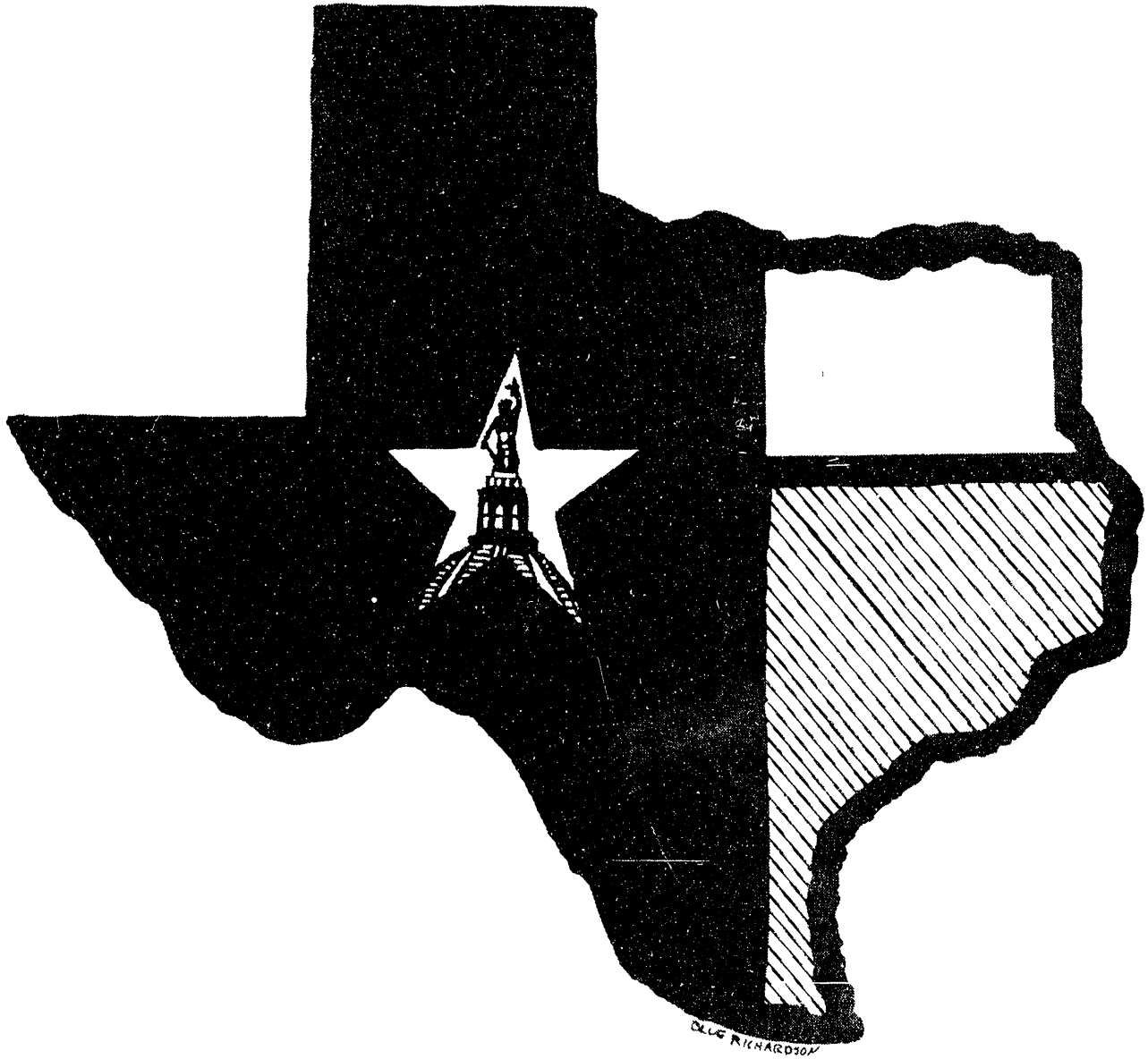


Texas Register

Volume 12, Number 32, April 28, 1987

Pages 1407-1427



Highlights

The **Railroad Commission of Texas** proposes an amendment concerning driver's daily log, eliminating the current exception to the requirement that all driver's keep a daily log on a Form BMC-59. Earliest possible date of adoption - May 29 **page 1412**

The **Texas Board of Private Investigators and Private Security Agencies** adopts the repeal of a sec-

tion concerning hearings, grievances, and appeals with regard to rules of procedure and seal. Effective date - May 11 . . . **page 1418**

The **School Land Board** adopts an amendment clarifying factors considered in granting interests in the surface estate of coastal public lands. Effective date - May 11 . . . **page 1418**

**Office of
the Secretary
of State**

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice each week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1987 with the exception of January 6, September 1, December 1, and December 29 by the Office of the Secretary of State.

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Information Available: The 10 sections of the *Register* represent various facets of state government. Documents contained within them include:

- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- State Ethics Advisory Commission—summaries of requests for opinions and opinions
- Attorney General—summaries of requests for opinions, opinions, and open records decisions
- Emergency Rules—rules adopted by state agencies on an emergency basis
- Proposed Rules—rules proposed for adoption
- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date
- Adopted Rules—rules 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 explanations 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: "12 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 12 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, 503E Sam Houston Building, Austin. Material can be found by using *Register* indexes, the *Texas Administrative Code*, rule 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 rule is designated by a TAC number. For example, in the citation 1 TAC §27.15:

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

TAC stands for the *Texas Administrative Code*;

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



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Emergency

Rules

An agency may adopt a new or amended rule, or repeal an existing rule on an emergency basis, if it determines that such action is necessary for the public health, safety, or welfare of this state. The rule 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 rules. New language added to an existing rule is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a rule.

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part IV. School Land Board Chapter 155. Land Resources Coastal Public Lands

★ 31 TAC §155.1

The School Land Board is renewing the effectiveness of the emergency adoption of amended §155.1 for a 60-day period effective April 20, 1987. The text of the amended §155.1 was originally published in the December 23, 1986, issue of the *Texas Register* (11 TexReg 5083).

Issued in Austin, Texas, on April 20, 1987.

TRD-8703439 Dan Miller
Deputy Commissioner
for Legal Services
School Land Board

Effective date. April 20, 1987
Expiration date. June 19, 1987
For further information, please call
(512) 463-5009.

★ ★ ★

★ 31 TAC §155.8

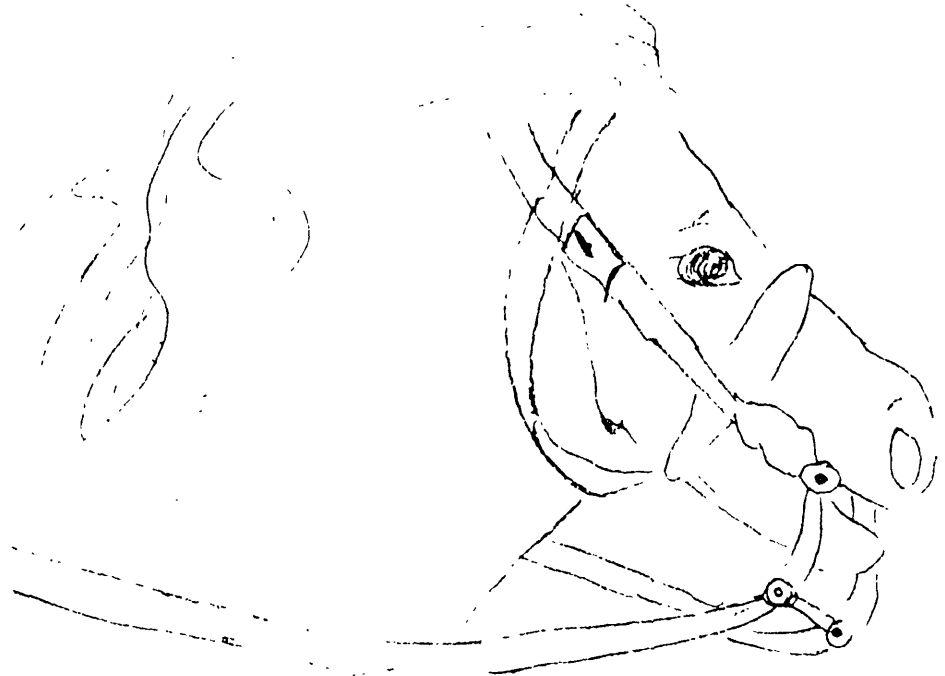
The School Land Board is renewing the effectiveness of the emergency adoption of amended §155.8 for a 60-day period effective April 20, 1987. The text of the amended §155.8 was originally published in the December 23, 1986, issue of the *Texas Register* (11 TexReg 5083).

Issued in Austin, Texas, on April 20, 1987.

TRD-8703440 Dan Miller
Deputy Commissioner
for Legal Services
School Land Board

Effective date. April 20, 1987
Expiration date. June 19, 1987
For further information, please call
(512) 463-5009.

