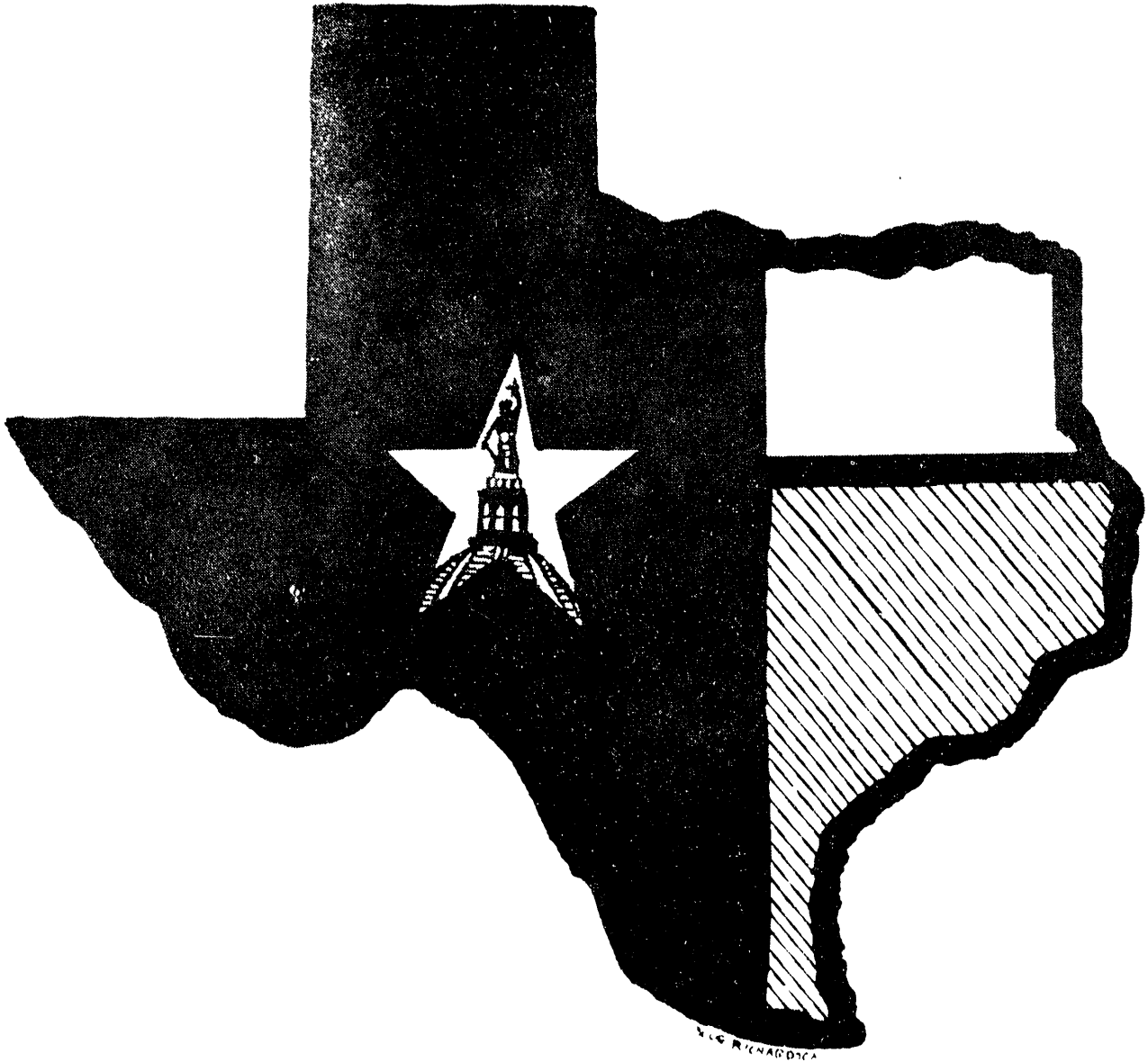


Texas Register

Volume 12, Number 56, July 24, 1987

Pages 2397-2451



Highlights

The **State Purchasing and General Services Commission** adopts, on an emergency basis, an amendment permitting agencies to more easily make critical acquisitions of supplies, materials, and equipment. Effective date: July 16. **page 2403**

The **Texas Education Agency** adopts amendments concerning 1987 program requirements

for preparation of school personnel for initial certificates and endorsements. Effective date: August 6. **page 2420**

The **School Land Board** proposes a new section making the term for all coastal easements negotiable and applying a rate formula for private commercial activity. Effective date: August 24. **page 2411**

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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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

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

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Texas Administrative Code

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

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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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Jack M. Rains Secretary of State

Director

Dan Procter

Assistant Director

Dee Wright

Documents Section Supervisor
Cynthia Cooke

Document Editors

Lainie Crease

Karen Olson Muldrow

Document Filing

Roberta Knight

Production Section Supervisor
Craig Howell

Production Editor

Jody Allen

Typographers

Ann Franklin

Victoria Parrish

Circulation/Marketing
Kristine Hopkins Mohajer
Richard Kallus

TAC Editor

Jane Orcutt

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Name: Jason Melton
Grade: 10
School: Coppell High, Coppell



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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 1.
ADMINISTRATION
Part V. State Purchasing
and General Services
Commission
Chapter 113. Central
Purchasing Division
Purchasing

★ 1 TAC §113.10

The State Purchasing and General Services Commission adopts on an emergency basis an amendment to §113.10, concerning emergency purchases. Adoption on an emergency basis is necessary to permit agencies to more easily make critical acquisitions of supplies, materials, and equipment in excess of \$250 without the necessity of obtaining a signed written bid.

The amendment is adopted on an emergency basis under Texas Civil Statutes, Article 601b, which provide the State Purchasing and General Services Commission with the authority to promulgate rules necessary to maintain an effective and efficient purchasing program for state agencies.

§113.10. *Delegated Purchases.*

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

(c) Emergency purchases. Payment for emergency purchases of needed supplies, equipment, or services will be approved by this commission, provided an emergency exists and the purchase is made in accordance with the following conditions.

(1) At least three informal bids must be obtained whenever possible on all purchases in excess of \$250. [, and not over \$1,000. At least three formal bids must be obtained whenever possible on all purchases in excess of \$1,000. A signed written bid must always be obtained from the source of the purchase except in the case of internal repairs for which bids are not obtainable. In that situation, written estimates should be obtained whenever possible.]

(2)-(5) (No change.)

(d)-(k) (No change.)

Issued in Austin, Texas, on July 14, 1987.

TRD-8705838

John R. Neel
General Counsel
State Purchasing and
General Services
Commission

Effective date: July 16, 1987
Expiration date: November 13, 1987
For further information, please call
(512) 463-3446.



Surplus Property Sales

★ 1 TAC §113.73

The State Purchasing and General Services Commission adopts on an emergency basis an amendment to §113.73, concerning methods of disposing of surplus or salvage property. Adoption on an emergency basis is necessary to enable state agencies to receive the highest possible return on the sale of surplus or salvage property by allowing otherwise valid bids to be considered if bid deposits, when required, are no more than 3.0% less than the required amount. Clarification that valid bids must be signed will reduce appeals, delays, and demands on the State Purchasing and General Services Commission's resources and purchasing program.

The amendments are adopted under Texas Civil Statutes, Article 601b, which provide the State Purchasing and General Services Commission with the authority to promulgate rules necessary to maintain an effective and efficient purchasing program for state agencies.

§113.73. *Sale and Disposition of Surplus and Salvage Property.*

(a)-(d) (No change.)

(e) Methods of disposing of surplus or salvage property. If no entity described in subsection (c) of this section desires to receive any property reported as surplus or salvage, the commission may dispose of the property by sealed bids or auction, or delegate to the state agency having possession of the property the authority to sell the property on a competitive bid basis.

(1) Sealed bids.

(A) (No change.)

(B) When a bid deposit is required, the deposit must be in the amount specified in the bid invitation. Only the following will be considered as meeting the bid deposit requirements: a cashier's check, a certified check, a money order, or cash in the amount specified in the bid invitation. Failure to include a bid deposit in the proper amount **shall [will] automatically disqualify a bid; provided, however, that a bid deposit that is no more than 3.0% less than the required amount shall be deemed to be in the proper amount unless the bid invitation specifies otherwise.**

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

(2)-(3) (No change.)

(4) **Unsigned bids. Any bid received which is not signed is not a valid bid and is returned to the sender.**

(5)[(4)] Rejection of bids. The state reserves the right to accept or reject all or any part of any surplus or salvage property bid, and waive minor technicalities.

(6)[(5)] No bids received. If the commission should advertise surplus or salvage property for sale and receive no bids, or if items declared surplus or salvage by an agency have, in the judgment of the commission, no resale value, the commission [board] may authorize the agency to delete and dispose of the property in a manner to best serve the interest of the state.

Issued in Austin, Texas, on July 15, 1987.

TRD-8705834

John R. Neel
General Counsel
State Purchasing and
General Services
Commission

Effective date: July 16, 1987
Expiration date: November 13, 1987
For further information, please call
(512) 463-3446.



TITLE 19. EDUCATION
Part II. Texas Education
Agency
Chapter 75. Curriculum
Subchapter F. Graduation
Requirements

★ 19 TAC §75.152

The Texas Education Agency adopts on an emergency basis an amendment to §75.152, concerning the advanced high school program. The amendment provides that College Board Advanced Placement Courses in subjects listed in the section may be designated as honors courses. Districts will not be required to submit the courses for agency approval.

The amendment is adopted on an emergency basis so it can be in effect for the start of the 1987-1988 school year and to ensure that districts have notice of the section in their planning for the 1987-1988 school year.

The amendment is adopted on an emergency basis under the Texas Education Code, §21.101, which authorizes the State Board of Education to make rules concerning the public school curriculum.

§75.152. *Advanced High School Program.*

(a)-(d) (No change.)

(e) Honors courses shall be defined as those courses having specific criteria for entry of highly motivated students; a definite scope and sequence that reflects the nature of the subject; a differentiated curriculum that includes a wider range and greater depth of subject matter than that of the regular course; an emphasis on higher level and critical thinking skills; provision for creative, productive thinking; a stress on cognitive concepts and processes; instructional strategies that accommodate the learning styles of the students involved; and independent as well as guided research. School districts wishing to offer honors courses or programs in accordance with subsection (d) of this section shall submit descriptions of these courses or programs to the commissioner of education, who shall review and may approve the description. The commissioner of education shall inform the State Board of Education of such actions. [Those districts that wish to continue honors courses or programs currently in place shall submit descriptions by December 1, 1984, to be considered for approval effective September 1, 1985.] Districts that wish to develop new honors courses or programs shall submit descriptions for consideration for approval at least six months prior to proposed implementation. **College Board Advanced Placement courses in English, mathematics, science, social studies, languages, and fine arts may be designated as honors courses. Districts shall not be required to submit these courses for approval. The commissioner of education shall designate the College Board Ad-**

vanced Placement courses which may be used to meet required and elective course requirements for state graduation in both high school and advanced high school graduation programs.

Issued in Austin, Texas, on July 14, 1987.

TRD-8705800

W. N. Kirby
Commissioner of
Education

Effective date: July 15, 1987

Expiration date: November 12, 1987

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



Chapter 141. Teacher
Certification
Subchapter N. Emergency
Teaching Permits, Special
Assignment Permits, and
Temporary Classroom
Assignment Permits

★ 19 TAC §141.294, §141.295

The Texas Education Agency adopts on an emergency basis amendments to §141.294 and §141.295, concerning emergency teaching permits and vocational education emergency teaching permits. The amendments remove from the Central Education Agency the responsibility for review and approval or disapproval of work experience required of individuals seeking certification to teach in certain vocational programs. The responsibility is transferred to an employing school district or a teacher preparation institution. The amendment makes the permit and certification process for vocational teachers similar to that for other certification programs. The procedures are effective for the 1987-1988 school year.

A provision has been added to §141.295(i)(2) to require successful performance on the Texas Examination of Current Administrators and Teachers (TECAT) as a condition for permit renewal for the vocational emergency teaching permit beginning with the 1988-1989 school year.

These amendments are being adopted on an emergency basis to ensure that the changes effective for the 1987-1988 school year will be in place for the start of the school year and to ensure adequate notice concerning TECAT requirements which will be effective for the 1988-1989 school year.

The amendments are adopted on an emergency basis under the Texas Education Code, §13.032(a), which directs the State Board of Education to make rules concerning the issuance of teacher certificates.

§141.294. *Emergency Teaching Permits: Requirements and Procedures.*

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

(c) Renewal procedures.

(1)-(2) (No change.)

(3) Requests for renewal of emergency teaching permits must be submitted to the Division of Teacher Certification when:

(A) (No change.)

(B) the renewal is for a change of assignment [and/] or school district **or both**

or
(C) the renewal is for non-consecutive years. [; or

[(D) the renewal is for a vocational assignment. Request must be submitted on form TCER-009, as revised.]

(D)[(E)] The following items must be submitted with the renewal request:

(i)-(iv) (No change.)

§141.295. *Vocational Education Emergency Teaching Permits: Requirements and Procedures.*

(a)-(g) (No change.)

(h) Application procedure for original vocational emergency teaching permit.

(1) A statement of qualifications **verifying appropriate work experience as specified in this section must be approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate sought** [must be submitted to the Division of Teacher Certification for approval] prior to placement of a teacher in a vocational assignment.

(2) (No change.)

(3) The superintendent of the employing school district **shall** [should] submit **within 30 days of employment** an application for the permit, copy of **the deficiency plan, copy of the approved statement of qualifications**, [approval letter,] official transcripts (if applicable), and fee to the Division of Teacher Certification.

(4) **If, upon receipt and review of the documents by the Division of Teacher Certification, it is determined that the permit cannot be authorized, the superintendent will be notified within 30 days.** [When the permit is issued, the superintendent will be advised regarding additional requirements for permanent certification in the areas of health occupations, occupational orientation, office education, and trades and industry. Teachers in other vocational areas should secure deficiency plans from an approved Texas college/university.]

(i) Application procedure for renewal of a vocational emergency teaching permit.

(1) **One emergency teaching permit renewal is available for vocational education areas, provided that all requirements for renewal are completed. Two permit renewals are available in areas requiring the completion of an approved teacher education program.** [All vocational emergency teaching permits must be renewed by the Division of

Teacher Certification.]

(2) The superintendent of a public school district is authorized to renew emergency teaching permits for vocational education areas, provided that the following renewal requirements and procedures are met. [Deficiency plan for completing specified professional requirements for the desired certificate or endorsement.]

(A) The permit is renewed for the same assignment in the same school district as the initial permit.

(B) An emergency teaching permit for vocational education areas is renewed by placing the following items in the teacher's personnel file in the local district office:

(i) verification of one year of successful teaching in the vocational program for which renewal is activated;

(ii) appropriate renewal form completed on reverse side of the original emergency teaching/special assignment permit form prior to beginning date of teaching duties;

(iii) official transcript(s) showing a minimum of six semester hours or one-third of the deficiencies, whichever is greater, for the target certificate have been completed each year; and

(iv) effective with the beginning of the 1988-1989 school year, evidence of successful performance on the Texas Examination of Current Administrators and Teachers (TECAT) prior to the first renewal of the permit.

(3) Request for renewal for emergency teaching permits for vocational education areas must be submitted to the Division of Teacher Certification when [Completion of a minimum of six semester hours of the specified deficiencies prior to renewal of the permit.]:

(A) all renewal requirements have not been completed;

(B) the renewal is for a change of assignment or school district or both; or

(C) the renewal is for non-consecutive years.

(4) The following items must be submitted with the renewal request [Verification by employing superintendent that the individual successfully completed one year of employment in the vocational program for which the permit is requested.]:

(A) a duplicate of an emergency teaching/special assignment permit form completed prior to the date the individual's teaching duties began;

(B) designated fee;

(C) deficiency plan for completion of certificate requirements; and

(D) official transcripts of credits completed after issuance of initial permit.

(5) Submission of an application with the designated fee and official transcripts or evidence of workshop attendance to the Division of Teacher Certification.]

Issued in Austin, Texas, on July 14, 1987.

TRD-8705857

W. N. Kirby
Commissioner of
Education

Effective date: July 16, 1987
Expiration date: November 13, 1987
For further information, please call
(512) 463-9212.

Subchapter T. [1984]
Requirements for Provisional
Certificates and Specialized
Assignments or Programs

★ 19 TAC §§141.453-141.455

The Texas Education Agency adopts on an emergency basis amendments to §§141.453-141.455, concerning requirements for provisional certificates and specialized assignments or programs. The amendments remove from the Central Education Agency the responsibility for review and approval or disapproval of work experience required of individuals seeking certification to teach in certain vocational programs. The responsibility is transferred to an employing school district or a teacher preparation institution. The amendments make the permit and certification process for vocational teachers similar to that for other certification programs. The procedure will be effective for the 1987-1988 school year. The title of Subchapter T is also amended to delete the reference to 1984, the year the subchapter was adopted.

These amendments are adopted on an emergency basis to ensure that simplification of permit procedures can be in place at the start of the 1987-1988 school year.

The amendments are adopted on an emergency basis under the Texas Education Code, §13.032(a), which directs the State Board of Education to make rules concerning the issuance of teacher certificates.

§141.453. *Specific Requirements for Provisional Vocational Certificates Based on Experience and Preparation in Skill Areas.*

(a) Provisional vocational health occupations certificates.

(1) (No change.)

(2) Certification shall be based on experience and academic preparation in the skill area and shall require all of the following:

(A)-(C) (No change.)

(D) two years of employment experience approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate [approved by the Central Education Agency] in a licensed hospital or health agency, in addition to that required to be registered or certified.

(3) (No change.)

(b) Provisional vocational home economics—pre-employment laboratory certificate.

(1) The provisional vocational home economics—pre-employment laboratory certificate shall be based on preparation and experience in the skill area and shall require:

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

(C) three years of wage-earning experience approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate [Central Education Agency] in one of the occupations for which instruction is offered;

(D)-(F) (No change.)

(2) (No change.)

(c) Provisional vocational marketing and distributive education certificate.

(1) (No change.)

(2) Certification based on prepreparation and experience in the skill area shall require:

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

(C) two years of wage-earning experience approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate [Central Education Agency] in one or more of the distributive occupations;

(D)-(E) (No change.)

(3) (No change.)

(d) Provisional vocational office education certificate.

(1) (No change.)

(2) Academic specialization.

(A) Provisional vocational office education certificate. This certificate requires the following:

(i)-(ii) (No change.)

(iii) two years of wage-earning

experience approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate [Central Education Agency] in office occupations.

(B) Provisional vocational office education—CVAE/VEH certificate.

(i) Option I. Option I requires the following:

(I)-(II) (No change.)

(II) two years of wage-earning experience approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate [Central Education Agency] in office occupations.

(ii) Option II. Option II requires the following:

(I)-(II) (No change.)

(III) five years of successful wage-earning experience approved by the employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate [Central Education Agency] in office occu-

pations.

(C) Provisional vocational data processing certificate.

(i) Option I. Option I requires the following:

(1)-(II) (No change.)

(III) two years of wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in data processing, one of which must be continuous and full time.

(ii) Option II. Option II requires the following:

(1)-(III) (No change.)

(IV) three years of wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in data processing, one of which must be continuous and full time.

(3) (No change.)

(e) Provisional vocational occupational orientation certificate.

(1) (No change.)

(2) Academic specialization.

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

(C) work experience as indicated for approval to teach the following:

(i) occupational investigation—two years of wage-earning experience, other than teaching, approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in one or more occupations for which occupational education may be conducted;

(ii) occupational exploration—two years of wage-earning experience, other than teaching, approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in the occupational field or cluster for which instruction is offered.

(3) (No change.)

(f) Provisional vocational trades and industry—cooperative training certificates.

(1) (No change.)

(2) Academic specialization.

(A) Provisional vocational trades and industry—cooperative training. This certificate requires the following:

(i)-(iii) (No change.)

(iv) three years of full-time wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in one or more industrial occupations or skilled trades. One year must be continuous employment in a single occupation or trade.

(B) Provisional vocational trades

and industry—CVAE/coop and provisional vocational trades and industry—VEH/coop. This certificate requires the following:

(i)-(iii) (No change.)

(iv) two years of full-time wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in two or more occupations to be taught.

(3) (No change.)

(g) Provisional vocational trades and industry—pre-employment laboratory certificates.

(1) (No change.)

(2) Academic specialization.

(A) Provisional vocational trades and industry—pre-employment laboratory.

(i) Option I. Option I requires the following:

(1)-(II) (No change.)

(III) three years of full-time wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in the occupation or skilled trade to be taught.

(ii) Option II. Option II requires the following:

(1)-(II) (No change.)

(III) five years of full-time wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in the occupation or skilled trade to be taught.

(iii) (No change.)

(B) Provisional vocational trades and industry—CVAE/pre-employment laboratory and provisional vocational trades and industry—VEH/pre-employment laboratory.

(i) Option I. Option I requires the following:

(1)-(II) (No change.)

(III) two years of full-time wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in one or more areas of the occupational cluster to be taught. One year must be in the predominant area to be taught in the occupational cluster.

(ii) Option II. Option II requires the following:

(1)-(II) (No change.)

(III) five years of wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in one or more areas of the occupational cluster to be taught. Two years must be in the predominant area to be taught in the occupational cluster.

(3) (No change.)

(h) Approval of vocational education teachers based on prior experience and preparation in a skill area.

(1) Prospective vocational education teachers shall submit a statement of qualifications detailing prior experience and skill area preparation to the employing superintendent or certification officer of a college approved to prepare teachers for the vocational certification sought. The superintendent or certification officer shall review the applicant's statement of qualifications to determine whether or not the applicant meets the appropriate approval criteria specified in this subsection.

(2) For the purposes of this section, 12 months of wage-earning experience for at least 40 hours per week shall equal one year of full-time experience. Wage-earning experience consisting of less than 40 hours, but at least 20 hours per week, shall be calculated at a 50% rate in determining years of creditable full-time experience. Wage-earning experience indicating services performed for less than 20 hours per week shall not be considered as acceptable time when determining full-time experience.

(3) A deficiency plan specifying certification requirements shall be prepared by a college or university approved to offer course work for the vocational certificate sought.

(4) If the approved applicant is employed by the school district, the superintendent or designee shall apply to the Division of Teacher Certification for an emergency permit within 30 days of employment in accordance with §141.295 of this title (relating to Vocational Education Emergency Teaching Permits: Requirements and Procedures).

(5) Approvals granted under this section shall be covered by the provisions of the Texas Education Code, §4.29 (relating to Falsifying Documents).

§141.454. Eligibility Requirements for Specialized Assignments or Programs.

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

(d) Requirements for eligibility to teach in specialized assignments or programs shall be as follows.

(1)-(2) (No change.)

(3) Vocational home economics.

(A) Cooperative training. Eligibility to teach cooperative training shall require a valid provisional and one of the following.

(i) (No change.)

(ii) Option II. Option II requires the following:

(1) two years of wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in one of the occupations for which instruction is offered; and

(II) (No change.)

(B) Pre-employment laboratory education (PELE), coordinated vocational-academic education (CVAE), and vocational education for the handicapped (VEH). Eligibility to teach PELE, CVAE, and VEH in vocational home economics shall require a valid provisional vocational home economics certificate and one of the following.

(i) (No change.)

(ii) Option II. Option II requires the following;

(1) two years of wage-earning experience approved by the **employing superintendent or certification officer of a college or university approved to prepare teachers for the vocational certificate** [Central Education Agency] in one of the occupations for which instruction is offered; and

(II) (No change.)
(C) (No change.)

§141.455. *Effective Date.*

[(a) The requirements in this subchapter shall become effective September 1, 1985.]

(a)[(b)] Effective September 1, 1988 [1985], no new Central Education Agency evaluations or college or university plans based on previous standards may be prepared.

(b)[(c)] Individuals pursuing requirements for provisional certificates or specialized assignments or programs based on Central Education Agency evaluations or

college or university plans issued under previous standards must complete all requirements [and apply] for certification on or before September 1, 1980 [1987].

Issued in Austin, Texas, on July 16, 1987.

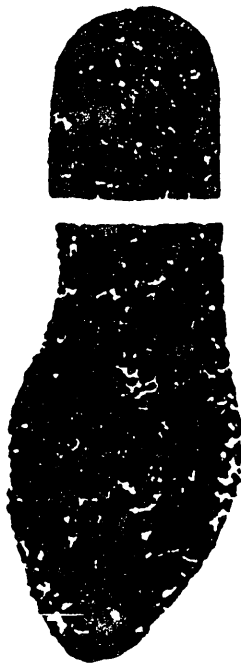
TRD-8705908

W. N. Kirby
Commissioner of
Education

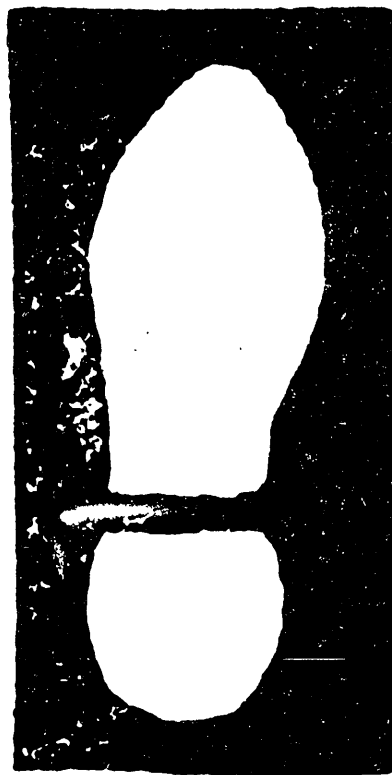
Effective date: July 17, 1987
Expiration date: November 14, 1987
For further information, please call
(512) 463-9212.



