) residing in Texas. For purposes of this announcement, Eligible Legalized Aliens are defined as aliens who have been granted lawful status under §§210, 210A or 245A of the Immigration and Nationality Act (INA), (8 U.S.C. §§1160, 1161, 1255a). These funds are made available through a grant from the Administration for Children and Families, U.S. Department of Health and Human Services pursuant to Public Law 103-333.

Funds will be awarded competitively on a regional basis to those applicants who can best demonstrate the ability to effectively and efficiently provide public information and outreach to the targeted population regarding naturalization and citizenship, English language and civics instruction for adult ELAs desiring to naturalize, and assistance in citizenship application preparation.

For purposes of funds distribution under this announcement, The Texas Department of Human Services will use the geographic boundaries of the Texas districts of the Immigration and Naturalization Service (INS), U.S. Department of Justice. The proportion of funds to be made available in each respective INS district has been determined by the estimated geographic distribution of the targeted population, as reported by the U.S. Department of Health and Human Services. The level of funds to be made available in each respective INS district is as follows: Houston INS District, \$149,169; Dallas INS District, \$140,129; San Antonio INS District, \$70,893; Harlingen INS District, \$46,859; and El Paso INS District, \$40,503.

Applicants may propose to offer either one or both of educational instruction services and application preparation assistance under this announcement. Eligible applicants proposing to offer educational instruction services will include public and private educational institutions, community colleges, school districts and other public and private agencies with demonstrated prior experience providing such services. Agencies proposing to offer services including "group processing" and/or individ-

ual naturalization application preparation assistance must be accredited by the Board of Immigration Appeals (BIA) to provide immigrant legal assistance, or must propose to work in partnership with a BIA-accredited agency.

For a complete grant application packet, please call or write: Juan Antonio Flores, Office of Immigration and Refugee Affairs, Texas Department of Human Services, 701 West 51st Street, P.O. Box 149030, Mail Code W-623, Austin, Texas 78714-9030, (512) 438-3526, fax (512) 438-3884.

Application packets will be sent out upon request via First Class U.S. Mail. The Texas Department of Human Services will not be responsible for lost, stolen, or damaged mail.

**APPLICATION DEADLINE:** Proposals must be received no later than 5:00 P.M. CST, Friday, March 15, 1996.

Issued in Austin, Texas, on February 5, 1996.

TRD-9601533 Nancy Murphy  
Section Manager, Media and Policy  
Services  
Texas Department of Human Services  
end list>  
Filed: February 5, 1996

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**Public Notice**

The Texas Department of Human Services (TDHS) is planning to submit a Medicaid state plan amendment to allow additional nursing facility Medicaid recipients to participate in the nursing facility ventilator-dependent supplemental reimbursement. The current methodology may exclude some Medicaid recipients who would qualify if the criteria were not so restrictive. The proposed amendment would reimburse facilities for recipients who require less than continuous ventilation. Supplemental reimbursements currently are limited to residents who qualify for the Texas Index for Level of Effort (TILE) heavy-care case mix classification and require continuous artificial ventilation in order to sustain life. This amendment will allow residents in any TILE classification to participate if they receive at least six consecutive hours of ventilation daily. Individuals requiring six consecutive hours or more but less than continuous ventilation will be eligible to receive 40% of the total-ventilator dependent supplemental reimbursement. This amendment will increase the total expenditures during Fiscal Year 1996 by \$57,335 and in Fiscal Year 1997 by \$85,768. For further information, contact local TDHS offices or Geri Bischoff, M/C W-519, P.O. Box 149030, Austin, Texas 78714-9030, (512) 438-3171. Written comments can also be submitted to this address.

Issued in Austin, Texas, on February 7, 1996.

TRD-9601678 Nancy Murphy  
Section Manager, Media and Policy  
Services  
Texas Department of Human Services

Filed: February 7, 1996

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**Public Notice of Closed Solicitation**

Pursuant to Title 2, Chapters 22 and 32, of the Human Resources Code and 40 TAC §19.2324, in the March 31, 1995, issue of the *Texas Register* (20 TexReg 2443), the Texas Department of Human Services (TDHS) is closing

the solicitation for new Medicaid beds in JIM HOGG County, County Number 124, which appeared in the January 2, 1996, issue of the *Texas Register* (21 TexReg 163). The solicitation is being closed effective the date of this public notice.

