

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

PUBLIC NOTICE Division of Criminal Justice Services Promulgation

I, Andrew M. Cuomo, Governor of the State of New York, do hereby adopt and promulgate the following regulations which have been recommended by the Municipal Police Training Council pursuant to the provisions of section eight hundred forty of the Executive Law. This action is taken pursuant to the authority vested in me by section eight hundred forty-two of such law and, as such, it is exempted from the rule-making provisions of the State Administrative Procedure Act.

NOW, THEREFORE, be it known that the amendments to sections 6020.3, 6022.2 and 6022.3 of Title 9 of the New York State Official Compilation of Codes, Rules and Regulations are hereby adopted and promulgated and shall be effective upon publication in the *State Register*.

Andrew M. Cuomo
Governor

1. Section 6020.3 of Title 9 NYCRR is amended to read as follows:
Section 6020.3 Minimum standards

(a) No basic course shall be approved by the commissioner that does not follow [a curriculum of at least 475 hours and a supervised field training and orientation program of at least 160 hours] *the minimum curriculum as prescribed by the council*.

(b) Specific curriculum categories, respective titles/topics, and time allotments shall be established by the council and published by the commissioner.

(c)(1) *Training regarding the investigation and intervention of crimes involving sexual assault shall be conducted in accordance with the policies and procedures, and minimum standards as established by the council. The investigation and enforcement of crimes involving sexual assault under New York State law, shall include, but not be limited to:*

- (a) *techniques for interviewing sexual assault victims;*
 - (b) *fair treatment standards for crime victims pursuant to article twenty-three of the Executive Law;*
 - (c) *evidence gathering and evidence preservation; and*
 - (d) *dissemination of information concerning availability of local services for the victims of such crimes.*
- (2) *This training course and curriculum shall be reviewed regularly by the council and modified as need may require.*

[(c)](d) Supervised field training review and orientation shall be conducted in accordance with the policies and minimum standards as established by the council. Performance of field training shall be documented on a form prescribed or approved by the commissioner.

[(d)](e) Only instructors qualified/certified in accordance with the provisions of Parts 6023 and/or 6024 of this Title may provide instruction in a basic course.

2. Subdivision (b) of section 6022.2 of Title 9 NYCRR is amended to read as follows:

(b) *Although the attendance and completion of in-service training courses is discretionary, [This] this Part sets forth specific requirements associated with the administration of in-service training courses and rules governing the attendance/completion of such courses.*

3. Subdivision (c) of section 6022.3 of Title 9 NYCRR is re-lettered (d) and a new subdivision (c) is added to read as follows:

(c)(1) *Training regarding the investigation and intervention of crimes involving sexual assault shall be conducted in accordance with the policies and procedures, and minimum standards as established by the council. The investigation and enforcement of crimes involving sexual assault under New York State law, shall include, but not be limited to:*

- (a) *techniques for interviewing sexual assault victims;*
- (b) *fair treatment standards for crime victims pursuant to article twenty-three of the Executive Law;*
- (c) *evidence gathering and evidence preservation; and*
- (d) *dissemination of information concerning availability of local services for the victims of such crimes.*

(2) *It is preferred that this training course and curriculum be completed at intervals prescribed by the council.*

(3) *This training course and curriculum shall be reviewed regularly by the council and modified as need may require.*

PUBLIC NOTICE Division of Criminal Justice Services Promulgation

I, Andrew M. Cuomo, Governor of the State of New York, do hereby adopt and promulgate the following regulations which have been recommended by the Municipal Police Training Council pursuant to the provisions of section eight hundred forty of the Executive Law. This action is taken pursuant to the authority vested in me by section eight hundred forty-two of such law and, as such, it is exempted from the rule-making provisions of the State Administrative Procedure Act.

NOW, THEREFORE, be it known that the amendment to section 6020.8 of Title 9 of the New York State Official Compilation of

Codes, Rules and Regulations are hereby adopted and promulgated and shall be effective upon publication in the *State Register*.

Andrew M. Cuomo
Governor

1. A new subdivision (b) is added to 9 NYCRR 6020.8 to read as follows:

(b) Any person, who, after June 2, 2011, has completed a basic training program, other than a specialized training program, consisting of instruction derived from the basic course for police officers imposed under section 209-q of the General Municipal Law, may apply to the commissioner for leave to substitute satisfactory completion of a course of basic training consisting of instruction derived from the basic course for police officers in satisfaction of all or part of the requirements of an approved basic course for police officers imposed under section 209-q of the General Municipal Law. The commissioner shall review and evaluate all such applications and may require the applicant to submit such additional documentation as he or she shall deem necessary. If, upon review and evaluation of such application, the commissioner determines that a program of basic training consisting of instruction derived from the basic course for police officers and completed by the applicant meets or exceeds all or part of the minimum standards prescribed in section 6020.3 of this Part, the commissioner may authorize such training to be substituted for such requirements of the basic course as he or she shall deem appropriate. The commissioner shall certify, in writing, the extent to which all or part of the curriculum of the basic course may be waived and noted deficiencies must be satisfactorily completed at a basic course approved by the commissioner, within the period of time prescribed in section 6020.7 of this Part. Applicants for equivalency certificates shall be subject to the same limitations and requirements as prescribed in sections 6020.6 and 6020.7 of this Part and section 209-q of the General Municipal Law.

