

Texas Register

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Pages 2971-3011

In This Issue...

Emergency Sections

State Board of Insurance

2983—Corporate and Financial Regulation

Texas Parks and Wildlife Department

2984—Fisheries and Wildlife

Proposed Sections

State Purchasing and General Services
Commission

2985—Central Purchasing Division

Texas State Board of Public
Accountancy

2985—The Board

State Board of Insurance

2985—Property and Casualty Insurance

Texas Workers' Compensation
Commission

2986—General Provisions-Practice and Procedure

Texas Department of Human Services

2986—Family Planning

Adopted Sections

Texas Workers' Compensation
Commission

2989—Dispute Resolution-Hearings Under the Administra-
tive Procedure and Texas Register Act

Texas Parks and Wildlife Department

2994—Fisheries and Wildlife

Texas Department of Human Services

2995—Purchased Health Services

2996—Utilization Control

Open Meetings

2997—Texas Department on Aging

2997—Texas Air Control Board

2998—State Banking Board

2998—Bond Review Board

2998—Texas Department of Criminal Justice Board of Par-
don and Poles

2998—Texas School for the Deaf

2998—Texas Education Agency

3000—Texas Employment Commission

3000—Interagency Council for Genetic Services

3000—Governor's Task Force on Revenue

3000—Texas Department of Health

3001—Texas Board of Examiners in the Fitting and Dis-
pensing of Hearing Aids

3002—Texas Department of Human Services

3002—Texas Incentive and Productivity Commission

3002—State Board of Insurance

3003—Texas Board of Irrigators

3003—Texas Department of Licensing and Regulation

3003—Mental Health and Mental Retardation Regional
Center of East Texas

CONTENTS CONTINUED INSIDE

Texas Register

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Proposed Sections-sections proposed for adoption

Withdrawn Sections-sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date

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

Open Meetings-notices of open meetings

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

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

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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: "14 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 14 TexReg 3"

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Texas Administrative Code

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

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3003–Texas State Board of Examiners of Psychologists
3003–Public Utility Commission of Texas
3004–State Purchasing and General Services Commission
3004–Texas Real Estate Commission

3004–Texas Municipal Retirement System

3004–School Land Board

3005–Structural Pest Control Board

3005–The Texas A&M University System

3005–Texas Water Commission

3005–Texas Workers' Compensation Commission

3005–Regional Meetings

In Addition

Texas Air Control Board

3009–Notice of Contract Award

3009–Notice of Public Hearing
State Banking Board

3009–Notice of Hearing
Texas Department of Commerce

3009–Notice of Intent to RFP
Texas Education Agency

3010–Notice of Public Hearings

3010–Request for Applications
Governor's Energy Office

3010–Consultant Proposal Request
Texas Department of Human Services

3011–Notice of Public Hearing
Texas Water Commission

3011–Meeting Notice



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TAC Titles Affected

TAC Titles Affected—May

The following is a list of the administrative rules that have been published this month.

TITLE 1. ADMINISTRATION

Part IV. Office of the Secretary of State

1 TAC §81.11—2825

Part V. State Purchasing and General Service Commission

1 TAC §113.1—2985

1 TAC §113.13—2449, 2467

1 TAC §§113.21, 113.23, 113.25—2449, 2467

1 TAC §125.47—2450, 2467

1 TAC §§125.61, 125.63, 125.65, 125.67—2451, 2467

Part VI. Office of the Secretary of State

1 TAC §81.11—2825

Part XII. Advisory Commission on State Emergency Communications

1 TAC §251.2—2503

TITLE 4. AGRICULTURE

Part I. Texas Department of Agriculture

4 TAC §6.4—2857

4 TAC §11.2—2571, 2857

4 TAC §21.51—2727

Part II. Animal Health Commission

4 TAC §35.1—2453, 2469

4 TAC §35.2—2454, 2469, 2859

4 TAC §35.5—2454

4 TAC §35.6—2469

4 TAC §35.7—2454

4 TAC §36.1—2455, 2470

4 TAC §36.2—2455, 2470

4 TAC §41.2—2455

4 TAC §43.1—2470

4 TAC §49.1—2457

4 TAC §49.2—2470

4 TAC §51.1—2457, 2471

4 TAC §51.2—2471

TITLE 7. BANKING AND SECURITIES

Part VI. Credit Union Department

7 TAC §91.402—2951

7 TAC §91.506—2504

7 TAC §95.2—2521

7 TAC §95.3—2521

7 TAC §95.102—2521

7 TAC §95.201—2521

7 TAC §95.306—2522

7 TAC §95.307—2522

7 TAC §95.308—2522

7 TAC §95.309—2523

7 TAC §97.112—2506

7 TAC §97.113—2506

7 TAC §97.114—2507

Part VII. State Securities Board

7 TAC §109.3—2457

7 TAC §111.2—2458

7 TAC §115.7—2458

7 TAC §117.1, §117.4—2471

7 TAC §123.1, §123.2—2471

7 TAC §135.3—2579

7 TAC §137.1—2472

7 TAC §139.12—2459

TITLE 10. COMMUNITY DEVELOPMENT

Part V. Texas Department of Commerce

10 TAC §178.13—2828

TITLE 13. CULTURAL RESOURCES

Part VII. State Preservation Board

13 TAC §111.24—2953

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

16 TAC §3.13—2501, 2508

16 TAC §3.22—2523, 2508

16 TAC §5.32—2571

16 TAC §§5.53-5.55—2659

16 TAC §5.82, §5.83—2659

16 TAC §5.104—2942

Part II. Public Utility Commission of Texas

16 TAC §21.24—2727

16 TAC §23.16—2873

16 TAC §23.31—2731

16 TAC §23.43—2873

16 TAC §23.46—2874

Part VI. Texas Motor Vehicle Commission

16 TAC §101.63, §101.64—2459, 2460

Part VIII. Texas Racing Commission

16 TAC §305.35—2735

16 TAC §306.261—2943

16 TAC §307.261—2939

16 TAC §321.71—2693, 2697

TITLE 19. EDUCATION

Part I. Texas Higher Education Coordinating Board

19 TAC §5.154—2859

19 TAC §5.264—2858, 2860

19 TAC §17.24—2861

19 TAC §21.60—2861

19 TAC §21.123—2862

Part II. Texas Education Agency

19 TAC §§53.1-53.3—2581

19 TAC §§53.21-53.25—2581

19 TAC §§53.71-53.74—2582

19 TAC §§53.71-53.77—2581

19 TAC §61.1, §61.2—2582

19 TAC §61.11, §61.21—2582

19 TAC §61.21—2582

19 TAC §61.30, §61.31—2582

19 TAC §61.41—2582

19 TAC §§61.41, 61.43, 61.45, 61.47—2583

19 TAC §61.51, §61.53—2583

19 TAC §61.61, §61.63—2583

19 TAC §§61.61-61.65—2583

19 TAC §§61.71-61.73—2583

19 TAC §61.81, §61.82—2583

19 TAC §61.91, §61.92—2584

19 TAC §§61.101, 61.102, 61.104—2584

19 TAC §61.111, §61.112—2584

19 TAC §61.121, §61.122—2584

19 TAC §§61.141-61.146—2584

19 TAC §§61.161-61.165, 61.167-61.170, 61.172-61.175—2584

19 TAC §§61.191-61.193—2584

19 TAC §61.211—2584

19 TAC §61.231, §61.232—2585

19 TAC §61.251—2585

19 TAC §§61.271-61.273—2585

19 TAC §§61.291-61.295—2585

19 TAC §63.11, §63.21—2585

19 TAC §§65.1-65.3, 65.5—2585

19 TAC §§65.10, 65.20, 65.25, 65.30, 65.35—2586

19 TAC §67.11, 67.13—2588

19 TAC §67.21, §67.23—2588

19 TAC §§67.31, 67.33, 67.35, 67.36—2588

19 TAC §§67.41, 67.43, 67.45, 67.51-67.53, 67.55-67.57, 67.61, 67.63, 67.65, 67.66-67.68, 67.71, 67.81, 67.83, 67.85-67.88, 67.91, 67.93, 67.95—2588

19 TAC §§67.100, 67.102, 67.103, 67.105, 67.106, 67.121—2590

19 TAC §67.131, §67.133—2590

19 TAC §68.11—2590

19 TAC §§68.12-68.14—2591

19 TAC §§68.21-68.26—2591

19 TAC §68.31—2579

19 TAC §§68.32-68.34—2593
19 TAC §§68.111-68.113—2594
19 TAC §75.4—2572
19 TAC §75.48—2594
19 TAC §§75.61, 75.63, 75.64, 75.68, 75.70—2594
19 TAC §81.1, §81.2—2601
19 TAC §§81.21-81.25—2601
19 TAC §§81.41-81.43—2601
19 TAC §§81.61-81.63—2602
19 TAC §§81.71-81.73—2602
19 TAC §81.81—2602
19 TAC §§81.90-81.95—2602
19 TAC §§81.101, 81.103-81.108, 81.110-81.137—2602
19 TAC §§81.151-81.156, 81.158, 81.164—2602
19 TAC §§81.171-81.179—2602
19 TAC §§81.221-81.223—2602
19 TAC §81.241—2603
19 TAC §81.261—2603
19 TAC §85.1—2603
19 TAC §§85.21, 85.22—2603
19 TAC §85.41—2603
19 TAC §85.71—2603
19 TAC §85.91—2603
19 TAC §85.111—2604
19 TAC §85.121—2604
19 TAC §85.141—2604
19 TAC §85.161—2604
19 TAC §§85.171-85.173—2604
19 TAC §§85.181-85.187—2604
19 TAC §§85.212-85.219—2604
19 TAC §§85.232, §85.233—2604
19 TAC §93.101—2605
19 TAC §137.555—2605
19 TAC §141.327—2606
19 TAC §141.431—2572

