

Texas Register

Volume 15, Number 69, September 11, 1990

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The *Texas Register* (ISSN0362-4781) is published semi-weekly 100 times a year except June 1, 1990, November 9 and 27, 1990, and December 28, 1990. Issues will be published by the Office of the Secretary of State, 1019 Brazos, Austin, Texas 78711.

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

Governor-Appointments, executive orders, and proclamations

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

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

Proposed Sections-sections proposed for adoption

Withdrawn Sections-sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date

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

Open Meetings-notices of open meetings

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

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

How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402.

In Order that readers may cite material more easily page numbers are now written as citations. Example: on page 2 in the lower left-hand corner of the page, would be written: "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"

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

Texas Administrative Code

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

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

1 indicates the title under which the agency appears in the *Texas Administrative Code*;

TAC stands for the *Texas Administrative Code*;

§27.15 is the section number of rule (27 indicates that the section is under Chapter 27 of Title 1; 15 represents the individual section within the chapter).



Texas Register Publications

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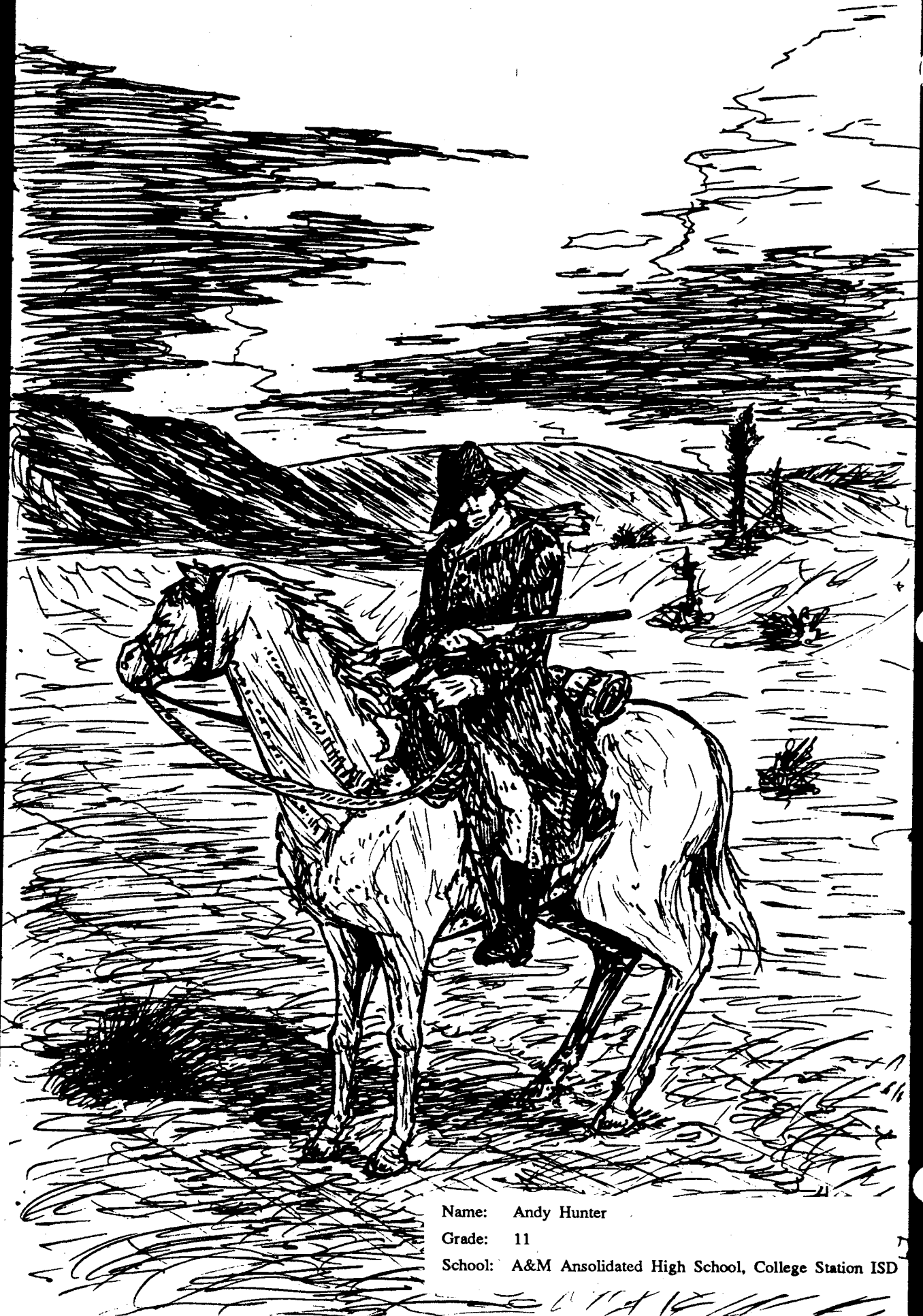
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TAC Titles Affected—September

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The Governor

As required by Texas Civil Statutes, Article 6252-13a, §6, the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in Chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1814.

Appointments Made August 16, 1990

To be a member of the **Advisory Council on Community Affairs** for a term to expire January 31, 1992: G. Ted Simmons, P.O. Box 399, McLean, Texas 79057. Mr. Simmons is being reappointed.

To be a member of the **Advisory Council on Community Affairs** for a term to expire January 31, 1992: Jean Lewis McReynolds, 3801 Austin Avenue, Waco, Texas 76710. Ms. McReynolds is being reappointed.

To be a member of the **Advisory Council on Community Affairs** for a term to expire January 31, 1992: Jeri Osborne, HCR 2, Box 11, Panhandle, Texas 79068. Mrs. Osborne is being reappointed.

To be a member of the **Texas Statewide Health Coordinating Council** for a term to expire September 1, 1992: Kim A. Caldwell, 11 Guadalupe Drive, Athens, Texas 75751. Mr. Caldwell is being reappointed.

To be a member of the **Texas Statewide Health Coordinating Council** for a term to

expire September 1, 1992: Henry Lopez, Jr., 11215 Whisper Sound, San Antonio, Texas 78230. Mr. Lopez is being reappointed.

To be a member of the **Continuing Advisory Committee For Special Education** for a term to expire February 1, 1991: Dr. Burtram B. Butler, 1818 35th Street, Galveston, Texas 77553. Dr. Butler will be replacing Dr. Andrew Nutt of Beckville.

Issued in Austin, Texas, on August 31, 1990.

TRD-9008849

William P. Clements, Jr.
Governor of Texas





Name: Robert Lattimore

Grade: 11

School: Haltom High School, Birdville 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 16. ECONOMIC REGULATION

Part I. Railroad Commission

Chapter 3. Oil and Gas Division

Conservation Rules and Regulations

• 16 TAC §3.87

The Railroad Commission of Texas adopts on an emergency basis new §3.87. The new section shall be effective on September 1, 1990. Adoption of the section raises oil well production to maximum efficient rates, except for wells or fields with other specific production orders. The Railroad Commission finds that there exists an imminent peril to public safety, health, or welfare as a result of the unforeseeable demand for domestic oil created by political unrest and threat of war in the Middle East.

The new section is adopted on an emergency basis under the Texas Natural Resources Code, Title 3, Chapter 85, which provides the Railroad Commission with the authority to regulate oil production.

§3.87. *Emergency Oil Allowables.*

(a) **Definitions.** The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

(1) **Maximum allowable**—An allowable assigned to a well that is consistent with the maximum ability of the well to produce and will not cause waste.

(2) **Commission established maximum efficient rate**—The maximum daily production rate above which the commission has determined that waste will occur.

(b) **Capacity allowable assigned.** All oil wells shall be assigned a maximum allowable, provided that no well shall be assigned in excess of a commission established maximum efficient rate.

(c) **Other rules and orders superseded.** Any statewide rule or special field rule otherwise restricting the assignment of an oil well's allowable to less than that well's maximum allowable, is superseded by this section. However, all oil wells shall comply

with restrictions imposed on gas production by §3.49 of this title (relating to Gas-Oil Ratio) or other special field rules restricting gas-oil ratio and gas production limits, or for prevention of waste.

(d) **Exceptions.** The commission may grant an exception to this section to prevent waste or confiscation, to protect correlative rights, and for other just cause as found by the commission, upon application by an affected person or entity and after notice and opportunity for hearing.

(e) **Effectiveness.** This section shall be effective for period of 90 days from the date of its adoption.

Issued in Austin, Texas, on August 30, 1990.

TRD-9008852

Kent Hance
Chairman
Railroad Commission of
Texas

Effective date: September 1, 1990

Expiration date: November 30, 1990

For further information, please call: (512)
463-6766

◆ ◆ ◆



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Proposed Sections

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

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

TITLE 1.

ADMINISTRATION

Part XIII. Texas Incentive and Productivity Commission

Chapter 273. Program Definitions

• 1 TAC §273.1

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

The Texas Incentive and Productivity Commission proposes the repeal of §273.1, concerning the State Employee Incentive Program definitions. The repeal of this section is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

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

Ms. Powell, also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will be that the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeal is proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§273.1. Definitions.

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 September 4, 1990.

TRD-9008905

M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

- ◆ ◆ ◆
- 1 TAC §§273.1, 273.3, 273.5, 273.7, 273.9, 273.11, 273.13, 273.15, 273.17, 273.19, 273.21, 273.23, 273.25, 273.27, 273.29

The Texas Incentive and Productivity Commission proposes new §§273.1, 273.3, 273.5, 273.7, 273.9, 273.11, 273.13, 273.15, 273.17, 273.19, 273.21, 273.23, 273.25, 273.27, and 273.29, concerning the State Employee Incentive Program. These sections for the State Employee Incentive Program are currently under Chapters 271, 273, 275, 277, 279, 281, 283, 285, and 287. These sections are simultaneously proposed for repeal. Certain non-substantive changes have been made in the proposed new sections to reflect the new name of the agency and to add necessary definitions. Other changes incorporate new statutory provisions.

M. Elaine Powell, executive director, has determined that for the first five-year period the sections are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the sections.

Ms. Powell also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be cost savings, increased efficiency and revenues, improvement in employee morale, and availability of funds for state projects through implementation of approved suggestions. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the sections as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The new sections are proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for the State Employee Incentive Program.

§273.1. Definitions for the State Employee Incentive Program. The following words

and terms, when used in this chapter, shall pertain only to the State Employee Incentive Program and shall have the following meanings, unless the context clearly indicates otherwise.

Act—Texas Civil Statutes, Article 6252-29a, Incentive and Productivity Act and Text of Conference Committee Report Senate Bill Number 222 and Governor's Veto Proclamation, 71st Legislature, 1989.

Agency coordinator—An individual employed by a state agency who is designated by the executive director of that agency as the liaison between that agency and the commission.

Application—The form prescribed by the commission on which employee suggestions must be submitted to be considered for eligibility in the program.

Award—A bonus or certificate of appreciation.

Bonus—A monetary award granted to an eligible state employee in payment for an employee suggestion which shows a net savings or net revenue of \$100 or more.

Certificate of appreciation—A non-monetary award granted to an eligible state employee in recognition of an employee suggestion which shows a net savings or net revenue of less than \$100.

Commission—The Texas Incentive and Productivity Commission (TIPC) which directs the State Employee Incentive Program.

Employee Suggestion—A proposal made by an eligible state employee on prescribed commission forms, which, on implementation, may result in increased productivity, a reduction in state expenditures, an improvement in the quality of state services, or an increase in state revenues.

Implementation—The point in time at which all elements, tools, equipment, systems, supplies, or procedures as prescribed by an employee suggestion have been acquired, assembled, constructed, or otherwise put into place, and are used in the execution of that employee suggestion.

Implementation costs—Costs associated with implementing a suggestion including acquisition of equipment or materials, design of systems or procedures, and other associated outlays needed for implementation of an employee suggestion.

Net savings or net revenue—The monetary amount, measured during the year of implementation, of reduced expenditures or increased revenues attributable to the employee suggestion versus the previous

procedure, system, equipment, standard, or material. This includes adjustments for the costs of implementation, inflation, and other factors deemed by the commission as distortions of the actual quantitative merit of an implemented suggestion.

Orientation agency—The agency of the employee who submits a suggestion.

Program—The State Employee Incentive Program.

State agency or agency—A department, commission, board, office, or other agency in the executive branch of government that is created under the constitution or a statute of this state. This definition includes institutions of higher education.

Target agency or affected agency—The agency which is the object of an employee suggestion.

Verification—The process of determining the amount of net savings or net revenue attributable to an employee suggestion. The commission, with assistance from the participating agency, the comptroller of public accounts, the state auditor, or other state agencies, conducts the verification process.

Year of implementation—The twelve month period following implementation of an employee suggestion. During this year, the amount of reduced expenditures or increased revenues are monitored to determine the net monetary impact of the implemented suggestion.

§273.3. Commission's Role.

(a) Policies and procedures. The commission shall develop policies and organize procedures to implement a statewide program to reward state employees in the manner provided by the Act for employee suggestions that reduce state expenditures, increase state revenues, or improve the quality of state services.

(b) Recordkeeping. The commission shall establish recordkeeping procedures as necessary to implement Texas Civil Statutes, Article 6252-29a, (the Act).

(c) Rules and staffing. The commission shall adopt rules and hire staff as necessary to implement the Act.

(d) Contributions. The commission may accept contributions and/or assistance from private institutions and organizations and may request and receive aid and assistance from the Governor's Office and other state governmental bodies to provide for effective implementation of the Act.

§273.5. Agency Coordinator's Role. Each state agency shall designate an agency coordinator. The agency coordinator, using the commission's prescribed forms, shall:

(1) promote agency employee participation in the program;

(2) obtain an impartial evaluation of each proposed employee suggestion;

(3) promote the agency's implementation of adopted suggestions;

(4) monitor the cost savings and other benefits that result from the implementation of an employee suggestion;

(5) file reports with the commission as required by the rules of the commission;

(6) arrange and conduct intra-agency award ceremonies to recognize agency employees who are granted awards under Texas Civil Statutes, Article 6252-29a;

(7) make the initial eligibility determination, on a form prescribed by the commission, for the employee suggestion and the agency employee;

(8) complete and route all forms and correspondence to the commission in a timely manner and as prescribed in this chapter;

(9) develop recordkeeping procedures to track and verify the actual amount of savings or revenue changes attributable to an implemented employee suggestion. The agency coordinator shall provide the commission any information requested by the commission that is necessary to verify the amount of savings or other benefits derived from the suggestion.

§273.7. Agency's Role.

(a) Agency coordinator appointments. The executive director of each eligible state agency shall designate an agency coordinator.

(b) Intra-agency review. The executive director of agencies with 25 or more employees shall designate at least two individuals employee by the agency to assist the agency coordinator in impartially evaluating all eligible employee suggestions as part of the internal review process provided for under the Act. One of the individuals should be experienced and familiar with the various cost centers, accounts, and line items which will be affected by a variety of implemented suggestions. Another of the individuals should have experience in the technical, engineering, procedural, management, or other areas required to objectively evaluate the feasibility of a variety of eligible suggestions. Executive directors of agencies with fewer than 25 employees shall designate at least one other person employed by the agency to assist the agency coordinator in evaluating suggestions. Additional members may be added to the intra-agency review staff as needed to evaluate the suggestions appropriately.

(c) Suggestion adoptions. The final adoption of an employee suggestion is at

the discretion of the chief administrative officers of each agency.

(d) Allocation of net annual savings. Net annual savings realized from employee suggestions adopted by a state agency must be allocated by the state agency as provided in the General Appropriations Act (Senate Bill 222, Acts of the 71st Legislature, Article I-108, Rider 2).

