

MAY 23 89

Texas Register

Volume 14, Number 38, May 23, 1989

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Texas Register

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Withdrawn Sections—sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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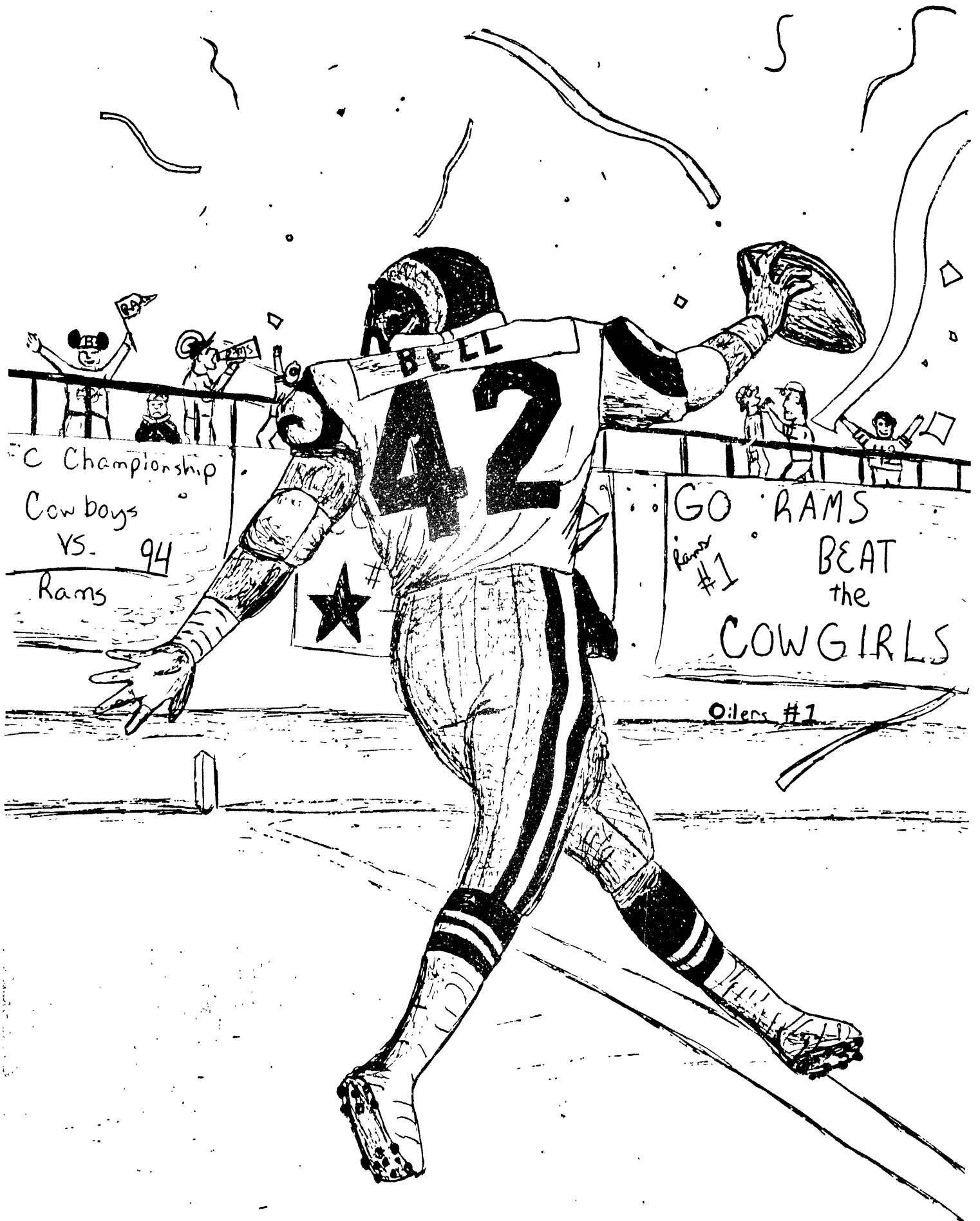
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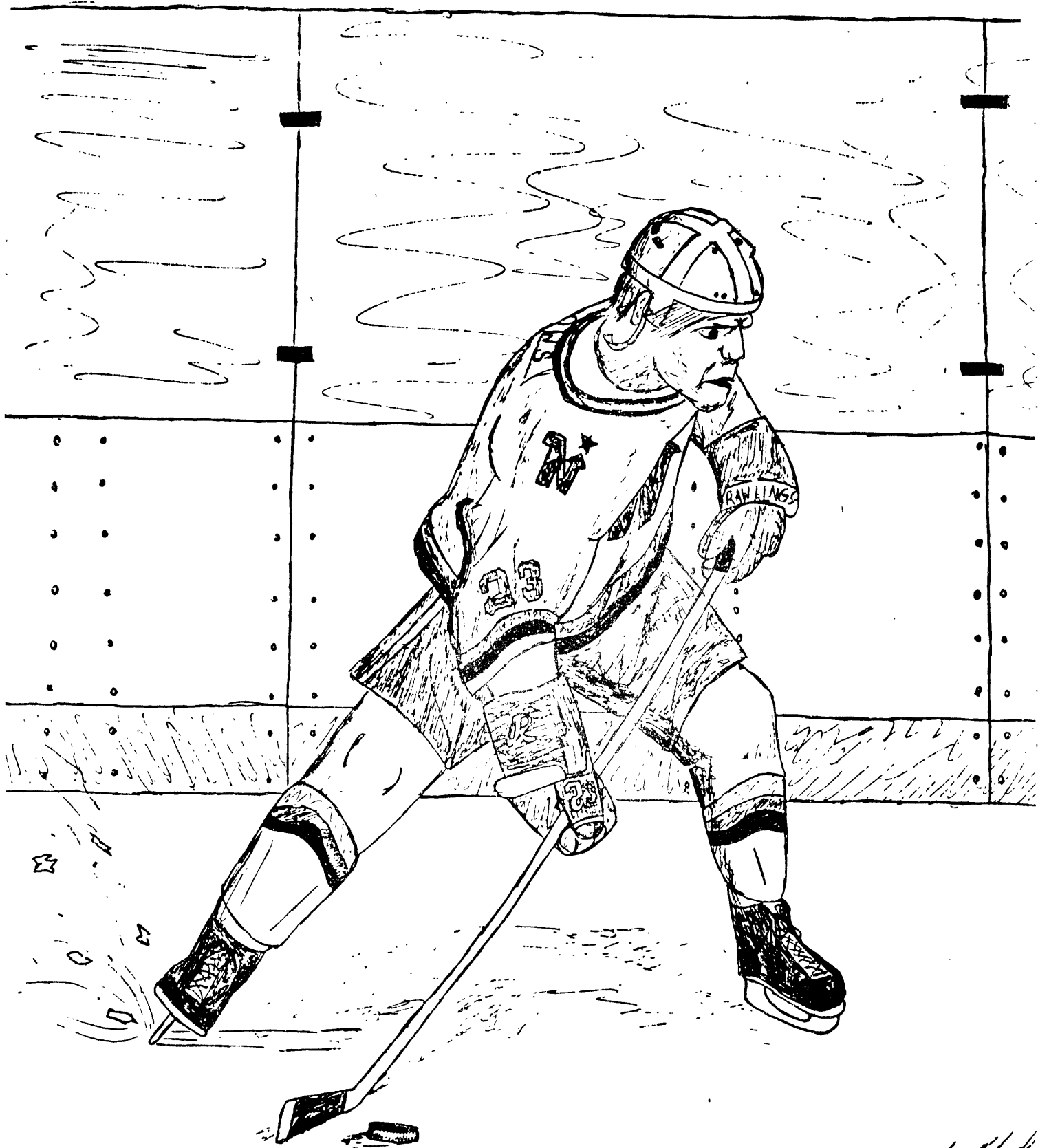


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Jon Black '94



Name: Jon Black

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School: T.H. McDonald Middle School, Mesquite

TAC Titles Affected

TAC Titles Affected—May

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1 TAC §5.401—2153

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1 TAC §271.1—2317

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19 TAC §11.2—2501

19 TAC §11.24—2497

19 TAC §11.46—2501

19 TAC §21.310—2501

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22 TAC §§281.1, 281.2, 281.30, 281.32, 281.39, 281.59, 281.60—2323

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40 TAC §§48.2201-48.2207—2457