Issued in Austin, Texas, on February 7, 1996.

TRD-9601679 Nancy Murphy  
Section Manager, Media and Policy  
Services  
Texas Department of Human Services

Filed: February 7, 1996

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**Texas Natural Resource Conservation  
Commission**

**Declaration of Administrative  
Completeness and Notice of  
Application for a Weather Modification  
Permit**

COLORADO RIVER MUNICIPAL WATER DISTRICT, Application Number 9644077 to obtain a new, 4-year Texas weather-modification permit, under Texas Water Code Chapter 18, Rules of the Texas Natural Resource Conservation Commission 30 TAC Chapter 289, and the Texas Weather Modification Act of 1967. Issuance of a permit is contingent upon the applicant (1) submitting a completed application and paying the permit fee; (2) submitting a Project Operations Plan and a map of the proposed operational and target areas; (3) providing proof of insurability; (4) publishing a Notice of Intention to Engage in Weather Modification Activities in newspapers having a general circulation in the area where cloud-seeding activities are proposed; and (5) submitting affidavits that verify publication of the Notice for three consecutive weeks. Applicant is in possession of a valid Texas weather-modification license for fiscal year 1996. Application Number 9644077 was received on November 2, 1995 and has been declared administratively complete. Applicant has paid the permit fee and has complied with all other requirements for obtaining a permit, including publication of the Notice of Intention to Engage in Weather Modification Activities. The Commission's Weather Modification Advisory Committee, at its November 17, 1995 meeting in Dallas, Texas, examined the permit application and recommended, unanimously, that the permit be granted. The Commission has concurred with the Committee recommendation. The Executive Director is authorized to act on behalf of the TNRCC and issue final approval on certain applications. Inasmuch as no written requests for a hearing were received within the allowed period following first publication of the Notice of Intention to Engage in Weather Modification Activities, the Executive Director will act on this application on or after February 16, 1996.

Issued in Austin, Texas, on February 6, 1996.

TRD-9601637 Gloria A. Vasquez  
Chief Clerk  
Texas Natural Resource Conservation  
Commission

Filed: February 6, 1996

**North Central Texas Council of  
Governments**

**Consultant Proposal Request**

This request by the North Central Texas Council of Governments (NCTCOG) for consultant services is filed under the provisions of Government Code, Chapter 2254.

NCTCOG intends to select a consultant to conduct a transit onboard survey for the Fort Worth Transportation Authority. This survey of fixed routes will focus on the data needed for operational decisions in transit planning and scheduling.

**Contract Award Procedures.**

The firm selected to perform this study will be recommended by a Project Review Committee. The PRC will use evaluation criteria and methodology consistent with the scope of services contained in the Request for Proposals. The NCTCOG Executive Board will review the PRC's recommendations and, if found acceptable, will issue contract awards.

**Regulations.**

NCTCOG, in accordance with Title VI of the Civil Rights Act of 1964, 78 Statute 252, 41 United States Code 2000d to 2000d-4; and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part, Nondiscrimination in Federal Assisted Programs of the Department of Transportation issued pursuant to such act, hereby notifies all proposers that it will affirmatively assure that in regard to any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, sex, age, national origin, or disability in consideration of an award.

**Due Date.**

Proposals must be submitted no later than 2:00 p.m., Central Standard Time, Monday, March 4, 1996, to Ken Cervenka, P.E., Principal Transportation Engineer, North Central Texas Council of Governments, 616 Six Flags Drive, Second Floor, or P.O. Box 5888, Arlington, Texas 76005-5888. For more information and copies of the Request for Proposals, contact Shirley Henry, (817) 695-9243.

Issued in Arlington, Texas, on February 1, 1996.

TRD-9601543 Mike Eastland  
Executive Director  
North Central Texas Council of  
Governments

Filed: February 5, 1996

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**Public Utility Commission of Texas**

**Notice of Application to Amend  
Certificate of Convenience and  
Necessity**

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on September 12, 1995, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act of

1995, §§1.101(a), 2.201, 2.101(e), 2.252, 2.255, 3.252, and 3.254. A summary of the application follows.

