
NEW YORK STATE **REGISTER**

INSIDE THIS ISSUE:

- Economic Transformation and Facility Redevelopment Program
- Annual Professional Performance Reviews for Classroom Teachers and Building Principals
- Potentially Preventable Negative Outcomes

Notice of Availability of State and Federal Funds

State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on February 19, 2012
- the 45-day period expires on February 4, 2012
- the 30-day period expires on January 20, 2012

**ANDREW M. CUOMO
GOVERNOR**

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NEW YORK STATE DEPARTMENT OF STATE

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Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.state.ny.us) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after public comments are due.

The Administrative Regulations Review Commission (ARRC) is charged with the task of reviewing newly proposed regulations to examine the issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission
State Capitol
Albany, NY 12247
Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (RC) Revised Proposal/Continuation; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.state.ny.us)

Rule Making Activities**Agriculture and Markets, Department of**

- 1 / Firewood (All Hardwood Species) and Other Host Tree Materials Susceptible to the Asian Long Horned Beetle (E)
- 2 / Firewood (All Hardwood Species) and Other Host Tree Materials Susceptible to the Asian Long Horned Beetle (P)

Alcoholism and Substance Abuse Services, Office of

- 4 / Repeal of 14 NYCRR Parts 1010, 1020, 1035, 1060 and 1061 (P)
- 4 / Chemical Dependence Programs for Youth; Additional Locations Operated by OASAS Certified Providers (P)
- 4 / Repeal of 14 NYCRR Parts 303, 306, 340, 342, 366, 369, 372, 374, 375, 380 and 381 (P)

Corrections and Community Supervision, Department of

- 5 / Urinalysis Testing (P)

Economic Development, Department of

- 7 / Economic Transformation and Facility Redevelopment Program (E)

Education Department

- 9 / Annual Professional Performance Reviews for Classroom Teachers and Building Principals (E)

Health, Department of

- 16 / Medicaid Benefit Limits for Enteral Formula, Prescription Footwear, and Compression Stockings (E)
- 19 / Potentially Preventable Negative Outcomes (E)

Long Island Power Authority

- 21 / Daily Service, Monthly and Demand Charges Under the Authority's Tariff for Electric Service (P)
- 21 / Authority's Tariff for Electric Service (P)
- 22 / Residential Service Eligibility Criteria of Authority's Tariff for Electric Service (P)

Lottery, Division of the

- 22 / Jackpot Prize Payments for Multi-Jurisdictional Games, the Lotto Game and Technical Rule Changes (A)
- 22 / Powerball Game Design and Quick Draw Game "Draw" Definition (A)

Public Service Commission

- 23 / LIWC Proposes to Retain a Portion of Property Tax Refunds (P)
- 23 / The Total Resource Cost (TRC) Test, Used to Analyze Measures in the Energy Efficiency Portfolio Standard Program (P)
- 23 / Transfer a Parcel of Land (P)
- 24 / Electronic Tariff Schedule (P)
- 24 / Waiver of Service Quality Reporting Results (P)
- 24 / Lightened Regulatory Regime Approval for Cricket Valley Energy Center, LLC (P)
- 24 / Demand Response Programs (P)
- 25 / Electronic Tariff Schedule (P)
- 25 / Discontinuance of Water Service (P)

Racing and Wagering Board

25 / Jurisdiction of Licenses (A)

25 / Timeframe for the Submission of Audited Financial Statements of Thoroughbred Horsemen's Organizations (A)

Taxation and Finance, Department of

26 / Location of the Division of Tax Appeals and the Tax Appeals Tribunal (P)

Thoroughbred Breeding and Development Fund

27 / Disqualification of Certain Owners and Breeders Charged with Cruelty and Abuse of Horses from Receiving Breeding Funds (P)

Hearings Schedule for Proposed Rule Makings / 29

Action Pending Index / 31

Securities Offerings

65 / State Notices

Advertisements for Bidders/Contractors

67 / Sealed Bids

Notice of Availability of State and Federal Funds

71 / Health, Department of

Miscellaneous Notices/Hearings

73 / Notice of Abandoned Property Received by the State Comptroller

73 / Public Notice