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40 TAC §115.5—2156

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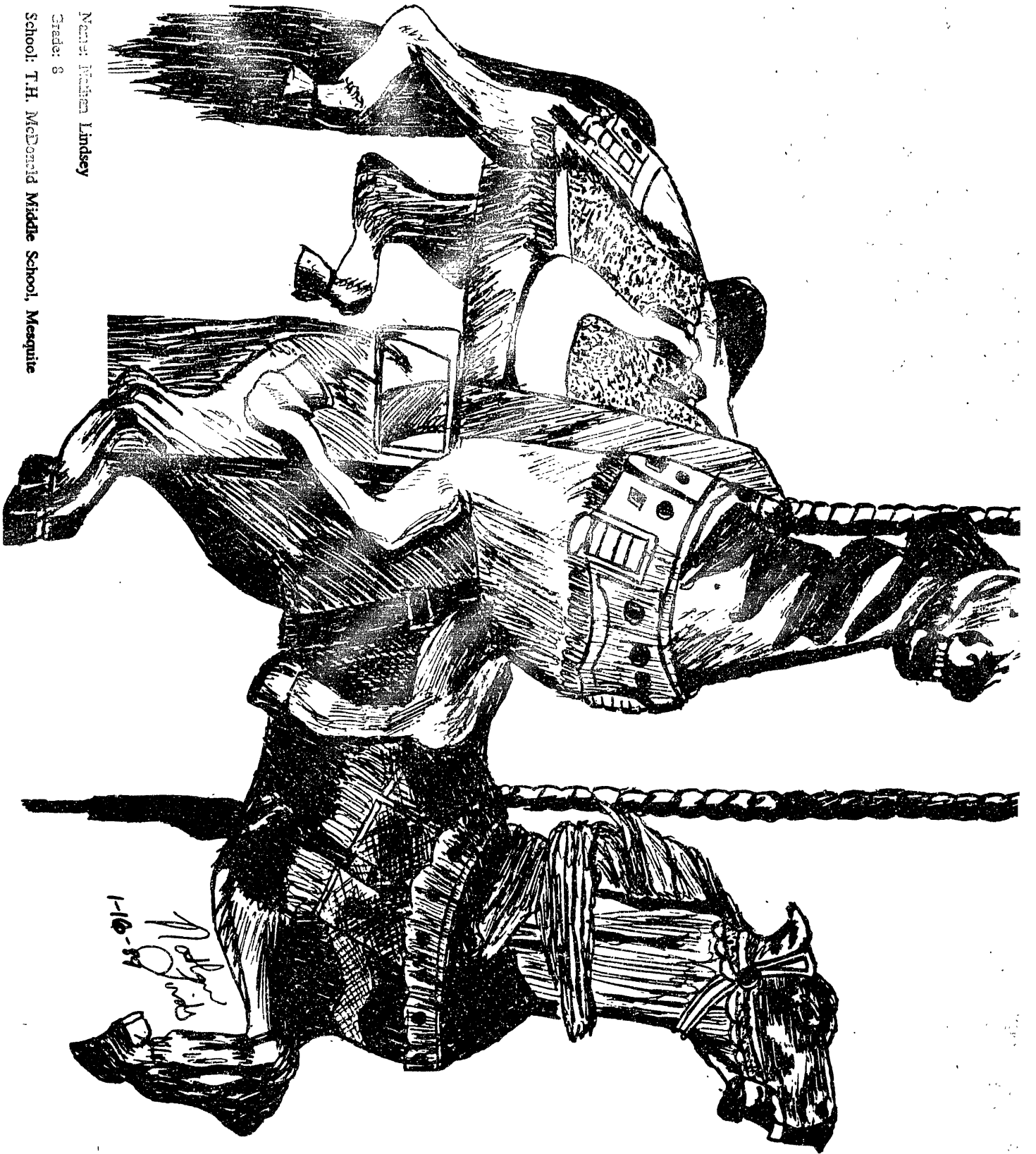
43 TAC §21.33, §21.41—2370

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Name: Nathan Lindsey

Grade: 8

School: T.H. McDonald Middle School, Mesquite

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 May 15, 1989

To be a member of the Brazos River Authority Board of Directors for a term to expire February 1, 1995: Charles J. Farrar, Route 5, Box 174A, Dublin, Texas 76446. Mr. Farrar will be replacing Paul H. Harvey, Jr. of Hillsboro, whose term expired.

To be a member of the Central Colorado River Authority Board of Directors for a term to expire February 1, 1995: Cloyce M. Huckabee, Rural Box 926, Coleman, Texas 76834. Mr. Huckabee will be replacing Roy D. Young of Burkett, whose term expired.

To be a member of the Texas Woman's University Board of Regents for a term to expire February 1, 1995: Kris Anne Vogelpohl, 8 Adler Circle, Galveston, Texas 77550. Mrs. Vogelpohl will be replacing Lavonne Mason of Austin, whose term expired.

To be a member of the Central Colorado River Authority Board of Directors for a term to expire February 1, 1995: Zeno Hemphill, Route 1, Box 21, Coleman, Texas 76834. Mr. Hemphill will be replacing Baker Rudolph of Coleman, whose term expired.

To be chairman of the State Board of Insurance for a term to expire February 10, 1991: Paul T. Wrotenbery of Austin.

Issued in Austin, Texas on May 15, 1989.

TRD-8904351

William P. Clements, Jr.
Governor of Texas

◆ ◆ ◆
To be commissioner of Labor and Standards for a term to expire February 1, 1991: Richard Lee Morgan, Dallas. Commissioner Morgan has asked that his name be withdrawn; therefore, I request that the Senate return this appointment to me.

Issued in Austin, Texas on May 16, 1989.

TRD-8904364

William P. Clements, Jr.
Governor of Texas



Name: Lorna Castillo

Grade: 8

School: T.H. McDonald Middle School, Mesquite

*Lorna
Castillo*

Emergency Sections

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

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

TITLE 28. INSURANCE

Part I. State Board of Insurance

Chapter 29. Guaranty Acts

Subchapter D. Texas Title Insurance Guaranty Association Plan of Operation

• 28 TAC §§29.601-29.607

The State Board of Insurance is renewing the effectiveness of the emergency adoption of new §§29.601-29.607, for a 60-day period effective May 24, 1989. The text of new §§29.601-29.607 was originally published in the January 31, 1989, issue of the *Texas Register* (14 TexReg 607).

Issued in Austin, Texas on May 15, 1989.

TRD-8904346 Nicholas Murphy
 Chief Clerk
 State Board of Insurance

Effective date: May 24, 1989

Expiration date: July 23, 1980

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

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part IX. Texas Water Commission

Chapter 293. Water Districts

Economic Feasibility of Projects

• 31 TAC §293.59

The Texas Water Commission is renewing the effectiveness of the emergency adoption of amended §293.59, for a 60-day period effective May 27, 1989. The text of amended §293.59 was originally published in the February 7, 1989, issue of the *Texas Register* (14 TexReg 652).

Issued in Austin, Texas on 17, 1989.

TRD-8904387 Jim Haley
 Director, Legal Division
 Texas Water Commission

Effective date: May 27, 1989

Expiration date: July 26, 1989

For further information, please call: (512) 463-8087





Name: Kim Webber

Grade: 8

School: T.H. McDonald Middle School, Mesquite

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 19. EDUCATION

Part I. Texas Higher Education Coordinating Board

Chapter 11. Texas State Technical Institute

Subchapter B. Basic Standards

• 19 TAC §11.24

The Texas Higher Education Coordinating Board proposes an amendment to §11.24, concerning qualification and professional growth of faculty. The proposed changes address the Coordinating Board's response to the Governor's Task Force on Vocational Education recommendation that a program for faculty professional development be designed for each publicly funded institution. Each institution will develop an institutional plan for faculty professional development which adheres to Coordinating Board technical and vocational personnel guidelines and to the standards of the Commission on Colleges of the Southern Association of Colleges and Schools.

Dale Campbell, assistant commissioner for community colleges and technical institutes has determined that for the first five-year period the proposed section is in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the section.

Mr. Campbell also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be that the proposed section will promote teaching excellence by providing a means for ensuring systematic faculty professional development in the Texas Technical Institute. There is no anticipated economic cost to individuals who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Kenneth H. Ashworth, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711.

The amendment is proposed under the Texas Education Code, §61.062, which provides the Coordinating Board with the authority to adopt rules regarding qualification and professional growth of faculty.

§11.24. *Qualification and Professional Growth of Faculty.*

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

(d) The Texas State Technical In-

stitute shall demonstrate promotion of teaching excellence by developing an institutional plan for faculty professional development.

(1) The institutional plan must address full and part-time teacher preparation and professional development.

(2) The institutional plan shall reflect the personnel requirements as stated in the Coordinating Board publication "*Qualifications of Technical and Vocational Personnel*" and adhere to the standards of the college delegate assembly of the Commission on Colleges of the Southern Association of Colleges and Schools.

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

Issued in Austin, Texas, on May 12, 1989

TRD-8904360

James McWhorter
Assistant Commissioner for
Administration
Texas Higher Education
Coordinating Board

Proposed date of adoption: July 14, 1989

For further information, please call: (512) 462-6420

TITLE 25. HEALTH SERVICES

Part I. Texas Department of Health

Chapter 115. Home Health Care Agencies

Licensing and Regulation

• 25 TAC §115.18

The Texas Department of Health proposes an amendment to §115.18, concerning standards for home dialysis designation. The amendment will reduce the experience requirements for a home dialysis technician employed by a home health agency.

Stephen Seale, Chief Accountant III, has determined that for the first five-year period the section as proposed is in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering this section.

Mr. Seale also has determined that for the

first five years that the section is in effect the public benefit anticipated as a result of enforcing the amendment as proposed will be to assure that home health agencies which provide home dialysis are able to recruit and employ qualified home dialysis technicians. There is no anticipated economic costs to individuals who are required to comply with the section as proposed.

Written comments on the proposal may be submitted to Nance Kerrigan, R.N., M. S.N., Director, Health Facility Licensure and Certification Division, 1100 West 49th Street, Austin, Texas 78756 (512) 458-7245. Comments will be accepted for 30 days after publication of this proposal in the *Texas Register*.

The amendment is proposed under Texas Civil Statutes, Article 4447u, §4, which provide the Texas Board of Health with authority to adopt rules concerning home health services; and Article 4414b, §1.05, which provide 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.

§115.18. *Standards for Home Dialysis Designation.*

(a)-(q) (No change.)

(r) A qualified dialysis technician shall be employed by or under contract with the agency and shall meet the following requirements.

(1) A qualified home dialysis technician shall have:

(A) a minimum of a high school education or GED and two [three] years of full-time dialysis experience; or

(B) [or] one [two] year [years] full-time dialysis experience with one additional year of direct patient care in a hospital.

(2) If the dialysis technician is performing peritoneal dialysis (i.e., intermittent peritoneal dialysis, continuous ambulatory peritoneal dialysis, or continuous cycles peritoneal dialysis), one of the two [three] years of full-time experience shall be with peritoneal dialysis.

(3) (No change.)