"ing"



2/4



Name: Grace Silver
Grade: 9
School: Coppell High, Coppell

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 1. ADMINISTRATION Part V. State Purchasing and General Services Commission

Chapter 113. Central Purchasing Division Purchasing

★1 TAC §113.1

(Editor's note: The State Purchasing and General Services Commission proposes for permanent adoption the amendment it adopts on an emergency basis in this issue. The text of the amendment is published in the Emergency Rules section of this issue.)

The State Purchasing and General Services Commission proposes an amendment §113.10, concerning emergency purchases. The amendment permits agencies to more easily make critical acquisitions of supplies, materials, and equipment in excess of \$250 without the necessity of obtaining a signed written bid.

John R. Neel, general counsel, 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.

Mr. Neel 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 an increased ability of state agencies to make critical acquisitions of supplies, materials, and equipment in excess of \$250 without the necessity of obtaining a signed written bid. 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 John R. Neel, General Counsel, State Purchasing and General Services Commission, P.O. Box 13047, Austin, Texas 78711-3047. Comments must be received no later than 30 days from the date of publication of the proposal in the *Texas*

Register.

The amendment is proposed under Texas Civil Statutes, Article 601b, which provide that State Purchasing and General Services Commission with the authority to promulgate rules necessary to maintain an effective and efficient purchasing program for state agencies.

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 July 15, 1987.

TRD-8705837

John R. Neel
General Counsel
State Purchasing and
General Services
Commission

Earliest possible date of adoption:

August 24, 1987

For further information, please call
(512) 463-3446.



Surplus Property Sales

★1 TAC §113.73

(Editor's note: The State Purchasing and General Services Commission proposes for permanent adoption the amendment it adopts on an emergency basis in this issue. The text of the amendment is published in the Emergency Rules section of this issue.)

The State Purchasing and General Services Commission proposes an amendment to §113.73, concerning methods of disposing of surplus or salvage property. The amendment allows consideration of bids for surplus or salvage property if bid deposits, when required, are no more than 3.0% less than the required amount. The amendment also clarifies the necessity for bids on surplus or salvage property to be signed if they are to be considered, in accordance with competitive bidding procedures.

John R. Neel, general counsel, 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.

Mr. Neel 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 an increased ability to consider otherwise valid bids for surplus or salvage property when bid deposits are required, and assurance that competitive bidding procedures are being met. 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 John R. Neel, General Counsel, State Purchasing and General Services Commission, P.O. Box 13047, Austin, Texas 78711-3047. Comments must be received no later than 30 days from the date of publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Civil Statutes, Article 601b, which provide the State Purchasing and General Services Commission with the authority to promulgate rules necessary to maintain an effective and efficient purchasing program for state agencies.

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 July 15, 1987.

TRD-8705836

John R. Neel
General Counsel
State Purchasing and
General Services
Commission

Earliest possible date of adoption:

August 24, 1987

For further information, please call
(512) 463-3446.



TITLE 16. ECONOMIC
REGULATION
Part II. Public Utility
Commission of Texas
Chapter 21. Practice and
Procedure
Prehearing Proceedings

★ 16 TAC §21.81

The Public Utility Commission of Texas proposes an amendment to §21.81, concerning discovery. The amendment codifies the current commission practice of allowing parties to request that answers to requests for information be provided under oath, deletes a sentence concerning internal routing procedures, and makes minor grammatical modifications.

Phillip A. Holder, secretary of the commission, 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.

Mr. Holder 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 ensured accuracy of discovery responses, and facilitated public participation in agency proceedings. The anticipated economic cost to individuals who are required to comply with the section as proposed will be a minor increase in the cost of answering requests for information.

Comments on the proposal may be submitted to Phillip A. Holder, Secretary of the Commission, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78757, within 30 days after publication.

The amendment is proposed under Texas Civil Statutes, Article 1446c, §16 which provide the Public Utility Commission of Texas with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction.

§21.81 Discovery

(a) Requests for information. The presiding examiner may set appropriate time limits for the filing of requests for information. All requests for information of a party must be filed with the commission and copies of the request for information must be either hand delivered or sent by certified mail, return receipt requested, to all parties of record and the commission's general counsel within the time limits set by the examiner. **Upon request by the party proposing the request for information, answers shall be provided under oath.** Three copies of all answers to requests for information must be filed within 20 days from receipt of the request for information by the

party. Upon the showing of good cause, the examiner may set a shorter or longer period for filing answers to requests for information. [One copy shall be retained by the Hearings Division and two copies shall be delivered to the commission's general counsel.] The answers shall be served upon the parties of record according to the directions of the examiner.

(b)-(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 July 15, 1987.

TRD-8705835 Phillip A. Holder
Secretary
Public Utility
Commission of Texas

Earliest possible date of adoption:
August 24, 1987
For further information, please call
(512) 458-0100.



TITLE 19. EDUCATION
Part II. Texas Education
Agency
Chapter 75. Curriculum
Subchapter F. Graduation
Requirements

★ 19 TAC §75.152

(Editor's note: The Texas Education Agency proposes for permanent adoption the amendment it adopts on an emergency basis in this issue. The text of the amendment is published in the Emergency Rules section of this issue.)

The Texas Education Agency proposes an amendment to §75.152, concerning the advanced high school program. The amendment provides that College Board Advanced Placement Courses in subjects listed in the section may be designated as honors courses. Districts will not be required to submit the courses for agency approval.

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 or local government or small businesses as a result of enforcing or administering the section.

Mr. Moak and Dr. Beverly Bardsley, director for policy development, 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

ing the section will be simplification of procedures for designating College Board Advanced Placement Courses as honors courses. 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, §21.101, which authorizes the State Board to make rules concerning the public school curriculum.

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 July 14, 1987.

TRD-8705801 W. N. Kirby
Commissioner of
Education

Proposed date of adoption:
October 10, 1987
For further information, please call
(512) 463-9212.



TITLE 28. INSURANCE
Part I. State Board of
Insurance
Chapter 19. Agent's Licensing
Subchapter J. Standards of
Conduct for Licensed Agents

★ 28 TAC §§19.901-19.906

The State Board of Insurance proposes new §§19.901-19.906, concerning standards of conduct for all agents licensed under the provisions of the Insurance Code, Articles 3.75 and 23.23, and Chapter 21, Subchapter A, as well as agents licensed under the provisions of the Texas Health Maintenance Organization Act, §15 and §15A. The proposals are based on the recommendations of the agents licensing advisory committee appointed by the board. These new sections recognize and regulate recent developments in agency organization. New §19.901 defines words and terms used in these new sections. New §19.902 prohibits a licensed agent from holding more than one current license of the same type, and permits licensed agents to conduct business in different offices and under assumed names without obtaining additional li-

censes of the same type. The new section also requires agents to furnish the board a certified identification of all offices and assumed names used in the conduct of business by filing a Form LDTL and an accompanying fee with the State Board of Insurance. The board has filed with the Secretary of State's Office a copy of Form LDTL. Persons desiring copies of the form can obtain copies from the Agents License Division of the State Board of Insurance at 1110 San Jacinto Boulevard, Austin, Texas 78701-1998. New §19.903 permits managing general agents to hold other licenses. New §19.904 allows to or more agents with active licenses of the same type to advertise jointly under certain conditions. New §19.905 sets forth conditions under which referral of business and sharing of commissions will be permitted. New §19.906 requires an agent to provide the board with current information concerning the agent's address.

Jack Evins, assistant manager, Agents License Division, has determined that for the first five-year period the proposed sections will be in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the sections, and there will be no fiscal implications for small businesses as a result of enforcing or administering §§19.901, 19.903, and 19.904. For state government, any increase or decline in revenues from fees will essentially be offset by a corresponding increase or reduction in expenses from processing of paperwork. The fiscal implications of §§19.902, 19.905, and 19.906 for small businesses will be the amount of any additional filing fees imposed, plus the minimal cost, under \$25 per application or filing, or per disclosure, of completing forms and providing information and copies to the board, or of making a written disclosure to an insured. There will be no difference per hour of labor in cost of compliance for small and large businesses.

Mr. Evins also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be greater accountability of licensees to the public because of the imposition of more precise licensing, reporting, advertising, and disclosure requirements for agents. The anticipated economic cost to any persons who are required to comply with the proposed sections will be the same as the fiscal implications for small businesses.

Comments may be submitted to Jack Evins, Assistant Manager, Agents License Division, State Board of Insurance, 1110 San Jacinto Boulevard, Austin, Texas 78701-1998.

The new sections are proposed under the Insurance Code, Article 1.04, §(b), Article 3.75, §8, Article 21.07, §13, Article 21.07-1, §15, Article 21.07-3, §21, Article 21.14, §26,

and Article 23.23, §(a), and the Texas Health Maintenance Organization Act, §15(g) and §15A(h), which authorize the State Board of Insurance to establish rules and to administer statutory provisions concerning the regulation of agents and agents' licenses.

§19.901. Definitions Concerning Conduct of Licensed Agents. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

Agent—Any individual, partnership, or corporation which obtains from the State Board of Insurance a license or a certificate of authority to act as an agent under any of the provisions of the Insurance Code, Chapter 21, Subchapter A; as a variable contract agent under the provisions of the Insurance Code, Article 3.75; as an agent of a non-profit legal services corporation under the Insurance Code, Article 23.23; as a health maintenance organization agent under the Texas Health Maintenance Organization Act, §15, or as an agent for a single health care service plan under the Texas Health Maintenance Organization Act, §15A.

Office—Any location regularly maintained as a place of business and operating as an insurance agency under the provisions of the Insurance Code applicable to this subchapter.

§19.902. One Agent, One License.

(a) No agent may hold more than one license of the same type currently in effect. An agent doing an insurance business subject to the provisions of this subchapter shall have the agent's license certificate issued in the agent's full, exact legal name. If an individual is authorized to act as a particular type of agent, that individual need not obtain an additional license in order to participate in a licensed partnership or corporate agency of the same type, but the partnership or corporation must obtain a separate license. Any licensed agent may have additional offices or do business under assumed names without obtaining an additional license; provided, however, each agent must furnish the State Board of Insurance with a certification identifying any and all offices from which the agent will conduct an insurance agency business, and showing any and all assumed names which the agent will utilize in doing an insurance agency business at each of those offices. Where such a filing is required under the Assumed Business or Professional Name Act (Texas Business and Commerce Code, §36.01, et seq.), or any similar statute, the agent shall provide the State Board of Insurance with a copy of the valid assumed name certificate reflecting proper registration of each assumed name utilized by the agent.

(b) The State Board of Insurance adopts by reference Form LDTL in effect on October 1, 1987. In order to comply with the requirements of this section, an agent

must register any assumed name or additional office by filing with the Agents License Division of the State Board of Insurance a completed Form LDTL together with the required fee. Any such filing of a Form LDTL shall be treated as an application for expansion of an agent's license authority, and, therefore, a fee equal to the highest license fee established by the State Board of Insurance for any license currently held by the agent shall be paid in support of such filings. Copies of Form LDTL for use under this subsection are available from the Agents License Division, State Board of Insurance, 1110 San Jacinto Boulevard, Austin, Texas 78701-1998.

§19.903. Concurrent Eligibility for Managing General Agent's License and Other Licenses. Nothing contained in this subchapter shall be taken to prohibit an individual, partnership, or corporation from concurrently holding both a managing general agent license under the Insurance Code, Article 21.07-3, and any other agent license or licenses not licenses of the same type, if the individual, partnership, or corporation can satisfy the eligibility requirements for each type of license under the Insurance Code and this title. The foregoing shall not be taken to permit a managing general agent, acting under the authority of that particular license, to engage in the life insurance business, health and accident insurance business, or annuity business.

§19.904. Joint Advertising by Similarly Licensed Agents. Subject to the provisions of this subchapter, two or more agents holding active licenses of the same type may jointly advertise or otherwise jointly present their agency names to the public. In such instances, any solicitation put forth by an individual agent or any policy, binder, certificate of insurance, endorsement, invoice, or billing must clearly and exactly identify the specific agency making the solicitation or servicing the insurance account in question. No agent shall make any representation, whether written or oral, that such agent is an authorized representative of any insurer unless the agent has been properly appointed to act as an agent for such insurer.

§19.905. Referral Business and Insurance Company Appointments. When a licensed local recording agent who does not have an appointment from a particular insurance company has referred an application for insurance to a local recording agent or managing general agent who does have an appointment with that company and the referral has resulted in the issuance of a policy of insurance written by that company, the agent who has the appointment may share the commission with the agent who does not have an appointment. The local recording agent, without an appointment from the company which takes the risk or issues a policy, may prepare an application for in-

\$325;

(VII) late payment penalty—10% of annual rent.

(B) Term—not to exceed five years.

(C) Exception. If the permit was issued prior to July 18, 1983, (the date of the initial rate increase) and if the annual fee will impose an undue financial hardship on a current permit holder, the permittee may apply for a continuation of the previous fee.

(c) Term. The term for all coastal leases and coastal easements not previously specified is negotiable. School Land Board approval is required prior to construction.

(d) Rental adjustments.

(1) At every five year interval in the term of the lease or easement, the rental will be adjusted in one of the following methods.

(A) Reappraisal by General Land Office appraisers will be performed at five year intervals. The rental payment will be determined by the rate formula using the AFMV determined by the reappraisal.

(B) A consumer price index adjustment, using the United States all items index, 1967 = 100, will be used for rental adjustment. The amount of the increase will be figured by summing the annual percentage change in the CPI for each year between rate formula adjustments.

(2) Rental adjustments as determined by either reappraisal or CPI adjustment can increase by no more than 40% of the previous five years' rental nor by less than 20% of the previous five years' rental.

(e) Discretionary authority. The School Land Board shall have the authority to reduce or waive any fee set forth herein.

(f) Implementation. A graduated payment schedule shall be implemented with regard to the rate formula such that upon granting a new or upon renewal of a coastal lease or coastal easement the School Land Board shall charge 50% of the rate formula for the first year of the coastal lease or coastal easement, 75% of the rate formula for the second year of coastal lease or coastal easement, and 100% of the rate formula for the third and all subsequent years of the coastal lease or coastal easement. The graduated payment schedule for the rate formula shall not apply to coastal leases or coastal easements granted after November 11, 1991, or to any coastal lease or coastal easements to which the graduated payment schedule has previously been applied.

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 July 20, 1987.

TRD-8705917 Garry Mauro
Commissioner
General Land Office

Earliest possible date of adoption:
August 24, 1987

For further information, please call
(512) 463-5009.

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services Chapter 15. Medicaid Eligibility.

Subchapter DDD. Interstate Requests for Assistance

★ 40 TAC §15.5506

The Texas Department of Human Services (DHS) proposes an amendment to §15.5506, concerning redetermination of eligibility for medical assistance. The purpose of this amendment is to specify that department staff take action within 10 days after receiving information that could affect a client's eligibility or applied income, and that department staff conduct special reviews every three months when a client's resources are within \$100 of program limits.

Brian Packard, associate commissioner for budget, planning, and economic analysis, has determined that for the first five-year period the proposed section will be in effect there will be fiscal implications for state government as a result of enforcing or administering the section. The effect on state government for the first five-year period the section will be in effect is an estimated reduction in cost of \$65,186 for fiscal year 1988; \$129,772 for fiscal year 1989; \$130,646 for fiscal year 1990; \$130,165 for fiscal year 1991; and \$135,915 for fiscal year 1992. There will be no fiscal implications for local governments or small businesses as a result of enforcing or administering the section.

Mr. Packard 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 a savings in Medicaid dollars as a result of ineligible clients being denied benefits. 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 Cathy Rossberg, Administrator, Policy Development Support Division-302, Texas Department of Human Services 222-E, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in the *Texas Register*.

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

§15.5506. *Redetermination of Eligibility for Medical Assistance.*

(a) If an individual is eligible for medical assistance, the caseworker redetermines his eligibility:

(1) (No change.)

(2) after receipt of a report showing changes that may affect eligibility or applied income. In this situation the caseworker must act within 10 workdays of receipt of the information. If the reported change affects neither eligibility nor applied income, the caseworker must act within 30 workdays [within 30 days after receipt of a report indicating that changes in the individual's circumstances may affect eligibility];

(3)—(4) (No change.)

(5) At least every three [six] months if the individual's countable resources are within \$100 of [plus monthly gross income exceed] the program resource limit. The caseworker only verifies and documents resources.

(b) (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 July 20, 1987

TRD-8705912 Marlin W. Johnston
Commissioner
Texas Department of
of Human Services

Earliest possible date of adoption:

August 24, 1987

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



Chapter 48. Community Care for Aged and Disabled Case Management

★ 40 TAC §48.3903

The Texas Department of Human Services (TDHS) proposes an amendment to §48.3903, concerning termination of services, in its community care for aged and disabled chapter. The amendment clarifies that CCAD applicants who fail to qualify as income eligibles after the 30-day period of a verbal referral continue to receive services only through the 30th day from the application date, even if the termination is appealed. This clarification is consistent with CCAD rules adopted by the department effective August 1, 1987. The amendment also allows the department to terminate services to clients who repeatedly refuse to follow the service plan.

Brian Packard, associate commissioner for budget, planning, and economic analysis, 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 governments or small businesses as a result of enforcing or administering the section.

Mr. Packard also has determined that for each year of the first five years the sec-

tion is in effect the public benefit anticipated as a result of enforcing the section will be that providers and clients will have a clearer understanding of department policy. 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 Cathy Rossberg, Administrator, Policy Development Support Division-199, Texas Department of Human Services

222-E, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in the *Texas Register*.

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

§48.3903. *Denial, Reduction, or Termination of Services.*

(a) An applicant/client may request

an appeal of any decision which results in the denial, reduction, or termination of his benefits. Clients are entitled to be notified 10 days before reduction or termination of services, or in 12 days if the notice is mailed, with one exception. Purchased services to a client who threatens the health or safety of other individuals or himself may be terminated without advance notice. The effective date of services reduced or terminated is shown in the following table:

If	Then
Termination or reduction is because of loss of eligibility as an income eligible, failure to meet the client needs assessment score or medical criteria for the service, repeated failure to follow the service plan , or change the client's need for the specific service,	Termination or reduction is effective 10 days (or 12 days if mailed) from the date of the notice unless appealed and then services continue until the hearing officer gives a decision. The cost of providing services during that period is subject to recovery from the client by the department.
Termination is because of a loss of AFDC, SSI, or Medicaid eligibility,	Services continue only to the end of the month in which the client is determined ineligible, even if appealed.
Termination is because of lack of physician's orders for the service,	Services continue only through the date the previous orders expire, even if appealed.
If	Then
Termination or reduction is based on budgetary constraints and/or change in federal law or state regulations, and services are reduced or terminated for an entire categorical client group,	Services continue only through the date of termination of a categorical client group, even if appealed.
Termination is because of failure to qualify as an income eligible after the 30-day period of a verbal referral [expedited CCAD purchased services],	Services continue only through the 30th day from the application date , even if appealed.
Termination is because the client threatens the health or safety of other individuals or himself,	Services may be terminated immediately under the following conditions: A client receiving out-of-home services threatens the health or safety of others or himself. A client receiving in-home services threatens the provider's health or safety.

is determined by Texas General Land Office's certified appraisers and is supported with cost, income, and market data.

(3) Commercial activity. Activity which is designed to enhance or accommodate a profit-making venture or is associated with a revenue generating activity.

(4) Mineral interest holder. Holder of a lease for oil or gas extraction who plans to dredge on state-owned lands outside the leasehold tract to obtain access to the leasehold tract.

(5) New dredging. Dredging which is not under current permit with the General Land Office. The new dredging rate is charged for the first year. The maintenance dredging fee is charged for each subsequent year of the term.

(6) Private activity. Activity which is not performed by a public entity, is not designed to enhance or accommodate a profit making venture, and is not associated with a revenue generating activity.

(7) Public activity. Activity which is performed by a public entity, is not designed to enhance or accommodate a profit making venture, and is not associated with a revenue generating activity.

(8) Public entity. City, county, state agency, board, commission, or any other political subdivision of the state except a navigation district. See §155.21(e) of this title (relating to Application; Nature of Original Lease; Sublease; Termination).

(9) Quantity of state land encumbered (Q). The amount of state land encumbered by the permitted activity and is typically expressed in number of square feet.

(10) Rate formula (RF). The quantity of state land encumbered multiplied by the appraised fair market value of adjacent uplands multiplied by the amenity value multiplied by rate of return. In symbolic terms: $RF = Q \times AFMV \times V \times ROR$.

(11) Rate of return (ROR). Derived from current market interest rates. This rate is equal to the prime rate of interest plus two percentage points.

(b) Coastal fees. The School Land Board is authorized to charge the following fees for coastal leases, coastal easements, and structure registrations. When an optional rate formula is indicated, the School Land Board will determine whether to charge the fixed rate or the rate formula.

(1) Coastal lease fees. The School Land Board may only grant coastal leases to certain entities, as prescribed by the Natural Resources Code, §33.105 and §33.109.

(A) Private activity:

(i) filing fee—\$5.00;

(ii) annual fee—\$5.00 minimum or rate formula.

(B) Commercial activity:

(i) filing fee—\$50;

(ii) annual fee—\$100 minimum or rate formula.

(C) Public activity:

(i) filing fee—\$5.00;

(ii) annual fee—no charge.

(2) Structure registration fee. Structure registration is required for private piers or docks that are 100 feet long or less and 25 feet wide or less and require no dredging or filling, as authorized by the Natural Resources Code, §33.115. Though School Land Board approval is not required for construction, the applicant must register the location of the structure. The structure is granted for a perpetual term.

(A) Filing fee—\$5.00.

(B) Annual fee—no charge.

(3) Coastal easement fees.

(A) Piers and docks. The following fees apply to all piers and docks as defined in the Natural Resources Code, §33.004, that are not included in paragraphs (1) and (2) of this subsection.

(i) Private activity in which the pier or dock is 300 feet long or less and 2,500 square feet or less:

(I) filing fee—\$5.00;

(II) annual fee—no charge.

(ii) Private activity in which the pier or dock is greater than 300 feet long or 2,500 square feet:

(I) filing fee—\$50;

(II) annual fee—\$0.10 per square foot for all area greater than 300 feet long or 2,500 square feet in area, \$100 minimum.

(iii) Commercial activity:

(I) filing fee—\$50;

(II) annual fee—\$0.20 per square foot, \$100 minimum, or rate formula.

(iv) Public activity:

(I) filing fee—\$5.00;

(II) annual fee—no charge.

(B) Marinas.

(i) Boat slips in Clear Lake:

(I) filing fee—\$50;

(II) annual fee—\$3.60 per

linear foot or rate formula.

(ii) Boat slips in other areas:

(I) filing fee—\$50;

(II) annual fee—\$2.88 per linear foot or rate formula.

(C) Wharves.

(i) filing fee—\$50;

(ii) annual fee—\$0.30 per square foot, \$100 minimum, or rate formula.

(D) Breakwaters, jetties, groins.

(i) Private activity involving a structure 300 feet long or less:

(I) filing fee—\$5.00;

(II) annual fee—no charge.

(ii) Private activity involving a structure longer than 300 feet:

(I) filing fee—\$50;

(II) annual fee—\$0.10 per square foot, \$25 minimum.

(iii) Commercial activity:

(I) filing fee—\$50;

(II) annual fee—\$0.20 per square foot, \$100 minimum.

(iv) Public activity:

(I) filing fee—\$5.00;

(II) annual fee—no charge.

(E) Dredging.

(i) Mineral interest holder:

(I) filing fee—\$50;

(II) first year fee for new dredging—\$.02 per square foot, \$100 minimum;

(III) annual fee for maintenance dredging—\$.005 per square foot.

(ii) Private activity when area encumbered is 2,000 square feet or less and channel width is 20 feet or less:

(I) filing fee—\$50;

(II) first year fee for new dredging—\$.03 per square foot, \$100 minimum;

(III) annual fee for maintenance dredging—\$.005 per square foot.

(iii) Private activity when area encumbered is greater than 2,000 square feet or channel width is greater than 20 feet:

(I) filing fee—\$50;

(II) first year fee for new dredging—\$.03 per square foot, \$100 minimum or rate formula:

(III) annual fee for maintenance dredging—\$.005 or rate formula.

(iv) General commercial activity:

(I) filing fee—\$50;

(II) first year fee for new dredging—\$.04 per square foot, \$100 minimum, or rate formula:

(III) annual fee for maintenance dredging—\$.005 per square foot or rate formula.

