

and safety, and other actions as the Commission deems necessary; and

f. The authority to enter into arrangements as may be appropriate to assure Federal long-term surveillance or maintenance of such byproduct material and its disposal site on land held in trust by the United States for any Indian Tribe or land owned by an Indian Tribe and subject to a restriction against alienation imposed by the United States.

#### Article III

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

#### Article IV

This Agreement shall not affect the authority of the Commission under Subsection 161b or 161i of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

#### Article V

The Commission will cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State agrees to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of materials covered by this Agreement.

The State and the Commission agree to keep each other informed of proposed changes in their respective rules and regulations, and to provide each other the opportunity for early and substantive contribution to the proposed changes.

The State and the Commission agree to keep each other informed of events, accidents, and licensee performance that may have generic implication or otherwise be of regulatory interest.

#### Article VI

The Commission and the State agree that it is desirable to provide reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any other Agreement State. Accordingly, the Commission and the State agree to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

#### Article VII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend all or part of this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that (1) such termination or suspension is required to protect public health and safety, or (2) the State has not complied with one or more of the requirements of Section 274 of the Act. The Commission may also, pursuant to Section 274j of the Act, temporarily suspend all or part of this Agreement if, in the judgement of the Commission, an emergency situation exists requiring immediate action to protect public health and safety and the State has failed to take necessary steps. The Commission shall periodically review actions taken by the State under this Agreement to ensure compliance with Section 274 of the Act which requires a State program to be adequate to protect public health and safety with respect to the materials covered by this Agreement and to be compatible with the Commission's program.

#### Article VIII

In the licensing and regulation of byproduct material as defined in Section 11e.(2) of the Act, or of any activity which results in production of such material, the State shall comply with the provisions of Section 274o of the Act. If in such licensing and regulation, the State requires financial surety arrangements for reclamation or long-term surveillance and maintenance of such material,

A. The total amount of funds the State collects for such purposes shall be transferred to the United States if custody of such material and its disposal site is transferred to the United States upon termination of the State license for such material or any activity which results in the production of such material. Such funds include, but are not limited to, sums collected for long-term surveillance or maintenance. Such funds do not, however, include monies held as surety where no default has

occurred and the reclamation or other bonded activity has been performed; and

B. Such surety or other financial requirements must be sufficient to ensure compliance with those standards established by the Commission pertaining to bonds, sureties, and financial arrangements to ensure adequate reclamation and long-term management of such byproduct material and its disposal site.

#### Article IX

This Agreement shall become effective on July 22, 1999, and shall remain in effect unless and until such time as it is terminated pursuant to Article VIII.

Done at Columbus, Ohio this (date to be determined).

For the United States Nuclear Regulatory Commission.

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Chairman

For the State of Ohio

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Governor

[FR Doc. 99-8026 Filed 3-31-99; 8:45 am]

BILLING CODE 7590-01-P

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## RAILROAD RETIREMENT BOARD

### Proposed Collection; Comment Request

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

*Title and Purpose of information collection:* Request for Medicare payment; OMB 3220-0131. Under section 7(d) of the Railroad Retirement Act, the RRB administers the Medicare program for persons covered by the railroad retirement system. The collection obtains the information

needed by the United Healthcare Insurance Company, the Medicare carrier for railroad retirement beneficiaries, to pay claims for payments under Part B of the Medicare program. Authority for collecting the information is prescribed in 42 CFR 424.32.

The RRB currently utilizes Forms G-740S and HCFA 1500 to secure the information necessary to pay Part B Medicare Claims. One response is completed for each claim. Completion is required to obtain a benefit. No changes are proposed to RRB Form G-740S or HCFA Form 1500. The RRB estimates annual respondent burden associated with RRB Form G-740S as follows:

*Estimated number of responses:* 100.

*Estimated completion time per response:* 15 minutes.

*Estimated annual burden hours:* 25.

**Additional Information or Comments:** To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611-2092. Written comments should be received within 60 days of this notice.

**Chuck Mierzwa,**  
Clearance Officer.

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## SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-23762; File No. 812-11400]

### Manufacturers Investment Trust, et al.; Notice of Application

March 25, 1999.