19 TAC §141.443—2573

19 TAC §149.22—2606

19 TAC §157.98—2573

TITLE 22. EXAMINING BOARDS

Part I. Texas Board of Architectural Examiners

22 TAC §1.144—2953

Part III. Texas Board of Chiropractic Examiners

22 TAC §71.1—2809

22 TAC §71.7, §71.8—2809

22 TAC §71.9—2809

22 TAC §73.1—2810

22 TAC §73.2—2810

22 TAC §73.3—2810

22 TAC §75.3, §75.4—2811

22 TAC §75.5—2811

22 TAC §76.1—2811

22 TAC §73.6—2659

Part VI. Texas State Board of Registration for Professional Engineers

22 TAC §131.17, §131.18—2524

22 TAC §131.81—2524

22 TAC §131.91—2525

22 TAC §§131.101, 131.103, 131.104—2697

22 TAC §131.102—2525

22 TAC §131.120—2698

22 TAC §131.224—2699

22 TAC §131.137—2699

Part VII. Texas Board of Examiners Fitting and Dispensing of Hearing Aids

22 TAC §145.1—2460

Part XI. Texas State Board of Medical Examiners

22 TAC §193.7—2508

Part X. Texas Funeral Service Commission

22 TAC §203.14—2875

Part XII. Texas State Board of Vocational Nurse Examiners

22 TAC §§231.81-231.90, 231.92-231.103—2735

22 TAC §§237.1, 237.11-237.23—2607

22 TAC §239.1—2735

22 TAC §§239.11-239.15—2736

22 TAC §§239.21-239.29—2736

22 TAC §239.31, §239.32—2736

22 TAC §§239.41-239.45—2737

Part XV. Texas State Board of Pharmacy

22 TAC §281.9—2943

22 TAC §291.36—

22 TAC §291.53—2943

22 TAC §§291.73-291.76—2944

22 TAC §291.93—2945

22 TAC §303.1—2953

Part XIV. Texas Optometry Board

22 TAC §279.12—2875

Part XXI. Texas State Board of Examiners of Psychologists

22 TAC §465.18—2525

22 TAC §465.25—2526

22 TAC §465.26—2526

Part XXII. Texas State Board of Public Accountancy

22 TAC §501.40—2946

22 TAC §505.3—2947

22 TAC §505.5—2985

22 TAC §505.9—2954

22 TAC §505.10—2876

22 TAC §513.26—2862

22 TAC §513.84—2862

22 TAC §519.8—2947

22 TAC §519.14—2955

22 TAC §519.18—2955

22 TAC §521.6—2955

TITLE 25. HEALTH SERVICES

Part I. Texas Department of Health

22 TAC §1.4, §1.9—2526

25 TAC §§37.21, 37.22, 37.27, 37.29, 37.30, 37.31, 37.38, 37.39, 37.42—2509

25 TAC §37.281—2526

25 TAC §97.16—2472, 2567

25 TAC §97.63—2574, 2579, 2574

25 TAC §133.21—2472, 2511

25 TAC §§143.6-143.8, 143.10, 143.11—2512

25 TAC §§151.2, 151.4-151.7, 151.9, 151.12—2514

25 TAC §151.3—2517

25 TAC §157.45—2518, 2693

25 TAC §289.115—2528

25 TAC §§325.641-325.643—2530

25 TAC §325.1005, §325.1008—2530

25 TAC §§325.1006, 325.1007, 325.1009—2533

Part II. Texas Department of Mental Health and Mental Retardation

25 TAC §401.55—2660

25 TAC §§401.683-401.689, 401.692—2812

25 TAC §§403.251-403.274—2645

25 TAC §403.530—2645

25 TAC §§404.1-404.14—2646

25 TAC §§404.1-404.20—2646

25 TAC §404.241-404.249—2653

25 TAC §§404.241-404.256—2652

25 TAC §§410.101-410.122—2654

Part VIII. Interagency Council on Early Childhood Intervention

25 TAC §621.25—2700

Part XI. Texas Cancer Council

25 TAC §§701.1-701.7—2863

25 TAC §§701.1-701.9—2863

25 TAC §§702.1-702.4—2865

25 TAC §§703.1-703.4—2865

25 TAC §§703.1-703.14—2866

TITLE 28. INSURANCE

Part I. State Board of Insurance

28 TAC §1.409—2447

28 TAC §5.4501—2694, 2955, 2985

28 TAC §7.36—2983

28 TAC §7.69—2447, 2829

28 TAC §7.75—2447, 2829

28 TAC §7.1009—2447

28 TAC §9.1—2535

28 TAC §9.31—2447

28 TAC §25.715—2447

28 TAC §27.414—2694

Part II. Texas Workers' Compensation Commission

28 TAC §41.155—2461

28 TAC §102.6—2473

28 TAC §102.7—2986

28 TAC §112.200—2830

28 TAC §131.1—2737

28 TAC §133.305—2830

28 TAC §134.7—2815

28 TAC §§141.1-141.7—2876

28 TAC §142.15—2823

28 TAC §§145.1-145.27—2989

28 TAC §§164.2, 164.4-164.13—2816

28 TAC §134.200—2447

28 TAC §134.400—2447

28 TAC §134.501—2447

28 TAC §134.803—2461

28 TAC §§140.1-140.5—2607

28 TAC §168.1, §168.2—2535

**TITLE 31. NATURAL RESOURCES
AND CONSERVATION**

Part I. General Land Office

31 TAC §§21.1-21.52—2801, 2820

Part II. Texas Parks and Wildlife Department

31 TAC §57.352—2984

31 TAC §§65.251-65.254—2994

31 TAC §§65.251-65.255—2995

31 TAC §§65.331-65.333, 65.335—2821

Part III. Texas Air Control Board

31 TAC §101.24—2462

Part IX. Texas Water Commission

31 TAC §§261.2-261.11—2878

31 TAC §§261.2-261.12—2878

31 TAC §§263.1-263.9, 263.11, 263.13, 263.15, 263.19,
263.25, 263.27, 263.28, 263.30, 263.32, 263.34, 263.35—
2879

31 TAC §261.9—2880

31 TAC §§264.1-264.10—2880

31 TAC §§265.2, 265.13, 265.14—2883

31 TAC §§267.2, 267.10-267.26—2884

31 TAC §§267.13-267.28—2884

31 TAC §§269.1-269.11—2885

31 TAC §§271.1-271.2—2885

31 TAC §273.1, §273.2—2885

31 TAC §§274.1-267.9—2891

31 TAC §§274.21-274.24—2892

31 TAC §§274.41-274.63—2893

31 TAC §§274.71-274.76—2897

31 TAC §§275.11-275.12, 275.15, 275.16, 275.18—2899

31 TAC §275.57—2900

31 TAC §§275.71, 275.76, 275.77—2900

31 TAC §331.63—2868

Part X. Texas Water Development Board

31 TAC §§363.1-363.3—2701

31 TAC §§363.1-363.5—2701

31 TAC §§363.11-363.15—2702

31 TAC §363.31, §363.32—2703

31 TAC §§363.31-363.38—2703

31 TAC §§363.41-363.43—2703

31 TAC §§363.51-363.57—2704

31 TAC §§363.52-363.60—2704

31 TAC §363.71—2705

31 TAC §363.71, §363.72—2705

31 TAC §§363.81-363.85—2705

31 TAC §363.91, §§363.92—2705

31 TAC §§363.101-363.108—2706

31 TAC §§363.111-363.112—2706

31 TAC §§363.121-363.126—2706

31 TAC §363.141—2706

31 TAC §§363.161-363.165—2706

31 TAC §363.181—2707

31 TAC §363.201, §363.202—2707

31 TAC §§363.201-363.208—2707

31 TAC §§363.221-363.224—2709

31 TAC §§363.231-363.235—2712

31 TAC §363.241, §363.242—2712

31 TAC §§363.251-363.257—2712

31 TAC §§363.281-363.283—2712

31 TAC §§363.291-363.295—2712

31 TAC §363.301, §363.302—2713

31 TAC §§363.301-363.303—2713

31 TAC §§363.311-363.314—2714

31 TAC §§363.311-363.321—2713

31 TAC §363.321—2714

31 TAC §363.331—2715

31 TAC §§363.331-363.333—2715

31 TAC §§363.401-363.404—2715

31 TAC §§363.501-363.508—2716

31 TAC §§363.601-363.610—2717

TITLE 34. PUBLIC FINANCE

Part I. Comptroller of Public Accounts

34 TAC §3.691—2694

Part II. Texas State Treasury Department

34 TAC §11.1—2536

34 TAC §11.1-11.32—2537

34 TAC §11.51—2537

Part III. Teacher Retirement System of Texas

34 TAC §29.11—2519

Part IV. Employees Retirement System of Texas

34 TAC §§67.65, 67.87, 67.89, 67.101—2737

34 TAC §81.1—2519

Part V. Texas County and District Retirement System

34 TAC §107.2—2947

Part VI. Texas Municipal Retirement

34 TAC §123.1—2577

34 TAC §127.3—2577

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

Part III. Texas Youth Commission

37 TAC §81.112—2537

37 TAC §85.23—2537

Part VI. Texas Board of Criminal Justice

37 TAC §§195.71-195.78—2956

TITLE 40. SOCIAL SERVICES AND ASSISTANT

Part I. Texas Department of Human Services

40 TAC §3.902—2738

40 TAC §10.3413—2738

40 TAC §11.107—2869

40 TAC §15.305—2473

40 TAC §15.435—2473

40 TAC §15.460—2473

40 TAC §19.2001—2831

40 TAC §§29.201-29.207—2718

40 TAC §29.606—2738, 2948

40 TAC §29.609—2995

40 TAC §29.2401—2658

40 TAC §43.201—2996

40 TAC §48.1201—2608

40 TAC §48.2203, §48.2205—2723

40 TAC §49.311—2474

40 TAC §§49.501, 49.503, 49.515, 49.517—2474

40 TAC §49.602—2475

40 TAC §56.306—2986

40 TAC §56.307—2987

40 TAC §56.604 §56.606—2987

40 TAC §§79.1603-79.1605, 79.1607-79.1608, 79.1610, 79.1612, 79.1614—2463

40 TAC §§79.1701, 79.1705, 79.1714, 79.1716—2464

40 TAC §§85.4001, 85.4013, 85.4018—2465

40 TAC §85.6016—2466

Part II. Texas Rehabilitation Commission

40 TAC §117.3—2738

Part III. Texas Commission on Alcohol and Drug Abuse

40 TAC §151.72—2724

Part IV. Texas Commission on Human Rights

40 TAC §327.1—2520

Part IX. Texas Department on Aging

40 TAC §§268.3, 268.6, 268.7, 268.13—2660

40 TAC §285.2, §285.3—2871

TITLE 43. TRANSPORTATION

Part I. State Department of Highways and Public Transportation

43 TAC §7.72—2568, 2577

43 TAC §25.60—2739

43 TAC §§25.61-25.67—2739

43 TAC §§25.61-25.77—2739

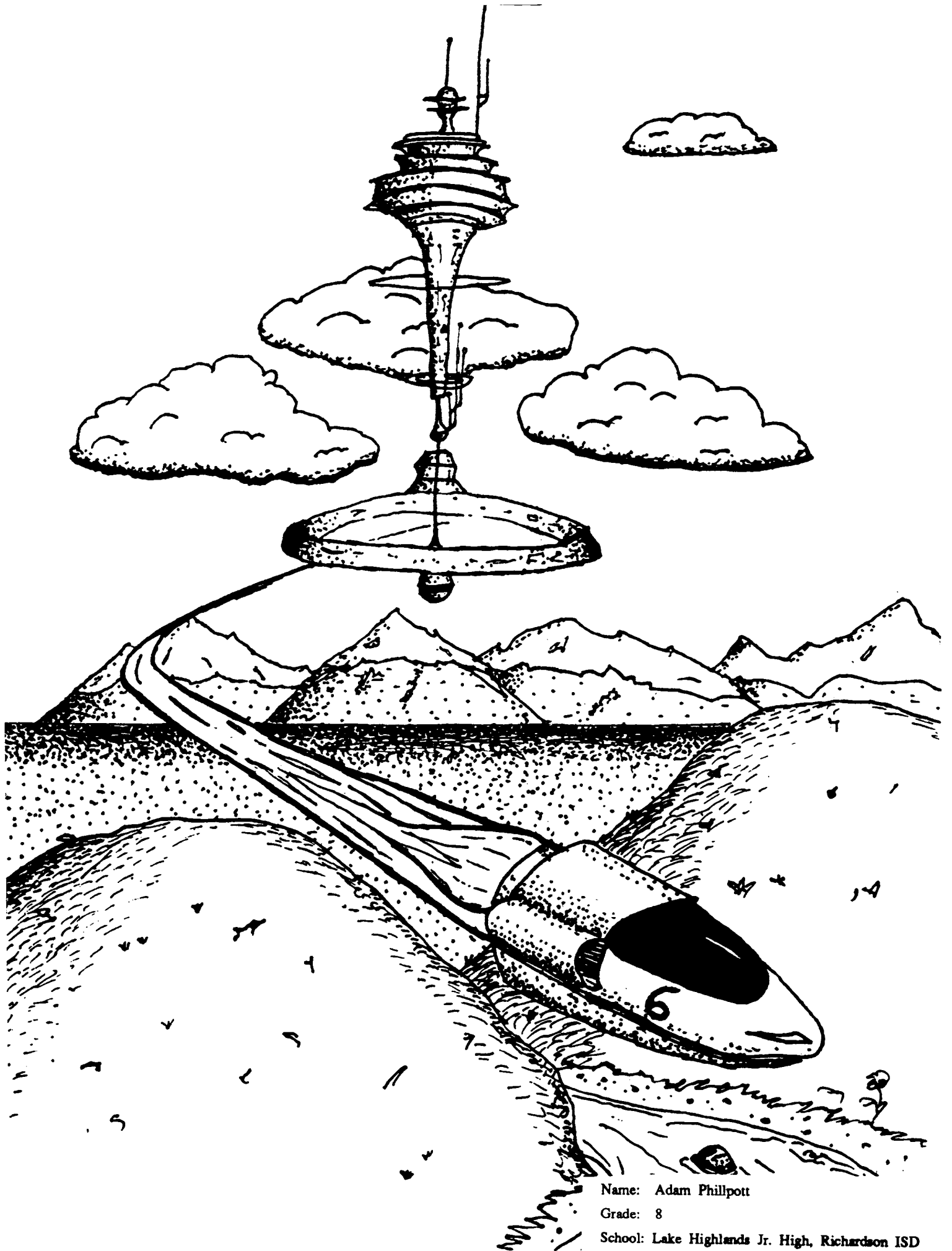
43 TAC §§25.90-25.98—2750

43 TAC §§25.91-25.96—2756

43 TAC §§25.200-25.207—2756

43 TAC §25.201, §25.202—2761

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School: Lake Highlands Jr. High, Richardson ISD

Emergency Sections

An agency may adopt a new or amended section or repeal an existing section on an emergency basis if it determines that such action is necessary for the public health, safety, or welfare of this state. The section may become effective immediately upon filing with the *Texas Register*, or on a stated date less than 20 days after filing, for no more than 120 days. The emergency action is renewable once for no more than 60 days.

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

TITLE 28. INSURANCE

Part I. State Board of Insurance

Chapter 7. Corporate and Financial Regulation

Subchapter A. Examination and Corporate Custodian and Tax

• 28 TAC §7.36

The State Board of Insurance adopts on an emergency basis new §7.36, concerning required reporting by workers' compensation insurers. An imminent peril to the public welfare requires the adoption of the new section on an emergency basis to provide for the proper functioning of administrative regulation of the business of workers' compensation insurance and related matters in Texas. The emergency action is necessary to enable the board to effect timely compliance with the provisions of the Insurance Code, Article 5.61. New §7.36 provides insurers with the requirements, instructions, and forms for complying with the Insurance Code, Article 5.61, and the required audited report of reserves. Adoption of the new section on an emergency basis includes the adoption by reference of a Form WCR-1 and instructions. The board has filed a copy of the form and instructions with the Office of the Secretary of State, Texas Register Section. Persons desiring copies of the form and instructions can obtain copies from the Financial Analysis Division, Mail Code 015-3, State Board of Insurance, William P. Hobby State Office Building, 333 Guadalupe Street, P.O. Box 149099, Austin, Texas 78714-9099.

The new section is adopted on an emergency basis under the Insurance Code, Articles 1.04, 5.61, and 5.62. The Insurance Code, Article 1.04, authorizes the State Board of Insurance to determine rules in accordance with the laws of this state. Article 5.61(b) requires each workers' compensation insurer to provide an audited report concerning reserves in accordance with the rules of the board. Article 5.62 authorizes the State Board of Insurance to make and enforce rules necessary to carry out the provisions of the Insurance Code, Chapter 5, Subchapter D, concerning regulation of workers' compensation insurance.

§7.36. Audited Report of Workers' Compensation Reserves.

(a) The following words and terms, when used in this section, shall have the

following meanings, unless the context clearly indicates otherwise.

(1) **Accountant**—An independent certified public accountant or accounting firm that is in good standing with the American Institute of CPAs and that holds a valid, current license to practice accounting in each state in which the accountant or accounting firm acts as an accountant.

(2) **Annual statement**—The annual statement (association edition) to be used by fire and casualty insurance companies, as promulgated by the National Association of Insurance Commissioners and as adopted each year by the State Board of Insurance under this chapter.

(3) **Board**—The State Board of Insurance of the State of Texas.

(4) **Commissioner**—The commissioner of insurance of the State of Texas.

(5) **Direct Texas workers' compensation business**—The workers' compensation insurance premiums and losses in Texas of any primary insurer:

(A) after adjustment for additional or return premiums but before deduction of any premiums for reinsurance ceded; and

(B) without inclusion of any premiums for reinsurance assumed; and

(C) without inclusion of business written on behalf of, and ceded to, the Texas Workers' Compensation Facility (formerly the Texas workers' compensation assigned risk pool).

(6) **Insurer**—

(A) An insurer which is authorized to write and which has written workers' compensation insurance in this state within the past five years; or

(B) an insurer which is not currently authorized to write but which has been authorized to write and which has written workers' compensation insurance in this state within the past five years.

(b) This section, and the insurances and forms adopted under this section, apply to all insurers which transact workers' compensation business in this state or which

were authorized to write and have written workers' compensation insurance within the past five years. As used in this section, the word "insurer" includes any other entity using and reporting on any form adopted under this section. The State board of Insurance adopts by reference the instructions and form specified in this section. These instructions and this form are published by the State Board of Insurance and may be obtained from the Financial Analysis Division, Mail Code 015-3, State Board of Insurance, William P. Hobby State Office Building, 333 Guadalupe Street, P.O. Box 149099, Austin, Texas 78714-9099. Each insurer or other entity shall follow such instructions and use and report on such forms as appropriate to its operation.

(c) Each insurer shall complete Form WCR-1 and shall provide at a minimum the information requested in the form. The contents of Form WCR-1 shall be derived from the books and records maintained by the insurer, and data therein shall be included in the applicable schedules and exhibits of the insurer's most recent annual statement.

(d) The insurer shall cause an audit of the data contained in the Form WCR-1 and in other statements required by this section to be conducted by an independent certified public accountant. No exemptions from this requirement shall be permitted. The insurer shall deliver the original audited report annually to the Financial Analysis Division of the State Board of Insurance on or before June 30th.

(e) The audited report shall include the following:

(1) the opinion of the accountant;

(2) a statement of premium, losses, and loss development on direct Texas worker's compensation business, excluding Texas Workers' Compensation Facility business, as prescribed by Form WCR-1;

(3) any notes to the statement required in paragraph (2) of this subsection;

(4) an explanatory statement, including specific references to annual statement page and line numbers and to the timing of entries, of the insurer's method of recording, on a direct, assumed, ceded, and net basis;

- (A) written premium;
- (B) earned and unearned premium;
- (C) uncollected premiums on asset lines 9.1, 9.2, 9.3, and 11 of the annual statement;

(D) uncollected premiums charged off;

(5) a statement that the audited Texas data provided under paragraphs (2), (3), and (4) of this subsection agree with Texas data reported in the insurer's most recent annual statement or are included in the applicable total amounts as reported in the insurer's most recent annual statement, or, in the absence of such statement, a reconciliation of any differences between the audited statutory forms or statements and information included in the annual statement, with a written description of the nature of these differences;

(6) supplementary data and information, including any additional data or information required by the commissioner of the State Board of Insurance.

(f) A filing of Form WCR-1 shall also be made in diskette form in the manner set forth under separate letter. Formatted diskettes will be furnished by the Financial Analysis Division of the State Board of Insurance and shall be completed by the insurer with the same data reflected in the hard copy filing. Completed diskettes shall

be included with the filing of the required audited report.

Issued in Austin, Texas, on May 22, 1991.

TRD-9106088 Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date: May 22, 1991

Expiration date: September 19, 1991

For further information, please call: (512) 463-6327

◆ ◆ ◆
**TITLE 31. NATURAL RE-
SOURCES AND CON-
SERVATION**

**Part II. Texas Parks and
Wildlife Department**

**Chapter 57. Fisheries and
Wildlife**

Shrimp Season

• 31 TAC §57.352

The Texas Parks and Wildlife Department adopts on emergency basis new §57.352, concerning provisions for an early opening of the shrimping season in Gulf (outside) waters of the Texas territorial sea (nine nautical miles). Based on sound biological data, the executive director has determined that migration of small brown shrimp from the bays to the Gulf of Mexico will occur earlier than the July 15 statutory opening date. Sound biological data indicate that most of the shrimp on the Gulf fishing grounds will meet or exceed the 65 tails per pound size criterion on July 6.

The purpose of the closed Gulf season is to protect brown shrimp during their major period of emigration from the bays to the Gulf of Mexico until they reach a larger, more valuable size before harvest and to prevent waste caused by the discarding of small individuals. The season will close 30 minutes after sunset May 15, 1991. The executive director found imminent peril to the public welfare required the opening date as an emergency measure to minimize social and economic hardship in a depressed industry by opening the season nine days earlier than scheduled and to obtain optimum yield from the resource.

The new section is adopted on an emergency basis under the Texas Parks and Wildlife Code, §77.062. In April 1978, the Texas Parks and Wildlife Commission delegated to the executive director the duties and responsibilities of opening and closing the shrimp season under this section.

§57.352. Early Opening of the Gulf Shrimping Season. The 1991 general closed season for shrimp as defined in the Texas Parks and Wildlife Code, §77.061(a)(1), extends from 30 minutes after sunset May 15, 1991, to 30 minutes after sunset July 6, 1991.

Issued in Austin, Texas, on May 23, 1991.

TRD-9106088 Paul M. Shinkawa
Director, Legal Services
Texas Parks and Wildlife
Department

Effective date: May 23, 1991

Expiration date: September 20, 1991

For further information, please call: 1-800-792-1112, ext. 4700 or (512) 389-4700



Proposed Sections

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

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

TITLE 1. ADMINISTRATION

Part V. State Purchasing and General Services Commission

Chapter 113. Central Purchasing Division

Purchasing

• 1 TAC §113.1

The State Purchasing and General Services Commission proposes an amendment to §113.1, concerning a requirement to orally report in open meeting, records of purchasing transactions which permit competition in bidding, do not permit competition but are acceptably justified, and those which do not permit competition and the staff has taken exception to the justification. The requirement to maintain records of such transactions is unchanged.

Ron Arnett, director for purchasing, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Mr. Arnett also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be effective use of available time in open meetings. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Judith Porras, General Counsel, State Purchasing and General Services Commission, P.O. Box 13047, Austin, Texas 78711-3047. Comments must be received no later than 30 days from the date of publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Civil Statutes, Article 601b, §3.01, which provide the State Purchasing and General Services Commission with the authority to promulgate rules to accomplish the purpose of Article 3.

§113.1. General.

(a)-(b) (No change.)

(c) The staff shall maintain [and present to the commission at regular monthly meetings,] records of purchase transactions which:

(1)-(3) (No change.)

(d)-(e) (No change.)

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

Issued in Austin, Texas, on May 23, 1991.

TRD-9106078

Judith M. Porras
General Counsel
State Purchasing and
General Services
Commission

Earliest possible date of adoption: July 1, 1991

For further information, please call: (512) 463-3583

TITLE 22. EXAMINING BOARDS

Part XXII. Texas State Board of Public Accountancy

Chapter 505. The Board

• 22 TAC §505.5

The Texas State Board of Public Accountancy proposes an amendment to §505.5, concerning secretary of the board. The amendment eliminates the secretary's duty to publish a roster of certified public accountants.

William Treacy, executive director, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Mr. Treacy also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be that the public will have a better understanding of the secretary's duties and responsibilities. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to J. Randel (Jerry) Hill, General Counsel, 1033 La Posada, Suite 340, Austin, Texas 78752-3892.

The amendment is proposed under Texas Civil Statutes, Article 41a-1, which provide the Texas State Board of Public Accountancy with the authority to promulgate rules relating to the secretary of the board.

§505.5. Secretary of the Board. The secretary shall be responsible for the permanent records of the meetings and transactions of the board, the maintenance of an attendance record, and the maintenance of records of all examinations, registrations, and license applications. The secretary shall also be responsible for the maintenance of a record of certificates issued to all certified public accountants, and of all persons registered as public accountants, together with all necessary information relative thereto. [The secretary shall, as directed by the board, cause to be printed and published for public distribution a roster containing the names, arranged alphabetically, of all licensees licensed by the board, the names of the members of the State Board of Public Accountancy, and such other matters as may be deemed proper by the board.] The secretary shall perform such other duties as in the judgment of the board are necessary.

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

Issued in Austin, Texas, on May 21, 1991.

TRD-9106110

William Treacy
Executive Director
Texas State Board of
Public Accountancy

Earliest possible date of adoption: July 1, 1991

For further information, please call: (512) 450-7066

TITLE 28. INSURANCE

Part I. State Board of Insurance

Chapter 5. Property and Casualty Insurance

Subchapter E. Texas Catastrophe Property Insurance Association

Manual

• 28 TAC §5.4501

The State Board of Insurance proposes an amendment to §5.4501, concerning adoption by reference of a manual of rules and regulations for insurance coverage effective through the Texas Catastrophe Property Insurance Association (the manual). The amendment is

necessary to provide fairer distribution of the cost of windstorm insurance among all insureds with similar exposure to windstorms in the designated catastrophe area covered by policies written in accordance with the manual. The amendment to §5.4501 itself would adopt by reference an amendment to the manual. The amendment to the manual would change the surcharged rate applicable to windstorm insurance for risks located in the beach area of the designated catastrophe area. The amendment would change the surcharged rate from 400% to 125% and would yield a single rate applicable to all risks located in the designated catastrophe area regardless of location. The board has filed with the Office of the Secretary of State, Texas Register section, copies of the proposed amendment of the manual which §5.4501 adopts by reference under this amendment. Persons desiring copies of this amendment to the manual can obtain copies from the Property Division, Mail Code 011-1, State Board of Insurance, William P. Hobby State Office Building, 333 Guadalupe Street, P.O. Box 149104, Austin, Texas 78714-9104.

Lynn Anderson, deputy insurance commissioner for property insurance, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Mr. Anderson also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be fairer distribution of the cost of windstorm insurance among all insureds with similar exposure to windstorm in the designated catastrophe area covered by policies written in accordance with the manual. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Lyndon Anderson, Deputy Insurance Commissioner for Property Insurance, Mail Code 011-1, State Board of Insurance, William P. Hobby State Office Building, 333 Guadalupe Street, P.O. Box 149104, Austin, Texas 78714-9104.

The amendment is proposed under the Insurance Code, Article 21.49, §8, which authorizes the State Board of Insurance to approve manuals of classifications, rules, and rates for the Texas Catastrophe Property Insurance Association.

§5.4501. Rules and Regulations for Texas Catastrophe Property Insurance Association (association). The State Board of Insurance adopts by reference a rules manual for the association, as amended effective August 1, 1991 [April 1, 1991]. The rules manual is published by the State Board of Insurance, and copies [Copies] of the rules manual may be obtained from [by contacting] the Property Division, Mail Code 011-1, State Board of Insurance, William P. Hobby State Office Building, 333 Guadalupe Street, P.O. Box 149104 [1110 San Jacinto Boulevard], Austin, Texas 78714-9104 [78701-1998].

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

Issued in Austin, Texas, on May 22, 1991.

TRD-9106125 Nicholas Murphy
Chief Clerk
State Board of Insurance

Earliest possible date of adoption: July 1, 1991

For further information, please call: (512) 463-6327

Part II. Texas Workers' Compensation Commission

Chapter 102. General Provisions-Practice and Procedure

• 28 TAC §102.7

The Texas Workers' Compensation Commission proposes new §102.7, concerning when a document is deemed to be timely "filed" with the commission, if it is not otherwise clear in any other rules, or provisions of the Texas Workers' Compensation Act (the Act), Article 8308-1.01 et seq.

