

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

**7 CFR Parts 1000, 1001, 1002, 1004, 1005, 1006, 1007, 1012, 1013, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1064, 1065, 1068, 1076, 1079, 1106, 1124, 1126, 1131, 1134, 1135, 1137, 1138, and 1139**

[DA-97-12]

### Milk in the New England and Other Marketing Areas; Notice of Referenda; Determination of Representative Periods and Designation of Referendum Agents

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of referenda.

7 CFR part	Marketing area
1000 .....	General Provisions of Federal Milk Marketing Orders.
1001 .....	New England.
1002 .....	New York-New Jersey.
1004 .....	Middle Atlantic.
1005 .....	Carolina.
1006 .....	Upper Florida.
1007 .....	Southeast.
1012 .....	Tampa Bay.
1013 .....	Southeastern Florida.
1030 .....	Chicago Regional.
1032 .....	Southern Illinois-Eastern Missouri.
1033 .....	Ohio Valley.
1036 .....	Eastern Ohio-Western Pennsylvania.
1040 .....	Southern Michigan.
1044 .....	Michigan Upper Peninsula.
1046 .....	Louisville-Lexington-Evansville.
1049 .....	Indiana.
1050 .....	Central Illinois.
1064 .....	Greater Kansas City.
1065 .....	Nebraska-Western Iowa.
1068 .....	Upper Midwest.
1076 .....	Eastern South Dakota.
1079 .....	Iowa.
1106 .....	Southwest Plains.
1124 .....	Pacific Northwest.
1126 .....	Texas.
1131 .....	Central Arizona.
1134 .....	Western Colorado.

7 CFR part	Marketing area
1135 .....	Southwestern Idaho-Eastern Oregon.
1137 .....	Eastern Colorado.
1138 .....	New Mexico-West Texas.
1139 .....	Great Basin.

**SUMMARY:** This document announces that referenda will be conducted to determine whether producers favor issuance of the orders regulating the handling of milk in the 11 consolidated marketing areas formed from the current 31 Federal milk marketing orders pursuant to Section 143 of the Federal Agriculture Improvement and Reform Act of 1996 (Farm Bill), 7 U.S.C. 7253. The 31 current Federal milk order marketing areas are merged and, in some cases, expanded and/or divided, to create 11 order areas, and the provisions of the Federal milk marketing orders regulating the handling of milk in the merged areas are set forth in the final decision issued by the Under Secretary on March 12, 1999 (64 FR 16026), as corrected by a document issued by the Administrator, Agricultural Marketing Service, on July 8, 1999 (64 FR 37892).

**DATES:** Each referendum is to be completed on or before 60 days after the issuance of this order.

**FOR FURTHER INFORMATION CONTACT:** John F. Borovics, Branch Chief, USDA/AMS/Dairy Programs, Order Formulation Branch, Room 2968 South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-6274, e-mail address John.Borovics@usda.gov.

**SUPPLEMENTARY INFORMATION:** Prior documents in this proceeding:  
*Proposed Rule:* Issued January 21, 1998; published January 30, 1998 (63 FR 4802).

*Correction:* Issued February 19, 1998; published February 25, 1998 (63 FR 9686).

*Extension of Time:* Issued March 10, 1998; published March 13, 1998 (63 FR 12417).

*Final Decision on Proposed Amendments:* Issued March 12, 1999; published April 2, 1999 (64 FR 16026).

*Correction:* Issued July 8, 1999; published July 14, 1999 (64 FR 37892).

On March 12, 1999, the Under Secretary, Marketing and Regulatory Programs, issued a final decision on the proposed consolidation of Federal milk marketing areas and amendments to the

consolidated Federal milk orders, as required by Section 143 of the Federal Agriculture Improvement and Reform Act of 1996 (Farm Bill), 7 U.S.C. 7253. Each of the consolidated orders, as corrected by a document issued July 8, 1999 (64 FR 37892), must be approved by the producers whose milk would be pooled under the order.

In addition to announcing that referenda will be conducted to determine producer approval of the consolidated orders, this notice contains a referendum order for each of the consolidated milk marketing orders, as merged and amended, pursuant to the requirements of the Agricultural Marketing Agreement Act of 1937. For each of the consolidated orders, at least two-thirds of the producers defined under the order, or such producers who produced at least two-thirds of the total milk produced under the order, during the representative period must approve the order before it becomes effective.