§273.9. Employee Eligibility.

(a) Full-time state employee. Each full-time state employee is eligible to participate in the program except an employee:

(1) who has authority to implement the suggestion being made;

(2) who is on an unpaid leave of absence;

(3) whose job description includes responsibility for cost analysis, efficiency analysis, savings implementation, or other related programs within the employee's agency;

(4) who is involved in, or has access to agency research and development programs, if that information is used as the basis of the suggestion; and/or

(5) whose job description includes developing the type of change in the agency administration that is proposed in the suggestion.

(b) Elected or appointed officials. An elected or appointed agency official is not eligible to participate in the program.

§273.11. Employee Rights.

(a) Confidentiality. An employee who proposes a suggestion under Texas Civil Statutes, Article 6252-29a may request the commission to maintain his or her confidentiality in the evaluation or award process. The commission shall maintain such an employee's confidentiality to the greatest possible extent.

(b) Employee status.

(1) An employee's right to an award may be established based on the employee's status at the time that the original employee suggestion was received by the agency coordinator.

(2) A former employee remains eligible for an award if the suggestion is implemented not later than two years after the date of final disposition of the suggestion.

(3) If an employee who is granted a bonus dies before the date on which the bonus is received, the bonus shall be paid to the deceased employee's estate.

§273.13. Employee Liability. An employee accepts all liability for violation of any proprietary and/or criminal laws and

statutes by the employee in making a suggestion under this program.

§273.15. Suggestion Submissions.

(a) Employee requirements. To be eligible for consideration under the State Employee Incentive Program (the program), an employee suggestion must:

(1) be submitted to the agency coordinator in the written form prescribed by the commission.

(2) be signed by the employee.

(3) propose a reasonable method of implementation and describe the type of savings or other benefits foreseen by the employee, if the suggestion is adopted by the agency.

(b) Simultaneous suggestions.

(1) If two or more employees submit the same or similar suggestions (for the same target agency), the first received by the target agency's coordinator in the prescribed written form is eligible for consideration.

(2) If the same or similar suggestions are received on the same day from employees working at different locations (by target agency's coordinator), a bonus based on the implemented suggestion may be divided equally among the employees submitting the information.

(3) Each of the employees may be eligible for a certificate of appreciation.

(c) Group suggestions.

(1) Two or more employees may submit a group suggestion using forms prescribed by the commission.

(2) A bonus based on such suggestion may be divided equally among those employees.

(3) Each of the employees may be eligible for a certificate of appreciation.

(4) In the event that one or more of the employees in group suggestion are determined to be ineligible, the suggestion may be resubmitted by the group of eligible employee(s).

(d) Ineligible suggestions. A suggestion is ineligible for consideration under this program if it:

(1) does not describe a method to achieve the desired savings or benefit;

(2) proposes ideas under consideration or implementation (in and outside of the program) on the date that the suggestion is submitted;

(3) relates only to personnel matters or grievances, including employee classification or compensation;

(4) proposes a correction for a condition that resulted because applicable established procedures were not properly followed;

(5) proposes implementation of a policy or procedure that has already been adopted by the employee's agency; or

(6) violates the intent of the program.

(e) Transmittal to the commission. The agency coordinator shall transmit all employee suggestions, whether eligible or ineligible, and the evaluation of each to the commission not later than the 90th day after the day on which the suggestion was received by the agency coordinator.

(f) Extensions on transmittals. If the complexity of the suggestion prevents the agency from adequately evaluating it in 90 days, the agency may request an extension in writing to the commission. The commission may grant such extension for a period of 90 days.

§273.17. Suggestions Affecting Multiple Agencies.

(a) Coordination. If a suggestion affects three or fewer agencies, the agency coordinator shall coordinate evaluation of the suggestion by those agencies. If a suggestion affects more than three agencies, the commission shall coordinate evaluation of the suggestion by those agencies.

(b) Evaluation. For suggestions affecting more than three agencies, the originating agency shall evaluate the suggestion prior to forwarding it to the commission for further coordination and evaluation.

§273.19. Commission Action.

(a) Commission consideration of suggestions. The commission will consider employee suggestions which were found to be eligible at the agency level in open meeting within 60 days of receipt. Suggestions affecting multiple agencies coordinated by the commission as described in §273.17(a) of this title (relating to Suggestions Affecting Multiple Agencies) shall be considered within 150 days of receipt from the originating agency.

(b) Commission notification and implementation request. Within 30 days of consideration of suggestions in open meeting, the commission will inform target agencies of commission findings and request implementation of approved suggestions. Final adoption of an employee suggestion is at the discretion of the chief administrative officers of each agency.

(c) Request for savings calculations. The commission shall request and an agency shall provide any information that is necessary to compute the amount of savings or other benefits derived from the implementation of the suggestion.

(d) Commission as final arbiter. The commission shall act as the final arbiter of any dispute arising from administering the program, eligibility requirements, or suggestion procedures and requirements.

§273.21. Legislative Action.

(a) Notification to agency. The commission shall note any suggestion that requires legislative action. Such notification shall be forwarded to the target agency for action by that agency in the pursuit of appropriate legislation

(b) Notification to legislature. Prior to each legislative session, the commission shall compile a report for the legislature noting suggestions that require legislative action. The commission shall not be compelled to pursue legislative action on behalf of an agency.

(c) Passage of legislation. If legislation is passed to implement the employee's suggestion, the commission shall consider the suggestion further.

§273.23. Agency Level Appeals.

(a) Employee's role.

(1) An employee who has proposed a suggestion, and who has reasonable grounds to believe that the importance of the suggestion has been overlooked, misunderstood, or misinterpreted may appeal the agency's evaluation.

(2) The employee must appeal in writing not later than the 30th day after the day on which the employee receives notification that the suggestion has been rejected.

(3) The employee shall provide any additional information that he or she considers useful to the re-evaluation.

(b) Agency's role.

(1) The agency shall re-evaluate the suggestion and report back to the employee within 30 days.

(2) When possible, the re-evaluation shall be conducted by someone at the agency other than those persons involved in the initial evaluation.

(3) The agency coordinator will forward the employee's appeal and the agency's re-evaluation to the commission within 30 days of receipt of the employee's appeal.

(c) Commission's role.

(1) The commission may review an agency-level appeal at its discretion.

(2) The commission may seek additional information from the employee's agency regarding the appeal or the re-evaluation.

§273.25. Commission Level Appeals.

(a) Employee's role.

(1) If the commission rejects an employee suggestion, the employee may appeal that decision.

(2) The employee must make the appeal in writing to the commission not later than the 30th day after the day on which the employee receives notification from the commission that the suggestion has been rejected.

(3) The employee shall provide any additional information he or she considers useful to the appeal.

(b) Commission's role.

(1) The commission will consider the appeal in open meeting within 60 days of receipt of the appeal.

(2) The commission shall notify the employee of the results of the commission's final decision within 30 days of that decision.

(3) An employee may not appeal a decision of the commission to a court of law.

§273.27. Awards.

(a) Amount. An employee whose suggestion results in a net annual savings or increase in revenues of \$100 or more is eligible for a bonus of 10% of the net savings or revenue increase, up to a maximum of \$5,000.

(b) Suggestion eligibility. Only an approved and implemented employee suggestion is eligible for an award.

(c) Award prior to full one-year implementation. The commission may grant an award before the completion of the first year in which the suggestion is implemented, based on actual or projected annual savings or increased revenues that are certified by the affected state agency and the commission.

§273.29. Rights of the State.

(a) Termination of program. The state may change or terminate the employee suggestion program at any time without prior notice.

(b) Claims. The submission of an employee suggestion in the manner provided by the program constitutes an agreement between the state and the employee making the suggestion that all claims by the employee that are based on the suggestion, including patent claims, copyright claims, trademark claims, and other analogous claims, are assigned to the state.

(c) Liability. The state and the commission accept no liability for violation of proprietary laws incurred in the good faith implementation of an approved employee suggestion.

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 September 4, 1990.

TRD-9008913

M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

Chapter 275. Commission's Role

• 1 TAC §275.1

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

The Texas Incentive and Productivity Commission proposes the repeal of §275.1, concerning the commission's role in the State Employee Incentive Program. The repeal of this section is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

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

Ms. Powell also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small businesses. There is no anticipated economic cost to individuals who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeal is proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§275.1. Commission's Role.

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 September 4, 1990.

TRD-9008906

M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

Chapter 277. Agency Coordinator's Role

• 1 TAC §277.1

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

The Texas Incentive and Productivity Commission proposes the repeal of §277.1, concerning the agency coordinator's role in the State Employee Incentive Program. The repeal of this section is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

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

Ms. Powell also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small businesses. There is no anticipated economic cost to individuals who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeal is proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§277.1. Agency Coordinator's Role.

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

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TRD-9008907

M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

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For further information, please call: (512) 475-2393

Chapter 279. Agency's Role

• 1 TAC §279.1

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

The Texas Incentive and Productivity Commission proposes the repeal of §279.1, concerning the role of each state executive agency in conducting the State Employee Incentive Program. The repeal of this section is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

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

Ms. Powell also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small businesses. There is no anticipated economic cost to individuals who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeal is proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§279.1. Agency's Role.

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 September 4, 1990.

TRD-9008908 M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

Chapter 281. Employee Eligibility and Rights

• 1 TAC §§281.1, 281.3, 281.5

The Texas Incentive and Productivity Commission proposes the repeal of §§281.1, 281.3 and 281.5, concerning the issues of eligibility, confidentiality, and liability for

employees who wish to participate in the State Employee Incentive Program. The repeal of these sections is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

M. Elaine Powell, executive director, has determined that there will not be fiscal implications for state or local government as a result of enforcing the sections.

Ms. Powell also has determined that for each year of the first five years the sections as proposed are in effect the public benefit anticipated as a result of enforcing the sections is that the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small business. There is no anticipated economic cost to persons who are required to comply with the sections.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeals are proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§281.1. Employee Eligibility.

§281.3. Employee Rights.

§281.5. Employee Liability.

§281.3. Employee Rights.

§281.5. Employee Liability.

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 September 4, 1990.

TRD-9008909 M. Elaine Powell
Executive Director
Texas Incentive and
Productivity Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

Chapter 283. Recommendation Procedures and Requirements

• 1 TAC §§283.1, 283.3, 283.5

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

The Texas Incentive and Productivity Commission proposes the repeal of §§283.1, 283.3, and 283.5, concerning procedures and requirements for submitting suggestions under the State Employee Incentive Programs, time periods and processes for the commission's consideration of suggestions, and the mechanism for notifying the legislature of employee suggestions requiring legislative action before implementation. The repeal of these sections is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

M. Elaine Powell, executive director, has determined that there will be no fiscal implications for state or local government as a result of enforcing the sections.

Ms. Powell also has determined that for each year of the first five years the sections as proposed are in effect the public benefit anticipated as a result of enforcing the sections is that the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small business. There is no anticipated economic cost to persons who are required to comply with the sections.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeals are proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules of its programs.

§283.1. Recommendation Submissions.

§283.3. Commission Action.

§283.5. Legislative Action.

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 September 4, 1990.

TRD-9008910 M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

Chapter 285. Appeals

• 1 TAC §§285.1, 285.3

(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 Incentive and Productivity Commission or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas Incentive and Productivity Commission proposes the repeal of §285.1, and §285.3, concerning appeals regarding suggestions submitted to the State Employee Incentive Program. The repeal of these sections is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

M. Elaine Powell, executive director, has determined that for the first five-year period the repeals are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeals.

Ms. Powell also has determined that for each year of the first five years the repeals are in effect the public benefit anticipated as a result of enforcing the repeals will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small businesses. There is no anticipated economic cost to individuals who are required to comply with the repeals as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeals are proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§285.1. Agency Level Appeals.

§285.3. Commission Level Appeals.

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 September 4, 1990.

TRD-9008911

M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

Chapter 287. State's Rights

• 1 TAC §287.1

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

The Texas Incentive and Productivity Commission proposes the repeal of §287.1, concerning the state's right to change or terminate the State Employee Incentive Program. The repeal also concerns suggester claims and liability. The repeal of this section

is necessary to permit the consolidation of rules concerning the State Employee Incentive Program under new Chapter 273.

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

Ms. Powell also has determined that for each year of the first five years the repeal is in effect the public benefit anticipated as a result of enforcing the repeal will enable the consolidation of rules from many chapters into one chapter thereby making the rules easier to read and amend. There will be no effect on small businesses. There is no anticipated economic cost to individuals who are required to comply with the repeal as proposed.

Comments on the proposal may be submitted to M. Elaine Powell, Executive Director, Texas Incentive and Productivity Commission, P.O. Box 12482, Austin, Texas 78711.

The repeal is proposed under Texas Civil Statutes, Article 6252-29a, §1, which authorize the Texas Incentive and Productivity Commission to promulgate rules for its programs.

§287.1. States Rights.

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 September 4, 1990.

TRD-9008912

M. Elaine Powell
Executive Director
Texas Incentive and
Productivity
Commission

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

TITLE 22. EXAMINING BOARDS

Part I. Texas Board of Architectural Examiners

Chapter 1. Architects

Subchapter I. Charges Against Architects: Action

• 22 TAC §§1.161-1.177

(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 Board of Architectural Examiners or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas Board of Architectural Examiners proposes the repeal of §§1.161-1.177, concerning complaints and actions against architects. The repeals allow the Texas Board of Architectural Examiners to add two new sections concerning administrative fines, and

renumber the sections which are being repealed.

Robert H. Norris, AIA, executive director, has determined that for the first five-year period the repeals are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeals.

Mr. Norris also has determined that for each year of the first five years the repeals are in effect the public benefit anticipated as a result of enforcing the repeals will be better communication and understanding with the public as a result of establishing new rules. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the repeals as proposed.

Comments on the proposal may be submitted to Robert H. Norris, AIA, Executive Director, Texas Board of Architectural Examiners, 8213 Shoal Creek Boulevard, #107, Austin, Texas 78758, (512) 458-1363.

The repeals are proposed under Texas Civil Statutes, Article 249a, which provide the Texas Board of Architectural Examiners with the authority to promulgate rules.

§1.161. Suspension; Revocation; Fine.

§1.162. Definition of Complaint.

§1.163. Records.

§1.164. Administrative Procedure and Texas Register Act.

§1.165. Informal Disposition.

§1.166. Notice of Hearings.

§1.167. Appeals from Board Orders.

§1.168. Witnesses.

§1.169. Notices.

§1.170. Official Record.

§1.171. Transcript.

§1.172. Findings.

§1.173. Correspondence.

§1.174. Disqualification of Board Members.

§1.175. Absence from a Hearing.

§1.176. Time Extensions.

§1.177. Summons.

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 August 31, 1990.

TRD-9008798

Robert H. Norris, AIA
Executive Director
Texas Board of
Architectural Examiners

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 475-2393

◆ ◆ ◆
• 22 TAC §§1.161-1.179

The Texas Board of Architectural Examiners proposes new §§1.161-1.179, concerning complaints and disciplinary actions against architects. The new sections explain the board's authority to take disciplinary action against a registrant as a result of proof of violation of the law or rules, and defines the procedures to be followed when taking such action.

Robert H. Norris, AIA, executive director, has determined that there will be fiscal implications for state government as a result of enforcing or administering the section. The effect on state government for the first five-year period the sections are in effect will be an unpredictable increase in funds deposited

into the state general revenue fund each year. There will be no fiscal implications for local government as a result of enforcing or administering the sections.