★ ★ ★



Name: Mark Nieman
Grade: 6
School: Merriman Park Elementary,
Dallas

Proposed Rules

Before an agency may permanently adopt a new or amended rule, or repeal an existing rule, a proposal detailing the action must be published in the *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 rule. Also, in the case of substantive rules, 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 rule is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a rule.

TITLE 16. ECONOMIC REGULATION

Part I. Railroad

Commission of Texas

Chapter 5. Transportation Division

Subchapter K. Safety Requirements

★ 16 TAC §5.173

The Railroad Commission of Texas proposes an amendment to §5.173, concerning driver's daily log. The amendment eliminates the current exception to the requirement that all driver's keep a daily log on a Form BMC-59. This exception should be eliminated because it occasionally causes commission auditors difficulty in determining whether drivers have violated rules regarding maximum hours.

Ronald D. Stutes, hearings examiner, has determined that for the first five-year period the proposed section will be in effect there will be no fiscal implications for state and local government as a result of enforcing the amendment. The effect on small businesses will be an additional expense of approximately \$12 per year in 1988-1992 per driver. If the motor carrier is presently requiring its drivers to complete daily log books pursuant to regulations by the federal government of other states, the amendment will have no fiscal effect. The cost per driver will be the same for small businesses as for other members of the public required to follow the rule.

Mr. Stutes 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 more strict enforcement of rules regarding maximum hours, and the resultant increase in truck safety. The economic cost will be approximately \$12 per year in 1988-1992 per driver. If the motor carrier is presently using these forms pursuant to the regulations of other jurisdictions, however, there will be no economic cost to that carrier

Comments on the proposal may be submitted to Ronald D. Stutes, Hearings Examiner, P.O. Drawer 12967, Austin, Texas 78711-2967

The amendment is proposed under Texas Civil Statutes, Article 911b, which give the commission the duty to prescribe rules and regulations for the safety of operations of motor carriers.

§5.173. *Driver's Daily Log.*

(a) (No change.)

(b) All driver's logs shall be maintained by each motor carrier and motor bus company in accordance with Subchapter D of this chapter (relating to Maintenance, Preservation, and Destruction of Records). [With regard to transportation and services rendered exclusively in intrastate commerce subject only to regulations by the commission, other records may be made and maintained in lieu of Form BMC-59 so long as they reflect the following information as to all services performed by each driver:

- [(1) driver's name;
- [(2) truck number;
- [(3) trailer number;
- [(4) time on duty;
- [(5) loading time;
- [(6) unloading time; and
- [(7) remarks.]

(c)-(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 April 13, 1987.

TRD-8703393

Walter Earl Lillie
Special Counsel
Railroad Commission of
Texas

Earliest possible date of adoption:
May 29, 1987

For further information, please call
(512) 463-7149.

★ ★ ★



TITLE 19. EDUCATION

Part II. Texas Education

Agency

Chapter 75. Curriculum

Subchapter H. Promotion and

Alternatives to Social

Promotion

★ 19 TAC §75.195

The Texas Education Agency proposes an amendment to §75.195, concerning alternatives to social promotion. The amendment adds alternatives for at risk students and criteria for identification of at risk students in grades seven-12. The new subsections require districts, by September 1, 1988, to adopt policies designed to retain students in school, in a setting that maintains academic standards. Districts must have a plan to identify and serve students at risk of failing or dropping out. Each school campus (with the optional exception of campuses with an annual dropout rate of 5.0% or less) must have a campus plan, which provides for the review of individual student data and the development of an individual profile for each at risk student. The section also sets out criteria for identification of at risk students. Changes in subsections (a)-(f) are editorial only.

Lynn M. Moak, deputy commissioner for research and information, has determined that for the first five-year period the proposed section will be in effect there will be no fiscal implications for state government as a result of enforcing or administering the section. There may be fiscal implications for local school districts which hire additional staff to implement the section; however, such hiring is not specifically required by the amendment and costs cannot be determined. There will be no fiscal implications for small businesses as a result of enforcing or administering the section.

Mr. Moak and Dr. Beverly Bardsley, director for policy development, have determined that for each year of the first five years the proposed section is in effect the public benefit anticipated as a result of enforcing the section will be that students at risk of failing or dropping out of school will be identified and assisted and the Texas dropout rate will be reduced. This is

one of the objectives of the State Board of Education long-range plan. 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 Dr. Beverly Bardsley, Director for Policy Development, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9682. All requests for a public hearing on proposed sections submitted in accordance with Administrative Procedure and *Texas Register* Act must be received by the commissioner of education not more than 15 calendar days after notice of a proposed change in sections has been published in the *Texas Register*.

The amendment is proposed under the Texas Education Code, §11.26, which directs, the State Board of Education to establish goals for the public school system and adopt and promote plans for meeting these goals; and the Texas Education Code, §21.721, which directs the State Board of Education to adopt rules prescribing alternatives to social promotion.

§75.195. Alternatives to Social Promotion.

(a) (No change.)

(b) Students in grades one-eight who fail to meet the requirements for promotion in subsection (a) of this section shall be retained or provided alternative programs. Districts are encouraged to place students in alternative programs immediately upon ascertaining that such students are performing below a level that will permit them to meet requirements for promotion. Districts are encouraged to provide parents with suggestions for helping students at home. For students retained or placed in alternative programs, district procedures shall include the following components:

(1) (No change.)

(2) determination of [which] alternative program or programs delineated in local school district policies which shall be utilized for each student;

(3)-(6) (No change.)

(c) Students who have been retained or placed in alternative programs and who still fall two years or more below grade level in reading or mathematics or both shall be placed in an alternative program providing intensive remediation designed for rapid progress in language arts, reading, and mathematics. Time and **subject** [subjects] requirements as provided in §75.141 of this title (relating to Description of a Well-Balanced Elementary Curriculum) and in §75.142 of this title (relating to Description of a Well-Balanced Secondary Curriculum) may be adjusted for other subjects. School district policies shall include specific criteria for entry into high school courses to ensure that students in need of remedial instruction are placed in appropriate courses and that all students are placed in academically challenging courses.

(d)-(f) (No change.)

(g) **By September 1, 1988, each school**

district board of trustees shall adopt policies designed to retain students in a school setting that maintains required academic standards. This policy shall designate the programs and services in the district that are available for at risk students in grades seven-12 and shall require the development of a plan for implementation. The plan shall consist of two parts: a district and campus plan or plans for grades seven-12.

(1) **The district plan.**

(A) **The district plan shall emphasize a comprehensive team approach, including the superintendent, principal, parent or guardian, teacher, student, community service provider, business representative, or others.**

(B) **The district plan shall include objectives designed to meet the identified needs of at risk students and to retain those students in school in accordance with the State Board of Education's long range plan for Texas public school education.**

(C) **The district plan shall be designed to use community resources that are available to serve at risk youth.**

(D) **The district plan shall provide for parental involvement such as participation in development of student academic plans and training programs for parents.**

(E) **The district plan may include alternatives as described in §75.164(c) of this title (relating to Experimental Courses, Magnet Programs, and Alternative School Programs).**

(F) **The district plan shall provide for annual evaluation with modifications as needed to address student needs and to increase the percentage of students remaining in school.**

(G) **The district plan may provide an exemption for campuses that have an annual dropout rate of 5.0% or less.**

(2) **The campus plan.**

(A) **The principal or his or her designee shall be responsible for the development, implementation, and evaluation of the campus plan.**

(B) **Each campus plan shall provide for the identification and assessment of students who are at risk of not graduating from high school based on criteria established in this subsection.**

(C) **The campus plan shall provide for the review of individual student data and the development of an individual profile of each at risk student.**

(D) **The campus plan shall provide for written notification to the parent or guardian of each at risk student that includes a description of programs or services available to assist the student.**

(E) **The campus plan shall provide for the delivery or the coordination of services and programs identified in the district plan for at risk students.**

(F) **The campus plan shall provide for monitoring of individual student progress and for intervention activities as**

needed to ensure that student needs are addressed.

(G) **The campus plan shall provide for the referral of students who drop out to programs such as adult basic education, Job Training Partnership Act programs, or other options.**

(H) **The campus plan shall provide for annual evaluation and modifications as needed to address student needs.**

(3) **Students in grades seven-12 who are below the age of 21 years and who meet one or more of the following conditions shall be identified as at risk:**

(A) **have not been promoted one or more times according to provisions in this section and are in the seventh or higher grade level;**

(B) **are two or more years below grade level in reading or mathematics;**

(C) **have failed at least two courses in one or more semesters and are not expected to graduate within four years of the time they entered the ninth grade; or**

(D) **have failed one or more of the reading, writing, or mathematics sections of the most recent TEAMS test beginning with the seventh grade.**

(4) **Youth who are not high school graduates, who are below the age of 21 years, and who are not currently enrolled in an educational program may be identified for recruitment into an alternative program.**

(5) **In addition to criteria outlined in this subsection, the district may consider environmental, familial, economic, social, developmental, and other psycho-social factors in determining services where such factors contribute to the student's inability to graduate from high school.**

(6) **Students placed in alternative education programs as described in this section must meet eligibility requirements in §97.113(c) and (d) of this title (relating to Student Absences for Extracurricular or Other Activities) and §75.169(b) of this title (relating to Award of Credit, Grades Nine-12) in order to participate in extracurricular activities.**

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 April 20, 1987.