### Referendum Orders To Determine Producer Approval; Determination of Representative Period(s); and Designation of Referendum Agents

#### Northeast

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Northeast marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the New England, New York-New Jersey and Middle Atlantic marketing areas, and adds contiguous unregulated areas of Massachusetts, New Hampshire, and northern New York and Vermont, is approved or favored by producers as defined under the terms of the Northeast order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Northeast order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

Erik F. Rasmussen is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*)

### *Appalachian*

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Appalachian marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the Carolina and Louisville-Lexington-Evansville marketing areas, and adds the marketing area of the former Tennessee Valley order and 21 currently-unregulated counties in Indiana and Kentucky, is approved or favored by producers as defined under the terms of the Appalachian order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Appalachian order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

Arnold M. Stallings is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

### *Florida*

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Florida marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the Upper Florida, Tampa Bay and Southeastern Florida marketing areas, is approved or favored by producers as defined under the terms of the Florida order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Florida order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

Sue L. Mosley is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

### *Southeast*

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the consolidated Southeast marketing area is approved or favored by producers, as defined under

the terms of the Southeast order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the consolidated Southeast order. The proposed Southeast order amends and combines the order, as amended, regulating the handling of milk in the current Southeast marketing area with 1 county from the current Louisville-Lexington-Evansville order area, 11 northwest Arkansas counties and 22 southern Missouri counties that currently are part of the Southwest Plains order area, and 6 Missouri counties that currently are part of the Southern Illinois-Eastern Missouri order area. In addition, 36 currently-unregulated Missouri and Kentucky counties are included in the proposed Southeast order area.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

Sue L. Mosley is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

### *Mideast*

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Mideast marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the Ohio Valley, Eastern Ohio-Western Pennsylvania, Southern Michigan and Indiana Federal milk marketing areas, and adds the area designated as Zone 2 of the current Michigan Upper Peninsula milk order and most currently-unregulated counties in Michigan, Indiana and Ohio, is approved or favored by producers as defined under the terms of the Mideast order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Mideast order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

Marvin A. Baumer is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

### *Upper Midwest*

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Upper Midwest marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the current Upper Midwest and Chicago Regional Federal milk marketing areas, and adds the areas designated as Zones I and Ia) of the Michigan Upper Peninsula Federal order area and unregulated portions of Wisconsin, is approved or favored by producers as defined under the terms of the Upper Midwest order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Upper Midwest order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

H. Paul Kyburz is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

### *Central*

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Central marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the current Southern Illinois-Eastern Missouri, Central Illinois, Greater Kansas City, Southwest Plains (except for the portions included in the consolidated Southeast order area), Western Colorado, Eastern Colorado, Nebraska-Western Iowa, Eastern South Dakota, and Iowa Federal milk order marketing areas, with the addition of 69 currently-unregulated counties in Kansas, Missouri, Illinois, Iowa, Nebraska and Colorado, is approved or favored by producers as defined under the terms of the Central order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Central order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

Donald R. Nicholson is hereby designated agent of the Secretary to conduct such referendum in accordance

with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

#### Southwest

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Southwest marketing area, which amends and merges the orders, as amended, regulating the handling of milk in the current Texas and New Mexico-West Texas Federal milk order marketing areas, with the addition of 49 currently-unregulated Texas counties, is approved or favored by producers as defined under the terms of the Southwest order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the merged Southwest order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

J. Richard Fleming is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

#### Arizona-Las Vegas

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Arizona-Las Vegas marketing area, which amends and merges the current Central Arizona order, as amended, regulating the handling of milk in that marketing area, with the Clark County, Nevada, portion of the current Great Basin marketing area and adds 8 currently-unregulated Arizona counties, is approved or favored by producers as defined under the terms of the Arizona-Las Vegas order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the Arizona-Las Vegas order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

James R. Daugherty is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

#### Western

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Western

marketing area, which amends and merges the current Great Basin and Southwestern Idaho-Eastern Oregon orders, as amended, minus the Clark County, Nevada, portion of the current Great Basin marketing area, is approved or favored by producers as defined under the terms of the Western order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the Western order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

James R. Daugherty is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

#### Pacific Northwest

It is hereby directed that a referendum be conducted to determine whether the issuance of the order regulating the handling of milk in the Pacific Northwest marketing area, as amended, with the addition of one currently-unregulated Oregon county, is approved or favored by producers as defined under the terms of the Pacific Northwest order as contained in the decision issued on March 12, 1999 (64 FR 16016), who during the representative period were engaged in the production of milk for sale within the marketing area defined in the Pacific Northwest order.