The new section states that, unless otherwise specified in the Act, or the rules, any forms, reports, or other documents that must be filed with the commission by a certain day will be considered filed on time only if received by the commission (in Austin or the field office) on or by the due date. The section makes clear that when the last day falls on the weekend, or a legal holiday, or another day when the commission is not open for business, then the time is extended as described in §102.3 of this title (relating to Computation of Time). The rule is similar to that promulgated by the Industrial Accident Board for application to claims under "old law."

R. Glenn Looney, manager of planning and analysis, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

There is no anticipated impact on employment, locally or statewide as a result of implementing the section.

Mr. Looney also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be the implementation of the Texas Workers' Compensation Act and clarification of when a document is considered to be timely filed, if the rules or the Act don't otherwise specify postmark or date of receipt. It is anticipated that handling of mail by the commission will be swifter for most documents when date of receipt is applied. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Susan M. Kelley, General Counsel, Texas Workers' Compensation Commission, Southfield Building, 4000 South Interstate 35, Austin, Texas 78704. Comments will be accepted for 30 days after publication of this proposal in the *Texas Register*.

The new section is proposed under Texas Civil Statutes, Article 8303, §2. 09(a), which

authorize the commission to adopt rules necessary to implement and enforce the Texas Workers' Compensation Act, Article 8308-1.01, et seq.

§102.7. Timely Filing. Unless otherwise specified in the Texas Workers' Compensation Act or these rules, forms, reports, and other documents required to be filed by a specified time will be considered timely only if received by the commission at Austin, or at an appropriate regional field office, prior to or during business hours on the last permissible day of filing. When the last day of filing is a Saturday, Sunday, a legal holiday on which the commission is not required to conduct business, or any other day on which the commission or the appropriate office of the commission is not open for business, then the time is extended as described in §102.3 of this title (relating to Computation of Time).

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

Issued in Austin, Texas, on May 23, 1991.

TRD-9106105 Susan M. Kelley
General Counsel
Texas Workers' Compensation Commission

Earliest possible date of adoption: July 1, 1991

For further information, please call: (512) 440-3973

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 56. Family Planning

Subchapter C. Provider Program Requirements

• 40 TAC §56.306

The amendment is proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

§56.306. Client Copayment.

(a) Clients eligible for Title XIX services may receive family planning services at no charge from providers participating in the Title XIX program. Providers may assess a copayment to individual clients eligible for Title XX services, except for Medicaid recipients and unmarried adolescents 19 years of age and younger. Assessments of copayments must be administered consistently agency-wide. Agency providers who assess copayments must comply with subsections (b)

through (h) of this section. [Clients eligible for Title XX services, except for Medicaid recipients and unmarried adolescents 19 years of age and younger, must be assessed a copayment by providers. For unmarried clients age 19 and younger, providers have the option to assess copayments if the client is able to make the payment and if the client's right to confidentiality is not jeopardized. Providers, however, must not deny family planning services to unmarried clients age 19 and younger for nonpayment of the copayment amount.]

(b) [For the Title XX Family Planning Program, agency] Agency providers who [must] assess Title XX [income eligible] clients a copayment must not [to] exceed 25% of the authorized reimbursement amount. Agency providers must establish their own sliding scale copayment schedule. The sliding scale must have at least two levels, one of which may indicate 0% of the reimbursement amount and one of which may indicate 25% , or any reasonable variation within this range. Agency providers must not charge a copayment to any Title XX client with zero income.

(c) (No change.)

(d) Agency [Title XX agency] providers who receive funding from Title X of the Public Health Act may waive copayment for Title XX [income eligible] clients if the client's income is at or below 100% of the poverty level, consistent with Title X policy. Agency providers must not deny family planning services to eligible clients because of their inability to pay for services. [and they are unable to pay any copayment amount.]

(e) For unmarried clients age 19 and younger, providers have the option to assess copayments if the client is able to make the payment and if the client's right to confidentiality is not jeopardized. Providers, however, must not deny family planning services to unmarried clients age 19 and younger for nonpayment of the copayment. [Agency providers must not deny family planning services to eligible clients because of their inability to pay for services. This applies also to unmarried clients age 19 and younger when the provider exercises the option to assess copayments as specified in subsection (a) of this section.]

(f) To determine the need to waive or reduce copayments, agency providers must use established criteria in their policies about waiver or reduction of copayment to evaluate the circumstances of each Title XX [income eligible] client.

(g) Agency providers must deny services to Title XX [income eligible] clients who are capable of paying a full or reduced copayment but who have not done so. Before denying services to a client, agency providers must send the client at least two notices that the payment is overdue. The second notice must be sent at least

60 days after the first notice. The method used to notify clients must safeguard their confidentiality. With the second notice, agency providers must send clients a notification of denial, reduction, or termination of services form that informs them of their right to request a fair hearing. Agency providers must wait 10 days from the date on the notification form before terminating the services. If clients were eligible and request a fair hearing within 10 days, services must continue according to §10.1013 of this title (relating to Adverse Actions-Denial, Reduction, Termination of Services).

(h) Client copayment collected by the agency provider must be used for the delivery of family planning services. [included in the level of certified local resources negotiated with the agency provider.]

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

Issued in Austin, Texas, on May 24, 1991.

TRD-9108122

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

Proposed date of adoption: September 1, 1991

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

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

The Texas Department of Human Services (DHS) proposes the repeal of §56.307 and amendments to §§56.306, 56.604, and 56.606, concerning certified local resources, client copayment, use of reimbursements, and payment limited to private pay amount, in its Family Planning chapter. The purpose of the repeal and amendments is to eliminate certified local match requirements for contract providers and to make optional Title XX client co-pay requirements.

Burton F. Raiford, chief financial officer, has determined that for the first five-year period the proposed repeal and amendments are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeal and amendments.

Mr. Raiford also has determined that for each year of the first five years the repeal and amendments are in effect the public benefit anticipated as a result of enforcing the repeal and amendments will be to simplify contract administration, facilitate equity of allocation and reimbursement among regions and contractors, and remove barriers to contracting in regions lacking local resources. DHS will, therefore, be able to contract where services are most needed and provide additional services. There will be no effect on small

businesses. There is no anticipated economic cost to persons who are required to comply with the repeal and amendments as proposed.

Questions about the content of this proposal may be directed to Janet Kres at (512) 338-6465 in DHS's Family Planning and Genetic Services Department. Comments on the proposal may be submitted to Nancy Murphy, Policy and Document Support-045, Texas Department of Human Services E-503, P.O. Box 149030, Austin, Texas 78714-9030, within 30 days of publication in the *Texas Register*.

• 40 TAC §56.307

The repeal is proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

§56.307. *Certified Local Resources.*

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

Issued in Austin, Texas, on May 24, 1991.

TRD-9108121

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

Proposed date of adoption: September 1, 1991

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

◆ ◆ ◆
Subchapter F. Administrative
Requirements for Agency
Providers

• 40 TAC §56.604, §56.606

The amendments are proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

§56.604. *Use of Reimbursements.* For the [Title XX] Family Planning Program, agency providers must use the reimbursement received from [by] DHS and all Title XX client copayments collected for the delivery of family planning services. Uses may include renovating and constructing facilities that will be used for delivering family planning services.

§56.606. *Payment Limited to Private Pay Amount.*

(a) DHS does not pay more for services provided to Title XIX and Title XX clients than would be charged to full-pay unsubsidized patients for the same services. [For agency providers that contribute or certify funds to DHS for matching, the net Title XX reimbursement expected for any set of services (the net amount expected

after deducting the amount of the matching funds) is compared to the charges to a full-pay patient in determining the maximum amount to be billed.]

(b) Agency providers charging DHS' clients must document their schedule of charges [with DHS' auditors] to substantiate their charges for services to full-pay, unsubsidized patients. Agency providers that charge DHS' clients for services but that subsidize all clients to some extent (providers that do not have full-pay, unsubsidized patients) should project charges for the patients that would normally be full-pay. Maximum claims for reimbursement to DHS must be calculated against these projected reimbursement rates for full-pay patients.

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

Issued in Austin, Texas, on May 24, 1991.

TRD-9106123 Nancy Murphy
 Agency liaison, Policy and
 Document Support
 Texas Department of
 Human Services

Proposed date of adoption: September 1, 1991

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

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Adopted Sections

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

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

TITLE 28. INSURANCE

Part II. Texas Workers' Compensation Commission

Chapter 145. Dispute Resolution-Hearings Under the Administrative Procedure and Texas Register Act

• 28 TAC §§145.1-145.27

The Texas Workers' Compensation Commission adopts new §§145.1-145.27, concerning dispute resolutions and the hearings process under the Administrative Procedure and Texas Register Act. Sections 145.1, 145.2, 145.4, 145.5, 145.10, 145.12-145.14, and 145.24 are adopted with changes to the proposed text as published in the March 15, 1991, issue of the *Texas Register* (16 TexReg 1646). Sections 145.3, 145.6-145.9, 145.11, 145.15-145.23, and 145.25-145.27 are adopted without changes and will not be republished.

The sections are necessary to establish a hearings procedure for those issues, such as administrative violations, or certain medical disputes, that are required in the Texas Workers' Compensation Act, Article 8308-1.01 et seq, to be resolved through a hearing in accordance with the Administrative Procedure and Texas Register Act.

New §145.1 states that all hearings (except benefit disputes governed by Chapters 140-143 of this title, provided by the commission to parties to adjudicate disputes arising under the Workers' Compensation Act, Article 8307) are governed by these rules. The section also provides that the sections of the Administrative Procedure and Texas Register Act, Article 6252-13a, that are enumerated in the Workers' Compensation Act (the Act), §1.02(a)(1) apply to hearings governed by this chapter, and that hearings involving sanctions defined by the Act, §2.09(f) the commissioners will render the final decision, and the provision of the Administrative Procedure and Texas Register Act, §15, will be followed.

New §145.2 defines, for purposes of Chapter 145, the terms "commission representative," "hearing officer," "party," "petitioner," and "respondent."

New §145.3 sets out the procedures for requesting a hearing. The requester must file a written request within 20 days after receipt of the official notice of advance action from the commission. If the notice of advance action is a notice of administrative violation, the person charged is required to file an answer within 20 days of receipt of the notice. The answer

must either be a consent to the proposed action or a request for a hearing.

New §145.4 requires a hearing officer to schedule the date, time, and location of a hearing no later than 30 days after receiving a request for one, and notify the parties in writing no later than 20 days before the hearing date. The hearing officer shall also state the legal authority and jurisdiction under which the hearing will be held. The hearing officer is permitted to expedite any or all parts of the hearing if any party requests it and provides a verified statement of good cause, if the opposing party has the opportunity to respond, and the hearing officer determines that good cause for expediting actually exists. Written notice of an expedited hearing must be sent to the parties no later than 10 days prior to the hearing date, and must include statements of the date, time, place, and nature of the hearing, the legal authority and jurisdiction under which the hearing will be held, and a reference to the particular sections of the statutes involved as well as a concise statement of the matters asserted.

New §145.5 requires that, except for expedited hearings, the commissioner's representative must deliver to the petitioner and file with the hearing officer, no later than 10 days prior to the hearing date, a reference to the particular sections of the statute and rules involved, and a concise statement of the matters asserted.

New §145.6 states the applicable venue rules. Specifically, the section requires all hearings to be held in Austin unless the hearing officer is provided with an affidavit of venue stating that good cause exists for holding the hearing elsewhere, the opposing party has the opportunity to respond, and the hearing officer determines that good cause for holding the hearing elsewhere exists.

New §145.7 permits a party to appear on his or her own behalf or by a designated person, and permits representation by either the party or by an attorney licensed in Texas. The section provides that the right to be represented by an attorney may be expressly waived.

New §145.8 permits a party to submit a written request to withdraw the request for a hearing at any time before the conclusion of the hearing.

New §145.9 provides that informal disposition of any case may be made by written stipulation an agreed settlement, by consent order, or by default.

New §145.10 deals with the filing of instruments and the furnishing of copies. The section requires all instruments relating to a pending proceeding to be in writing (including pleadings, requests, motions, and responses); the instruments must specify what

relief is asked for and the grounds, and should be filed with the hearing officer. Motions that do not appear of records must be verified by affidavit. The section requires that a copy of every instrument be provided to every other party or attorney, and that a certification of that fact must accompany the instrument filed with the commission. Failure to provide copies will allow the hearings officer to refuse to consider the instrument. The section also provides that a certificate of service will be considered prima facie evidence of service of a copy. The section includes a form for the certificate of service.

New §145.11 deals with an Administrative Procedure and Texas Register Act (APTRA) prehearing conference, which may be scheduled on the motion of any party or on the motion of the hearing officer. The section enumerates the permissible purposes of the pre-hearing conference and requires that any action taken at the conference to be recorded in any appropriate order by the hearing officer.

New §145.12 provides for alternative dispute resolution. The section provides that a party may request alternative dispute resolution assistance; if the request is granted, the hearing officer will notify the chief hearing officer who will appoint another hearing officer to assist in the dispute resolution process. If the dispute resolution process is successful, then the settlement will be reduced to writing, signed by the parties, and submitted to the assisting hearing officer for entry of orders. If the dispute resolution process is unsuccessful, the case shall be reset as quickly as possible for hearing by the original hearing officer.

New §145.13 deals with the discovery and production of documents and things for inspection, copying, or photocopying. The section permits a hearing officer to order production, inspection, copying and/or photographing of documents, papers, books, accounts, letters, videotapes, photographs, objects, or tangible things that are not privileged that may contain or lead to the discovery of evidence material to any matter involved in the action, which are in the possession, custody, or control of a party. This discovery is subject to the limitations of the Texas Rules of Civil Procedure. The hearing officer may permit entry upon land for purposes of inspecting, measuring, surveying, or photographing. An order permitting discovery must specify the time, place, and manner of making of inspecting, measuring, surveying, or photographing. The property may prescribe terms and conditions that are just. The section permits a party to obtain the identity and location of any potential party or witness from any communication or paper in the possession, custody, or control of another party. Any party may be required to produce and permit inspection and copying of any report of

any expert who is to be called as a witness. This right does not extend to the written statements of witnesses or written communications between any party and his agents, representatives, or employees where made after the occurrence upon which the suit is based and made in connection with the prosecutor, investigation of defense of the claim, or the circumstances out of which the claim arose. The section also permits a party to obtain on request a copy of any statement the party has previously made concerning the action or its subject matter. If the request is refused, the party may prove for an order pursuant to this section. A previous statement is either a written statement adopted or approved by the person making it or a videotape, stenographic, mechanic electrical, or other recording or a transcription of any of those that is substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded. The section permits the hearing officer to summon a non-party to appear and produce relevant documents only after a motion has been filed specifically stating the request and necessity therefore. Parties and non-parties alike may object in writing to the motion, and hearing on the motion may be held at the hearing officer's discretion. The section allows a party to serve on another party a written request for the admission of facts and the genuineness of documents, and provides that Texas Rule of Civil Procedure 169 applies except that filing and enforcing are controlled by the hearing officer and that the time limit to respond is 25 days rather than 30 days. The section provides that any party may serve interrogatories upon any other party and that Rule 169 of the Rules of Civil Procedure applies, except that filing and enforcing are controlled by the hearing officer, and the number of questions is limited to no more than 25 answers.

New §145.14 deals with subpoenas and depositions. The section provides that a subpoena may be issued on the hearing officer's own motion or at the request of any party on a showing of good cause, and on the deposit of any sums that reasonably insure payment of the amounts estimated to accrue under this subsection. The subpoena will be sent to the sheriff or constable to require the attendance of a witness and the production of any books, papers, records, or other objects that may be needed for the proceeding. Similar procedures regarding depositions are set out in the section. The section authorizes the issuance of a subpoena, if necessary, to require a witness to appear and bring books, records, papers, or other objects that may be needed for the proceeding. The section prohibits the taking of a deposition of a member of an agency, board, or commission after a hearing date has been set. The section provides that depositions are to be taken according to the requirements of the Administrative Procedure and Texas Register Act, and that requests for a commission to take a deposition are to be addressed to the hearing officer. The section states that the officer taking the deposition may not sustain any objections to any testimony or exclude any of it. Parties or attorneys who take testimony may have objections reserved for the action of the hearing officer, who is not confined to objections made at the taking of the testimony. The section sets out the method of returning a deposition, and who is to sign for it. If it is not

sent by mail, the person delivering it is to swear before a commission representative that he reviewed the deposition from the officer before whom it was taken, that it has not been out of his possession since, and that it has undergone no alteration. After it has been filed with the commission, either party or party's counsel may request that it be opened. The section sets out the procedures to be followed in such an instance. The section also provides an enforcement procedure if a person fails to comply with a subpoena.

New §145.15 sets out the rule on ex parte communication, derived from the Administrative Procedure and Texas Register Act, Article 6252-13a, §17. The section states that the rule on ex parte communications applies to commissioners and employees of the commission. Ex parte communication between members or employees of the commission assigned to render a decision or to make findings of fact and conclusions of law, and any agency, person, party, or their representative, concerning any issue of fact or law is prohibited, except on notice and opportunity for all parties to participate. Communication between members of the agency or employees of the agency assigned to make findings of fact and conclusions of law is permitted with employees of the agency who have not participated in any hearing, if for the purpose of utilizing the special skills or knowledge of the agency and its staff in evaluating the evidence.

New §145.16 permits the hearing officer to establish rules of decorum to be followed during a hearing and to establish times for beginning and ending the hearings, and for setting recesses. The section requires parties and participants to conduct themselves appropriately and to follow the decorum prescribed by the hearing officer, as well as the times established by him for the beginning and ending of the hearing and for the recesses. The section empowers the hearing officer to enforce proper conduct and to enforce promptness at a proceeding by issuing a warning, excluding anyone from the proceeding, recessing the proceeding, or writing an administrative violation.

New §145.17 sets out the authority vested in the hearing officer, who is stated to be in charge of the proceedings. The hearing officer is authorized to administer oaths, examine witnesses, issue subpoenas and commissions, and to rule on the admissibility of evidence and amendments to pleadings. The hearing officer may also establish reasonable time limits for conducting hearings and for accepting requests for additional information, as well as to issue any intermediate orders. The hearing officer may also issue any orders necessary, to enforce rulings, including, but not limited to, limiting evidence, witnesses, or oral argument, entering appropriate orders or default decisions on any issues, postponing, recessing or discussing the hearing with or without prejudice, or making a referral for sanctions or penalties for a disruption of the hearing process or a violation of orders. The section provides that upon a finding of good cause as determined by the hearing officer, the hearing may be postponed, continued, or recessed. The hearing officer may also, either before or during a hearing, call any witness or witnesses or request any party to call a witness or witnesses that the hearing officer believes are necessary.

New §145.18 sets out the parties' rights in hearings, which include the opportunity to present and to respond to evidence and argument on each issue involved, the right to call any witness desired, within the limits set by the hearing officer, and the right to conduct a cross examination of witnesses.

New §145.19 tells what happens if a party seeking relief does not appear for the Administrative Procedure and Texas Register Act hearing. After presentation of a case by the opposing party, a default judgment will be entered absent good cause that prevented the party's appearance. The hearing officer may write an administrative violation for the failure to appear.