TRD-8703453

W. N. Kirby
Commissioner of
Education

Proposed date of adoption:

June 13, 1987

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

★ ★ ★

Chapter 81. Instructional Resources
 Subchapter D. State Textbook Program
 General Provisions
 ★19 TAC §81.63

The Texas Education Agency proposes an amendment to §81.63, concerning materials available for use with textbooks. The amendment requires publication of an official list of supplementary instructional materials available for sale. Publishers are required to guarantee prices for such materials for the period of adoption of the textbook for which the materials are designed. It was the intent of the section that publishers of textbooks adopted for use in Texas would be required to submit for inclusion on the list of supplementary instructional materials designed for use with adopted textbooks. The amendment clarifies this intent by making the requirement explicit in subsection (a)(2).

Lynn M. Moak, deputy commissioner for research and information, has determined that for the first five-year period the proposed section will be in effect there will be fiscal implications for state or local government as a result of enforcing or administering the section. For the first five-year period the proposed section will be in effect, this change will have no effect on state spending. For the first five-year period the section will be in effect, this amendment clarifies the board rule concerning workbooks and requires that publishers must guarantee the price of workbooks at the lowest national price for six years. While there is no way to quantify them, it is anticipated that there will be savings to local districts. Actual savings cannot be determined. There will be no fiscal implications for small businesses as a result of enforcing or administering the section.

Mr. Moak and Dr. Beverly Bardsley, director for policy development, have 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 a possible ambiguity in requirements concerning materials for use with textbooks will have been removed from the sections. 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 Dr. Beverly Bardsley, Director for Policy Development, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9682. All requests for a public hearing on proposed sections submitted in accordance with the Administrative Procedure and Texas Register Act must be received by the commissioner of education not more than 15 calendar days after notice of a proposed change in sections has been published in the *Texas Register*.

The amendment is proposed under the Texas Education Code, §12.24, which authorizes the State Board of Education to make rules for the adoption of textbooks for use in public schools.

§81.63. *Materials Available For Use With Textbooks.*

(a) Materials available for sale.

(1) (No change.)

(2) Workbooks and other printed supplementary instructional materials designed for use with adopted textbooks (herein referred to as supplementary instructional materials) that are consumed in the teaching/learning process, that are not designed for reuse by students, and that are available for sale shall be subject to the requirements in this subsection. **Beginning with Proclamation 64 and each proclamation thereafter, all publishers with textbooks adopted by the State Board of Education shall cause to have included on the official list prescribed in this subsection all supplementary instructional materials designed for use with adopted textbooks.**

(A)-(F) (No change.)

(3) (No change.)

(b)-(c) (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 April 20, 1987.

TRD-8703454

W. N. Kirby
 Commissioner of
 Education

Proposed date of adoption:

June 13, 1987

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

★ ★ ★

TITLE 22. EXAMINING BOARDS

Part II. State Board of Barber Examiners

Chapter 51. Practice and Procedure

Barber Colleges, Schools, and Students

★22 TAC §51.27

The State Board of Barber Examiners proposes an amendment to §51.27, concerning deduction or increase of hours earned in a barber school or college. The amendment provides a time limit for use of such hours and a requirement that the student retake the complete barber course.

Jo King McCrorey, executive director, has determined that for the first five-year period the proposed section will be 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.

Ms. McCrorey 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 provision of services to consumers by barbers who have had recent training in the practice of barbering and use of up-to-date sanitation and sterilization procedures. The possible economic cost to individuals who are required to comply with the section as proposed will be tuition costs, which vary with each school from \$700 to \$1,500 for a nine-month course. There are also scholarships and various funding programs.

Comments on the proposal may be submitted to Jo King McCrorey, Executive Director, 1300 East Anderson Lane, C-275, Austin, Texas 78752.

The amendment is proposed under Texas Civil Statutes, Article 8407(a), §28(a), which provide the State Board of Barber Examiners with the authority to make and enforce rules and regulations necessary for the performance of its duties.

§51.27. *Deduction or Increase of Hours.* Hours of instruction that have been acquired by the student [may not be deducted or increased for any reason] **will expire if the student does not return to school to complete the course and successfully pass the state board examination within five years after the last date of attendance, and he will be required to take the complete course again.**

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 April 17, 1987.

TRD-8703402

Jo King McCrorey
 Executive Director
 State Board of Barber
 Examiners

Earliest possible date of adoption:

May 29, 1987

For further information, please call
 (512) 835-2040.

★ ★ ★

★22 TAC §51.59

The State Board of Barber Examiners proposes an amendment to §51.59, concerning the deadline for completing an examination. The amendment provides that a student must retake the entire examination and if the examination is failed again, another 12-month limit is provided.

Jo King McCrorey, executive director, has determined that for the first five-year period the proposed section will be 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.

Ms. McCrorey 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 provision of services to consumers by barbers who have had recent training in the practice of barbering and the use of up-to-date sanitation and sterilization procedures. The possible economic cost to individuals who are required to comply with the proposed section will be an examination fee of \$10 each year in 1988-1992.

Comments on the proposal may be submitted to Jo King McCrorey, Executive Director, 1300 East Anderson Lane, C-275, Austin, Texas 78752.

The amendment is proposed under Texas Civil Statutes, Article 8407(a), §28(a), which provide the State Board of Barber Examiners with the authority to make and enforce rules and regulations necessary for the performance of its duties.

§51.59. *Deadline for Completing Examination.* A student who has passed any part of the examination shall take the remainder of the examination within 12 months or thereafter shall be required to retake the entire examination, and student hours earned will expire if the student does not successfully pass the entire state board examination within one year from the date of the last time he failed the examination.

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 April 17, 1987.

TRD-8703401 Jo King McCrorey
Executive Director
State Board of Barber
Examiners

Earliest possible date of adoption:
May 29, 1987

For further information, please call
(512) 835-2040

★ ★ ★

★ 22 TAC §51.63

The State Board of Barber Examiners proposes an amendment to §51.63, concerning failure of examination. The amendment provides that a student must return to school after failing the written part of the examination.

Jo King McCrorey, executive director, has determined that for the first five-year period the proposed section will be 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.

Ms. McCrorey 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 provision of services to consumers by barbers who have better knowledge of skin and scalp disorders. The possible economic cost to individuals who are required to comply with the proposed section will be as follows. When more tuition is required, the costs vary from school to school. There are also scholarships and various funding programs.

Comments on the proposal may be submitted to Jo King McCrorey, Executive Director, 1300 East Anderson Lane, C-275, Austin, Texas 78752.

The amendment is proposed under Texas Civil Statutes, Article 8407(a), §28(a), which provide the State Board of Barber Examiners with the authority to make and enforce rules and regulations necessary for the performance of its duties.

§51.63. *Failure of Examination.*

(a) (No change.)

(b) If the examinee failed the practical part of the examination, he or she shall return to the barber school or college for further study on the practical, full time at 40 hours a week until the next examination. **If the examinee failed the written part of the examination, he or she shall return to barber school for further study of theory for one hour and 15 minutes on four days a week or one hour on five days a week until the next examination.**

(c)-(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 April 17, 1987.

TRD-8703400 Jo King McCrorey
Executive Director
State Board of Barber
Examiners

Earliest possible date of adoption:
May 29, 1987

For further information, please call
(512) 835-2040.

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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services Chapter 3. Income Assistance Services

The Texas Department of Human Services (DHS) proposes amendments to §§3.902, 3.1004, 3.1102, 3.2704, 3.2705, and 3.2802, concerning diverting of income in the Aid to Families with Dependent Children

(AFDC) Program, budgeting AFDC and Refugee Cash Assistance (RCA) Program payments in the Food Stamp Program, reporting changes in the AFDC Program, and food stamp monthly reporting exemptions.

The amendment to §3.902 cites AFDC final regulations released March 18, 1986, that clarify federal regulations about diverting income. There is no change in the state's current policy. The new regulations specify that states have options for diverting a person's income in certain situations, before applying the income to the AFDC unit. Because DHS' current policy is included in the options allowed by the revised federal regulations, DHS will continue using current policy.

The amendment to §3.1004 specifies that DHS always budgets AFDC and RCA benefits prospectively for determining food stamp eligibility and benefits. Current food stamp policy requires that DHS budget RCA payments retrospectively to determine food stamp benefits for the third and following months. The department is proposing to amend its food stamp rules so that RCA payments are always budgeted prospectively when determining food stamp eligibility and benefits. DHS received waiver approval from the Food and Nutrition Service allowing this policy change. DHS requested the waiver because it will allow food stamp cases with RCA benefits to be included in automated conversions and to be budgeted the same as AFDC, increasing consistency within the Food Stamp Program.

The amendments to §3.1102 and §3.2802 specify time limits for reporting changes in the AFDC Program. The justification for these amendments is to comply with federal regulations. Current AFDC policy states that AFDC households required to report changes on a monthly status report are not required to report changes within 10 days of the change. The department is proposing the amendments to state that households that are required to complete a monthly status report must also report changes within 10 days of the change. DHS is changing this policy to comply with federal regulations.