PUBLIC NOTICE

Division of Criminal Justice Services

Promulgation

I, Andrew M. Cuomo, Governor of the State of New York, do hereby adopt and promulgate the following regulations which have been recommended by the Municipal Police Training Council pursuant to the provisions of section eight hundred forty of the Executive Law. This action is taken pursuant to the authority vested in me by section eight hundred forty-two of such law and, as such, it is exempted from the rule-making provisions of the State Administrative Procedure Act.

NOW, THEREFORE, be it known that the amendments to Parts 6023 and 6024 of Title 9 of the New York State Official Compilation of Codes, Rules and Regulations are hereby adopted and promulgated and shall be effective upon publication in the *State Register*.

Andrew M. Cuomo
Governor

1. Section 6023.5 of Title 9 NYCRR is amended to read as follows:
Section 6023.5. Term and renewal of instructor certification

(a) An instructor certification will be valid [for five years] from the date of issuance and shall remain valid during the holder's continuous service as a police officer or peace officer, or while the holder is employed by a sponsoring police officer or peace officer agency, unless revoked by the commissioner [prior to its expiration].

(b) An instructor certification may be renewed, subject to the following conditions:

(1) An instructor must be evaluated by an approved instructor evaluator, during the year prior to the expiration of his or her certification.

(2) Evaluation in any topic will serve to update a general topics instructor certification.

(3) Instructors who maintain certification in a special topic area must be evaluated in that special topic in order to be recertified. Evalu-

ations must be facilitated by an approved instructor evaluator who maintains instructor status in the same topic. Instructors must be reevaluated in every special topic for which they intend to maintain certification.

(4) All evaluations must be received by the commissioner during the year prior to the expiration of any instructor's certification. If an instructor fails to be evaluated in any special topic for which he or she currently holds certification, that topic may be deleted from the instructor's record].

2. Section 6024.4 of Title 9 NYCRR is amended to read as follows:

Section 6024.4. Term and renewal of firearms instructor certification

(a) Firearms instructor certification shall be valid [for a period of five years] from the date of issuance and shall remain valid during the holder's continuous service as a police officer or peace officer, or while the holder is employed by a sponsoring police officer or peace officer agency, unless revoked by the commissioner [prior to expiration].

(b) For renewal of certification, the instructor must be evaluated in the classroom and on the firearms range during the last 12 months of the certification period. The evaluation must be conducted by a certified firearms instructor evaluator].

PUBLIC NOTICE

Division of Criminal Justice Services

Promulgation

I, Andrew M. Cuomo, Governor of the State of New York, do hereby adopt and promulgate the following regulations which have been recommended by the Municipal Police Training Council pursuant to the provisions of section eight hundred forty of the Executive Law. This action is taken pursuant to the authority vested in me by section eight hundred forty-two of such law and, as such, it is exempted from the rule-making provisions of the State Administrative Procedure Act.

NOW, THEREFORE, be it known that the amendments to Part 6025 of Title 9 of the New York State Official Compilation of Codes, Rules and Regulations are hereby adopted and promulgated and shall be effective upon publication in the *State Register*.

Andrew M. Cuomo
Governor

Part 6025 of 9 NYCRR is repealed and a new Part 6025 is added to read as follows:

PART 6025

Basic Course For Peace Officers

§ 6025.1 Definitions.

When used in this part:

(a) The term council shall mean the Municipal Police Training Council.

(b) The term director shall mean the director of a basic course for peace officers.

(c) The term commissioner shall mean the Commissioner of the Division of Criminal Justice Services or his designee.

(d) The term basic course/basic course for peace officers shall mean the course of training prescribed in section 6025.3 of this Part, which has been approved by the commissioner, in writing, as meeting or exceeding the minimum standards prescribed in that section.

(e) The term employer shall mean any State or local agency, unit of local government, State or local commission, or public authority or private entity that employs peace officers as defined by subdivision (f) of this section.