(v) Commercial activity for marina with eight slips or less:

(I) filing fee—\$50;

(II) first year fee for new dredging—\$.04 per square foot, \$100

(III) annual fee for maintenance dredging—\$.005 per square foot.

(vi) Commercial activity for marina with more than eight slips:

(I) filing fee—\$50;

(II) first year fee for new dredging—\$.04 per square foot, \$100 minimum, or rate formula:

(III) annual fee for maintenance dredging—\$.005 per square foot or rate formula.

(vii) Public activity:

(I) filing fee—\$5.00;

(II) annual fee—no charge.

(4) Cabin Permits.

(A) Fees:

(II) refundable deposit—

\$200;

(III) annual fee, per square

foot of floor space (roofed and unroofed)

(IV) contract renewal—

\$175;

(V) assignment—\$125;

(VI) permit reissuance—

(b)—(d) (No change.)

(e) If a client refuses to comply with his service plan, the caseworker and the client may adjust the service plan within CCAD service requirement limitations. If the client refuses to comply with any adjusted service plan, the caseworker may terminate the client's services.

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 July 20, 1987
TRD-8705911 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Earliest possible date of adoption:
August 24, 1987
For further information, please call
(512) 450-3766.

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Chapter 49. Child Protective Services

The Texas Department of Human Services (DHS) proposes the repeal of §49.512 and an amendment to §49.513, concerning notification to parents, managing conservators, or legal guardians of abuse or neglect in a facility; and managing conservatorship of children in regulated care, respectively. DHS licensing staff conducts child abuse and neglect investigations in day care facilities, licensed 24-hour child care facilities, and foster homes certified by private child placing agencies. DHS child protective services staff has the responsibility for investigations of abuse and neglect reports involving foster care and adoptive homes verified by DHS. The proposed repeal of §49.512 deletes references to notification responsibilities when children are found to have been abused or neglected in a facility. This requirement is met by DHS licensing staff and is covered in §85.7003 of this title (relating to Required Notifications—Facility). The amendment to §49.513 clarifies procedures DHS child protective services staff follows when children are found to be abused or neglected in a foster care or adoptive home.

Brian Packard, associate commissioner for budget, planning, and economic analysis, has determined that for the first five-year period the proposed repealed and amended sections will be in effect, there will be no fiscal implications for state or local governments 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 proposed repealed and amended sections are in effect the public benefit anticipated

as a result of enforcing the sections as proposed will be a clarification of policy regarding investigations in DHS agency homes and other licensed or regulated facilities. There is no anticipated economic cost to individuals who are required to comply with the repealed and amended sections as proposed.

Comments on the proposal may be submitted to Cathy Rossberg, Administrator, Policy Development Support Division-293, Texas Department of Human Services 222-E, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in the *Texas Register*.

Subchapter E. Intake and Investigation

★ 40 TAC §49.512

(Editor's note: The text of the following section proposed for repeal will not be published. The section may be examined in the offices of the Texas Department of Human Services, 701 West 51st Street, Austin, or in the Texas Register office, Room 503F, Sam Houston Building, 201 East 14th Street, Austin.)

The repeal is proposed under the Human Resources Code, Title 2, Chapters 22 and 41, which provides the department with the authority to administer public assistance programs and to enforce laws for the protection of children.

§49.512. Notification to Parents, Managing Conservators, or Legal Guardians of Abuse or Neglect in a Facility.

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 July 20, 1987.

TRD-8705914 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Earliest possible date of adoption:
August 24, 1987
For further information, please call
(512) 450-3766.

★ ★ ★

★ 40 TAC §49.513

The amendment is proposed under the Human Resources Code, Title 2, Chapters 22 and 41, which provides the department with the authority to administer public assistance programs and to enforce laws for the protection of children.

§49.513. DHS Managing Conservatorship of Children in Regulated Care.

(a) (No change.)

(b) If the finding of an investigation concerning children in [DHS] foster care or adoptive homes is documented as adjudicated or reason to believe, DHS must consider removal of the child from the home [facility] and must review the case and obtain approval for continued verification [for approval continued certification] and placement of any other children in the home [facility].

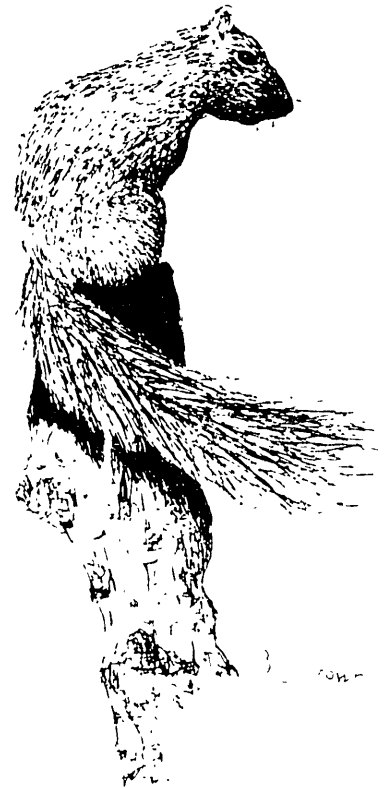
This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

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

TRD-8705915 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Earliest possible date of adoption:
August 24, 1987
For further information, please call
(512) 450-3766.

★ ★ ★



Name: Billy Brown
Grade: 9
School: Pemberton High, Marshall

Withdrawn

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

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

Part VII. Texas Commission on Law Enforcement Officer Standards and Education

Chapter 211. Administrative Division

Substantive Rules

★37 TAC §211.100

The Texas Commission on Law Enforcement Officer Standards and Education has withdrawn the emergency effectiveness to new §211.100, concerning substantive rules of the Administrative Division. The text of the emergency new section appeared in the January 30, 1987, issue of the *Texas Register* (12 TexReg 340). The effective date of the withdrawal is July 16, 1987.

Issued in Austin, Texas, on July 16, 1987.

TRD-8705849 Lisa Hislop
 Administrative
 Technician
 Texas Commission on
 Law Enforcement
 Officer Standards and
 Education

Filed July 16, 1987
For further information, please call
(512) 834-9222



Name: Kamphi Clayborn
Grade: 9
School: Pemberton High, Marshall



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 19. EDUCATION Part II. Texas Education Agency Chapter 61. School Districts Subchapter I. Hearings Before Local Boards

★ 19 TAC §61.231

The Texas Education Agency adopts the repeal of §§61.231, and 61.251-61.254, without changes to the proposed text published in the April 24, 1987, issue of the *Texas Register* (12 TexReg 1384).

In a recent decision by the Third Court of Appeals in *Ayotte et al. v. Central Education Agency*, the sections were interpreted by the court in a fashion in consistent with original board intent. The sections are therefore repealed and new §61.231 is adopted to more clearly express the board's intent.

A public hearing on the proposed adoption of the new section and repeal of existing Chapter 61, Subchapters I and J, was held on May 8, 1987. Written comments were also received. Most persons commented on both the new section and the proposed repeal. Because the issues in the two actions are so closely connected, the same summary of comments is being submitted both for the adopted new section and for the repeal.

Associations testifying in favor of the new section were the Texas Association of School Boards and Texas Association of Community Schools. Several school attorneys and other individuals also commented in support of the new section.

Associations testifying against the new section were the Texas State Teachers Association, the Corpus Christi Classroom Teachers Association, the Texas Classroom Teachers Association, and the Texas Federation of Teachers. Several individuals also commented against the new section. A return to the original section which was proposed for repeal was one option supported by those against the new section.

Many of those against the new section were concerned that it would curtail teachers' rights to present grievances at

the local level. New subsection (d) is added to clarify that there is a distinction between the right to a full due process hearing and the right to present a grievance, and that the section shall not be construed to abridge the right to present a grievance.

The Texas Federation of Teachers expressed concern that the definition of an aggrieved party did not include reference to violations of State Board of Education rules or local policy. This concern is addressed in the adopted section.

Several commentators expressed concern about the ambiguity of §2(A) as proposed. The ambiguous language is deleted.

The Texas State Teachers Association expressed concern about the requirement that the notice of a request for hearing specify facts sufficient to justify the relief sought, since the grievant may not have sufficient information to do this at the time the hearing is requested. This language is deleted from the adopted section.

The Texas State Teachers Association also recommended revised language that would have required full hearings in excess of those required by any state or federal statute, or by case law. This language is not included in the adopted section; instead, subsection (d) concerning grievances is added.

The Texas State Teachers Association also recommended specific timelines for local hearings. The adopted section includes the Texas State Teachers Association recommendation that specific timelines for local hearings be established. Such timelines are included in subsection (c)(2)(D).

The repeal is adopted under the Texas Education Code, §11.13, which provides for appeals to the commissioner of education from actions or decisions by local boards of trustees.

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 July 14, 1987

TRD-8705858

W. N. Kirby
Commissioner of
Education

Effective date August 6, 1987
Proposal publication date April 24, 1987
For further information, please call
(512) 463-9212



The Texas Education Agency adopts new §61.231, with changes to the proposed text published in the April 24, 1987, issue of the *Texas Register* (12 TexReg 1384).

In subsection (a), the phrase "in aggrieved party" is corrected to "an aggrieved party."

In subsection (b), the definition of an aggrieved party is expanded to include persons aggrieved by a violation of a rule adopted by the State Board of Education, or a policy adopted by a local governing board.

Subsection (c)(1)(A) is changed to clarify that the request must identify specifically the claimed violation and the relief requested. Language that would have required a statement of facts sufficient to justify the relief sought is deleted.

Subsection (c)(2)(A) is changed to clarify that nothing in the section shall be construed to create an independent right to a hearing before the local governing board in addition to the hearings required by law. A new subparagraph (D) is added to set timelines within which a local hearing must be conducted and a decision rendered.

Proposed paragraph (c)(3), concerning the record of local hearing, is deleted.

A new subsection (d) states that the section is not intended to abridge the right of any person to present a grievance to the local governing board.

In a recent decision by the Third Court of Appeals in *Ayotte et al. v. Central Education Agency*, the sections were interpreted by the court in a fashion inconsistent with original board intent. The sections are, therefore, repealed, and new §61.231 is adopted to more clearly express the board's intent.

A public hearing on the proposed adoption of the new section and repeal of existing Chapter 61, Subchapters I and J, was held on May 8, 1987. Written comments were also received. Most persons commented on both the new section and

the proposed repeal. Because the issue in the two actions are so closely connected, the same summary of comments is being submitted both for the adopted new section and for the repeal.

Associations testifying in favor of the new section were the Texas Association of School Boards and Texas Association of Community Schools. Several school attorneys and other individuals also commented in support of the new section.

Associations testifying against the new section were the Texas State Teachers Association, the Corpus Christi Classroom Teachers Association, the Texas Classroom Teachers Association, and the Texas Federation of Teachers. Several individuals also commented against the section. A return to the original section which was proposed for repeal was one option supported by those against the new section.

Many of those against the new section were concerned that it would curtail teachers' rights to present grievances at the local level. New subsection (d) is added to the rule to clarify that there is a distinction between the right to a full due process hearing and the right to present a grievance, and that the section shall not be construed to abridge the right to present a grievance.

The Texas Federation of Teachers expressed concern that the definition of an aggrieved party did not include reference to violations of State Board of Education rules or local policy. This concern is addressed in the adopted section.

Several commentators expressed concern about the ambiguity of paragraph (2)(A) as proposed. The ambiguous language is deleted.

The Texas State Teachers Association expressed concern about the requirement that the notice of a request for hearing specify facts sufficient to justify the relief sought, since the grievant may not have sufficient information to do this at the time the hearing is requested. This language is deleted from the adopted section.

The Texas State Teachers Association also recommended revised language that would have required full hearings in excess of those required by any state or federal statute or by case law. This language is not included in the adopted section; instead, subsection (d) concerning grievances is added.

The Texas State Teachers Association also recommended specific timelines for local hearings. The adopted section includes the Texas State Teachers Association recommendation that specific timelines for local hearings be established. Such timelines are included in subsection (c)(2)(D).

The new section is adopted under the Texas Education Code, §11.13, which pro-

vides for appeals to the commissioner of education from actions or decisions by local boards of trustees.

§61.231. Procedure for Hearings Before Local Governing Boards.

(a) The purpose of this rule is to establish the minimum procedural standards to be afforded an aggrieved party in hearings before local governing boards.

(b) The following words and terms, as used in this section, shall have the following meaning unless the context clearly indicates otherwise.

(1) **Aggrieved party.** An aggrieved party shall be defined as a person aggrieved by a violation of a constitutional, statutory, or common law right, a rule adopted by the State Board of Education or a policy adopted by a local governing board.

(2) **Local governing board.** A local governing board shall be defined as the entity which is empowered to manage, govern, or control the public free schools of the district.

(c) Local governing boards shall adopt written procedures providing for orderly hearings and appeals of an aggrieved party.

(1) **Notice.** An aggrieved party shall be afforded a hearing upon satisfaction of the conditions in this paragraph:

(A) An aggrieved party must make written request for a hearing, which shall identify specifically the claimed violation and the relief requested.

(B) Unless the local governing board has adopted written rules to provide for a shorter time period, the written request shall be filed with the superintendent no later than the 30th day following the date of the claimed violation. The written request shall be deemed filed upon receipt by the office of the superintendent. For the purposes of this subsection, timely filing with the superintendent shall be deemed notice to the local governing board.

(2) **Hearing.**

(A) The type of hearing to be afforded an aggrieved party by a local governing board shall be in accordance with applicable law, provided that nothing in this section shall be construed to create an independent right to a hearing before the local governing board in addition to the hearings required by law.

(B) In the following cases, an aggrieved party shall have the right to counsel, the right to hear evidence upon which the adverse actions are based, the right to cross-examine all adverse witnesses and the right to present evidence in opposition or extenuation:

(i) a probationary teacher employed pursuant to the Texas Education Code, Chapter 13, whose termination is proposed prior to the end of the contract term;

(ii) a continuing contract teacher whose dismissal is proposed pursuant to the Texas Education Code, Chapter 13;

(iii) a continuing contract teacher whose return to probationary status

is proposed pursuant to the Texas Education Code, Chapter 13; or

(iv) a term contract teacher, as defined in the Texas Education Code, §21.201(1), whose dismissal is proposed during the term of the contract.

(C) The provisions of subparagraph (B) of this paragraph do not apply to hearings and appeals involving a term contract teacher whose nonrenewal is proposed at the end of the contract period or to a probationary teacher whose dismissal is proposed at the end of the contract period.

(D) Unless a different time period is established by statute or rule, the local governing board shall conduct a hearing within 30 days after receipt of a written request, provided that the hearing may be postponed by mutual consent. The board shall notify the party requesting the hearing in writing of the time and place of the hearing. Unless a different time period is established by statute or State Board of Education rule, the local governing board shall notify the party requesting the hearing of its decision in writing within 15 days after the hearing.

(d) This section shall not be construed to abridge the right of any person to present a grievance to the local governing board.

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 July 14, 1987.

TRD-8705859 W. N. Kirby
Commissioner of
Education

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Proposal publication date: April 24, 1987
For further information, please call
(512) 463-9212.

Subchapter J. Appeal Procedural Requirements

★ 19 TAC §§61.251-61.254

The repeals are adopted under the Texas Education Code, §11.13, which provides for appeals to the commissioner of education from actions or decisions by local boards of trustees.

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.

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



Chapter 75. Curriculum Subchapter F. Graduation Requirements

★19 TAC §75.152

The Texas Education agency adopts an amendment to §75.152, without changes to the proposed text published in the May 22, 1987, issue of the *Texas Register* (12 TexReg 1633).

The amendments allows the commissioner of education to authorize school districts to substitute courses specified for the advanced high school program under the conditions set out in the section. All substitutions require approval by the commissioner of education. Any course substituted must maintain the same level of academic excellence as the course for which it is substituted.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Texas Education Code, §21.101, which directs the State Board of Education to designate subjects comprising a well-balanced curriculum and to adopt rules to provide for instruction in the essential elements of those subjects.

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.

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TRD-8705802 W. N. Kirby
Commissioner of
Education

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Proposal publication date: May 22, 1987
For further information, please call
(512) 463-9212.



Chapter 137. Teacher Education Subchapter C. Standards for Teacher Education Institutions

★19 TAC §137.41

The Texas Education Agency adopts amendments to four subchapters in Chapter 137, concerning teacher education: Subchapter C, concerning standards for teacher education institutions; Subchapter K, concerning 1987 (previously

1984) standards for approval of institutions offering teacher education programs for initial certification; Subchapter L, concerning 1987 (previously 1984) standards for institutions offering graduate education programs for professional certification; and Subchapter M, concerning 1987 (previously 1984) program requirements for preparation of school personnel for initial certificates and endorsements.

Sections 137.551, 137.552, and 137.555-137.559 of Subchapter M are adopted with changes to the proposed text published in the May 22, 1987, issue of the *Texas Register* (12 TexReg 1634). The amendments to Subchapters C, K, and L, and §137.553 and §137.554 of Subchapter M are adopted without changes and will not be republished.

These amendments were recommended to the State Board of Education by the Commission on Standards for the Teaching Profession. In general the intent of the amendments is to return flexibility to teacher education institutions in areas such as faculty qualifications, library standards, and commitment of resources and to focus accountability on institutional program results through indicators such as teacher candidates' scores on the Examination for Certification of Educators in Texas and first year teachers' performance on the teacher appraisal system

The amendment to Subchapter C establishes September 1, 1988, as the date by which institutions must be approved under the new 1987 standards.

The amendments to Subchapter K change the requirement that the head of the professional education unit have three years of classroom teaching experience, requiring instead one year of classroom teaching and at least three years of relevant elementary or secondary school experience. Provisions for exceptions to the faculty teaching experience requirements are included. Specific content requirements for the general education curriculum and for the professional studies component are deleted. Specific requirements for library budget as percent of general budget, library staffing, and library hours are deleted although general library standards are retained.

Amendments to Subchapter L are similar to those described for Subchapter K.

Amendments to Subchapter M provide that programs for initial certification must be at least at the baccalaureate level, but delete the requirement that they fit within a baccalaureate program. The amendments require a general education component of at least 60 semester hours. The professional development requirements are changed to 18 hours in accordance with Senate Bill 994, 70th Legislature. Provision is included for innovative student teaching programs, with approval of the

Commission on Standards for the Teaching Profession, and the 12 semester hour limit on student teaching is deleted. All references to provisional certificates are deleted.

Institutions must be approved under the new standards by September 1, 1988.

Changes in Subchapter M are made as a result of the passage of Senate Bill 994, 70th Legislature. These include requiring an academic major or interdisciplinary academic major for certification, moving reading courses from the professional development sequence into the interdisciplinary academic major, reducing the number of professional development hours from 24 to 18 for the elementary certificate, and provide for additional semester hours in education above the 18 specified in Senate Bill 994 for bilingual education, English as a second language, early childhood education, and special education.

Other changes include the addition of references to the unique needs of gifted and talented students and inclusion of references to training in recognition of and response to signs of abuse and neglect in children. In §137.559(c), an early childhood education endorsement (pre-kindergarten through kindergarten) replaces the kindergarten endorsement. An endorsement for teachers of the gifted and talented has been added.

The Texas Association for the Improvement of Reading commented in support of maintaining reading as an academic specialization. This is possible under the standards as adopted.

The amendments are adopted under the Texas Education Code, §13.032, which provides the State Board of Education with the authority to make rules concerning standards and procedures for the approval or disapproval of colleges and universities offering programs of teacher education.

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 July 14, 1987

TRD-8705803 W N Kirby
Commissioner of
Education

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



Subchapter K. 1987 Standards for Approval of Institutions Offering Teacher Education Programs for Initial Certification

★ 19 TAC §§137.501-137.511

The amendments are adopted under the Texas Education Code, §13.032, which provides the State Board of Education with the authority to make rules concerning standards and procedures for the approval or disapproval of colleges and universities offering programs of teacher education.

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.

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TRD-8705804 W N Kirby Commissioner of Education

Effective date. August 5, 1987
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For further information, please call (512) 463-9212



★ 19 TAC §137.512

The Texas Education Agency adopts the repeal of §137.512 and §137.542, without changes to the proposed text published in the May 22, 1987, issue of the Texas Register (12 TexReg 1634). These sections establish the effective dates for Chapter 137, Subchapter K, concerning standards for institutions offering undergraduate teacher education and Subchapter L, concerning institutions offering graduate teacher education. New effective dates for these subchapters, as amended, are in §137.41.

No comments were received regarding adoption of the repeals.

The repeals are adopted under the Texas Education Code, §13.032, which provides the State Board of Education with the authority to make rules concerning standards and procedures for the approval or disapproval of colleges and universities offering programs of teacher education.

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.

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TRD-8705861 W N Kirby Commissioner of Education

Effective date. August 6, 1987
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For further information, please call (512) 463-9212



Subchapter L. 1987 Standards for Approval of Institutions Offering Graduate Education Programs for Professional Certificate

★ 19 TAC §§137.531-137.541

The amendments are adopted under the Texas Education Code, §13.032, which provides the State Board of Education with the authority to make rules concerning standards and procedures for the approval or disapproval of colleges and universities offering programs of teacher education.

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.

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TRD-8705805 W. N. Kirby Commissioner of Education

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



★ 19 TAC §137.542

The repeals are adopted under the Texas Education Code, §13.032, which provides the State Board of Education with the authority to make rules concerning standards and procedures for the approval or disapproval of colleges and universities offering programs of teacher education.

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.

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TRD-8705862 W N Kirby Commissioner of Education

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



Subchapter M. 1987 Program Requirements for Preparation of School Personnel for Initial Certificates and Endorsements

★ 19 TAC §§137.551-137.559

The amendments are adopted under the Texas Education Code, §13.032, which provides the State Board of Education with the authority to make rules concerning standards and procedures for the approval or disapproval of colleges and universities offering programs of teacher education.

§137.551. Preparation Required in All Programs.

(a) (No change.)

(b) The teacher education program shall provide, through a degree structure of at least the baccalaureate level with an academic major or interdisciplinary academic major including reading and related to §21.101 of the Texas Education Code, a curriculum that includes, but is not limited to, at least the following three dimensions of curricula:

- (1) general education;
(2) teaching specialty designed for Texas public school instruction; and
(3) professional studies program designed for specific roles in public school teaching.

(c) The best preparation for teaching is a high quality, well-rounded education that includes a grasp of the humanities, the natural and social sciences, mathematics, and fine arts. It is particularly important that candidates for certification be able to communicate in clear, correct English. All teacher education programs must be directed toward these objectives. The general education curriculum shall apply to all teacher certificates, special education certificates, and the vocational certificates which are based on an approved teacher education program in a Texas senior college. Specialization in one or more academic areas shall be built upon the general education curriculum. The general education curricula shall include the following:

- (1) Minimum requirements. General education requirements shall be at least 60 semester hours.
(A) (No change.)
(B) speech (must emphasize oral language proficiency)—three semester hours or demonstration of competency;
(C)-(E) (No change.)
(F) mathematics (at content level of college algebra or above)—three semester hours;
(G) educational computing and technology (including social, ethical, and educational implications, use in delivery of instruction; use as a productivity tool; use in teaching problem solving; selection of appropriate courseware and systems; and fundamentals of information processing).—To be earned through either three semester hours or a demonstration of competency; and
(H) fine arts—three semester hours.
(2) Electives. Each institution must provide a minimum of nine semester hours of electives from the areas listed in this paragraph.
(A) humanities;
(B) social science;
(C) natural science;
(D) mathematics;
(E) other languages (foreign languages); and
(F) fine arts.

(d) The teacher education program shall include academic specializations and teaching fields in subjects approved to be taught in the public schools of Texas or delivery systems as authorized by the State Board of Education for use in the public schools of Texas.

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

(4) For the teacher certificate, each academic specialization, teaching field, and delivery system shall comply with one or more of the options in this paragraph. In accordance with §13.036(b) of the Texas Education Code, additional semester hours in education are permissible for certification in bilingual education, English as a second language, early childhood education, and special education. For the teacher certificate—elementary, six semester hours of upper-division courses in reading must be included in each option unless reading is selected as an academic specialization. For all other certificates based on college-approved teacher education programs, reading must be included in the approved program. Reading instruction will be developmental and corrective, and will incorporate identification, teaching strategies, and resources for dyslexia and other reading disorders. Reading courses which fulfill these requirements may be offered beyond the 18 semester hours of professional development courses.

(A) Teacher certificate—elementary.

(i)-(iii) (No change.)

(iv) Option IV (pre-kindergarten-grade six) shall require:

(1) (No change.)

(II) six semester hours in a combination of subjects taught in elementary grades and six semester hours of upper division courses in reading.

(B) Teacher certificate—secondary.

(i) Option I (grades six-12) shall require one 36-semester hour (21 semester hours upper-division courses) teaching field, with an additional 12 semester hours in a directly supporting field(s).

(ii)-(iv) (No change.)

(C) Teacher certificate—all-level.

(i)-(iii) (No change.)

(e) At the baccalaureate level, the professional development sequence for the initial teacher certificate shall consist of 18 semester hours of upper-division courses. The following three components must be included.