The amendments to §3.2704 and §3.2705 update federal regulation citations for monthly reporting exemptions for farm workers and households with elderly and disabled persons. The proposed changes have no effect on policy or procedure.

Brian Packard, associate commissioner for budget, planning, and economic analysis, has determined that for the first five-year period the proposed sections will be in effect there will be no fiscal implications for local governments or small businesses as a result of enforcing or administering the sections. The effect on state government for the first five-year period the proposed sections will be in effect is an estimated reduction in cost of

\$47,764 in fiscal year 1987; \$316,197 in fiscal year 1988; \$358,948 in fiscal year 1989; \$414,566 in fiscal year 1990; and \$435,369 in fiscal year 1991. There will be no fiscal implications for local government or small businesses as a result of enforcing or administering the sections.

Mr. Packard also has determined that for each year of the first five years the amendments are in effect the public benefits anticipated as a result of enforcing the proposed sections will be quicker AFDC eligibility determinations, correct budgeting of RCA payments in AFDC cases, conservation of limited state funds for those most in need of assistance, and correct citation of federal regulations concerning monthly reporting exemptions. There is no anticipated economic cost to individuals who are required to comply with the proposed sections.

Comments on the proposal may be submitted to Cathy Rossberg, Administrator, Policy Development Support Division-051, Texas Department of Human Services 222-E, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in the *Texas Register*.

Subchapter I. Income

★40 TAC §3.902

The amendment is proposed under the Human Resources Code, Title 2, Chapters 31 and 33, which provides the department with the authority to administer public assistance programs.

§3.902. Types.

(a) (No change.)

(b) Aid to families with dependent children. Exclusions from income for AFDC are:

(1) diverted income [for noncertified children]. DHS diverts **income as specified in 45 Code of Federal Regulations §233.20(a)(3)(ii)(C) for the following people living in the the home who are not applying for or receiving AFDC, and are not sanctioned for failing to comply with a program requirement [the legal parent's income for noncertified mutual children in stepparent cases.]:**

(A) **the individual with income;**

(B) **the individual's spouse;**

(C) **the individual's legally**

dependent children.

(2)-(13) (No change.)

(c)-(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 April 22, 1987.

TRD-8703465 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Proposed date of adoption:
July 1, 1987

For further information, please call
(512) 450-3766.

Subchapter J. Budgeting

★40 TAC §3.1004

The amendment is proposed under the Human Resources Code, Title 2, Chapters 31 and 33, which provides the department with the authority to administer public assistance programs.

§3.1004. Prospective-Retrospective Budgeting.

(a) DHS [DHR] uses a best estimate of the client's future income and circumstances to determine:

(1) eligibility for all months; and

(2) benefit amount for the first two months benefits are received.

(b) DHS [DHR] bases the amount of benefit received in the third and following payment months on the client's income and circumstances that existed two months before the payment month. **Exception: DHS always budgets AFDC and RCA benefits prospectively for determining food stamp eligibility and benefits.**

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 April 22, 1987.

TRD-8703464 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Proposed date of adoption:

July 1, 1987

For further information, please call
(512) 450-3766.

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Subchapter K. Employment Services

★40 TAC §3.1102

The amendment is proposed under the Human Resources Code, Title 2, Chapters 31 and 33, which provides the department with the authority to administer public assistance programs.

§3.1102. *Reporting Change in Status.* Aid to families with dependent children clients must report any changes that could affect employment services[. Monthly reporting clients include the change on their status report. All other must report] within 10 days of the 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 April 22, 1987.

TRD-8703463 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Proposed date of adoption:

July 1, 1987

For further information, please call
(512) 450-3766.

★ ★ ★

Subchapter AA. Special Households

★40 TAC §3.2704, §3.2705

The amendments are proposed under the Human Resources Code, Title 2, Chapters 31 and 33, which provides the department with the authority to administer public assistance programs.

§3.2704. *Elderly or Disabled Households.* DHS determines food stamp eligibility and benefits for elderly or disabled households according to the **following** requirements stipulated in 7 Code of Federal Regulations[, Title 7]:

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

(6) exemption from **monthly reporting/retrospective budgeting, §273.21(b)(2)** [status reporting, §273.21(b)(2)(B)].

§3.2705. *Farm Workers [Expedited Services].* **DHS determines food stamp eligibility and benefits** [DHR provides food stamp expedited services] for farm workers according to **the following** requirements stipulated in 7 Code of Federal Regulations [§273.10(e)(3)]:

(1) **expedited services, §273.10(e)(3);**

(2) **exemption from monthly reporting/retrospective budgeting, §273.21(b)(2).**

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 April 22, 1987

TRD-8703462 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Proposed date of adoption.

July 1, 1987

For further information, please call
(512) 450-3766

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Subchapter BB. Changes

★40 TAC §3.2802

The amendment is proposed under the Human Resources Code, Title 2, Chapters 31 and 33, which provides the department with the authority to administer public assistance programs.

§3.2802. *Time Limits for Reporting.*

(a) **Aid to Families with Dependent Children. Clients** [Nonmonthly reporters]

must report changes within 10 days after the household knows about the change.

(b) Food Stamps. Nonmonthly reporters must report changes within 10 days after they know about the change. **Monthly reporters must report changes on their status report and return the status report to DHS by the date indicated on the form.**

[(c) Monthly reporters must report changes on their status report and return the status report to DHR by the date indicated on the form.]

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 April 22, 1987.

TRD-8703466

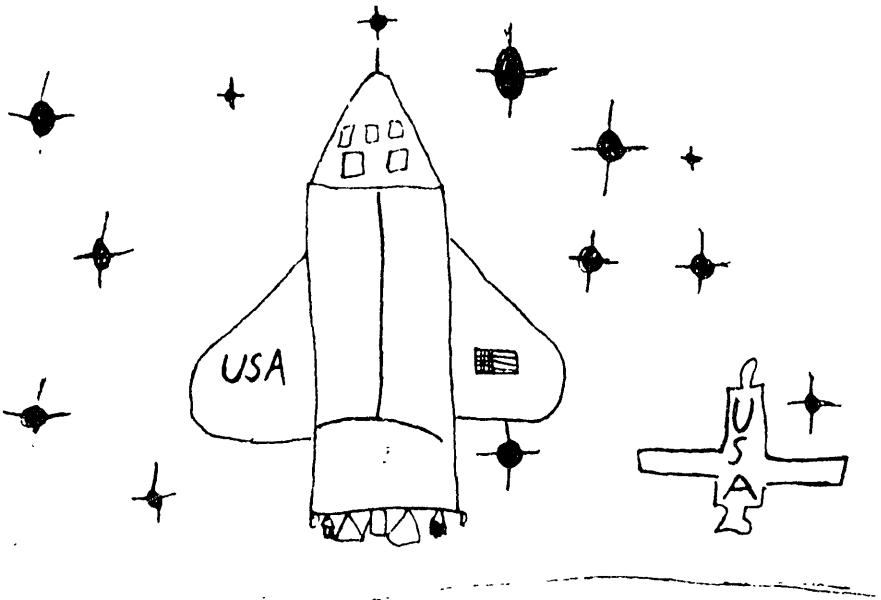
Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Proposed date of adoption:

July 1, 1987

For further information, please call
(512) 450-3766.

★ ★ ★



Name: Marcus Parker
Grade: 5
School: Merriman Park Elementary,
Dallas

Adopted

Rules

An agency may take final action on a rule 30 days after a proposal has been published in the *Register*. The rule 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 rule 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 rule with changes to the proposed text, the proposal will be republished with the changes.

TITLE 22. EXAMINING BOARDS

Part XX. Texas Board of
Private Investigators and
Private Security Agencies
Chapter 423. Rules of
Procedure and Seal
Hearings, Grievances, and
Appeals

★ 22 TAC §423.37

The Texas Board of Private Investigators and Private Security Agencies adopts the repeal of §423.37, without changes to the proposed text published in the October 21, 1986, issue of the *Texas Register* (11 TexReg 4330).

The repeal is adopted to allow a new §423.37 to be adopted.

No comments were received regarding adoption of the repeal.

The repeal is adopted under Texas Civil Statutes, Article 4413, §11, which provide the Texas Board of Private Investigators and Private Security Agencies with the authority to promulgate all rules and regulations necessary in carrying out the provisions of this Act.

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

Issued in Austin, Texas, on April 20, 1987.

TRD-8703443 Clema D. Sanders
Executive Director
Texas Board of Private
Investigators and
Private Security
Agencies

Effective date: May 11, 1987
Proposal publication date: October 21, 1986
For further information, please call
(512) 463-5545.

★ ★ ★

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part IV. School Land Board
Chapter 155. Land Resources
Coastal Public Lands

★ 31 TAC §155.1

The School Land Board adopts an amendment to §155.1, without changes to the proposed text published in the December 23, 1986, issue of the *Texas Register* (11 TexReg 5088).