(f) The term peace officer shall mean a person designated as such pursuant to section 2.10 of the Criminal Procedure Law or appointed as a watershed protection and enforcement officer pursuant to section 2.16 of such law.

§ 6025.2 Statement of purpose.

The purpose of this Part is to set forth minimum standards for the basic course for peace officers with regard to subject matter and time allotments, which have been demonstrated to be valid based upon a review of the powers of a peace officer set forth in section 2.20 of the Criminal Procedure Law; to set forth clear and specific requirements for administration of a basic course to be followed by course directors; and to promulgate rules governing attendance and completion of such course.

§ 6025.3 Minimum standards.

(a) No basic course shall be approved by the commissioner that does not follow the minimum curriculum as prescribed by the council.

(b) Classroom hours of instruction for peace officers shall be in subjects and time allotments as prescribed by the council.

(c) No peace officers, notwithstanding the date of their appointment, shall be allowed by their employer to carry or use a weapon during any phase of their official duties which constitutes on-duty employment, unless they have, within twelve months of appointment satisfactorily completed a course of training approved by the council in the use of deadly physical force and firearms and other weapons, and annually receive instruction in deadly physical force and the use of firearms and other weapons as approved by the council.

(d) Only instructors certified in accordance with the provisions of Parts 6023 and/or 6024 of this Title may provide instruction in a basic course.

§ 6025.4 Requirements for approval of a basic course for peace officers.

No later than 45 days prior to commencement of a basic course, the course director shall file a copy of the proposed curriculum with the commissioner. The curriculum must be in a form prescribed by the commissioner and shall include:

(1) course location and sponsor;

(2) a chronological listing of topics; including the date, time and number of hours allotted to each topic; and

(3) the names of instructors and the type of instructor certification held by each instructor.

(b) The commissioner may require any additional information deemed necessary for the purposes of reviewing and approving a curriculum.

(c) The commissioner shall make an individual written certification for each basic course conducted when in his or her judgement the information furnished warrants such action.

§ 6025.5 Requirements for conducting a basic course for peace officers.

(a) Within 10 days after conclusion of a basic course, the director shall forward the course roster to the commissioner denoting the performance of respective trainees.

(b) The director shall make written notification to the commissioner of any departures from the approved curriculum and shall be responsible for assuring that such changes do not materially change course content.

(c) The director shall ensure that the basic course is conducted in accordance with all applicable standards, policies and procedures. The director shall establish written directives for the administration of the basic course including, but not limited to, attendance, counseling, remediation and retesting. The written directives shall define the minimum period of time set for remediation and for one or more opportunities for retesting.

(d) The director or sponsoring agency shall be responsible for maintaining accurate records for each basic course. These records must be retained as required by the appropriate schedule for records retention and disposition promulgated by the Commissioner of Education. Such records must be available for inspection by members of the council or the commissioner. They include, but are not limited to, lesson plans for each topic inclusive of objectives, officer attendance and performance records, a copy of the curriculum approved for use, a record of any changes in the curriculum after such approval.

§ 6025.6 Requirements for issuance of a certificate of completion.

(a) All basic course requirements must be completed as a single and cohesive unit.

(b) Attendance is required of each officer at all sessions of the basic course, except for valid reasons. The director is authorized to determine the validity of, and excuse, absences of not more than 10 percent of the total hours of instruction as provided for in the curriculum of the course. An absentee from any scheduled class session shall make up such absence as required by the director. However, no officer may be issued a certificate of completion without receiving the full program of instruction in firearms, the defense of justification (use of physical force/deadly physical force), and physical agility/arrest techniques.

(c) A peace officer who is unable to satisfactorily complete the full curriculum of a basic course due to excessive absences may apply for authorization to complete the requirements of that curriculum in an alternately approved basic course. Such applications shall be subject to the approval of the director. If the director approves the application, it must be forwarded to the commissioner by the director. The commissioner may authorize such officer to make up required hours at another basic course in satisfaction of the requirements for a certificate of completion. Such determination shall be subject to review and approval by the council at its next scheduled meeting subsequent to such determination.

(d) Each peace officer enrolled in a basic course shall keep a notebook. The notebook shall contain an outline of major points and pertinent information for each topic presented. The director will evaluate notebooks based upon criteria such as content, organization, regularity of entries, accuracy and legibility.

(e) The taking and passing of written examination(s) is required of each officer prior to issuance of a certificate of completion. If a series of examinations is required by the director, the candidate must achieve a total passing average for the series. The director shall assemble examination material, give and supervise examination(s) and grade the examination(s). The director or sponsoring agency shall retain the examination papers as required by the appropriate schedule for records retention and disposition promulgated by the Commissioner of Education. Such records must be available for inspection by members of the council or the commissioner.