New §145.20 requires that the hearing be recorded by the hearing officer on audio cassette tape. Alternatively the hearing officer may on his own motion provide a certified hearings reporter to make a verbatim record or transcript of a hearing, and may assess the costs to one or more of the parties. A party may do likewise, with prior notice to the hearing officer, but is responsible for all associated costs, if a verbatim record is made and must provide a copy of the audiotape free of charge to the commission. If a transcript is made, the party must provide the commission with the original of the transcript free of charge.

New §145.21 deals with evidence. The section states that the rules of evidence applied in nonjury civil cases in Texas district courts will be followed, except that evidence not admissible under those rules will be admitted when necessary to determine facts not reasonably susceptible of proof under those rules. Rules of privilege recognized by law are also in effect in proceedings under this chapter, and objections to evidentiary officers may be made and must be noted in the record. The section allows for written evidence when a hearing is to be expedited and if the parties interests will not be substantially prejudiced. Prepared testimony of a witness on direct examination may also be admitted if read or received as an exhibit after the witness has been sworn and has identified that the prepared testimony is as true and accurate as his oral testimony would be. Clarifying questions on cross examination are permitted, and the prepared testimony is subject to a motion to strike either in whole or part. Documentary evidence in the form of copies or excerpts are admissible if the original is not readily available. The section permits official notice of generally recognized facts within the area of the commission's specialized knowledge. The section provides for the notification of parties of material officially noticed, and must be given an opportunity to contest such material. The section states that the burden of proof rests with the party seeking relief except in proceeding involving medical dispute resolution, in which the burden of proof rests with the party seeking relief. The proof that is required in order to prevail at a contested case hearing is a preponderance of the evidence.

New §145.22 provides for the reimbursement of witnesses and deponents. The section provides for travel reimbursement for travel greater than 25 miles from the person's residence in an amount generally applicable to state employees, and for a per diem fee for each day or part of a day the person must be

present as a witness or deponent. The section provides that the party who calls the witness is responsible for all costs and fees incurred by the witness associated with the proceeding.

New §145.23 requires the hearing officer to make a final decision or a proposal for decision no later than 60 days after the date of the hearing. The final decision is to be based only on the record of the individual case, and must include separate findings of fact, conclusions the Administrative Procedure and Texas Register Act of law, and decision or order. The findings of fact must be based only on the evidence and on matters officially noticed and must be accompanied by a concise and explicit statement of the underlying facts supporting the findings. The hearing officer is charged with entering the orders necessary to implement the decision, including, the amount of any penalty assessed and order for payment for any administrative penalty determined to have occurred, as necessary. The section requires that the decision be sent to the petitioner and respondent by certified mail, return receipt requested, or may be personally delivered. If the latter, a receipt must be obtained, file stamped, and placed in the hearing file. The section states that the hearing officer's decision is final on the date it is received. The receipt of the decision constitutes exhaustion of all administrative remedies, and a party may seek judicial review of it pursuant to APTRA, §19, without filing a motion for rehearing.

New §145.24 sets out special provisions for imposing sanctions. A proposal for decision on a sanction may deprive a person of the right to practice before the commission for more than 30 days, or deprive a person of the right to receive remuneration for more than 30 days or revoke or suspend for more than 30 days a license, certificate, or permit required to practice in the field of workers' compensation. The proposal for decision must contain a summary of evidence presented by each party, and list any mitigating or aggravating circumstances that are necessary for the commissioners to understand the case, and the sanction or other discipline recommended by the hearing officer. Each party or attorney of record is to receive a copy of the proposal within 45 days after the hearing. Briefs and exceptions may be filed by the parties no later than 15 days after receipt of the proposal for decision, and must be served on all parties. Replies to exceptions and briefs shall be filed no later than 10 days after the filing of the exceptions and be served on each party. No later than 90 days after the date of the last filing of exceptions or briefs or replies to exceptions or briefs, the commissioners are required to consider a case at an open meeting. Parties are to be notified of the final decision of the commissioners by certified mail, return receipt requested.

New §145.25 requires that a charge party must remit full payment of a penalty or a bond to the executive director not later than 30 days after a hearing officers' decision assessing an administrative penalty. The section provides that compliance with these requirements is a prerequisite to the party's seeking judicial review of the violation or the amount of the penalty.

New §145.26 sets out the elements comprising the record of a hearing, including

all pleadings, motions and intermediate rulings, evidence received or considered, a statement of matters officially noticed, questions and offers or proof, objections, and rulings of them, proposed findings and exceptions, any decision opinion, or report by the presiding officer, and all staff memoranda or data submitted to or considered by the hearing officer or members of the agency who are involved on making the decision.

New §145.27 permits a party to request a transcript of the hearing audiotape from the commission. The requester must pay the cost of the transcript. The requester is also permitted by this section to request a duplicate of the hearing audiotape, and must pay the cost of duplication.

Concerning §145.1, one commenter noted the word "of" after the word "by" in subsection (b) of the published proposal. The commission agrees that this was a typographical error and has made the correction in the adopted section.

Texas Association of Business commented against the proposed section; no comments specifically in favor of the proposed section were received.

Concerning §145.2, one commenter recommended adding a definition of "party." The commission agrees and has added this to the adopted section.

Texas Association of Business commented against the proposed section; no comments specifically in favor of the proposed section were received.

No comments for or against §145.3 were received.

Concerning §145.4, one commenter noted that the proposed section did not address situations where the commission would not be the moving party. The commission agrees to amend the section to delete the words "by the commission" from the end of adopted subsection (c)(3). The commissioners have also at the suggestion of the staff, amended subsection (b) of the adopted section to more fully incorporate some provisions of APTRA.

Texas Association of Business commented against the section as proposed. No comments specifically in favor of the section as proposed were received.

Concerning §145.5, the commission has deleted "by the commission" from the end of paragraph (2) of the section, as redundant of the beginning of the section. No comments in favor or against the proposed section were received.

No comments were received either for or against §145.6 or §145.7 as proposed.

Concerning §145.8, one commenter questioned whether a hearing officer has discretion to deny a request to withdraw a request for hearing. The commission disagreed with changing the section as proposed, because it does not, itself, confer authority on the hearing officer.

Texas Association of Business commented against the proposed section; no comments specifically in favor of the section as proposed were received.

No comments were received for or against §145.9 as proposed.

Concerning §145.10, one commenter noted that, in subsection (c) of the section, the phrase "the party offering the instrument" should be used rather than "author." The commission agrees and has changed the word author to the phrase "the party offering it."

The Texas Association of Business commented against the proposed section; no comments in favor of the proposed section were received.

Concerning §145.11, one commenter stated that the section did not expressly prohibit ex parte prehearing conferences. The commission disagrees that this should be added here, noting that §145.15 of this title specifically prohibits ex parte communications.

The Alliance of American Insurers commented against the proposed section; no comments specifically in favor of the section were received.

Concerning §145.12, one commenter requested clarification of the power of the hearing officer to deny a request for alternative dispute resolution. The commission agrees with the need for clarification and has amended the first line and beginning of the second sentence of the proposed section.

The Texas Association of Business commented against the proposed section; no comments specifically in favor of the section were received.

Concerning §145.13, one commenter expressed concern that provision was made to allow a dispute to a request for entry upon land. The commission disagrees that this should be deleted, because APTRA specifically allows for a dispute. The commission has made certain non-substantive clarification to the section, by combining proposed subsections (a) and (b) of the proposed section, by providing specifically for discovery against a person who is not a party, and by correcting a reference in subsection (g) of the section, concerning interrogatories to Rule 169 of the Rules of Civil Procedure.

Another commenter expressed concern that proposed subsection (d) of the section would be confusing to a lay person. The commission disagrees with changing the section, noting that it has tracked the pertinent provisions of APTRA.

Another commenter pointed out two typographical errors, one in subsection (f) (word "therefore" was misspelled) and, in subsection (h), an incorrect cross reference to Chapter 168 was printed. The commission agrees with the suggested corrections.

The Texas Association of business and the Alliance of American Insurers commented against the section as proposed. No comments specifically in favor of the section were received.

Concerning §145.14, one commenter requested that subsection (f) be amended to indicate whether the commission itself may request that a deposition be opened. The commission notes that the change to §145.2, by adding a definition of party that includes the commission, addresses the commenter's concern, with which the commission agrees. The commission also adds the word "may" to subsection (d) before "have their objections," as the word was inadvertently left out of the proposed section.

The Texas Association of Business commented against the proposed section; no comments specifically in favor of the section were received.

No comments were received against, or in favor of, §§145.15-145.22.

Concerning §145.23, one commenter noted that there was no provision for a request for a rehearing, or an appeal to the appeals panel. The commission disagrees with changing this section, noting that the APTRA hearings are not heard by the appeals panel, but go directly to judicial review; the appeals panel does not have jurisdiction to review these matters. Further, APTRA, §16, provides for rehearings, but this section of APTRA specifically does not apply to this Act, by virtue of Article 8308-1.02(1).

The Texas Association of Business commented against the proposed section; no comments specifically in favor of the section were received.

Concerning §145.24, one commenter noted that the word "remuneration" in subsection (a)(2) should be changed to "remuneration." The commission agrees with correcting this wording error.

The Alliance of American Insurers commented against the proposed section; no comments specifically in favor of the section were received.

No comments against, or in favor of, proposed §§145.25-145.27, were received.

The new sections are adopted under Texas Civil Statutes, Article 8308-2.09(a), which authorizes the commission to adopt rules necessary to administer the Texas Workers' Compensation Act.

§145.1. Scope and Applicability.

(a) Scope of these rules. Except for benefit disputes, governed by Chapters 140, 142, and 143 of this title (relating to Dispute Resolution-General Provisions; Dispute Resolution-Benefit Contested Case Hearing; and Dispute Resolution-Review by the Appeals Panel), these rules govern all hearings provided by the commission to adjudicate disputes arising under the Texas Workers' Compensation Act (the Act).

(b) Applicability of the Administrative Procedures and Texas Register Act. The sections of the Administrative Proce-

dures and Texas Register Act (APTRA) enumerated in §1.02(a)(1), apply to the hearings governed by this chapter. In hearings involving those sanctions defined by the Act, §2.09(f), the commissioners render the final decision and the provisions of APTRA, §15, will be followed.

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

Commission representative—The attorney or representative designated by general counsel to represent the commission.

Hearing officer—The attorney designated by the hearing division to preside over the hearing.

Party—A person, including the commission, entitled to take part in a proceeding because of a direct legal interest in the outcome.

Petitioner—The person who has filed a written request for a hearing in accordance with these procedures.

Respondent—The person responding to the petitioner's request for a hearing.

§145.4. Notice of Hearing.

(a) Scheduling the hearing. No later than 30 days after receiving a request for hearing, the hearing officer shall schedule the date, time, and location of the hearing.

(b) Notice of hearing. No later than 20 days before the hearing date, the hearing officer shall notify the parties in writing of the date, time, place, and nature of the hearing and the legal authority and jurisdiction under which the hearing will be held.

(c) Expediting the hearing. The hearing officer may expedite any or all parts of the hearing if any party requesting it provides a verified statement of good cause, the opposing party has the opportunity to respond, and the hearing officer makes a determination of good cause. In this event, all parties shall be sent notice no later than 10 days prior to the expedited hearing date of the hearing officer's decision to expedite any or all parts of the hearing. The written notice shall include:

(1) a statement of the date, time, place, and nature of the hearing; and

(2) a statement of the legal authority and jurisdiction under which the hearing will be held;

(3) a reference to the particular sections of the statutes and rules involved and a concise statement of the matters asserted.

§145.5. *Statement of Matters Asserted.* Except for expedited hearings, the commission's representative must deliver to the petitioner and file with the hearing officer no later than 10 days prior to the hearing date:

(1) a reference to the particular sections of the statutes and rules involved; and

(2) a concise statement of the matters asserted.

§145.10. Filing Instruments; Furnishing Copies.

(a) Filing instruments. All instruments relating to a pending proceeding, including pleadings, requests, motions, and responses, shall:

(1) be in writing;

(2) specify the desired relief, and grounds for relief; and

(3) be filed with the hearing officer.

(b) Motions. If based upon matters that do not appear of record, a motion must be supported by affidavit.

(c) Furnishing copies. A copy of every instrument shall be provided by the party offering it to every other party or attorney. A certification of this fact shall accompany the original instrument filed with the commission. Failure to provide copies may be grounds for refusal to consider the instrument.

(d) Certificate of service. A certificate by the party, or attorney who files a pleading stating that it has been served on the other parties will be considered prima facie evidence of service. The following form of certificate is sufficient:

"I hereby certify that I have on this ____ day of _____, 19__, served a copy of

the attached instrument on _____

__ [state the name of the other parties on whom a copy was served] by _____

_____ [state the manner of service]."

Signature

§145.12. Request for Alternative Dispute Resolution. A party may request alternative dispute resolution. If the request is granted, the hearing officer will notify the chief hearing officer who will appoint another hearing officer to assist in the dispute resolution process. If the dispute resolution process is successful, then the settlement will be reduced to writing, signed by the parties, and submitted to the assisting hearing officer for entry of orders. If the dispute resolution process is unsuccessful, the case shall be reset as quickly as possible for hearing by the original hearing officer.

§145.13. Discovery and Production of Documents and Things for Inspection, Copying, or Photographing.

(a) Inspection, copying, and photographing things and entry upon land. Upon timely motion of any party and upon notice to all other parties, and subject to such limitations of the kind provided for discovery under the Texas Rules of Civil Procedure, the hearing officer may order any party to:

(1) produce and permit the inspection and copying or photographing by or on behalf of the moving party of any of the following that are in his possession, custody, or control: designated documents, papers, books, accounts, letters, videotapes, photographs, objects, or tangible things, not privileged, that constitute or contain, or are reasonably calculated to lead to the discovery of, evidence that is material to any matter involved in the action.

(2) permit entry upon designated land or other property in that party's pos-

session or control for the purpose of inspecting, measuring, surveying, or photographing the property or any designated objects or operation on the property that may be material to any matter involved in the action.

(b) Order permitting discovery. The order must specify the time, place, and manner of making the inspection, measurement, or survey and taking the copies and photographs and may prescribe terms and conditions that are just.

(c) Reports and statements. The identity and location of any potential party or witness may be obtained from any communication or other paper in the possession, custody, or control of a party, and any party may be required to produce and permit the inspection and copying of the reports, including factual observations and opinions, of an expert who will be called as a witness. Provided, however, that the rights herein granted shall not extend to other written statements of witnesses or other written communications passing between agents or representatives or the employees of any party to the suit or to other communications between any party and his agents, representatives, or the employees, were made subsequent to the occurrence or transaction upon which the suit is based, and made in connection with the prosecution, investigation, or defense of such claim or the circumstances out of which same has arisen.

(d) Statement previously made. Any person, whether or not a party, is entitled to obtain, upon request, a copy of any statement he has previously made concerning the action or its subject matter. If his request is refused, he may move for an

order according to this section. For the purpose of this section, a statement previously made is either:

(1) a written statement signed or otherwise adopted or approved by the person making it; or

(2) a videotape, or a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

(e) Nonparty discovery. The hearing officer may order a person not a party to the hearing to appear and produce relevant documents or things according to this section. The hearing officer may make this order only after a motion has been filed specifically stating the request and necessity therefore. All parties and those who are not parties must have the opportunity to object in writing to the motion. The hearing officer may hold a hearing on the motion at the hearing officer's discretion.

(f) Admissions of facts and genuineness of documents. Any time after the request for a hearing, a party may deliver or have delivered to any other party a written request for admissions of facts and genuineness of documents. The provisions of the Rules of Civil Procedure, Rule 169 apply, except that filing and enforcing are controlled by the hearing officer and that the time limit to respond is 25 (not 30) days.

(g) Interrogatories to parties. Any time after the hearing has been docketed, any party may serve interrogatories upon any other party. The provisions of the Rules of Civil Procedure, Rule 169 apply, except

that filing and enforcing are controlled by the hearing officer and the number of questions is limited to no more than 25 answers.

§145.14. Subpoenas; Depositions.

(a) Request for subpoena. On the hearing officer's own motion or on the written request of any party, and a showing of good cause, and on the deposit of sums that reasonably ensure payment of the amounts estimated to accrue under this section, the hearing officer may issue a subpoena addressed to the sheriff or any constable to require the attendance of a witness and production of books, records, paper, or other objects that may be necessary and proper for the purpose of the proceedings.

(b) Request for deposition. On the hearing officer's own motion or on any party's written request and on deposits of sums that reasonably ensure payment of the amounts estimated to accrue under this section, the hearing officer may issue a commission addressed to the several officers authorized by statute to take depositions, to require that the deposition of a witness be taken. The hearing officer authorizes the issuance of any subpoena necessary to require that the witness appear and produce, at the time the deposition is taken, books, records, papers, or other objects that may be necessary and proper for the purpose of the proceeding. The deposition of a member of an agency, board, or commission may not be taken after a hearing date has been set. The deposition is taken according to the requirements of the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a.

(c) Filing request for deposition. Request for commissions are addressed to the hearing officer.

(d) Objections during deposition. The officer taking the oral depositions may not sustain objections to any of the testimony taken, or exclude any of it, and any of the parties or attorneys engaged in taking testimony may have their objections reserved for the action of the hearing officer. The hearing officer is not confined to objections made at the taking of the testimony.

(e) Returning completed deposition to the commission. A deposition may be returned to the commission either by mail, by a party interested in taking the deposition, or by any other person. If returned by mail, the commission must endorse the deposition to show it was received from the post office. The commission employee receiving the deposition must sign it. If it is not sent by mail, the person delivering it to the commission must make an affidavit before a commission representative that:

- (1) he received it from the hands of the officer before whom it was taken;
- (2) it has not been out of his possession since; and

(3) it has undergone no alteration.

(f) Opening deposition at the commission. After the deposition is filed with the commission, any commission employee may open the deposition at the request of either party or his counsel. The employee must endorse the deposition by entering the date and name of the person who asked that it be opened. The employee must then sign the deposition. The deposition must remain on file with the department and may be inspected by any party.

(g) Failure to comply with subpoena or commission. If a person fails to comply with a subpoena or commission, the commission acting through the attorney general or the party requesting the subpoena or commission, may bring suit to enforce the subpoena or commission in a district court in Travis County or in the county in which the hearing is scheduled to be held.

§145.24. Special Provisions for Imposing Sanctions Pursuant to the Texas Workers' Compensation Act, 2.09(f).

(a) After holding a hearing, then the hearing officer shall prepare a proposal for decision on a sanction that would:

(1) deprive a person of the right to practice before the commission for more than 30 days;

(2) deprive a person of the right to receive remuneration for more than 30 days; or

(3) revoke, or suspend for more than 30 days, a license, certificate, or permit required to practice in the field of workers' compensation.

(b) The proposal for decision shall contain:

(1) a statement of the reasons upon which the decision is based;

(2) a concise finding of facts based on the evidence presented and matters officially noticed;

(3) a statement of the conclusions of law necessary to the proposed decision.

(c) The proposal for decision may also contain:

(1) a summary of the evidence presented by each party;

(2) a list of all mitigating circumstances and a list of all aggravating circumstances, separately stated, which are necessary for the commissioners to have complete understanding of the case; and

(3) the sanction or other discipline recommended by the hearing officer.

