

August 1, 1997, under Washington Administrative Order 96-15. The original state standard for Cranes and Derricks in Construction, WAC 296-155-525, received approval on February 9, 1982 (47 FR 5956).

On its own initiative, the State of Washington has submitted by letter dated January 26, 1998, from Michael A. Silverstein, Assistant Director, to Richard S. Terrill, Acting Regional Administrator, a state standard change to Chapters 296-62-11015 WAC and 296-24-675 WAC, Safe Practices of Abrasive Blasting Operations. The amendments to Chapter 296-24-675 incorporates similar language on abrasive blasting found in Chapter 296-62-11015, and simplifies or clarifies this language. The requirements in Chapter 296-62 were deleted and a reference is made to the new consolidated standard in Chapter 296-24. The State's submission was adopted on December 26, 1997, effective March 1, 1998, under Washington Administration Order 98-18. The original state standards received approval on August 17, 1976 (41 FR 34837).

On its own initiative, the State submitted by letter dated February 27, 1998, from Michael A. Silverstein, Assistant Director, to Richard S. Terrill, Acting Regional Administrator an amendment to their standard for Guarding of Abrasive Wheel Machinery, WAC 296-24-18005. The amendment was made to incorporate a previously approved Washington Regional Directive 6.69 which was adopted in response to OSHA Directive STD 1-12.26A. The State amendment was adopted on December 31, 1997, effective January 31, 1998, under Washington Administrative Order 97-22. The original state standard received approval on June 4, 1976 (41 FR 22655).

The administrative orders were adopted pursuant to RCW 34.04.040(2), 49.17.040, 49.17.050, Public Meetings Act RCW 42.30, Administrative Procedures Act RCW 34.04, and the State Register Act RCW 34.08.

2. *Decision.* OSHA has determined that the State standards amendments for Electrical Protective Equipment, Head Protection, Eye and Face Protection, Foot Protection, 1,3-Butadiene, Methylene Chloride, Abrasive Blasting, Guarding of Abrasive Wheel Machinery, Scaffolds, Grain Handling, Hazard Communication (1996-1997 changes), Cranes and Derricks (1997 change), and Crane and Derrick Suspended Personnel Platforms (1998 change) are at least as effective as the comparable Federal standards, as required by Section 18(c)(2) of the Act. OSHA has also

determined that the differences between these State and Federal standards amendments are minimal and that the amendments are thus substantially identical. OSHA has determined that the earlier State standard amendments for Hazard Communication, Crane and Derrick Suspended Personnel Platforms and Cranes and Derricks are at least as effective as the comparable Federal standard, as required by Section 18(c)(2) of the Act. The Hazard Communication amendment has been in effect since September 12, 1994, the Crane and Derrick Suspended Platforms amendment has been in effect since February 12, 1991, and the Crane and Derrick standard amendments have been in effect since September 25, 1998. During this time OSHA has received no indication of significant objection to the State's different standards either as to their effectiveness in comparison to the Federal standard or as to their conformance with the product clause requirements of section 18(c)(2) of the Act. (A different State standard applicable to a product which is distributed or used in interstate commerce must be required by compelling local conditions and not unduly burden interstate commerce.) OSHA, therefore approves these standards amendments; however, the right to reconsider this approval is reserved should substantial objections be submitted to the Assistant Secretary.

3. *Location of Supplement for Inspection and Copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, 1111 Third Avenue, Suite 715, Seattle, Washington 98101-3212; State of Washington Department of Labor and Industries, Division of Industrial Safety and Health, 7273 Linderson Way, S.W., Tumwater, Washington 98501; and the Office of State Programs, Occupational Safety and Health Administration, Room N-3476, 200 Constitution Avenue, NW, Washington, D.C. 20210. For electronic copies of this **Federal Register** notice, contact OSHA's Web Page at <http://www.osha.gov/>.

4. *Public Participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Washington State Plan as a proposed change and making the Regional

Administrator's approval effective upon publication for the following reasons:

1. The standard amendments are as effective as the Federal standards which was promulgated in accordance with the Federal law including meeting requirements for public participation.

2. The standard amendments were adopted in accordance with the procedural requirements of State law and further public participation would be repetitious.

This decision is effective January 4, 1999. (Sec. 18, Pub. L. 91-596, 84 STAT. 6108 [29 U.S.C. 667])

Signed at Seattle, Washington, this 16th day of October, 1998.

**Richard S. Terrill,**

*Acting Regional Administrator.*

[FR Doc. 98-34742 Filed 12-31-98; 8:45 am]

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## MEDICARE PAYMENT ADVISORY COMMISSION

### Commission Meeting

**AGENCY:** Medicare Payment Advisory Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Commission will hold its next public meeting on Thursday, January 14, 1999 and Friday 15, 1999 at the Crowne Plaza Hotel, 14th K Streets, NW, Washington, DC. The meeting is tentatively scheduled to begin at 9:00 a.m. on January 14, and at 10:00 a.m. on January 15.

The Commission will discuss draft chapters and recommendations for its March 1999 report on Medicare payment policy. Topics to be addressed include the Medicare+Choice program and payments for inpatient and outpatient hospital services, post-acute care facilities, physician services and dialysis. The Commission will also continue its discussion of graduate medical education and the Medicare program.

Agendas will be mailed on January 7, 1999. The final agenda will be available on the Commission's web sites ([WWW.MedPAC.GOV](http://WWW.MedPAC.GOV)).

**ADDRESSES:** MedPAC's address is: 1730 K Street, NW, Suite 800, Washington, DC 20006. The telephone number is 202/653-7220.

**FOR FURTHER INFORMATION CONTACT:** Diane Ellison, Office Manager, 202/653-7220.

**SUPPLEMENTARY INFORMATION:** If you are not on the Commission mailing list and

wish to receive an agenda, please call 202/653-7220.