The amendment clarifies factors considered by the School Land Board in granting interests in the surface estate of coastal public lands.

The amendment states the policy of the School Land Board in considering the economic and environmental impacts that could result from the granting of easements or leases on certain coastal public land.

No comments were received regarding adoption of the amendment.

The amendment is adopted under Texas Natural Resources Code, §33.064, which provides the School Land Board with the authority to adopt procedural and substantive rules that it considers necessary to carry out the duties prescribed by the Coastal Public Lands Management Act of 1973, Texas Natural Resources Code, Chapter 33.

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 April 20, 1987.

TRD-8703441 Garry Mauro
Commissioner
General Land Office

Effective date: May 11, 1987
Proposal publication date: December 23, 1986
For further information, please call
(512) 463-5009.

★ 31 TAC §155.8

The School Land Board adopts an amendment to §155.8, without changes to the proposed text published in December 23, 1986, issue of the *Texas Register* (11 Tex-Reg 5088).

The amendment clarifies the policy of the School Land Board regarding the Coastal Barrier Resources Act, 16 United States Code §3501, *et seq.*

The Coastal Barrier Resources Act was designed to limit use of federal subsidies for development of certain flood-prone and environmentally sensitive coastal areas. The amendment requires the School Land Board to consider the purposes and intent of the Coastal Barrier Resources Act when granting leases or easements on certain coastal public lands, even though state-owned land is not subject to the act.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Natural Resources Code, §33.064, which provides the School Land Board with the authority to adopt procedural and substantive rules that it considers necessary to carry out the duties prescribed by the Coastal Public Lands Management Act of 1973, Texas Natural Resources Code, Chapter 33.

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 April 20, 1987.

TRD-8703442 Garry Mauro
Commissioner
General Land Office

Effective date: May 11, 1987
Proposal publication date: December 23, 1986
For further information, please call
(512) 463-5009

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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 *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 agendas than what is published in the *Register*.

Texas Department of Agriculture

The Produce Recovery Fund Board of the Texas Department of Agriculture will meet at the district office, Expressway 83, two blocks west of Morningside Road, San Juan. Dates, times and agendas follow.

Tuesday, May 5, 1987, 10:30 a.m. To hold an administrative hearing before Produce Recovery Fund Board to review the alleged violation of the Texas Agriculture Code §102.013 by Progressive Groves, Inc., as petitioned by Joe F. Ackerman.

Contact: Margo P. Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: April 22, 1987, 8:49 a.m.
TRD-8703470

Tuesday, May 5, 1987, 3:30 p.m. To hold an administrative hearing before the Produce Recovery Fund Board to review an alleged violation of Texas Agriculture Code §103.001 by the Val-Mex Fruit Company as petitioned by Israel Salinas.

Contact: Margo P. Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: April 22, 1987, 8:49 a.m.
TRD-8703471

Wednesday, May 6, 1987, 10:30 a.m. To hold an administrative hearing before the Produce Recovery Fund Board to review an alleged violation of the Texas Agriculture Code §103.001 by the South Texas Citrus Association as petitioned by Shields Farms, Inc.

Contact: Margo P. Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: April 22, 1987, 8:49 a.m.
TRD-8703472

Wednesday, May 6, 1987, 11 a.m. The Texas Department of Agriculture will meet at the district office, 4502 Englewood Avenue, Lubbock. According to the agenda, the department will hold an administrative hearing to review an alleged violation of the Texas Agriculture Code §76.116(a)(1) by Jack Cobb, doing business as 2JS Flying Ser-

vice and Niel Newson, holders of the commercial applicator licenses.

Contact: Robert A. Caine, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: April 22, 1987, 8:50 a.m.
TRD-8703473

Wednesday, June 3, 1987, 1 p.m. The Texas Department of Agriculture will meet in the district office, Expressway 83, two blocks west of Morningside Road, San Juan. According to the agenda, the department will meet to hold an administrative hearing to review an alleged violation of the Texas Agriculture Code §103.001 by Pat Womack, Pat Womack, Inc., and Quality Valley Growers, as petitioned by Tex-Sun Produce, Inc.

Contact: Margo P. Wilton, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: April 22, 1987, 8:48 a.m.
TRD-8703474

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State Banking Board

Wednesday, April 29, 1987, 9 a.m. The State Banking Board will meet at 2601 North Lamar Boulevard, Austin. According to the agenda summary, the board will approve change of domicile applications; interim charter applications; and review applications approved, but not yet open. The executive committee will meet in closed session to discuss pending litigation.

Contact: William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Filed: April 21, 1987, 2:52 p.m.
TRD-8703452

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State Bar of Texas

Thursday, April 30, 1987, 9 a.m. The Executive Committee of the State Bar of Texas will meet in Room 206-207, Texas Law Cen-

ter, 1414 Colorado Street, Austin. According to the agenda summary, the committee will meet to discuss reports of the board chairman, president, executive director, general counsel, president-elect, TYLA president, immediate past president, supreme court liaison; and legislative update and considerations.

Contact: Paula Welch, 1414 Colorado Street, Austin, Texas 78711, (512) 463-1451.

Filed: April 22, 1987, 4:08 p.m.
TRD-8703489

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Texas Department of Community Affairs

Thursday, May 14, 1987, 9 a.m. The State Community Development Block Grant Review Committee for the Texas Department of Community Affairs, will meet in the First Floor Conference Room, Texas Department of Community Affairs, 8317 Cross Park Drive, Austin. According to the agenda, the committee will present minutes; consider the economic development report; recommendations on the economic development projects; appeals; and the Texas Community Development Program proposal for the fiscal year of 1987.

Contact: Joe Hopson, 8317 Cross Park Drive, Austin, Texas 78751, (512) 834-6030.

Filed: April 22, 1987, 9:11 a.m.
TRD-8703467

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Office of the Governor, Criminal Justice Division

Thursday, May 7, 1987, 9 a.m. The Texas Drug Policy Board of the Office of the Governor, Criminal Justice Division will meet on the Second Floor, North Central Texas Council of Governments Centerpoint II, 616 Six Flags Drive, Arlington. According to the agenda summary, the board will meet to take testimony from all interested parties, including agency representatives, service pro-

viders, and the general public, regarding development of a statewide strategy to combat substance abuse.

Contact: Jim Arnold, 201 East 14th Street, Austin, Texas 78711, (512) 463-1919.

Filed: April 23, 1987, 9:57
TRD-8703499

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State Department of Highways and Public Transportation

Thursday-Saturday, April 30-May 2, 1987, 10 a.m., Thursday, and 9 a.m., Friday and Saturday. The State Highway and Public Transportation Commission of the State Department of Highways and Public Transportation will meet in Room 101-A, First Floor, Dewitt C. Greer Building, 11th and Brazos Streets, Austin. According to the agenda, 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; receive public views and comments on proposed action raising the maximum speed limit on rural portions of Interstate highways in Texas to 65 miles per hour; and discuss remaining agenda items.

Contact: Lois Jean Turner, Room 203, Dewitt C. Greer Building, 11th and Brazos Streets, Austin, Texas 78701, (512) 463-8616.

Filed: April 22, 1987, 2:15 p.m.
TRD-8703484

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University of Houston System

Tuesday, April 28, 1987, 8:30 a.m. The Board of Regents of the University of Houston System, will meet in the Zodiac Room, Conrad Hilton College Hotel, University of Houston, 4800 Calhoun, Houston. According to the agenda summary, the board will meet to discuss and/or approve the following: minutes, consent docket, various reports, investment objectives, acquisition of real property, victoria leases, computing improvement project, re-funding of local debt, fee changes, banking resolution, computer system, bibliographic council, various contracts, computer workstations, Southwestern Bell agreement, promotion in academic rank, faculty emeritus appointments, degrees, budget advisory council, dual employment, personnel recommendations, sale of university property, proposal for art fund, construction changes orders, project update, policy amendment, and appointment of consultants.

Contact: Michael T. Johnson, 4600 Gulf Freeway, #500, Houston, Texas 77023, (713) 749-7545.

Filed: April 22, 1987, 10:11 a.m.
TRD-8703475

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Texas Industrial Accident Board

Monday, April 27, 1987, 9:30 a.m. The Texas Industrial Accident Board met in Room 107, First Floor, Bevington A. Reed Building, 200 East Riverside Drive, Austin. According to the agenda, the board discussed promptness of payment procedure and reporting system; awards division procedures; approval of board minutes; reviewed board files; and reviewed and discussed board activities.

Contact: Inez "Tippy" Foster, 200 East Riverside Drive, First Floor, Austin, Texas 78704, (512) 448-7960.

Filed: April 22, 1987, 3:55 p.m.
TRD-8703488

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State Board of Insurance

Monday, May 11, 1987, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will meet for an agenda revision in Room 342, 1110 San Jacinto Street, Austin. According to the agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against Robert Stanley Churchill, doing business as Churchill Insurance Agency, Amarillo, who holds a Group I legal reserve life insurance agent's license, a Group II health and accident insurance agent's license, and a fire and casualty local recording agent's license issued by the State Board of Insurance.

Contact: O. A. Cassity, III, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6498.