(d) A copy of the proposal for decision shall be served by personal delivery or certified mail, return receipt requested, to

each party or attorney of record, no later than 45 days after the hearing.

(e) Any party may file briefs and exceptions no later than 15 days after receipt of the proposal for decision. All briefs and exceptions shall be served on all parties as provided in §145.10 of this title (relating to Filing Instruments; Furnishing Copies).

(f) Replies to the exceptions and briefs shall be filed no later than 10 days after the filing of the exceptions and be served on all parties.

(g) The commissioners shall consider the case at a properly posted open meeting, no later than 90 days after the date of the last filing of exceptions or briefs or replies to exceptions or briefs. Parties shall be notified of the final decision of the commissioners by certified mail, return receipt requested.

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

Issued in Austin, Texas, on May 22, 1991.

TRD-9106064

Susan M. Kelley
General Counsel
Texas Workers'
Compensation
Commission

Effective date: June 12, 1991

Proposal publication date: March 15, 1991

For further information, please call: (512) 440-3973

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part II. Texas Parks and Wildlife Department

Chapter 65. Fisheries and Wildlife

Subchapter J. Transporting, Shipping, and Exporting Bobcat Pelts

• 31 TAC §§65.251-65.254

The Texas Parks and Wildlife Department in a regularly scheduled public hearing held March 28, 1991, adopts the repeal of §§65.251-65.254, concerning transporting, shipping, and exporting of bobcat pelts, without changes to the proposed text as published in the December 21, 1990, issue of the *Texas Register* (15 TexReg 7416).

The repeals permit adoption of new rules which are mandated by the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) because of the similarity of appearance of bobcats to endangered felines. Additionally, the new rules will establish procedures for labeling noncommercial pelts for interstate transport and for tagging abandoned taxidermy pelts or mounts for sale.

The factual bases for adopting the repeal include scientific studies which support the need to regulate the harvest of bobcats.

The repeals are needed in order to adopt new rules which comply with CITES provisions and which allow for labeling and interstate transport of noncommercial pelts and the tagging of abandoned taxidermy pelts or mounts.

The repeals permit adoption of new rules which comply with the CITES provisions and which provides mechanisms allowing interstate transport of noncommercial pelts and tagging of abandoned taxidermy mounts.

No comments were received regarding adoption of the repeal.

The repeals are adopted under the Texas Parks and Wildlife Code, Chapter 67, which provides the Texas Parks and Wildlife Commission with the authority to establish by regulation limitations on the taking, possession, transportation, exportation, sale, and offering for sale of nongame fish and wildlife that the department considers necessary to manage these species.

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

Issued in Austin, Texas, on May 23, 1991.

TRD-9106087 Paul M. Shinkawa
Director, Legal Services
Texas Parks and Wildlife
Department

Effective date: September 1, 1991

Proposal publication date: December 21, 1991

For further information, please call: 1-800-792-1112, ext. 4700, or (512) 389-4700

◆ ◆ ◆
• 31 TAC §§65.251-65.255

The Texas Parks and Wildlife Department adopts new §§65.251-65.255, concerning transporting, shipping, and exporting of bobcat pelts which supplants the existing rules, without changes to the proposed text as published in the December 21, 1990, issue of the *Texas Register* (15 TexReg 7417).

The new rules are mandated by the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Cites) because of similarity of appearance of bobcats to endangered felines. The new rules have as their factual bases scientific studies and investigations which support the need to regulate the harvest of bobcats.

The new rules are needed to ensure that commercial harvest of bobcats is in compliance with the provisions of CITES and to establish procedures for labeling noncommercial pelts for interstate transport and for tagging abandoned taxidermy pelts or mounts for sale.

The rules will enable this department to comply with CITES provisions for regulating commercial harvest of bobcats and will permit interstate transport of bobcats harvested for noncommercial purposes.

No comments were received regarding adoption of the new sections.

The new sections are adopted under the Texas Parks and Wildlife Code, Chapter 67, which provides the Texas Parks and Wildlife Commission with the authority to establish by regulation limitations on the taking, possession, transportation, exportation, sale, and offering for sale of nongame fish and wildlife that the department considers necessary to manage these species.

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

Issued in Austin, Texas, on May 23, 1991.

TRD-9106088 Paul M. Shinkawa
Director, Legal Services
Texas Parks and Wildlife
Department

Effective date: September 1, 1991

Proposal publication date: December 21, 1991

For further information, please call: 1-800-792-1112, ext. 4700, or (512) 389-4700

◆ ◆ ◆
TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 29. Purchased Health Services

Subchapter G. Hospital Services

• 40 TAC §29.609

The Texas Department of Human Services (DHS) adopts an amendment to §29.609,

concerning additional reimbursement to disproportionate share hospitals, with changes to the proposed text as published in the December 11, 1990, issue of the *Texas Register* (15 TexReg 7076).

The justification for the amendment is that state-owned teaching hospitals will receive additional reimbursement for care provided to low-income patients.

The amendment will function by establishing a second disproportionate share program for state-owned teaching hospitals.

During the public comment period, comments were received from the Texas Department of Health (TDH). TDH suggested that the department omit the word "teaching" from the proposal and allow other state-owned hospitals to participate in the second disproportionate share program.

While the suggestion has merit, it is beyond the scope of the current proposal.

DHS has changed the effective date in subsection (f) from October 1, 1990, to December 12, 1990, to comply with the effective date approved by the Health Care Financing Administration.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

§29.609. Additional Reimbursement to Disproportionate Share Hospitals.

(a)-(e) (No change.)

(f) Reimbursement to state-owned teaching hospitals. In addition to the reimbursement described in subsection (e) of this section and effective December 12, 1990, DHS provides additional disproportionate share reimbursement to state-owned teaching hospitals through a supplemental disproportionate share program. A state-owned teaching hospital is a hospital owned and operated by a state university or other agency of the state. Additional reimbursement is provided to each state-owned teaching hospital on a monthly basis using the following formula:

<u>Monthly Charity Charges of the State-owned Teaching Hospital</u>	X	Allocated
Total Monthly Charity Charges of All State-owned Teaching Hospitals		Fund

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

Issued in Austin, Texas, on May 22, 1991.

TRD-9106048

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

Effective date: June 12, 1991

Proposal publication date: December 11, 1990

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



Chapter 43. Utilization Control

Physician Visits

• 40 TAC §43.201

The Texas Department of Human Services (DHS) adopts the repeal of §43.201, without changes to the proposed text as published in the April 16, 1991, issue of the *Texas Register* (16 TexReg 2222).

The repeal is justified as it reduces the administrative requirements of providers in cases where above-routine visits occur.

The repeal will function by rescinding the utilization control rule that specifies the conditions under which above-routine visits are reviewed for medical necessity.

No comments were received regarding adoption of repeal.

The repeal is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

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

Issued in Austin, Texas, on May 24, 1991.

TRD-9106124

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

Effective date: June 15, 1991

Proposal publication date: April 16, 1991

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



Open Meetings

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

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

Posting of open meeting notices. All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol, Austin. These notices may contain more detailed agenda than what is published in the *Texas Register*.

Texas Department on Aging

Thursday, June 13, 1991, 10 a.m. The Texas Board on Aging of the Texas Department on Aging will meet at the Texas Department on Aging, 1949 South IH-35, Third Floor Conference Room, Austin. According to the agenda summary, the board will call the meeting to order; approve minutes of March 21, 1991; receive public testimony; E.D.'s report on appropriations and other legislation; report on financial related audit; program reports to include: final adoption of Homemaker I and Homemaker II/Home Health Aide Service standards, approval of MOE between TRC and TDoA for publication and final adoption if no comments are received, semiannual performance and funds management report; appointment of CAC vice-chair; discuss issues/concerns of T4A; report on June 6, 1991 CAC meeting; appointments of CAC members from Brazos Valley, Rio Grande and West Central Texas AAAs; Partners in Aging; comments; internal audit plan and internal audit charter; appointment of board audit committee; general announcements; and adjourn.

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

Filed: May 28, 1991, 4:52 p.m.

TRD-9106205

Texas Air Control Board

Thursday, June 6, 1991, 1:30 p.m. The Fee Review Committee of the Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the complete agenda, the committee will discuss and consider for public hearing proposed new fee based on emissions rates.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:03 a.m.

TRD-9106216

Thursday, June 6, 1991, 2 p.m. The Monitoring and Research Committee of the

Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the complete agenda, the committee will review the draft document "Research Objectives, 1992" prior to requesting public comment; discussion of public meetings conducted at Rice University in Houston to address data analysis issues; request for approval to initiate interagency contracts with the University of Texas at Austin; and presentation on initial results of review of 1990 toxics data collected at eight private network sites in the Houston area.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:03 a.m.

TRD-9106217

Thursday, June 6, 1991, 3 p.m. The Regulation Development Committee of the Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the complete agenda, the committee will discuss and consider for public hearings proposed new section in the General Rules to require fees based on emissions rates; discussion and consideration for public hearings on proposed revisions to Regulation V regarding amendments required by the Environmental Protection Agency as part of the "Leveling the Playing Field" program; discuss and consider for public hearings on proposed amendments to Regulation I and the General Rules to respond to a formal petition for rulemaking from the Texas Chemical Council regarding industrial incinerators; discussion and consideration for public hearings on proposed amendments to Regulation II to respond to a formal petition for rulemaking from the Sierra Club regarding scrubbing of sulfur dioxide emissions from steam generators; and discussion of designation of Texas as a "clean state" for Acid Rain as per Title IV of the 1990 Federal Clean Air Act Amendments.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:03 a.m.

TRD-9106218

Friday, June 7, 1991, 9 a.m. The Budget and Finance Committee of the Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the complete agenda, the committee will request approval to initiate interagency contracts with the University of Texas at Austin.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:03 a.m.

TRD-9106219

Friday, June 7, 1991, 9:30 a.m. The State and Federal Affairs Committee of the Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the complete agenda, the committee will give summary of legislative actions affecting the Texas Air Control Board.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:04 a.m.

TRD-9106220

Friday, June 7, 1991, 10 a.m. The Mobile Source Emissions Committee of the Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the complete agenda, the committee will give an update on the status of draft Environmental Protection Agency (EPA) guidance for state vehicle inspection/maintenance programs; consideration of Resolution R91-04 regarding formal comments on draft EPA guidance for vehicle I/M programs.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:04 a.m.

TRD-9106221

Friday, June 7, 1991, 10:30 a.m. The Texas Air Control Board will meet at the Carrollton City Hall, City Council Chambers, 1945 Jackson Road, Carrollton. According to the agenda summary, the board

will call the meeting to order; approve minutes of May 10, 1991 meeting; hear public testimony; enforcement report and consideration of agreed enforcement orders; consideration and action on comments regarding Environmental Protection Agency's draft guidance on inspection/maintenance program; consideration and action on request for the Governor to elect for additional sulfur dioxide emissions allowable; hear reports; staff report: activities in TACB Region Eight (Fort Worth); discuss new business; and adjourn.

Contact: Bill Ehret, 6330 Highway 290 East, Austin, Texas 78723, (512) 451-5711.

Filed: May 28, 1991, 9:04 a.m.

TRD-9106222

State Banking Board

Friday, May 31, 1991, 10:30 a.m. The State Banking Board will meet at 2601 North Lamar Boulevard, Austin. According to the agenda summary, the board will approve previous minutes; consideration of interim charter applications for New San Juan Bank, San Juan, and LTC State Bank, Houston; consideration of change of domicile applications for Pinemont Bank, Houston, and Providence Trust Company, Houston; notification of discontinuance of unmanned teller machines of First National Bank of Abilene, Abilene, and First City, Beaumont, N.A., Beaumont; notification of ATM complaint against Baytown State Bank, Baytown; review of other pending applications; and the board may convene into executive session for consideration of matters pertaining to applications as required by Article 342-115(6)(a) of the Texas Banking Code.

Contact: William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 479-1200.

Filed: May 23, 1991, 12:38 p.m.

TRD-9106084

Bond Review Board

Tuesday, May 28, 1991, 10 a.m. The Bond Review Board held an emergency meeting at the State Capitol, Sergeant's Committee Room, Austin. According to the complete agenda, the board called the meeting to order; considered proposed issue: application of Texas Agricultural Finance Authority for issuance of State of Texas taxable commercial paper notes; and adjourned. The emergency status was necessary as the timely consideration of application which was postponed from previous Bond Review Board meeting.

Contact: Tom K. Pollard, 506 Sam Houston Building, Austin, Texas 78701, (512) 463-1741.

Filed: May 24, 1991, 4:50 p.m.

TRD-9106204

Texas Department of Criminal Justice Board of Pardons and Paroles

Tuesday, June 4, 1991, 10 a.m. The Texas Department of Criminal Justice Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the board will hear comments from facilitator; Texas Council on Family Violence; evaluation of delegation of authority given to parole division, parole voting options, board representation to Criminal Justice Committees effecting parole decision-making; parole summary; establishment of regularly scheduled board meetings; and public input.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2744.

Filed: May 24, 1991, 4:24 p.m.

TRD-9106202

Texas School for the Deaf

Friday, May 31, 1991, 4:30 p.m. The Budget and Audit Committee of the Texas School for the Deaf will meet at 1102 South Congress Avenue, T-3 Conference Room, Austin. According to the complete agenda, the committee will release 1.5% of budget; review of risk analysis; and preliminary planning for audit schedule.

Contact: Marvin B. Sallop, 1102 South Congress Avenue, Austin, Texas 78701, (512) 440-5332.

Filed: May 23, 1991, 4:49 p.m.

TRD-9106107

Saturday, June 1, 1991, 8:30 a.m. The Policy Committee of the Texas School for the Deaf will meet at 1102 South Congress Avenue, T-3 Conference Room, Austin. According to the agenda summary, the committee will review and discuss policy amendments; policy review; policy adoption; and policy deletion.

Contact: Marvin B. Sallop, 1102 South Congress Avenue, Austin, Texas 78701, (512) 440-5332.

Filed: May 23, 1991, 4:49 p.m.

TRD-9106108

Saturday, June 1, 1991, 10 a.m. The Governing Board of the Texas School for the Deaf will meet at 1102 South Congress Avenue, Administration Building, Austin. According to the agenda summary, the board will call the meeting to order; approve of minutes of March 22, 1991 meeting; discuss business for informational purposes; business requiring board action; meet

in executive session; hear comments by members; and adjourn.

Contact: Marvin B. Sallop, 1102 South Congress Avenue, Austin, Texas 78701, (512) 440-5332.

Filed: May 23, 1991, 4:49 p.m.

TRD-9106106

Texas Education Agency

Monday, June 3, 1991, 8 a.m. The State Textbook 1992 Proclamation Advisory Committee for Prekindergarten and Kindergarten, Language Arts-Literature, Social Studies-World Geography Studies, Business Education, Fine Arts of the Texas Education Agency will meet at the Windsor West Room, Austin Hilton and Towers, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committees will discuss the textbook adoption process and assignment of the proclamation advisory committees.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:45 a.m.

TRD-9106142

Monday-Wednesday, June 3, 1991, 10:30 a.m., June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Fine Arts, I-IV of the Texas Education Agency will meet at the Austin Hilton and Towers, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:39 a.m.

TRD-9106134

Monday, June 3, 1991, 10:30 a.m., Tuesday-Wednesday, June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Prekindergarten of the Texas Education Agency will meet at the Austin Hilton and Towers, Allendale Room, 6000 Fiskville Road, Austin. According to the complete agenda, the committee, in accordance with Texas Education Code §12.04 will provide suggestions on the specifications for the content of learning systems and on the criteria used to evaluate learning systems submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:45 a.m.

TRD-9106143

Monday, June 3, 1991, 10:30 a.m., Tuesday-Wednesday, June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Kindergarten of the Texas Education Agency will meet at the Austin Hilton and Towers, Casis Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee, in accordance with the Texas Education Code, §12.04, will provide suggestions on the specifications for the content of learning systems and on the criteria used to evaluate learning systems submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:46 a.m.

TRD-9106144

Monday, June 3, 1991, 10:30 a.m., Tuesday-Wednesday, June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Language Arts: Literature of the Texas Education Agency will meet at the Austin Hilton and Towers, Bee Caves Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will, in accordance with Texas Education Code §12.04 provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:46 a.m.

TRD-9106145

Monday, June 3, 1991, 10:30 a.m., Tuesday-Wednesday, June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Social Studies: World Geography of the Texas Education Agency will meet at the Austin Hilton and Towers, Rollingwood Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will, in accordance with Texas Education Code §12.04 provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:47 a.m.

TRD-9106146

Monday, June 3, 1991, 10:30 a.m., Tuesday-Wednesday, June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee For Business Education of the Texas Education Agency will meet at the Austin Hilton and Towers, Westwood/Clarksville Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will in ac-

cordance with the Texas Education Code, §12.04 provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:47 a.m.

TRD-9106147

Monday, June 3, 1991, 10:30 a.m., Tuesday-Wednesday, June 4-5, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee For Fine Arts: General Music, of the Texas Education Agency will meet at the Austin Hilton and Towers, Hemphill Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will, in accordance with the Texas Education Code §12.04 provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:48 a.m.

TRD-9106148

Tuesday, June 4, 1991, 10 a.m. The Advisory Committee for Budgeting, Accounting, and Auditing of the Texas Education Agency will meet at the Texas Association of School Business Officials, 1701 Directors Boulevard, Austin. According to the complete revised agenda, the committee will approve minutes from January 3, 1991 meeting; review, discussion, and adoption of Change 25 to Bulletin 679, Financial Accounting Manual, to implement accounting procedures related to county education districts and other accounting procedures related to Senate Bill 351.

Contact: Tom Canby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9095.

Filed: May 24, 1991, 9:39 a.m.

TRD-9106133

Wednesday, June 5, 1991, 1 p.m. The State Textbook 1992 Proclamation Advisory Committees for Economics, Language Arts-Speech, Mathematics, Science, Social Studies-Psychology and Sociology, Trade and Industrial Education-Cosmetology will meet at the Austin Hilton and Towers, Windsor West Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committees will discuss the textbook adoption process and assignment of the proclamation advisory committees.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:48 a.m.

TRD-9106149

Wednesday, June 5, 1991, 3:30 p.m., Thursday-Friday, June 6-7, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Economics of the Texas Education Agency will meet at the Austin Hilton and Towers, Rollingwood Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:40 a.m.

TRD-9106135

Wednesday, June 5, 1991, 3:30 p.m., Thursday-Friday, June 6-7, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Language Arts-Speech of the Texas Education Agency will meet at the Austin Hilton and Towers, Casis Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:40 a.m.

TRD-9106136

Wednesday, June 5, 1991, 3:30 p.m., Thursday-Friday, June 6-7, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Mathematics of the Texas Education Agency will meet at the Austin Hilton and Towers, Tarrytown Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:42 a.m.

TRD-9106138

Wednesday, June 5, 1991, 3:30 p.m., Thursday-Friday, June 6-7, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Science of the Texas Education Agency will meet at the Austin Hilton and Towers, Westwood/Clarksville Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:43 a.m.

TRD-9106139

Wednesday, June 5, 1991, 3:30 p.m., Thursday-Friday, June 6-7, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Social Studies-Psychology and Sociology of the Texas Education Agency will meet at the Austin Hilton and Towers, Bee Caves Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, the committee will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:43 a.m.