(1) Core requirements of a minimum of six semester hours common to all grade level options which include studies of:

(A) (No change.)

(B) human growth and development;

(C) knowledge and skills concerning the unique needs of special learners such as:

(i) multicultural education: the impact of cultural, ethnic, language, and social differences upon instructional processes;

(ii) the characteristics, assessment, least restrictive alternatives, and admission, review, and dismissal processes for special students requiring individualized or specialized education programs; and

(iii) the characteristics, identification, and needs of the gifted and talented student;

(D) legal and ethical aspects of teaching to include the recognition of and response to signs of abuse and neglect in children;

(E) structure, organization, and management of the American school system, with emphasis upon the state and local structure in Texas; and

(F) instructional media and technology.

(2) Methodology requirements of a minimum of six semester hours specifically designed for the grade level option selected, to include studies of the following:

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

(C) basic principles and procedures of classroom management with emphasis on classroom discipline, utilizing group and individual processes as well as different techniques and procedures adapted to the personality of the teacher; and

(D) the scope and sequence of the essential elements for all subjects required in the elementary course of study that are not included in the academic specializations when elementary options are selected.

(3) Field experience requirements which provide for the application of teaching learning theories and which include:

(A) Pre-student teaching experiences. A planned sequence of not fewer than 45 clock hours in field experiences shall be a prerequisite for admission to student teaching.

(i) Pre-student teaching field experiences shall include observing and working with children or youth in a school or schools accredited or recognized by the Central Education Agency.

(ii) (No change.)

(iii) Option IV for the elementary certificate shall include observation of interaction experiences with children, parents, and families in a variety of settings and from a variety of socio-economic and cultural backgrounds. The program shall require a minimum of 60 clock hours in field experiences as a prerequisite for admission to student teaching.

(B) Student teaching. The institution shall provide for each qualified student a student teaching experience involving a period of major responsibility for instruction and learning in the school classroom environment. Student teaching should verify student performance capabilities developed through prior components of the teacher education program. Notwithstanding any requirements mandated in this paragraph, an institution may design a variety of experiences and formats for student teaching. Student teaching programs differing from the

ones herein specified must be approved by the Commission on Standards for the Teaching Profession.

(i) The student teaching experience shall occur in a school or schools accredited or recognized by the Central Education Agency and shall be designed in compliance with the Texas Education Code, §13.906, and this subchapter.

(1) (No change.)

(II) The number of student teachers assigned to a school or school district shall be limited by the availability of qualified supervising classroom teachers. No more than one student teacher shall be assigned to a supervising teacher during any one time period.

(III)-(V) (No change.)

(ii) The student teaching experience shall be a minimum of six semester hours credit earned in a minimum of either eight or 12 consecutive weeks of full day assignments in accordance with the criteria in this clause.

(1) Elementary student teacher (grades one-six):

(-a)-(-f-) (No change.)

(-g-) If appropriate, student teaching assignments may be concurrent, when an endorsement is involved.

(II) Secondary student teaching (grades six-12):

(-a-) For options I, III, and vocational agriculture, home economics, and marketing education, student teaching shall be eight weeks of full days in the single teaching field for which certification is sought.

(-b-) If student teaching is required for an endorsement to be added to options I, III, and vocational agriculture, home economics, and marketing education, student teaching shall be six weeks of full days in the certificate area and six weeks of full days in the endorsement area.

(-c)-(-d-) (No change.)

(III) (No change.)

(iii) Student teaching may be waived if the student has served successfully for two years in an accredited or recognized school as a regular classroom teacher of record in the area and at the level for which certification is sought.

(f) The professional development sequence for the teacher certificate—all-level shall include a minimum of three semester hours designed for the elementary level and three semester hours designed for the secondary level.

(g) The institution shall provide a procedure whereby exceptions to the requirements in this subchapter for individual students can be evaluated, approved, and documented by the head of the professional education unit after consultation with the appropriate faculty in approved areas of general education, academic specializations, teaching fields, endorsements, or professional development.

Approved Academic Specializations and Delivery Systems
for Elementary Certificates

	OPTION I Two 12 Semester Hour Specializations as Described in §137.552(a)(1)	OPTION II 18 Semester Hour Specialization as Described in §137.552(a)(2)	OPTION III 24 Semester Hour Specialization as described in §137.552(a)(3)	OPTION IV 24 Semester Hour Specialization as Described in §137.552(a)(4)	Specific Requirements or Exceptions
Bilingual Education Delivery System	X	X	X		Must include but need not be limited to: Foundations of bilingual education, including rationale and program orientation; Linguistics, including descriptive, applied, psycho-, and contrastive; Methodology, including reading and other curriculum content; Psychology, including studies in educational psychology to include testing; Culture, including cultural concepts, patterns, and regional contributions; Language, including studies of standardized or regional dialects; and Evidence of language proficiency. May not include basic language study and may not include more than six semester hours of language study at the upper-division level.
History	X	X		

§137.551 of this subchapter (relating to Preparation Required in All Programs) and shall include at least one of the following:
 (A) one 24-semester-hour (12 semester hours upper-division courses) delivery system emphasizing instructional areas de-
 (b) Approved academic specializations and delivery systems are listed in the table in this subsection.

Approved Academic Specializations and Delivery Systems
for Elementary Certificates

	OPTION I Two 12 Semester Hour Specializations as Described in §137.552(a)(1)	OPTION II 18 Semester Hour Specialization as Described in §137.552(a)(2)	OPTION III 24 Semester Hour Specialization as Described in §137.552(a)(3)	OPTION IV 24 Semester Hour Specialization as Described in §137.552(a)(4)	Specific Requirements or Exceptions
Early Childhood Education (Delivery System)				X	Must emphasize but need not be limited to: <ul style="list-style-type: none"> . affective development; . child growth and development; . child psychology; . cultural dynamics of family relationships; . nutrition and health; . psychomotor development, school and family; . social and emotional development of the young child; and . survey of day care.
Earth Science	X	X	
English	X	X	
Generic Special Education (Delivery System)			X	..	Must emphasize but need not be limited to: <ul style="list-style-type: none"> . infant/child development; . task analysis; . motor development/adaptive physical education; . parent training; . oral language development; . behavior management; . classroom organization; and . survey of special education.

TEACHER CERTIFICATE SPECIALIZATION AND BELIEFS STATEMENT
 FOR EDUCATIONAL CERTIFICATION

	OPTION I No. 11	OPTION II 12	OPTION III 13	OPTION IV 14	
Academic Specialization or Delivery System	Semester Hour Specializations as Described in §137.552(a)(1)	Semester Hour Specialization as Described in §137.552(a)(2)	Semester Hour Specialization as Described in §137.552(a)(3)	Semester Hour Specialization as Described in §137.552(a)(4)	Specific Requirements or Excepts

NOTE: The teacher certificate-elementary with generic special education shall be valid from pre-kindergarten through grade 12 in school settings having students with identified special needs. Assignment to certain specialization programs may require completion of additional courses or certification as described in §137.559 of this subchapter (relating to Endorsements) or §141.454 of this title (relating to Eligibility Requirements for Specialized Assignments or Programs)

Geography	X	X			
Health Education	X	X			
History	X	X			
Life Earth Science			X		Must include, but need not be limited to, a minimum of six semester hours in each area and a minimum of six semester hours upper-division courses

Approved Academic Specializations and Delivery Systems
for Elementary Certificates

	OPTION I two 1 Semester Hours Specialization as Described in §137.02(a)(1)	OPTION II 18 Semester Hours Specialization as Described in §137.02(a)(2)	OPTION III 24 Semester Hours Specialization as Described in §137.02(a)(3)	OPTION IV 24 Semester Hours Specialization as Described in §137.02(a)(4)	Specific Requirements or Exceptions
Mathematics	x	x			
Music	x	x			
Other Languages		x			Programs may be offered in French, German, Spanish, Other languages as approved by the Commission on Standards for the Teaching Profession. Each institution which recommends in- dividuals for language certifi- cation must assess their oral proficiency in accordance with procedures, criteria and passing scores specified by the State Board of Education.
Physical Education	x	x			
Physical Science			x		Must include, but need not be limited to, a minimum of six semes- ter hours each in Physics or Physi- cal Science and Chemistry and a minimum of 12 semester hours upper division courses.

Approved Academic Specializations and Delivery Systems
for Elementary Certificates

	OPTION I Two 17	OPTION II 18	OPTION III 19	OPTION IV 20	
Academic Specialization or Delivery System	Semester Hour Specializations as Described in §137.552(a)(1)	Semester Hour Specializations as Described in §137.552(a)(2)	Semester Hour Specializations as Described in §137.552(a)(3)	Semester Hour Specializations as Described in §137.552(a)(4)	Specific Requirements or Exceptions
Reading	X	X			
Social Studies			X		Must include, but need not be limited to, a minimum of six semester hours each in History, Government, Geography, and Economics and a minimum of six semester hours upper-division courses.
Special Communications	X	X			
Theatre Arts	X	X			

§137.555. *Special Education Certificates.*

(a) The special education certificates shall be based upon completion of a teacher education program as described in §137.551 (a), (b), and (c)(1)-(3) of this chapter (relating to Preparation Required in All Programs). In accordance with §13.036(b) of the Texas Education Code, additional semester hours in education are permissible for certification in special education. The program shall include at least one of the following specializations:

(1)-(2) (No change.)

(b) The professional development sequence for special education certificates shall consist of 18 semester hours of upper-division courses. Reading, which may be offered beyond the 18 semester hours of professional development courses, must be included. Reading instruction will be developmental and corrective, and will incorporate identification, teaching strategies, and resources for dyslexia and other reading disorders. The following three components must be included:

(1) Core requirements of a minimum of six semester hours common to all grade levels and which shall include, but need not be limited to:

(A) (No change.)

(B) human growth and development of learners;

(C) knowledge and skills concerning the unique needs of special learners such as:

(i) multicultural education: the impact upon instructional processes of cultural, ethnic, language, and social differences;

(ii) the characteristics, assessment, and least restrictive alternatives, and admission, review, and dismissal procedures for students requiring individual or specialized education programs; and

(iii) the characteristics, identification, and needs of the gifted and talented student;

(D) legal and ethical aspects of teaching to include the recognition of and response to signs of abuse and neglect in children;

(E) structure, organization, and management of the American school system, with emphasis upon the state and local structure in Texas; and

(F) instructional media and technology.

(2) Methodology requirements of a minimum of six semester hours specifically designed for both the elementary and secondary grade levels shall include, but need not be limited to:

(A) (No change.)

(B) curriculum organization, planning, and evaluation for the special learner; and

(C) basic principles and procedures of classroom management with emphasis on classroom discipline and behavior modification utilizing group and individual

processes as well as different techniques and procedures adapted to the personality of the teacher.

(3) Field experience requirements which shall provide for the application of teaching-learning theories and shall include:

(A) Pre-student teaching experiences. A planned sequence of not fewer than 45 clock hours in field experience shall be a prerequisite for admission to student teaching.

(i) Pre-student teaching field experiences shall include observing and working with elementary and secondary school children in a school or schools accredited or recognized by the Central Education Agency.

(ii) (No change.)

(B) Student teaching. The institution shall provide for each student a student teaching experience involving a period of major responsibility for instruction and learning in the school classroom environment in the area of the certificate sought. Student teaching should verify student performance capabilities developed through prior components of the teacher education program.

(i) The student teaching experience shall occur in a school or schools accredited or recognized by the Central Education Agency and shall be designed in compliance with the Texas Education Code, §13.906, and this subchapter.

(I) (No change.)

(II) The number of student teachers assigned to a school or school district shall be limited by the availability of qualified supervising classroom teachers. No more than one student teacher shall be assigned to a supervising teacher during any one time period.

(III)-(V) (No change.)

(ii) (No change.)

§137.556. *Vocational Agriculture Certificates.*

(a) The vocational agriculture certificate shall be based on completion of a teacher education program as described in §137.551 of this subchapter (relating to Preparation Required in All Programs). The program shall include at least one of the following specializations:

(1)-(2) (No change.)

(b) (No change.)

(c) The professional development sequence shall consist of 18 semester hours of upper-division courses in three component areas. No more than nine semester hours, including student teaching, of the professional development sequence may be completed in vocational agriculture education courses. Reading, which may be offered beyond the 18 semester hours of professional development, must be included. Reading instruction will be developmental and corrective, and will incorporate identification, teaching strategies, and resources for dyslexia and other reading disorders.

(1) Core requirements of a mini-

mum of six semester hours specifically designed for secondary grade levels shall include, but need not be limited to:

(A) (No change.)

(B) human growth and development of learners;

(C) knowledge and skills concerning the unique needs of special learners such as:

(i) multicultural education: impact of cultural, ethnic, language, and social differences upon instructional processes;

(ii) characteristics, assessment, least restrictive alternatives, and admission, review, and dismissal processes for special students requiring individualized or specialized education programs; and

(iii) the characteristics, identification, and needs of the gifted and talented student;

(D) legal and ethical aspects of teaching to include the recognition of and response to signs of abuse and neglect in children;

(E) structure, organization, and management of the American school system, with emphasis upon the state and local structure in Texas; and

(F) instructional media and technology.

(2) Methodology requirements of a minimum of six semester hours shall include, but need not be limited to:

(A)-(E) (No change.)

(F) special needs of students in vocational agriculture;

(G) (No change.)

(H) curriculum organization, planning, and evaluation; and

(I) basic principles and procedures of classroom management with emphasis on classroom discipline, utilizing group processes as well as different techniques and procedures adapted to the personality of the teacher.

(3) Field experience requirements shall provide for the application of teaching learning theories and shall include:

(A) Pre-student teaching experiences. A planned sequence of not fewer than 45 clock hours in field experiences shall be a prerequisite for admission to student teaching.

(i) Pre-student teaching field experiences shall include observing and working with secondary school children in a school or schools accredited or recognized by the Central Education Agency.

(ii) (No change.)

(B) Student teaching. The institution shall provide for each student a student teaching experience involving a period of major responsibility for instruction and learning in the school classroom environment. Student teaching should verify student performance capabilities developed through prior components of the teacher education program.

(i) The student teaching experience shall occur in a school or schools

accredited or recognized by the Central Education Agency and shall be designed in compliance with the Texas Education Code, §13.906, and this subchapter.

(I) (No change.)

(II) The number of student teachers assigned to a school or school district shall be limited by the availability of qualified supervising classroom teachers. No more than one student teacher shall be assigned to a supervising teacher during any one time period.

(III)-(V) (No change.)

(iii) (No change.)

(d) (No change.)

(e) Students also planning to qualify for a secondary teaching certificate should complete a secondary, Option II, teaching field and, if taken concurrently, complete 12 weeks of student teaching with the amount in each field to be determined by the institution.

§137.557. Vocational Home Economics Certificates.

(a) The vocational home economics certificate shall be based on completion of a teacher education program as described in §137.551 of this subchapter (relating to Preparation Required in All Programs).

(b) Academic preparation for the vocational home economics certificate shall consist of 48 semester hours (24 semester hours upper-division courses) of home economics, which must include, but need not be limited to:

(1)-(6) (No change.)

(c) The professional development sequence shall consist of 18 semester hours of upper-division courses in three component areas. No more than nine semester hours, including student teaching of the professional development sequence may be completed in vocational home economics education courses. Reading, which may be offered beyond the 18 semester hours of professional development courses, must be included. Reading instruction will be developmental and corrective and will incorporate identification, teaching strategies, and resources for dyslexia and other reading disorders.

(1) Core requirements of a minimum of six semester hours specifically designed for secondary grade levels shall include but need not be limited to:

(A) (No change.)

(B) human growth and development of learners;

(C) knowledge and skills concerning the unique needs of special learners such as:

(i) multicultural education: impact of cultural, ethnic, language, and social differences upon instructional processes;

(ii) characteristics, assessment, least restrictive alternatives, and admission, review, and dismissal processes for special students requiring individualized or specialized education programs; and

(iii) the characteristics, identification,

and needs of the gifted and talented student;

(D) legal and ethical aspects of teaching to include the recognition of and response to signs of abuse and neglect in children;

(E) structure, organization, and management of the American school system, with emphasis upon the state and local structure in Texas; and

(F) instructional media and technology.

(2) Methodology requirements of a minimum of six semester hours shall include, but need not be limited to:

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

(C) basic principles and procedures of classroom management with emphasis on classroom discipline, utilizing group and individual processes as well as different techniques and procedures adapted to the personality of the teacher.

(3) Field experience requirements shall provide for the application of teaching learning theories and shall include:

(A) Pre-student teaching experiences. A planned sequence of not fewer than 45 clock hours in field experiences shall be a prerequisite for admission to student teaching.

(i) Pre-student teaching field experiences shall include observing and working with secondary school children in a school or schools accredited or recognized by the Central Education Agency.

(ii) (No change.)

(B) Student teaching. The institution shall provide for each student a student teaching experience involving a period of major responsibility for instruction and learning in the school classroom environment. Student teaching should verify student performance capabilities developed through prior components of the teacher education program.

(i) The student teaching experience shall occur in a school or schools accredited or recognized by the Central Education Agency and shall be designed in compliance with the Texas Education Code, §13.906, and this subchapter.

(I) (No change.)

(II) The number of student teachers assigned to a school or school district shall be limited by the availability of qualified supervising classroom teachers. No more than one student teacher shall be assigned to a supervising teacher during any one time period.

(III)-(V) (No change.)

(iii) (No change.)

(d) (No change.)

(e) Students also planning to qualify for a secondary teaching certificate should complete a secondary, Option II, teaching field and, if taken concurrently, complete 12 weeks of student teaching with the amount in each field to be determined by the institution.

§137.558. Vocational Marketing Education Certificates.

(a) The vocational marketing education certificate shall be based upon completion of a teacher education program as described in §137.551 of this subchapter (relating to Preparation Required in All Programs).

(b) Academic preparation and work experience required for the vocational marketing education certificate shall consist of:

(1) (No change.)

(2) two years of wage-earning experience approved by the teacher education institution in one or more of the marketing occupations or one year of wage-earning experience in addition to 1,000 clock hours of employment experience supervised by the approved teacher education institution.

(c) The professional development sequence shall require 18 semester hours of upper-division courses in three component areas. No more than nine semester hours, including student teaching, of the professional development sequence may be completed in vocational marketing education courses. Reading, which may be offered beyond the 18 semester hours of professional development courses, must be included. Reading instruction will be developmental and corrective, and will incorporate identification, teaching strategies, and resources for dyslexia and other reading disorders.

(1) Core requirements of a minimum of six semester hours specifically designed for secondary grade levels shall include, but need not be limited to:

(A) (No change.)

(B) human growth and development of learners;

(C) knowledge and skills concerning the unique needs of special learners, such as:

(i) multicultural education: impact of cultural, ethnic, language, and social differences upon instructional processes;

(ii) characteristics, assessment, least restrictive alternatives, and admission, review, and dismissal processes for special students requiring individualized or specialized education programs; and

(iii) the characteristics, identification, and needs of the gifted and talented student;

(D) legal and ethical aspects of teaching to include the recognition of and response to signs of abuse and neglect in children;

(E) structure, organization, and management of the American school system, with emphasis upon the state and local structure in Texas; and

(F) instructional media and technology.

(2) Methodology requirements of a minimum of six semester hours shall include, but not be limited to:

(A) (No change.)

(B) curriculum organization, planning, and evaluation; and

(C) basic principles and procedures of classroom management with emphasis on classroom discipline, utilizing group and individual processes as well as different techniques and procedures that may be adapted to the personality of the teacher.

(3) Field experience requirements shall provide for the application of teaching-learning theories and shall include:

(A) Pre-student teaching experiences. A planned sequence of not fewer than 45 clock hours in field experiences shall be a prerequisite for admission to student teaching.

(i) Pre-student teaching field experiences shall include observing and working with secondary school children in a school or schools accredited or recognized by the Central Education Agency.

(ii) (No change.)

(B) Student teaching. The institution shall provide for each student a student teaching experience involving a period of major responsibility for instruction and learning in the school classroom environment. Student teaching should verify student performance capabilities developed through prior components of the teacher education program.

(i) The student teaching experience shall occur in a school or schools accredited or recognized by the Central Education Agency and shall be designed in compliance with the Texas Education Code, §13.906, and this subchapter.

(I) (No change.)

(II) The number of student teachers assigned to a school or school district shall be limited by the availability of qualified supervising classroom teachers. No more than one student teacher shall be assigned to a supervising teacher during any one time period.

(III)-(V) (No change.)

(ii) (No change.)

(d) Additional requirements for assignment to specialized programs in vocational marketing education are described in Chapter 141 of this title (relating to Teacher Certification).

(e) Students also planning to qualify for a secondary teaching certificate should complete a secondary, Option II, teaching field and, if taken concurrently, complete 12 weeks of student teaching, with the amount in each field to be determined by the institution.

§137.559. Endorsements.

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

(c) Program requirements for endorsement in delivery system areas.

(1) Bilingual education.

(A) Certificate requirements. The bilingual education endorsement may be added to valid teacher certificates, special education certificates, or vocational certificates which require a college degree.

(B) (No change.)

(2) Early childhood education (pre-

kindergarten through kindergarten)

(A) Certificate requirements. The early childhood education endorsement may be added to valid elementary teacher certificates, special education certificates, or vocational home economics certificates which require a college degree

(B) Professional development. The professional development sequence for the early childhood education endorsement shall consist of an integrated sequence of 12 semester hours which includes but is not limited to:

(i) studies of:

(I) child development including both normal and exceptional development;

(II) communication skills emphasizing oral language development and literacy;

(III) cultural diversity of learners and families;

(IV) organization of the classroom and management of the learning environment;

(V) management of student behavior;

(VI) organization of the curriculum and implementation of the essential elements at the appropriate level for the target population;

(VII) diagnosis and evaluation of learning needs, affective, cognitive, and motor; and

(VIII) parental involvement; and

(ii) field experiences inclusive of:

(I) preservice or pre-student teaching experiences inclusive of pre-kindergarten and kindergarten settings that involve a variety of cultural and socioeconomic conditions; and

(II) three semester hours of student teaching in pre-kindergarten and/or kindergarten settings with certified early childhood supervising teachers in a school accredited or recognized by the Central Education Agency, or one year of successful pre-kindergarten or kindergarten classroom teaching experience in a school accredited or recognized by the Central Education Agency.

(3) Severely emotionally disturbed and autistic.

(A) Certificate requirements. The severely emotionally disturbed and autistic endorsement may be added only to special education certificates or to teacher certificates with an elementary or secondary option in generic special education.

(B) (No change.)

(4) Severely and profoundly handicapped.

(A) Certificate requirement. The severely and profoundly handicapped endorsement may be added only to special education certificates or to teacher certificates with an elementary or secondary option in generic special education.

(B) (No change.)

(5) Visually handicapped.

(A) Certificate requirement. The visually handicapped endorsement may be added only to special education certificates or to elementary or secondary teacher certificates.

(B) Professional development. The professional development sequence for the visually handicapped endorsement shall consist of:

(i) 21 semester hours directly related to teaching the visually handicapped which must include, but need not be limited to:

(I)-(V) (No change.)

(VI) assessment and programming;

(VII) (No change.)

(VIII) survey of exceptional children; and

(ii) (No change.)

(6) Gifted and talented.

(A) Certificate requirement. The all level gifted and talented endorsement may be added to a valid initial teacher certificate which requires a college degree effective September 1, 1991.

(B) Professional development. The professional development sequence for the gifted and talented endorsement shall consist of:

(i) 12 semester hours to include, but not limited to, the following areas:

(I) nature and needs of the gifted and talented,

(II) identification and assessment of gifted and talented students;

(III) methods, materials, and curriculum for gifted and talented students;

(IV) counseling and guidance of gifted and talented students; and

(V) creativity: theories, models, and applications.

(ii) Three semester hours of practicum experience or two years of successful classroom teaching experience in a program for gifted and talented students.

(d) Program requirements for endorsements in special service areas.

(1) Driver education.

(A) Certificate requirement. The driver education endorsement may be added to valid teacher certificates, special education certificates, or vocational education certificates which require a college degree.

(B)-(C) (No change.)

(2) English as a second language (ESL).

(A) Certificate requirement. The English as a second language (ESL) endorsement may be added to valid teacher certificates, special education certificates, or vocational education certificates which require a college degree.

(B) (No change.)

(3) Learning resources.

(A) Certificate requirement. The learning resources endorsement may be

added to valid teacher certificates, special education certificates, or vocational education certificates which require a college degree

(B) (No change.)

(4) Information processing technologies.

(A) Certification requirement. The information processing technologies endorsement may be added to valid teacher certificates, special education certificates, or vocational education certificates which require a college degree.