(s)-(dd) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and

found to be within the agency's authority to adopt.

Issued in Austin, Texas, on May 17, 1989.

TRD-8904388

Robert A. MacLean, M.D.
Deputy Commissioner for
Professional Services
Texas Department of
Health

Earliest possible date of adoption: June 23, 1989

For further information, please call: (512) 458-7245.

TITLE 34. PUBLIC FINANCE

Part I. Comptroller of Public Accounts

Chapter 3. Tax Administration

Subchapter V. Bingo Regulation and Tax

• 34 TAC §3.547

The Comptroller of Public Accounts proposes an amendment to §3.547, concerning books and records-bingo licensees. The amendment amends subsection (a) (1)(B) to specify who may be on the signature card for a licensed organization's bingo account.

The amendment is proposed to ensure that each licensed organization has complete control over its bingo account.

Jim Shear, director of the comptroller's economic analysis center, has determined that for the first five-year period the proposed section will be in effect there will be no significant revenue impact on the state or local government or on small businesses as a result of enforcing or administering the section.

Mr. Shear also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be in allowing the comptroller to more effectively regulate bingo.

There is no anticipated economic cost to individuals who are required to comply with the proposed section.

Comments on the proposal may be submitted to Claudia Stravato, Deputy for Tax Enforcement, Regulatory Taxes, P.O. Box 13528, Austin, Texas 78711.

The amendment is proposed under Texas Civil Statutes, Article 179d, which provide the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the Bingo Enabling Act.

§3.547. Books and Records—Bingo Licensees.

(a) This section sets minimum standards for record keeping for licensees that conduct bingo. Where the Comptroller provides forms for record keeping, licensees may use those forms or forms of their own choosing which contain the same information.

(1) Cash receipt records. The records required to document cash receipts consist of the following.

(A) (No change.)

(B) Bingo bank account. A licensed organization must establish and maintain one regular checking account designated the bingo account and may also maintain an interest bearing savings account designated the bingo savings account, as provided in the Bingo Enabling Act, Texas Civil Statutes, Article 179d, §19a(a). A licensed organization may have on its bingo account's signature card only active members of the organization except that one bookkeeper or accountant who is not a member may be on the signature card. At least one active member of the licensed organization must be on the signature card. A licensed organization must keep validated deposit slips. Any interest income earned from the bingo savings account must be accounted for as part of the net proceeds available for charitable distribution.

(C)-(D) (No change.)

(b)-(e) (No change.)

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

Issued in Austin, Texas, on May 16, 1989.

TRD-8904347

Bob Bullock
Comptroller of Public
Accounts

Earliest possible date of adoption: June 23, 1989

For further information, please call: (512) 463-4004

• 34 TAC §3.554

The Comptroller of Public Accounts proposes an amendment to §3.554, concerning instant bingo. The amendment amends subsection (a)(2)(C) to change the type size required on the card for the comptroller's approval, amends subsection (b) to require submission of a series of sample cards to the comptroller for approval and to require resubmission of approved cards if the color is changed, each two years, or at any other time required by the comptroller, and adds subsection (c)(6) requiring each series of cards to be sold to an authorized organization to be enclosed in a clear wrapping material.

The amendment is proposed in order to provide stronger safeguards in the approval and sale of instant bingo cards.

Jim Shear, director of the comptroller's economic analysis center, has determined that for the first five-year period the proposed section

will be in effect there will be no significant revenue impact on the state or local government or on small businesses as a result of enforcing or administering the section.

Mr. Shear also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be in allowing the comptroller to regulate bingo more efficiently. There is no anticipated economic cost to individuals who are required to comply with the proposed section.

Comments on the proposal may be submitted to Claudia Stravato, Deputy for Tax Enforcement, Regulatory Taxes, P.O. Box 13528, Austin, Texas 78711.

The amendment is proposed under Texas Civil Statutes, Article 179d, which provide the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the Bingo Enabling Act.

§3.554. Instant Bingo.

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

(1) (No change.)

(2) Instant bingo card—A device used to play a specific game of chance consisting of an individual card, the face of which is initially hidden from view to conceal numbers. Each individual card must:

(A)-(B) (No change.)

(C) be imprinted in no less than 9 [12] point type with the words "Authorized by the Texas Bingo Regulation Division";

(D)-(G) (No change.)

(3) (No change.)

(b) Approval of cards.

(1) No instant bingo card may be sold or otherwise furnished to any person in this state or used in the conduct of bingo for public play unless and until a complete series of an identical prototype of that card has first been presented to the comptroller by its manufacturer and has been approved by the comptroller for use within this state.

(2) Prototypes or examples of all cards must be presented to the Regulatory Taxes Section, Enforcement Division, of the Comptroller's Office in Austin, for review. If granted, approval extends only to the specific card or series approved. If the card is modified in any way, except only in [color and] series number, it must be resubmitted to the comptroller for approval.

(3) Once an instant bingo card has been approved, a complete series of that card must be resubmitted to the

comptroller each two years for reapproval. The comptroller may require resubmission of a series of approved cards at any time.

(c) Manufacturing requirements.

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

(6) A manufacturer or distributor, in selling or providing instant bingo cards to a licensed authorized organization, shall seal or wrap each series completely in a clear wrapping material in such a way that it will be apparent if the series is opened prior to use by the licensed authorized organization.

(d)-(g) (No change.)

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

Issued in Austin, Texas, on May 16, 1989.

TRD-8904349

Bob Bullock
Comptroller of Public
Accounts

Earliest possible date of adoption: June 23, 1989

For further information, please call: (512) 463-4004

◆ ◆ ◆
• 34 TAC §3.557

The Comptroller of Public Accounts proposes an amendment to §3.557, concerning manufacturer's and distributor's quarterly reports. The amendment amends subsection (b) to specify the first report for which the amendment is effective and amends subsection (c)

to delete a reference to daubers glue sticks, and other bingo supplies, to remove the requirement to report invoice numbers and sales dates, and to provide for reporting of total sales to each entity rather than individual sales.

Jim Shear, director of the comptroller's economic analysis center, has determined that for the first five-year period the proposed section is in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the section.

Mr. Shear also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be in allowing the comptroller to regulate bingo more efficiently. There is no anticipated economic cost to individuals who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Claudia Stravato, Deputy for Tax Enforcement, Regulatory Taxes, P.O. Box 13528, Austin, Texas 78711.

The amendment is proposed under Texas Civil Statutes, Article 179d, which provide the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the Bingo Enabling Act

◆ ◆ ◆
§3.557. Manufacturer's and Distributor's Quarterly Reports.

(a) Each manufacturer and each distributor holding or required to hold a license issued by the comptroller under the Bingo Enabling Act, Texas Civil Statutes, Article 179d, shall file a report, on forms prescribed by the comptroller, reflecting the

information listed in this section with regard to each sale of bingo equipment[,] and cards [and supplies] to a person or organization in this state or for use in this state.

(b) The report shall be filed with regard to each calendar quarter, and is due on or before the last day of the month following each calendar quarter. The amendment to this section applies beginning with the report for the first quarter of 1989.

(c) The report shall contain the customer's name and license number, and the [invoice number, date, and] amount of total sales [for each sale] of:

- (1) instant bingo cards;
- (2) other bingo cards, sheets and pads; and
- [(3) daubers, glue sticks and other bingo supplies; and]
- (3)[(4)] all other bingo equipment.

(d) (No change.)

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

Issued in Austin, Texas, on May 16, 1989.

TRD-8904348

Bob Bullock
Comptroller of Public
Accounts

Earliest possible date of adoption: June 23, 1989

For further information, please call: (512) 463-4004
◆ ◆ ◆



Name: Mark Belmonte

Grade: 8

School: T.H. McDonald Middle School, Mesquite

Handwritten signature

Adopted Sections

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

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

TITLE 19. EDUCATION Part I. Texas Higher Education Coordinating Board

Chapter 9. Public Junior Colleges

Subchapter I. Contractual Agreements

• 19 TAC §9.194

The Texas Higher Education Coordinating Board adopts an amendment to §9.194, without changes to the proposed text as published in the March 14, 1989, issue of the *Texas Register* (14 TexReg 1345).

The amendment satisfies the state's need for a clear audit trail for contract instruction and satisfies institutional needs for flexibility and accountability in offering contract instruction to support industrial and economic development.

The amendment clarifies that courses offered through contract instruction are eligible for state contact hour reimbursement, provided that such courses comply with the specific criteria set forth in the revised Subchapter I, §9.194, and that any excess revenue shall be returned to the state.

One comment was made by an institutional officer concerning the duplicative accounting and bookkeeping which will be required for contract instruction offered.

The State Auditor's office was involved in formulation of this section; therefore, the section was not changed as a result of the comment.

The amendment is adopted under the Texas Education Code, §61.061 which provides the Coordinating Board with the authority to adopt rules regarding contractual agreements.

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

Issued in Austin, Texas, on May 12, 1989.

TRD-8904358 James McWhorter
Assistant Commissioner for
Administration
Texas Higher Education
Coordinating Board

Effective date: June 7, 1989

Proposal publication date: March 14, 1989

For further information, please call: (512) 462-6420

Chapter 11. Texas State Technical Institute

Subchapter A. Purpose and Authority

• 19 TAC §11.2

The Texas Higher Education Coordinating Board adopts an amendment to §11.2, without changes to the proposed text as published in the March 14, 1989, issue of the *Texas Register* (14 TexReg 1347).

The amendment further clarifies the role and scope of institutions consistent with the Texas charter for higher education.

The amendment changes the wording of the role and mission of TSTI and deletes the section of the rules providing training programs for technical teachers and counselors.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Education Code, §135.01, which provides the Coordinating Board with the authority to adopt rules regarding purpose and authority.