TRD-9106140

Wednesday, June 5, 1991, 3:30 p.m., Thursday-Friday, June 6-7, 1991, 8:30 a.m. The State Textbook 1992 Proclamation Advisory Committee for Trade and Industrial Education-Cosmetology of the Texas Education Agency will meet at the Austin Hilton and Towers, Allendale Room, 6000 Middle Fiskville Road, Austin. According to the complete agenda, cosmetology will provide suggestions on the specifications for the content of textbooks and on the criteria used to evaluate textbooks submitted for consideration.

Contact: Larry Perry, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9581.

Filed: May 24, 1991, 9:44 a.m.

TRD-9106141

Wednesday, June 12, 1991, 8:45 a.m. The Committee of Practitioners of the Texas Education Agency will meet at Lake Austin Financial Plaza, 1717 West Sixth Street, Austin. According to the complete agenda, the committee will discuss timelines for program improvement joint plans; travel policy; Chapter 1 vocational coordination; revision of state plan for program improvement; outcome base monitoring; and development of master calendar.

Contact: Tommy Harris, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9374.

Filed: May 24, 1991, 9:38 a.m.

TRD-9106132

Texas Employment Commission

Tuesday, June 4, 1991, 8:30 a.m. The Texas Employment Commission will meet

at the TEC Building, 101 East 15th Street, Room 644, Austin. According to the agenda summary, the commission will approve prior meeting notes; meet in executive session to discuss Dickerson Seeley and Associates, Inc. versus Texas Employment Commission and Linda's Payroll Service, Inc. versus Texas Employment Commission; actions, if any, resulting from executive session; consideration and adoption of comprehensive ethics policy; consideration and possible approval of purchase of land for additional office and parking space in Tyler; internal procedures of commission appeals; consideration and action on tax liability cases and higher level appeals in unemployment compensation cases listed on Commission Docket 23; and set date of next meeting.

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

Filed: May 24, 1991, 4:04 p.m.

TRD-9106189

Interagency Council for Genetic Services

Friday, June 14, 1991, 9 a.m. The Texas Genetics Network (TEXGENE) of the Interagency Council for Genetic Services will meet at the Texas Department of Health, 1100 West 49th Street, Room M-652, Austin. According to the complete agenda, the network will hear public comments; approve minutes of previous meeting; consider and possible act on report from Interagency Council for Genetic Services; legislation supported with Texas Medical Association; Council of Regional Networks (CORN) resolution; education; quality assurance; genetic services; CORN data collection; activities of Texas Department of Health, Texas Department of Human Services, Texas Department of Mental Health and Mental Retardation; private service providers, and consumers; budget status; grant application; progress toward grant objectives, member and committee assignments; and hear announcement and comments not requiring network action.

Contact: William E. Moore, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7700.

Filed: May 24, 1991, 2:17 p.m.

TRD-9106176

Friday, June 14, 1991, 1 p.m. The Interagency Council for Genetic Services will meet at the Texas Department of Health, 1100 West 49th Street, Room M-652, Austin. According to the complete agenda, the council will hear public comments; approve minutes of previous meeting; consider and possibly act on TEXGENE Advisory committee report; council on regional networks spring meeting; statistical data provided by Doctor Malitz at December 14, 1990 meeting;

Texas Department of Health contracting effort; Texas Department of Health contracting effort; Texas Department of Mental Health and Mental Retardation state school project; Texas Department of Human Services activities; budget status of special projects of regional and national significance; interagency agreement; TEXGENE grant application; consumer representatives; contractor representative members; legislative mandates and members assignments; election of chair and vice-chair and hear announcements and comments not requiring council action.

Contact: William E. Moore, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7700.

Filed: May 24, 1991, 2:17 p.m.

TRD-9106174

Governor's Task Force on Revenue

Saturday, June 1, 1991, 9 a.m. The Governor's Task Force on Revenue will meet at the Texas Education Agency, Board of Education Room, Room 1. 104, Travis Building, Austin. According to the complete agenda, the Task Force will consider public testimony received at regional public hearings and Task Force deliberations.

Contact: Terrell Blodgett, P.O. Box 12068, Austin, Texas 78711, (512) 463-3004.

Filed: May 24, 1991, 3:21 p.m.

TRD-9106181

Texas Department of Health

Saturday, June 1, 1991, 11 a.m. The Chronically Ill and Disabled Children's Services and Maternal and Child Health Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Pancho Villa Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will consider and possibly act on adoption under federal mandate of amendments to the federal regulations concerning the Women, Infants and Children's (WIC) Program and the WIC Policy and Procedure Manual; proposed amendments to the rules covering the WIC Policy and Procedure Manual; case management; Chronically Ill and Disabled Children's Services initiatives and activities status; and appointments to the Chronically Ill and Disabled Children's Services Cardiovascular Advisory Committee.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:16 p.m.

TRD-9106166

Saturday, June 1, 1991, noon. The Environmental Health Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Kohlberg Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will consider and possibly act on proposed changes to the Texas Regulations for control of radiation concerning use of radiation machines in the healing arts and veterinary medicine.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:16 p.m.

TRD-9106167

Saturday, June 1, 1991, 1 p.m. The Personnel and Search Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Pancho Villa Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will consider in executive session, and possibly act on in open session the first report on selection process of Commissioner of Health; appointments to the Chronically Ill and Disabled Children's Services Cardiovascular Advisory Committee; and restructuring and renaming of the Tuberculosis Advisory Committee.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:16 p.m.

TRD-9106168

Saturday, June 1, 1991, 3 p.m. The Disease Control Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Kohlberg Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will consider and possibly act on proposed new rule to establish procedures for requesting mandatory testing of a person for a reportable disease, including HIV infection; and restructuring and renaming of the Tuberculosis Advisory Committee.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:16 p.m.

TRD-9106169

Saturday, June 1, 1991, 4 p.m. The Strategic Planning Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Pancho Villa Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will consider and possibly act on long-range strategic planning in light of the House Appropriations Committee report.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:16 p.m.

TRD-9106170

Saturday, June 1, 1991, 5 p.m. The Public Health Promotion Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Kohlberg Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will hear public information progress report; discuss public health promotion preventive block grant funding; and hear briefing on volunteer services.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:17 p.m.

TRD-9106171

Sunday, June 2, 1991, 8 a.m. The Executive Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Kohlberg Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will discuss items of procedure for the June 2, 1991 Texas Board of Health meeting.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:17 p.m.

TRD-9106172

Sunday, June 2, 1991, 8:30 a.m. The Budget Committee of the Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Pancho Villa Room, 101 South El Paso Street, El Paso. According to the complete agenda, the committee will consider approval of allocation of preventive health and health services and maternal and child health block grant funds.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:17 p.m.

TRD-9106173

Sunday, June 2, 1991, 9 a.m. The Texas Board of Health of the Texas Department of Health will meet at the Westin Paso Del Norte Hotel, Brahma Room, 101 South El Paso Street, El Paso. According to the agenda summary, the board will approve minutes of previous meeting; approve resolutions; hear commissioner's report, AIDS update, delivery of comprehensive management study final report, comments for United States Assistant Secretary for Health; consider and possibly act on adoption under federal mandate of amendments to federal regulations on women, infants

and children (WIC) program and WIC policy and procedure manual; proposed amendments to rules on WIC policy and procedure manual; approval of allocation of preventive health and health services and maternal and child health block grant funds; proposed new rule on mandatory testing of person for reportable disease, including HIV infection; proposed emergency medical services/trauma systems rules; selection process concerning Commissioner of Health; appointment of Acting Commissioner of Health; emergency and proposed rule on kidney health program advisory committee; proposed amendment to rule on commissioner of health qualifications; and committee reports and appointments.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: May 24, 1991, 2:15 p.m.

TRD-9106164

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Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids

Thursday, June 6, 1991, 7 p.m. The Continuing Education Committee of the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids will meet at the Guest Quarter's Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will discuss petition for continuing education credit for courses in sales, marketing and management as submitted by Harold N. Williams.

Contact: Wanda F. Stewart, 4800 North Lamar Boulevard, Suite 150, Austin, Texas 78756, (512) 459-1489.

Filed: May 24, 1991, 12:53 p.m.

TRD-9106156

Friday, June 7, 1991, 8 a.m. The State Examinations Committee of the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids will meet at the Guest Quarter's Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the committee will administer the State Board Examination.

Contact: Wanda F. Stewart, 4800 North Lamar Boulevard, Suite 150, Austin, Texas 78756, (512) 459-1489.

Filed: May 24, 1991, 12:53 p.m.

TRD-9106157

Saturday, June 8, 1991, 8 a.m. The Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids will meet at the Guest Quarter's Suite Hotel, 303 West 15th Street, Austin. According to the complete agenda, the board will have prayer-George D. Holland, Jr.; approval of minutes of March 2, 1991 board meeting; board action on examination; appointment of nominating

committee; consideration of final adoption of amendment to rule and regulation 145.1 concerning continuing education credit for published articles; hear committee reports; executive director's report; president's report; and future meeting dates.

Contact: Wanda F. Stewart, 4800 North Lamar Boulevard, Suite 150, Austin, Texas 78756, (512) 459-1489.

Filed: May 24, 1991, 12:52 p.m.

TRD-9106155

Texas Department of Human Services

Thursday, June 6, 1991, 9:30 a.m. The Family Violence Advisory Committee of the Texas Department of Human Services will meet at 701 West 51st Street, Third Floor, West Tower, Conference Room 3W, Austin. According to the complete agenda, the committee will call the meeting to order; welcome and introductions; approve minutes; make announcements; hear reports; subcommittee meetings; subcommittee reports; discuss old business; new business; and adjourn.

Contact: Anne Heiligenstein, P.O. Box 149030, Austin, Texas 78714-9030.

Filed: May 28, 1991, 8:50 a.m.

TRD-9106211

Texas Incentive and Productivity Commission

Tuesday, June 11, 1991, 10 a.m. The Texas Incentive and Productivity Commission will meet at 15th and Congress Avenue, John H. Reagan Building, Room 107, Austin. According to the complete agenda, the commission will call the meeting to order; take roll call; approval of minutes of previous meeting and revision of minutes of December 1990 meeting; consideration of employee suggestions for approval; adoption of emergency revisions to the state employee incentive program rules; approval of proposed revisions to the state employee incentive program rules for publication and public comment; approval of proposed revisions to the productivity bonus program rules for publication and public comment; discussion of legislative appropriations request and other legislative issues; report of administrative matters; and adjournment.

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

Filed: May 24, 1991, 2:49 p.m.

TRD-9106178

State Board of Insurance

Monday, June 3, 1991, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of Benefit Systems, Inc., a New Mexico corporation, to acquire control of United Security Life Insurance Company, Dallas, pursuant to the provisions of Texas Insurance Code, Article 21.49-1, §5. Docket Number 11208.

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

Filed: May 24, 1991, 4:06 p.m.

TRD-9106191

Tuesday, June 4, 1991, 9 a.m. Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against Arthur Albert Sanders, El Paso, who holds a Group I, Legal Reserve Life Insurance Agent's license, a Group II Insurance Agent's license, a Local Recording agent's license, and a Prepaid Legal Services Agent's license. Docket Number 11174.

Contact: O. A. Cassity, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:07 p.m.

TRD-9106198

Tuesday, June 4, 1991, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against Charles Eugene Dickson, Friendswood, who holds a Group II Insurance Agent's license. Docket Number 11188.

Contact: Earl Corbitt, 333 Guadalupe Street, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:07 p.m.

TRD-9106197

Wednesday, June 5, 1991, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of Enterprise Life Insurance Company, to acquire control of Galaxy Life Insurance Company, Arlington, pursuant to the provisions of Texas Insurance Code, Article 21.49-1, §§4, 5, and 6. Docket Number 11209.

Contact: Wendy L. Ingham, 333 Guadalupe Street, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:05 p.m.

TRD-9106190

Wednesday, June 5, 1991, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against Ramiro Reyna Martinez, Harlingen and Santa Rosa, who holds a Group I, Legal Reserve Life Insurance Agent's license and a Group II Insurance Agent's license. Docket Number 11199.

Contact: J. C. Thomas, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:06 p.m.

TRD-9106196

Thursday, June 6, 1991, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will reopen a public hearing to consider a request by Whitehall Exec, Inc., Dallas, to withdraw deposit held by State Treasurer pursuant to the Insurance Code 21.07-1, §4(e)(3). Docket Number 11097.

Contact: James W. Norman, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:06 p.m.

TRD-9106195

Friday, June 7, 1991, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against A. A.A. Abstract Company doing business as Elliott and Waldron Abstract Company of Canton, Canton, who holds a Title Insurance Agent's license. Docket Number 11184.

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

Filed: May 24, 1991, 4:06 p.m.

TRD-9106194

Friday, June 7, 1991, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against A. A.A. Abstract Company doing business as Raines County Abstract Company, Emory, who holds a Title Insur-

ance Agent's license. Docket Number 11183.

Contact: Wendy L. Ingham, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:06 p.m.

TRD-9106193

Monday, June 10, 1991, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will meet at 333 Guadalupe Street, Hobby I, 12th Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application for amendment to the Articles of Incorporation of Central Banc Life Insurance Company, Waco, changing the name of the company, clarifying the location of the home office, increasing the authorized capital, and pertaining to director liability. Docket Number 11195.

Contact: James W. Norman, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: May 24, 1991, 4:06 p.m.

TRD-9106192

Texas Board of Irrigators

Wednesday, June 5, 1991, 9 a.m. The Texas Board of Irrigators will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 119, Austin. According to the agenda summary, the board will hear and consider ten outstanding complaints; consider the complaint of City of Jacksonville against Ed Petty, Jr.; consider the letter from the City of Lubbock; reconsider complaint filed by Scott Behling against Jeff Powers; consider approval of the minutes; consider certification of the successful applicants from the licensed irrigator and installer exam results; designate site and dates for next examinations; and chairman to report on items of interest to the board.

Contact: Joyce Watson, 1700 North Congress Avenue, #647, Austin, Texas 78701, (512) 463-7990.

Filed: May 24, 1991, 10:56 a.m.

TRD-9106152

Texas Department of Licensing and Regulation

Tuesday, June 4, 1991, 9 a.m. The Business and Occupational Programs, Tow Trucks of the Texas Department of Licensing and Regulation will meet at the E. O. Thompson Building, 920 Colorado Street, Room 1012, Austin. According to the complete agenda, the department will hold an administrative hearing to consider the possible assessment of an administrative penalty and denial, suspension or revocation of the

respondent's license for Molina Auto Sales for violation of Statutes, Articles 6687-9b and 9100.

Contact: Paula Hamje, 920 Colorado Street, Austin, Texas 78701, (512) 475-2899.

Filed: May 24, 1991, 8:36 a.m.

TRD-9106112

Tuesday, June 4, 1991, 11 a.m. The Business and Occupational Programs, Tow Trucks of the Texas Department of Licensing and Regulation will meet at the E. O. Thompson Building, 920 Colorado Street, Room 1012, Austin. According to the complete agenda, the department will hold an administrative hearing to consider the possible assessment of an administrative penalty and denial, suspension or revocation of the respondent's license for John E. Anderson for violation of Statutes, Articles 6687-9b and 9100.

Contact: Paula Hamje, 920 Colorado Street, Austin, Texas 78701, (512) 475-2899.

Filed: May 24, 1991, 8:36 a.m.

TRD-9106113

Wednesday, June 5, 1991, 9 a.m. The Business and Occupational Programs, Tow Trucks of the Texas Department of Licensing and Regulation will meet at the E. O. Thompson Building, 920 Colorado Street, Eighth Floor, Conference Room, Austin. According to the complete agenda, the department will hold an administrative hearing to consider the possible assessment of an administrative penalty and denial, suspension or revocation of the respondent's license for Alejandro Nunez for violation of Statutes, Articles 6687-9b and 9100.

Contact: Paula Hamje, 920 Colorado Street, Austin, Texas 78701, (512) 475-2899.

Filed: May 24, 1991, 8:36 a.m.

TRD-9106114

Wednesday, June 5, 1991, 11 a.m. The Business and Occupational Programs, Tow Trucks of the Texas Department of Licensing and Regulation will meet at the E. O. Thompson Building, 920 Colorado Street, Eighth Floor, Conference Room, Austin. According to the complete agenda, the department will hold an administrative hearing to consider the possible assessment of an administrative penalty and denial, suspension or revocation of the Respondent's license for Freddie Eugene Powell for violation of Statutes, Articles 6687-9b and 9100.

Contact: Paula Hamje, 920 Colorado Street, Austin, Texas 78701, (512) 475-2899.

Filed: May 24, 1991, 8:37 a.m.

TRD-9106115

Mental Health and Mental Retardation Regional Center of East Texas

Thursday, May 30, 1991, 4 p.m. The Board of Trustees of the Mental Health and Mental Retardation Center of East Texas met at 2323 West Front Street, Board Room, Tyler, May 30, 1991, at 4 p.m. According to the agenda summary, the board requested approval of IBM User Group; discussed budget changes; and visit of Spencer McClure.

Contact: Richard J. DeSanto, P.O. Box 4730, Tyler, Texas 75712, (903) 597-1351.

Filed: May 23, 1991, 2:28 p.m.

TRD-9106093

Texas State Board of Examiners of Psychologists

Wednesday-Friday, June 5-7, 1991, 8 a.m. The Texas State Board of Examiners of Psychologists will meet at 9101 Burnet Road, Suite 212, Austin. According to the complete agenda, the board will consider applications, complaints, proposed rules, budget, legislative matters, minutes, opinion letters, hearings, exam issues, reports, and planning issues.

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

Filed: May 23, 1991, 10:29 a.m.

TRD-9106082

Public Utility Commission of Texas

Monday, June 3, 1991, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference in Docket Number 10323-application of Central Texas Electric Cooperative, Inc. for authority to change rates.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 23, 1991, 3:30 p.m.

TRD-9106101

Tuesday, June 11, 1991, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference in Docket Number 10035-application of West Texas Utilities Company to reconcile fuel costs and for authority to increase fixed fuel factors.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 23, 1991, 3:29 p.m.

TRD-9106099

Thursday, July 25, 1991, 1:30 p.m. The Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the commission will hold a prehearing conference in Docket Number 10212-petition of GTE Corporation and Contel Corporation for declaratory relief.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 23, 1991, 3:30 p.m.

TRD-9106100

Thursday, August 1, 1991, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 10266-application of Sam Houston Electric Cooperative, Inc. for authority to change rates.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 24, 1991, 3:21 p.m.

TRD-9106182

State Purchasing and General Services Commission

Wednesday, June 5, 1991, 1:30 p.m. The Texas School Bus Committee of the State Purchasing and General Services Commission will meet at 1711 San Jacinto Street, Central Services Building, Conference Room 402, Austin. According to the complete agenda, the committee will discuss school bus bodies, chassis, engines, options, safety items, various accessories, and approved products list.

Contact: Troy Martin, 1711 San Jacinto Street, Austin, Texas 78701, (512) 463-3415.

Filed: May 24, 1991, 3:04 p.m.

TRD-9106179

Texas Real Estate Commission

Monday, June 3, 1991, 9 a.m. The Mandatory Continuing Education Committee of the Texas Real Estate Commission will meet at TREC Headquarters, 1101 Camino La Costa, Conference Room, Second Floor, Austin. According to the complete agenda, the committee will discuss and possibly act

to recommend expansion of MCE course and provider acceptance; recommend amendments to MCE rules; and adjourn.