**Murray N. Ross,**

*Executive Director.*

[FR Doc 98-34777 Filed 12-31-98; 8:45 am]

BILLING CODE 6820-BW-M

## NATIONAL CREDIT UNION ADMINISTRATION

### Federal Credit Union Bylaws

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Notice and request for comment.

**SUMMARY:** The proposed changes consolidate the two manuals which currently contain the federal credit union (FCU) bylaws into one manual and eliminate or modernize several bylaws. This action is necessary because several of the bylaws had become outdated or obsolete. The proposal is intended to update and clarify the FCU bylaws.

**DATES:** Comments must be received by April 5, 1999.

**ADDRESSES:** Comments should be directed to Becky Baker, Secretary of the Board.

Mail or hand-deliver comments to: National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428. You may Fax comments to (703) 518-6319 or E-mail comments to boardmail@ncua.gov. *Please send comments by one method only.*

**FOR FURTHER INFORMATION CONTACT:** Mary F. Rupp, Staff Attorney, Office of General Counsel, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428 or telephone: (703) 518-6553.

#### SUPPLEMENTARY INFORMATION:

#### Background

Section 108 of the Federal Credit Union Act (the Act) requires the NCUA Board to prepare bylaws to be used by all federal credit unions (FCUs). 12 U.S.C. 1758. The FCU bylaws are contained in two manuals entitled Federal Credit Union Bylaws (FCU Bylaws) and Federal Credit Union Standard Bylaw Amendments and Guidelines (Standard Amendments). These manuals were last updated in December 1987 and October 1991, respectively. The bylaws contained in the two manuals may be adopted by an FCU without approval from NCUA. An FCU must obtain approval from its Regional Director to adopt a bylaw not contained in the manuals.

On March 7, 1997, the NCUA Board issued a request for comments on the

FCU Bylaws and Standard Amendments. 62 FR 11778 (March 13, 1997). The purpose of the request was to solicit comments to help guide the preparation of revised bylaws that would clarify and reorganize existing FCU bylaws. The Board received 29 comments.

#### Summary of Comments

The Board requested comment on four specific issues, as well as any additional comments that would assist the Board in streamlining and modernizing the FCU Bylaws. The four specific issues and the comments are as follows:

1. Should the bylaws be published as a regulation? Twenty of the twenty-three commenters that responded to this question opposed publishing the bylaws as a regulation. These commenters noted that: it is rare for NCUA to get involved in a bylaw dispute; NCUA should not be enforcing the bylaws, because they are a contract between the FCU and its members; NCUA would have to go through the rulemaking process for an FCU to change its bylaws; and bylaws are primarily for internal self governance and don't raise safety and soundness issues.

Because the commenters were overwhelmingly opposed to publishing the bylaws as a regulation and made a persuasive argument in support of this position, the NCUA Board will publish the bylaws as a manual. Although the Act requires FCUs to use the bylaws published by NCUA, FCUs will continue to have the flexibility to request a nonstandard bylaw amendments if the need arises.

2. Should the bylaws be consolidated in one publication? We asked for comment on whether the FCU Bylaws and Standard Amendments should be published in one place with alternative provisions side by side when necessary. Sixteen of the seventeen commenters that responded to this question said yes. The recurring reason given in support of consolidation was that it would provide for easier reference and improve efficiency. The California Credit Union League advised that it works well for California state chartered credit unions and provided a copy of the California bylaws. This document was very helpful in drafting the proposed consolidated bylaws.

3. Should outdated bylaws be eliminated? Sixteen of the nineteen commenters that responded to this question answered yes. Some of the bylaws frequently suggested for deletion were those addressing share accounts, lost/stolen passbook procedures, stipulation on loans, late fees, prepayments, cash funds and operations

following an attack on the United States. It was suggested that a FCU that wishes to retain a bylaw that is outdated for most FCUs could adopt a policy. It was also suggested that a committee be formed to help decide which bylaws are outdated.

The proposal deletes several outdated provisions. As several of the commenters suggested, NCUA staff worked closely with the credit union trade groups to ensure that FCUs' voices were heard before deleting a provision.

4. Should FCUs be required to adopt the revised bylaws? Eighteen of the twenty-two commenters that responded to this question answered no. The reasons cited for this response were that credit unions should have maximum flexibility; uniformity is not necessary; forcing FCUs to change the way they do business will create an unnecessary regulatory burden; and current bylaws work well for a large number of FCUs. Because of the overwhelming opposition to this requirement, FCUs, although strongly encouraged to adopt the revised bylaws, are not required to do so and may continue to use their previously approved FCU Bylaws.

#### Proposed FCU Bylaws

The bylaws have been revised so that they are more user friendly for FCUs. All of the information is now in one place; plain English is used; provisions that are outdated are deleted; and provisions that are operational or covered in the Accounting Manual or regulations are deleted, unless it was determined that because of their importance they should also be included in the bylaws. An index will be provided with the final version of the bylaws. Currently, there is only an index for the FCU Bylaws and not the Standard Amendments.

#### Article by Article Analysis

The following articles and sections have no substantive changes. There may be some minor editing or technical corrections:

- Article I, Sections 1 and 2;
- Article II, Sections 1, 2, and 4 (renumbered 3);
- Article III, Sections 1, 2 and 5 a, b, d (renumbered c) and e (renumbered d);
- Article V (renumbered Article IV), Sections 1, 4 and 5;
- Article VI (renumbered Article V), Sections 3, 4, 5 and 6;
- Article VII (renumbered Article VI), Sections 1, 2 (renumbered Section 3), 6 (renumbered Section 7) and 8 (renumbered Section 9);
- Article VIII (renumbered Article VII), Sections 1, 2, 4 (renumbered 5) a, c