The month of March 1999 is hereby determined to be the representative period for the conduct of such referendum.

James R. Daugherty is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda (7 CFR 900.300 *et seq.*).

#### Marketing Agreement and Order

Annexed hereto and made a part hereof is a Marketing Agreement regulating the handling of milk in the aforesaid marketing areas, which has been decided upon as the detailed and appropriate means of effectuating the conclusions reached in the final decision issued March 12, 1999 (64 FR 16026), as corrected in the document issued July 8, 1999 (64 FR 37892). It is hereby ordered that the Marketing Agreement annexed hereto be published in the **Federal Register**.

The Order amending the orders regulating the handling of milk in the 11 consolidated marketing areas was proposed as the detailed and

appropriate means by which the conclusions of the final decision may be carried out, and was published in the final decision issued March 12, 1999 (64 FR 16026), as corrected in the document issued July 8, 1999 (64 FR 37892). This referendum order provides for producer approval of the provisions of the marketing orders for the 11 consolidated areas.

**List of Subjects in 7 CFR Parts 1000, 1001, 1002, 1004, 1005, 1006, 1007, 1012, 1013, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1064, 1065, 1068, 1076, 1079, 1106, 1124, 1126, 1131, 1134, 1135, 1137, 1138, and 1139**

Milk marketing orders.

**Authority:** 7 U.S.C. 601-674.

**Dated:** July 14, 1999.

**Enrique E. Figueroa,**

*Administrator, Agricultural Marketing Service.*

#### Marketing Agreement Regulating the Handling of Milk in Certain Specified Marketing Areas

The parties hereto, in order to effectuate the declared policy of the Act, and in accordance with the rules of practice and procedure effective thereunder (7 CFR Part 900), desire to enter into this marketing agreement and do hereby agree that the provisions referred to in paragraph I hereof as augmented by the provisions specified in paragraph II hereof, shall be and are the provisions of this marketing agreement as if set out in full herein.

I. The findings and determinations, order relative to handling, and the provisions of §§ \_\_\_\_\_<sup>1</sup> to \_\_\_\_\_, all inclusive, of the order regulating the handling of milk in the said marketing areas (7 CFR PART \_\_\_\_\_<sup>2</sup>) which was issued March 12, 1999 (64 FR 16026) and corrected in a document issued June \_\_\_\_, 1999 (64 FR \_\_\_\_\_); and

II. The following provisions:

§ \_\_\_\_\_<sup>3</sup>. Record of milk handled and authorization to correct typographical errors.

(a) Record of milk handled. The undersigned certifies that he/she handled during the month of March 1999, \_\_\_\_\_ hundredweight of milk covered by this marketing agreement.

(b) Authorization to correct typographical errors. The undersigned hereby authorizes the Deputy Administrator, or Acting Deputy Administrator, Dairy Programs, Agricultural Marketing Service, to correct any typographical errors which may have been made in this marketing agreement.

§ \_\_\_\_\_<sup>3</sup>. Effective date. This marketing agreement shall become effective upon the execution of a counterpart hereof by the Secretary in accordance with Section 900.14(a) of the aforesaid rules of practice and procedure.

<sup>1</sup> First and last sections of order.

<sup>2</sup> Appropriate Part number.

<sup>3</sup> Next consecutive section number.

