
NEW YORK STATE
REGISTER

INSIDE THIS ISSUE:

- Limits on Administrative Expenses and Executive Compensation
- Occupational Therapy
- Sanitary Condition of Shellfish Lands
- Suspension and Revocation of Operating Authority Held by Motor Carriers of Passengers

**Notice of Availability of State and Federal Funds
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 29, 2012
- the 45-day period expires on July 14, 2012
- the 30-day period expires on June 29, 2012

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NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

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.ny.gov) 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 60-day 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

Aging, Office for the

1 / Limits on Administrative Expenses and Executive Compensation (P)

Agriculture and Markets, Department of

2 / Compliance with Executive Order No. 38 of 2012 (P)

Alcoholism and Substance Abuse Services, Office of

3 / Limits on Administrative Expenses and Executive Compensation (P)

Children and Family Services, Office of

4 / Establishing Limitations on Administrative Expenses and Executive Compensation of Service Providers Supported by State Funds (P)

Corrections and Community Supervision, Department of

5 / Limits on Administrative Expenses and Executive Compensation (P)

Criminal Justice Services, Division of

6 / Limits on Administrative Expenses and Executive Compensation (P)

Education Department

8 / Occupational Therapy (E)

Elections, State Board of

10 / Amend the Address of the State Board of Elections by Reason of the Move of the Office Under the Re-stacking Program (P)

Environmental Conservation, Department of

11 / Sanitary Condition of Shellfish Lands (EP)

16 / Recreational and Commercial Harvest of River Herring (Anadromous Alewife and Blueback Herring) in New York (P)

Financial Services, Department of

18 / Unclaimed Life Insurance Benefits and Policy Identification (E)

22 / License, Financial Responsibility, Education and Test Requirements for Mortgage Loan Originators (E)

Health, Department of

26 / Hospital Temporary Rate Adjustments (E)

28 / Temporary Rate Adjustment (TRA) - Residential Health Care Facilities (RHCF) (Nursing Homes) (E)

30 / Temporary Rate Adjustment (TRA) - Licensed Ambulatory Care Facilities (LACF) (E)

32 / Limits on Executive Compensation and Administrative Expenses in Agency Procurements (P)

Housing and Community Renewal, Division of

33 / Limits on State-Funded Administrative Costs and Executive Compensation (P)

Mental Health, Office of

34 / Limits on Administrative Expenses and Executive Compensation (P)

Motor Vehicles, Department of

35 / Light Vehicle Diesel Inspections (A)

People with Developmental Disabilities, Office for

35 / Limits on Administrative Expenses and Executive Compensation (P)

Public Service Commission

37 / Water Rates and Charges (W)

37 / Waiver of the Odorization Requirement Specified in 16 NYCRR Section 255.625 for a 2.3 Mile Gas Transmission Line (P)

37 / Gas Balancing Service (P)

State, Department of

38 / Administrative Expenses and Executive Compensation of Providers of Services to New Yorkers (P)

Temporary and Disability Assistance, Office of

40 / Limits on Administrative Expenses and Executive Compensation (P)

41 / Food Stamp Program (P)

Transportation, Department of

43 / Suspension and Revocation of Operating Authority Held by Motor Carriers of Passengers (EP)

Victim Services, Office of

45 / Limits on Administrative Expenses and Executive Compensation (P)

Hearings Schedule for Proposed Rule Makings / 47**Action Pending Index / 49****Securities Offerings**

85 / State Notices

Notice of Availability of State and Federal Funds

87 / New York Homes and Community Renewal

Miscellaneous Notices/Hearings

89 / Notice of Abandoned Property Received by the State Comptroller

89 / Public Notice

90 / Sale of Forest Products

Financial Reports / 91