(B) Professional development, level one. The professional development sequence for the information processing technologies, level one endorsement shall:

(i) consist of at least nine semester hours (six semester hours upper-division courses) directly related to information processing; and

(ii) include, but not be limited to, the following content:

(I) background information concerning information processing technology and its use in education (including at least terminology, applications, ethics, impact on society and education, hardware configurations, future trends, historical development, and basic system architecture);

(II) operational skills and familiarity with current information processing tools (including at least tools used for word processing; information storage, retrieval and display; numerical computation, analysis, planning and reporting; transmission of information; graphics production and display; design and manufacturing; and emerging information processing tasks);

(III) methodology for instruction in concepts and skills of information processing (including at least strategies for delivery of concepts and skills, mastery evaluation techniques, methods of modifying curriculum for special students, automated management strategies, teaching methods for keyboarding instruction, techniques for evaluation of software and courseware, and facility management and maintenance); and

(IV) modern programming with experience in at least one language (including at least experience in solving problems using computer programming; application of a program development cycle; program structure, modular design and style; and in-depth coverage of syntax, format, and common uses of one primary high-level programming language).

(C) Professional development, level two. The professional development sequence for the information processing technologies level two endorsement shall:

(i) consist of at least 15 semester hours (six semester hours upper-division courses) directly related to information processing; and

(ii) include, but not be limited to, the following content:

(I) background information

concerning information processing technology and its use in education (including at least terminology, applications, ethics, impact on society and education, hardware configurations, future trends, historical development, and basic system architecture);

(II) operational skills and familiarity with current information processing tools (including at least tools used for word processing; information storage, retrieval and display, numerical computation, analysis, planning and reporting; transmission of information; graphics production and display; design and manufacturing; and emerging information processing tasks);

(III) methodology for instruction in concepts and skills of information processing (including at least strategies for delivery of concepts and skills, mastery evaluation techniques, methods of modifying curriculum for special students, automated management strategies, teaching methods for keyboarding instruction, techniques for evaluation of software and courseware, and facility management and maintenance);

(IV) modern programming with experience in at least two languages (including at least experience solving problems using computer programming; application of a program development cycle; program structure, modular design and style; in-depth coverage of syntax, format and common uses of one primary high-level programming language; and contrast of a second programming language with the first); and

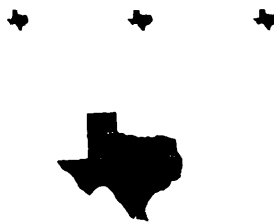
(V) technology-based delivery and management of instruction (including at least techniques and concepts of technology-based instruction, systems for automated management of instruction, comprehensive systems, involving both delivery and management, educational applications of artificial intelligence, authoring systems, multi-technology instructional systems, and survey of other promising technology-based systems).

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 July 16, 1987

TRD 8705863 W N Kirby
Commissioner of
Education

Effective date August 6, 1987
Proposal publication date May 22, 1987
For further information, please call
(512) 463-9212



TITLE 28. INSURANCE Part I. State Board of Insurance

Chapter 25. Insurance Premium Finance

Subchapter H. Annual Reports, Examinations, and Assessments

★ 28 TAC §25.703, §25.711

The State Board of Insurance adopts an amendment to §25.703 and new §25.711. New §25.711 is adopted with changes to the proposed text published in the January 20, 1987, issue of the *Texas Register* (12 TexReg 225). The amendment to §25.703 is adopted without changes and will not be republished.

These sections concern examination charges and assessment charges against insurance premium finance companies by the board. The amendment and new section provide charges and a rate of assessment sufficient to meet the expenses of performing the board's statutory responsibilities for examining, investigating and regulating insurance premium finance companies. Responses to comments have resulted in changes to the proposed text of §25.711, which more appropriately set the percentage of total loan dollar volume which shall constitute the general administrative expense assessment.

Under the amendment to §25.703, the board would levy charges to cover the costs of examinations and would collect from each insurance premium finance company on the basis of the actual salaries and expenses of the examiners allocable to each examination. Under new §25.711, the board would levy a rate of assessment for 1987 to cover general administrative expense and would collect from each insurance premium finance company on the basis of a percentage of total loan dollar volume for the 1986 calendar year. With new §25.711, the board proposes to amend the title of Subchapter H to include a reference to assessments.

The Texas Premium Finance Association objected to adoption of new §25.711. The association argued that calculation of the assessment to cover general administrative expense had resulted in use of a percentage that was higher than necessary to cover the expense. In response to the association's comments, the board recalculated the amount necessary, and changed the percent of total loan volume specified in paragraph (1) from 0.03373 of 1.0% to 0.02838 of 1.0%.

The amendment and new section are adopted under the Insurance Code, Articles 24.06, §(c), and 24.09. Article 24.06, §(c), provides that each insurance premium finance company licensed by the board shall pay an amount assessed by the board to cover the direct and indirect cost of examinations and investigations.

and a proportionate share of general administrative expense attributable to regulation of insurance premium finance companies. Article 24.09 authorizes the State Board of Insurance to adopt and enforce rules necessary to carry out provisions of the Insurance Code concerning the regulation of insurance premium finance companies.

§25.711. *General Administrative Expense Assessment, 1987.* On or before April 1, 1987, each insurance premium finance company holding a license issued by the State Board of Insurance under the Insurance Code, Chapter 24, shall pay to the Texas State Board of Insurance an overhead charge which the board shall assess to cover the general administrative expense attributable to the regulation of insurance premium finance companies. Payment shall be by check, which shall be filed with the report required by the Insurance Code, Article 24.10(b), at the offices of the State Board of Insurance at 1110 San Jacinto Boulevard, Austin, Texas 78701-19988. The assessment to cover general administrative expense shall be computed and paid as follows.

(1) Payment shall be in the amount of 0.02838 of 1.0% of the total loan dollar volume of the company for the calendar year 1986.

(2) Should the overhead charge, as computed under paragraph (1) of this section, produce an overhead assessment of less than \$10, a minimum overhead assessment of \$10 shall be levied and collected.

(3) The overhead assessments are to be based on the total loan dollar volume which the insurance premium finance company has reported to the board, except where there has been an understating of total loan dollar volume.

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 July 17, 1987

TRD-8705897

Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date: August 7, 1987

Proposal publication date: January 20, 1987

For further information, please call

(512) 463-6327



TITLE 34. PUBLIC FINANCE

Part I. Comptroller of Public Accounts

Chapter 3. Tax Administration Subchapter O. State Sales and Use Tax

★34 TAC §3.319

The Comptroller of Public Accounts

adopts new §3.319, with changes to the proposed text published in the June 12, 1987, issue of the *Texas Register* (12 Tex-Reg 1899).

The section provides guidelines for both sellers and buyers to determine when the prior contract provisions apply to specific transactions which will occur after any change in the tax rate or base.

Changes in subsection (c)(6) and (d) clarify the language as a result of comments received on the proposed section.

Comments regarding adoption of the new section were received from C. L. Jamal, Shell Oil Company.

Mr. Jamal suggested that subsection (a)(2), the definition of contract, include documents stored in computer records or on microfiche. However, documents which meet the qualifications set out in subsection (a)(2) may be stored on any medium as long as they are accessible and readable. That has consistently been the comptroller's position on records required, and it is not necessary to restate it in this section. Mr. Jamal also suggested that subsection (c)(4), disqualifying contracts which contain a termination clause, be deleted. He questioned whether, if not deleted, contracts containing a force majeure clause would also be disqualified. The comptroller of public accounts feels that the prior contract exemption was intended to protect parties locked into a fixed price contract. The exemption should not be extended to contracts which can be terminated by written notice from either party. Force majeure clauses protect the parties in case a contract cannot be performed due to unavoidable causes outside the parties' control (war, natural disaster, etc.). The presence of such a clause would not cause the loss of the prior contract exemption. Mr. Jamal felt that subsection (c)(6) should include an exception for all service contracts rather than only maintenance contracts. This change has been made with certain qualifications. In subsection (d), the suggestion was made that the last sentence should require that prior contracts or bids be available for review rather than written notice. This change has been made. Mr. Jamal also suggested that in subsection (e), the last sentence should be deleted since the statute provides for the termination date. However, the sentence was included as a reminder that the expiration date for each prior contract exemption is set by law. Many people mistakenly assume that it is always three years from the effective date of the law change.

This new section is adopted under Texas Tax Code, §111.002, which provides the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the provisions of Title 2 of the Tax Code.

§3.319. *Prior Contracts.*

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

(1) Bid-A written offer by a seller directed to a specific person making a binding commitment to perform a contract for specified work and labor or for supplying specified taxable items at a specified price. A general statement by a seller listing current prices is not a written bid.

(2) Contract-A written agreement between two persons and signed by both parties to the agreement binding one party to perform specified work and labor or to supply specified taxable items to another party at a specified price. A purchase order issued by a purchaser may qualify as a contract only if signed and dated by the seller.

(3) Prior contract or bid-A bid offered or a contract signed before any change in the tax rate or tax base. A purchase order issued by the purchaser prior to the rate change is not a prior contract unless signed and/or fulfilled by the seller prior to the rate change.

(b) Exemptions. Taxable items purchased or rented for use in the performance of prior contracts or bids are exempted from the amount of the increase in tax or change in the tax base.

(c) Exception.

(1) Change orders which constitute additions to the contract or increases in coverage or taxable items, labor, or services added to the contract are not included in the prior contract exemption. The original part of the contract may still retain its prior contract exemption if the change orders can be separately identified.

(2) Any renewal or exercise of an option to extend the terms (either by action of either party to the contract or automatically) or renegotiation of terms, or price changes will be considered a new contract.

(3) Contracts to provide services and/or taxable items which do not include a definite beginning and ending date do not qualify as prior contracts.

(4) Contracts which can be terminated by written notice from either party do not qualify as prior contracts.

(5) Any contract whose terms state the customer will be liable for any tax rate increases or for the applicable tax rate will not qualify for the prior contract exemption, even though the contract was in effect prior to the tax rate change. Such phrases are intended to transfer the burden of the tax increase from the seller to the customer and violate the statutory qualifications for exemption.

(6) With the exception of service contracts which contain a fixed price which must be paid whether or not the service is performed, and specify the work to be performed by type and quantity, contracts which state that services or taxable items will be supplied as needed or upon request will not qualify as prior contracts.

(7) A bid submitted prior to changes in the tax rate or base and a contract signed pursuant to that bid after the change, will qualify for the prior contract exemption if the terms of the contract are substantially similar to the original bid.

(d) Records. Persons claiming the prior contract exemption must maintain records which may be verified by audit. Failure to maintain adequate records subject to examination by the comptroller results in an automatic loss of the exemption. Written notice of prior contracts or bids should not be sent to the comptroller; however, the prior contracts or bids should be available for review upon request.

(e) Prior contracts/limitations. This section applies only when the statute enacting the change in the tax rate or tax base provides for prior contract exemptions. The statute of limitations on prior contracts will also be governed by the enacting statute.

(f) Identification number. An identification number is required on prior contract exemption certificates furnished to sellers. The identification number should be the person's sales or use tax permit number, if the person issuing the certificate is required to hold a permit under the terms of the Tax Code. If a permit is not required, the person's federal employer's identification (FEI) number or social security number may be used. A suggested form for the exemption certificate is a part of the section.

Prior Contract Exemption Certificate

This certificate is issued to _____ and is intended to be applicable to the following taxes (check appropriate square)
State ___ City ___ MTA ___ County ___

Taxpayer's Name Identification Number

Project Identification, where appropriate.
Date of Execution of Contract/Bid

Description of Taxable Item Purchased

I hereby claim an exemption from the payment of the sales and use tax indicated at the beginning of the form on the basis that I have complied or shall comply with the provisions of the appropriate tax code, relating to written contracts or bids executed prior to the effective date of the tax or a tax rate change.

I will be liable for payment of the sales and use tax if I use the taxable item in some other manner or for some other purpose than the reason stated above and shall pay the tax based on the price paid for the taxable item.

Taxpayer's Name: _____

Taxpayer's Address: _____

Signature of _____

Authorized Agent: _____

Date Issued: _____

Printed Name of _____

Authorized Agent: _____

Telephone Number: _____

(g) Other contracts. This section also applies to contracts for sales, rentals, leases, and the performance of taxable services.

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 July 15, 1987

TRD-8705818 Bob Bullock
Comptroller of Public
Accounts

Effective date: August 5, 1987
Proposal publication date: June 12, 1987
For further information, please call
(512) 463-4004



**Chapter 5. Funds Management
(Fiscal Affairs)
Deferred Compensation—Vendor
Participation**

★34 TAC §5.114

The Comptroller of Public Accounts adopts an amendment to §5.114, without changes to the proposed text published in the June 12, 1987, issue of the *Texas Register* (12 TexReg 1901).

The amendment allows an agent, salesman, or vendor that has been removed from the program to be eligible as a new agent, salesman, or vendor in two years time instead of being permanently removed from the program

No comments were received regarding adoption of the amendment.

This amendment is adopted under Texas Civil Statutes, Article 6252-3b, which provide the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the provisions of the deferred compensation program.

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 July 17, 1987

TRD-8705899 Bob Bullock
Comptroller of Public
Accounts

Effective date: August 7, 1987
Proposal publication date: June 12, 1987
For further information, please call
(512) 463-4004



**TITLE 40. SOCIAL
SERVICES AND
ASSISTANCE
Part I. Texas Department of
Human Services
Chapter 49. Child
Protective Services
Subchapter S. Interstate
Placement of Children**

★40 TAC §49.1903

The Texas Department of Human Services adopts new §49.1903 without changes to the proposed text published in the May 19, 1987, issue of the *Texas Register* (12 Tex-Reg 1601).

In adopting this new section, the Texas Interstate Placement Section (TIPS) has the authority to require specific information when children from another state are placed in Texas or children are placed in another state from Texas for adoption. This new section defines who is authorized to request interstate adoptive placements, the sending agency's responsibilities for the child, and required information about the child and the placement.

No comments were received regarding adoption of the new section.

The new section is adopted under the Human Resources Code, Title 2, Chapter 41, which provides the department with the authority to enforce laws for the protection of children, and Chapter 45, which provides the department with the authority to operate under the Interstate Compact on the Placement of Children

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 July 20, 1987

TRD-8705913 Marlin W. Johnston
Commissioner
Texas Department of
Human Services

Effective date: August 17, 1987
Proposal publication date: May 19, 1987
For further information, please call
(512) 450-3766



AFDC grant, consider status of tort reform legislation concerns of advisors, and hear regional reports.

Contact: Lucy Todd, P.O. Box 2960, Austin, Texas 78769, (512) 450-3129.

Filed: July 17, 1987, 2:16 p.m.
TRD-8705894

Thursday, July 30, 1987, 9:30 a.m. The Family Self-Support Services Advisory Council of the Texas Department of Human Services will meet on the Third Floor, West Tower, 701 West 51st Street, Austin. According to the agenda summary, the council will consider amendments to child care licensing rules; legislation budget update; food stamp employment and training; day care issues; family planning joint allocation; program updates concerning family health resources, family support resources, and administrative management resources; and child care clearing house.

Contact: Dolores M. Ablowich, P.O. Box 2960, Austin, Texas 78769, (512) 450-4140.

Filed: July 17, 1987, 2:16 p.m.
TRD-8705895



State Board of Insurance

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

Monday, July 27, 1987, 3 p.m. The Commissioner's Hearing Section will meet in Room 342, to consider Docket 9634—Approval of amendments to the articles of agreement of US Lloyds Insurance Company, Dallas.

Contact: James W. Norman, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6525.

Filed: July 16, 1987, 10:18 a.m.
TRD-8705842

Tuesday, July 28, 1987, 10 a.m. The board will meet in Room 414, to consider personnel matters concerning Fire Marshal, Research and Information Services, and Commissioner; litigation matters concerning the Commissioner; proposed amendment of cancellation of provisions of the Texas commercial package policy and Texas businessowners policy; proposed amendment to 28 TAC §5.4501; extension of emergency effectiveness of Board Order 50371; and Texas Automobile Rule 120.

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

Filed: July 20, 1987, 4:11 p.m.
TRD-8705949

Wednesday, July 29, 1987, 9 a.m. The Commissioner's Hearing Section will meet in Room 342, to consider Docket 9628—Application of Joseph Fielder Chamberlain,

Duncanville, for a group II, health and accident insurance agent's license.

Contact: J.C. Thomas, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6524.

Filed: July 20, 1987, 2:01 p.m.
TRD-8705936

Wednesday, July 29, 1987, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 342, to consider Docket 9620—Application of Grady Duane Flowers, Waco, for a group I, legal reserve life insurance agent's license.

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

Filed: July 20, 1987, 2:01 p.m.
TRD-8705937

Wednesday, July 29, 1987, 1:30 p.m. The Commissioner's Hearing Section will meet in Room 353, to consider Docket 9629—Application of Tony Michael Curtis, Brownwood, for a group I, legal reserve life insurance agent's license.

Contact: James W. Norman, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6525.

Filed: July 20, 1987, 2:01 p.m.
TRD-8705938

Friday, July 31, 1987, 9 a.m. The Commissioner's Hearing Section will meet in Room 353, to consider Docket 9630—Application of Kendrick E. Wall, Dallas, for a group I, legal reserve life insurance agent's license.

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

Filed: July 20, 1987, 2:02 p.m.
TRD-8705939



Texas Commission on Jail Standards

July 29, 1987, 9 a.m. The Texas Commission on Jail Standards will meet in Room 100, Employees Retirement Building, 18th and Brazos Streets, Austin. According to the agenda summary, the commission will approve minutes of the May 27, 1987, meeting; hear the directors report and old business concerning Bastrop, Bee, Caldwell, Eastland, Ellis, Floyd, Nacogdoches, Nueces, Potter, Tarrant, and Williamson Counties; consider new business concerning Bell, Dallas, Ector, Kinney, Limestone, Parker, Upshur, and Waller Counties; and applications for variance(s) Clay and Tom Green Counties. The commission will also meet in executive session.

Contact: Robert O. Viterna, 611 South Congress Avenue, Suite 200, Austin, Texas 78704, (512) 463-5505.

Filed: July 16, 1987, 2:20 p.m.
TRD-8705856



Texas Department of Labor and Standards

Tuesday, July 28, 1987, 1:30 p.m. The Manufactured Housing Division of the Texas Department of Labor and Standards will meet in Room 105, E O Thompson Building, Austin. According to the agenda, the division will consider suspension or revocation of the manufactured housing registration of Spring Mobile Homes for alleged violation of the department's manufactured housing rules and regulations.

Contact: Craig F. Sandling, P.O. Box 12157, Austin, Texas 78711, (512) 463-3127.

Filed: July 20, 1987, 4:07 p.m.
TRD-8705948



Board of Law Examiners

Sunday-Tuesday, July 26-28, 1987, 8 a.m. daily except for July 26, 1987 at 1 p.m. The Board of Law Examiners will meet in the Capital Marriot, 11th Street at IH-35, Austin, on Sunday and at the Texas Law Center, 1414 Colorado, Austin, on Monday and Tuesday. According to the agenda, the board will approve minutes of the June 1987 meeting, consider current status of the budget for fiscal year 1987 and proposed fiscal year 1988, consider policies regarding audit recommendations, discuss fingerprint policy, foreign legal consultants policies, July 1987 bar exam, questions of eligibility and special requests, and conduct hearings on moral character and fitness.

Contact: Wayne E. Denton, 510 South Congress Avenue, Austin, Texas 78704, (512) 463-1621.

Filed: July 16, 1987, 2:34 p.m.
TRD-8705851



Texas Board of Licensure for Nursing Home Administrators

Tuesday, July 28, 1987, 2 p.m. The Texas Board of Licensure for Nursing Home Administrators will meet in Suite 355, 4800 North Lamar Boulevard, Austin. According to the agenda, a hearing officer approved by the Attorney General of Texas will conduct a formal hearing in the matter of Barbara W. Hudspeth, NHA 2286, to receive testimony regarding possible violation of the Nursing Home Administrator's Licensure Act, Texas Civil Statutes, Article 4442d, §11(1)(b), (g), and (4).

Contact: Dottie Mathieson, 4800 North Lamar Boulevard, Suite 355, Austin, Texas 78752, (512) 458-1955.

Filed: July 17, 1987, 11:18 a.m.
TRD-8705883



Board of Pardons and Paroles

Monday, July 20, 1987, 9:30 a.m. The Board of Pardons and Paroles met in emergency session at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board discussed potential litigation, hazardous duty pay, and personnel matters concerning the parole commissioners. The emergency status was necessary because board members cannot adjust their schedules to meet at any other reasonable time.

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

Filed: July 16, 1987, 4:20 p.m.
TRD-8705867

Monday-Friday, July 27-31, 1986, 1:30 p.m. daily Monday-Thursday and 11 a.m. Friday. A three-member panel of the Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the panel will receive, review, and consider information and reports concerning prisoners and inmates and administrative releases subject to the board's jurisdiction and initiate and carry through with appropriate action.

Contact: Mike Roach, 8610 Shoal Creek Boulevard, Austin, Texas, (512) 459-2713.

Filed: July 17, 1987, 11:32 a.m.
TRD-8705891

Tuesday, July 28, 1986, 1:30 p.m. The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board will consider executive clemency recommendations and related actions, other than out-of-country conditional pardons, including full pardons and restoration of civil rights of citizenship; emergency medical reprieves; commutations of sentence; and other reprieves, remissions, and executive clemency actions.

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

Filed: July 17, 1986, 11:33 a.m.
TRD-8705892



Texas State Board of Public Accountancy

The Texas State Board of Public Accountancy will meet in Suite 340, 1033 La Posada, Austin. Dates, times, and agendas follow.

Wednesday, July 29, 1987, 9:30 a.m. The Entry and Reentry Committee will consider ratification of approved application for registration of partnerships and professional corporations; applications for reinstatement

of CPA certificates; ratification of previously approved applications under §§12, 13, and 14; non-routine applications under §§12, 13, and 14; hearings for individuals requesting appearances before the committee; review of convictions reported by licensees on their 1987 renewal notices; information relating to Department of Public Safety criminal background investigation reports; request for surrender of CPA certificates under §21(a) of the Act; plans for the November 1987, swearing-in ceremony; and of licensing statistics and other discussions coming before the committee.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: July 20, 1987, 2:55 p.m.
TRD-8705943

Wednesday, July 29, 1987, 2 p.m. The Executive Committee will review status of the constructive enforcement program; personnel matters; legislative matters; discussion of conforming the board's rules of professional conduct to NASBA's model code of professional conduct; review of status of the fiscal year 1988-1989 appropriations request; consider status of 1987 operating budget, cash flow update, and progress of expenditures; adoption of the 1988 operating budget; discussion of proposed new substantive rule 505.10, board committees; review of status of the hiring of hearings officers; proposed expansion to office lease space; and computer feasibility study and five-year plan and other matters coming before the committee.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: July 20, 1987, 2:54 p.m.
TRD-8705945

Thursday-Friday, July 30-31, 1987, 9 a.m. The board will approve minutes of the May 15-16, 1987, board meeting; review report on the Examination Committee; report of the Entry and Screening Committee; report on the Continuing Education Committee; report of the Technical Standards Review Committee; report of the Enforcement Committee; consider Enforcement Committee discussion items tabled at the May 1987, board meeting; review report of the Executive Committee; NASBA matters; report of the task force studying NASBA's positive enforcement program; consider adoption of substantive rules; review of requests for attorney general opinions; board litigation; board's financial condition; consider ratification of board orders, consent orders, and proposals for decision; and review of certain board communications and review of future meeting/hearing schedules.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752, (512) 451-0241.

Filed: July 20, 1987, 2:55 p.m.
TRD-8705946

Wednesday, August 5, 1987, 9 a.m. There will be a panel to hear allegations of violations of rules of professional conduct and of the Public Accountancy Act of 1979, as amended. At 9 a.m. panel hearing on Complaint 86-07-17L and at 10:30 a.m. panel hearing on Complaint 87-01-14L.

Contact: Bob E. Bradley, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: July 20, 1987, 2:54 p.m.
TRD-8705944



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.

Thursday, July 16, 1987, 4:45 p.m. The Hearings Division met in emergency session to consider pending litigation, Cause 409,474—AT&T Communications of the Southwest, Inc., et al. v. Public Utility Commission of Texas et al. (Appeal of Docket 6095). The emergency status was necessary because a district court hearing in this matter set for July 17, 1987, requires commission action today.

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

Filed: July 16, 1987, 2:21 p.m.
TRD-8705850

Monday, July 27, 1987, 11 a.m. The Hearings Division will consider Docket 7460—Application of El Paso Electric Company for authority to change rates.

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

Filed: July 17, 1987, 2:49 p.m.
TRD-8705898

Wednesday, September 30, 1987, 10 a.m. The Hearings Division will consider Docket 7550—Application of Guadalupe Valley Electric Cooperatives, Inc. for authority to change rates.

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

Filed: July 16, 1987, 2:21 p.m.
TRD-8705854



Texas Committee on Purchases of Products and Services of Blind and Severely Disabled Persons

Monday, July 27, 1987, 10 a.m. The Pricing Subcommittee of the Texas Committee on Purchases of Products and Services of

**State Board of Insurance
Notifications Pursuant to the
Insurance Code, Chapter
5, Subchapter L**

(Editor's note: As required by the Insurance Code, Article 5.96 and Article 5.97, the Register publishes notices of actions taken by the State Board of Insurance pursuant to Chapter 5, Subchapter L, of the Code. Board action taken under these articles is not subject to the Administrative Procedure and Texas Register Act, and the final actions printed in this section have not been previously published as proposals.