In Witness Whereof, The contracting handlers, acting under the provisions of the Act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

Signature \_\_\_\_\_  
By (Name) \_\_\_\_\_  
(Title) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(Seal) \_\_\_\_\_  
Attest \_\_\_\_\_

[FR Doc. 99-18435 Filed 7-19-99; 8:45 am]

BILLING CODE 3410-02-P

## FEDERAL ELECTION COMMISSION

[Notice 1999-11]

### 11 CFR Part 110

#### Candidate Debates

**AGENCY:** Federal Election Commission.

**ACTION:** Extension of comment period.

**SUMMARY:** On June 10, 1999, (64 FR 31159) the Commission published a Notice of Availability inviting comments on a Petition for Rulemaking that urges the Commission to amend its rules regarding Presidential and Vice Presidential debates. The Commission has extended the deadline for submitting comments until July 26, 1999.

**DATES:** Statements in support of or in opposition to the petition must be filed on or before July 26, 1999.

**ADDRESS:** All comments should be addressed to Rosemary C. Smith, Acting Assistant General Counsel, and must be submitted in either written or electronic form. Written comments should be sent to the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. Faxed comments should be sent to (202) 219-3923, with printed copy follow up. Electronic mail comments should be sent to [debates@fec.gov](mailto:debates@fec.gov), and should include the full name, electronic mail address and postal service address of the commenter. Additional information on electronic submission is provided below.

**FOR FURTHER INFORMATION CONTACT:** Rosemary C. Smith, Acting Assistant General Counsel, or Paul Sanford, Staff Attorney, 999 E Street, NW, Washington, DC 20463, (202) 694-1650 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** On May 25, 1999, the Commission received a Petition for Rulemaking regarding its candidate debate regulations at 11 CFR 110.13. The petition urges the Commission to revise these rules to establish mandatory objective criteria to

be used by debate staging organizations to determine who may participate in Presidential and Vice Presidential Debates.

The Commission published a Notice of Availability in the **Federal Register** on June 10, 1999, inviting the public to submit comments on the petition by July 12, 1999. The Commission has decided to extend this comment period until July 26, 1999.

As indicated in the June 10 notice, copies of the petitions are available for public inspection in the Commission's Public Records Office, 999 E Street, NW, Washington, DC 20463, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. Copies of the petitions can also be obtained at any time of the day and week from the Commission's home page at [www.fec.gov](http://www.fec.gov), or from the Commission's FlashFAX service. To obtain copies of the petitions from FlashFAX, dial (202) 501-3413 and follow the FlashFAX service instructions. Request document #239 to receive the petition.

All statements in support of or in opposition to the petitions should be addressed to Rosemary C. Smith, Acting Assistant General Counsel, and must be submitted in either written or electronic form. Written comments should be sent to the Commission's postal service address: Federal Election Commission, 999 E Street, NW, Washington, DC 20463. Faxed comments should be sent to (202) 219-3923. Commenters submitting faxed comments should also submit a printed copy to the Commission's postal service address to ensure legibility. Comments may also be sent by electronic mail to [debates@fec.gov](mailto:debates@fec.gov). Commenters sending comments by electronic mail should include their full name, electronic mail address and postal service address within the text of their comments. All comments, regardless of form, must be submitted by July 26, 1999.

Consideration of the merits of the petition will be deferred until the close of the comment period. If the Commission decides that the petition has merit, it may begin a rulemaking proceeding. Any subsequent action taken by the Commission will be announced in the **Federal Register**.

**Scott E. Thomas,**

*Chairman, Federal Election Commission.*

[FR Doc. 99-18554 Filed 7-20-99; 8:45 am]

BILLING CODE 6715-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Docket No. NM158; Notice No. 25-99-06-SC]

#### Special Conditions: Boeing Model 767-400ER; High-Intensity Radiated Fields

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed special conditions.

**SUMMARY:** This action proposes special conditions for the Boeing Model 767-400ER airplane. This airplane will utilize new avionics/electronic systems that provide critical data to the flightcrew. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity radiated fields. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** Comments must be received on or before September 7, 1999.

**ADDRESSES:** Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attention: Rules Docket (ANM-114), Docket No. NM158, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Transport Airplane Directorate at the above address. Comments must be marked: Docket No. NM158. Comments may be examined in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:** Massoud Sadeghi, FAA, Transport Airplane Directorate, Aircraft Certification Service, Airplane and Flight Crew Interface Branch, ANM-111, 1601 Lind Avenue SW., Renton, Washington, 98055-4056, telephone (425) 227-2117 or facsimile (425) 227-1320.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of these proposed special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Rules