Mr. Norris also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be increased protection of the public through the threat to an architect of being levied a fine by the board for having been found guilty of gross incompetence, recklessness in building, or dishonest practice. There will be no effect on small businesses. The anticipated economic cost to persons who are required to comply with the sections as proposed will be a maximum fine of \$1,000 for each violation of law or rules to registrants.

Comments on the proposal may be submitted to Robert H. Norris, AIA, Executive Director, Texas Board of Architectural Examiners, 8213 Shoal Creek Boulevard, #107, Austin, Texas 78758, (512) 458-1363.

The new sections are proposed under Texas Civil Statutes, Article 249a, which provide the Texas Board of Architectural Examiners with the authority to promulgate rules.

§1.161. *Suspension; Revocation.*

(a) The board may suspend or revoke a certificate of registration for failure

to register annually and remit renewal fees as described in Subchapter D of this chapter (relating to Certification and Annual Registration) and Subchapter E of this chapter (relating to Fees).

(b) The board may suspend or revoke a certificate of registration for proof of acts as described in Subchapter H of this chapter (relating to Rules of Conduct).

§1.162. *Administrative Fines.*

(a) The board may levy an administrative fine for proof of acts in violation of the Architects, Registration Law and/or the rules of the board.

(b) The administrative fine levied by the board for each violation shall be in an amount not to exceed the maximum amount stated in subsection (c) of this section. Each day a violation continues or occurs may be considered a separate violation when levying an administrative fine.

(c) The applicable provisions of the Architects, Registration Law and the rules of the board subject to administrative fine and the applicable maximum administrative fine amounts are as follows:

Provision	Maximum Administrative Fine
Article 249a, V.T.C.S., Sec. 9	
Seal; Restricted Use; Penalty	\$1,000.00
Subchapter F, The Architects's Seal	\$1,000.00
Subchapter G, Titles, Firm Names, and Assumed Names	
First Violation	\$ 50.00
Subsequent Violations	\$1,000.00
Subchapter H, Rules of Conduct	\$1,000.00

(d) In determining the amount of administrative fine to be levied, the board shall consider:

(1) the seriousness of the violation, including, but not limited to, the nature, circumstances, extent, and gravity of the prohibited act(s), and the harm or potential harm to which the health or safety of the public has been placed at risk;

(2) the economic damage or potential for economic damage to property caused by the violation;

(3) the history of previous violations committed by the architect;

(4) the amount necessary to deter future violations;

(5) the efforts made by the

architect to correct the violation(s); and

(6) any other matter that justice may require.

§1.163. *Definition of Complaint.* In order for the board to act on complaints against architects filed with the board by persons other than the board's enforcement staff, the complaint shall be submitted in writing, on

a form provided by the board, and acknowledged before a notary public. No oral communication of complaints shall be investigated by the board. All written complaints shall be kept in an information file as required by Texas Civil Statutes, Article 249a, §5(e), the regulation of the practice of architecture.

§1.164. Records.

(a) The executive director shall maintain a separate file containing all information in connection with complaints, charges, hearings in connections with such charges, and the action of the board in each case.

(b) On each written complaint relating to an architect filed with the board, a report to the complainant shall be made at least as frequently as quarterly on the status of the complaint until the final disposition of the complaint.

§1.165. Administrative Procedure and Texas Register Act. The provisions of the Administrative Procedure and Texas Register Act (APTRA) shall apply to the conduct of all disciplinary hearings, with additional rules as may be hereinafter adopted by the board which shall be in addition to and not inconsistent with APTRA.

§1.166. Informal Disposition. Informal hearings of disciplinary actions may be conducted after the filing of a sworn complaint but before a formal board hearing is set. Informal disposition may be made of any proceeding by stipulation agreed settlement, consent order, or default. Informal hearings may be chaired by one board member, or the designate or representative of the board. The board shall present its evidence substantiating the complaint, and the architect may present evidence by correspondence or appearance at the informal hearings, in an effort to bring about an adjustment and equitable solution to the matter without a formal hearing before the board. All informal dispositions of matters shall not be final and effective until the board, at a regularly called session, endorses and renders its acceptance of the proposed agreement of the parties. If the controversy is not resolved, such informal hearing shall be held without prejudice to the right of the board thereafter, to institute a formal hearing governing the same matters, or the right of the architect involved, to request a formal hearing.

§1.167. Notice of Hearings. Prior to an informal or formal hearing by the board, the architect shall be advised of the specifics in the complaint as well as the date, time, and place of such informal or formal hearings; provided, however, that notice of said hearing shall be served upon the architect no less than 15 days prior to the date set for said hearing.

§1.168. Appeals from Board Orders. An architect who is aggrieved by a decision of the board, may file an appeal within 30 days of receipt of a copy of the board's order in the district court of Travis County and as set out in the Architects, Registration Law.

§1.169. Witnesses. The board shall hear such witnesses as are reasonably necessary to fairly present the relevant issues as set forth in the complaint, together with witnesses knowledgeable of material facts to the defense of the architect.

§1.170. Notices. Copies of the notices of hearings scheduled by the board shall be filed with the secretary of state and other appropriate agencies.

§1.171. Official Record. The board shall keep an official record of all proceedings and exhibits.

§1.172. Transcript. The board may cause a transcript of the proceedings to be made which, together with the evidence and exhibits submitted, shall be the record of the hearing. Such transcript may be made also on written request of either party of said charges, but at the expense of the demand party. A copy of such transcript, however caused to be made, shall be submitted to the board and become part of the record of the case.

§1.173. Findings.

(a) At the conclusion of each hearing and after careful consideration of all the evidence, the board shall make a finding in each case. The board may find that:

(1) The complaint is without merit, and should be dismissed; or

(2) The complaint is substantiated and the architect has violated the Architects, Registration Law, or board rules and regulations involved. In such case, the board shall then determine the penalty to be imposed. The penalty shall be one of the following:

(A) suspension: the formal notice of the board that the finding has resulted in suspension of the architect's certificate of registration for a stated period of time as determined by the board; all or part of which suspension may be probated under such terms as may be determined by the board;

(B) revocation: the formal notice of this board that the finding has resulted in revocation of the architect's certificate of registration.

(C) administrative fine: the formal notice of the board that the finding has resulted in an administrative fine being levied against the architect.

(b) When the board has made its findings, and imposed the penalty, the meeting of the board shall stand recessed as to that case, subject to recall by the chair. If a hearing is not concluded on the day it commences, the board shall, to the extent possible, proceed with the conduct of the hearing on each subsequent working day until the hearing is concluded.

§1.174. Administrative Fine Notice and Payment.

(a) The formal notice of administrative fines shall include:

(1) the findings of fact and conclusions of law separately stated;

(2) the amount of the administrative fine levied by the board;

(3) a statement of the right of the architect charged to judicial review; and

(4) other information required by law.

(b) Within the 30-day period immediately following the day on which the administrative fine order becomes final as provided by the Administrative Procedure and Texas Register Act (APTRA), the architect charged with the administrative fine shall:

(1) pay the administrative fine in full; or

(2) if the architect charged files a petition for judicial review contesting either the amount of the administrative fine or any other part of the board's decision or order:

(A) forward the amount to the board for placement in an escrow account; or

(B) in lieu of payment into an escrow, post with the board a supersedeas bond in a form approved by the board for the amount of the administrative fine, the bond to be effective until all judicial review of the order or decision is final.

(c) In the event the architect does not appeal the board's decision, if the architect is financially unable to either forward the amount of the administrative fine for placement in an escrow account or post supersedeas bond for the amount of the administrative fine, the architect may file an affidavit sworn by the architect charged, stating that he/she is financially unable to either forward the money or post supersedeas bond. Filing of this affidavit does not relieve the architect of the obligation to pay the fine, and may result in suspension or revocation of the architect's license.

(d) Failure to forward the money or to post the bond or to file an affidavit with the board within the time provided in subsection (b) of this section results in a waiver of all legal rights to judicial review. Also, if the architect charged fails to pay the administrative fine in full as provided in subsection (b) of this section, the board may forward the matter to the attorney general for enforcement.

(e) Judicial review of the order by the board levying the administrative fine shall be in accordance with APTRA procedures.

(f) If the administrative fine is reduced or not assessed by the court, the board shall remit to the architect charged the appropriate amount plus accrued interest if the penalty has been paid or shall execute a release of the bond if a supersedeas bond has been posted. The accrued interest on the amount remitted by the board under this condition shall be paid at a rate equal to the rate charged on loans to depository institutions by the New York Federal Reserve Bank and shall be paid for the period beginning on the date the administrative fine is paid to the board and ending on the date the administrative fine is remitted.

§1.175. Correspondence. The executive director may carry on correspondence with the architect or the complainant, provided copies of such correspondence with either shall be immediately furnished the other.

§1.176. Disqualification of Board Members. If, for personal reasons, a member of the board finds that he should not act on any charge before the board, he may disqualify himself from acting in the proceedings. By majority vote, the board may request but cannot demand that a member so disqualify himself. Suggestions by any party that a member of the board should disqualify himself shall be included in the record of the proceedings and shall be considered by the board.

§1.177. Absence from a Hearing. Appearance at a hearing may be waived by the architect. If so waived, the hearing shall proceed at the time and place set in the notice of the hearing and said waiver shall be noted in the record. If the architect fails to appear at the hearing, the board may proceed to hear evidence and render a judgment thereon.

§1.178. Time Extensions. Motions for postponement, continuance, withdrawal, or dismissal of matters which have been duly set for hearing, shall be in writing, shall be filed with the executive director, and distributed to all interested parties, under a certificate of service, not less than 10 calendar days prior to the date set, unless the cause for such motion arises at a later time.

Such motion shall set forth, under oath, the specific grounds upon which the moving party seeks such action and shall make reference to all prior motions of the same nature filed in the same proceeding. Once a matter has actually proceeded to a hearing, pursuant to the notice issued thereon, no postponement or continuance shall be granted by the presiding officer without consent of all parties involved, unless the board shall have ordered such postponement or continuance.

§1.179. Summons. The board may summon and question witnesses or examine other evidence on its own motion in any proceeding. Any party to the charges and any witnesses shall answer fully and truthfully and without reservation all questions asked of them at any hearing which shall be deemed relevant by the board.

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 August 31, 1990.

TRD-9008797

Robert H. Norris, AIA
Executive Director
Texas Board of
Architectural Examiners

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 458-1363

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 48. Community Care for Aged and Disabled

Eligibility

- 40 TAC §§48.2903, 48.2904, 48.2922, 48.2924

The Texas Department of Human Services (DHS) proposes an amendment to §§48.2903, 48.2904, 48.2922, and 48.2924, concerning eligibility, in its Community Care for Aged and Disabled (CCAD) chapter. The purpose of the amendments is to increase the couple resource limit in the CCAD program from \$5,000 to \$6,000 and to add federally mandated exemptions of Agent Orange settlement payments and payments under the Volunteer Services Act.

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

Mr. Raiford also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result

of enforcing the sections will be more consistent eligibility policies and simplified eligibility procedures for CCAD clients. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the sections as proposed.

Questions about the content of this proposal may be directed to Tom Gibbons at (512) 450-3217 in DHS's Long-Term Care Department. Comments on the proposal may be submitted to Cathy Rossberg, Policy, Records, and Forms Support Services-478, Texas Department of Human Services E-503, P.O. Box 149030, Austin, Texas 78714-9030, within 30 days of publication in the *Texas Register*.

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

§48.2903. Determination of Monthly Gross Income. The applicant's/client's monthly gross income is the total of the following.

(1) The client's total gross earnings. Money, wages, or salary received for work performed as an employee, including the wages, salary, armed forces pay (include allotments from any armed forces pay received by a member of the family group from a person not living in the household), commissions, tips, piece-rate payments, and cash bonuses earned before deductions are made for taxes. Deductions include Social Security, bonds, pensions, and union dues. Client's earnings do not include payments to volunteers under the Domestic Volunteer Services Act.

(2)-(17) (No change.)

§48.2904. Income Exclusions. The client's monthly gross income excludes the following:

(1)-(9) (No change.)

(10) payments to volunteers under the Domestic Volunteer Services Act. This exclusion applies to any payments to volunteers in the following programs:

(A) Retired Senior Volunteer Program;

(B) Foster Grandparent Program; and

(C) Senior companion Program.

(11) payments from the Agent Orange settlement fund or any other fund established in settlement of the Agent Orange product liability litigation.

§48.2922. Resource Limits. An individual applicant or client is not eligible for Com-

munity Care for Aged and Disabled (CCAD) services if the value of nonexempt resources owned by him [or his spouse] exceeds \$5,000. A couple is not eligible for CCAD services if the value of nonexempt resources they own exceeds \$6,000.

§48.2924. Resource Exclusions. In determining eligibility for CCAD services, the department does not consider the following to be resources. They are considered to be excluded for eligibility purposes. Any item not listed as an exclusion is considered a resource.

(1)-(17) (No change.)

(18) Agent Orange settlement payments. Payments from the Agent Orange settlement fund or any other fund established in settlement of the Agent Orange product liability litigation.

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 September 4, 1990.

TRD-9008895

Cathy Rossberg
Agency liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Earliest possible date of adoption: December 1, 1990

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

TITLE 43.

TRANSPORTATION

Part I. State Department of Highways and Public Transportation

Chapter 25 Safety and Maintenance Operation Division

Office of Traffic Safety

• 43 TAC §§25.901-25.920

(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 State Department of Highways and Public Transportation or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The State Department of Highways and Public Transportation proposes the repeal of §§25.901-25.920, concerning office of traffic safety. Repeal of these sections is necessary due to the contemporaneous adoption of new §§25.901-25.912, which incorporate new and updated requirements pertaining to the administration of the traffic safety program. Pursuant to Executive Order WPC-12, dated August 29, 1979, all functions and duties of the Governor's Office of Traffic Safety,

including the integration of all programs, were transferred to this department. In June, 1988, the department accepted the administrative transfer of all existing rules of the Governor's Office of Traffic Safety, which were then codified as 43 TAC §§25.901-25.920. It is now necessary to repeal the existing sections and adopt simultaneously new sections concerning the traffic safety program.

Bob G Hodge, P.E., chief engineer, maintenance and operations division, has determined that for the first five-year period the sections are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the sections.

Mr. Hodge has certified that there will be no significant impact on local economies or overall employment as a result of enforcing or administering the proposed repealed sections.

Mr. Hodge also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be a more efficient and uniform manner of managing the traffic safety program. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the sections as proposed.

Comments on the proposal may be submitted to Bob G. Hodge, P.E. Chief Engineer, Maintenance and Operations Division, State Department of Highways and Public Transportation, 11th and Brazos, Austin, Texas 78701.

The repeals are proposed under Texas Civil Statutes, Articles 6666 and 6701j-1, which provide the State Highway and Public Transportation Commission with the authority to promulgate rules for the conduct of the work of the State Department of Highway and Public Transportation, and more specifically to administer the Traffic Safety Act of 1967.

§25.901. Purpose and Scope of Section.

§25.902. Availability Documents.

§25.903. Relationship of Traffic Safety Contracts to the Texas Traffic Safety Program Plan.

§25.904. Eligible Programs.

§25.905. Ineligible Activities and Items.

§25.906. Submission of Plans.

§25.907. Basic Requirements.

§25.908. Special Exception for State Interagency Contracts.

§25.909. Special Exception for Purchases Through the State Procurement System.

§25.910. Assistance to Applicants.

§25.911. General Acceptance Criteria.

§25.912. Acceptance Criteria for Countermeasure Program Contracts.

§25.913. Acceptance Criteria for experimental Program Contracts.