(f) Upon certification by a director stating that a peace officer has satisfactorily completed all basic course requirements, the commissioner shall issue a certificate of completion to such peace officer.

(g) A certificate of completion shall attest to fulfillment of the training requirements for peace officers set forth in section 2.30 of the Criminal Procedure Law.

(h) Only a sworn peace officer enrolled in a basic course for peace officers is eligible for the issuance of a certificate of completion upon satisfactory completion of all course requirements. A civilian who attends a basic course for peace officers shall not be awarded a certificate.

§ 6025.7 Time limitations for completion of the basic course for peace officers.

(d) Every person appointed as a peace officer shall forfeit such position unless he or she has received, within one year from his or her date of original appointment, a certificate of satisfactory completion of a basic course for peace officers approved by the commissioner.

(e) A peace officer who, because of exigent circumstances, is unable to complete a basic course within the one year time period prescribed in subdivision (a) of this section may apply through his or her employer for an extension of this period by the commissioner. Such applications shall be made in writing and must describe the circumstances which necessitate the application. Illustrative of exigent circumstances are: the officer's inability to complete a basic course for health reasons or the temporary unavailability of a training program within a reasonable distance from the officer's place of employment. If the commissioner determines that the circumstances warrant extension of the one-year period, he or she may grant approval of such extension. In no instance shall this period be extended beyond a total of two years from the initial date of appointment as a peace officer, except as otherwise required by law.

(f) No employer shall allow any peace officer, notwithstanding when the officer was appointed, to carry or use a weapon during any phase of the officer's official duties, which constitutes on-duty employment,

unless the officer has within twelve months after appointment satisfactorily completed a course of training as prescribed in section 6025.3(c) of this Part, and annually thereafter receives instruction in deadly physical force and the use of firearms and other weapons as approved by the council.

§ 6025.8 Issuance of equivalency certificates.

Any person, who has been appointed a peace officer of the State or any municipality or employer of the State of New York and who has formerly been permanently appointed a peace officer or police officer of the United States, or of any territory or possession thereof, or of the District of Columbia, or of any of the United States or its subdivisions, or who has satisfactorily completed the pre-employment police basic training program as prescribed in section 6026.3 of this Title, may apply to the commissioner for leave to substitute satisfactory completion of a course of basic training completed in such other jurisdiction or may apply to the commissioner for leave to substitute satisfactory completion of the pre-employment police basic training program in satisfaction of all or part of the requirements of an approved basic course for peace officers imposed under section 2.30 of the Criminal Procedure Law. The commissioner shall review and evaluate all such applications and may require the applicant to submit such additional documentation as he or she shall deem necessary. If, upon review and evaluation of such application, the commissioner determines that a program of peace officer basic training completed by the applicant in another jurisdiction or the pre-employment police basic training program completed by the applicant meets or exceeds all or part of the minimum standards prescribed in section 6025.3 of this Part, the commissioner may authorize such training to be substituted for such requirements of the basic course as he or she shall deem appropriate. The commissioner shall certify, in writing, the extent to which all or part of the curriculum of the basic course may be waived and any noted deficiencies must be satisfactorily completed at a basic course approved by the commissioner, within the period of time prescribed in section 6025.7 of this Part. Applicants for equivalency certificates shall be subject to the same limitations and requirements as prescribed in sections 6025.6 and 6025.7 of this Part and section 2.30 of the Criminal Procedure Law.

§ 6025.9 Annual reporting of peace officer training.

Each employer of peace officers shall annually report to the commissioner, on behalf of the council, the names and addresses of all peace officers employed by the employer who have, during the course of the preceding year, satisfactorily completed annual instruction in deadly physical force and the use of firearms and other weapons approved by the council and completed in satisfaction of the annual firearms and weapons training requirement imposed by section 2.30(1) of the Criminal Procedure Law. Such report shall be included in the annual validation of peace officer registry data to be completed by the employer and submitted to the commissioner by January 15th of each year.

PUBLIC NOTICE

Division of Criminal Justice Services

Promulgation

I, Andrew M. Cuomo, Governor of the State of New York, do hereby adopt and promulgate the following regulations which have been recommended by the Municipal Police Training Council pursuant to the provisions of section eight hundred forty of the Executive Law. This action is taken pursuant to the authority vested in me by section eight hundred forty-two of such law and, as such, it is exempted from the rule-making provisions of the State Administrative Procedure Act.

NOW, THEREFORE, be it known that the amendments to Part 6035 of Title 9 of the New York State Official Compilation of Codes, Rules and Regulations are hereby adopted and promulgated and shall be effective upon publication in the *State Register*.

