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**NEW YORK STATE**  
**REGISTER**

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***INSIDE THIS ISSUE:***

- Teachers Performing Instructional Support Services in Boards of Cooperative Educational Services
- Annual Professional Performance Reviews for Classroom Teachers and Building Principals
- Emergency Closing of Carnivorous Marine Gastropod Harvesting Areas
- Implementation of Medicaid Fee Reductions in Various OMH-Licensed Programs

**Notice of Availability of State and Federal Funds**

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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 August 7, 2011
- the 45-day period expires on July 23, 2011
- the 30-day period expires on July 8, 2011

**ANDREW M. CUOMO  
GOVERNOR**

**NEW YORK STATE DEPARTMENT OF STATE**

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# NEW YORK STATE REGISTER

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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](http://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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Each paid subscription to the *New York State Register* includes one weekly issue for a full year and four “Quarterly Index” issues. The Quarterly is a cumulative list of actions that shows the status of every rule making action in progress or initiated within a calendar year.

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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](http://www.dos.state.ny.us))

## **Rule Making Activities**

### **Education Department**

- 1 / Clinically Rich Graduate Level Teacher Preparation Program (E)
- 3 / Local High School Equivalency Diplomas Based Upon Experimental Programs (E)
- 5 / Teachers Performing Instructional Support Services in Boards of Cooperative Educational Services (EP)
- 9 / Annual Professional Performance Reviews for Classroom Teachers and Building Principals (EP)
- 16 / Clinically Rich Principal Preparation Program (A)
- 16 / Museum Collections Management Policies (A)

### **Environmental Conservation, Department of**

- 17 / Emergency Closing of Carnivorous Marine Gastropod Harvesting Areas (EP)

### **Insurance Department**

- 19 / Standards for the Management of the New York State Retirement Systems (E)

### **Mental Health, Office of**

- 22 / Implementation of Medicaid Fee Reductions in Various OMH-Licensed Programs (E)

### **Motor Vehicles, Department of**

- 24 / Clarification of the Rules Regarding Ineligibility of Certain Individuals for a Pre-Conviction Conditional License (PCCL) (P)

### **Parks, Recreation and Historic Preservation, Office of**

- 25 / List of State Parks, Parkways, State Land, Recreation Facilities and Historic Sites (A)
- 26 / Pets at Campsites, Cabins and Cottages in State Parks (P)

### **Public Service Commission**

- 26 / Issuance of one Share of Preferred Stock to GSS Holdings, Inc. and Amend its Certificates of Incorporation (A)
- 27 / Transfer of Electric Plant Property from Noble to NYSEG (A)
- 27 / Petition for the Submetering of Electricity (A)
- 27 / Joint Proposal by Consolidated Edison and Staff to Retain a Portion of a Tax Refunds (A)
- 27 / Corning Natural Gas Corporation's Request to Discontinue the Regulatory Matrix (A)
- 28 / Eligibility of Customers to Participate in EEPS Programs (A)
- 28 / Authorization for the Transfer of Substation Equipment and a Notice of Intent to Grant an Easement (A)
- 28 / To Waive the Billing Categories and Partial Payment Allocation Rules in 16 NYCRR § 606.4 and § 606.5 (A)
- 28 / To Expand Hourly Pricing Provisions to Customers with Demand Greater than 500 kW (A)
- 29 / Norse' Transfer of its Ownership of Gas Transportation Service Providers (A)
- 29 / Discontinue the Expanded Residential Electric HVAC Energy Efficiency Program and Cost Recovery (A)
- 29 / To Revise its Dishonored Payment Fee (A)
- 30 / Minor Rate Filing (A)
- 30 / Central Hudson Gas and Electric Corporation Energy Efficiency Programs (P)
- 30 / Petition for the Submetering of Electricity (P)

- 31 / Whether to Grant, Deny or Modify, in Whole or in Part, Turner's Petition for a Waiver of Commission Policy and the NYSEG Tariff (P)
- 31 / Program Categories and Budgets for Technology and Market Development Programs and Collections to Support Such Programs (P)
- 32 / System Reliability (P)
- 32 / To Enter into a Loan Agreement with the Adirondack Trust Company for up to an Amount of \$1,389,500 (P)
- 33 / A Proposed Budget for Combined Heat and Power Projects and Collections to Support Such Projects (P)
- 33 / Discontinuance of Water Service (P)
- 33 / NYSERDA's Energy Efficiency Program for Low-Income Customers (P)

**Hearings Schedule for Proposed Rule Makings / 35**

**Action Pending Index / 37**

**Securities Offerings**

- 85 / State Notices

**Advertisements for Bidders/Contractors**

- 87 / Sealed Bids

**Notice of Availability of State and Federal Funds**

- 91 / Criminal Justice Services, Division of

**Miscellaneous Notices/Hearings**

- 93 / Notice of Abandoned Property Received by the State Comptroller
- 93 / Notice of Public Hearing
- 95 / Public Notice
- 95 / Sale of Forest Products