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

Issued in Austin, Texas, on May 12, 1989.

TRD-8904357 James McWhorter
Assistant Commissioner for
Administration
Texas Higher Education
Coordinating Board

Effective date: June 7, 1989

Proposal publication date: March 14, 1989

For further information, please call: (512) 462-6420

Subchapter C. Operational Provisions

• 19 TAC §11.46

The Texas Higher Education Coordinating Board adopts the repeal of §11.46, without changes to the proposed text as published in the March 14, 1989, issue of the *Texas Register* (14 TexReg 1348).

The repeal of this section enables compliance with the revised statutes.

The repeal deletes the section of the rules providing training programs for technical teachers and counselors.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Texas Education Code, §135.01 which provides the coordinating board with the authority to adopt rules regarding counselor and teacher training.

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

Issued in Austin, Texas, on May 12, 1989.

TRD-8904358 James McWhorter
Assistant Commissioner for
Administration
Texas Higher Education
Coordinating Board

Effective date: July 7, 1989

Proposal publication date: March 14, 1989

For further information, please call: (512) 462-6420

Chapter 21. Student Services

Subchapter L. Paul Douglas Teacher Scholarship Program

• 19 TAC §21.310

The Texas Higher Education Coordinating Board adopts an amendment to §21.310, without changes to the proposed text as published in the March 14, 1989, issue of the *Texas Register* (14 TexReg 1348).

The amendment allows students who have a bad semester, an opportunity to make up the lower average before the scholarship would be terminated.

The amendment will clarify conditions through which a scholarship may be discontinued. The amendment provides for a semester of grace before a scholarship is terminated for failure to maintain required grade point average.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Education Code, §61.068, which provides the Coordinating Board with the authority to adopt rules regarding criteria for subsequent scholarships.

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

Issued in Austin, Texas, on May 12, 1989.

TRD-8904359 James McWhorter
Assistant Commissioner for
Administration
Texas Higher Education
Coordinating Board

Effective date: June 7, 1989

Proposal publication date: March 14, 1989

For further information, please call: (512) 462-6420

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**TITLE 34. PUBLIC
FINANCE**

**Part I. Comptroller of
Public Accounts**

**Chapter 5. Funds Management
(Fiscal Affairs)**

**Funds Accounting—Accounting
Policy Statements**

• **34 TAC §5.160**

The Comptroller of Public Accounts adopts

the incorporation by reference of an amendment to §5.160, without changes to the proposed text as published in the December 23, 1988, issue of the *Texas Register* (13 TexReg 6322).

The accounting policy statements were issued to provide procedures and guidelines to state agencies processing documents through the Financial Accounting and Control for Texas System (FACTS). Each accounting policy statement contains legal references, a background section, comptroller requirements and state agency requirements, and divisions to contact if more information is needed.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Government Code, §403.011, which provides the comptroller with the authority to prescribe, adopt, and enforce rules relating to the fiscal concerns of the state.

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

Issued in Austin, Texas, on May 16, 1989.

TRD-8904350

Bob Bullock
Comptroller of Public
Accounts

◆ ◆ ◆
Effective date: June 7, 1989

Proposal publication date: December 23, 1988

For further information, please call: (512) 463-4004

Open Meetings

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

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

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

Texas Department of Agriculture

Thursday, June 1, 1989, 1 p.m. The Texas Department of Agriculture will meet in the District Office, 122 Heimann Street, First Floor, San Antonio. According to the agenda, the department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001 by Mendez Brothers Produce Company as petitioned by Carrots West, Inc.

Contact: Bruce Fant, P.O. Box 12847, Austin, Texas 78711, (512) 463-7589.

Filed: May 16, 1989, 10:22 a.m.

TRD-8904355

Tuesday, June 6, 1989, 10 a.m. The Texas Department of Agriculture will meet in Suite 103, 1801 North Lamar Boulevard, Dallas. According to the agenda, the department will hold an administrative hearing to review alleged violations of Texas Agriculture Code §103.001 by R.A. Hall Produce Company as petitioned by San Miguel Valley Foods.

Contact: Bruce Fant, P.O. Box 12847, Austin, Texas 78711, (512) 463-7589.

Filed: May 16, 1989, 10:22 a.m.

TRD-8904354

Thursday, June 8, 1989, 10 a.m. The Texas Department of Agriculture will meet at 2626 South Loop West, Houston. According to the agenda, the department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001 by Magnolia Fruit and Produce Company, Inc., Kenneth A. Faour, Daniel J. Faour, Anthony J. Faour, and Gary K. Faour as petitioned by G&D Vegetable Company.

Contact: Bruce Fant, P.O. Box 12847, Austin, Texas 78711, (512) 463-7589.

Filed: May 16, 1989, 10:22 a.m.

TRD-8904353



Texas Commission on the Arts

The Texas Commission on the Arts will meet in the Houston Room, Sheraton Dallas Hotel and Tower, 400 North Olive, Dallas. Dates, times, and agendas follow.

Wednesday, June 7, 1989, 9 a.m. The Administrative Committee will hold public hearing; approve minutes of the December 13, 1988 meeting; consider current financial update fiscal year 1989, budget 1990-1991, and other business.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: May 17, 1989, 4:19 p.m.

TRD-8904404

Wednesday, June 7, 1989, 10 a.m. The Assistance Review Committee will hold public hearing; approve minutes of June 28, 1988 meeting; review fiscal year 1990 grant recommendations; and consider other business.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: May 17, 1989, 4:19 p.m.

TRD-8904408

Wednesday, June 7, 1989, 4 p.m. The Education Committee will hold public hearing; approve minutes of September 15, 1988 meeting; hear arts education initiative oral report and fiscal year 1990 implementation plan; consider July/August 1989 development plan and other business.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: May 17, 1989, 4:19 p.m.

TRD-8904407

Thursday, June 8, 1989, 9 a.m. The By-Laws Committee will review by-laws.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: May 17, 1989, 4:19 p.m.

TRD-8904406

Thursday, June 8, 1989, 10 a.m. The com-

mission will hold public hearing; consider items for commission consent, individual consideration, and information only. The commission will also meet in executive session.

Contact: Betty J. Brown, P.O. Box 13406, Austin, Texas 78711, (512) 463-5535.

Filed: May 17, 1989, 4:19 p.m.

TRD-8904405



Texas School for the Blind

Thursday, June 1, 1989, 11 a.m. The Board of Trustees of the Texas School for the Blind will meet in the Superintendent Conference Room, 1100 West 45th Street, Austin. According to the agenda, the board will hold hearing for staff member for non-renewal of contract.

Contact: Cyral Miller, (512) 454-8631, ext. 233.

Filed: May 16, 1989, 1:57 p.m.

TRD-8904370

Thursday, June 1, 1989, 2 p.m. The Board of Trustees of the Texas School for the Blind will meet at 1100 West 45th Street, Austin. According to the agenda, the board will consider Curriculum Committee-curriculum issues, Personnel Committee-personnel issues, and Budget Committee-budget issues.

Contact: Cyral Miller, (512) 454-8631, ext. 233.

Filed: May 16, 1989, 1:57 p.m.

TRD-8904369

Thursday, June 1, 1989, 4 p.m. The Board of Trustees of the Texas School for the Blind will meet at 1100 West 45th Street, Austin. According to the agenda summary, the board will approve minutes of the March 23, 1989 meeting; hear audiences with individuals or committees wishing to make a report or request and report and presentation of business requiring board approval; consider business for informational purposes; hear report of special committees and report or discussion from board mem-

bers. The board will also meet in executive session.

Contact: Cyral Miller, (512) 454-8631, ext. 233.

Filed: May 16, 1989, 1:57 p.m.

TRD-8904368

Texas Commission for the Deaf

Saturday, May 20, 1989, 9 a.m. The Board for Evaluation of Interpreters (BEI) of the Texas Commission for the Deaf met in emergency session in the Conference Room, 510 South Congress Avenue, Austin. According to the agenda, the board approved previous minutes; held public comments; discussed new rules proposal, BEI budget, developed ethical guidelines for BEI members, direct advisors, and evaluators, BEI calendar-evaluations, board meetings, and training, materials development, and legislative update. An executive session discussed personnel matters, filling vacancies on the Advisory Committee, and reviewed certificate recommendations, evaluations, and revocations. Final items were voting on recommendations, election of chairperson, staff report, and chairperson's report. The emergency status was necessary because already scheduled meeting had typographical error caught by personnel too late and filed by deadline. Airline arrangements already made for meeting.

Contact: Larry D. Evans, 510 South Congress Avenue, Suite 300, Austin, Texas 78704, (512) 469-9891.

Filed: May 17, 1989, 11:49 a.m.

TRD-8904390

Texas Education Agency

Wednesday and Thursday, May 24 and 25, 1989, 8:30 a.m., daily. The Master Teacher Appraisal Advisory Committee of the Texas Education Agency will meet in Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hold orientation and introduction of school district representatives; review of data from master teacher exploratory study; discussion regarding implementation plan for the master teacher pilot project; discussion of comments and suggestions from national experts; discuss master teacher appraisal system with respect to instrumentation, scoring, training, implementation, funding, data sources, and duties; finalize recommendations for presentation to the commissioner and the State Board of Education.

Contact: Lynda Haynes, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9327.

Filed: May 16, 1989, 2:20 p.m.

TRD-8904372

Texas Employment Commission

Wednesday, May 24, 1989, 8:30 a.m. The Texas Employment Commission will meet in Room 644, TEC Building, 101 East 15th Street, Austin. According to the agenda summary, the commission will consider prior meeting notes; executive session on Texas Chapter of National Staff Leasing Association, et al. v. Mary Scott Nabers, et al. and Mary B. Freed and Tighe H. Freed v. Thriekield F. Thompson and the Texas Employment Commission; actions, if any, resulting from executive session; consider publication of rule regarding staff leasing industry; internal procedures of commission appeals; consider action on tax liability cases and higher level appeals in unemployment compensation cases listed on commission docket 21; and set date of next meeting.