Andrew M. Cuomo
Governor

1. Section 6035.1 of Title 9 NYCRR is amended to read as follows:

When used in this Part:

(a) The term law enforcement agency shall mean any law enforcement agency or department of any municipality, any police district, or any agency, department, commission, authority or public benefit corporation of the State of New York employing a police officer or police officers as that term is defined in paragraphs (a), (b), (c), (d), (e), (f), (j), (k), (l), (o) and (p) of subdivision thirty-four of section 1.20 of the Criminal Procedure Law. For the purposes of this definition, the term shall not include any entity that employs police officers in a capacity which may require the use of their law enforcement authority but is supplementary to the primary official responsibilities for which they have been hired.

(b) The term chief of police shall mean a chief of police, commissioner of police, sheriff, or other official having equivalent cognizance, jurisdiction, supervision and control of a police department of a municipality of the state.

[(b)](c) The term council shall mean the New York State Law Enforcement Agency Accreditation Council.

[(c)](d) The term program shall mean the New York State Law Enforcement Agency Accreditation Program.

[(d)](e) The term program staff shall mean employees of the New York State Division of Criminal Justice Services who have been assigned to work on the New York State Law Enforcement Agency Accreditation Program.

(f) The term assessors shall mean law enforcement officers or practitioners selected to conduct on-site assessments of law enforcement agencies seeking to become or remain accredited.

2. Subdivision (a) of section 6035.2 of Title 9 NYCRR is amended to read as follows:

(a) The council shall develop model standards for law enforcement agencies. Such [standard] standards shall be designed:

3. Section 6035.3 of Title 9 NYCRR is amended to read as follows:

(a) Applications for accreditation shall be submitted by the chief [law enforcement officer] of police of the law enforcement agency [so] applying [only upon] and with the approval of the chief elected officer [, or if] of the municipality in which the applicant agency is located. If there is no chief elected officer, applications may be approved by the local governing body. The requirement to seek approval from the chief elected officer of a municipality shall not apply to a Sheriff who is both a countywide elected official and the highest ranking officer in the applicant agency. The application process may additionally require the law enforcement agency to submit background information as deemed necessary and appropriate by the council.

(b) There shall be no direct application fees or other charges imposed on law enforcement agencies desiring to participate in the program. The Division of Criminal Justice Services shall provide program manuals, technical assistance and other resource materials as available at no cost to the law enforcement agency.

4. Subdivision (a) of section 6035.4 of Title 9 NYCRR is amended to read as follows:

(a) Law enforcement agencies seeking accreditation shall be expected to comply with all [applicable] program standards. Law enforcement agencies may, however, petition the council to waive [an applicable] a standard(s) by submitting a written request that includes a detailed description of the reasons for the desired waiver.

5. Subdivision (b) of section 6035.5 of Title 9 NYCRR is amended to read as follows:

(b) The council retains the authority to make final decisions in all matters that impact [on] a law enforcement agency's status in the program. Program staff shall, however, have the authority to make tentative decisions on behalf of the council. Illustrative of these matters are the following:

(1) [law] Law enforcement agency eligibility;

(2) Timeline for reaccreditation of agencies (see § 6035.9[b]-[e]);

[(2) identification of applicable] (3) Identification of non-applicable standards;

[(3) interpretation] (4) Interpretation of the standards; and

[(4) waiver of applicable] (5) *Waiver of standards.*

6. Section 6035.6 of Title 9 NYCRR is amended to read as follows:

(a) An on-site assessment shall be conducted to verify law enforcement agency compliance with program standards prior to the awarding of accreditation status. Such assessments shall be [done] *conducted* by independent consultants retained by the Division of Criminal Justice Services specifically for this purpose. All assessors must meet minimum qualifications established by the council and must successfully complete a period of training conducted by the program staff.

(b) Program staff shall assign assessors to review the policies and procedures of [participating] *applicant* law enforcement agencies in a way that assures the objectivity of the assessment process. No member of a law enforcement agency that has been assessed for accreditation shall be permitted to participate in the assessment of any law enforcement agency employing an individual who served on the assessment team. Every effort shall be made to utilize [assessors who have] *at least one assessor who* worked at a law enforcement agency of the same approximate size and type as the ones that [they] *he or she* will be assigned to assess.

(c) Program staff shall provide law enforcement agencies seeking accreditation with a list of potential assessors prior to the on-site assessment. Law enforcement agency officials shall have the right to disqualify any individual whose participation in the assessment process would represent a conflict of interest. Assessors may also be disqualified for other compelling reasons that are brought to the attention of program staff.