**Docket Title and Number:** Application of Lamar County Electric Cooperative, Association for a Certificate of Convenience and Necessity to Construct a Transmission Line in Lamar County, Docket Number 14697 before the Public Utility Commission of Texas.

**The Application:** In Docket Number 14697, Lamar County Electric Cooperative Association requests approval of its application for a certificate of convenience and necessity to construct approximately 2.6 miles of 138 kV transmission line in Lamar County.

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 Public Information Division at (512) 458-0388, or (512) 458-0221 for teletypewriter for the deaf within 15 days of this notice.

Issued in Austin, Texas, on February 6, 1996.

TRD-9601595      Paula Mueller  
Secretary of the Commission  
Public Utility Commission of Texas

Filed: February 6, 1996

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## Notice of Public Hearing

The Public Utility Commission of Texas (Commission) published in the *Texas Register* on January 12, 1996, proposed amendments to §23.23 of the Commission's Substantive Rules. The changes to §23.23(a)(7) Effect of Certification, relating to the certification of long-term fuel contracts, are nonsubstantive changes meant to make the provision more understandable. The proposed changes to §23.23(b)(3)(C)(i), regarding fuel refunds and surcharges, are meant to clarify how interest should be calculated on the cumulative under- or over-recovery fuel balance based on requirements already in effect at the Commission.

The preamble notified interested parties that comments on the proposed rule were to be submitted within 30 days. Comments were to refer to Project Number 14358. The actual number of this project is 14992.

Pursuant to Government Code §2001.029 the General Counsel will conduct a public hearing on this rulemaking in Project Number 14992 at the Public Utility Commission at 7800 Shoal Creek Boulevard on February 20, 1996, at 9:00 a.m. in the Commissioner's Hearing Room.

Issued in Austin, Texas, on February 6, 1996.

TRD-9601596      Paula Mueller  
Secretary of the Commission  
Public Utility Commission of Texas

Filed: February 6, 1996

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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:

Angelina and Neches River Authority-Holmwood Project, 210 Lufkin Avenue, Lufkin, Texas 75901, received January 5, 1996, application for financial assistance in the amount of \$415,000 from the State Water Pollution Control Revolving Fund and the Water Supply Account of the Texas Water Development Fund.

City of Fort Worth, Texas, 1000 Throckmorton, Fort Worth, Texas 76102, received January 5, 1996, application for financial assistance in the amount of \$17,120,000 from the State Water Pollution Control Revolving Fund.

City of Giddings, 118 East Richmond Street, Giddings, Texas 78942, received December 28, 1995, application for financial assistance in the amount of \$4,000,000 from the State Water Pollution Control Revolving Fund.

City of Rockport, 622 East Market Street, Rockport, Texas 78382, received January 5, 1996, application for financial assistance in the amount of \$2,500,000 from the State Water Pollution Control Revolving Fund.

Lower Valley Water District, 10005 Alameda, Suite #P, El Paso, Texas 79927, received April 7, 1995, application additional grant/loan assistance in the amount of \$16,320,892 from the Economically Distressed Areas Program and the Water Supply Account of the Texas Water Development Fund, and the State Water Pollution Control Revolving Fund.

Hurst Creek Municipal Utility District, 102 Trophy Drive, Austin, Texas 78738-1101, received January 2, 1996, application for financial assistance in the amount of \$3,080,000 from the Water Supply Account of the Water Development Fund and the State Water Pollution Control Revolving Fund.

Glenlake Water Supply Corporation, 3900 Sorrel Cove, Austin, Texas 78730, received September 5, 1995, application for financial assistance in the amount of \$500,000 from the Water Supply Account of the Texas Water Development Fund.

City of Laredo, 4002 North Barlett, Laredo, Texas 78044-2950, received December 13, 1995, application for additional financial assistance in an amount not to exceed \$110,000 from the Research and Planning Fund.

El Paso Water Utilities Public Service Board, 1154 Hawkins, El Paso, Texas 79925, received January 27, 1995, application for additional financial assistance in an amount not to exceed \$218,306.44 from the Research and Planning Fund.