Filed: April 23, 1987, 9:49 a.m.
TRD-8703496

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Texas State Board of Medical Examiners

Thursday, April 30, 1987, 5 p.m., Friday, May 1, 1987, 8 a.m. and 9 a.m. The Disciplinary Process Review Committee, the Reciprocity Committee, and the Examination Committee of the Texas State Board of Medical Examiners will meet at 1101 Camino LaCosta, Austin, respectively. Items on the agenda include a review of cases and procedures; executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1) and Attorney General Opinion 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078.

Filed: April 21, 1987, 3:21 p.m.
TRD-8703458-8703460

Friday-Saturday, May 1-2, 1987, 10 a.m. and 8 a.m., respectively. The Texas State Board of Medical Examiners will meet at 1101 Camino LaCosta, Austin. According to the agenda, the board will consider licensure; practice statuses; proposals for decisions; hearings; voluntary license surrenders; approval of minutes and sanction report; attorney general opinion on Fifth Pathway; committee meetings and reports; director's report on misuse of medication, personnel, legislation, liability progress, resolutions, and statistics. The executive committee will meet in closed session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(e)(1), and Attorney General Opinion 1974, No. H-484.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078.

Filed: April 21, 1987, 3:22 p.m.
TRD-8703457

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Texas Optometry Board

Thursday, April 30, 1987, 8:30 a.m. The Texas Optometry Board will meet in the Austin Marriott at the Capitol, 701 East 11th Street, Austin. According to the agenda, the board will consider reports of the secretary-treasurer, legal counsel, executive director and committees; matters regarding duplicate licenses, IAB meeting, and Medicare; a licensee will appear before the board regarding advertising matters and hold election of officers. The executive committee will meet in closed session. The Rules Committee will meet at 4 p.m. on Wednesday, April 29, and all committees will meet at 8 p.m. that evening, same location.

Contact: Lois Ewald, 1300 East Anderson Lane, C-240, Austin, Texas 78752, (512) 835-1938.

Filed: April 21, 1987, 3:31 p.m.
TRD-8703461

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State Pension Review Board

Monday, May 4, 1987, 8:30 a.m. The State Pension Review Board will meet in the Senate Reception Room, State Capitol Building, Austin. According to the agenda, the board will discuss old and new business; pension legislation; and approve impact statements.

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

Filed: April 21, 1987, 2:38 p.m.
TRD-8703455

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Texas State Board of Physical Therapy Examiners

Thursday, April 30, 1987, noon. The Texas State Board of Physical Therapy Examiners will meet in emergency session in the San Marcos Room, Stouffer's Hotel, 9721 Arboretum Boulevard, Austin. According to the agenda, the examiners will meet to discuss committee reports; special requests by applicants; and miscellaneous board business. The emergency status is necessary for the convenience of the Texas State Board of Physical Therapy Examiners conference attendees.

Contact: Lois M. Smith, 1300 East Anderson Lane, Building C, Suite 260, Austin, Texas 78752, (512) 835-1846.

Filed: April 23, 1987, 9:03 a.m.
TRD-8703492

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Public Utility Commission of Texas

Wednesday, April 29, 1987, 11 a.m. The Administrative Section of the Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda summary, the commission will discuss approval of minutes; reports; discuss and act on budget and fiscal matters; bulk power transmission study; and set the time and place for the next meeting. The commission also will meet in executive session to consider personnel and other matters.

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

Filed: April 22, 1987, 2:55 p.m.
TRD-8703451

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

Monday, May 1, 1987, at 10 a.m. and Wednesday, May 27 1987, at 10:15 a.m., respectively. The division will consider Docket 7274—Application of Southwestern Electric Power Company for approval of a proposed off-peak service rider.

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

Filed: April 22, 1987, 2:55 p.m.
TRD-8703486, 8703487

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Board of Vocational Nurse Examiners

Monday-Wednesday, May 18-20, 1987, 8 a.m. The Board of Vocational Nurse Examiners will meet in the Mesquite Room, Excuteel Motor Inn, 925 East Anderson Lane, Austin. Items on the agenda summary in-

clude on May 18 and 19: administrative hearings; on May 20: approval of minutes; consideration of the executive director's report and agreed orders; education report (program matters, program actions, report of 1987 NCLEX Invitational Conference, Texas Association of Vocational Nurse Educators Annual Convention Report, discussion referring to California LVN examination requirements, and proposed pass/fail reporting on NCLEX examinations), unfinished business (peer assistance update, budget update, review of venipuncture and naso-gastric tube statements), and new business (board meetings dates for remainder of 1987, and code of ethics discussion).

Contact: Joyce A. Hammer, 1300 East Anderson Lane, Building C, Suite 285, Austin, Texas 78752, (512) 835-2071.

Filed: April 21, 1987, 2:35 p.m.
TRD-8703456

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Texas Water Commission

Tuesday, June 2, 1987, 2 p.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin State Office Building, 1700 North Congress Avenue, Austin. Agendas follow.

The commission will hold a hearing to reschedule the petition for creation of Brazoria County Municipal District No. 12, containing 519.2220 acres of land.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: April 22, 1987, 11:42 a.m.
TRD-8703477

The commission will hold a hearing to reschedule the petition for the creation of Brazoria County Municipal Utility District No. 13, containing 481.8149 acres of land.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: April 22, 1987, 11:42 a.m.
TRD-8703478

The commission will hold a hearing to reschedule the petition for the creation of Brazoria County Municipal Utility District No. 14, containing 966.7911 acres of land.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: April 22, 1987, 11:42 a.m.
TRD-8703479

The commission will hold a hearing to reschedule the petition for the creation of Brazoria County Municipal Utility District No. 15, containing 499.2918 acres of land.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: April 22, 1987, 11:42 a.m.
TRD-8703480

Tuesday, June 30, 1987, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin State Office Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will hold a public hearing on the City of Marlin, as applicant seeks to extend the time to commence construction relating to the enlargement of New Marlin City Lake Dam authorized by Certificate of Adjudication No. 12-4355 (Permit 1449, as amended). Permit 1449, as amended included authorization for the applicant to enlarge New Marlin City Lake Dam on Big Sandy Creek, Brazos River Basin, about 3.2 miles northeast of Marlin, Falls County. More information being fully set out in the notice.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: April 22, 1987, 11:42 a.m.
TRD-8703481

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Regional Agencies

Meetings Filed April 21

The Dallas Area Rapid Transit, Board, met in emergency session at 601 Pacific Avenue, Dallas, on April 21, 1987, at 4 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237.

The Deep East Texas Regional Mental Health and Mental Retardation Services, Board of Trustees, will meet in the Ward R. Burke Community Room-Administrative Facility, 4101 South Medford Drive, Lufkin, on April 28, 1987, at noon and 3:45 p.m., respectively. Information may be obtained from Jim McDermott, 4101 South Medford Drive, Lufkin, Texas 75901.

The Gray County Appraisal District, Board of Directors, met in emergency session in Suite 196-A, Hughes Building, 400 West Kingsmill, Pampa, on April 21, 1987, at 5 p.m. Information may be obtained from Charles Buzzard, 400 West Kingsmill, Suite 196-A Hughes Building, Pampa, Texas 79065, (806) 665-0791.

TRD-8703450

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Meetings Filed April 22

The Ark-Tex Council of Governments, Executive Committee, will meet in the Wildflower Inn Restaurant, I-30 and Highway 271 Bypass, Mt. Pleasant, on April 30, 1987, at 5:30 p.m. Information may be obtained from Susan J. Rice, P.O. Box 5307, Texarkana, Texas 75751, (214) 832-8636.

The Burnet County Appraisal District, will meet at 215 South Pierce Street, Burnet, on May 14, 1987, at 6:30 p.m. Information may be obtained from Alvin C. Williams, Drawer E., Burnet, Texas 78611, (512) 756-8291.

The Central Texas Council of Governments, Criminal Justice Advisory Committee, will meet at 302 East Central, Belton, on April 29, 1987, at 2 p.m. Information may be obtained from Lindell Bishop, P.O. Box 729, Belton, Texas 76513, (817) 939-1801.

The Dallas Area Rapid Transit, Audit Committee, met in emergency session at the Melrose Hotel, 3015 Oak Lawn Avenue, Dallas, on April 22, 1987, at 4:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237.

The Education Service Center, Region XIII, Board of Directors and Selected Superintendents, met in Room 202, Education Service Center, Region XIII, 5701 Springdale Road, Austin, on April 27, 1987, at 7 p.m. Information may be obtained from Dr. Joe Parks, 5701 Springdale Road, Austin, Texas 78723, (512) 929-1300.

The Education Service Center, Region XX, Board of Directors, will meet at 1314 Hines Avenue, San Antonio, on May 6, 1987, at

2 p.m. Information may be obtained from Dr. Judy M. Castleberry, 1314 Hines Avenue, San Antonio, Texas 78208, (512) 271-7611.

The Lee County Appraisal District, Board of Directors, will meet at 218 East Richmond Street, Giddings, on April 29, 1987, at 9 a.m. Information may be obtained from Roy L. Holcomb, 218 East Richmond Street, Giddings, Texas 78942, (409) 542-9618.