§25.914. Acceptance Criteria for Support Program Contracts.

§25.915. Changes and Termination.

§25.916. Administrative Requirements.

§25.917. Cost Principles.

§25.918. Audits.

§25.919. Changes in Federal Rules and Regulations.

§25.920. Offices.

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 September 4, 1990.

TRD-9008930

Diane L. Northam
Legal Administrative
Assistant
State Department of
Highways and Public
Transportation

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 463-8630

Traffic Safety Program

• 43 TAC §§25.901-25.912

The State Department of Highways and Public Transportation proposes new §§25.901-25.912, concerning the traffic safety program. The new sections replace existing §§25.901-25.920, concerning office of traffic safety, which are being contemporaneously repealed. Pursuant to Executive Order WPC-12, dated August 29, 1979, all functions and duties of the Governor's Office of Traffic Safety, including the integration of all programs, were transferred to this department. In June, 1988, the department accepted the administrative transfer of all existing rules of the Governor's Office of Traffic Safety, which were then codified as 43 TAC §§25.901-25.920. These new sections outline the purpose, definitions, scope, goals and objectives, availability of documents, participation, types of projects eligible, activities and noneligible items, contract requirements, acceptance criteria, federal rules and regulations, and financial reports, necessary to the administration of the traffic safety program.

Bob G. Hodge, P.E., chief engineer, maintenance and operations division, has determined that for the first five-year period the sections are in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the sections.

Mr. Hodge has certified that there will be no significant impact on local economies or overall employment as a result of enforcing or administering the proposed sections.

Mr. Hodge also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be a more efficient and uniform manner of managing the traffic safety program. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the sections as proposed.

Comments on the proposal may be submitted to Bob G. Hodge, P.E. Chief Engineer, Maintenance and Operations Division, State Department of Highways and Public Transportation, 11th and Brazos, Austin, Texas 78701.

The new sections are proposed under Texas Civil Statutes, Articles 6666 and 6701j-1, which provide the State Highway and Public Transportation Commission with the authority to promulgate rules for the conduct of the work of the State Department of Highways and Public Transportation, and more specifically to administer the Traffic Safety Act of 1967.

§25.901. Purpose. The purpose of the sections in this undesignated head is to provide an orderly and efficient system of traffic safety program contracts between the department and local governments, state agencies, colleges, universities, individuals, and other public and private entities for the purpose of improving traffic safety and to facilitate compliance with applicable federal and state laws. These sections shall be construed to obtain these objectives.

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

Commission—The State Highway and Public Transportation Commission.

Common rule—Title 49, United States Code of Federal Regulations, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments.

Contract—A Texas traffic safety program contract between a contractor and the department for the implementation of a traffic safety project, and including expenditures pursuant to which are reimbursable, in whole or in part, by the department with traffic safety funds.

Department—The State Department of Highways and Public Transportation.

District—One of the 24 geographical areas into which the department divides the state.

DOT—The United States Department of Transportation.

Local government—A county, city, incorporated village or town, council of government, or other jurisdiction existing, created, or organized under general, home-rule, or special laws of the state.

National Highway Traffic Safety Administration (NHTSA)—A federal administration in DOT, which is responsible for the administrative oversight of traffic safety funds and programs among the various states.

Program—The Texas Traffic Safety Program consisting of a coordinated program planned and administered by the department under the Federal Highway Safety Act of 1966 and the Texas Traffic Safety Act of 1967.

Project—An activity or group of related activities having one or more defined objectives for improving traffic safety, a detailed plan for implementation, a schedule with milestones, a budget, and a method of evaluating accomplishments.

Prospective contractor—Any state agency, college, university, local government, public or private for-profit or non-profit organization, or individual (other than the department) which is designated as a party in an approved contract.

State—The State of Texas.

State agency—A state office, officer, department, division, bureau, board, commission, legislative committee, authority, institution, or a subdivision of one of these entities.

Texas highway safety plan—The document which identifies the state's traffic safety problems and describes the programs and projects to address those problems. It serves as the basis for the execution of a federal-aid agreement.

Uniform Grant and Contract Management Standards—The standards included in Title 1, Texas Administrative Code, Chapter 5, Subchapter A, concerning uniform grant and contract management standards for state agencies.

§25.903. Scope. The sections under this undesignated head govern the scope and content of program contracts and the means of determining whether costs of a proposed project will be eligible for reimbursement with traffic safety funds pursuant to a contract with the department. They shall not be construed to enlarge, diminish, modify, or alter the power or authority of the department or any substantive rights of any person, organization, or political jurisdiction. The sections under this undesignated head do not apply to purchase order contracts awarded in accordance with Texas Civil Statutes, Article 601b.

§25.904. Goals and Objectives. The long-term goal of the program is to reduce traffic crashes and the resulting deaths, injuries, and property damage to the lowest possible level. Objectives which support this goal are established for the various functional areas of the program. These objectives may be revised by the department whenever it determines a need to do so. Current objectives for the program are published in the Texas highway safety plan.

§25.905. Availability of Documents.

(a) Forms. Forms issued by the department are available from the nearest district office or from the department's maintenance and operations division, safety and traffic operations section.

(b) State and federal regulations. Copies of pertinent state and federal regulations are maintained on file in the department's headquarters in Austin. Additional copies of federal regulations are generally available from the United States Government Printing Office.

§25.906. Participation. Any prospective contractor with traffic safety responsibility, or any local government, may have its project proposal considered for inclusion in the Texas highway safety plan.

(1) Local governments wishing to submit a project proposal should contact the district office responsible for the geographic area in which they are located.

(2) State agencies may contact the safety and traffic operations section of the maintenance and operations division regarding their project proposals.

(3) These proposals will be considered for inclusion in the Texas highway safety plan during the planning period which generally begins a year or more prior to the projected date of implementation for the project proposals.

(4) Approval of federal funding for the Texas highway safety plan is normally not received by the department until just prior to the beginning of each federal fiscal year, which begins on October 1. In some instances the full amount of funding available for a given fiscal year is not known until after October 1 of that year. For this reason, the department may be unable to determine if a particular project proposal will be funded until after the beginning of the fiscal year in which it is to be implemented. However, state agencies submitting project proposals which are not selected for funding will be notified within 30 days after rejection has been determined by the department.

§25.907. Types of Projects Eligible. A contract may be executed to provide funding assistance for projects which meet eligi-

bility requirements for one or more of the following areas:

(1) alcohol/drug countermeasures projects which support anti-driving while intoxicated and/or anti-driving under the influence of drug activities;

(2) police traffic services projects which provide for improved enforcement and related activities;

(3) occupant protection projects which provide for increasing the correct and legal use of occupant protection devices;

(4) traffic records projects which improve statewide traffic records systems;

(5) emergency medical services projects which provide training to technicians who administer aid to traffic crash victims, or which otherwise improve the emergency medical service system;

(6) motorcycle safety projects which provide for increasing the safety of motorcycle riders and passengers;

(7) safety and traffic engineering projects which provide improved roadway safety through engineering-related activities; and

(8) other types of projects approved by the commission and included in the approved Texas highway safety plan which may be implemented to improve certain defined traffic safety problems.

§25.908. Activities and Other Items Not Eligible. Program funds may not be expended for:

(1) the purchase of radios, vehicles, emergency equipment, or any other hardware items, except when the department determines the purchase to be essential to the proper accomplishment of a project meeting the other criteria specified;

(2) real property purchase, office construction, rehabilitation or remodeling, or for office furnishings and fixtures for state, local, or private buildings or structures; or

(3) out-of-state travel unless authorized in writing by the department.

§25.909. Basic Contract Requirements. The department will furnish a standard contract format to prospective contractors whose proposals are selected for funding. This document will

include terms and conditions necessary to produce a sound and complete contract, including, but not limited to, the following:

(1) identification of contracting parties;

(2) maximum amount payable;

(3) contract period;

(4) payment provision;

(5) approved project budget;

(6) project description (including objectives, description of services, identification of phases, milestones, or other schedules, and performance measures);

(7) indemnification and/or insurance requirements;

(8) inspection of work;

(9) changes in work;

(10) ownership of documents;

(11) disputes;

(12) noncollusion;

(13) reporting;

(14) records;

(15) compliance with laws;

(16) successors and assigns;

(17) resources needed to perform project;

(18) audit;

(19) subcontracts;

(20) termination;

(21) documentation;

(22) remedies;

(23) gratuities;

(24) copyrights, if appropriate;

(25) patent rights, if appropriate;

(26) changes in work and in funding;

(27) debarment certification;

(28) delinquent tax certification;

(29) property management;

(30) procurement standards;

(31) equal employment opportunity;

(32) nondiscrimination;

(33) minority business enterprise;

(34) signatory warranty; and/or

(35) signature block.

§25.910. General Acceptance Criteria.

(a) Each contract submitted to the department for approval shall be reviewed for compliance with the applicable provisions.

(b) Any contract will be rejected if the Texas highway safety plan cannot provide sufficient funds for the particular type of project submitted.

§25.911. Federal Rules and Regulations.

(a) The National Highway Traffic Safety Administration is an administration in the United States Department of Transportation. As such, it is subject to the common rule, which is also applicable to the program.

(b) The program is also subject to the program regulations promulgated by the National Highway Traffic Safety Administration.

(c) Changes to federal rules and regulations applicable to the program will be implemented and incorporated into the rules governing the program.

§25.912. Financial Reports. As required by the common rule, but at variance with the Uniform Grant and Contract Management Standards, recipients of national highway traffic safety administration grants shall use National Highway Traffic Safety Administration, or state financial reports.

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 September 4, 1990.

TRD-9008931

Diane L. Northam
Legal Administrative
Assistant
State Department of
Highways and Public
Transportation

Earliest possible date of adoption: October 12, 1990

For further information, please call: (512) 463-8630



Withdrawn Sections

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

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 16. Intermediate Care Facilities/Skilled Nursing Facilities (ICF/SNF)

Services and Supplies Included in the Vendor Payment

• 40 TAC §16.3806

The Texas Department of Human Services has withdrawn from consideration a proposed amendment to §16.3806 concerning therapeutic home visits away from the facility, in its Intermediate Care Facilities/Skilled Nursing Facilities (ICF/SNF) chapter. The text of the proposed amendment appeared in the June 8, 1990, issue of the *Texas Register* (15 TexReg 3327). The effective date of the withdrawal is September 5, 1990.

Issued in Austin, Texas, on September 5, 1990.

TRD-9008961 Cathy Rossberg
Agency liaison, Policy and Document Support Department
Texas Department of Human Services

Effective date: September 5, 1990

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



• 40 TAC §16.6112

The Texas Department of Human Services has withdrawn from consideration a proposed amendment to §16.6112 concerning discharges/relocations, in its Intermediate Care Facilities/Skilled Nursing Facilities (ICF/SNF) chapter. The text of the proposed amendment appeared in the June 8, 1990, issue of the *Texas Register* (15 TexReg 3328). The effective date of the withdrawal is September 5, 1990.

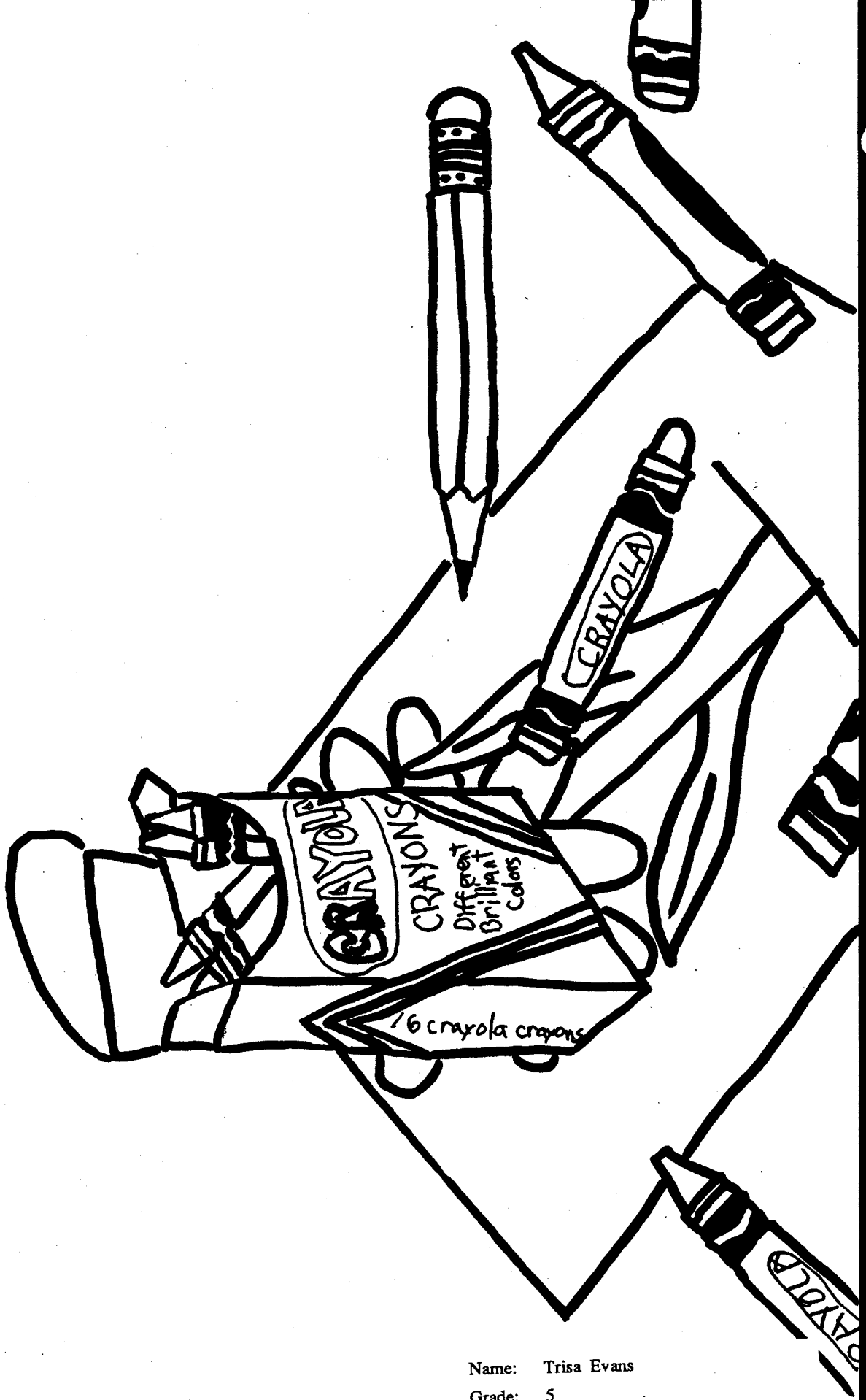
Issued in Austin, Texas, on September 5, 1990.

TRD-9008962 Cathy Rossberg
Agency liaison, Policy and Document Support Department
Texas Department of Human Services

Effective date: September 5, 1990

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





Name: Trisa Evans

Grade: 5

School: Evers Park Elementary, Denton ISD

Open Meetings

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

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

Posting of open meeting notices. All notices are posted on the bulletin board 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 Antiquities Committee

Friday, September 21, 1990, 9:30 a.m. The Texas Antiquities Committee will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the committee will approve minutes of previous meeting of July 20, 1990; approve presentation of Awards of Merit and Excellence; designate state archaeological landmarks in Harris, San Augustine, Ward, and Winkler counties; hear a report on the Freeport underwater archaeological project; hear updates on the Trinity and Brazos Valley Depot, Freestone County, San Antonio/Dome project, Bexar County, and the Freedman's Cemetery, Dallas County; and hear a staff report.

