

time and said it just worked better for them.

Those in favor of central time had equally articulate, and passionate, reasons for their position. In general, all of these commenters stressed their reliance on services and activities located in Bismarck and Mandan. They noted the county seat is in Mandan and that one needed to go to the central time zone for most county, state, and court services. Many of these commenters noted that they generally go to the central time zone for shops, farm supplies and equipment, medical services (including the major hospital and various clinics), and entertainment. The major daily newspaper and most radio and television stations come from Bismarck. The major airport in the area is in Bismarck.

A number of commenters focused on how the current time observance impacts business. These commenters focused on problems caused by miscommunication, lost time because of different office and lunch hours across time zones, and the need to continually clarify whether appointments are on central or mountain time. One commenter noted that the de facto standard for business in the county is central time. Several ranchers and farmers stated that central time would be more convenient and efficient for their work.

Many commenters noted their personal preference for central time and gave detailed explanations about how a change would make their lives easier and less confusing. Some of these commenters live far west or south in the county, and include ranchers and farmers. Several commenters noted that, for all practical purposes, most people in Morton County already live their lives on central time.

There were several comments that central time would benefit students and schools. One commenter noted that most interactive television programming comes from Bismarck. Others noted that most higher education institutions are in the central zone. One commenter noted that the impact on sport scheduling could be beneficial if a change were made.

The Decision

We find that it would suit the "convenience of commerce" to move the western portion of Morton County from the mountain to the central time zone. Based on the facts presented, the county is very reliant on areas in the central time zone, especially Bismarck and Mandan to provide a majority of goods and services. Having the entire county in one time zone would reduce

confusion and would make the boundary more understandable.

Other Issues

A number of commenters suggested that the time zone boundary be moved to the Montana border in order to order to end confusion over time observance in the State. Several noted that the time zone boundary between central and mountain time already extends to the Montana-North Dakota border in the northern part of the State and noted that it works well. This broader request is outside the scope of this present proceeding. In order to consider a change to additional counties, we would need an official request by the County Commissioners of the affected counties, the Governor, or the North Dakota legislature.

A few commenters also asked us to end daylight saving time observance in the State. That issue is also outside the scope of this rulemaking. Under the Uniform Time Act, a State is free to observe, or not observe, daylight saving time. If it chooses to observe, it must begin and end its observance on the federally-mandated dates. Commenters that wish to be exempted from daylight saving time should explore this option with their state representatives.

Regulatory Analysis and Notices

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979.) We expect the economic impact of this rule to be so minimal that a full regulatory analysis is unnecessary. The rule primarily affects the convenience of individuals in scheduling activities. By itself, it imposes no direct costs. Its impact is localized in nature.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small business, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. This rule primarily affects individuals and their scheduling of activities. Although it will affect some small businesses, not-for-profits, and perhaps, several small governmental jurisdictions, it will not

be a substantial number. In addition, the change should have little, if any, economic impact. I, therefore, certify under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

We have analyzed this rule under Executive Order 12612 and have determined that this rule does not have sufficient implications for federalism to warrant consultation with State and local officials or the preparation of a federalism summary impact statement. The final rule has no substantial effects on the States, or on the current Federal-State relationship, or on the current distribution of power and responsibilities among the various local officials.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) and Executive Order 12875, enhancing the Intergovernmental Partnership, (58 FR 58093; October 28, 1993) govern the issuance of Federal regulations that may result in the expenditure by State, local, and tribal governments or the private sector of \$100 million or more in any one year (adjusted annually for inflation). This rule does not impose such a mandate.

Taking of Private Property

This rule does not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.