These actions become effective 15 days after the date of publication or on a later specified date.

The text of the material being adopted will not be published, but may be examined in the offices of the State Board of Insurance, 1110 San Jacinto Street, Austin.)

The State Board of Insurance has adopted a filing by the Insurance Services Office, Incorporated, of revisions to the simplified rules for Commercial Crime Insurance, Division Three of the Commercial Lines Manual.

In accordance with the provisions of the Insurance Code, Article 5.97, a text of the proposed filing has been filed in the office of the chief clerk of the State Board of Insurance since June 16, 1987. The proposed filing has been available for public inspection for 15 days and a public hearing was not requested by any party.

This filing of revisions is intended to clarify the terms and application of several rules of the Commercial Crime Insurance Program. Additionally, the rules concerning premium computation for Coverage Form I—Lessees of Safe Deposit Boxes—have been revised and several editorial corrections have been made.

This revision becomes effective September 1, 1987, under the following rule of application. These changes are applicable to all policies effective on or after September 1, 1987. No policy effective prior to September 1, 1987, shall be endorsed or cancelled and rewritten to take advantage of or to avoid the application of these changes except at the request of the insured using the cancellation procedures applying on the date of such request.

This notification is made pursuant to the Insurance Code, Article 5.97, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on July 14, 1987

TRD-8705820 Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date, September 1, 1987
For further information, please call
(512) 463-6327



The State Board of Insurance has adopted an amendment to the Rules and Rates Governing the Insuring of Automobiles and Standard Endorsements II (hereinafter referred to as the Texas automobile manual).

The board has amended the Texas automobile manual to adopt a revised rule.

Changes. The change to Rule 12 relieves an inequitable situation that exists under the present rule. The present rule requires premium adjustment when any change, other than those specified in the current rule, is made, and requires premiums adjustments to be made at current level. This works to the detriment of policyholders when general rate levels have increased or when significant territorial changes have occurred. Both of the conditions have recently arisen. The amended rule will alleviate these problems in most cases.

This amendment is effective on and after 12:01 a.m., September 1, 1987.

This notification is made pursuant to the Insurance Code, Article 5.97, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on July 14, 1987

TRD-8705822 Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date, September 1, 1987
For further information, please call
(512) 463-6327



The State Board of Insurance has considered a filing by the Insurance Services Office, Incorporated, proposing revision of the Texas general liability experience rating plan for the Commercial General Liability Program. These changes are primarily editorial in nature as submitted by the Insurance Services Office, Incorporated.

This filing was approved under the following rule of application. These changes are applicable to all ratings effective on or after September 1, 1987.

This notification is made pursuant to the Insurance Code, Article 5.97, which exempts it from the requirements of the Ad-

ministrative Procedure and Texas Register Act.

Issued in Austin, Texas, on July 14, 1987

TRD-8705819 Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date, September 1, 1987
For further information, please call
(512) 463-6327



The State Board of Insurance has adopted a filing by the Insurance Services Office, Inc., of revisions to the simplified coverage forms for Commercial Crime Insurance, Division Three of the Commercial Lines Manual.

In accordance with the provisions of the Insurance Code, Article 5.97, a text of the proposed filing has been filed in the office of the chief clerk of the State Board of Insurance since June 16, 1987. The proposed filing has been available for public inspection for 15 days and a public hearing was not requested by any party.

The major aspects of the revision are; the definition of the term "occurrence", found in most coverage forms, which has been refined for clarification, and the revision of Coverage Form I—Lessees of Sale Deposit Boxes—to include a space for describing the covered vault. The remaining changes contained in the filing are editorial in nature.

The revision becomes effective September 1, 1987, under the following rule of application. These changes are applicable to all policies effective on or after September 1, 1987. No policy effective prior to September 1, 1987, shall be endorsed or cancelled and rewritten to take advantage of or to avoid the application of these changes except at the request of the insured using the cancellation procedures applying on the date of such request.

This notification is made pursuant to the Insurance Code, Article 5.97, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on July 14, 1987

TRD-8705621 Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date, September 1, 1987
For further information, please call
(512) 463-6327



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*.

State Board of Barber Examiners

Tuesday, August 4, 1987, 8 a.m. The Board Members of the State Board of Barber Examiners will meet in Suite C-275, 1300 East Anderson Lane, Austin. According to the agenda, the board will hear minutes of the previous meeting; interview out-of-state applicants; sign teacher and school certificates; consider examination schedule for October through December, 1987; and consider letters and reports to the board by the executive director. The board also will meet in executive session.

Contact: Jo King McCrorey, 1300 East Anderson Lane, Suite C-275, Austin, Texas 78752, (512) 835-2040.

Filed: July 17, 1987, 11:05 a.m.
TRD-8705887



Texas School for the Deaf

Saturday, July 25, 1987, 9 a.m. The Governing Board of the Texas School for the Deaf will meet Boardroom, Administrative Building, 1102 South Congress Avenue, Austin. According to the agenda, the board will hear from individuals from the audience wishing to make a report or comment, and consider business requiring board action.

Contact: Susan R. Nixon, P.O. Box 3538, Austin, Texas 78764, (512) 440-5335.

Filed: July 16, 1987, 2:23 p.m.
TRD-8705853



State Depository Board

Monday, August 3, 1987, 10:30 a.m. The State Depository Board will meet in the Office of the State Treasurer, L.B.J. Building, 111 East 17th Street, Austin. According to the agenda, the board will consider depository applications received, centrally located depositories and concentration of account network, and administrative report from the staff.

Contact: Anne I. Schwartz, P.O. Box 12608, Capitol Station, Austin, Texas 78711, (512) 463-5971.

Filed: July 21, 1987, 9:33 a.m.
TRD-8705955



Texas Historical Commission

Friday, July 24, 1987, 8:30 a.m. The Nominations and Surveys Committee of the Texas Historical Commission will meet in emergency session at Scholtz Garten, 1607 San Jacinto Street, Austin. According to the agenda, the committee will discuss recommendations for appointment to the State Board of Review, consider status of fiscal year 1987 historic preservation fund grants, and staff updates, and the quarterly report of activities. The emergency status is necessary because it was the only possible meeting date for committee members prior to the regularly scheduled quarterly meeting of the commission.

Contact: Marlene Casarez, P.O. Box 12276, Austin, Texas 78711, (512) 463-6094.

Filed: July 20, 1987, 4 p.m.
TRD-8705947



Texas Housing Agency

Friday, July 17, 1987, 3 p.m. The Multi-Family Committee of the Texas Housing Agency met in emergency session in the THA Conference Room, Suite 300, 811 Barton Springs Road, Austin. According to the agenda, the agency considered submission of housing survey by housing sponsor to establish good cause for lowering the elderly set-aside requirement in relation to the Remington Hill Development and the High Point III Development Projects. The emergency status was necessary because the housing sponsor on two bond issues was seeking to satisfy a condition of closing that arose due to unforeseeable circumstances, prior to the closing date of August 18, 1987.

Contact: Dan A. McNeil, P.O. Box 13941, Capitol Station, Austin, Texas 78711, (512) 474-2974.

Filed: July 17, 1987, 8:53 a.m.
TRD-8705869



Texas Commission on Human Rights

Friday, July 24, 1987, 10:30 a.m. The Texas Commission on Human Rights will meet in Room 101, John H. Reagan Building, 105 West 15th Street, Austin. According to the agenda summary, the commission will approve minutes of the previous meeting, heard administrative reports, report on IAOHRA annual conference, consider lease arrangement and floor plan for new office space, status of 1988-1989 biennium budget, personnel matters, 1988 EEOC charge resolution contract, 1988 worksharing agreement, hear status report on EEO compliance training, consider approval of litigation, discuss rule for retention of records, commissioner's issues, and unfinished business.

Contact: William M. Hale, 7215 Cameron Road, Suite B, Austin, Texas 78752, (512) 459-0944.

Filed: July 16, 1987, 12:04 p.m.
TRD-8705847



Texas Department of Human Services

Tuesday, July 28, 1987, 9:30 a.m. The Church Relations Advisory Group of the Texas Department of Human Services will meet in Classroom 1, Second Floor, West Tower, 701 West 51st Street, Austin. According to the agenda summary, the group will appoint a nominating committee, hear a report on the special legislative session, a report on income assistance subcommittee on public image, consider introduction of new executive deputy commissioner, discussion of child support enforcement and the

Blind and Severely Disabled Persons will meet in Room 911-D, Ninth Floor, L.B.J. Office Building, 111 East 17th Street, Austin. According to the agenda, the subcommittee will approve minutes of the April 28, 1987, meeting; discuss and recommend for action on new services; action on renewal services; action on new products; traffic barricades; garden hoses; oil analysis; floppy diskettes; poly bags; coffee; air filters; micro-computers; action on product changes and revisions; safety vests; audio cassettes; poly bushel trucks; imitation binders; and quarter folded towels.

Contact: Michael T. Phillips, P.O. Box 12866, Austin, Texas 78711, (512) 459-2603.

Filed: July 17, 1987, 8:45 a.m.
TRD-8705868

Thursday, July 30, 1987, 10 a.m. The Texas Committee on Purchases of Products and Services of Blind and Severely Disabled Persons will meet in the Administrative Conference Room, Criss Cole Rehabilitation Center, 4800 North Lamar Boulevard, Austin. According to the agenda, the committee will approve minutes of the April 30, 1987, meeting; discuss and act on performance; consider programs and budget for 1988; on new services; renewal services; new products including traffic barricades, garden hoses, oil analysis, floppy diskettes, poly bags, coffee, air filters, and micro-computers; and discuss and act on product changes and revisions including safety vests, audio cassettes, poly bushel trucks, imitation binders, and quarter folded towels.

Contact: Michael T. Phillips, P.O. Box 12866, Austin, Texas 78711, (512) 459-2603.

Filed: July 20, 1987, 1:27 p.m.
TRD-8705935



Railroad Commission of Texas

Monday, July 20, 1987, 9 a.m. The Oil and Gas Division of the Railroad Commission of Texas met in emergency session in the 12th Floor Conference Room, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda, the commission met to consider whether to use state funds to plug leaking well: unidentified operator, unknown lease, unidentified well, Callahan County. The emergency status was necessary because this item must be taken on less than seven days notice as a matter of urgent public necessity. The well is located under the right-of-way of FM Road 604 and is leaking at the rate of two to five bbls. of water per day with chloride testing at 19,000 PPM and could be a threat to the public's health, safety, and welfare.

Contact: Willis Steed, P.O. Box 12967, Austin, Texas 78711, (512) 463-7257.

Filed: July 17, 1987, 11:07 a.m.
TRD-8705871

Monday, July 27, 1987, 9 a.m. Various committees of the Railroad Commission of Texas will meet in Room 126, William B. Travis Building, 1701 North Congress Avenue, Austin. Agendas follow.

The Administrative Services Division will consider and act on the division director's report on division administration, budget, procedures, and personnel matters, including but not limited to discussion, consideration and/or action on the following: management study, oil and gas general counsel, and oil-field investigator personnel and their operations.

Contact: Roger Dillon, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7257.

Filed: July 17, 1987, 11:07 a.m.
TRD-8705872

The Automatic Data Processing Division will consider and act on the division director's report on division administration, budget, procedures, equipment acquisitions, and personnel matters.

Contact: Bob Kmetz, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7251.

Filed: July 17, 1987, 11:07 a.m.
TRD-8705873

The Flight Division will consider and act on the division director's report on division administration, budget, procedures, and personnel matters.

Contact: Kenn Fossler, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-6787.

Filed: July 17, 1987, 11:07 a.m.
TRD-8705874

The Gas Utilities Division will consider various matters falling within the Railroad Commission's Gas Utilities Division regulatory jurisdiction.

Contact: Lucia Sturdevant, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7003.

Filed: July 17, 1987, 11:05 a.m.
TRD-8705875

The Office of Information Services director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schaible, P.O. Drawer 12967, Austin, Texas 78711-2967, (512) 463-6710.

Filed: July 17, 1987, 11:10 a.m.
TRD-8705876

The LP-Gas Division director's report on division administration, budget, procedures, and personnel matters.

Contact: Thomas D. Petru, P.O. Drawer 12967, Austin, Texas 78711-2967, (512) 463-6931.

Filed: July 17, 1987, 11:11 a.m.
TRD-8705877

Various matters falling within the Oil and Gas Division's regulatory jurisdiction.

Contact: Timothy A. Poe, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6713.

Filed: July 17, 1987, 11:12 a.m.
TRD-8705878

Additions to the previous agenda:

Consideration of category determinations under the Natural Gas Policy Act of 1978, §§102(c)(1)(B), 102(c)(1)(C), 103, 107, and 108.

Contact: Margie L. Osborn, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6755.

Filed: July 17, 1987, 11:10 a.m.
TRD-8705879

The Oil and Gas Division will investigate cementing practices of Western Company of North America.

Contact: Tim Poe, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6713.

Filed: July 17, 1987, 11:08 a.m.
TRD-8705580

The Personnel Division director's report on division administration, budget, procedures, and personnel matters.

Contact: Mark K. Bogan, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6981.

Filed: July 17, 1987, 11:10 a.m.
TRD-8705881

The Office of Research and Statistical Analysis director's report on division administration, budget, procedures, and personnel matters.

Contact: Gail Gemberling, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-6976.

Filed: July 17, 1987, 11:12 a.m.
TRD-8705882

The Office of the Special Counsel director's report relating to pending litigation, including but not limited to discussion and/or decision in Gas Utilities Docket 500 amendment; state and federal legislation, and other budget, administrative, and personnel matters. Also discussion of Hufo Oils, et al. v. Railroad Commission, C-5987 in the Supreme Court of Texas; Walker Operating Corp., et al. v. Federal Energy Regulatory Commission, U.S. Court of Appeals for the 10th Circuit, 85-2683 and 86-2698 et al.; and Lone Star Gas Company, et al. v. Railroad Commission of Texas and Jim Mattox, in his official capacity as Attorney General of the State of Texas, 414, 537, 295th District Court.

Contact: Walter Earl Lillie, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7149.

Filed: July 17, 1987, 11:11 a.m.
TRD-8705884

The Surface Mining and Reclamation Division director's report on division adminis-

tration, budget, procedures, and personnel matters

Contact: J. Randel (Jerry) Hill, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas, (512) 463-7149.

Filed: July 17, 1987, 11:10 a.m.
TRD-8705885

Various matters falling within the Transportation Division's regulatory jurisdiction.

Contact: Michael A. James, P.O. Drawer 12967, Austin, Texas 78711, (512) 463-7122.

Filed: July 17, 1987, 11:12 a.m.
TRD-8705886



Texas Savings and Loan Department

Tuesday, July 28, 1987, 9 a.m. The Texas Savings and Loan Department will meet in Suite 201, 2601 North Lamar Boulevard, Austin. According to the agenda summary, the department will accumulate a record of evidence in regard to the application of Majestic Savings Association, Dallas, Dallas County, to relocate a branch office from 5314 Arapaho Road, Dallas, Dallas County, to 5001 Springs Valley Road, Dallas, Dallas County, from which record the commissioner will determine whether to grant or deny the application.

Contact: Russell R. Oliver, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 479-1250.

Filed: July 20, 1987, 2:37 p.m.
TRD-8705942



Texas Southern University

Friday, July 24, 1987, 1:30 p.m. The Finance Committee of the Board of Regents for Texas Southern University has rescheduled a meeting to be held in Room 117, Hannah Hall, Texas Southern University, 3100 Cleburne Avenue, Houston. The meeting was originally scheduled for July 24, 1987, at 1:30 p.m. According to the agenda, the committee will review university budgetary matters.

Contact: Everett O. Bell, 3100 Cleburne Avenue, Houston, Texas 77004, (713) 529-8911.

Filed: July 20, 1987, 11:22 a.m.
TRD-8705932

Friday, July 24, 1987, 4 p.m. The Finance Committee of the Board of Regents for Texas Southern University will meet in Room 117, Hannah Hall, Texas Southern University, 3100 Cleburne Avenue, Houston. According to the agenda, the committee will review university budgetary matters.

Contact: Everett O. Bell, 3100 Cleburne Avenue, Houston, Texas 77004, (713) 529-8911.

Filed: July 17, 1987, 2:25 p.m.
TRD-8705896

Friday, August 7, 1987, 9:30 a.m. The Board of Regents of Texas Southern University will meet in Room 117, Hannah Hall, Texas Southern University, 3100 Cleburne Avenue, Houston. According to the agenda, the board will consider reports from standing committees; review and consider 1987-1989 auxiliary, educational, and general budgets; and consider real estate purchases. The board will also meet in executive session to evaluate personnel and to confer with university attorney on current litigation.

Contact: Everett O. Bell, 3100 Cleburne Avenue, Houston, Texas 77004, (713) 529-8911.

Filed: July 20, 1987, 8:43 a.m.
TRD-8705919



Texas Soybean Producers Board

Tuesday, July 28, 1987, 11 a.m. The Texas Soybean Producers Board of the Texas Department of Agriculture will meet at 3232 West Mockingbird Lane, Dallas. According to the agenda, the board will hear the financial report; consider the proposed budget for 1987-1988; hear comments from the Texas Department of Agriculture representative; and hear the executive directors report

Contact: Trent Roberts, P.O. Box 2182, Dallas, Texas 75221, 1-800-247-8691.

Filed: July 16, 1987, 2:36 p.m.
TRD-8705852



Texas Statewide Health Coordinating Council

Friday, July 31, 1987, 9 a.m. The Health Legislation and Program Funding Review Committee of the Texas Statewide Health Coordinating Council will meet in the Tarrytown Room, Hilton Hotel, 6000 Middle Fiskville Road, Austin. According to the agenda summary, the committee will approve minutes of the previous meeting, hear a report on congressional action on catastrophic health care and welfare reform, consider legislative update of the special called sessions of the Texas legislature, hear comments by chairman, and select next meeting date.

Contact: Carol S. Daniels, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7261.

Filed: July 20, 1987, 11:23 a.m.
TRD-8705922

Friday, July 31, 1987, 10 a.m. The Texas Statewide Health Coordinating Council will meet in the Tarrytown Room, Hilton Hotel,

6000 Middle Fiskville Road, Austin. According to the agenda summary, the council will approve minutes of the September 26, 1986, meeting; hear report by bureau chief; consider legislative update concerning plan implementation progress and health program budgets appropriations process; state debate on health care discussion; indigent health care update; future directions for health planning discussion; health legislation and Program Funding Review Committee report; and select next meeting date.

Contact: Carol S. Daniel, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7261.

Filed: July 20, 1987, 11:23 a.m.
TRD-8705921



Texas Water Commission

Wednesday, July 29, 1987, 10 a.m. The Texas Water Commission will meet in the Community Room, Mid-Valley Bank, 500 South Missouri Avenue, Weslaco. According to the agenda, the commission will conduct a hearing on proposed rules for financing the Rio Grande Watermaster Operation and a public discussion of the fiscal year 1988 proposed Rio Grande Watermaster budget.

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

Filed: July 17, 1987, 3:58 p.m.
TRD-8705901

The Texas Water Commission will meet in the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Dates, committees, room numbers, and agendas follow.

Monday, August 3, 1987, 2 p.m. The commission will meet in Room 118, to consider adoption of rules for financing the Rio Grande watermaster operation.

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

Filed: July 20, 1987, 11:25 a.m.
TRD-8705924

Tuesday, August 4, 1987, 2 p.m. The commission will meet in Room 118, to consider commission order requiring certain actions of the Texas Department of Corrections, Permit 10250-01—Order finding substantial noncompliance and requiring certain actions of the City of Pittsburg, Permit 11511-01—Order finding substantial noncompliance of the City of Alamo, and Proposed Permit 02872—Application by Borden, Incorporated for proposed permit in Hopkins County.

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

Filed: July 20, 1987, 11:25 a.m.
TRD-8705931

Wednesday, August 5, 1987, 10 a.m. The Office of Hearings Examiner will meet in

Room 512, in regard to an application for a water certificate of convenience and necessity.

Contact: Carl X. Forrester, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7875.

Filed: July 17, 1987, 3:58 p.m.
TRD-8705902

Wednesday, August 5, 1987, 2 p.m. The commission will meet in Room 118 to consider Permit 10607-01—Report of substantial noncompliance and petition for an order finding substantial noncompliance and requiring certain actions of the City of Rosenberg and Proposed Permit 02876—Application by Motorola, Inc.—Integrated Circuits Group, Ed Bluestein facility, for proposed permit in Travis County, Colorado River Basin.

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

Filed: July 20, 1987, 11:25 a.m.
TRD-8705923

Thursday, August 6, 1987, 10 a.m. The Office of the Hearings Examiner will meet in Room 618 to conduct a hearing on an application to cease operation of a water utility company.

Contact: Douglas P. Roberts, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7875.

Filed: July 17, 1987, 3:58 p.m.
TRD-8705903

Thursday, August 6, 1987, 10 a.m. The Office of Hearings Examiner will meet in Room 215 to consider a notice of public hearing regarding the rate increase of Moses Water Company, Docket 7244-G.

Contact: Steve Dickman, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7875.

Filed: July 16, 1987, 11:55 a.m.
TRD-8705843

Tuesday, August 11, 1987, 2 p.m. The Commission will meet in Room 118, to consider application by the City of Jacksboro for an amendment to certificate of adjudication 08-3313.

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

Filed: July 20, 1987, 11:26 a.m.
TRD-8705928

Wednesday, August 12, 1987, 10 a.m. The commission will meet in Room 118, to consider Permit 11061-01—Administrative penalties of Greenwood Utility District Wastewater Treatment Facility, Permit 10697-01—Order finding substantial non-compliance and requiring certain actions of the City of La Feria, Permit 02712—Application by KMCO, Inc. for renewal of permit in Harris County, San Jacinto River Basin, Docket 7087-W—Appeal by Southern

Water Corporation, and Docket 7088-W—Southern Sanitary Corporation of retail water and sewer rates established by the City of Houston.

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

Filed: July 20, 1987, 11:26 a.m.
TRD-8705927

Wednesday, August 12, 1987, 2:30 p.m. The commission will meet in Room 118, to consider a petition of the executive director in the matter of south Texas solvents state superfund registry site in Nueces County and request for an order restraining Fred Marshall and Curtis Thompson from allowing or continuing the release or threatened release of waste from the south Texas solvents state superfund registry site.

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

Filed: July 20, 1987, 11:26 a.m.
TRD-8705929

Monday, August 21, 1987, 10 a.m. The Office of Hearings Examiner will meet in Room 215, to consider a rate increase.

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

Filed: July 20, 1987, 11:26 a.m.
TRD-8705930

Wednesday, August 26, 1987, 10 a.m. The commission will meet in Room 118 to conduct a notice of hearing regarding the assessment of costs for Rio Grande Watermaster Operations.

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

Filed: July 17, 1987, 3:59 p.m.
TRD-8705904

Friday, August 28, 1987, 10 a.m. The Office of Hearings Examiner will meet in Room 1149A, to consider an application on a rate increase.

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

Filed: July 20, 1987, 11:27 a.m.
TRD-8705926

Friday, September 11, 1987, 10 a.m. The Office of Hearings Examiner will meet in Room 618, to conduct a public hearing regarding the rate increase of Cave Springs Water Corporation, Docket 7269-G.

Contact: Claire Patterson, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7875.

Filed: July 16, 1987, 11:53 a.m.
TRD-8705844

Tuesday, September 15, 1987, 10 a.m. The commission will meet in Room 118, to conduct a public hearing on Application 5143, Dallas County Utility and Reclamation District, seeking a permit to maintain a total of 12 existing reservoirs located on Cottonwood

Creek and on unnamed tributaries of Cottonwood Creek and Hackberry Creek, tributary of Elm Fork Trinity River, Trinity River Basin, for in-place recreational use, Dallas County.

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

Filed: July 17, 1987, 3:58 p.m.
TRD-8705905

Thursday, September 24, 1987, 10 a.m. The Office of Hearings Examiner will meet in Rooms 1149A and B, to consider an application on a rate increase for water utility service.

Contact: Carl X. Forrester, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: July 20, 1987, 11:27 a.m.
TRD-8705925



Regional Agencies Meetings Filed July 16

The Bosque County Appraisal District, Appraisal Review Board, will meet at 104 West Morgan, Meridian, on July 29-30, 1987, at 9 a.m. daily. Information may be obtained from Don Whitney, P.O. Box 393, Meridian, Texas 76665, (812) 435-2305.

The Brazos River Authority, Board of Directors, met at 4400 Cobbs Drive, Waco, on July 20, 1987, at 9 a.m. Information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76714-7555, (817) 776-1441.

The Denton Central Appraisal District, Appraisal Review Board, met at 3911 Morse Street, Denton, on July 18, 1987, at 9 a.m. Information may be obtained from John D. Brown, 3911 Morse Street, Denton, Texas 76205, (817) 566-0904.

The Houston-Galveston Area Council, Project Review Committee, met in the Fourth Floor Boardroom, 3555 Timmons, Houston, on July 21, 1987, at 8:30 a.m. Information may be obtained from Jack Steele, 3555 Timmons, Houston, Texas 77027, (713) 627-3200.