**AGENCY:** Securities and Exchange Commission (the "Commission").

**ACTION:** Notice of application for an order under section 17(b) of the Investment Company Act of 1940 (the "Act").

**SUMMARY OF APPLICATION:** Applicants seek an order exempting them from the provisions of section 17(a) of the Act to the extent necessary to permit the merger of the Worldwide Growth Trust and the Capital Growth Bond Trust (collectively, the "Transferor Portfolios") of the Manufacturers Investment Trust ("Manulife Investment Trust" or the "Investment Trust") with and into the Global Equity Trust and the Investment Quality Bond Trust

(collectively, the "Acquiring Portfolios"), respectively, of the Investment Trust.

**APPLICANTS:** Manulife Investment Trust, Manufacturers Securities Services, LLC ("Manulife Securities"), The Manufacturers Life Insurance Company of North America ("Manulife North America"), The Manufacturers Life Insurance Company of New York ("Manulife New York"), The Manufacturers Life Insurance Company ("Manulife"), The Manufacturers Life Insurance Company of America ("Manufacturers America"), The Manufacturers Life Insurance Company (U.S.A.) ("Manufacturers U.S.A."), and Manufacturers Adviser Corporation ("MAC").

**FILING DATES:** The application was filed on November 13, 1998, and amended on March 18, 1999.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on April 19, 1999, and should be accompanied by proof of service on the Applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary of the Commission.

**ADDRESSES:** For the Commission: Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. For the Applicants: Manulife Investment Trust and Manulife Securities, 73 Tremont Street, Boston, Massachusetts 02108; Manulife North America, 116 Huntington Avenue, Boston, Massachusetts 02116; Manulife New York, International Corporate Center at Rye, 555 Theodore Fremd Avenue, Suite C-209, Rye, New York 10580; Manulife, Manufacturers America, Manufacturers U.S.A. and MAC at 200 Bloor Street East, Toronto, Ontario, Canada M4W 1E5.

**FOR FURTHER INFORMATION CONTACT:** Keith E. Carpenter, Senior Counsel, or Kevin M. Kirchoff, Branch Chief, Office of Insurance Products, Division of Investment Management, at (202) 942-0670.

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application is

available for a fee from the Commission's Public Reference Branch, 450 Fifth St., NW, Washington, DC (tel (202) 942-8090).

### Applicants' Representations

1. Applicants state that Manulife Investment Trust is an open-end, series, management investment company registered under the Act, which currently offers 36 investment portfolios (collectively, the "Portfolios"). The Investment Trust receives investment advisory services from Manulife Securities. In addition, MAC serves as subadviser to the Capital Growth Bond Trust, one of the Portfolios involved in the proposed reorganization. The shares of Manulife Investment Trust are sold generally only to insurance companies and their separate accounts as the underlying investment medium for variable annuity and variable life insurance contracts issued by such insurance companies. Manulife North America, Manulife New York, Manufacturers America and Manufacturers U.S.A. and their separate accounts are the only shareholders of the Transferor Portfolios and the Acquiring Portfolios. Manulife North America is controlled by Manulife, a Canadian mutual life insurance company based in Toronto, Canada. Manulife New York, Manufacturers America and Manufacturers U.S.A. are indirect wholly-owned subsidiaries of Manulife.

2. Applicants state that it is proposed that the Transferor Portfolios merge with and into the Acquiring Portfolios, respectively, (the "Reorganization"), pursuant to the terms and conditions stated in the Agreement and Plan of Reorganization (the "Plan"). In the Reorganization, all of the assets of each Transferor Portfolio will be transferred to a corresponding Acquiring Portfolio having a substantially similar investment objective. In exchange, each Acquiring Portfolio will issue and deliver to the corresponding Transferor Portfolio shares of such Acquiring Portfolio. The total value of all shares of each Acquiring Portfolio issued in the Reorganization will equal the total value of the net assets of the corresponding Transferor Portfolio being acquired by such Acquiring Portfolio. In connection with the Reorganization, shares of each Acquiring Portfolio will be distributed to holders of the shares of the respective corresponding Transferor Portfolio in liquidation of the Transferor Portfolio. The number of full and fractional shares of an Acquiring Portfolio received by a shareholder of the corresponding Transferor Portfolio will be equal in value to the value of that shareholder's