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

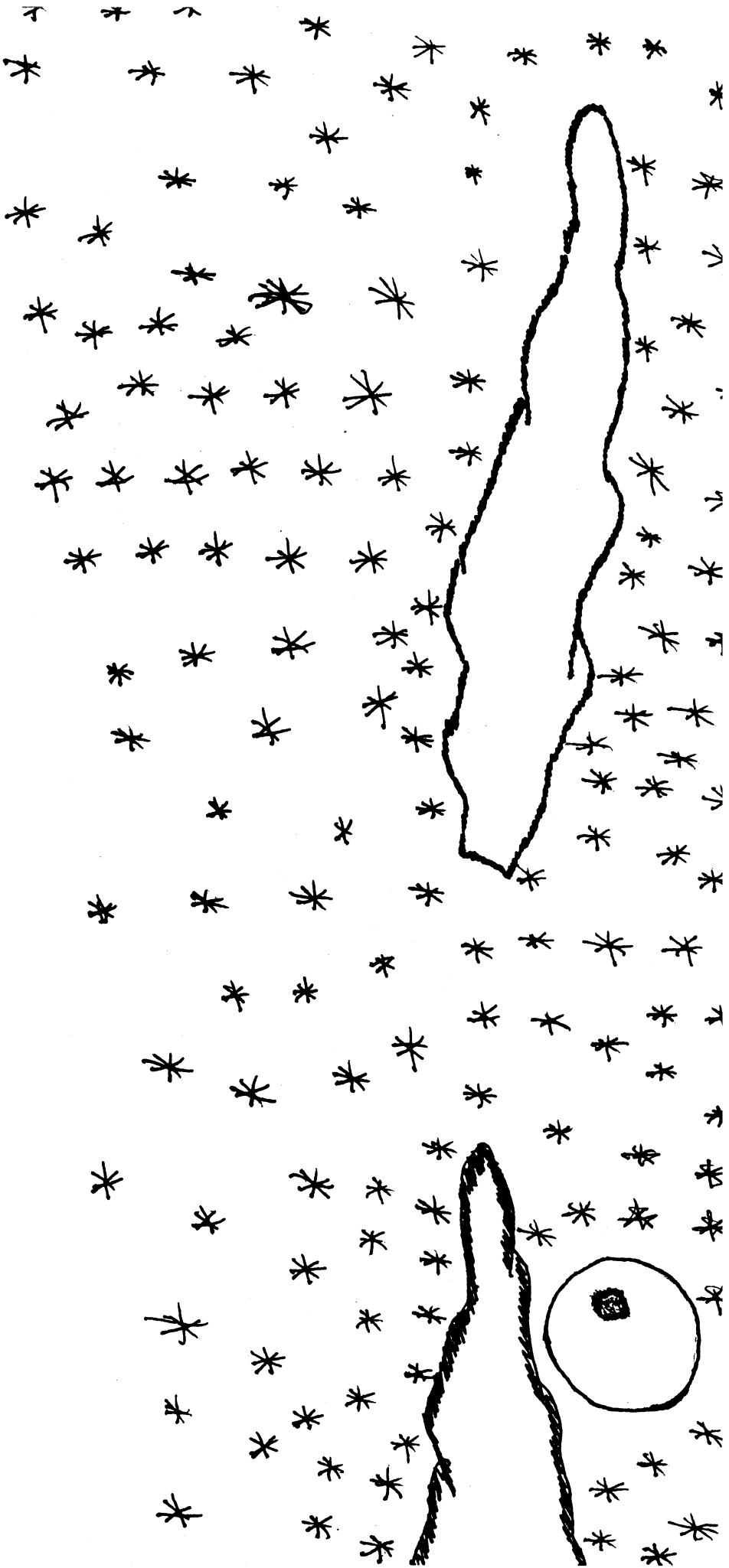
Issued in Austin, Texas, on February 7, 1996.