The Lubbock Regional Mental Health and Mental Retardation Center, Board of Trustees, met at 3802 Avenue H, Lubbock, on April 27, 1987, at 11:30 a.m. Information may be obtained from Gene Menefee, 1210 Texas Avenue, Lubbock, Texas 79401, (806) 766-0203.

**The Texas Panhandle Mental Health Authority, Board of Trustees, will meet at 1901 Medi-Park, Amarillo, on April 30, 1987, at 1 p.m. Information may be obtained from Claire Rigler, P.O. Box 3250, Amarillo, Texas 79106, (806) 353-7235.
TRD-8703469**

Meetings Filed April 23

The Ellis County Tax Appraisal District, will meet at 406 Sycamore Street, Waxahachie, on May 7, 1987, at 7 p.m. Information may be obtained from Gray Chamberlain, P.O. Box 878, Waxahachie, Texas 75165, (214) 937-3552

The Lavaca County Central Appraisal District, Appraisal Review Board, will meet at the Lavaca County Central Appraisal District, 113 North Main Street, Hallettsville, on April 28, 1987, at 9 a.m. Information may be obtained from Diane Munson, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396

**The Tyler County Tax Appraisal District, Board of Directors, will meet at 103 North Pecan, Woodville, on May 5, 1987, at 4 p.m. Information may be obtained from Mary F. Mann, P.O. Drawer 9, Woodville, Texas 75979, (409) 283-3736.
TRD-8703493**

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In Addition

The *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 Community Affairs

Notice of Public Hearings

The Texas Department of Community Affairs announces the following four public hearings to solicit comments on the proposed final statement for the Texas Community Development Program for fiscal year 1987. Topics to be discussed include the proposed final statement, the purpose and goals of the program, eligible applicants and activities, fund allocations, the application process, project selection criteria, proposed procedural changes, and the past use of Texas Community Development Program funds (federal fiscal year 1986). Copies of the proposed final statement and proposed procedural changes will be available at these hearings.

Public comments may be presented at any of the following hearings or may be submitted in writing to the Texas Department of Community Affairs, P.O. Box 13166, Austin, Texas 78711, attention: City and County Assistance Division; by May 25, 1987.

The following is a list of each of the four public hearings by regions, date, time, and location: Tuesday, May 12, 1987, 9 a.m., Region 18 Education Service Center, 2811 LaForce Boulevard, Midland Regional Airport, Midland, Texas—Contact: Jerry Tschauner (915) 563-1061; Tuesday, May 12, 1987, 6 p.m., Nueces County Center, 710 East Main, Robstown, Texas—Contact: John Buckner (512) 883-5743; Wednesday, May 13, 1987, 6 p.m., North Central Texas Council of Governments, Boardroom, 616 Six Flags Drive, Arlington, Texas—Contact: Karen Grady (817) 640-3300; Monday, May 18, 1987, 1 p.m., Texas Department of Community Affairs, First Floor Conference Room (1-97), 8317 Cross Park Drive, Austin, Texas—Contact: Theresa Quintana (512) 834-6253.

Issued in Austin, Texas, on April 22, 1987.

TRD-8703468 Anne O Paddock
Assistant General Counsel
Texas Department of Community
Affairs

Filed: April 22, 1987

For further information, please call (512) 834-6060.

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State Board of Insurance Company Licensing

The following applications have been filed with the State Board of Insurance and are under consideration.

(1) Application for a name change by The Home Reinsurance Company, a foreign fire and casualty insurance company. The home office is in New York, New

York. The proposed new name is U S International Reinsurance Company.

(2) Application for admission to do business in Texas of Old Western Life Insurance Company, a foreign life insurance company. The home office is in Columbia, Missouri.

(3) Application for admission to do business in Texas of Columbia Mutual Casualty Insurance Company, a foreign fire and casualty insurance company. The home office is in Columbia, Missouri.

(4) Application for admission to do business in Texas of California Physicians' Insurance Corporation, a foreign life insurance company. The home office is in San Francisco, California.

(5) Application for incorporation of Financial Insurance Company of America, to be a domestic fire and casualty insurance company. The home office is to be in Houston.

(6) Application for admission to do business in Texas of Liberty American Assurance Company, a foreign life insurance company. The home office is in Lincoln, Nebraska.

(7) Application for admission to do business in Texas of Golden Security Life Insurance Company, a foreign life insurance company. The home office is in Memphis, Tennessee.

(8) Application for a name change by Union Casualty Company, a foreign life insurance company. The home office is in Omaha, Nebraska. The proposed new name is Service Life Insurance Company.

(9) Application for admission to do business in Texas of Life and Health Insurance Company of America, a foreign life insurance company. The home office is in Philadelphia, Pennsylvania.

(10) Application for admission to do business in Texas of PMA Reinsurance Corporation, a foreign fire and casualty insurance company. The home office is in Philadelphia, Pennsylvania.

(11) Application for admission to do business in Texas of Continental Life Insurance Company of Brentwood, Tennessee, a foreign life insurance company. The home office is in Brentwood, Tennessee.

(12) Application for admission to do business in Texas of Great Midwest Insurance Company, a foreign fire and casualty insurance company. The home office is in Byron Center, Michigan.

(13) Application for a name change by RMIC Insurance Company, a foreign mortgage guaranty insurance company. The home office is in Winston-Salem, North Carolina. The company wishes to drop the assumed name of RMIC Insurance Company and use Republic Mortgage Insurance Company.

Issued in Austin, Texas, on April 14, 1987

TRD-8703398 Nicholas Murphy
Chief Clerk
State Board of Insurance

Filed: April 17, 1987

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

**Texas Department of Public Safety,
Governor's Division of Emergency
Management**

**Designation of Emergency Response
Commission**

Governor William P. Clements, Jr., has designated the State Emergency Management Council as the State Emergency Response Commission to fulfill the requirements of the Superfund Amendments and Reauthorization Act, Title III, of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980.

Facilities that are subject to the subtitle described by law (Federal Register Vol. 51, No. 221, Monday, November 17, 1986, Page 41581, Sec. 300.93b) should notify in writing the State Emergency Management Council, Division of Emergency Management, P.O. Box 4087, Austin, Texas 78773-0001.

Following is the text of a letter dated April 9, 1987, sent from Governor Clements to Lee Thomas of the United States Environmental Protection Agency in Washington, D.C. This letter is on file at the Office of the Secretary of State, Texas Register Section, Austin, Texas.

"The intent of this letter is to notify the Environmental Protection Agency that I have designated the State Emergency Management Council as the State Emergency Response Commission in compliance with the requirements of Title III to the Superfund Amendment and Reauthorization Act of 1986.

The State Emergency Management Council is established under the authority of the Texas Disaster Act of 1975 and the Governor's Executive Order.

The Council is comprised of selected state agencies with expertise in all areas of emergency planning and disaster response and recovery. I am confident that these state agencies under my direction will address the issues and requirements outlined in Title III."

Issued in Austin, Texas, on April 20, 1987.

TRD-8703408 John C. West, Jr.
General Counsel
Texas Department of Public Safety

Filed April 20, 1987
For further information, please call (512) 465-2000

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**Texas Savings and Loan Department
Notice of Application to Establish
Remote Service Units**

Notice is hereby given that application has been filed with the savings and loan commissioner of Texas by San Antonio Savings Association for approval to establish and operate remote service unit(s) at the following location: the University of Texas at San Antonio—Main Campus, 6900 North Loop 1604E—3 units, San Antonio, Bexar County, Texas.

The applicant association asserts that the security of the association's funds and that of its account holders will be maintained and the proposed service will be a substantial convenience to the public.

Anyone desiring to protest the above application must file a written protest with the commissioner within 10 days following publication. The commissioner may dispense with a hearing on this application.

This application is filed pursuant to 7 TAC §§53.11—53.16. These rules are on file with the Secretary of State, Texas Register Section, or may be seen at the department's offices in the Finance Commission Building, 2601 North Lamar Boulevard, Suite 201, Austin, Texas.

Issued in Austin, Texas, on April 17, 1987.

TRD-87003403 L. L. Bowman III
Commissioner
Texas Savings and Loan Department

Filed: April 17, 1987
For further information, please call (512) 479-1250.

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**Office of the Secretary of State
Texas Register Publication Schedule**

Following are the deadline dates of the May, June, and July 1987 issues of the *Texas Register*. Unless noted by a ★, deadline for a Tuesday edition of the *Texas Register* are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication. For further information, please call (512) 463-5561.

FOR ISSUE
PUBLISHED ON

ALL COPY EXCEPT NOTICES
OF OPEN MEETINGS BY 10 A.M.

ALL NOTICES OF
OPEN MEETINGS BY 10 A.M.

Friday, May 1
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Tuesday, May 12
Friday, May 15
Tuesday, May 19
Friday, May 22
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★ Friday, May 29

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Texas Water Commission Applications for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of April 13-17, 1987.

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.