Contact: Molly Godwin, P.O. Box 12276, Austin, Texas 78711, (512) 463-6098.

Filed: September 5, 1990, 9:44 a.m.

TRD-9008967

Bond Review Board

Friday, September 14, 1990, 10 a.m. The Staff Planning Committee of the Bond Review Board will meet at the State Capitol, Sergeant's Committee Room, Austin. According to the complete agenda, the committee will approve minutes; consider proposed issues: application of the Texas Water Commission-lease/purchase of a computer system; application of Texas Finance Authority-series 1990C general obligation bonds for Texas Department of Criminal Justice, Texas Department of Mental Health and Mental Retardation, Texas Youth Commission and Texas Department of Public Safety; other business; and adoption of changes to Bond Review Board rules.

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

Filed: September 5, 1990, 3:50 p.m.

TRD-9008988

Thursday, September 20, 1990, 10 a.m.

The Bond Review Board will meet at the State Capitol, Committee Room Number One, Room 213, Austin. According to the complete agenda, the board will approve minutes; consider proposed issues: application of the Texas Water Commission-lease/purchase of a computer system; application of Texas Finance Authority-series 1990C general obligation bonds for Texas Department of Criminal Justice, Texas Department of Mental Health and Mental Retardation, Texas Youth Commission and Texas Department of Public Safety; other business; and adoption of changes to Bond Review Board rules.

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

Filed: September 5, 1990, 3:49 p.m.

TRD-9008987

Community Justice Council of Young County

Tuesday, September 18, 1990, 7:30 p.m. The Community Justice Assistance Division of the Community Justice Council of Young County will meet at the Young County Courthouse, Third Floor, Jury Room, Graham. According to the complete agenda, the division will discuss formation of subcommittees on: feasibility of a boot camp on a multi-county basis; vocational training; other; review literacy/life skills project; review intensive supervision project; discussion of parole, Chris Martin, Parole Officer; and tour jail facility.

Contact: Darrell McGee, P.O. Box 794, Graham, Texas 76046, (817) 549-7960.

Filed: September 6, 1990, 9:01 a.m.

TRD-9008995

Employees Retirement System of Texas

Thursday, September 13, 1990, 8:30 a.m. The Board of Trustees of the Employees Retirement System of Texas will meet at

the Employees Retirement System Building, Auditorium, 18th and Brazos Streets, Austin. According to the agenda summary, the board will review and approve investment transactions for quarter/fiscal year ended August 31, 1990; consider investment advisor recommendations/act on investment of system's assets; consider and approve request proposal for development of investment program strategic plan; appeal of Cled F. Pruitt; consider and act on actuarial assumptions for funded plans administered by Employees Retirement System; request for proposal to conduct 1989-1990 insurance carrier operations audit regarding Texas Employees Uniform Group Insurance Program; emergency/proposed amendment to Trustee Rule 81.7(f); internal auditing status report for fourth quarter of fiscal year 1990; annuity reconciliation audit follow-up; designation of Board of Trustee committees; executive director's report; executive session; action resulting from executive session; and date of next trustee meeting.

Contact: William S. Nail, 18th and Brazos Streets, Austin, Texas 78701, (512) 6431, ext. 213.

Filed: September 5, 1990, 10:39 a.m.

TRD-9008971

Texas Department of Human Services

Thursday, September 13, 1990, 10 a.m. The Post-Adoption Services Committee of the Texas Department of Human Services will meet at the Joe C. Thompson Center, Room 2.122, 26th and Red River Streets, Austin. According to the complete agenda, the committee will review minutes; post-adoption services status report; and regional information sharing.

Contact: Susan Klickman, P.O. Box 149030, Austin, Texas 78714-9030.

Filed: September 5, 1990, 2:31 p.m.

TRD-9008979

Texas Incentive and Productivity Commission

Wednesday, September 19, 1990, 10 a.m. The Texas Incentive and Productivity Commission will meet at the E. O. Thompson Building, 10th and Colorado Streets, Room 103, Austin. According to the complete agenda, the commission will approve minutes of previous meeting; consider employee suggestions for approval; discussion of legislative appropriations request; draft procedural rules and possible adoption for publication and comment; report on administrative matters; and new business.

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

Filed: September 4, 1990, 11:36 a.m.

TRD-9008904

State Board of Insurance

Wednesday, September 12, 1990, 10 a.m. The State Board of Insurance will meet at the State Insurance Building, 1110 San Jacinto Street, Room 460, Austin. According to the agenda summary, the board will consider proposed action on 28 TAC §1.100 and §7.69; proposals for decision in the appeals of: Eagle Point Fishing Camp, Inc.; Phyllis Frankovich Sims; Henry Edward and April Celia Beall; Victorian Owners' Association, Inc. and Leisure Services, Inc.; personnel matters; discuss litigation; solvency matters; motions by Texas Citizen Action and Public Citizen, Inc. for reconsideration of their petitions for intervention in the property insurance rate and rule hearing; and final action on amendments to 28 TAC §9.1 and new §9.21.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6328.

Filed: September 4, 1990, 1:40 p.m.

TRD-9008915

Thursday, September 13, 1990, 2 p.m. The State Board of Insurance will meet at the State Insurance Building, 1110 San Jacinto Street, Room 460, Austin. According to the complete agenda, the board will hold a public hearing to consider an appeal by Julio Cesar Falchetti of Commissioner's Order 89-1559.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6328.

Filed: September 4, 1990, 1:41 p.m.

TRD-9008916

Texas Department of Mental Health and Mental Retardation

Wednesday, September 12, 1990, 1:30 p.m. The Board Business and Asset Management Committee of the Texas Department of Mental Health and Mental Retardation will meet at 2800 Post Oak Boulevard, Gerald D. Hines Interests, Houston. According to the complete agenda, the committee will discuss the West 38th Street PUD lease. If deaf interpreters are required, please notify Texas Department of Mental Health and Mental Retardation (512) 465-4585, Ernest Fuentes, 72 hours prior to the meeting.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 454-3761.

Filed: September 4, 1990, 4:59 p.m.

TRD-9008935

Texas Motor Vehicle Commission

Thursday, September 13, 1990, 9 a.m. The Texas Motor Vehicle Commission will meet at 815 Brazos Street, (Brazos Building), Suite 302, Austin. According to the agenda summary, the commission will elect chairman and vice chairman for fiscal year 1991 term; discuss proposals for decision: licensing and enforcement; motion for rehearing; lemon law cases set for oral argument; lemon law cases with exceptions only; lemon law cases-no arguments or exceptions; agreed orders-enforcement; settlement orders-consumer complaints; orders of dismissal: consumer complaints, licensing and enforcement; review of agency budget and financial status; review of lemon law consumer complaint recap report; review of litigation status report; and schedule future meeting dates.

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

Filed: September 5, 1990, 4:09 p.m.

TRD-9008991

Board of Nurse Examiners

Friday, September 14, 1990, 10 a.m. The Joint Advisory Committee on Mandatory CE of the Board of Nurse Examiners will meet at the Ramada Airport Hotel, 5660 North IH-35, Austin. According to the agenda summary, the committee will receive the minutes from the July 27, 1990 meeting; receive committee member comments and break into two work groups-approval and implementation. A summation of the groups' work will be heard around 3 p.m., following which observers will be given an opportunity for input.

Contact: Cady Crismon, P.O. Box 140466, Austin, Texas 78714, (512) 835-8686.

Filed: September 5, 1990, 3:33 p.m.

TRD-9008983

Interagency Council on Sex Offender Treatment

Friday, September 28, 1990, 1:30 p.m. The Board of the Interagency Council on Sex Offender Treatment will meet at 2015 South IH-35, Austin. According to the complete agenda, the board will approve minutes of July 20, 1990, meeting; hear report by executive director; discuss and approve cost-benefit study; report on sex offender treatment questionnaire response; discuss and approve treatment provider registry criteria; discussion of biennial report to the Governor, Lt. Governor, and Speaker of the House; report on public opinion survey; and public comment.

Contact: Bill Bownds, 4900 Lamar Boulevard, Austin, Texas 78751, (512) 483-5146.

Filed: September 6, 1990, 8:54 a.m.

TRD-9008994

State Pension Review Board

Tuesday, September 11, 1990, 10:45 a.m. The State Pension Review Board will meet at the Employees Retirement System Building, Fourth Floor, Conference Room, Room 403, 18th and Brazos Streets, Austin. According to the complete emergency revised agenda, the board will take roll call; read and adopt minutes of previous meeting; executive director's report; discussion and action on benefit increase to Houston firefighters; discussion and adoption of final report from Investment Review Committee; presentation on actuarial study of defined contribution plan for Texas employees from Tom Bleakney; discussion of biennial report; appointment of nominating committee for 1991 officers; announcements and invitation for audience participation; and discuss date of next meeting.

Contact: Lynda Baker, P.O. Box 13498, Austin, Texas 78711, (512) 463-1736.

Filed: September 5, 1990, 10:40 a.m.

TRD-9008972

Texas Catastrophe Property Insurance Association

Tuesday, September 18, 1990, 9 a.m. The Board of Directors of the Texas Catastrophe Property Insurance Association (TCPA) will meet between Highway 71 and 281 on RR2147, near Marble Falls, Horseshoe Bay. According to the complete agenda, the

board will approve minutes of the June 19, 1990 board meeting; hear report of the chairman, secretary/treasurer, manager, underwriting director, counsel, Insurance Information Institute, and participation committee-J. Mulady, Chairman; discuss old business: TCPIA property hearing August 22 and 29, 1990; close out of old years, report of the committee; and AIRAC study progress report; hold legislative hearings: House Committee-Manthe; Joint Committee-Winters or Thompson; discuss new business: state board hearing on September 4, 1990 regarding rules for representation by legal counsel to TCPIA Winters or Thompson; and location for next board meeting.

Contact: Frank R. Rogers, 2801 South IH-35, Austin, Texas 78741, (512) 444-9611.

Filed: September 6, 1990, 9:59 a.m.

TRD-9009005

Public Utility Commission of Texas

Tuesday, September 18, 1990, 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 conduct a prehearing conference in Docket Number 9604-complaint of Long Distance Savers-Longview, Inc. against Southwestern Bell Telephone Company.

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

Filed: September 4, 1990, 3:42 p.m.

TRD-9008926

Tuesday, October 9, 1990, 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 joint prehearing conference (rescheduled from September 28, 1990) in Docket Number 9618-petition of Southwestern Bell Telephone Company for declaratory relief, for a cease and desist order, and for further investigation regarding alternate carriers; and Docket Number 9640-complaint of Metropolitan Fiber Systems, Inc. against Southwestern Bell Telephone Company.

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

Filed: September 4, 1990, 3:40 p.m.

TRD-9008925

Friday, October 19, 1990, 9 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 conduct a hearing on the merits in Docket Number 9499-petition of Texas Utilities Electric Company to show commercial operation date for Comanche Peak Steam Electric Station, Unit One.

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

Filed: September 5, 1990, 3:14 p.m.

TRD-9008981

Texas Racing Commission

Wednesday, September 12, 1990, 10 a.m. The Texas Racing Commission will meet at the John H. Reagan Building, Room 101, 1500 Congress Avenue, Austin. According to the agenda summary, the commission will approve minutes; executive session regarding pending litigation with Rexco partners '88, Ltd. and Lone Star Greyhound Park Inc.; votes on final adoption, proposal and emergency adoptions, and repeals of rules for horse and greyhound racing; voter on Per-Sample charge for greyhound drug testing by Texas A&M Veterinary Medical Diagnostic Laboratory; vote to delegate authority to approve transfers of ownership, less than 5%, to the executive secretary; vote on complaint filed by Department of Public Safety regarding the Association of Texas Greyhound Track Owners; votes on matters relating to Valley Racing Association and Corpus Christi Racing Associates; vote on pending motions an appeals in TxRC Number 90-R1-001, relating to Galveston County; vote on the renewal license of Lubbock Downs, Inc.; votes on matters regarding Manor Downs, Inc. and Bandera Downs, Inc.; vote to extend commission deadline on application of Bluebonnet Turf Club; presentation by DFW Racing Corporation; vote on application periods for Dallas, Tarrant, and Bexar Counties; consideration and votes on proposals for decision for occupational licensees; old business; and new business.

Contact: Paula Cochran Carter, P.O. Box 12080, Austin, Texas 78711, (512) 476-7223.

Filed: September 4, 1990, 3:31 p.m.

TRD-9008918

Railroad Commission of Texas

September 10, 1990, 9 a.m. The Railroad Commission of Texas met at 1701 North Congress Avenue, 12th Floor, William B. Travis Building, Austin. According to the emergency revised agenda, the commission reviewed and discussed oil and gas Docket Number 2-94,561 and Rule 37 Case Number 104,265; extending time for taking action on motion for rehearing; application to consider the complaint of Rutherford Oil

Corporation regarding the Bonnie View (4750) Field, new field designation granted Discovery Energy Corporation CC, Refugio County; application of Discovery Energy Corporation CC for a Rule 37 permit for its Dahse Well Number Two in the Bonnie View (4750) Field, Refugio County. The emergency status was necessary because of unforeseeable cancellation of conference of September 17, 1990, requiring that the time for taking action on the motion be extended on September 10, 1990, or the motion would be overruled by operation of law.

Contact: Jamie Nielson, P.O. Box 12967, Austin, Texas 78711, (512) 463-6802.

Filed: September 4, 1990, 3:32 p.m.

TRD-9008919

Teacher Retirement System of Texas

Thursday, September 13, 1990, 10 a.m.

The Investment Advisory Committee of the Teacher Retirement System of Texas will meet at 1000 Red River Street, Fifth Floor Board Room, Austin. According to the agenda summary, the committee will approve minutes; consider appointments to Investment Advisory Committee; report of Texas Growth Fund; investment counsel view of economic outlook and market conditions; staff's view of economic outlook and market conditions; allocation of cash flow for current quarter; discussion of asset allocation ranges; real estate as an investment alternative in today's economy; review of investments and report on forward commitments; consideration of changes to approved common stock list; consideration of changes to smaller company growth stock list; report of Real Estate Finance Committee; and review of portfolio performance.

Contact: Mary Godzik, 1000 Red River Street, Austin, Texas 78778701-2698, (512) 397-6400.

Filed: September 5, 1990, 11:11 a.m.

TRD-9008976

Thursday, September 13, 1990, 2:30 p.m.

The Board of Trustees of the Teacher Retirement System of Texas will meet at 1000 Red River Street, Fifth Floor Board Room, Austin. According to the complete revised agenda, the board will consider the structure of title-holding corporations.

Contact: Mary Godzik, 1000 Red River Street, Austin, Texas 78778701-2698, (512) 397-6400.

Filed: September 5, 1990, 11:10 a.m.

TRD-9008975

Friday, September 14, 1990, 9 a.m. The Board of Trustees will meet at the Marriott at the Capitol, Austin. According to the complete agenda, the board will discuss fi-

duciary duties of board members; and review of asset/liability study.

Contact: Mary Godzik, 1000 Red River Street, Austin, Texas 78778701-2698, (512) 397-6400.

Filed: September 5, 1990, 11:12 a.m.

TRD-9008977

University of Texas Health Center at Tyler

Thursday, September 6, 1990, noon. The Animal Research Committee of the University of Texas Health Center at Tyler held an emergency meeting at the University of Texas Health Center, Chaplain's Conference Room, Highways 155 South and 271 North, Tyler. According to the complete agenda, the committee approved minutes of the August meeting; heard chairman's report on activities since last meeting; discussed old business: inspection report, and handbook; new business; new protocols; and regulatory elements of lung surfactant. The emergency status was necessary because of approval of new research protocol to take advantage of newly available professional staff and funding.