(d) Law enforcement agencies seeking [accreditation] *to be accredited* shall have the burden of proving that they are in compliance with all [applicable] requirements. *Any law enforcement agency granted a waiver on any standard(s), in accordance with section 6035.4 of this Part, shall be required to make such waiver, and any other pertinent information, available to the assessors for their review.* The council reserves the right to review any or all of the documentation shown to the program assessors.

(e) Upon completion of the *on-site* assessment, assessors shall meet with the chief [executive officer] *of police* of the law enforcement agency or his *or her* designee to present a verbal summary of the findings and recommendations that will be made to the council. Assessors shall prepare a written report of their findings and recommendations in a standard format approved by the council. Assessors shall submit this report to program staff within 30 calendar days of the assessment. Program staff shall mail a copy of the written report to the law enforcement agency as well as to each member of the council before the council meets to consider accrediting such agency.

7. Section 6035.7 of Title 9 NYCRR is amended to read as follows:

(a) [Representatives of the law enforcement agencies being considered for accreditation shall have the right to address the council, to present evidence in their behalf and to respond to concerns raised by the council] *Law enforcement agencies that meet the program standards shall be accredited for a period of five years.*

(b) [Law enforcement agencies which meet the program standards shall be accredited for a period of five years] *Representatives of the law enforcement agencies being considered for accreditation shall have the right to address the council to present evidence of their agency's compliance with the program standards and to respond to concerns raised by the council.*

(c) If a decision is made to defer *or deny* a law enforcement agency's accreditation, the council shall notify such agency in writing of the reasons for its decision and [of] the steps that must be taken to become accredited.

(d) Law enforcement agencies whose accreditation is deferred *or denied* may have their [application] *request for accreditation* reconsidered at the next meeting of the council by filing a written appeal with program staff within 30 calendar days of the initial decision.

8. Section 6035.8 of Title 9 NYCRR is amended to read as follows:

Section 6035.8. Maintaining accreditation [status]

(a) Accredited law enforcement agencies shall be expected to maintain compliance with all [applicable] program standards in effect at the time that they were [credited.] *accredited, any standards for*

which they previously received a waiver but which subsequently became applicable due to new agency practices, and any additional standards adopted during their period of accreditation. Accredited agencies will have three (3) months to develop the necessary policy, directive, or procedure as required once a new standard has been added.

(b) Law enforcement agencies that are unable to continue complying with any of the standards in effect at the time that they were accredited shall notify program staff within 30 days regarding the nature of and reason for their non-compliance. The council shall determine what action should be taken on a case-[to] *by-case* basis.

(c) Accredited law enforcement agencies shall be required to file an annual [report] *compliance survey* in a standard format approved by the council regarding major developments that may affect their accreditation. The [report] *survey* may include, but not be limited to the following subjects: the fiscal impact of accreditation on the law enforcement agency, information pertaining to lawsuits that have been filed against the law enforcement agency, recent court orders or consent decrees that affect law enforcement agency operations, and any problems relating to the law enforcement agency's continued compliance with [applicable] program standards.

(d) The council shall have the authority to suspend or revoke a law enforcement agency's accreditation for disregarding [applicable] standards or committing serious violations of program rules and regulations. Law enforcement agency representatives shall be given an opportunity to appear before the council prior to any such suspension or revocation.

(e) The chief of police of an accredited agency also has the authority to voluntarily withdraw their agency from the accreditation program, thereby relinquishing their agency's accredited status and agreeing to cease all public promotion of their agency as being accredited.

(f) Agencies that have a lapse in their accredited status, whether that status is revoked by the council or withdrawn voluntarily by the chief of police, must reapply if they wish to be considered for accreditation again.

i. If an application is submitted within twelve (12) months of their withdrawal or revocation, the agency will be assessed as a reaccreditation and will be required to demonstrate compliance with all program standards that were in effect throughout the time of the previous term of accreditation of the agency.

ii. If an application is submitted more than twelve (12) months after the date of revocation or voluntary withdrawal, the agency will be assessed as an initial accreditation and will be required to demonstrate compliance with all program standards in effect for the three (3) months prior to the date of the new assessment.

9. Section 6035.9 of Title 9 NYCRR is repeated and a new section 6035.9 is added to read as follows:

(a) *Law enforcement agencies that can demonstrate that they meet, and have maintained compliance with, all program standards in effect throughout their period of accreditation will be reaccredited for a period of five (5) years.*

(b) *Certain circumstances may allow for an accredited agency to undergo an assessment for reaccreditation prior to their five year expiration date but only after three (3) years has passed since the date of the most recent accreditation or reaccreditation of such agency.*

(c) *Circumstances that may necessitate an assessment for early reaccreditation include, but may not be limited to:*

(1) A determination by program staff to ensure an agency is in compliance with standards and solidify their standing within the program;

(2) A request by the chief of police of an accredited agency who has identified a compelling need for early reaccreditation and;

(3) Budgetary considerations and constraints within the program.