Contact: Mark A. Moseley, P.O. Box 12188, Austin, Texas 78711-2188, (512) 465-3900, ext. 6070.

Filed: May 23, 1991, 10:28 a.m.

TRD-9106081

Monday-Tuesday, June 3-4, 1991, 9 a.m. The Texas Real Estate Appraiser Certification Committee of the Texas Real Estate Commission will meet at the TREC Headquarters, 1101 Camino La Costa, Conference Room 102 (First Floor-Monday), Conference Room 235 (Second Floor-Tuesday), Austin. According to the agenda summary, on Monday the committee will call the meeting to order; meet in executive session to review and discuss the examination question item bank and the certification examinations, pursuant to Attorney General Opinion H-484; and adjourn. On Tuesday, the meeting will be called to order; consideration of minutes of the May 6, 1991 committee meeting; presentations or comments from visitors; staff reports; review and possible action to approve appraisal related courses; discussion and possible action to recommend disciplinary orders; review and possible response to Title XI, Real Estate Appraisal Reform Amendments of 1989, FIRREA; FFIEC Appraisal Subcommittee guidelines and proposals; Appraisal Foundation, AQB, and ASB guidelines, proposals, and drafts; state legislation; review and possible action concerning application process for appraiser certification; examinations; acceptance of appraiser continuing education for MCE credit; possible recommendations for new appraiser certification/licensing board; set date and place of subsequent meetings; and adjourn.

Contact: Renil C. Liner, 1101 Camino La Costa, Austin, Texas 78752, (512) 465-3950.

Filed: May 24, 1991, 1:21 p.m.

TRD-9106158

Texas Municipal Retirement System

Friday, June 14, 1991, 7 a.m. The Board of Trustees of the Texas Municipal Retirement System will meet at the Marriott-Bayfront Hotel, Corpus Christi. According to the agenda summary, the board will hear and approve minutes of the March 9, 1991, meeting; review and approve service retirements; review and approve disability retirements; supplemental death benefits payments; consider extended supplemental death benefits; review and act on financial statements; presentation of 1990 annual report; audit report; approve supplemental death benefits contribution rates for 1992; selection of auditor for fiscal year 1991 operations; consider written depository and

custodian agreement; review summary of the system's account analysis statement of banking services; consider City of Hereford's participation in the system and their merger agreement; consider adoption of amended rules and procedures regarding calculation of types of benefits; new miscellaneous rule regarding domestic relations orders; hear and consider actuarial audit of the system; report on TMRS legislation; report by actuary; report of legal counsel; report by the director; and consider any other business to come before the board.

Contact: Jimmie L. Mormon, P.O. Box 2225, Austin, Texas 78768, (512) 476-7577.

Filed: May 23, 1991, 1:42 p.m.

TRD-9106085

School Land Board

Tuesday, June 4, 1991, 10 a.m. The School Land Board will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 831, Austin. According to the agenda summary, the board will approve previous board meeting minutes; pooling applications, S.W. Mesa (Wolfcamp), Crockett County; Field 60-S East, Gulf of Mexico, Jefferson County; GW (Ellenburger), Pecos County; Wildcat Field, Chambers County; lease suspension application, Trinity Bay, Chambers County; applications to lease highway right of way for oil and gas, Hansford, Brazos, Dewitt and Wilson Counties; consideration of assignment of state lease, Copano Bay, Aransas County; consideration of additional tract for the July 2, 1991 sealed bid land sale; Good Faith Claimant applications, Uvalde County; direct land sale, Leon County; coastal public lands-commercial lease applications, Copano Bay, Aransas County; and Offatts Bayou, Galveston County; commercial lease renewals, Copano Bay, Aransas County; Chocolate Bayou, Brazoria County; Sabine River, Orange County; easement applications, Clear Lake and Offatts Bayou, Galveston County; Aransas Bay, Aransas County; Colorado River, Matagorda County, and Copano Bay, Aransas County; lease applications, Neches River, Jefferson County; and Galveston Bay, Chambers County; consideration of proposed coastal enforcement policies and proposed coastal fee schedule; meet in executive session, consideration of boundary agreement between the State of Texas and Cameron County; and pending and proposed litigation.

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

Filed: May 24, 1991, 4:12 p.m.

TRD-9106200

Structural Pest Control Board

Monday, June 10, 1991, 8:30 a.m. The Structural Pest Control Board will meet at 9101 Burnet Road, Suite 201, Austin. According to the complete agenda, the board will approve minutes of April 1, 1991 board meeting; election of vice chairman; William A. Cohn doing business as Arrow Pest Control to appear at 9 a.m. at the board's request; hear executive director's report; review of proposal for decision on hearings numbers 91-8 through 91-11; and review of Structural Pest Control Board's Act as amended in the 72nd Legislature.

Contact: Benny M. Mathis, Jr., 9101 Burnet Road, Austin, Texas 78758, (512) 835-4066.

Filed: May 24, 1991, 2:10 p.m.

TRD-9106163

The Texas A&M University System

Wednesday, June 19, 1991, 10 a.m. The Board of Regents Committee for Service Units of the The Texas A&M University System will meet at the TAMU Agricultural Research and Extension Center, Weslaco. According to the complete agenda, the committee will tour the facilities at Weslaco and consider any other business that may properly be brought before it.

Contact: Vickie Running, The Texas A&M University System, College Station, Texas 77843, (409) 845-9600.

Filed: May 28, 1991, 8:57 a.m.

TRD-9106215

Texas Water Commission

Tuesday, June 4, 1991, 10 a.m. The Office of Hearings Examiner of the Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 119, Austin. According to the revised agenda summary, the examiner will consider an assessment of administrative penalties and require certain actions of Tinsse Chemical Company, Inc.

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

Filed: May 24, 1991, 3:39 p.m.

TRD-9106185

Wednesday, June 5, 1991, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the commission. In addition, the commission will consider items previously posted for open meeting and at

such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including, but not limited to, scheduling an item in the entirety or for particular action at a future date or time.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: May 23, 1991, 3:28 p.m.

TRD-9106096

Wednesday, June 5, 1991, 3 p.m. (rescheduled from June 5, 1991 to June 12, 1991). The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, 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, scheduling an item in the entirety or for particular action at a future date or time.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: May 23, 1991, 3:29 p.m.

TRD-9106098

Monday, June 24, 1991, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will consider an application by Travis County Water Control and Improvement District Number 17 for adoption of impact fees.

Contact: Gloria A. Vasquez, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: May 24, 1991, 3:39 p.m.

TRD-9106186

Tuesday, June 25, 1991, 10 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 1149A, Austin. According to the complete agenda, the commission will consider an application by T. C. Steiner, Application Number 5328, for an 11.121 water use permit.

Contact: Weldon Hawthorne, P.O. Box 13087, Austin, Texas 78711, (512) 371-6388.

Filed: May 24, 1991, 4:55 p.m.

TRD-9106208

Monday, July 1, 1991, 10 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 1028A, Austin. According to the agenda summary, the commission will hold a public hearing on an application requesting approval of authority to adopt and impose standby fees for Lake Conroe Hills Municipal Utility District, Montgomery County.

Contact: William Clay Harris, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: May 24, 1991, 4:55 p.m.

TRD-9106207

Wednesday, July 31, 1991, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will consider an amendment to Water Use Permit Number 3800 by the Cities of Dallas and Fort Worth, Application Number 4096A. The applicants seek to amend Permit Number 3800 to delete or extend the expiration date for the irrigation authorization; Trinity River Basin; and Tarrant County.

Contact: Terry Slade, P.O. Box 13087, Austin, Texas 78711, (512) 371-6386.

Filed: May 23, 1991, 3:29 p.m.

TRD-9106097

Texas Workers' Compensation Commission

Friday, May 31, 1991, 9 a.m. The Medical Advisory Committee of the Texas Workers' Compensation Commission will meet at 4000 South IH-35, Room 910, Austin. According to the complete agenda, the committee will call the meeting to order; introduction of new committee chair, vice chair, and new hospital representatives; review and approval of minutes from meetings on May 10, 17, and 22, 1991; continued discussion and consideration of medical fee guideline and revisions recommended by medical review division staff, in the following areas-anesthesia ground rules, durable medical equipment, surgery ground rules, pathology ground rules, billing on HCFA 1500, pharmaceutical fee guideline, and multiple procedure reimbursement rule; presentation, discussion, and consideration of Champus model recommended by Texas Medical Association; scheduling next meeting date; and adjournment.

Contact: Susan Kelley, 4000 South IH-35, Austin, Texas 78704, (512) 440-3973.

Filed: May 28, 1991, 8:21 a.m.

TRD-9106210

Regional Meetings

Meetings Filed May 23, 1991

The Alamo Area Council of Governments Board of Directors met at the St. Anthony Hotel, 300 East Travis Street, San Antonio, May 29, 1991, at 3 p. m. Information may be obtained from Al J. Notzon III, 118 Broadway Street, Suite 400, San Antonio, Texas 78205, (512) 225-5201. TRD-9106095.

The Bastrop Central Appraisal District Appraisal Review Board met at the Bastrop Central Appraisal District, 1200 Cedar Street, Bastrop, May 30, 1991, at 7 p.m. Information may be obtained from Dana Ripley, P.O. Drawer 578, Bastrop, Texas 78602, (512) 321-3925. TRD-9106091.

The Bosque Central Appraisal District Board of Directors met at the Bosque Central Appraisal District Office, 104 West Morgan Street, Meridian, May 29, 1991, at 1:30 p.m. Information may be obtained from Don Whitney, P.O. Box 393, Meridian, Texas 76665, (817) 435-2304. TRD-9106104.

The Bosque Central Appraisal District Board of Directors met at the Bosque Central Appraisal District Office, 104 West Morgan Street, Meridian, May 30, 1991, at 1:30 p.m. Information may be obtained from Don Whitney, P.O. Box 393, Meridian, Texas 76665, (817) 435-2304. TRD-9106103.

The Hays County Appraisal District Appraisal Review Board met at 632 A East Hopkins Street, Municipal Building, San Marcos, May 29, 1991, at 9 a.m. Information may be obtained from Lynnell Sedlar, 632 A East Hopkins Street, San Marcos, Texas 78666, (512) 754-7400. TRD-9106079.

The Hunt County Tax Appraisal District Appraisal Review Board will meet at the Hunt County Tax Appraisal District Board Room, 4801 King Street, Greenville, June 6-July 20, 1991, at 8:45 a.m. Information may be obtained from Melda Hart or Shirley Smith, P.O. Box 1330, Greenville, Texas 75401, (214) 454-3510. TRD-9106083.

The Lampasas County Appraisal District Board of Directors met at 109 East Fifth Street, Lampasas, May 28, 1991, at 7 p.m. Information may be obtained from Janice Henry, P.O. Box 175, Lampasas, Texas 76550, (512) 556-8058. TRD-9106092.

The Mental Health and Mental Retardation Authority of Brazos Valley Board of Trustees met at 804 South Texas Avenue, Conference Room A, Bryan, May 30, 1991, at 1:30 p.m. Information may be obtained from Leon Bawcom, P.O. Box 4588, Bryan, Texas 77803, (409) 822-6467. TRD-9106102.

The Mental Health and Mental Retardation Authority of Brazos Valley Board of Trustees met at 804 South Texas Avenue, Conference Room A, Bryan, May 30, 1991, at 1:30 p.m. (revised agenda). Information may be obtained from Leon Bawcom, P.O. Box 4588, Bryan, Texas 77803, (409) 822-6467. TRD-9106109.

The Region VIII Education Service Center Board of Directors will meet at Scott Ferguson's home, Sulphur Springs, May 31, 1991, at 1 p.m. Information may be obtained from Scott Ferguson, P.O. Box 1894, FM 1734, Mt. Pleasant, Texas 75455, (903) 572-8551. TRD-9106089.

The Tarrant Appraisal District Appraisal Review Board will meet at 2309 Gravel Road, Fort Worth, June 3-5, 10-11, 1991, at 8:30 a.m. Information may be obtained from Suzanne Williams, 2309 Gravel Road, Fort Worth, Texas 76118, (817) 284-8884. TRD-9106090.

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Meetings Filed May 24, 1991

The Archer County Appraisal District Appraisal Review Board met at the Appraisal District Office, 211 South Center Street, Archer City, May 29, 1991, at 9 a.m. Information may be obtained from Edward H. Trigg, III, 211 South Center Street, Archer City, Texas 76351, (817) 574-2172. TRD-9106159.

The Barton Springs/Edwards Aquifer Conservation District Board of Directors will meet at 1124 A Regal Row, Austin, May 29, 1991, at 5 p.m. Information may be obtained from Bill E. Couch, 1124 A Regal Row, Austin, Texas 78748, (512) 282-8441. TRD-9106187.

The Brazos River Authority Board of Directors, Water Utilization and Lake Management Committees met at the Comet Room, East Tower, Hyatt Regency Hotel, Dallas-Fort Worth Airport, May 29, 1991, at 10 a.m. Information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76714-7555, (817) 776-1441. TRD-9107175.

The Coastal Bend Council of Governments Membership Committee will meet at FM 1069, San Patricio County near Ingleside, Headquarters Building, Naval Station Ingleside, May 31, 1991, at 2 p.m. Information may be obtained from John P. Buckner, P.O. Box 9909, Corpus Christi, Texas 78469, (512) 883-5743. TRD-9106162.

The Deep East Texas Private Industry Council, Inc. Public Relations Committee met at the Lufkin City Hall, Room 102, Lufkin, May 29, 1991, at 1 p.m. Information may be obtained from Charlene Meadows, P.O. Box 1423, Lufkin, Texas 75901, (409) 634-4432. TRD-9106183.

The Eastland County Appraisal District Appraisal Review Board will meet at the Eastland High School, 900 West Plummer, Eastland, June 3-4, 1991, at 10 a.m. and 9 a.m. respectively. Information may be obtained from Steve Thomas, P.O. Box 914, Eastland, Texas 76448, (817) 629-8597. TRD-9106118.

The Erath County Appraisal District Appraisal Review Board met at 1390 Harbin Drive, Board Room, Stephenville, May 30, 1991, at 9 a.m. Information may be obtained from Treacia Perales, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434. TRD-9106117.

The Heart of Texas Region Mental Health and Mental Retardation Board of Trustees met at 110 South 12th Street, Waco, May 30, 1991, at 11:45 a.m. Information may be obtained from Helen Jasso, 110 South 12th Street, Waco, Texas 76701, (817) 752-3451. TRD-9106111.

The Hood County Appraisal District Appraisal Review Board will meet at the District Office, 1902 West Pearl Street, Granbury, June 4, 1991, at 9:30 a.m. Information may be obtained from Harold Chesnut, P.O. Box 819, Granbury, Texas 76048, (817) 573-2471. TRD-9106180.

The Hunt County Appraisal District Board of Directors will meet at the Hunt County Appraisal District, Board Room, 4801 King Street, Greenville, May 30, 1991, at 5:30 p.m. Information may be obtained from Shirley Smith, P.O. Box 1339, Greenville, Texas 75401, (214) 454-3510. TRD-9106150.

The Gonzales County Appraisal District Board of Directors met at 928 St. Paul Street, Gonzales, May 29, 1991, at 7 p.m. Information may be obtained from Glenda Strackbein, P.O. Box 867, Gonzales, Texas 78629, (512) 672-2979. TRD-9106201.

The Lavaca County Central Appraisal Review Board Appraisal Review Board will meet at the Lavaca County Central Appraisal District Office, 113 North Main Street, Hallettsville, June 5, 1991, at 9 a.m. Information may be obtained from Diane Munson, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396. TRD-9106161.

The Lower Colorado River Authority Board of Directors met at 3700 Lake Austin Boulevard, Austin, May 29, 1991, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3288. TRD-9106126.

The Lower Colorado River Authority Audit and Budget Committee met at 3700 Lake Austin Boulevard, Austin, May 29, 1991, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3288. TRD-9106127.

The Lower Colorado River Authority Audit and Budget Committee met at 3700 Lake Austin Boulevard, Austin, May 30, 1991, at 9 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3288. TRD-9106128.

The Lower Colorado River Authority Board of Directors met at 3700 Lake Austin Boulevard, Austin, May 30, 1991, at 9 a.m., immediately following the Audit and Budget Committee meeting. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3288. TRD-9106129.

The Middle Rio Grande Development Council, Texas Review and Comment System Committee met at the Town House

Restaurant, 2105 East Main Street, Uvalde, May 29, 1991, at 10 a.m. Information may be obtained from Dora T. Flores, P.O. Box 1199, Carrizo Springs, Texas 78834, (512) 876-3533. TRD-9106188.

The Rusk County Appraisal District Board of Directors will meet at the Administrative Office, 107 North Van Buren Street, Henderson, June 6, 1991, at 1:30 p.m. Information may be obtained from Melvin R. Cooper, P.O. Box 7, Henderson, Texas 75653-0007, (903) 657-9697. TRD-9106119.

The Tarrant Appraisal District Board of Directors met at 2301 Gravel Road, Fort Worth, May 30, 1991, at 9 a.m. Information may be obtained from Mary McCoy, 2315 Gravel Road, Fort Worth, Texas 76118, (817) 595-6005. TRD-9106116.

The Tyler County Appraisal District Appraisal Review Board will meet at 806 West Bluff Street, Woodville, June 4, 1991, at 4 p.m. Information may be obtained from Linda Lewis, P.O. Drawer 9, Woodville, Texas 75979, (409) 283-3736. TRD-9106177.

The Tyler County Appraisal District Board of Directors will meet at 806 West Bluff, Woodville, June 6, 1991, at 4 p.m.

Information may be obtained from Linda Lewis, P.O. Drawer 9, Woodville, Texas 75979, (409) 283-3736. TRD-9106154.

The Tyler County Appraisal District Board of Directors will meet at 806 West Bluff, Woodville, June 6, 1991, at 5 p.m. Information may be obtained from Linda Lewis, P.O. Drawer 9, Woodville, Texas 75979, (409) 283-3736. TRD-9106153.



Meetings Filed May 28, 1991

The Brazos Valley Development Council Bootstrap Coordinating Body Committee held an emergency meeting at the Council's Office, 3006 East 29th Street, Bryan, May 30, 1991, at 8:30 a.m. The emergency status was necessary as we did not realize the Office of the Secretary of State would be closed May 27, 1991. Information may be obtained from Sandy Shumaker, P.O. Drawer 4128, Bryan, Texas 77805-4128. TRD-9106214.

The Dawson County Central Appraisal District Board of Directors will meet at 920 North Dallas Avenue, Lamesa, June 5, 1991, at 7 am. Information may be obtained from Tom Anderson, P.O. Box 797, Lamesa, Texas 79331, (806) 872-7060. TRD-9106225.