Contact: Dr. Barry Peterson, P.O. Box 2003, Tyler, Texas 75710, (214) 877-7012.

Filed: September 5, 1990, 10:38 a.m.

TRD-9008970

University of Texas System

Tuesday, September 11, 1990, 10:30 a.m. The Land and Investment Committee of the Board of Regents of the University of Texas System will meet at the Regents' Conference Room, Ashbel Smith Hall, Ninth Floor, 201 West 7th Street, Austin. According to the complete agenda, the committee will consider policies and procedures relating to the management of special investments; and items for discussion with the Investment Advisory Committee.

Contact: Arthur H. Dilly, P.O. Box N, U.T. Station, Austin, Texas 78713-7328, (512) 499-4402.

Filed: September 6, 1990, 9:41 a.m.

TRD-9009003

Texas Turnpike Authority

Monday, September 10, 1990, 9 a.m. The Executive Director Search Committee of the Texas Turnpike Authority held an emergency meeting to interview and discuss previous interviews with candidates for the position of executive director for the authority and possible action thereon. The emergency status was necessary as the Executive Director Search Committee was unable to interview all applicants for the posi-

tion of executive director and establish a date for the committee to meet a full seven (7) days prior to the board meeting of the Texas Turnpike Authority on Wednesday, September 12, 1990, and the importance of the committee meeting prior to the September 12, 1990 board meeting to consider making its final recommendation to the authority's board of directors of the best candidate or candidates to fill the position of executive director in order to permit the board to consider and possibly select a permanent executive director at the September 12, 1990 board meeting creates an emergency and an urgent public necessity requiring the committee to meet and dispense with the requirement for posting notice for seven (7) full days before such meeting as is normally required by law.

Contact: Harry Kabler, P.O. Box 190369, Dallas, Texas 75219, (214) 522-6200.

Filed: September 5, 1990, 4:09 p.m.

TRD-9008990

Regional Meetings

Meetings Filed September 4, 1990

The Austin-Travis County Mental Health and Mental Retardation Center Executive Committee held an emergency meeting at 1430 Collier Street, Board Room, Austin, September 6, 1990, at 7 a.m. The emergency status was necessary because action needed to be taken immediately. Information may be obtained from Sharon Taylor, P.O. Box 3548, Austin, Texas 78764-3548, (512) 447-4141. TRD-9008933.

The Austin-Travis County Mental Health and Mental Retardation Center Board of Trustees held an emergency meeting at 1430 Collier Street, Board Room, Austin, September 6, 1990, at 7 a.m. The emergency status was necessary because action needed to be taken immediately. Information may be obtained from Sharon Taylor, P.O. Box 3548, Austin, Texas 78764-3548, (512) 447-4141. TRD-9008932.

The Central Appraisal District of Taylor County Board of Directors will meet at 1534 South Treadaway Street, Abilene, September 12, 1990, at 3:30 p. m. Information may be obtained from Richard Petree, P.O. Box 1800, Abilene, Texas 79604, (915) 676-9381. TRD-9008934.

The Garza County Appraisal District Board of Directors will meet at 124 East Main Street, Post, September 13, 1990, at 9 a.m. Information may be obtained from Billie Windham, P.O. Drawer F, Post, Texas 79356, (806) 495-3518. TRD-9008929.

The High Plains Underground Water Conservation District Number One Board of Directors will meet at 2930 Avenue Q,

Conference Room, Lubbock, September 11, 1990, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181. TRD-9008917.

The Wood County Appraisal District Board of Directors held an emergency meeting at 217 North Main Street, Conference Room, Wood County Appraisal District, Quitman, September 6, 1990, at 7 p.m. The emergency status was necessary due to GIS contract of purchase needed to be considered as soon as possible. Information may be obtained from W. Carson Wages, 217 North Main Street, Quitman, Texas 75783, (214) 763-4946. TRD-9008914.

Meetings Filed September 5, 1990

The Archer County Appraisal District Board of Directors will meet at the Appraisal District Office, 211 South Center Street, Archer City, September 12, 1990, at 5 p.m. Information may be obtained from Edward H. Trigg III, 211 South Center Street, Archer City, Texas 76351, (817) 574-2172. TRD-9008978.

The Blanco County Appraisal District Board of Directors will meet at the Blanco County Courthouse Annex, Johnson City, September 11, 1990, at 6 p. m. Information may be obtained from Hollis Petri, P.O. Box 338, Johnson City, Texas 78636, (512) 868-4624. TRD-9008964.

The Cass County Appraisal District Board of Directors met at the Cass County Appraisal District, 502 North Main Street, Linden, September 10, 1990, at 7 p.m. Information may be obtained from Janelle Clements, P.O. Box 1150, Linden, Texas 75563, (214) 756-7545. TRD-9008986.

The Concho Valley Council of Governments Executive Committee will meet at the Concho Valley Council of Governments Regional Conference and Training Center, 5014 Knickerbocker Road, San Angelo, September 12, 1990, at 7 p. m. Information may be obtained from Robert R. Weaver, P.O. Box 60050, San Angelo, Texas 76906, (915) 944-9666. TRD-9008982.

The Dewitt County Appraisal District Board of Directors will meet at 103 Bailey Street, Dewitt County Appraisal Office, Cuero, September 11, 1990, at 7:30 p.m. Information may be obtained from John Haliburton, P.O. Box 4, Cuero, Texas 77954, (512) 275-5753. TRD-9008963.

The Erath County Appraisal District Board of Directors will meet at 1390 Harbin Drive, Board Room, Stephenville, September 12, 1990, at 9:30 a.m. Information may be obtained from Jerry Lee, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434. TRD-9008966.

The Erath County Appraisal District Appraisal Review Board will meet at 1390 Harbin Drive, Board Room, Stephenville, September 13, 1990, at 9:30 a.m. Information may be obtained from Trecia Perales, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434. TRD-9008965.

The Jasper County Appraisal District Board of Directors will meet at the Kirbyville CISD Administration Building, 206 East Main Street, Kirbyville, September 12, 1990, at 6 p.m. Information may be obtained from David W. Luther, P.O. Box 1300, Jasper, Texas 75951, (409) 384-2544. TRD-9008984.

**Meetings Filed September 6,
1990**

The Bosque Central Appraisal District Board of Directors met at the Bosque Central Appraisal District Office, 104 West Morgan Street, Meridian, September 10,

1990, at 8 p.m. Information may be obtained from Don Whitney, P.O. Box 393, Meridian, Texas 76665, (817) 435-2304. TRD-9008999.

The Hunt County Appraisal District Board of Directors will meet at the Hunt County Appraisal District, Board Room, 4801 King Street, Greenville, September 16, 1990, at 6:30 p.m. Information may be obtained from Mildred Compton or Shirley Smith, P.O. Box 1339, Greenville, Texas 75401, (214) 454-3510. TRD-9009004.

The Palo Pinto Appraisal District Appraisal Review Board will meet at the Palo Pinto County Courthouse, Palo Pinto, September 12, 1990, at 1:30 p.m. Information may be obtained from Jack F. Samford, P.O. Box 250, Palo Pinto, Texas 76072. TRD-9009000.

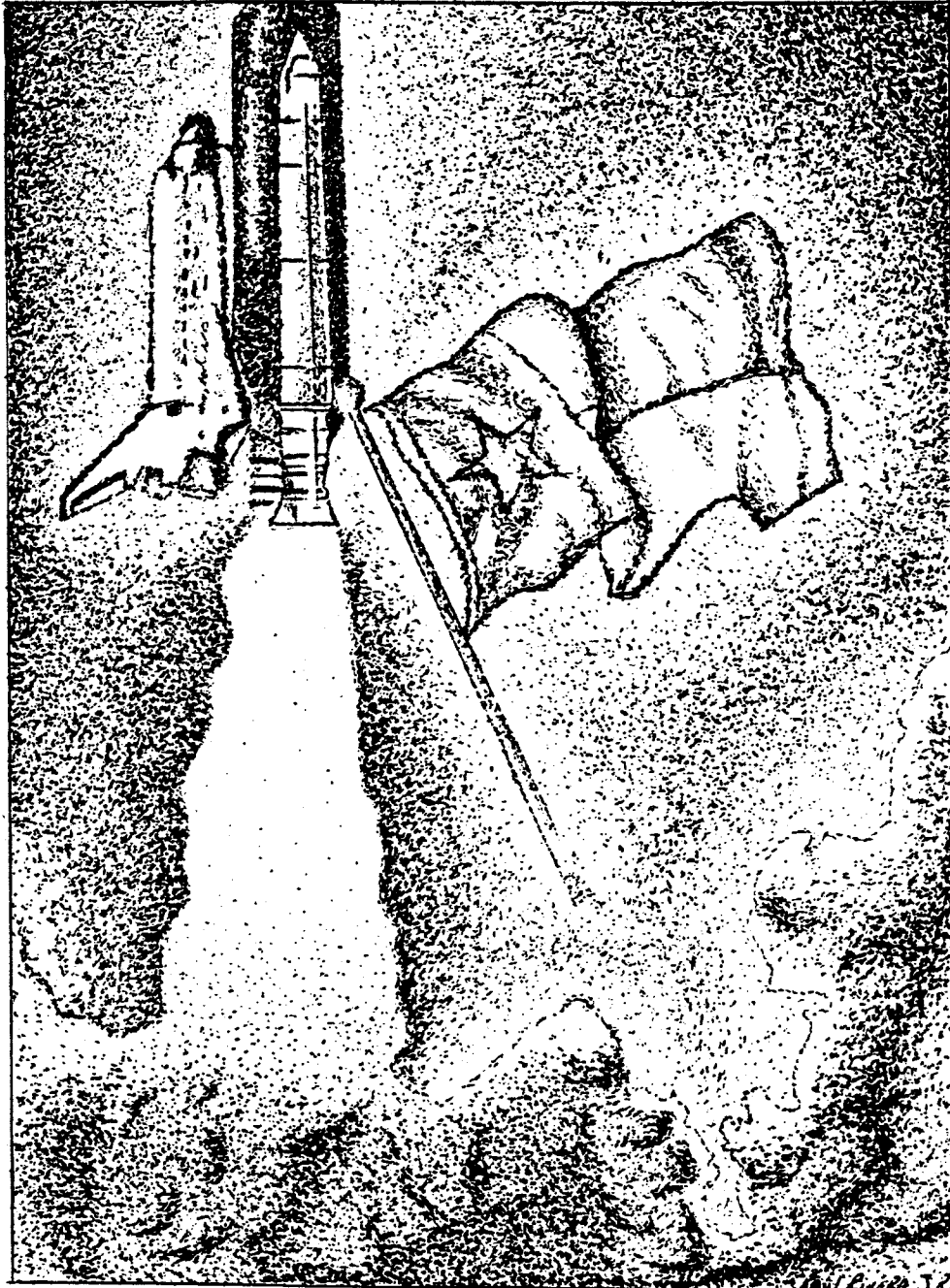
The Sulphur-Cypress Soil and Water Conservation District Number 419 will

meet at 1603 North Jefferson Street, Mt. Pleasant, September 12, 1990, at 8:30 a.m. Information may be obtained from Beverly Amerson, 1603 North Jefferson Street, Mt. Pleasant, Texas 75455, (214) 5411. TRD-9008996.

The Tax Appraisal District of Bell County Board of Directors will meet at the Tax Appraisal District Building, 411 East Central Avenue, Belton, September 19, 1990, at 7 p.m. Information may be obtained from Mike Watson, P.O. Box 390, Belton, Texas 76513, (817) 939-5841, ext. 29. TRD-9008998.

The Tax Appraisal District of Bell County Appraisal Review Board will meet at the Tax Appraisal District Building, 411 East Central Avenue, Belton, September 19, 1990, at 9 a.m. Information may be obtained from Mike Watson, P.O. Box 390, Belton, Texas 76513, (817) 939-5841, ext. 29. TRD-9008997.





Name: Raul Rivera Jr.

Grade: 11

School: Del Rio High School, San Felipe Del Rio CISD

In Addition

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

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

Texas Department of Aviation Request for Proposals

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Terry County Airport, TDA Project Number 92/02-5-1, for extending Runway 2-20, overlaying Runway 2-20, extending lighting Runway 2-20, extending taxiway, resurfacing and remarking Runway 13-31, resurfacing apron and taxiway A, reconstructing taxiway B and installing fencing.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer, TDA Project Number 92/02-5-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The total estimated project cost is approximately \$692,300.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach—a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

consultant selection will be made following completion of interviews.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008936 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262



The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Albany Municipal and Arledge Field (Stamford), TDA Project Numbers 91/23-5-3 and 91/40-5-3, for resurfacing and restriping the runway, taxiway and apron at the Albany Municipal Airport, and resurfacing and restriping the runway and reconstruction the apron at Arledge Field (Stamford).

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Ed Oshinski, TDA Project Number 91/23-5-3 and 91/40-5-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$112,200.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach—a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including:

the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008937 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the preparation of an Airport Feasibility and Site Selection Study for Rains County.

Those interested consulting engineers should submit four copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Linda Howard, TDA Project Number 91/29-1-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$48,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

Proposals will be reviewed by a consultant selection committee in order to identify from three to five consultants

who will be interviewed by the committee. The final consultant selection will be made following completion of interviews.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008938 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional services for the preparation of an Airport Master Plan for the San Benito Municipal Airport.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Bruce Ehly TDA Project Number 91/38-4-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$40,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008939 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Dumas Municipal Airport, TDA Project Number 92/05-5-1, for reconstructing the north parallel taxiway and the apron.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer TDA Project Number 92/05-5-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$316,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008940 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 475-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Lipscomb County and the Gruver Municipal Airports, TDA Project Number 91/31-5-3, and 91/33-4-3, for reconstructing the runway edge and resurfacing and restriping the runway at Lipscomb County, and resurfacing and restriping the runway at Gruver Municipal Airport.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer TDA Project Number 91/31-5-3 and 91/33-4-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The total estimated project cost is approximately \$138,500.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 5, 1990.

TRD-9008941 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Childress Municipal and the Floydada Municipal Airports, TDA Project Number 91/26-4-3 and 91/30-4-3, for resurfacing and restriping the taxiway, installing taxiway reflectors and fencing at Childress Municipal Airport and resurfacing and restriping the runway at Floydada Municipal Airport.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer TDA Project Number 91/26-4-3 and 91/30-4-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$99,400.

The City of Childress and the City of Floydada reserve the right to reject any or all proposals received and to conduct new consulting engineer selection procedures for future projects.

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008942 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Clarendon Municipal Airport, TDA Project Number 91/27-4-3, for site preparation, extending the runway, restriping, replacing runway lights, constructing runway turnarounds and resurfacing the access road.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer TDA Project Number 91/27-4-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$219,500.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008944 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the

design and construction administration phases at Levelland Municipal Airport, TDA Project Number 92/12-5-1, for extending and lighting Runway 17-35, extending taxiway, overlay and striping Runway 17-35, road relocation, and environmental assessment.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer TDA Project Number 92/12-5-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$624,000.

The City of Levelland and Hockley County reserve the right to reject any or all proposals received and to conduct new consulting engineer selection procedures for future projects.