(d) A law enforcement agency that is required to undergo a reaccreditation assessment prior to the end of their current five year term will be given no less than 90 days notice of said assessment. The council will develop policies to establish specific procedures for an agency requesting an extension of their early assessment.

(e) If the council votes to reaccredit an agency at an earlier date, the new five year period of reaccreditation will begin on the date of approval by the council.

PUBLIC NOTICE

New York State and Local Retirement Systems Unclaimed Amounts Payable to Beneficiaries

Pursuant to the Retirement and Social Security Law, the New York State and Local Retirement Systems hereby gives public notice of the amounts payable to beneficiaries.

The State Comptroller, pursuant to Sections 109 (a) and 409 (a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement Systems, a listing of beneficiaries or estates having unclaimed amounts in the Retirement System. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement Systems located at 110 State St., in the City of Albany, New York.

Set forth below are the names and addresses (last known) of beneficiaries and estates appearing from the records of the New York State and Local Retirement Systems, entitled to the unclaimed benefits.

At the expiration of six months from the date of publication of this list of beneficiaries and estates, unless previously paid to the claimant, the amounts shall be deemed abandoned and placed in the pension accumulation fund to be used for the purpose of said fund.

Any amounts so deemed abandoned and transferred to the pension accumulation fund, may be claimed by the executor or administrator of the estates or beneficiaries so designated to receive such amounts, by filing a claim with the State Comptroller. In the event such claim is properly made, the State Comptroller shall pay over to the estates or to the person or persons making such claim, the amount without interest.

ACKERLY,AUDREY T ESTATE OF GRAFTON MA
ADDY,MYRL MESA AZ
ARUILIO,JOSEPH W CARMEL NY
AUBREY,DOROTHY A ESTATE OF ALBUQUERQUE AZ
BENVENUTO,REBECCA ESTATE OF HUDSON NY
BERTINO,CLEO K ESTATE OF ROCHESTER NY
BONIECKI,MARGARET H ESTATE OF SCHENECTADY NY
BOYKO,JAMES T ESTATE OF HARPURSVILLE NY
BRIGNONE,GARY M AMHERST NY
BRITT,LUCILLE L ESTATE OF NIAGARA NY
BRUHL,ELEANOR A ESTATE OF BOULDER CO
BUSHOVER,EARL E ESTATE OF PORT CRANE NY
BYNO,BEVERLY A SARANAC LAKE NY
CADY,MARGARET ESTATE OF CHARLOTTE NC
CALVANESO,STEVEN BUFFALO NY
CANCRO,INES NEW ROCHELLE NY
CARR,ELIZABETH A OSSINING NY
CATROPPA,MARY T ESTATE OF SCHENECTADY NY
CENTNER,RODNEY H ESTATE OF RENTON WA
CERMINARA,PATRICK J ESTATE OF LEWISTON NY
CHASE,DOROTHY L ESTATE OF CORTLANDT MANOR NY
CLARK,JERRY T SR ESTATE OF SCHUYLERVILLE NY
CONDON,JOHN J ROCKVILLE CENTRE NY
CONSIDINE,DONALD J ESTATE OF JACKSONVILLE FL
CROOKES,MARION A ESTATE OF NISKAYUNA NY
DAVIS JR,WALTER T PORT WASHINGTON NY
DELLA ROCCO,CONCETTA MANCHESTER NY
DELLAROCCO,THOMAS A MANCHESTER NY
DICKMAN,MORRIS ESTATE OF AMHERST NY
DLUHY,ETHEL L ESTATE OF NEW PORT RICHEY FL
DONAHUE,ROBERT B MARIETTA GA
DONAHUE,SEAN LA GRANGEVILLE NY
DUSCHERE,KATHLEEN A FREEPORT NY