TRD-9601665      Craig D. Pederson  
Executive Administrative  
Texas Water Development Board

Filed: February 7, 1996

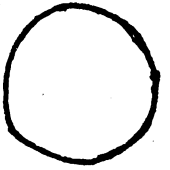
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Name: Albert Talamantez  
Grade: 11  
School: Harlandale High School, Harlandale ISD

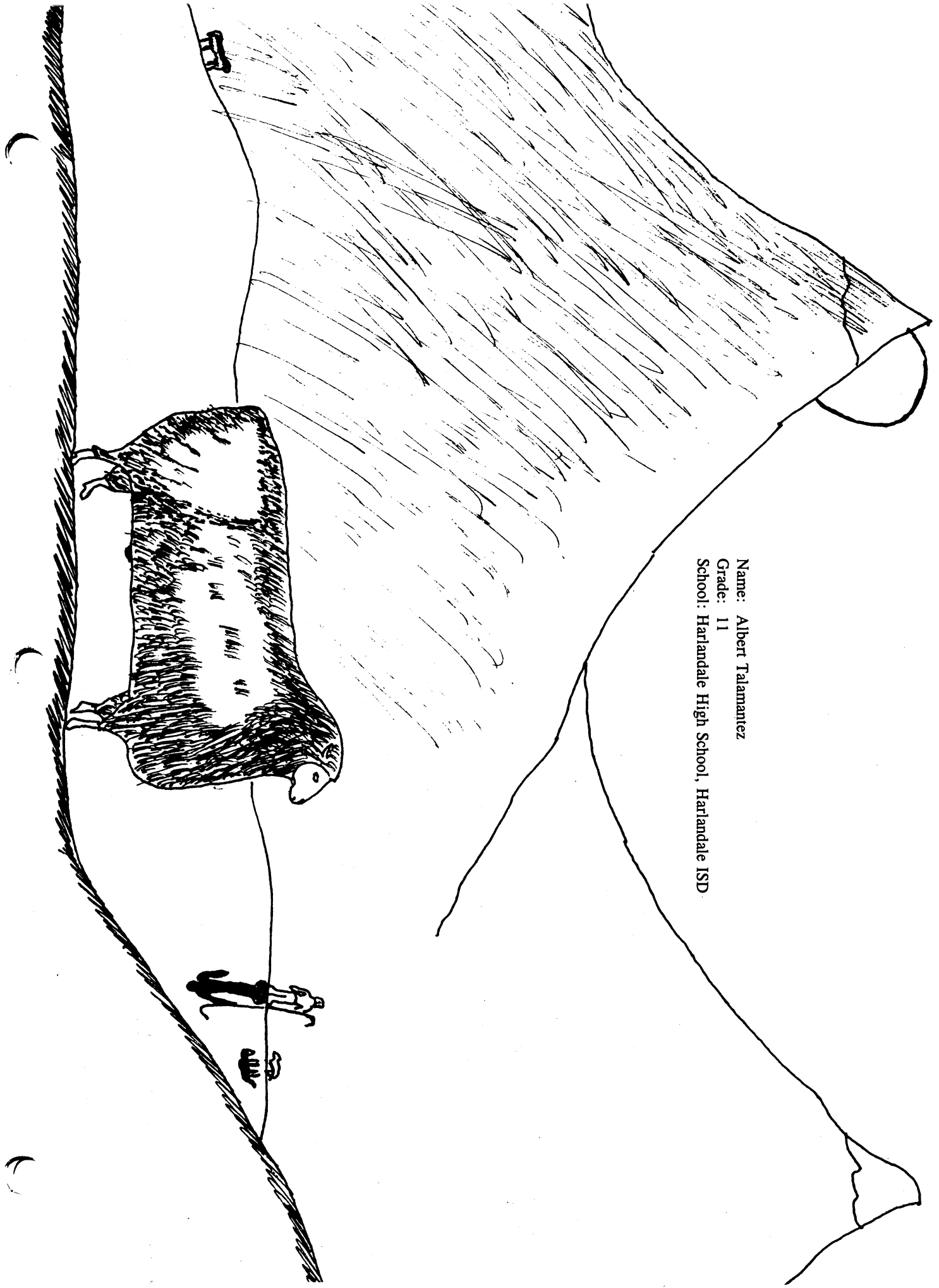