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008944 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at Hereford Municipal Airport, TDA Project Number 91/17-4-1, for reconstruction of Runway 3-21.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Greer TDA Project Number 91/17-4-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$1,272,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008945 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Throckmorton Municipal Airport, TDA Project Number 91/41-3-3, for reconstruction and extension of the runway with turnarounds, replacement of runway lights, paving of access road and parking.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Ed Oshinski TDA Project Number 91/41-3-3, P.O. Box

12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$481,500.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008946 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Grand Prairie Municipal Airport, TDA Project Number 92/10-2-1 for resurfacing and remarking hangar access taxiways, extending and resurfacing north and south aprons, constructing south taxiway extension and run-up area, constructing access road and parking, drainage improvements, installing radio lighting control, reconstructing hangar access taxiways, replace rotating beacon, constructing south hangar taxiways, and install security fencing.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Ed Oshinski, TDA Project Number 92/10-2-1, P.O. Box

12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$1,238,070.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008947 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Gainesville Municipal Airport, TDA Project Numbers 91/21-2-1, for extending and overlaying Runway 17-35, extending MIRL, extending taxiway to Runway 17 end, rehabilitating apron, resurfacing and remarking Runway 12-30 and connecting taxiway, relocating VASI and an environmental assessment.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Ed Oshinski, TDA Project Number 91/21-2-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$784,635.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach—a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008948 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Bowie Municipal and the Mineola-Quitman Airports, TDA Projects Number 91/25-5-3 and 91/35-5-3, for resurfacing and restriping the runway and taxiway, constructing turn-around, installing taxiway reflectors and fencing at Bowie Municipal Airport, and resurfacing and restriping the runway, taxiway and apron at Mineola-Quitman Airport.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Ed Oshinski, TDA Projects Number 91/25-5-3 and 91/35-5-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$120,975.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach—a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008949 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

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The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Alpine-Casparis Municipal Airport, TDA Project Number 91/01-4-1, for reconstructing taxiway to Runway 19, reconstructing the apron, resurfacing and restriping Runway 19 and constructing a taxiway to Runway 1.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk, TDA Project Number 92/01-4-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$674,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008950 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the San Patricio County Airport, TDA Project Number 91-39-3-3, for replacement of runway lighting.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk, TDA Project Number 91/39-3-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$55,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and

recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008951 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Giddings-Lee County Airport, TDA Project Number 91/32-8-3, for reconstruction of runway edges and drainage improvements.

Those interested consulting engineers should submit four copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk TDA Project Number 91/32-8-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$136,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the

tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008952 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at Rusk County Airport, TDA Project Number 92/11-4-1 for: reconstructing taxiway section; reconstruction apron; taxiway drainage improvements; resurfacing and restriping; Runway 12-30, Runway 16-34, taxiway to Runway 13, stub taxiway, Runway 16-34 parallel taxiway, fueling apron and south hangar apron; and replace rotating beacon.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk, TDA Project Number 91/11-4-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$212,800.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number

of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008953 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at Livingston Municipal Airport, TDA Project Number 92/13-5-1, for reconstructing and remarking Runway 12-30, installing MRL and a segmented circle.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk, TDA Project Number 92/13-5-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$422,400.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including:

the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008954 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Angelina County Airport, TDA Project Number 92/14-2-1, for overlaying and remarking Runway 15-33, taxiway G, taxiway B, and apron area, and extending taxiway D to Runway 25.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk, TDA Project Number 92/14-2-1, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$889,800.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to

franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008955 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Llano Municipal Airport, TDA Project Number 91/34-3-3, for resurfacing the runway, taxiway, apron, and access road and restriping.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Wayne Travis, TDA Project Number 91/34-3-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$37,000.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008956

Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

TRD-9008957

Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at Bruce Field (Ballinger) and the Winters Municipal Airport, TDA Project Number 91/24-5-3 and 91/42-5-3, for resurfacing and restriping the runway and taxiway at Bruce Field; resurfacing and restriping the runway and replacing the runway lighting at Winters Municipal Airport.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Wayne Travis, TDA Projects Number 91/24-5-3 and 91/42-5-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$127,500.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Robert Lee and the Fisher County Airports, TDA Projects Number 91/36-3-3 and 91/37-4-3, for installation of runway lights, lighted wind cone and segmented circle and rotating beacon at Robert Lee Airport; and replacement of runway lighting at Fisher County Airport.

Those interested consulting engineers should submit five copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: Wayne Travis, TDA Projects Number 91/36-3-3 and 91/37-4-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$106,300.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach-a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008958

Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

The following request for proposals for providing professional engineering services is filed under the provision of Texas Civil Statutes, Article 6252-11c.

The Texas Department of Aviation will solicit and receive proposals for professional engineering services for the design and construction administration phases at the Eagle Lake Municipal Airport, TDA Project Number 90/10-1-3 for reconstruction of Runway 17/35.

Those interested consulting engineers should submit four copies of brief proposals consisting of the minimum number of pages sufficient to provide necessary information to: Texas Department of Aviation, Attention: John Wepryk, TDA Project Number 90/10-1-3, P.O. Box 12607, Austin, Texas 78711, (512) 476-9262.

Proposals must be received by 5 p.m., October 5, 1990.

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

The estimated project cost is approximately \$162,860.

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

The proposal shall include: firm name, address, phone number, and person to contact regarding the proposal; proposed project management structure identifying key personnel and subconsultants (if any); qualifications and recent experience of the firm, key personnel and subconsultants relative to the performance of similar services for FAA or TDA (TAC) projects; proposed project schedule, including major tasks and target completion dates; technical approach—a brief discussion of the tasks or steps to accomplish the project; list of in-state references including the name, address, and phone number of the person most closely associated with the firm's prior project performance; statement regarding an Affirmative Action Program; for projects with an estimated cost of \$250,000 or more, plans to utilize Disadvantaged Business Enterprises (DBEs) in contracting, subcontracting, and procurement efforts associated with this project including: the names and addresses of DBE firms that will participate in the contract, a description of the work each named DBE firm will perform, and percentage of the contract amount to be contracted by each named DBE; certification that all franchise taxes are paid or that consultant is not subject to franchise taxes.

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

Issued in Austin, Texas, on September 4, 1990.

TRD-9008959 Lydia Scarborough
Director, Support and Services
Texas Department of Aviation

Filed: September 5, 1990

For further information, please call: (512) 476-9262

Texas Department of Health

AIDS Media Campaign Request for Proposals

Generally. The professional services described in this notice are necessary to the functioning of the agency's programs. Payment for these services will be made from funds received from the federal government pursuant to a State of Texas request for such funds through a grant program.

Description. The Texas Department of Health (TDH), Public Health Promotion Division invites proposals from advertising agencies for the creation, development, production and distribution of a statewide media advertising campaign on HIV/AIDS prevention. The campaign, funded by the United States Centers for Disease Control (CDC), will include English and Spanish public service announcements for television and possibly other media as selected by the contractor and agreed to by TDH. Contractor responsibilities will also include component packaging, placement strategy, and the identification of use/effectiveness evaluation methods. This is a continuation of an HIV/AIDS prevention advertising service performed in 1989 by The Richards Group, Dallas. The 1989 campaign resulted in a 288% increase in the number of calls to TDH's Texas AIDSLINE and a 41% increase in the number of heterosexuals seeking HIV testing. TDH intends to award the 1990 campaign contract to The Richards Group unless a better offer is submitted.

Selection procedure. Interested agencies can obtain proposal submission instructions from TDH (see below). Proposal evaluation criteria will include: experience in HIV/AIDS advertising; experience in working with Texas state government clients; demonstrated performance in the development of effective HIV/AIDS public service advertising; proposed process for developing the campaign; knowledge of HIV/AIDS; knowledge of HIV/AIDS awareness levels in Texas audiences; and budget allocation. Proposals will be scored by TDH. Presentations will not be included in the selection process unless deemed necessary to break a tie.

Dates and amount of contract. The contract period will begin as soon after contractor selection as possible (approximately September 18) and will end December 31, 1990. The total amount of this contract will not exceed \$112,800 (amount may increase slightly pending CDC authorization). The contractor will be awarded renewal HIV/AIDS awareness advertising contracts in 1991 and 1992, pending mutual agreement of TDH and the contractor and availability of funds.

Contact and deadlines. A request for proposal packet, with proposal submission instructions, may be obtained by contacting: Doug McBride, Texas Department of Health, Public Health Promotion Division, 1100 West 49th Street, Austin, TX 78756, (512) 458-7405. Proposals must be received by TDH, Public Health Promotion Division, no later than 5:30 p.m., Friday, September 14, 1990.

Issued in Austin, Texas, on August 31, 1990.

TRD-9008866 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: August 31, 1990

For further information, please call: (512) 458-7405

Correction Of Errors

The Texas Department of Health submitted adopted sections which contained errors as submitted and as published in the July 13, 1990, issue of the *Texas Register* (15 TexReg 4003).

In Chapter 157, Emergency Medical Care, the heading was omitted from the table of contents.

The title heading "Chapter 157. Emergency Medical Care" was omitted on page 15 TexReg 4003; and the undesignated head title "Emergency Medical Services" was omitted on page 4006.

Concerning the introductory paragraph of the preamble on page 15 TexReg 4003, the first sentence is misleading and should read as follows: The Texas Department of Health adopts new §§157.2-157.4 and §§157.11-157.20, concerning emergency medical care.

In the preamble, the comment concerning §157.11(c)(3)(C)(iii), page 4003, the phrase "...warning devices as...." is incorrect and should read "...warning devices on".

In the preamble, the comment concerning §§157.13, 157.14, and 157.15, page 4004, the reference to "new subsection (a)(10) has been added to §157.15" is incomplete and should read "new subsections (a)(10) and (b)(10) have been added to §157.15".

Concerning §157.12(c)(5), page 4010, a parenthesis is missing : the paragraph should read "(5) two portable medical grade.....at least "M" cylinder (107 cubic feet)". §Concerning §157.15(a)(11)(C)(iv)(v), page 4014, the word "pediatric" is missing the letter "p".

Concerning §157.15(b)(5)(A)(v)(V), and §157.15(b)(11)(C)(iii)(V), pages 4015 and 4016, the subclauses were incorrectly published as an (I). §Concerning §157.15(b)(11)(C)(iii)(I) and (II), page 4016, some language is missing and should read "(I) sterile gloves; (II) disposable sheets." §Concerning §157.15(b)(11)(C)(iii)(XII), page 4016, the subclause was completely omitted and should read as follows "(XII) plastic bag." §Concerning the statutory authority for repealed §§157.62, 157.66-157.73, 157.75, and 157.83, page 4018, the term "Personnel Certification" at the end of the paragraph has no relevance and should be deleted.

The Texas Department Of Health submitted a proposed amendment which contained an error as submitted by the department in the June 8, 1990, issue of the *Texas Register* (15 TexReg 3315).

In §145.91, the first paragraph of the preamble and subsection (a) in correctly references "40 TAC §19.2012". The correct reference is "40 TAC §16.1510".

The Texas Department of Health submitted proposed and adopted sections which contained errors as published in the August 21, 1990, issue of the *Texas Register* (15 TexReg 4752, 4826).

Concerning proposed new §97.21, the last paragraph of the preamble which concerns the statutory authority is missing a reference. That paragraph should read as follows: "The new section is being proposed under Texas Civil Statutes, Article 4419b-3 (Senate Bill, 959 §11, 71st Legislature, 1989) which provides the department with the authority to develop model workplace polices regarding the handling, care, and the treatment of persons with AIDS or HIV who are in the custody of the Texas Department of Criminal

Justice, state and local law enforcement agencies, municipal and county correctional facilities, emergency medical services providers, and district probation departments; Article 4419b-4 (Senate Bill 959, §1, which provides the Board of Health with authority to adopt rules to implement the Human Immunodeficiency Virus Service Act; Article 6203c-12 (Senate Bill 659, §7) which requires the Texas Department of Corrections (TDC) in consultation with the Texas Department of Health to establish education programs for TDC inmates and employees; the Code of Criminal Procedure, Texas Codes Annotated, Article 46A.01 (Senate Bill 959, §13), which authorizes and delineates testing, segregation, and disclosure by specified entities; Health and Safety Code, §81.048 (Senate Bill 959, §22), which delineates mandatory testing criteria as the result of exposure while performing job duties; and Health and Safety Code, §12.001, which provides the Texas Board of Health with the authority to adopt rules for the performance of every duty imposed by law on the Texas Board of Health, the Texas Department of Health, and the Commissioner of Health.

Concerning adopted new §229.144(a), which was published in the August 21, 1990 issue of the *Texas Register* (15 TexReg 4826), a reference to a chapter is missing. The subsections should read as follows: "A permit holder shall assure that the narcotic treatment program (NTP) is in compliance with all State of Texas laws and rules regulating chemical dependency treatment facilities including, but not limited to the following laws: Health and Safety Code, Chapters 464 and 466, the Medical Practice Act, Texas Civil Statutes, Article 4495b; the Nurse Practice Act, Texas Civil Statutes, Article 4513-4528; the Vocational Nurse Act, Texas Civil Statutes, Article 4528c; the Pharmacy Act, Texas Civil Statutes, Article 4542a-1; and the Licensed Professional Counselor Act, Texas Civil Statutes, Article 4512g."

(3) Concerning adopted new §229.145(a)(3), the second sentence is incorrect and should read as follows: "An approved narcotic drug permit will be issued, upon approval, to a new owner or new location and the permit issued to the previous owner or location shall be revoked without hearing and surrendered to the department by certified or registered mail within 24 hours following receipt of the new approved narcotic drug permit."

(4) Concerning adopted new §229.146(c), the word "access" should be "assess".

The Texas Department of Health submitted proposed §337.21, which contained an error as published in the July 13, 1990, issue of the *Texas Register* (15 TexReg 3976).

Concerning §337.21, the department's submission included paragraph (3), however the paragraph was not published. Paragraph (3) should read as follows.

"(3) If at any time the residual disinfectant concentrations falls below 0.2 mg/l free chlorine or 0.5 mg/l chloramine in a system using grab every four hours until the residual disinfectant concentration meets the disinfectant requirement."

Texas Health and Human Services Coordinating Council Invitation for Bid

In accordance with Texas Civil Statutes, Article 601.B, the

Texas Health and Human Services (THHSCC) invites proposals for professional services.

Description. THHSCC will approve a contractor--one with demonstrated knowledge of local, state and federal program administration, grant management, public relations management and a multicultural capacity for communication--who will coordinate regional media campaigns within an already established network throughout the state.

Project activities. The contractor will be responsible for a variety of activities. These include the development, production, and distribution of informational literature; the production and publication of advertisements in electronic or printed media; and conducting meetings, seminars, or other public functions.

Limitations. The contract period will be 12 calendar months beginning from date of award; the actual media campaign must begin within 30 days of award date. Funding, including travel expenses will not exceed \$887,957.

Contact person. An application package may be obtained after September 11 from: Julie L. Freedman, SLIAG Outreach Coordinator, Texas Health and Human Services Coordinating Council, P.O. Box 13065, Austin, Texas 78711, (512) 463-2195.

Evaluation and selection. THHSCC will select a contractor based on applicant qualifications, project proposal and budget as further detailed in the application materials. When other considerations are equal, preference will be given to a contractor whose principal place of business is within Texas or who will manage the contract award from one of its offices in the state.

When other considerations are equal, preference will also be given to the best proposal for the lowest bid.

Response date. Written proposals must be postmarked no later than October 23, 1990, and should be sent to Julie L. Freedman, SLIAG Outreach Coordinator at P.O. Box 13065, Capital Station, Austin, Texas 78711. No proposal postmarked after that deadline will be eligible for consideration.