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

Filed: May 16, 1989, 3:18 p.m.

TRD-8904377

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

The Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids will meet at Howard Johnson's South Plaza Hotel, 3401 South IH-35, Austin. Dates, times, and agendas follow.

Thursday, June 1, 1989, 10 a.m. The Examination Committee will review and revise state examination.

Contact: Wanda F. Stewart, 4800 North Lamar Boulevard, Suite 150, Austin, Texas, (512) 459-1488.

Filed: May 17, 1989, 12:32 p.m.

TRD-8904393

Thursday, June 1, 1989, 4:30 p.m. The Organization Committee will establish a rule that relates to the actual placing of a hearing aid on an individual.

Contact: Wanda F. Stewart, 4800 North Lamar Boulevard, Suite 150, Austin, Texas, (512) 459-1488.

Filed: May 17, 1989, 12:32 p.m.

TRD-8904392

Thursday and Friday, June 1 and 2, 1989, 7 p.m. and 8 a.m., respectively. The board will approve minutes of the February 25, 1989 meeting; consider board action on examination and appointment of Nominating Committee; hear committee reports,

executive director's report, president's report, and report on future meeting dates.

Contact: Wanda F. Stewart, 4800 North Lamar Boulevard, Suite 150, Austin, Texas, (512) 459-1488.

Filed: May 17, 1989, 12:32 p.m.

TRD-8904391

State Department of Highways and Public Transportation

Wednesday, May 24, 1989, 10 a.m. The State Highways and Public Transportation Commission of the State Department of Highways and Public Transportation will meet in Auditorium, Room 101 and 101-A, First Floor, Dewitt C. Greer State Highway Building, 11th and Brazos, Austin. According to the agenda summary, the commission consider presentations by the public for various highway, bridge, and F.M. road requests: Potter County; Bastrop County; and Scurry County. Upon completion of public hearings the commission will execute contract awards and routine minute orders. Consider decisions on presentations from public hearing dockets. Review staff reports relative to planning and construction programs and projects.

Contact: Lois Jean Turner, 11th and Brazos Streets, Room 203, Austin, Texas, (512) 463-8616.

Filed: May 16, 1989, 2:44 p.m.

TRD-8904373

Texas Housing Agency

The Texas Housing Agency will meet in Suite 300, Conference Room, 811 Barton Springs, Austin. Dates, times, and agendas follow.

Wednesday, May 24, 1989, 1 p.m. The Board of Directors will consider and possibly act on the following items: minutes; consent agenda items, including MIS quarterly reports, quarterly financial statements, south Texas rental housing revenue bonds report, legal matters information report, capital asset expenditures, computers and phones, EDP conversion, housing proposals, Jack Mullins report, HRC quarterly report, and Housing Resource Center Advisory Council; RFP for REO contractors; San Jacinto Gardens; low income tax credit applications; restructuring 1984A and 1984B single family bond issues; report on 1982 loans to lenders program; remarketing of 1988A and new refunding issue 1989B under the residential mortgage revenue bond indenture; real estate taxes; Phase II of the statewide housing study; legislation report; Advisory Committee structure; indoctrination of new board members; staff positions; signature authority; and while in

executive session discuss personnel and litigation matters.

Contact: Timothy R. Kenny, P.O. Box 13941, Austin, Texas 78711, (512) 474-2974.

Filed: May 16, 1989, 4:39 p.m.

TRD-8904384

Thursday, May 25, 1989, 8 a.m. The Planning and Legislative Committee will consider and possibly act on the following items: approval of minutes; review process for low income tax credit applications; status report on legislation for extension of tax credit program beyond December 31, 1989; 1989 allocation request chart; applications for the 1989 low income tax credit program; requests for commitment extensions.

Contact: Timothy R. Kenny, P.O. Box 13941, Austin, Texas 78711, (512) 474-2974.

Filed: May 16, 1989, 4:39 p.m.

TRD-8904385

State Board of Insurance

The State Board of Insurance will meet at 1110 San Jacinto, Austin. Dates, times, rooms, and agendas follow.

Friday, May 26, 1989, 9 a.m. The Commissioner's Hearing Section will meet in Room 353, to consider Docket 10365-Whether disciplinary action should be taken against William Harry Stein, Greendale, Wisconsin, who holds a group I, legal reserve life insurance agent's license issued by the board.

Contact: O.A. Cassity, III, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: May 16, 1989, 3:49 p.m.

TRD-8904380

Friday, May 26, 1989, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 353, to consider Docket 10353-Renewal application of Jesse Woodrow Martin, Sr., Fort Worth, for a group II, health and accident insurance agent's license.

Contact: Will McCann, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: May 16, 1989, 3:49 p.m.

TRD-8904382

Friday, May 26, 1989, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 442, to consider Docket 10357-Whether disciplinary action should be taken against Mason Wilkins Fields, Jr. doing business as Fields Associates Insurance Agency, San Antonio, who holds a group II, life, health, and accident insurance agent's license, a group I, legal reserve life insur-

ance agent's license and a local recording agent's license.

Contact: Wendy L. Ingham, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: May 16, 1989, 3:49 p.m.

TRD-8904381

Texas Board of Pardons and Paroles

Wednesday, May 17, 1989, 3 p.m. The Board of Pardons and Paroles met in emergency session at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board discussed the pre-parole transfer program and the award of contracts for additional PPT facility beds. The emergency status was necessary because the overcrowded conditions of county jails and TDC population necessitates immediate action on this item.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2749.

Filed: May 17, 1989, 12:44 p.m.

TRD-8904394

Texas Parks and Wildlife Department

Thursday, May 25, 1989, 10 a.m. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet in Complex B, Parks and Wildlife Headquarters, 4200 Smith School Road, Austin. According to the agenda, the commission will consider stocking program.

Contact: Charles D. Travis, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4802.

Filed: May 17, 1989, 1:56 p.m.

TRD-8904395

Texas Public Finance Authority

Thursday, May 18, 1989, 10:30 a.m. The Texas Public Finance Authority submitted an emergency revised agenda for a meeting held at 402 Central Services Building, 1711 San Jacinto, Austin. According to the agenda summary, the authority will approved minutes of the previous meeting; considered resolution, resolution concerning investment of bond proceeds, and sales of bonds; discussed and acted on pertaining to buy versus build option in relation to outstanding series 1987 revenue bond documents; and considered budget reports and related matters. The emergency status was necessary because of decision by SPGSC to purchase facilities in lieu of construction

and related time constraints.

Contact: Julie Jones, 201 East 14th Street, Austin, Texas (512) 463-5544.

Filed: May 16, 1989, 1:41 p.m.

TRD-8904367

Public Utility Commission of Texas

The Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. Dates, times, and agendas follow.

Wednesday, May 24, 1989, 9 a.m. The commission will consider dockets 8593, 8484, and 8724P. The commission will consider the staff's report on status of investigation into effects of Tax Reform Act on utility rates, related to Docket 8644/Projects 8698 and 7559. The commissioners will also consider §§23.28, 23.23, 21.22, 23.27, 23.31 and 23.22.

Contact: Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 16, 1989, 2:43 p.m.

TRD-8904375

Wednesday, May 24, 1989, 2 p.m. The Administrative Division will discuss: budget and fiscal matters including status of lease on commission offices; report on agency matters relating to 71st legislative session; in-house continuing legal education seminars; interim appeals, motions for rehearing, and balloting process, procedural rule for placing items on meetings; report on §42; electric utility fuel reconciliation proceedings; report on S. 46 and HR 681; federal acid rain legislation and possible letter to Texas congressional delegation; automated mapping system; staff recommendation of auditor and expert witness for prudence review of the Comanche Peak nuclear power plant; management audit of Coleman County Electric Cooperative; report on nuclear power plant decommissioning funds; staff proposal to issue request for proposals for a management audit of West Texas Utilities; approval of TECA expenses relating to universal service fund; annual financial report by all utilities regulated by the commission; staff recommendation for Wheeling Task Force membership; adjournment for executive session to consider litigation and personnel matters and report on attorney general's inquiry into Ernst and Whinney contract; reconvene for discussion and decisions on matters considered in executive session.

Contact: Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 16, 1989, 2:43 p.m.

TRD-8904374

Thursday, June 22, 1989, 1:30 p.m. The Hearings Division will consider Docket 8631-Complaint of Michael Schaeffer against Houston Lighting and Power Company regarding the sufficiency of security deposit.

Contact: Phillip A. Holder, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: May 16, 1989, 2:42 p.m.

TRD-8904376

Texas Racing Commission

Monday, May 22, 1989, 8 a.m. The Texas Racing Commission met in emergency session in the Training Academy Auditorium, 5805 North Lamar Boulevard, Austin. According to the agenda, the commission conducted a public administrative hearing on the application of Del Rio Downs, Inc. for class 2 pari-mutuel racetrack license and vote on the application. The emergency status was necessary to expedite the receipt of state revenue from pari-mutuel wagering by completing hearing no class 2 horse racetrack applications.

Contact: Paula Cochran Carter, 400 West 15th Street, Austin, Texas 78701, (512) 476-7223.

Filed: May 16, 1989, 1:13 p.m.

