
NEW YORK STATE
REGISTER

INSIDE THIS ISSUE:

- Excelsior Jobs Program
- Annual Professional Performance Reviews for Teachers in the Classroom Teaching Service
- Notification Concerning Tax Refunds

Notice of Availability of State and Federal Funds

Court Notices

Financial Reports

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 July 24, 2011
- the 45-day period expires on July 9, 2011
- the 30-day period expires on June 24, 2011

**ANDREW M. CUOMO
GOVERNOR**

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

Economic Development, Department of

- 1 / Excelsior Jobs Program (E)
- 4 / Empire Zones Reform (E)

Education Department

- 6 / Annual Professional Performance Reviews for Teachers in the Classroom Teaching Service (E)
- 10 / Notice of expiration

Energy Research and Development Authority, New York State

- 10 / State Energy Planning Process (P)

Environmental Conservation, Department of

- 13 / Hunting with Crossbows and Modified Longbows (P)

Insurance Department

- 16 / Notice of expiration

Public Service Commission

- 16 / Notification Concerning Tax Refunds (P)
- 16 / Hourly Pricing (P)
- 16 / Transfer of Ownership Interests in a 50 MW Generation Facility from Black River to ReEnergy (P)
- 17 / Implementing Residential Consumer Discount Programs of the Recharge New York Power Program (P)

Taxation and Finance, Department of

- 17 / Fuel Use Tax on Motor Fuel and Diesel Motor Fuel and the Art. 13-A Carrier Tax Jointly Administered Therewith (A)
- 17 / Bureau of Conciliation and Mediation Services Procedures (A)
- 18 / Fuel Use Tax on Motor Fuel and Diesel Motor Fuel and the Art. 13-A Carrier Tax Jointly Administered Therewith (P)

Urban Development Corporation

- 18 / Small Business Revolving Fund (E)

Hearings Schedule for Proposed Rule Makings / 22

Action Pending Index / 23

Securities Offerings

- 71 / State Notices

Advertisements for Bidders/Contractors

- 73 / Sealed Bids

Notice of Availability of State and Federal Funds

- 77 / Environmental Conservation, Department of
- 77 / Temporary and Disability Assistance, Office of

Miscellaneous Notices/Hearings

- 79 / Notice of Abandoned Property Received by the State Comptroller

79 / Notice of Public Hearing

79 / Public Notice

Court Notices

81 / Supreme Court

Financial Reports / 83