Funding of a project under this announcement is based on the availability of funds. THHSCC reserves the right to reject any and all proposals.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008960 Beverly Jimmerson
Deputy Director
Texas Health and Human Services
Coordinating Council

Filed: September 5, 1990

For further information, please call: (512) 463-2195

Texas State Library and Archives Commission

Local Government Records Committee

Notice is hereby given, pursuant to the Texas Government Code, Chapter 441, Subchapter J, of the appointment of Michael Jez, Chief of Police of the City of Denton to the Local Government Records Committee. Chief Jez was nominated by the Texas Police Chiefs' Association and is appointed to the office of chief of police from a municipality with a population of 50,000 or more.

The appointment is to fill a vacated position, the term of which will expire February 1, 1991.

Issued in Austin, Texas, on August 20, 1990.

TRD-9008770 William D. Gooch
Director and Librarian
Texas State Library

Filed: August 31, 1990

For further information, please call: (512) 463-5440

Public Utility Commission of Texas Notice of Application

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on August 24, 1990, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act, §§16(a), 18(b), 50, 52, and 54. Of a summary of the application follows.

Docket title and number. Application of Southwestern Bell Telephone Company to amend Boundary Between Southwestern Bell's Bracketville and Eagle Pass Exchange Docket Number 9717 before the Public Utility Commission of Texas.

The application. In Docket Number 9717, Southwestern Bell Telephone Company seeks approval of its application to transfer a portion of the Eagle Pass Exchange to the Bracketville Exchange in order to provide service to six residential customers in Maverick County.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas, 78757, or call the Public Utility Commission Public Information Division at (512) 458-9223, or (512) 458-0227 within 15 days of this notice.

Issued in Austin, Texas, on August 31, 1990.

TRD-9008927 Mary Ross McDonald
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 4, 1990

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

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on August 15, 1990, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act, §§16(a), 18(b), 50, 52, and 54. A summary of the application follows.

Docket title and number. Application of Lufkin-Comroe Telephone Exchange, Inc. For a Minor Boundary Change Within Trinity County to Incorporate Uncertified Territory Into the Apple Springs Exchange, Docket Number 9696 before the Public Utility Commission of Texas.

The application. In Docket Number 9696, Lufkin-Comroe Telephone Exchange, Inc. seeks approval of its application to include a currently certificated area into its Apple Springs Exchange in Trinity County.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas, 78757, or call the Public Utility Commission Public Information Division at (512) 458-0223, or (512) 458-0227 within 15 days of this notice.

Issued in Austin, Texas, on August 31, 1990.

TRD-9008928 Mary Ross McDonald
Secretary of the Commission
Public Utility Commission Of Texas

Filed: September 4, 1990

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

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Notice is given to the public of the filing with Public Utility Commission of Texas of an application on August 13, 1990, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act, §§ 16(a), 17(e), 50, 52, and 54. A summary of the application follows.

Docket title and number. Application of Central Power and Light Company For a Certificate Convenience and Necessity For Proposed Santo Nino 138kv Transmission Line and Substation Within Webb County, Docket Number 9694 before the Public Utility Commission of Texas.

The application. In Docket Number 9694, Central Power and Light Company request approval of its application to construct approximately 6.2 miles of 138kv transmission line and a substation within Webb County.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757, or call the Public Utility Public Information Division at (512) 458-0223, or (512) 458-0227 within 15 days of this notice.

Issued in Austin, Texas, on August 30, 1990.

TRD-9008924 Mary Ross McDonald
Secretary of the Commission
Public Utility Commission Of Texas

Filed: September 4, 1990

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

◆ ◆ ◆
Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on August 17, 1990, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act, §§16(a), 17(e), 50, 52 and 54. A summary of the application follows.

Docket title and number. Application of Texas-New Mexico Power Company For a Certificate of Convenience and Necessity for Transmission Line in Brazoria County, Docket Number 9703 before the Public Utility Commission of Texas.

The application. In Docket Number 9703, Texas-New Mexico Power Company request approval of its application to construct approximately 9.07 miles of 138kv line in Brazoria County.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757, or call the Public Utility Public Information Division at (512) 458-0223, or (512) 458-0227 within 15 days of the notice.

Issued in Austin, Texas, on August 30, 1990.

TRD-9008923 Mary Ross McDonald
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 4, 1990

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

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Notice is given to the public of the filing with the Public Utility Commission of Texas of a joint application on August 13, 1990, seeking approval of Extended Metropolitan Service pursuant to Public Utility Commission Substantive Rule §23.49(i). The following is a summary of the nature of the joint application.

Project title and number. Project Number 9690. Joint filing for Optional Two-Way Extended area Service between the Lufkin-Conroe Telephone Exchange, Inc. Riverbrook Exchange and the Houston metropolitan exchange area.

The joint application. The Woodlands Corporation and the Woodlands Community Association, Inc., have requested two-way Extended Metro Service (EMS) between the Riverbrook exchange of Lufkin-Conroe Telephone Exchange, Inc. (LCTX) and Southwestern Bell (SWB) Houston metropolitan area exchanges and SWB Spring, Tomball, Pinehurst exchanges. Residential customers subscribing to this new service will pay \$36.80 per month. Business customers will pay \$81.10 per month. The proposed rate for a business trunk service, per trunk per month is \$125.95. Customers who subscribe to this service will be required to change their telephone number. Standard secondary service charges will apply. Existing customers who do not want metropolitan service will retain their present telephone number and have no increase in rates.

Persons who wish to intervene or otherwise participate in these proceedings should mail a request to the Public Utility Commission of Texas, 7800 Shoal Creek Boulevard, Suite 400-N, Austin, Texas 78757. Further information may also be obtained by calling the P.U.C. Public Information Office at (512) 458-0223, or (512) 458-0221 teletypewriter for the deaf.

Issued in Austin, Texas, on August 30, 1990.

TRD-9008922 Mary Ross McDonald
Secretary Of The Commission
Public Utility Commission Of Texas

Filed: September 4, 1990

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

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Texas Racing Commission
Notice of Deadlines

Pursuant to Texas Civil Statutes, Article 179e, §18.02, a hearing of the Texas Racing Commission, Horse Racing Section, will be held to consider the application of Bluebonnet Turf Club, Inc. for a Class II pari-mutuel racetrack license in the Bryan-College Station area.

The hearing will be conducted in accordance with the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a. Pursuant to that Act and the rules of the Texas Racing Commission, any person desiring to testify or present evidence at the hearing on behalf of or in opposition to the applicant is required to file a Motion to Intervene or a Motion for Nonparty Participant Status. The deadline for filing such a motion is 5 p.m., Monday, October 1, 1990. The motion must be filed with Rafael Quintanilla, Hearings Examiner, TxRC Cause Number 90-R1-0025, Texas Racing Commission, 400 West 15th Street, Suite 625, Austin, Texas 78701. The failure to file a Motion to Intervene or a Motion for

Nonparty Participant Status by the deadline could result in the movant not being permitted to testify at the hearing.

If any objections are filed to Motions to Intervene or for Nonparty Participant Status, the hearings examiner will hold a prehearing conference to hear argument and rule on the motions.

Questions regarding this matter should be directed to Paula Cochran Carter, General Counsel, Texas Racing Commission, 400 West 15th Street, Suite 625, Austin, Texas 78701, (512) 476-7223.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008921 Paula Cochran Carter
General Counsel
Texas Racing Commission

Filed: September 4, 1990

For further information, please call: (512) 476-7223

Pursuant to Texas Civil Statutes, Article 179e, §18.02, a hearing of the Texas Racing Commission, Horse Racing Section, will be held to consider the application for the pari-mutuel Class I horse racetrack license in Harris County.

The hearing will be conducted in accordance with the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a. Pursuant to that Act and the rules of the Texas Racing Commission, any person desiring to testify or present evidence at the hearing on behalf of or in opposition to the applicant is required to file a Motion to Intervene or a Motion for Nonparty Participant Status. The deadline for filing such a motion is 5 p.m., Monday, October 1, 1990. The motion must be filed with Dudley D. McCalla, Hearings Examiner, TxRC Cause Number 90-R1-0030, Texas Racing Commission, 400 West 15th Street, Suite 625, Austin, Texas 78701. The failure to file a Motion to Intervene or a Motion for Nonparty Participant Status by the deadline could result in the movant not being permitted to testify at the hearing.

If any objections are filed to Motions to Intervene or for Nonparty Participant Status, the hearings examiner will hold a prehearing conference to hear argument and rule on the motions.

Questions regarding this matter should be directed to Paula Cochran Carter, General Counsel, Texas Racing Commission, 400 West 15th Street, Suite 625, Austin, Texas 78701, (512) 476-7223.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008920 Paula Cochran Carter
General Counsel
Texas Racing Commission

Filed: September 4, 1990

For further information, please call: (512) 476-7223

The Texas A&M University System Public Notice

Pursuant to Texas Civil Statutes, Article 6252-17a, §3(a)(23), notice is hereby given that the following individuals are finalists for the position of president of Corpus Christi State University, the Texas A&M University System: Robert R. Furgason and Richard D. Olson.

Notice is further given that upon the expiration of 21 days from the date of this public notice is anticipated the Board

of Regents of the Texas A&M University System will take final action regarding the appointment of one of these individuals as president of Corpus Christi State University.

Issued in College Station, Texas, on September 4, 1990.

TRD-9008969 Bill Presnel
Executive Secretary, Board of Regents
The Texas A&M University System

Filed: September 5, 1990

For further information, please call: (409) 845-9600

Texas Water Commission Enforcement Orders

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Texas Lehigh Cement Company, TWC Facility I.D. Number 051423 on August 28, 1990, assessing \$3,560 in administrative penalties with 25% deferred and possibly waived contingent upon compliance. (total assessed penalty: \$2,670).

Information concerning any aspect of this order may be obtained by contacting Mark Alvarado, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on August 30, 1990.

TRD-9008874 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: August 31, 1990

For further information, please call: (512) 463-8069

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Atchison, Topeka and Santa Fe Railway Company, SWR Number 30065, on August 20, 1990, assessing \$79,200 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting H. Glenn Hall, III, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on August 30, 1990.

TRD-9008873 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: August 30, 1990

For further information, please call: (512) 463-8069

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day

after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to the City of Godley, Permit Number 10542-01 on August 20, 1990, assessing \$6,820 in administrative penalties with \$4,000 deferred or foregone contingent upon compliance. Stipulated penalties were also imposed.

Information concerning any aspect of this order may be obtained by contacting Laura Ray Culbertson, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on August 30, 1990.

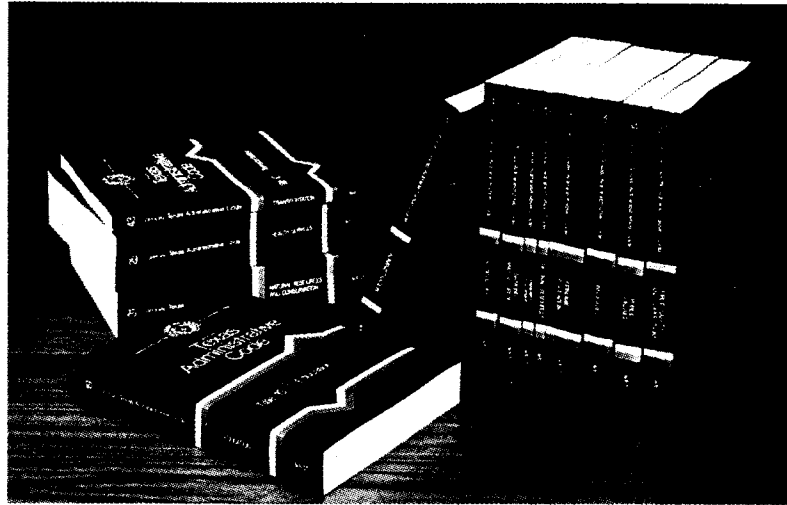
TRD-9008875 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: August 31, 1990

For further information, please call: (512) 463-8069



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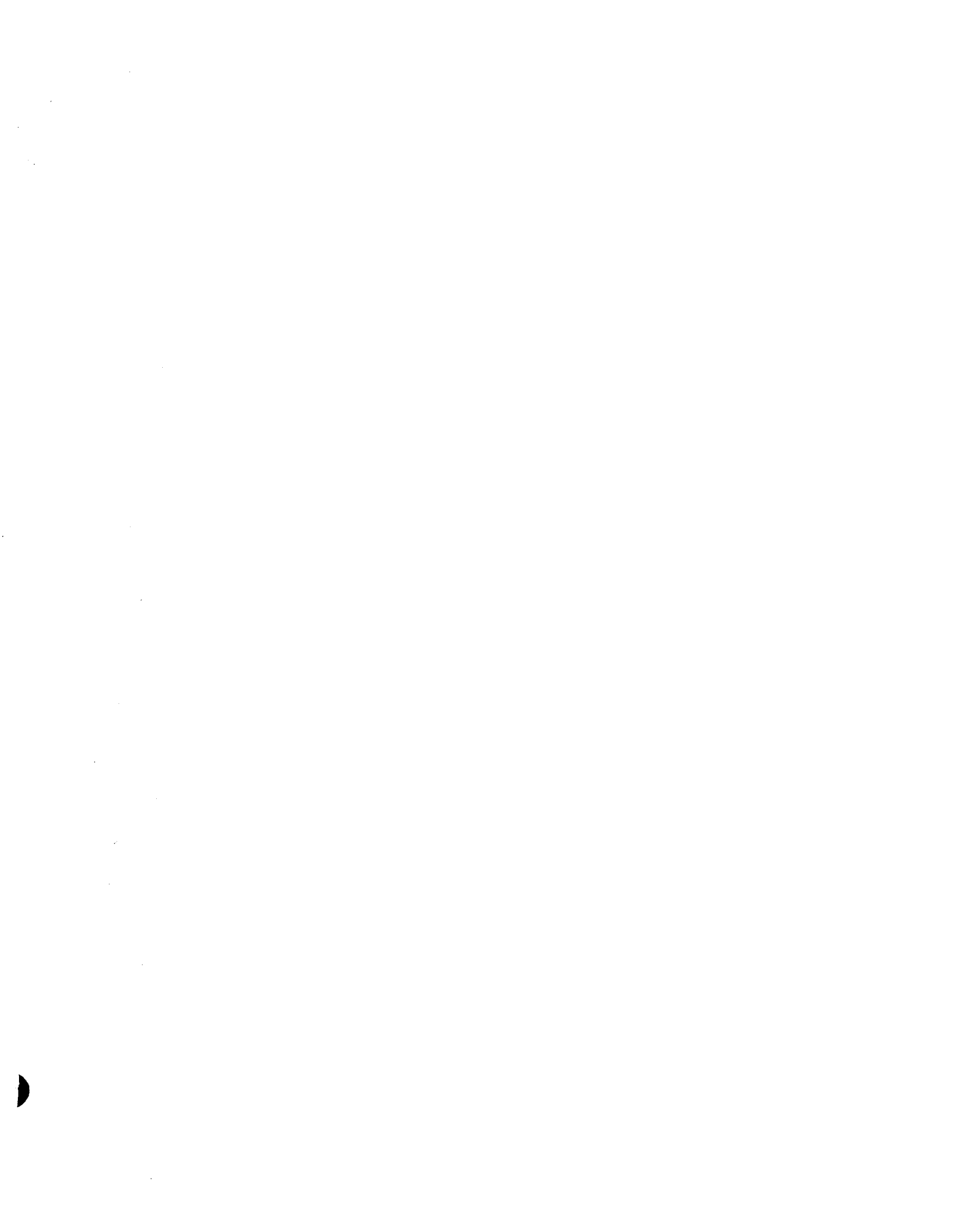
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