

---

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

---

***INSIDE THIS ISSUE:***

- License, Financial Responsibility, Education and Test Requirements for Mortgage Loan Originators
- School Immunization Requirements
- Pet Cemeteries Seeking to Inter the Cremated Remains of Pet Owners with the Remains of their Pets

**Opinions of the Attorney General**

---

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 November 3, 2013
- the 45-day period expires on October 19, 2013
- the 30-day period expires on October 4, 2013

**ANDREW M. CUOMO  
GOVERNOR**

**CESAR A. PERALES  
SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

For press and media inquiries call:  
(518) 474-0050

For *State Register* production, scheduling and subscription information  
call: (518) 474-6957  
E-mail: [adminrules@dos.ny.gov](mailto:adminrules@dos.ny.gov)

For legal assistance with *State Register* filing requirements  
call: (518) 474-6740  
E-mail: [dos.dl.inetcounsel@dos.ny.gov](mailto:dos.dl.inetcounsel@dos.ny.gov)

The *New York State Register* is now available on-line at:  
[www.dos.ny.gov/info/register.htm](http://www.dos.ny.gov/info/register.htm)



The **New York State Register** (ISSN 0197 2472) is published weekly. Subscriptions are \$80 per year for first class mailing and \$40 per year for periodical mailing. The **New York State Register** is published by the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. Periodical postage is paid at Albany, New York and at additional mailing offices.

POSTMASTER: Send address changes to the Department of State, Division of Administrative Rules, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

 printed on recycled paper

---

# 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](http://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

---

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.

The *Register* costs \$80 a year for a subscription mailed first class and \$40 for periodical (second) class. Prepayment is required. To order, send a check or money order payable to the NYS Department of State to the following address:

NYS Department of State  
One Commerce Plaza  
99 Washington Avenue  
Suite 650  
Albany, NY 12231-0001  
Telephone: (518) 474-6957



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**

**Agriculture and Markets, Department of**

- 1 / Movement of Elk and Deer (A)
- 2 / State and County Fairs (A)
- 2 / Standards for Petroleum Products (A)

**Environmental Conservation, Department of**

- 3 / Transportation Conformity (A)

**Financial Services, Department of**

- 5 / License, Financial Responsibility, Education and Test Requirements for Mortgage Loan Originators (E)
- 8 / Minimum Standards for the New York State Partnership for Long-Term Care Program (P)

**Health, Department of**

- 10 / Administration of Vitamin K to Newborn Infants (P)
- 11 / School Immunization Requirements (P)

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

- 14 / Environmental Protection Fund (EPF) Grant Application Procedures for Parks, Historic Preservation and Heritage Areas (A)

**Public Service Commission**

- 14 / Approving a \$10,000 Hookup Fee to Developers for Each New Home Attached to the Water System (A)
- 14 / Approving the Maximum Quarterly Surcharge from \$100 to \$150 (A)
- 15 / Approving Amendments of a Tariff Filing (A)
- 15 / Approving the Transfer of Property (A)
- 16 / Approving the 2013 Electric Emergency Response Plan for Con Edison (A)
- 16 / Approving the 2013 Electric Emergency Response Plan for NYSEG and RG&E (A)
- 16 / Approving the 2013 Electric Emergency Response Plan for O&R (A)
- 16 / Approving the 2013 Electric Emergency Response Plan for Con Edison (A)
- 17 / Approving the 2013 Electric Emergency Response Plan for CHG&E (A)
- 17 / Approving the 2013 Electric Emergency Response Plan for O&R (A)
- 17 / Approving the 2013 Electric Emergency Response Plan for Niagara Mohawk Power Corporation (A)
- 17 / Approving the Lease of Property (A)
- 18 / Utility Refund Disposition (P)
- 18 / Approval of a Contract for the Sale of Capacity and Energy from NYSEG to Nucor (P)

**State, Department of**

- 18 / Pet Cemeteries Seeking to Inter the Cremated Remains of Pet Owners With the Remains of Their Pets (P)

**Thruway Authority, New York State**

- 20 / Notice of expiration

**Hearings Schedule for Proposed Rule Makings / 21**

**Action Pending Index / 23**

**Securities Offerings**

61 / State Notices

**Advertisements for Bidders/Contractors**

63 / Sealed Bids

**Miscellaneous Notices/Hearings**

67 / Notice of Abandoned Property Received by the State Comptroller

67 / Public Notice

**Opinions of the Attorney General**

69 / Informal Opinions

69 / Formal Opinions