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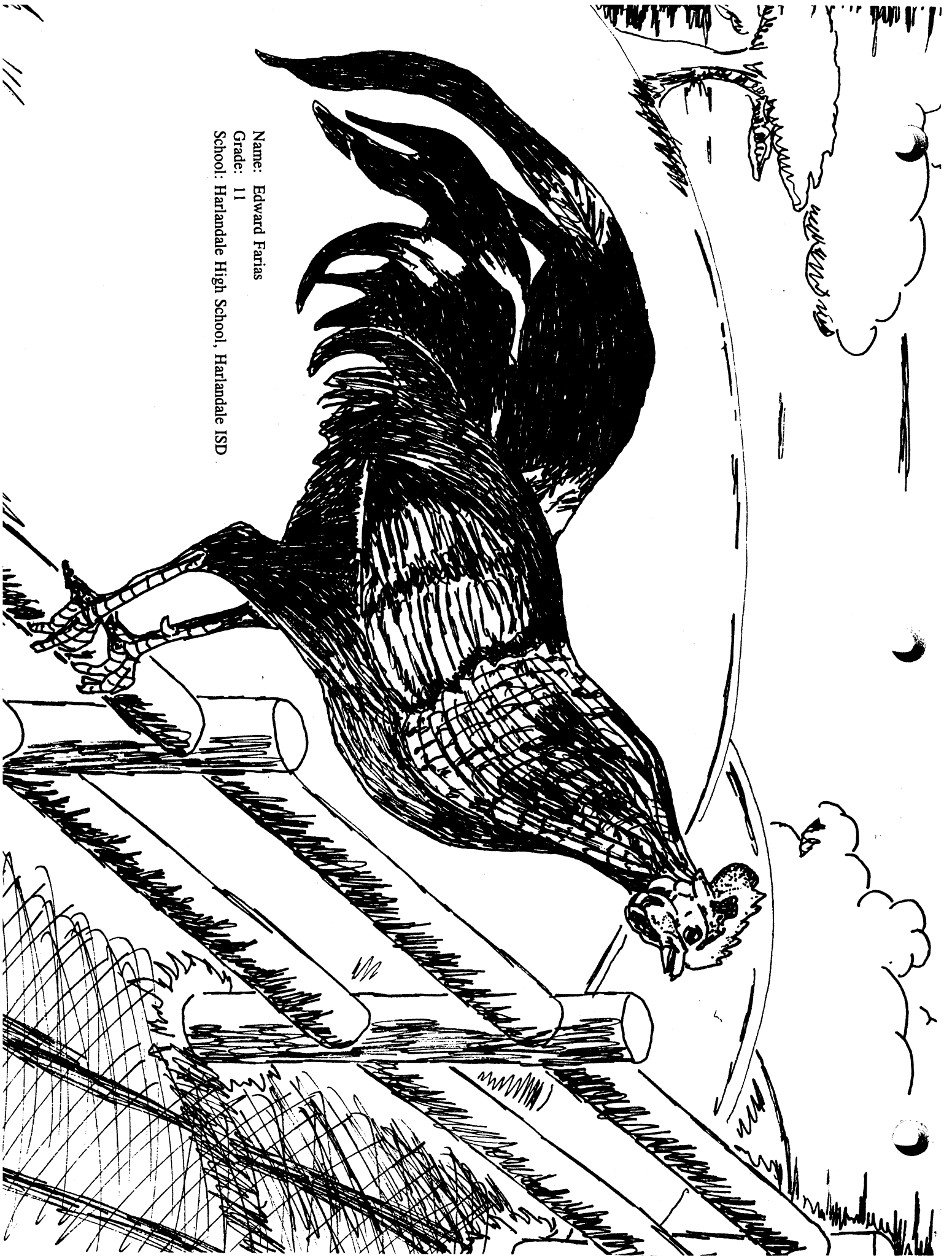




Name: Albert Talamantez  
Grade: 11  
School: Harlandale High School, Harlandale ISD



Name: Louis Alvarez  
Grade: 11  
School: Harlandale High School, Harlandale ISD



Name: Edward Farias  
Grade: 11  
School: Harlandale High School, Harlandale ISD

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