TRD-8904362

Monday, May 22, 1989, 10:30 a.m. The Texas Racing Commission submitted an emergency revised agenda for a meeting held in the Training Academy Auditorium, 5805 North Lamar Boulevard, Austin. According to the agenda, the commission approved minutes; considered official breed registry for Appaloosa horses, presentation by Ken Campbell, Texas Appaloosa Horse Club and vote to designate Texas Appaloosa Horse Club as the official breed registry; considered resolution delegating certain duties to the executive secretary and vote; considered registration of Las Palms Downs as a nonpari-mutuel racetrack and vote; considered application forms for occupational licenses and vote to approve; voted to proposed amendments to §§301.1, 303.151, 303.154, 305.6, 305.13, 305.33, 309.12, 309.56 in the *Texas Register* for publication; voted to proposed new §§309.32, 305.35, 309.66, 319.131 in the *Texas Register* for publication; voted to propose Chapter 311, Subchapter C and Chapter 321 for publication in the *Texas Register*; voted to repeal §305.34. To expedite the receipt of state revenue from pari-mutuel wagering by ensuring that all rules necessary for pari-mutuel horse racing are proposed and adopted before September 1, 1989.

Contact: Paula Cochran Carter, 400 West 15th Street, Austin, Texas 78701, (512) 476-7223.

Filed: May 16, 1989, 1:13 p.m.

TRD-8904363

Texas Rehabilitation Commission

Friday, June 2, 1989, 9:30 a.m. The Texas Planning Council for Developmental Disabilities of the Texas Rehabilitation Commission will meet in Salons A, B, and C, Austin Marriott at the Capitol, 701 East 11th Street, Austin. According to the agenda, the council will hear public comments; approve minutes of the previous meeting; hear 1990 report task force report, Planning and Evaluation Committee report, Advocacy and Public Information Committee report, Executive Committee report, chairman's report, executive director's report, and announcements.

Contact: Diane Miller, 118 East Riverside Drive, Austin, Texas 78704, (512) 445-8044.

Filed: May 16, 1989, 3:53 p.m.

TRD-8904379

Texas Rural Communities

Thursday, June 1, 1989, 9 a.m. The Board of Directors of the Texas Rural Communities will meet at 314 Highland Mall Boulevard, Austin. According to the agenda summary, the board will approve minutes of the previous meeting; hear TRC office report; consider and take action on employment of audit firm to perform 1988-1989 audit; hear report and presentation from COSTEP; review and approve 1989-1990 administrative budget; hear Loan Policy Formation Committee report, Loan Committee report, NARRC Host Committee report, Grant Committee report, and Nominating Committee report; and set date of next meeting. The board will also meet in executive session.

Contact: Leslie Janca, 314 Highland Mall Boulevard, Suite 103, Austin, Texas 78752.

Filed: May 16, 1989, 1:25 p.m.

TRD-8904366

Texas A&M University System

Friday, May 19, 1989, 2 p.m. The Audit Committee of the Texas A&M University System met in emergency session in the MSC Annex, Texas A&M University, College Station. According to the agenda, the committee met with members of the state auditor's staff for an exit conference on the audit of Texas A&M University System. The emergency status was necessary because of need to meet with state auditor staff before the regents May board meeting.

Contact: Vickie Burt, Texas A&M University System, College Station, Texas 77843, (409) 845-9603.

Filed: May 17, 1989, 10:26 a.m.

TRD-8904411

Texas Water Commission

Thursday, June 8, 1989, 10 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will determine whether a temporary order should be issued to the City of Harlingen, P.O. Box 1950, Harlingen, Texas 78551. The temporary order, if issued, would authorize discharge of a cumulative maximum of seven dry tons per acre of digested sludge from the city's wastewater treatment plants 1 and 2. The temporary sludge injection site consists of approximately 6.9 acres of city-owned land which is adjacent to the city's wastewater treatment plant 2, approximately 2.5 miles east of the intersection of 15th Street and East Harrison Avenue (FM 106) and south of Harrison Avenue in the City of Harlingen, Cameron County. The temporary order shall terminate 180 days after the date the permit is issued or upon authorization for disposal under amendments to permit 10490-02 and 10490-03, whichever occurs first.

Contact: Sharon J. Smith, P.O. Box 13087, Austin, Texas 78711, (512) 463-8069.

Filed: May 17, 1989, 11:29 a.m.

TRD-8904396

Regional Meetings

Meetings Filed May 16, 1989

The Brazos River Authority, Board of Directors, met in the Lunar Room, East Tower, Hyatt Regency Hotel, Dallas-Fort Worth, on May 22, 1989, at 11 a.m. Information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76714-7555, (817) 776-1441.

The Edwards County Appraisal District, Appraisal Review Board, will meet at the New County Annex Building, Rocksprings, on May 26, 1989, at 9 a.m. Information may be obtained from Natalie McNealy, P.O. Box 378, Rocksprings, Texas 79880, (512) 683-4189.

The Edwards Underground Water District, Board of Directors, met at 1615 North St. Mary's, San Antonio, on May 19, 1989, at 4 p.m. Information may be obtained from Gordon M. Clarke, 1615 North St. Mary's, San Antonio, Texas 78212, (512) 222-2204.

The Lubbock Regional MHMR Center, Board of Trustees, met in the Boardroom, 3801 Avenue J, Lubbock, on May 22, 1989, at 11:30 a.m. Information may be obtained from Gene Menefee, 1210 Texas Avenue,

Lubbock, Texas 79401, (806) 766-0202.

The Swisher County Appraisal District, Appraisal Review Board, will meet at 130 North Armstrong, Tulia, on May 23, 1989, at 11 a.m. Information may be obtained from Rose Lea Powell, P.O. Box 83, Tulia, Texas 79088, (806) 995-4118.

TRD-8904352

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Meetings Filed May 17, 1989

The Ark-Tex Council of Governments, Executive Committee, will meet in the Mount Pleasant Country Club, Mount Pleasant, on May 25, 1989, at 5:30 p.m. Information may be obtained from Susan J. Rice, P.O. Box 5307, Texarkana, Texas 75505, (214) 832-8636.

The Austin-Travis County MHMR Center, Operation and Planning Committee, met in Room 500, 611 South Congress Avenue, Austin, on May 19, 1989, at 7:30 a.m. Information may be obtained from Sharon Taylor, 611 South Congress Avenue, Austin, Texas 78740, (512) 447-4141.

The Bexar Appraisal District, Board of Directors, met at 535 South Main, San Antonio, on May 19, 1989, at 5 p.m. Information may be obtained from Walter Stoneham, 535 South Main, San Antonio, Texas 78204, (512) 224-8511.

The Deep East Texas Regional MHMR Services, Board of Trustees, will meet in the Ward R. Burke Community Room, Administration Facility, 4101 South Medford Drive, Lufkin, on May 23, 1989, at 4 p.m. Information may be obtained from Jim McDermott, 4101 South Medford Drive, Lufkin, Texas 75901.

The Education Service Center, Region XII, Board of Directors, will meet at Elite Cafe, 2132 South Valley Mills, Waco, on June 1, 1989, at 7:30 p.m. Information may be obtained from Weldon O. Mills, P.O. Box 1249, Waco, Texas 76703-1249, (817) 756-7494.

The South Texas Private Industry Council, will meet at Highway 85 and 10th Street, Zapata, on May 25, 1989, at 4 p.m. Information may be obtained from Ruben M. Garcia, P.O. Box 1757, Laredo, Texas 78044-1757.

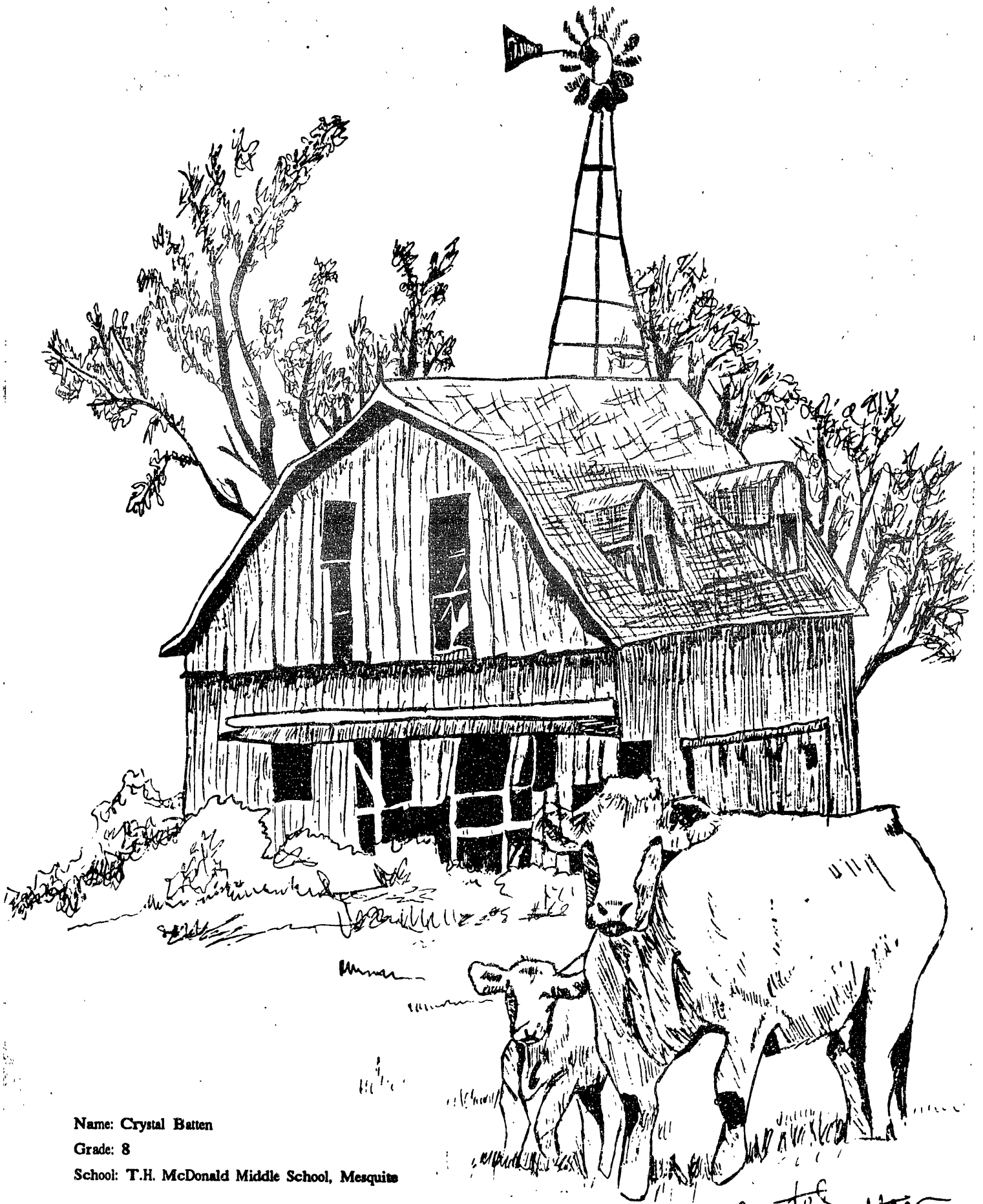
The Upper Leon River Municipal River Water District, Board of Directors, will meet at the General Office of the Filter Plant, Proctor Lake, Comanche County, on May 25, 1989, at 6:30 p.m. Information may be obtained from Gary D. Lacy, P.O. Box 67, Comanche, Texas 76442, (817) 879-2258.