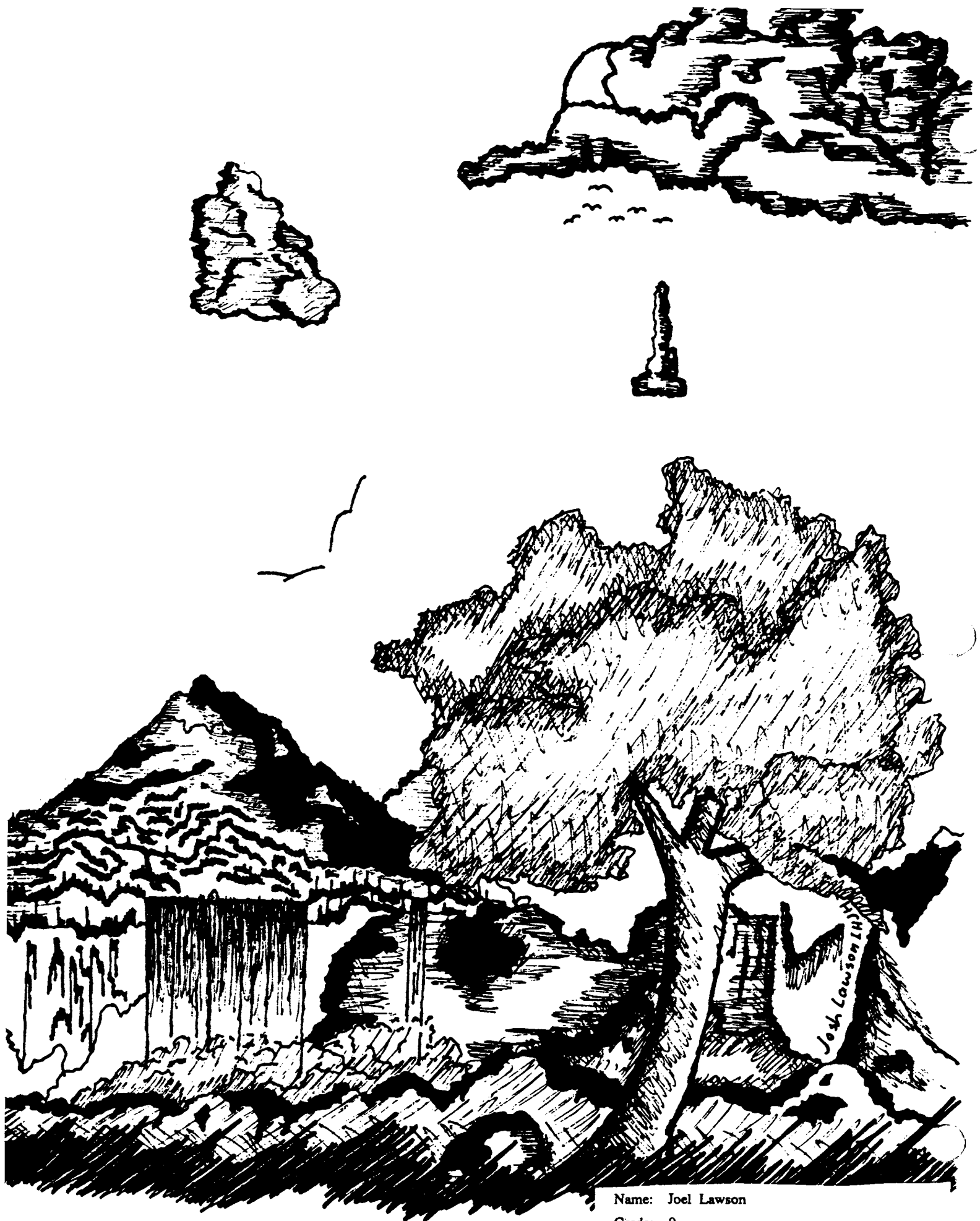
The Ellis County Appraisal District Board of Directors will meet at 406 Sycamore Street, Waxahachie, June 5, 1991, at 7 p.m. Information may be obtained from R. Richard Rhodes, Jr., P.O. Box 878, Waxahachie, Texas 75165, (214) 937-3552. TRD-9106212.

The Garza County Appraisal District Appraisal Review Board will meet at the Appraisal District Office, 124 East Main Street, Post, June 12, 1991, at 9 a.m. Information may be obtained from Billie Y. Windham, P.O. Drawer F, Post, Texas 79356, (806) 495-3518. TRD-9106223.

The Kendall Appraisal District Appraisal Review Board held an emergency meeting at 207 East San Antonio Street, Boerne, May 30, 1991, at 9 a.m. The emergency status was necessary as appraisal roll had to reviewed as soon as possible. Information may be obtained from Mick Mickulenska, P.O. Box 788, Boerne, Texas 78006, (512) 249-8012. TRD-9106226.

The Region 18 Education Service Center Board of Directors will meet at 2811 LaForce Boulevard, Midland, June 6, 1991, at 7:30 p.m. Information may be obtained from Vernon Stokes, P.O. Box 60580, Midland, Texas 79711, (915) 563-2380. TRD-9106224.





Name: Joel Lawson

Grade: 9

School: Lake Highlands Jr. High, Richardson ISD

In Addition

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

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

Texas Air Control Board Notice of Contract Award

The Texas Air Control Board's Request for Proposal (RFP) entitled "Measurement of Various Carbon Related Constituents of Particulate Matter on Selected Filters" was published in the *Texas Register* first on November 2, 1990 (15 TexReg 6335) and again on February 8, 1991 (16 TexReg 790) because no vendor responded to the first RFP. Two vendors submitted proposals for this work, and Sunset Laboratory, 2017 19th Avenue, Forest Grove, Oregon 97116 was selected based on lowest bid. This contract went into effect on May 16, 1991, when it was approved, signed, and accepted by Steve Spaw, P.E., Executive Director, Texas Air Control Board, Austin.

Issued in Austin, Texas, on May 21, 1991.

TRD-9106042 Steve Spaw, P.E.
Executive Director
Texas Air Control Board

Filed: May 22, 1991

For further information, please call: (512) 451-5711

Notice of Public Hearing

Notice is hereby given that pursuant to the requirements of the Texas Clean Air Act (TCAA), §382.017(a); the Administrative Procedure and Texas Register Act, §5, Texas Civil Statutes, Article 6252-13a; and §103.11(4) of the procedural rules of the Texas Air Control Board (TACB), the TACB will conduct a public hearing to receive testimony concerning revisions to its rules.

The TACB proposes amendments to §101.24, concerning inspection fees. The amendments are proposed in order to clarify applicability, to increase fees associated with the inspection fee schedule, and to refine the information required on the fee return form.

This notice is to inform interested parties that a second public hearing on this subject matter has been scheduled to follow the initial hearing of May 29, 1991. The additional public hearing will be held on June 13, 1991, at 10 a.m. in the Texas Air Control Board Auditorium located at 6330 Highway 290 East, Austin. Proposed rules concerning inspection fees were published in the *Texas Register* on May 3, 1991 (16 TexReg 2462).

The hearing is structured for the receipt of oral or written comments. Interrogation or cross-examination is not permitted, however, a TACB staff member will be available to answer questions informally.

Written comments not presented at the hearing may be submitted to the TACB central office in Austin prior to and including June 14, 1991. Material received by 4 p.m. on that date will be considered by the board prior to any final action on the proposed revisions. Copies of the proposed revisions are available at the central office of the TACB located at 6330 U.S. Highway 290 East, Austin,

Texas 78723, and at all TACB regional offices. For further information, call Barry Irwin at (512) 451-5711.

Issued in Austin, Texas, on May 22, 1991.

TRD-9106060 Lane Hartssock
Director, Planning and Development Board
Texas Air Control Board

Filed: May 22, 1991

For further information, please call: (512) 451-5711, ext. 433

State Banking Board Notice of Hearing

The Hearing Officer of the State Banking Board will conduct a hearing on July 8, 1991, at 9 a.m., at 2601 North Lamar Boulevard, Austin, on the change of domicile application for Texas A&M Foundation Trust Company, College Station.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 479-1200.

Issued in Austin, Texas, on May 21, 1991.

TRD-9106080 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: May 23, 1991

For further information, please call: (512) 479-1200

Texas Department of Commerce Notice of Intent to RFP

Pursuant to Texas Civil Statutes, Article 6252-11c, and in accordance with the Job Training Partnership Act (JTPA) (Public Law 97-300), the Texas Department of Commerce (Commerce) is announcing its intention to issue a request for proposals (RFP) to select an organization to operate a "one stop" Career Transition Center to provide JTPA Title III-Basic Readjustment Services. Commerce will be soliciting proposals to provide a "turn key" operation which will offer an array of services to workers dislocated by a massive reduction-in-force in Fort Worth. Detailed information regarding this project and the proposal submission process will be provided in the RFP instruction, which will be available on or about June 1, 1991 at: Texas Department of Commerce, Work Force Development Division, 816 Congress Avenue, Suite 1300 (P.O. Box 12728), Austin, Texas 78711. RFPs may also be requested by calling (512) 320-9819. Information may also be faxed via (512) 320-9875 ATTN: Jim Lollar. The deadline for submission of proposals in response to request will be 4 p.m. Central Standard Time on June 24, 1991.

Issued in Austin, Texas, on May 24, 1991.

Filed: May 24, 1991

For further information, please call: (512) 320-9800

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Texas Education Agency

Notice of Public Hearings

The Texas Education Agency will conduct six regional public hearings on the proposed Texas State Plan for the Education for Homeless Children and Youth, 1991-1993. The proposed plan was developed in compliance with the requirements of Public Law 101-645, the Stewart B. McKinney Homeless Assistance Act, Subtitle VII-B, as amended November 1990, which requires that states develop a plan that assures homeless children and youth access to a free and appropriate public education. The hearings will be conducted at the following times and locations: Tuesday, June 4, 1991, 3 p.m.-5 p.m., Texas Education Agency, 1717 West Sixth Street, Lake Austin Financial Plaza Building, Austin, Texas 78703, (512) 463-9694; Thursday, June 6, 1991, 3 p.m.-6 p.m., Salvation Army Headquarters, 5302 Harry Hines Boulevard, Carr P. Collins Social Services Center, Dallas, Texas 75235, (214) 353-2731; Thursday, June 6, 1991, 3 p.m.-5 p.m., Region XVII Education Service Center, 1111 West Loop 289, Lubbock, Texas 79416-5029, (805) 792-4000; Friday, June 7, 1991, 3 p.m.-6 p.m., Star of Hope Family Residence, 419 Dowling, Houston, Texas 77003, (713) 222-2220; Monday, June 10, 1991, 3 p.m. -5 p.m., Region XIX Education Service Center, 6611 Boeing Drive, El Paso, Texas 79996-9990, (915) 779-3737; Wednesday, June 12, 1991, 3 p.m.-6 p.m., Brownsville Housing Authority, 2606 Pocachica Boulevard, Brownsville, Texas 78521, (512) 541-8315.

Individuals who wish to speak at these hearings are encouraged to bring a copy of their written testimony. Draft copies of the abstract of the proposed plan may be obtained by contacting Barbara E. Wand, Division of Special Programs Planning and Implementation, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, 1-800-446-3142 or (512) 463-9694.

Issued in Austin, Texas, on May 21, 1991.

TRD-9106131 Thomas E. Anderson, Jr.
Interim Commissioner of Education

Filed: May 24, 1991

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

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Request for Applications

This request for application filed in accordance with the Carl D. Perkins Vocational and Applied Technology Act, Public Law 101-392, Title II, Sections 221-222.

Eligible applicants. The Texas Education Agency (TEA) is requesting applications from independent school district, education service centers, and community-based organizations to serve single parent, displaced homemakers, and single pregnant women, and the elimination of sex bias and stereotyping in vocational and applied technology education.

Description. Texas Education Agency will fund the following projects: up to \$50,000 each for approximately 65 projects in vocational and applied technology education for single parents, displaced homemakers, and single preg-

nant women in medium and large size school districts (over 5,000 ADA, K-12); up to \$25,000 each approximately 30 projects in vocational and applied technology education for single parents, displaced homemakers, and single pregnant women in rural and small size school districts (under 5,000 ADA, K-12); up to \$60,000 each for 20 regional projects to eliminate sex bias and stereotyping in vocational and applied technology education on a state-wide basis; up to \$50,000 for one project in communications and activities to eliminate sex bias and stereotyping in vocational and applied technology education; several capacity building projects to prepare students for nontraditional occupation and to eliminate sex bias and stereotyping in vocational and applied technology education (total available-\$126,826).

Dates of project. Funding will begin July 1, 1991-June 30, 1992.

Selection criteria. Applications will be approved based upon the scores each applicant receives. Applications must address all requirements contained in the request for application.

Requesting the application. A copy of the complete request for application (RFA #701-92-001) may be obtained by writing or calling the: Document Control Center, Room 6-108, Texas Education Agency, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701-1494, or call (512) 463-9304.

Further information. For clarifying about this request, contact Dr. Christine Smart, Division of Vocational Education Funding and Compliance, Texas Education Agency, (512) 463-9311.

Deadline for receipt of applications. The deadline for submitting an application is 5 p.m., Monday, June 24, 1991. Applications should be sent to the following: Document Control Center, Room 6-108, Texas Education Agency, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701-1494.

Issued in Austin, Texas, on May 22, 1991.

TRD-9106130 Thomas E. Anderson, Jr.
Interim Commissioner of Education

Filed: May 24, 1991

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

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Governor's Energy Office

Consultant Proposal Request

In compliance with the provisions of Texas Civil Statutes, Article 6252-11c, the Governor's Energy Office furnishes this notice of consultant contract awards.

Publication Date. The consultant proposal request was published in the January 15, 1991, issue of the *Texas Register* (16 TexReg 260).

Description of Services. The request was for contractors to provide on-site technical assistance in energy management to Texas independent school districts and to supervise the activities of approximately 15 energy managers.

Names and Addresses. The contracts have been awarded to: Estes, McClure and Associates, Inc., 3608 West Way, Tyler, Texas 75703 and Caffey/Sayers Consulting Engineers, Inc., 1140 Empire Central, Suite 550, Dallas, Texas 75247.

Value and Date of Contracts. The total dollar value of the contracts is \$665,000. The contract period for Estes,

1991 Publication Schedule for the *Texas Register*

Listed below are the deadline dates for the January-December 1991 issues of the *Texas Register*. Because of printing schedules, material received after the deadline for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the *Texas Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication. A bullet beside a publication date indicates that the deadlines have been moved because of state holidays.

FOR ISSUE PUBLISHED ON	ALL COPY EXCEPT NOTICES OF OPEN MEETINGS BY 10 A.M.	ALL NOTICES OF OPEN MEETINGS BY 10 A.M.
1 *Tuesday, January 1	Friday, December 21	Thursday, December 27
Friday, January 4	NO ISSUE PUBLISHED	
2 Tuesday, January 8	Wednesday, January 2	Thursday, January 3
3 Friday, January 11	Monday, January 7	Tuesday, January
4 Tuesday, January 15	Wednesday, January 9	Thursday, January 10
5 Friday, January 18	Monday, January 14	Tuesday, January 15
6 Tuesday, January 22	Wednesday, January 16	Thursday, January 17
Friday, January 25	1990 ANNUAL INDEX	
7 Tuesday, January 29	Wednesday, January 23	Thursday, January 24
8 Friday, February 1	Monday, January 28	Tuesday, January 29
9 Tuesday, February 5	Wednesday, January 30	Thursday, January 31
10 Friday, February 8	Monday, February 4	Tuesday, February 5
11 Tuesday, February 12	Wednesday, February 6	Thursday, February 7
12 Friday, February 15	Monday, February 11	Tuesday, February 12
13 Tuesday, February 19	Wednesday, February 13	Thursday, February 14
14 *Friday, February 22	Friday, February 15	Tuesday, February 19
15 Tuesday, February 26	Wednesday, February 20	Thursday, February 21
16 Friday, March 1	Monday, February 25	Tuesday, February 26
17 Tuesday, March 5	Wednesday, February 27	Thursday, February 28
18 Friday, March 8	Monday, March 4	Tuesday, March 5
19 Tuesday, March 12	Wednesday, March 6	Thursday, March 7
20 Friday, March 15	Monday, March 11	Tuesday, March 12
21 Tuesday, March 19	Wednesday, March 13	Thursday, March 14
22 Friday, March 22	Monday, March 18	Tuesday, March 19
23 Tuesday, March 26	Wednesday, March 20	Thursday, March 21
24 Friday, March 29	Monday, March 25	Tuesday, March 26
25 Tuesday, April 2	Wednesday, March 27	Thursday, March 28
26 Friday, April 5	Monday, April 1	Tuesday, April 2
27 Tuesday, April 9	Wednesday, April 3	Thursday, April 4
28 Friday, April 12	Monday, April 8	Tuesday, April 9
29 Tuesday, April 16	Wednesday, April 10	Thursday, April 11
*Friday, April 19	FIRST QUARTERLY INDEX	

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

67 Tuesday, September 10	Wednesday, September 4	Thursday, September 5
68 Friday, September 13	Monday, September 9	Tuesday, September 10
69 Tuesday, September 17	Wednesday, September 11	Thursday, September 12
70 Friday, September 20	Monday, September 16	Tuesday, September 17
71 Tuesday, September 24	Wednesday, September 18	Thursday, September 19
72 Friday, September 27	Monday, September 23	Tuesday, September 24
73 Tuesday, October 1	Wednesday, September 25	Thursday, September 26
74 Friday, October 4	Monday, September 30	Tuesday, October 1
75 Tuesday, October 8	Wednesday, October 2	Thursday, October 3
76 Friday, October 11	Monday, October 7	Tuesday, October 8
Tuesday, October 15	THIRD QUARTERLY INDEX	
77 Friday, October 18	Monday, October 14	Tuesday, October 15
78 Tuesday, October 22	Wednesday, October 16	Thursday, October 17
79 Friday, October 25	Monday, October 21	Tuesday, October 22
80 Tuesday, October 29	Wednesday, October 23	Thursday, October 24
81 Friday, November 1	Monday, October 28	Tuesday, October 29
82 Tuesday, November 5	Wednesday, October 30	Thursday, October 31
83 Friday, November 8	Monday, November 4	Tuesday, November 5
84 Tuesday, November 12	Wednesday, November 6	Thursday, November 7
85 *Friday, November 15	Friday, November 8	Tuesday, November 12
86 Tuesday, November 19	Wednesday, November 13	Thursday, November 14
87 Friday, November 22	Monday, November 18	Tuesday, November 19
88 Tuesday, November 26	Wednesday, November 20	Thursday, November 21
89 Friday, November 29	Monday, November 25	Tuesday, November 26
Tuesday, December 3	NO ISSUE PUBLISHED	
90 Friday, December 6	Monday, December 2	Tuesday, December 3
91 Tuesday, December 10	Wednesday, December 4	Thursday, December 5
92 Friday, December 13	Monday, December 9	Tuesday, December 10
93 Tuesday, December 17	Wednesday, December 11	Thursday, December 12
94 Friday, December 20	Monday, December 16	Tuesday, December 17
95 Tuesday, December 24	Wednesday, December 18	Thursday, December 19
96 *Friday, December 27	Friday, December 20	Monday, December 23
Tuesday, December 31	NO ISSUE PUBLISHED	
1 *Friday, January 3	Friday, December 27	Tuesday, December 31
2 *Tuesday, January 7	Tuesday, December 31	Thursday, January 2
3 Friday, January 10	Monday, January 6	Tuesday, January 7
4 Tuesday, January 14	Wednesday, January 8	Thursday, January 9
5 Friday, January 17	Monday, January 13	Tuesday, January 14

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