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

Period of April 13-17, 1987

G. Karbalai, Houston; wastewater treatment plant; 12117 Aldine-Westfield Road, 4,000 feet south of the intersection of Aldine-Westfield Road and Aldine Mail Road; 3.5 miles east of the intersection of IH 45 and FM Road 149 in Harris County; 12399-01; renewal

Corum Development Company, Houston; wastewater treatment facilities; approximately 600 feet southwest of the intersection of Fairbanks-North Houston Road and Northwest Freeway (U.S. Highway 290) in the City of Houston in Harris County; 12139-01; renewal

Harris County Mud No. 109, Houston; wastewater treatment plant; Atascocita Road approximately 0.6 mile south of FM Road 1960 and approximately 2.1 miles west of the intersection of Atascocita Road and FM Road 1960 in Harris County; 11533-01; renewal

City of Smiley; wastewater treatment facilities; approximately 4,000 feet due north of the City of Smiley Post Office and approximately 1,250 feet west of FM Road 108 in Smiley, Gonzales County; 10574-02; renewal

A. W. Walker, Spring; sewage treatment plant; 8805 Solon Road, at a point approximately 700 feet east of Ann Lane and approximately 50 feet north of Greens Bayou in North Harris County; 12326-01; renewal

Siro Scopel, Manvel; car wash; at the northeast corner of FM Road 1128 and Large Avenue in the City of Manvel in Brazoria County; 02906; new permit

City of Hamilton; wastewater treatment facilities; immediately south of Pecan Creek at a point 2,800 feet north of State Highway 36 and 1,900 feet east of U.S. Highway 281 in the City of Hamilton, Hamilton County; 10492-02; renewal

City of Jefferson; wastewater treatment facilities; approximately 210 feet east of U.S. Highway 59 at the north end of North Line Street in the City of Jefferson, Marion County; 10801-01; renewal

Vistawall Architectural Products, a division of Butler Manufacturing Company, Terrell; aluminum anodizing plant; at the intersection of Industrial Boulevard and Airport Road in the City of Terrell, Kaufman County; 02037; renewal

City of Port Lavaca; wastewater treatment plant; along the south bank of Lynn's Bayou and on the southeast corner of the intersection of Newlin Street and Houston Street in the City of Port Lavaca in Calhoun County; 10251-01; renewal

City of Ector; wastewater treatment facilities; approximately 4,700 feet north of U.S. Highway 82 and 800 feet west of FM Road 898 in Fannin County; 10552-01; renewal

Louisiana-Pacific Corporation, Carthage; wastewater treatment facilities; approximately ¼ mile southeast of

State Highway 149, adjacent to the Atchison, Topeka and Santa Fe Railroad and 2½ miles northwest of the intersection of State Highway Spur 455 and State Highway 149 in Panola County; 11369-01; renewal

Wright Materials, Inc., Robstown; sand and gravel washing operation; adjacent to and on both sides of FM Road 3088 at a point approximately 1.5 miles northwest of the intersection of FM Road 624 and FM Road 666 and further defined as located approximately 10 miles northwest of the City of Robstown, Nueces County; 02027; renewal

Texas Department of Corrections, Tennessee Colony Community; meat packing plant; southwest end of Texas Farm Road No. 2054, approximately 4.5 miles southwest of the Tennessee Colony Community in Anderson County; 02908; new permit

City of Nixon; wastewater treatment facilities; approximately 1.5 miles north of the intersection of U.S. Highway 87 and State Highway 80 on the south bank of the Clear Fork of Sandies Creek, north of Nixon in Gonzales County; 10234-01; renewal

Ennis Cooley, Houston; wastewater treatment facilities; at 1910 Highway 6 South in Harris County; 12427-01; renewal

North Park Public Utility District, Houston; wastewater treatment plant; approximately 2,000 feet east of IH-45 and 3,000 feet north of FM Road 1960 on Imperial Valley Drive in Harris County; 11855-01; renewal

Labcco, Incorporated, Houston; plant manufacturing household cleaners; at 2903 Dupree Street in the City of Houston in Harris County; 02031; renewal

Texas Utilities Mining Company, Franklin; lignite mine; within a 20 mile radius of the Twin Oak Reservoir which is approximately 1 mile northwest of FM Road 979 and 12 miles north of the City of Franklin, Robertson County; 02699; renewal

The City of Cedar Park; wastewater treatment facilities; adjacent to and north of South Brushy Creek, approximately ¼ mile south of Brushy Creek Road and ¾ mile east of U.S. Highway 183 in Williamson County; 12308-01; renewal

Southwestern Refining Company, Inc., Petronilla; land treatment facility for refinery waste materials; approximately 6 miles southeast of the City of Robstown and 4 miles northeast of the Village of Petronilla in Nueces County; 02910; new permit

The Stroh Brewery Company, Longview; brewery and can manufacturing plant; at 1400 West Cotton Street in the City of Longview, Gregg County; 01703; amendment

Issued in Austin, Texas, on April 17, 1987.

TRD-8703448 Mary Ann Hefner
 Chief Clerk
 Texas Water Commission

Filed: April 21, 1987
For further information, please call (512) 463-7898.

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Request for Proposals

The Texas Water Commission (TWC) announces that it wishes to retain the services of a consultant to perform remedial investigation/feasibility studies (RI/FS) for the Pesses Chemical Company Superfund Site. Contingent upon approval by the TWC, the consultant's services may be extended to include follow-up architectural/engineering activities at the Pesses Chemical Company site if and when funds become available. This project will be conducted by the TWC through Cooperative Agreement V-006461 with the Environmental Protection Agency and pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Texas Water Code, Chapter 26, Subchapter H.

The EPA may negotiate with potentially responsible parties (PRP) to execute activities in this solicitation in lieu of the TWC. Accordingly, all future TWC activities are subject to the outcome of the EPA negotiations with the PRP. No legal liability on the part of TWC or the State of Texas for payment of any money shall arise unless and until funds are made available through the Federal Superfund Program.

Objective. The objectives of the investigation and feasibility studies are:

(1) to characterize the site in terms of wastes present; lateral and vertical extent of contamination in surface waters, ground waters, sediments, and soils; rate and direction of waste migration; target receptors (population at risk, threatened resources, sensitive ecosystems); and site geology and hydrology; and

(2) to develop and evaluate alternative remedial measures considering economic feasibility, technological feasibility, environmental impacts, and timeliness of completion, and offer recommendations regarding the most feasible remedial alternatives.

Budget and Schedule. The maximum budget allowable will be consistent with the specific scope of work and the cooperative agreement as determined by the TWC. Budgeted funds for the remedial investigation and feasibility studies are \$305,000 and \$110,000, respectively.

Submittal Information. Microfiche copies of the relevant files are available through Sheldon Seibel, Records and Library Services Section, (512) 463-8562. A copy of the request for proposals (RFP) may be obtained in three ways:

(1) by sending a regular or certified letter requesting a copy of the RFP to: Arthur Talley, Texas Water Commission, Hazardous and Solid Waste Division, 1700 North Congress Avenue, P.O. Box 13087, Capitol Station, Austin, Texas 78711. Upon receipt, the TWC will transmit the RFP to the potential offeror by certified mail; or

(2) by sending a regular or certified letter requesting a copy of the RFP to the address listed in item (1) with a prepaid self-addressed overnight or expedited delivery return envelope to accommodate approximately six pounds of 8½" by 11" material; or

(3) in person with a signed letter of receipt at Room 513, Employees Retirement System Building, 18th and Brazos Streets, Austin.

Contact Person. Mr. Talley is the designated person to whom proposals may be made. Additional information may be obtained by calling (512) 463-7785. Five copies of each proposal must be received at the address listed in items (1) or (3) before 5 p.m., May 26, 1987, which is the closing date for offers. All statements submitted in response

to this request must address the items as described in the RFP. Any and all information submitted by an offeror in variance with the RFP instructions will not be reviewed or evaluated. All contracting procedures shall be conducted in accordance with all applicable state and federal rules.

Upon submittal, the proposals shall become the property of the State of Texas. The contents of the proposal shall be considered as a part of the public record unless otherwise identified by the consultant. The submittal of confidential or proprietary information should be under separate cover on or before the due date. Confidential submittals should be limited and must include an explanation

of the basis for confidentiality. TWC reserves the right to reject or return confidential information.

Issued in Austin, Texas, on April 20, 1987.

TRD-8703409 J. D. Head
Director
Legal Division
Texas Water Commission

Filed: April 20, 1987
For further information, please call (512) 463-8572.

★ ★ ★



Name: Ginna Ladd
Grade: 5
School: Merriman Park Elementary,
Dallas

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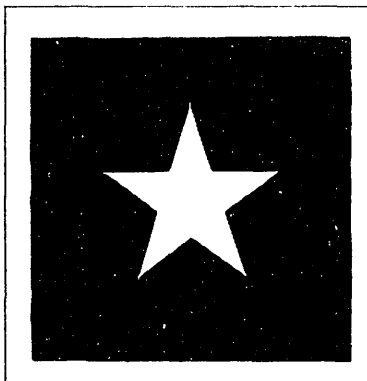
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