DYCHKO,JOHN ESTATE OF WINTER SPRINGS FL
EICHOLZ,HENRY F ESTATE OF CLIFTON NJ
EMES,MILDRED ESTATE OF SPANISH FORT AL
FISCHER,JANET M STONY POINT NY
FOXALL,GEORGE ESTATE OF PORT CHARLOTTE FL
FRANKLIN,THOMAS C CALLEYVILLE TX
GANGI,CARL ESTATE OF TITUSVILLE FL
GLINKA,JOHN F ESTATE OF PAWLEYS ISLAND SC
GLIOTTONE,PATSY ESTATE OF ROCHESTER NY
GWINNER,LOUISE E ESTATE OF AMHERST NY
HAAS,RAYMOND J HOLTSVILLE NY
HALLAGAN,PAUL VERONA BEACH NY
HARLEMAN,GWEN I ESTATE OF OLATHE KS
HESLIN,JANICE M ESTATE OF BINGHAMTON NY
HEUSCHKEL,RICHARD E ESTATE OF YOUNGSTOWN OH
HICKEY,MARY T ESTATE OF ROSWELL NM
HOSS,PATRICIA DUDEK WILLIAMSVILLE NY
HOURIGAN,RITA ESTATE OF POESTENKILL NY
HYATT,MARY L SYRACUSE NY
JOHNSON JR,RICHARD D WINTER SPRINGS FL
JOHNSON,PATRICK APOPKA NY
KANE,AGNES A ESTATE OF BINGHAMTON NY
KELLEY,CAROLE PITTSBURGH FL
KENNEDY,THERESA C ESTATE OF NEW HYDE PARK NY
KONRAD,CHARLES ESTATE OF CALABASH NC
KOZICK,KENNETH ROME NY
LANGDALE,NANCY MASTIC BEACH NY
LIEBLING,PRISCILLA VOORHEES NJ
LUTZ,NANCY ALBANY NY
LYNCH,REV JOHN A ROCHESTER NY
MACRI,LOUIS P ESTATE OF EDEN NY
MANNA,GERTRUDE E ESTATE OF GLENHAM NY
MANNELLINO,LOUIS J ESTATE OF DAVIE FL
MARCHIONNI,LUCY M ESTATE OF YONKERS NY
MC ANDREW,HEATHER A BUFFALO NY
MC AVOY,JANET ESTATE OF CLARENCE NY
MC CARTHY,KATHLEEN G ESTATE OF ORCHARD PARK NY
MCCOY,ANN MARIE ESTATE OF BELLEROSE NY
MORGAN,CLAIRE ESTATE OF SUFFERN NY
MULVEY,BERNADETTE M ESTATE OF E AMHERST NY
NOLAN,DOROTHY ESTATE OF WHITE PLAINS NY
NOLAN,ROSEANNE D ESTATE OF CLINTON CT
NOLAN,TIMOTHY J LAKE GROVE NY
PARNELL,WILLIAM E ESTATE OF PUTNEY VT
PETRY,ELVA ROSE NEW YORK NY
PREISER,EUGENE H ESTATE OF RODANTHE NC
QUINN,ROSE ESTATE OF CAPE CORAL FL
RAGONE,FRANK HAUPPAUGE NY
RAGONE,MARK CENTEREACH NY
REILLY,JOHN L ESTATE OF SCHENECTADY NY
RIEKEN,WALTER G ESTATE OF BEVERLY HILLS FL
ROBINSON,JULIA NEW ROCHELLE NY
ROGERS,GERTRUDE M ESTATE OF BEACON NY
ROUSE,DON ST ALBANS NY
ROWE JR,WILLIAM E CORNING NY
ROWE,GARY F BIG FLATS NY
RUSSO,VINCENT ESTATE OF BRIGHTWATERS NY
SAGE,MILDRED L ESTATE OF NEW YORK NY
SANFRATELLO,JOSEPHINE EST OF TOPSFIELD MA

SCANLON,ELIZABETH J ESTATE OF OLEAN NY
SCHRECK,RAYMOND ESTATE OF UTICA NY
SHEEHAN,MARK A WATERFORD NY
SHULER,WILLIAM ESTATE OF BUFFALO NY
SNELL,KAREN ONEIDA NY
STANKAVAGE,RICHARD ANTHONY FRONT ROYAL VA
STEWART,MAISIE L ESTATE OF HAMPTON MD
STOVER,MARY E WEST PALM BEACH FL
STRACHAN,ARTHUR W ISLIP NY
STRACHAN,JAMES MASSAPEQUA NY
SUTCLIFFE,MARY CAROLINE WELLINGTON FL
TAYLOR,JANE C FORT PIERCE FL
VANARNAM,EMMETT ESTATE OF GLOVERSVILLE NY
WANDTKE,EDWARD M ESTATE OF PENFIELD NY
WARD,DORIS NEW CASTLE PA
YOUNGS,MARION R ESTATE OF MARATHON NY
ZOCCO,GEORGE M YUBA CITY CA

PUBLIC NOTICE

Washington County

Washington County is soliciting proposals from administrative service agencies relating to trust service, administration and/or funding of a Deferred Compensation Plan for the employees of Washington County. They must meet the requirements of section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained from:
Washington County, Albert B. Nolette, Treasurer, 383 Broadway,
Fort Edward, NY 12828 (518) 746-2220

All proposals must be received no later than 30 days from the date of publication in the *New York State Register*.