The Jack County Appraisal District, Board of Directors, met at Los Creek Office Building, 216-D South Main Street, Jacksboro, on July 21, 1987, at 7 p.m. Information may be obtained from Doris G. Ray or Linda Williams, 216-D South Main Street, Jacksboro, Texas 76056, (817) 567-6301.

The Mills County Appraisal District, met in the Mills County Courthouse, Goldthwaite, on July 23, 1987, at 6:30 p.m. Information may be obtained from Doran E. Lemke, P.O. Box 565, Goldthwaite, Texas 76844, (915) 648-2253.

The Rusk County Appraisal District, Appraisal Review Board, met in the Administrative Offices, 107 North Van Buren, Henderson, on July 21, 1987, at 9 a.m. Information may be obtained from Melvin R.

Cooper, P.O. Box 7, Henderson, Texas 75653-0007, (214) 657-9697.

The Scurry County Appraisal District, Board of Directors, met at 2612 College Avenue, Snyder, on July 21, 1987, at 8 p.m. Information may be obtained from L.R. Peveler, 2612 College Avenue, Snyder, Texas 79549, (915) 573-8549.

The Tyler County Tax Appraisal District, Appraisal Review Board, met at 103 Pecan, Woodville, on July 20, 1987, at 10 a.m. Information may be obtained from Mary L. Mann, P.O. Drawer 9, Woodville, Texas 75979, (409) 283-3736.

The Upper Leon River Municipal Water District, Board of Directors, met in the General Office of the Filter Plant, Proctor Lake, Comanche County, on July 23, 1987, at 6:30 p.m. Information may be obtained from Garry W. Godfrey, P.O. Box 67, Comanche, Texas 76442, (817) 879-2258.

The West Central Texas Council of Governments, Executive Committee, met at 1025 East North 10th Street, Abilene, on July 22, 1987, at 12:45 p.m. Information may be obtained from Brad Helbert, 1025 East North 10th Street, Abilene, Texas 79601, (915) 672-8544.

TRD-8705848



Meetings Filed July 17

The Austin-Travis County Mental Health and Mental Retardation Center, Finance and Control Committee and Board of Trustees, met in Suite 105, 611 South Congress Avenue, Austin, on July 22, 1987, at noon and July 23, 1987, at 7 a.m. Information may be obtained from Sharon Taylor, 611 South Congress Avenue, Suite 105, Austin, Texas 78704, (512) 447-4141.

The Dallas Central Appraisal District, Appraisal Review Board, will meet in Suite 500, 1420 West Mockingbird Lane, Dallas, on July 24, 1987, at 10 a.m. Information may be obtained from Rick L. Kuehler, 1420 West Mockingbird Lane, Suite 500, Dallas, Texas 75247, (214) 631-9520.

The Gonzales Appraisal District, Appraisal Review Board, met at 928 St. Paul Street, Gonzales, on July 22, 1987, at 5 p.m. Information may be obtained from Glenda Strackbein, P.O. Box 867, Gonzales, Texas 78629, (512) 672-2879.

The Lower Rio Grande Valley Development Council, Board of Directors, met in the Harlingen Chamber of Commerce, 311 East Tyler, Harlingen, on July 23, 1987, at 1:30 p.m. Information may be obtained from Robert A. Chandler, 4900 North 23rd Street, McAllen, Texas 78504, (512) 682-3481.

The North Central Texas Council of Governments, Executive Board, met on the Second Floor, Centerpoint Two, 616 Six Flags Drive, Arlington, on July 23, 1987, at 12:45 p.m. Information may be obtained from Edwina J. Shires, P.O. Drawer COG, Arlington, Texas 76005-5888, (817) 640-3300.

The Panhandle Regional Planning Commission, Board of Directors, met in the PRPC Conference Room, 2736 West 10th Street, Amarillo, on July 23, 1987, at 1:30 p.m. Information may be obtained from Polly Jennings, P.O. Box 925, Amarillo, Texas 79105-9257, (806) 372-3381.

The Wise County Appraisal District, Appraisal Review Board, met at 206 South State Street, Decatur, on July 22, 1987, at 9 a.m. Information may be obtained from Freddie Dempsey, 206 South State Street, Decatur, Texas 76234, (817) 627-3081.

TRD-8705870



Meetings Filed July 20

The Cass County Appraisal District, Appraisal Review Board, met at 400 North Main, Linden, on July 22, 1987, at 1:30 p.m., and will meet at the same location on July 24, 1987, at 1 p.m. Information may be obtained from Janelle Clements or Eva Nell Jones, P.O. Box 1150, Linden, Texas 75563, (214) 756-7545.

The Central Texas Mental Health and Mental Retardation Center, Board of Trustees, will meet at 408 Mulberry Drive, Brownwood, on July 27, 1987, at 4:30 p.m. Information may be obtained from Don Jones, 308 Lakeway Drive, Brownwood, Texas 76801, (915) 646-9574, ext. 102.

The Dallas Area Rapid Transit, Budget and Finance, met at 601 Pacific Avenue, Dallas, on July 21, 1987, at 2 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237.

The Dallas Central Appraisal District, Appraisal Review Board, will meet in Suite 500, 1420 West Mockingbird Lane, Dallas, on July 24, 1987, at 10 a.m. Information may be obtained from Rick L. Kuehler, 1420 West Mockingbird Lane, Suite 500, Dallas, Texas 75247, (214) 631-0520.

The Deep East Texas Private Industry Council, will meet at the Rodeway Inn, Highway 59 South, Lufkin, on July 29, 1987, at 3 p.m. Information may be obtained from Don F. Boyd, 109 Ratchliff Circle, Lufkin, Texas 75901.

The Deep East Texas Regional Mental Health and Mental Retardation Services,

Board of Trustees, will meet in the Ward R. Burke Community Room, Administration Facility, 4101 South Medford Drive, Lufkin, on July 30, 1987, at 5:30 p.m. Information may be obtained from Jim McDermott, 4101 South Medford Drive, Lufkin, Texas 75901, (709) 639-1141.

The Hansford County Appraisal District, Appraisal Review Board, met at 709 West Seventh Avenue, Spearman, on July 23, 1987, at 10 a.m. Information may be obtained from Alice Peddy, P.O. Box 567, Spearman, Texas 79081, (806) 659-5575.

The Hays County Central Appraisal District, Appraisal Review Board, will meet on the First Floor, Hays County Courthouse Annex, San Marcos, on July 29-30, 1987, at 9 a.m. daily. Information may be obtained from Lynnell Sediari, 102 1 BJ Courthouse Annex, San Marcos, Texas 78666, (512) 396-4777.

The Heart of Texas Council of Governments, Executive Committee, met in the HOFCOG Conference Room, 320 Franklin Avenue, Waco, on July 23, 1987, at 10 a.m. Information may be obtained from Mary McDow, 320 Franklin Avenue, Waco, Texas 76701-2297, (817) 756-6631.

The Hunt County Tax Appraisal District, Board of Directors, will meet in the Boardroom, 4801 King Street, Greenville, on July 30, 1987, at 7 p.m. Information may be obtained from Joe Pat Davis or Jeanette Jordan, P.O. Box 1339, Greenville, Texas 75401, (214) 454-3510.

The Mason County Appraisal District, will meet at 206 Ft. McKavitt Street, Mason, on July 27, 1987, at 7 p.m. Information may be obtained from Ann Stapp, P.O. Box 1119, Mason, Texas 76856, (915) 347-5989.

The Central Appraisal District of Rockwall County, Board of Directors, met at 106 North San Jacinto, Rockwall, on July 21, 1987, at 7:30 p.m. Information may be obtained from Ray Helm, 106 North San Jacinto, Rockwall, Texas 75087, (214) 722-2034.

The Wheeler County Appraisal District, Board of Directors, will meet in the Commissioner's Courtroom, County Courthouse, Wheeler, on July 31, 1987, at 9 a.m. Information may be obtained from Marilyn Copeland, P.O. Box 349, Wheeler, Texas 79096, (806) 826-5900.

The Wood County Appraisal District, Board of Directors, met in the Conference Room of the Wood County Appraisal District, 217 North Main, Quitman, on July 23, 1987, at 1:30 p.m. Information may be obtained from W. Carson Wages, P.O. Box 951, Quitman, Texas 75783, (214) 763-4946.

TRD-8705916



Meetings Filed July 21

The Lubbock Regional Mental Health and Mental Retardation Center, Board of Trustees, will meet at 3801 Avenue J, Lubbock, on July 27, 1987, at 11:30 a.m. Information may be obtained from Gene Menfee, 1210 Texas Avenue, Lubbock, Texas 79401, (806) 766-0202.

The Wood County Appraisal District, Board of Directors, met in the Conference Room, 217 North Main, Quitman, on July 23, 1987, at 1:30 p.m. Information may be obtained from W. Carson Wages, P.O. Box 915, Quitman, Texas 75783, (214) 763-4946.

TRD-8705954



Name: Michael Losinski
Grade: 9
School: Coppell High, Coppell



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 Agriculture Consultant Proposal Requests

In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Agriculture (TDA) invites proposals for consultant services.

Proposal Specifications. A social scientist researcher is sought to direct survey research concerning possible socioeconomic effects of the United States Department of Energy (DOE) in high-level nuclear waste program on agricultural communities in Texas. The individual selected will be responsible for designing and directing new research that extends TDA's longitudinal research about the high-level nuclear waste program, for disseminating results to professional audiences, and for assisting TDA in integrating results with other elements of the State of Texas review of the DOE nuclear waste program. An applicant must have a Ph.D. in psychology, sociology, or a related social science discipline; and documented experience in research design, sampling, questionnaire construction, and report preparation. Knowledge of socioeconomic impact assessment techniques for agricultural communities and familiarity with the Nuclear Waste Policy Act of 1982 and the State of Texas review of DOE efforts are required. In addition, an applicant with the following qualifications is preferred: familiarity with Deaf Smith, Swisher, and surrounding counties; experience conducting research in bilingual (English and Spanish) and agricultural communities; and experience in reporting technical research to both professional and lay audiences.

Contact. Submit written proposals to Gary Keith, Texas Department of Agriculture, P.O. Box 12847, Austin, Texas 78711.

Deadline for Proposals. Proposals must be received at the specified address no later than 5 p.m. on August 25, 1987.

Evaluation Criteria. Proposals will be judged on the basis of a resume or vita which describes and shows evidence of relevant professional expertise and experience, strong written and oral communication skills, and an ability to work independently and with diverse groups. Finalists will be contacted by telephone if additional information is needed to make the final evaluation, and to schedule an interview if necessary.

Contract Award. The contract award will not necessarily be made to the bidder offering the lowest price, but to the lowest and best bidder, considering price, qualifications of bidder, and results of evaluation. Final selection will be made by the project manager of this contract, based upon submitted qualifications. It is the intent of the department to award this contract to the private consultant who is currently performing these services, unless a superior offer is submitted. However, this proposal request in no way obligates the department to execute a resulting contract. The right to reject any or all proposals is reserved.

Notice of Contract Award. The consultant selected will receive a contract award notification letter. The letter will be issued not later than August 28, 1987. Notice will also be sent to unsuccessful applicants in the foregoing manner.

Issued in Austin, Texas, on July 17, 1987

TRD-8705888 Dolores Alvarado Hibbs
Director of Hearings
Texas Department of Agriculture

Filed July 17, 1987

For further information please call (512) 463-7583



In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Agriculture invites proposals for consultant services.

Proposal Specifications. A social scientist researcher is sought to plan and coordinate studies of possible socioeconomic effects of the United States Department of Energy (DOE) high-level nuclear waste program on agricultural communities in Texas. The individual selected will be responsible for assuring that new research complements earlier findings from the TDA's longitudinal research program; for additional analyses of earlier research results; and for dissemination of results to professional and lay audiences. An applicant must have a Ph.D. in psychology, sociology, or related discipline, and documented experience in research design, sampling, data collection, and data analyses for large-scale longitudinal survey research. Thorough knowledge of path analysis, multiple regression, and other multivariate statistics, and of SPSSX and its implementation on the University of Texas at Austin IBM mainframe computer is required. In addition, an applicant with the following qualifications is preferred: familiarity with Deaf Smith, Swisher, and surrounding counties; familiarity with the DOE nuclear waste program and the state of Texas review of DOE efforts; and experience in conducting research in bilingual (English and Spanish) and agricultural communities.

Contact. Submit written proposals to Gary Keith, Texas Department of Agriculture, P.O. Box 12847, Austin, Texas 78711.

Deadline for Proposals. Proposals must be received at the specified address no later than 5 p.m. on August 25, 1987.

Evaluation Criteria. Proposals will be judged on the basis of a resume or vita which describes and shows evidence of relevant professional expertise and experience, strong written and oral communications skills, strong statistical analysis skills, and an ability to work independently and with diverse groups. Finalists will be contacted by telephone if additional information is needed to make the final evaluation, and to schedule an interview if necessary.

Contract Award. The contract award will not necessarily be made to the bidder offering the lowest price, but to the lowest and best bidder, considering price, qualifications of bidder, and results of evaluation. Final selection will be made by the project manager of this contract, based upon submitted qualifications. It is the intent of the department to award this contract to the private consultant who is currently performing these services, unless a superior offer is submitted. However, this proposal request in no way obligates the department to execute a resulting contract. The right to reject any or all proposals is reserved.

Notice of Contract Award. The consultant selected will receive a contract award notification letter. The letter will be issued not later than August 28, 1987. Notice will also be sent to unsuccessful applicants in the foregoing manner.

Issued in Austin, Texas, on July 17, 1987

TRD 8705889 Dolores Alvarado Hibbs
Director of Hearings
Texas Department of Agriculture

Filed July 17, 1987

For further information, please call (512) 463 7583



In compliance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Agriculture (TDA) invites proposals for consultant services.

Proposal Specifications. A social scientist researcher is sought to coordinate data collection and sample selection, and community interviews for studies of possible socio-economic effects of the United States Department of Energy (DOE) high-level nuclear waste program on agricultural communities in Texas. The individual selected will be responsible for assuring that data collection and sample selection complements earlier procedures used in TDA's longitudinal research program about the high-level nuclear waste program. An applicant must have a Ph.D. in psychology, sociology, or a related social science discipline; and documented experience in longitudinal community-based field research. Knowledge of research design, interviewing techniques, and procedures for matched-sample selection is required. In addition, an applicant with the following qualifications is preferred: familiarity with Deaf Smith, Swisher, and surrounding communities; familiarity with the DOE waste program and the State of Texas review of DOE efforts; and experience conducting research in agricultural communities.

Contact. Submit written proposals to Gary Keith, Texas Department of Agriculture, P.O. Box 12847, Austin, Texas 78711.

Deadline for Proposals. Proposals must be received at the specified address no later than 5 p.m. on August 25, 1987.

Evaluation Criteria. Proposals will be judged on the basis of a resume or vita which describes and shows evidence of relevant professional expertise and experience, strong written and oral communications skills, and an ability to work independently and with diverse groups. Finalists will be contacted by telephone if additional information is needed to make the final evaluation, and to schedule an interview if necessary.

Contract Award. The contract award will not necessarily be made to the bidder offering the lowest price, but to the lowest and best bidder, considering price, qualifications of bidder, and results of evaluation. Final selection will be made by the project manager of this contract, based

upon submitted qualifications. It is the intent of the department to award this contract to the private consultant who is currently performing these services, unless a superior offer is submitted. However, this proposal request in no way obligates the department to execute a resulting contract. The right to reject any or all proposals is reserved.

Notice of Contract Award. The consultant selected will receive the contract award notification letter. The letter will be issued not later than August 28, 1987. Notice will also be sent to unsuccessful applicants in the foregoing manner.

Issued in Austin, Texas, on July 17, 1987

TRD-8705890 Dolores Alvarado Hibbs
Director of Hearings
Texas Department of Agriculture

Filed July 17, 1987

For further information, please call (512) 463-7583



Texas Air Control Board Applications for Construction Permits

The Texas Air Control Board gives notice of applications for construction permits received during the period of July 6-10, 1987

Information relative to the following applications, including projected emissions and the opportunity to comment or to request a hearing, may be obtained by contacting the office of the executive director at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723

A copy of all material submitted by the applicant is available for public inspection at the central office of the Texas Air Control Board at the previously mentioned address, and at the regional office for the air quality control region within which the proposed facility will be located.

Listed are the names of the applicants and the cities in which the facilities are located; type of facilities; location of the facilities (if available); permit numbers; and type of application—new source or modification.

Lone Star Gas Company, Jacksboro; fuel gas dehydration unit; Jacksboro, Jack County; 18200; new

Mobil Producing Texas and New Mexico, Inc., Coyanosa; I-C engine compressor; Coyanosa, Pecos County; 18201; new

Exxon Corporation, Hawkins; gas dehydration facilities; Hawkins, Wood County; 18208; new

Shell Oil Company, Deer Park; solvents hydrotreater; Deer Park, Harris County; 18209; new

Mobil Producing Texas and New Mexico, Midland; gas compressor; Midland, Midland County; 18210; new

Issued in Austin, Texas, on July 16, 1987.

TRD-8705900 Bill Ehret
Director of Hearings
Texas Air Control Board

Filed July 17, 1987

For further information, please call (512) 451-5711, ext. 354.



The Texas Air Control Board gives notice of applications for construction permits received during the period of June 29-July 3, 1987.

Information relative to the following applications, including projected emissions and the opportunity to comment or to request a hearing, may be obtained by contacting the office of the executive director at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

A copy of all material submitted by the applicant is available for public inspection at the central office of the Texas Air Control Board at the previously mentioned address, and at the regional office for the air quality control region within which the proposed facility will be located.

Listed are the names of the applicants and the cities in which the facilities are located; type of facilities; location of the facilities (if available); permit numbers; and type of application--new source or modification.

Mobil Producing Texas and New Mexico, Midland; 660 hp engine; Midland, Crane County; 18188; new

Heritage Press, Dallas; offset printing press; Dallas, Dallas County; 18189; new

D&R Metal Finishing Houston; sandblasting and coating facility, Houston, Harris County; 18193; new

Issued in Austin, Texas, on July 14, 1987

TRD-8705824 Bill Ehret
Director of Hearings
Texas Air Control Board

Filed July 15, 1987
For further information, please call (512) 451-5711, ext. 354



Banking Department of Texas Application to Acquire Control of a State Bank

Texas Civil Statutes, Article 342-401a, require 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 bank. A hearing may be held if the application is denied by the commissioner.

On July 15, 1987, the banking commissioner received an application to acquire control of the American Bank of Waco, Waco, by M. N. Bostick of Waco.

Additional information may be obtained from William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on July 15, 1987.

TRD-8705855 William F. Aldridge
Director of Corporate Activities
Banking Department of Texas

Filed July 16, 1987
For further information, please call (512) 479-1200.



Capital Area Planning Council Request for Proposals

Background. In accord with Texas Civil Statutes, Article 6252-11c, the Capital Area Planning Council (CAPCO) invites sealed bid proposals for purchase, installation, and pilot demonstration of an automated, geographic-based crime analysis and reporting system. This project is a joint effort between the City of Austin Police Department (APD) and CAPCO. The pilot demonstration will be conducted in the context of CAPCO's 10-county region in the interest of technology transfer to all interested law enforcement entities of the region. A copy of the request for proposal information packet may be obtained from Donald L. Stence at CAPCO, (512) 443-7653.

Deadline and Address for Proposal Submission. Each proposal must be in writing, signed by the bidder. Each proposal must contain a copy of vendors costs in a separate, sealed envelope, plainly identified as containing a bid. Proposals must be received at CAPCO's offices, 2520 IH-35 South, Suite 100; Austin, Texas 78704, by 5 p.m., August 6, 1987. All proposals received by CAPCO are public record. CAPCO reserves the right to reject any or all proposals.

Contract Award Procedures. All written proposals will be reviewed by a joint, technical committee made up of representatives appointed by CAPCO and the APD. Through this process, a maximum of three firms will be selected to make formal, verbal presentations to the joint committee on August 13-14, 1987. The joint committee will then select and recommend a firm to the CAPCO executive committee. As presently scheduled, a contract will be awarded by the executive committee on August 18, 1987.

Issued in Austin, Texas, on July 17, 1987

TRD-8705893 Richard G. Bean
Executive Director
Capital Area Planning Council

Filed July 17, 1987
For further information, please call (512) 443-7653.



Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The consumer credit commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Indicated (Weekly) Rate—Article 1.04(a)(1) 07/20/87-07/26/87	18.00%	18.00%
Monthly Rate— Article 1.04(c)(1) 07/01/87-07/31/87	18.00%	18.00%
Standard Quarterly Rate—Article 1.04(a)(2) 07/01/87-09/30/87	18.00%	18.00%

Metropolitan Health District, 332 West Commerce Street, San Antonio, Texas 78285, (512) 299-8781; Texarkana Bowie County Family Health Center, 902 West 12th Street, Texarkana, Texas 75502, (214) 792-8211; Victoria County Health Department, 107 West River Street, Victoria, Texas 77901, (512) 578-6281; Wichita Falls Wichita County Health Department, 1700 Third Street, Wichita Falls, Texas 76701, (817) 322-9702.

Written comments regarding these block grants may be sent to Walter Tibbitts, Director, Grants Management Division, Texas Department of Health, 1100 West 49th Street, Austin, Texas, 78756.

For further information, please call (512) 459-7470.

Robert A. MacIsaac, M.D.
 Deputy Commissioner for
 Regulatory Services
 Texas Department of Health

For further information, please call (512) 459-7470.