TRD-8904386

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Meeting Filed May 18, 1989

The North Central Texas Council of Governments, Executive Board will meet on the Second Floor, Centerpoint Two, 616 Six Flags Drive, Arlington, on May 25, 1989, at 12:45 p.m. Information may be obtained from Edwina J. Shires, P.O. Drawer COG, Arlington, Texas 76005-5888, (817) 640-3300.

TRD-8904409



Name: Crystal Batten

Grade: 8

School: T.H. McDonald Middle School, Mesquite

In Addition

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

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

Texas Department of Banking Notice of Application

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

On May 15, 1989, the banking commissioner received an application to acquire control of Unicorp Bancshares-Texas, Inc., Orange, by Joseph A. Burke, Peter F. Cloeren, Jr., Anton Dal Sasso, Michael Lucia, Lew C. Sheffler, William P. Sterling, Jr., Carlos R. Vacek, and Earl C. Wrights, Jr., all of Orange, and May Lou Mott of Beaumont.

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

Issued in Austin, Texas on May 15, 1989.

TRD-8904383 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: May 16, 1989

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



Texas Department of Commerce

Weekly Reports on the 1989 Allocation of the State Ceiling on Certain Private Activity Bonds

The Tax Reform Act of 1986 (the Tax Act) imposes a volume ceiling on the aggregate principal amount of private activity bonds that may be issued within the State of Texas during any calendar year. The state ceiling for Texas, imposed by the Tax Act for calendar year 1989 is \$839,250,000.

State legislation, Texas Civil Statutes, Article 5190.9(a) (the Act), established the allocation process for the State of Texas. The Act specifies that one-third of the state ceiling is to be made available to qualified mortgage bonds and of that one-third, one-third is available to the Texas Housing Agency. One-fourth of the state ceiling is available to state-voted issues, and the balance of the state ceiling is available for all other issuers of bonds requiring an allocation.

Pursuant to the Act, the aggregate amount for qualified mortgage bond subceiling is \$279,750,000 with \$186,500,000 available to the local housing authorities and \$93,250,000 available to the Texas Housing Agency. The aggregate amount for state-voted issues is \$209,812,500 and the amount for all other bonds requiring an allocation is \$349,687,500.

Generally, the state ceiling is allocated on a first-come, first-served basis, with the Texas Department of Commerce (the department) administering the allocation system.

The information that follows is a weekly report of the allocation activity for the period, May 1, 1989-May 5, 1989.

Weekly Report on the 1989 Allocation of the State Ceiling on Certain Private Activity Bonds as Pursuant to Texas Civil Statutes, Article 5190.9(a).

Total amount of state ceiling remaining unreserved for the \$279,750,000 subceiling for qualified mortgage bonds under the Act as of May 5, 1989: \$93,251,166.

Total amount of state ceiling remaining unreserved for the \$209,812,500 subceiling for state-voted issues under the Act as of May 5, 1989: \$164,812,500.

Total amount of state ceiling remaining unreserved for the \$349,687,500 subceiling for all other bonds under the Act as of May 5, 1989: \$2,500.

Total amount of the \$839,250,000 state ceiling remaining unreserved as of May 5, 1989: \$258,066,166.

Comprehensive listing of bond issues which have received a reservation date pursuant to the Act from May 1, 1989-May 5, 1989: none.

Comprehensive listing of bonds issued and delivered as pursuant to the Act from May 1, 1989-May 5, 1989: none.

Issued in Austin, Texas on May 9, 1989.

TRD-8904378 J. William Lauderback
Executive Director
Texas Department of Commerce

Filed: May 16, 1989

For further information, please call (512) 472-5059



The Tax Reform Act of 1986 (the Tax Act) imposes a volume ceiling on the aggregate principal amount of private activity bonds that may be issued within the State of Texas during any calendar year. The state ceiling for Texas, imposed by the Tax Act for calendar year 1989 is \$839,250,000.

State legislation, Texas Civil Statutes, Article 5190.9(a) (the Act), established the allocation process for the State of Texas. The Act specifies that one-third of the state ceiling is to be made available to qualified mortgage bonds and of that one-third, one-third is available to the Texas Housing Agency. One-fourth of the state ceiling is available to state-voted issues, and the balance of the state ceiling is available for all other issuers of bonds requiring an allocation.

Pursuant to the Act, the aggregate amount for qualified mortgage bond subceiling is \$279,750,000 with \$186,500,000 available to the local housing authorities and \$93,250,000 available to the Texas Housing Agency. The

aggregate amount for state-voted issues if \$209,812,500 and the amount for all other bonds requiring an allocation is \$349,687,500.

Generally, the state ceiling is allocated on a first-come, first-served basis, with the Texas Department of Commerce (the department) administering the allocation system.

The information that follows is a weekly report of the allocation activity for the period, May 8, 1989-May 12, 1989.

Weekly Report on the 1989 Allocation of the State Ceiling on Certain Private Activity Bonds as Pursuant to Texas Civil Statutes, Article 5190.9(a).

Total amount of state ceiling remaining unreserved for the \$279,750,000 subceiling for qualified mortgage bonds under the Act as of May 12, 1989: \$93,251,166.

Total amount of state ceiling remaining unreserved for the \$209,812,500 subceiling for state-voted issues under the Act as of May 12, 1989: \$164,812,500.

Total amount of state ceiling remaining unreserved for the \$349,687,500 subceiling for all other bonds under the Act as of May 12, 1989: \$2,500.

Total amount of the \$839,250,000 state ceiling remaining unreserved as of May 12, 1989: \$258,066,166.

Comprehensive listing of bond issues which have received a reservation date pursuant to the Act from May 8, 1989-May 12, 1989: none.

Comprehensive listing of bonds issued and delivered as pursuant to the Act from May 8, 1989-May 12, 1989: none.

Issued in Austin, Texas on May 15, 1989.

TRD-8904381 J. William Lauderback
Executive Director
Texas Department of Commerce

Filed: May 16, 1989

For further information, please call (512) 472-5059

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**Texas Education Agency
Request for Applications**

The Texas Education Agency is requesting applications for the following adult education special project grants funded under the Adult Education Act, §353, Public Law 91-230, as amended.

Approved adult education programs are the primary eligible applicants for these projects and will receive priority. In the event, however, that an adult education program does not wish to apply for a project, other public school entities, independent school districts, education service centers, and public colleges and universities within the adult education program's boundaries may apply independently by providing assurances of coordination with the approved adult education program and that duplication of services will not occur.

1. Family literacy implementation projects (two projects)—The generational effects of illiteracy are well documented. Parental literacy behaviors influence children's school achievement, school attendance, motivation, self-concept, and behavior. Because parents who have not mastered the basic skills cannot model appropriate literacy behaviors or pass on to their children the attitudes and abilities involved in literacy, family literacy programs

attempt to break the cycle of intergenerational illiteracy by focusing on the entire family unit.

This project will allow "seed money" for the implementation of a family literacy program for educationally disadvantaged parents focused on improving literacy behaviors in the home. The implementation will consist of integrating basic skills and parenting skills so that parent's educational achievement can serve as a model for their children.

Two projects will be funded. The cost of each will not exceed \$43,000.

2. Workplace literacy partnership demonstration projects (two projects)—The current economic difficulties of the State of Texas have proven that it can no longer depend upon the agriculture and oil and gas industries to keep the state solvent and to provide sufficient jobs for undereducated workers. To re-tool and diversify, Texas must rely on solid educational backgrounds of its workers. Yet, the state faces a rate of 36% of its adult populace with less than 12 years of school completed and 18% with less than nine years of school completed. Today, in Texas, more than one-third of the high school population does not graduate. Since almost 90% of the work force in 1990 and 75% of the work force in the year 2000 are in the work force today, one of the most crucial issues facing the state is the need to upgrade literacy skills in the workplace. In fact, more than 44% of the participants in the adult education program statewide are workers whose basic skills are substandard.

Although businesses and industries across the state are interested in upgrading the basic skills of their employees, resources for this kind of training in the private sector are often in short supply. Adult education programs, too, are constrained by lack of program funds to implement innovations. This project will allow "seed money" for implementation of workplace literacy partnerships between the public and private sectors and development of job-related basic skills curricula for adult literacy (grade equivalents 0-eight) and English skills for limited English proficient adults. Applicants will be required to describe the partnership and the specific project roles each partner will play in the project. A document indicating agreement to participate in the project from the partners must be included in the application.