Licensing Actions for Radioactive Materials

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

NEW LICENSES ISSUED:

Location	Name	License #	City	Amend-ment #	Date of Action
Amarillo	U-B-P, Inc.	1-4088	Amarillo	0	07-10-87
Houston	ONCOS Research and Development	11-4007	Houston	0	07-10-87
San Antonio	San Antonio Imaging Center	9-4098	San Antonio	0	07-13-87
Throughout Texas	Tom Kelley	11-4092	Friendswood	0	06-24-87
Throughout Texas	Parkland Engineering and Testing, Inc.	5-4089	Irving	0	07-02-87

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location	Name	License #	City	Amend-ment #	Date of Action
Amarillo	Northwest Texas Hospital	1-2054	Amarillo	22	06-26-87
Arlington	In Vitro Technologies, Inc.	5-3971	Arlington	7	06-26-87
Austin	Radian Corporation	6-1692	Austin	20	06-30-87
Austin	Seton Medical Center	6-2896	Austin	13	07-06-87
Bishop	Celanese Engineering Resins, Inc.	8-2441	Bishop	7	06-25-87
Brownwood	Minnesota Mining and Manufacturing Co.	99-918	St. Paul, MN	17	06-22-87
Cisco	E. E. Graham Hospital	4-3310	Cisco	4	07-01-87
Colorado City	Mitchell County Hospital	4-1643	Colorado City	11	07-09-87
Dallas	St. Paul Medical Center	5-1065	Dallas	22	06-26-87
Dallas	Endocrine Associates of Dallas, P.A.	5-2668	Dallas	12	06-30-87
Dallas	Presbyterian Hospital of Dallas	5-1586	Dallas	45	07-06-87
Fort Worth	Texas Steel Company	5-0163	Fort Worth	27	06-30-87

Fort Worth	Carter Blood Center	5-3676	Fort Worth	1	07-06-87
Fort Worth	George G. Lamb	5-3519	Fort Worth	1	07-07-87
Houston	Diagnostic Clinic of Houston	01-3452	Houston	5	06-29-87
Houston	Celanese Chemical Company	11-1130	Houston	31	06-30-87
Houston	Institute for Immunological Disorders	11-1885	Houston	13	07-06-87
Houston	Mallinckrodt, Inc.	11-3008	Houston	13	07-07-87
Houston	Heights Hospital	11-1782	Houston	19	07-09-87
Iowa Park	W. R. Grace and Company	4-2770	Iowa Park	8	06-25-87
Jasper	Jasper Memorial Hospital	10-3075	Jasper	19	07-07-87
Kilgore	Halliburton Services	7-1875	Kilgore	31	06-24-87
La Porte	En-Tec	17-3913	La Porte	8	06-18-87

AMENDMENTS TO EXISTING LICENSES ISSUED CONTINUED

Location	Name	License #	City	Amend-ment #	Date of Action
Lubbock	Texas Tech University	1-1869	Lubbock	38	07-01-87
Port Arthur	Chevron USA, Inc.	10-84	Port Arthur	32	06-30-87
San Angelo	St. John's Hospital and Health Center	4-2343	San Angelo	13	07-06-87
San Antonio	Thomas F. Hogan, D. M.D.	9-426	San Antonio	12	07-09-87
San Antonio	Sherwyn E. Schwartz, M.D.	9-2647	San Antonio	8	07-15-87
Seppin	Structural Metals, Inc.	9-2188	Seppin	6	06-23-87
Texarkana	Wadley Regional Medical Center	7-1437	Texarkana	10	07-07-87
Throughout Texas	H & G Inspection Company, Inc.	11-2181	Houston	31	06-25-87
Throughout Texas	State Dept. of Highways and Public Transportation	6-197	Austin	48	06-24-87
Throughout Texas	Coastal Inspection Company	8-3716	Alvin	16	06-24-87
Throughout Texas	GNI Incorporated	11-2995	Webster	17	06-22-87
Throughout Texas	Tuboscope, Inc.	11-287	Houston	70	06-26-87
Throughout Texas	Component Sales and Service	11-2243	Houston	10	06-23-87
Throughout Texas	Oray Wireline Service	2-3541	Lvelland	2	06-26-87
Throughout Texas	MRA Materials Engineers, Inc.	11-3018	Houston	5	07-02-87
Throughout Texas	Sharp Radiation Services	8-3731	Corpus Christi	3	06-26-87
Throughout Texas	Wedge C.R.C., Inc.	5-315	Arlington	62	07-02-87
Throughout Texas	Core Laboratories, Inc.	11-2975	Houston	12	07-07-87
Throughout Texas	The Dia-Log Company	8-1887	Woodsboro	15	07-06-87
Throughout Texas	Accurate Wireline Services, Inc.	8-3056	Corpus Christi	7	07-07-87
Throughout Texas	American Pipe Inspection, Inc.	11-2576	Houston	5	07-07-87

RENEWALS OF EXISTING LICENSES ISSUED:

Location	Name	License #	City	Amend-ment #	Date of Action
Dallas	Doctors Hospital	5-1366	Dallas	24	06-29-87
Deer Park	La Porte Chemical Corporation	11-3200	Deer Park	3	06-26-87
El Campo	Memorial Hospital - El Campo	11-2664	El Campo	4	07-08-87
Houston	St. Joseph Hospital	11-1070	Houston	17	07-01-87
Houston	St. Luke's	1-581	Houston	32	07-03-87
Humble	Episcopal-Texas Children's Hospitals	11-3263	Humble	1	07-06-87
Livingston	Madarah Revana, M.D.	11-3263	Humble	1	07-06-87
Livingston	Trinity River Authority	10-3215	Livingston	2	07-10-87
Lockhart	Lockhart Hospital, Inc.	6-3259	Lockhart	5	07-01-87
Meridian	Harris Methodist Meridian Hospital	6-3224	Meridian	3	07-13-87

Odessa	University of Texas of the Permian Basin	12-2697	Odessa	4	07-08-87
Rockdale	Richards Memorial Hospital	6-3218	Rockdale	6	07-06-87
San Angelo	Angelo State University	4-1584	San Angelo	8	07-13-87
San Antonio	Southwest General Hospital	9-2689	San Antonio	10	06-26-87
San Antonio	Baptist Memorial Hospital	9-469	San Antonio	19	07-09-87
San Antonio	San Antonio State Chest Hospital	9-2218	San Antonio	19	07-13-87
San Antonio	Cardiovascular Associates, P.A.	6-637	San Antonio	8	07-13-87
Temple	Scott and White Clinic	5-11	Temple	34	07-08-87
Throughout Texas	Big State X-Ray	1-7697	Odessa	3	06-16-87
Throughout Texas	BJ Titan Services Company	11-2684	Houston	6	06-19-87
Throughout Texas	San Antonio River Authority	4-2706	San Antonio	3	06-27-87
Throughout Texas	Last Texas Testing Laboratory	7-1423	Evair	36	06-18-87
Throughout Texas	W. H. Henkel, In- dustries, Inc.	8-967	Arlington	17	06-24-87

TERMINATIONS OF LICENSES ISSUED:

Location	Name	License #	City	Amend- ment #	Date of Action
Dallas	Spectrum Analytical Laboratories, Inc.	5-3005	Dallas	1	06-29-87
Grapevine	Granite Construction Company	5-3528	Grapevine	3	06-26-87
Greenville	Robert Irvin Morgan, M.D.	5-1395	Greenville	9	06-26-87
Throughout Texas	Davis Great Coun- ty Logging, Inc.	12-2708	Midland	8	07-02-87

NEW LICENSES DENIED:

Location	Name	License #	City	Amend- ment #	Date of Action
Dallas	Gene Bartlett, D.P.M.S.A.	Dallas	0	06-26-87	

AMENDMENTS TO EXISTING LICENSES DENIED:

Location	Name	License #	City	Amend- ment #	Date of Action
Dinero	Everest Exploration	8-3068	Corpus Christi	0	06-23-87
Fort Worth	Bell Helicopter Textron	5-3023	Fort Worth	0	07-02-87
Throughout Texas	Trinity Testing and Inspection Company	8-3628	Victoria	0	07-02-87

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

This notice affords the opportunity for a hearing on written request of a licensee, applicant, or "person affected" within 30 days of the date of publication of this notice. A "person affected" is defined as a person who is resident of a county, or a county adjacent to the county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and

any local government in the county, and who can demonstrate that he has suffered or will suffer actual injury or economic damage due to emissions of radiation. A licensee, applicant, or "person affected" may request a hearing by writing David K. Tacker, Chief, Bureau of Radiation Control (Director, Texas Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756.

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

Copies of these documents and supporting materials are available for inspection and copying at the office of the Bureau of Radiation Control, Texas Department of Health, 1212 East Anderson Lane, Austin, from 8 a.m. to 5 p.m. Monday through Friday (except holidays).

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

TRD 8705906 Robert A. MacLean
Deputy Commissioner
Texas Department of Health

Filed July 17, 1987

For further information, please call (512) 835-7900



Texas Higher Education Coordinating Board Notice of Meeting

The Basic Skills Council of the Texas Higher Education Coordinating Board will meet on Monday, July 27, 1987, at 10 a.m. The meeting will be located in Room 255 at the Coordinating Board, 200 East Riverside Drive, Austin. Additional information may be obtained from Joan Matthews, (512) 462-6485.

Issued in Austin, Texas, on July 15, 1987

TRD-8705841 James McWhorter
Assistant Commissioner for
Administration
Texas Higher Education Coordinating
Board

Filed July 16, 1987

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



Texas Department of Human Services

List of Disproportionate Share Hospitals

The Texas Department of Human Services published adopted rules in the January 30, 1987, issue of the *Texas Register* (12 TexReg 348) that provided the basis of distribution of funds to hospitals delivering a disproportionate share of indigent health care. The following list identifies facilities that qualify as disproportionate share hospitals. A disproportionate share payment will be made to each of these facilities in state fiscal year 1987.

Provider Name	City	Provider Name	City
Parland Memorial Hospital	Dallas	Hannon West Texas Memorial Hospital	San Angelo
M.A. Jones Medical Center	McAllen	Citizens Hospital of Commerce	Commerce
University of Texas Medical Branch	Galveston	Houston County Hospital	Frockett
Memorial Hospital	Kermit	Laft Hospital and Conv. Home	Laft
Citizens Medical Center	Victoria	Kimble Hospital	Junction
A.E. Thomason General Hospital	El Paso	Marion County Hospital, Inc.	Wittmore
Brownsville Medical Center	Brownsville	Hood General Hospital	Granbury
Mercy Regional Medical Center	Laredo	Lynn County Hospital	Lahoma
Memorial Hospital	Marshall	Dimmit County Memorial Hospital	Carriazo Springs
Valley Baptist Medical Center	Harlingen	Fannin County Hospital	Donham
John Peter Smith Hospital	Ft. Worth	New Boston General Hospital	New Boston
Memorial Medical Center	Corpus Christi	Edna Hospital	Edna
Dolly Vinsant Hospital	San Benito	South Limestone Hospital District	Groesbeek
Lava Medical Center	Hallettsville	Lockney General Hospital	Lockney
Baptist Medical Center	San Antonio	Institute for Immunological Disorders	Houston
Wesley Community Hospital	Sweeny	Doctors Hospital	Laredo
Gayler Medical Center at Gilmer	Gilmer	Starr County Memorial Hospital	Rio Grande City
M. J. Anderson Hospital	Houston	Otto Kaiser Memorial Hospital	Kenedy
Winter Garden Medical Center	Dalley	Tennell Community Hospital	Tennell
Anson General Hospital	Anson	Lutheran General Hospital	San Antonio
Beeville Memorial Hospital	Beeville	Lubbock General Hospital	Lubbock
Maverick County Hospital District	Eagle Pass	University of Texas Health Center	Westmore
Pittsburg Medical & Surgical Hospital	Pittsburg	Southwest General Hospital	San Antonio
Wilson Memorial Hospital	Floresville	Brooks County Hospital	Altamira
Holy Cross Hospital	Austin	Driscoll Childrens Hospital	Corpus Christi
Edenburg General Hospital	Edenburg	Childrens Medical Center	Dallas
Fort Worth Steopathic Medical Center	Ft. Worth		
Lameron Community Hospital	Lameron		
Doctors Hospital	Arches		
Brackenridge Hospital	Austin		
Knapp Memorial Methodist Hospital	Westlake		
Riverside Hospital, Inc.	Corpus Christi		
Crane Memorial Hospital	Crane		
Hansford Hospital	Spearman		
Dallas Ft. Worth Medical Center	Grand Prairie		
Dear Smith General Hospital	Hereford		
Spohn Kleberg Memorial Hospital	Kingsville		
Dayside Community Hospital	Anahuac		
Tri-City Community Hospital	Jourdanton		
Shackelford County Hospital District	Albany		
North Runnels Hospital	Winters		
Continental Hospital North	Fort Worth		
Mission Hospital	Mission		
Uvalde Memorial Hospital	Uvalde		
Pecos County Memorial Hospital	Fort Stockton		
Tigua General Hospital	El Paso		
Collingsworth General Hospital	Wellington		
Red River General Hospital	Clarksville		
Reeves County Hospital	Pecos		
Northwest Texas Hospital District	Amarillo		
Panola General Hospital	Carthage		
Bexar County Hospital District	San Antonio		
Presbyterian Hospital of Winnsboro	Winnsboro		
Archer County Hospital	Archer City		
Comanche Community Hospital	Comanche		
Memorial Hospital	Gonzales		
Santa Rosa Medical Center	San Antonio		
Foard County Hospital	Crowell		
Wagner General Hospital	Palacios		
St. Elizabeth's Hospital	Houston		
Swisher Memorial Hospital	Tulia		
Plains Memorial Hospital	Dimmitt		
Chillicothe Hospital Authority	Chillicothe		
Harris County Hospital District	Houston		
Frio Hospital	Pearsall		
Sterling County Hospital	Sterling City		
Stamford Memorial Hospital	Stamford		
Medina Community Hospital	Hondo		
Southwest Osteopathic Hospital	Amarillo		
Cherokee Medical Center	Rusk		
Omni Hospital and Medical Center	Houston		
Huntsville Memorial Hospital	Huntsville		
Alice Physicians & Surgeons Hospital	Alice		
Doctors Memorial Hospital	Tyler		
Cochran Memorial Hospital	Morton		
Brownfield Regional Medical Center	Brownfield		
Yettie Kersting Memorial Hospital	Liberty		
Riverside General Hospital	Houston		
Goliad County Hospital	Goliad		
Rosebud Community Hospital	Rosebud		
Menard Hospital	Menard		
Matagorda General Hospital	Bay City		
Burleson County Hospital	Caldwell		
Memorial Hospital	Center		
Newton County Memorial Hospital	Newton		
Mauritz Memorial Hospital	Ganado		
San Augustine Memorial Hospital	San Augustine		
Central Texas Medical Center	Hearne		
Laprock Hospital District	Floydada		
Silsbee Doctors Hospital	Silsbee		

Issued in Austin, Texas, on July 20, 1987

TRD-8705910 Marlin W Johnston
Commissioner
Texas Department of
Human Services

Filed July 20, 1987

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



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 AETNA Reinsurance Company, a foreign fire and casualty insurance company. The home office is in Wilmington, Delaware. The proposed new name is Century Reinsurance Company.

(2) Application for a name change by INA Reinsurance Company, a foreign fire and casualty insurance company. The home office is in Wilmington, Delaware. The proposed new name is CIGNA Reinsurance Company.

(3) Application for incorporation of Continental Lloyd's Insurance Company, to be a domestic lloyds insurance company. The home office is to be in Dallas.

(4) Application for a name change by Fort Sam Life Insurance Company, a domestic life insurance company. The home office is in Dallas. The proposed new name is First Republic Life Insurance Company.

(5) Application for admission to do business in Texas of Health and Life Insurance Company, a foreign life insurance company. The home office is in Denver, Colorado.

(6) Application for admission to do business in Texas of National Group Life Insurance Company, a foreign life insurance company. The home office is in Chicago, Illinois.

(7) Application for a name change by Security Nebraska Life Insurance Company, a foreign life insurance company. The home office is in Lincoln, Nebraska. The proposed new name is Pathmark Assurance Company.

(8) Application for admission to do business in Texas of Reassurance Corporation of Delaware, a foreign life insurance company. The home office is in Wilmington, Delaware.

(9) Application for name change by Victoria Insurance Company Limited, a domestic fire and casualty insurance company. The home office is in Houston. The proposed new name is Victoria Insurance Company.

(10) Application for admission to do business in Texas of Western Family Insurance Company, a foreign fire and casualty insurance company. The home office is in Carlsbad, California.

(11) Application for admission to do business in Texas of Western Family Life Insurance Company, a foreign life insurance company. The home office is in Carlsbad, California.

Issued in Austin, Texas, on July 14, 1987.

TRD 8705823 Nicholas Murphy
 Chief Clerk
 State Board of Insurance

Filed July 14, 1987.

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



Texas State Board of Pharmacy Election of Officers

The Texas State Board of Pharmacy announces the election of the following officers for fiscal year 1988 (September 1, 1987-August 31, 1988):

H. Craig Darby, R.Ph., Burleson, for president, H. D. Eakman, R.Ph., San Angelo, for vice president, and Georgette Erskine, Fort Worth, for treasurer.

Issued in Austin, Texas, on July 14, 1987.

TRD-8705840 Fred S. Brinkley, Jr.
 Executive Director/Secretary
 Texas State Board of Pharmacy

Filed July 16, 1987.

For further information, please call (512) 832-0661.



Texas Department of Public Safety, Nuclear Waste Programs Office Consultant Contract Award

Pursuant to Texas Civil Statutes, Article 6252-11c, the Nuclear Waste Programs Office (NWPO) announces the award of a consultant contract. The required consultant proposal request appeared in the June 5, 1987, issue of the *Texas Register* (12 TexReg 1846).

Under the terms of the contract the consultant will assist the NWPO and local government entities in Deaf Smith, Oldham, and other affected Texas counties, through informal or formal (under the Interlocal Cooperation Act, Texas Civil Statutes, Article 4413, §32c) boards which serve as a point of local contact among the Texas Nuclear Waste Programs Office, citizens, organizations, and the United States Department of Energy, in continuing the assessment of potential governmental fiscal impacts and social, economic, environmental, and health and safety impacts of site characterization, construction, operation, closure, and post-closure activities of a potential high-level nuclear waste repository in Deaf Smith County. The consultant will also

assist the NWPO and local government officials, boards, and citizens in the ongoing planning for the assessment of impacts cited previously which may be subject to mitigation and compensation under the provisions of the Nuclear Waste Policy Act, assist the NWPO and local government officials, boards, and citizens in continuing the planning of programs for the long-term monitoring of impacts cited previously; assist the NWPO and local government officials, boards, and citizens in planning programs for the periodic reassessment and updating of impacts cited previously; assist the NWPO and local government officials, boards, and citizens in continuing to develop and implement programs to identify and document problems, issues, needs, and procedures, relevant to the previous items, which should be considered by the NWPO in regard to impact mitigation and consultation and cooperation agreement interactions with the DOE; meet with the NWPO and local government officials, boards, and citizens in order to provide for continued organizational and evaluative assistance relevant to the previous items, and assist the NWPO in disseminating information by maintaining ongoing communications with local government officials, boards, and citizens in regard to federal and state activities related to the repository program in Texas.

The contract was awarded to Charles L. Branton, 9300 Elm Grove Circle, Austin, Texas 78736. The effective dates of the contract are July 8, 1987--July 31, 1988. The total value of the contract is \$103,600.

The due dates for any written and verbal reports prepared in providing the services described will be established based on the availability of written reports and notification of plans and decisions of the United States Department of Energy.

Issued in Austin, Texas, on July 15, 1987.

TRD-8705866 Leo E. Gossett
 Director
 Texas Department of Public Safety

Filed: July 16, 1987.

For further information, please call (512) 465-2345.



Railroad Commission of Texas Notice of Inquiry Regarding Possible Natural Gas Regulatory Incentives

Introduction. The Railroad Commission of Texas issues this notice of inquiry to obtain information and views on possible changes to its regulations, policies, and procedures which could lead to increased well drilling, particularly for natural gas.

The commission is concerned about current depressed drilling levels attributable to the widespread perception of a surplus and the unquestionable reality of declining wellhead prices. The commission believes that unless higher drilling rates are restored, the inevitable result will be a shortfall of supply.

Indeed, there is no doubt that production capability has already declined, perhaps substantially, and the commission knows of no reason why that's not true of the nation generally. This decline in deliverability has been largely masked by an even greater decline in demand. But gas requirements could increase significantly as a result of increased industrial demand for natural gas prompted by higher oil prices (and increased domestic manufacturing activity, if the dollar's decline has the effect urged by

some), or increased space heating consumption due to the return of cold winters and protracted cold spells such as the ones gripping the northeast and Atlantic seaboard in January 1977, and Texas in December 1983.

The commission believes there is adequate undiscovered natural gas, as has been demonstrated by drilling during the 1970's and 1980's. There is a need to encourage the aggressive pursuit of additional reserves of this premium fuel.

The importance of the natural gas producing industry to the state's economy, together with the need to assure adequate supplies of this vital fuel source, makes it imperative that the commission explore every reasonable avenue to try to get the drilling rigs running again. The commission, therefore, issues this notice of inquiry to solicit ideas on how it can help stimulate drilling activity in this industry which provides upwards of 30% of this nation's natural gas.

The commission invites the participation of all interested persons in the inquiry and will carefully consider all information and comments received. Based on the record developed, the commission will determine whether to initiate a notice of proposed rulemaking or to take other appropriate action.

Comments should be submitted by August 15, 1987, to Railroad Commission of Texas, Oil and Gas Division, Docket 20-90, 642, P.O. Drawer 12967, Austin, Texas 78711-2967.

Background. A brief review of two key indicators—operating rotary rigs and the number of new holes drilled annually—graphically shows the badly depressed status of exploration and development.

Rotary Rig Activity. In 1986, as reported by Hughes Tool Company, operating rigs in Texas averaged 311 and a total of 964 for the nation. These numbers closely resemble activity levels in 1970 and 1971 which produced the natural gas shortages of 1972-1973, the precursor of the broader crisis in hydrocarbon liquids in late 1973 ignited by foreign oil embargoes.

The shortages and higher prices of the 1970's led to increased drilling levels. In 1980, for example, there were nearly 1,000 rigs running in Texas and 2,900 in the United States. As recent as 1984, these figures were 850 for Texas and 2,428 for the nation. These levels, at a minimum, are ones the state should strive to again achieve.

New Holes Drilled. In 1971, just slightly over 1,000 new natural gas holes were drilled in Texas and just under 4,000 nationally. In 1984, these numbers were 4,406 (Texas) and 14,666 (United States). Unfortunately, in 1986, they dropped to 2,321 and 6,823, respectively. At current drilling rates, new holes drilled could easily decline to the neighborhood of 1,500 (Texas) and 5,000 (United States).

The commission's fundamental concern is that without adequate drilling, deliverability ultimately must decline. The commission is not forecasting the gas bubble's impending demise, but rather emphasizes the critical role of ongoing exploration and development activity. Studies have shown that one third of the gas used in a given year, for example 1986, is produced from wells drilled in the prior three years and more than 50% from wells drilled in the last five years. Significant potential gas reserves exist; continued exploration must be encouraged. Obviously, it is crucial that drilling resume.

Discussion of possible regulatory areas which might be amenable to changes which would encourage increased

natural gas exploration and production. The commission possesses no magic wand to wave and thereby increase drilling activity in the gas fields. However, some or all the following areas might be productive: temporary adjustments in the proration of natural gas, including: incentive priority for gas production from new wells (Undoubtedly, the lack of markets is reducing drilling. The commission proposes for evaluation that the proration priority scheme be revised to include a priority 5A for gas produced from all new wells for a three-year period or, more stringently, just wells drilled to certified wildcat formation.); discovery allowable determined by depth for new wells to be drilled or, possibly, old wells to be deepened. (The principle that exploration should be encouraged even in time of apparent surplus is one that this commission has long endorsed. In the 1950's, this commission took strong steps to see that every oil well in the state received its share of the market demand and it also offered incentives for exploration drilling through a discovery allowable. The commission proposes to extend the discovery allowable concept to natural gas. Possibly this concept should be considered in combination with the first alternative.); balancing procedures during the early life of a field designed to allow less restricted production; and statewide gas proration to redistribute gas markets across Texas. Other options might include the utilization of gas in remote marketing areas to allow testing to confirm a find where necessary before follow-up wells can be drilled; increased accuracy of deliverability tests (Form G-10) to better distribute allowables; ways of obtaining quicker pipeline compliance with gas well shut-in orders; increased accuracy in the accounting for various types of gas produced as well as proper classification of wells.

These possibilities are some of the ideas that have been discussed in the past. The commission also seeks suggestions of other regulatory measures designed to stimulate the exploration and production of natural gas.

Issued in Austin, Texas, on July 13, 1987

TRD-8705808 Mack Wallace
Chairman
Railroad Commission of Texas

Filed July 15, 1987

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



Texas Rehabilitation Commission Supported Employment

The Rehabilitation Services Administration of the Department of Education has announced Title VI, Part C funds for the purpose of providing services leading to supported employment. The Texas Rehabilitation Commission (TRC) plans to use its funds for contracts with a minimum of five community-based organizations within the state. For this purpose, the TRC invites proposals from such organizations.

Contract Eligibility. All agencies and organizations which apply must agree to provide on-going support, as needed, to severely disabled persons to maintain employment when time-limited commission services top.

Funding Areas. Projects funded for fiscal year 1988 will focus on competitive employment, with pay, for persons with severe disabilities for whom such employment has not occurred or has been interrupted or intermittent because of the severity of the disability. Supported employment services are to be available to persons with all types of

disabilities. Organizations whose proposals are funded may serve a wide variety of disabilities, one disability or a limited number of disabilities. Organizations who can provide services leading to supported employment are encouraged to apply. Services that may be provided in the proposal include assessment, planning, job development and placement; intensive on-the-job training using the job coach, enclave, and/or work crew models; assistance with transportation and community living assistance, as needed, and other services. On going support, as needed, must be made available to each client for whom supported employment monies are spent in these projects.

The commission is applying for an estimated \$1.2 million in supported employment federal funds. A minimum of five projects will receive commission funding totaling \$660,000, averaging \$132,000 per project. The remaining funds will be set aside for funding services leading to supported employment for commission clients on an individual or small group basis.

Application Process. Persons interested in applying for contracts must write to Ron Trull, Supported Employment Program, Texas Rehabilitation Commission, 118 East Riverside Drive, Austin, Texas 78704.

Further information will be forwarded regarding requirements and format of the proposal.

Deadline. Proposals will be received at Room 112/115, 118 East Riverside Drive, Austin, until 5 p.m. Monday, August 17th.

For further information call (512) 445-8282.

Issued in Austin, Texas, on July 10, 1987

TRD-8705825 Charles Schiesser
Assistant Commissioner for Legal
Services
Texas Rehabilitation Commission

Filed: July 15, 1987
For further information, please call (512) 445-8282



Texas Water Commission Enforcement Orders

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to West Montgomery Utility Company, Inc., on July 14, 1987, assessing \$4,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Debra Eccles, Staff Attorney, Texas

Water Commission, P.O. Box 13087, Austin, Texas,
78711-3087 (512) 463-8069

Issued in Austin, Texas, on July 15, 1987

TRD-8705826 Mary Ann Hefner
Chief Clerk
Texas Water Commission

Filed: July 15, 1987
For further information, please call (512) 463-7898



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to the Rogers Cottonseed Company, on July 14, 1987, assessing \$8,599 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Ann Bjork, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas, 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on July 15, 1987

TRD-8705846 Mary Ann Hefner
Chief Clerk
Texas Water Commission

Filed: July 16, 1987
For further information, please call (512) 463-7898



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to the City of Jacksboro, on July 14, 1987, assessing stipulated penalties.

Information concerning any aspect of this order may be obtained by contacting William Thompson, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas, 78711-3087, (512) 463-8069.

Issued in Austin, Texas, on July 15, 1987

TRD-8705845 Mary Ann Hefner
Chief Clerk
Texas Water Commission

Filed: July 16, 1987
For further information, please call (512) 463-7898

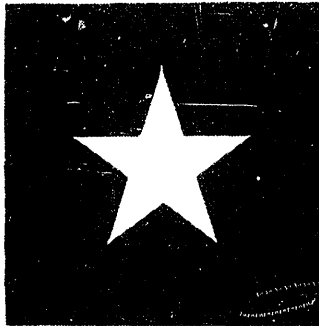


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