Two projects will be funded. The cost of each project will not exceed \$49,000.

Application packets containing the application form and the project descriptions may be obtained from the Document Control Center, Texas Education Agency, 1701 North Congress Avenue, Room 6-108, Austin, Texas 78701, (512) 463-9304. Completed applications must be returned to the Document Control Center. Applications must be received or postmarked on or before June 30, 1989.

Criteria for evaluating applications are as follows: (1) budget; (2) program as it relates to goals and objectives, activities to achieve goals and objectives, personnel, capability of the institution, instructional plan, and population targeted; (3) coordination and cooperation as it relates to research of relevant providers, viability beyond the duration of the project, and coordination of services; (4) evaluation; and (5) value to adult education objectives.

For additional information regarding project descriptions, contact Dr. Deborah Stedman of the Division of Adult and Community Education Programs at the Texas Education Agency, (512) 463-9447.

Issued in Austin, Texas on May 16, 1989.

Filed: May 16, 1989

For further information, please call (512) 463-9212

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Texas Parks and Wildlife Department

1990 Texas Outdoor Recreation Plan

The Comprehensive Planning Branch, Parks Division, Texas Parks and Wildlife Department, will hold a public workshop to discuss the draft of the 1990 Texas Outdoor Recreation Plan State Summary in Sid Richardson Hall, Lyndon B. Johnson School of Public Affairs at the University of Texas, 2313 Red River, Austin. Dates, times, and agenda are: Friday, June 23, 1989: 2-7 p.m., registration (lobby outside LEJ Auditorium); 7-9 p.m., introduction and general session. Groups will be formed from those in attendance and these groups will begin discussion of the issues and problems contained in the draft of the 1990 Texas Outdoor Recreation Plan on Saturday as follows: Saturday, June 24, 1989: 8 a.m., the groups discuss the draft of the 1990 Texas Outdoor Recreation Plan State Summary; 2-5 p.m., general session reconvenes for group reports.

For further information, please contact Jim DeLoney, Comprehensive Planning Branch, Parks Division, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, (512) 389-4902.

Issued in Austin, Texas on May 16, 1989.

TRD-8904371 Charles D. Travis
Executive Director
Texas Parks and Wildlife Department

Filed: May 16, 1989

For further information, please call (512) 389-4805

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Texas Water Commission

Notice of Application for Waste Disposal Permit

Attached are Notices of Applications for waste disposal permits issued during the period of May 8-12, 1989.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester would be adversely affected by the granting of the application. If the commission determines that the request sets out an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 30 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 463-7905.

Applications for Waste Disposal Permits Week Ending: May 12, 1989.

Channel Shipyard Company, Inc., Highlands; a barge cleaning facility; at 999 South Lynchburg Road, Harris County; 03059; new.

D and A Realty, Inc.; Laredo; a wastewater treatment facility; approximately 10 miles south-southwest of the intersection of U.S. Highway 83 and State Highway 359, approximately two miles west of U.S. Highway 83 in Webb county; 13475-01; new.

City of Fort Worth; North Fort Worth Alliance Airport facility; approximately 3/4 mile northwest of the intersection of Interstate Highway 35W and Keller-Haslet Road, Tarrant County; 03088; new.

Phillips 66 Company-Philtex Complex, Borger; a Class I hazardous/industrial solid waste storage facility; on State Spur 119, on a 79.017-acre tract of land about two miles northeast of Borger, Hutchinson County; HW50254, EPA Number TXD 0415167709; new.

Sterling Chemicals, Inc., Texas City Plant; a hazardous/industrial solid waste storage and processing facility; approximately 45 miles from Houston, on a 250-acre tract of land bordering Galveston Bay, in the southeast part of Texas City, Galveston County; HW50144, EPA Number TXD008079527; new.

Texas Smokehouse Foods, Inc., Lufkin; a meat smoking and packaging facility; approximately 0.5 mile east of FM 2680, at a point approximately 1.0 mile northeast of the intersection of FM 2680 and U.S. Highway 69, approximately 0.5 mile north of the city limits of the City of Lufkin, Angelina County; 03075; new.

United Independent School District, Laredo; a wastewater treatment facility for South Laredo Elementary School; directly east of U.S. Highway 83, at the end of Escuela Road and south of Espejo-Molino Road in Webb County; 13476-01; new.

E.I. Dupont de Nemours and Company, Sabine River Works, Orange; a petrochemical manufacturing plant; located on FM Road 1006, approximately three miles southwest of the City of Orange, Orange County; 00475; renewal.

City of Friendswood; Tower Estates wastewater treatment facility; approximately six miles south of the City of Friendswood and 240 yards west of the intersection of FM Road 528 and Dickinson Bayou in Galveston County; 10175-03; renewal.

Town of Refugio; a wastewater treatment facility; one mile east of U.S. Highway 77 and 3/4 mile south of FM Road 774, Refugio County; 10255-01; renewal.

City of Richmond; a wastewater treatment plant; at 304 Golfview Drive on the western bank of Rabbs Bayou and approximately 300 feet north of Golfview Drive in City of Richmond in Fort Bend County; 10258-02; renewal.

Spring Oaks Mobile Home Park, Inc., Spring; a wastewater treatment facility; located at 4200 Spring-Steubner Road, on the north side of Spring-Steubner Road, approximately 2 1/2 miles west of the intersection of Interstate Highway 45 and Spring-Steubner Road in Harris County; 12650-01; renewal.

Tex-Trac, Inc., Old River Bulk Handling Facility, Port Arthur; a petroleum coke storage yard; south of Smith Island and approximately 9,000 feet east of the intersection of Washington Boulevard and Highway 380, Jefferson County; 02692; renewal.

City of Yoakum; a wastewater treatment facility; located on the west side of Dunn Street and approximately one mile southwest of its intersection with State Highway 111

in the City of Yoakum, DeWitt County; 10463-01; renewal.

United States Department of the Army, III Corps and Fort Hood, Fort Hood; a vehicle cleaning and sewerage treatment facility; in the main cantonment area and near Belton Lake at Fort Hood, Bell and Coryell Counties; 02233; amendment.

Southwestern Barge Fleet Service, Inc., Highlands; a barge cleaning operation; at 18310 Market Street Road, Harris County; 02605; amendment.

Issued in Austin, Texas on May 12, 1989.

TRD-8904345

Brenda Foster
Chief Clerk
Texas Water Commission

Filed: May 15, 1989

For further information, please call (512) 463-7906



profiles

A Guide to Texas State Agencies

Texas Air Control Board

The Legislature created the Texas Air Control Board (TACB) in 1965 to set statewide air quality standards and control industrial emission levels. Since that time, the board's objectives have expanded to include development of a computerized monitoring network, enhanced investigation and enforcement, a new facilities permitting system, and research and data collection programs.

The Air Control Board is empowered by the Federal Clean Air Act and the Texas Clean Air Act. Composed of nine members, the board is appointed by the governor with the advice and consent of the Senate. Members of the board hold office for staggered terms of six years. The board must include a professional engineer with air pollution control experience, a licensed physician, a manufacturing or industrial facility manager, and an agricultural engineer.

The TACB Monitoring Program is composed of three divisions. The Ambient Monitoring Division supports operation and maintenance of air quality monitoring stations by the 12 TACB regional offices throughout the state. A network of mobile stations located near heavily populated or industrialized areas continuously measures concentrations of pollutants such as sulfur dioxide, ozone, nitrogen oxides, and carbon monoxide. The Quality Assurance Division certifies that data collected is accurate, complete, and representative. Regular data summaries are prepared and distributed to interested parties. The Sampling and Analysis Division tests organic and inorganic environmental samples for the presence of pollutants or their effects. Samples may include ambient air, airborne particulate matter, rain, soil and vegetation, fuels, hazardous waste, and pesticide residues.

The Enforcement Program requires owners and operators of any new source of air contaminants to obtain TACB construction and operation permits. Board approval is also required prior to any facility modification that may alter the character or quantity of pollution emissions. Operators must renew their permits every 15 years. The Permits Division evaluates applications according to industry type: chemical, combustion, or mechanical.

The Compliance Division monitors statewide compliance with agency regulations and the Texas Clean Air Act. Comprehensive surveillance activities are performed by the agency's 12 regional offices.

The Technical Support and Regulation Development Program supervises the state's air pollution control plan. The Control Strategy Division assesses ambient air quality, tracks statewide sources of air pollution, and develops regulations to correct and prevent environmental hazards. The Technical Services Division provides engineering support for agency operations and maintains a database of air pollution sources in Texas. The division also collects fees based on the industrial classification of each air pollution source.

The agency's Research Division was created in March 1984 to develop new monitoring and analysis techniques. That same year, the Effects Evaluation Section contracted research to create a biological test system that could detect adverse effects of exposure to complex mixtures of ambient air contaminants. The section also conducted the Gulf Coast Community Exposure Study to measure ambient concentrations of ten air pollutants and determine their effects. The Atmospheric Sciences Section evaluates the physical, chemical, and meteorological processes that affect air contaminant levels and patterns. It also develops and applies improved methods of analysis to detect air pollution sources. Currently, the section is concentrating on visible air pollution.

The Air Control Board maintains twelve regional offices throughout Texas. These facilities receive public complaints, perform investigations, document violations, and recommend enforcement actions. They also help review new source permits, collect field samples, operate air quality monitoring stations, and respond to emergency situations. Regional offices are located in Abilene, Lubbock, Waco, Harlingen, Corpus Christi, Odessa, Houston, Fort Worth, San Antonio, Beaumont, El Paso, and Tyler. The central office is located in Austin and may be reached at (512) 451-5711.

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