

RULE REVIEW

State Commission of Correction

As required by Chapter 262 of the Laws of 1996, the following is a list of rules which were adopted by the State Commission of Correction in calendar years 2000, 2005, and 2010 which must be reviewed in calendar year 2015. Public comment on the continuation or modification of these rules was invited. No comments were received. Based upon the belief that said rules further the Commission's mission to provide for a safe, stable and humane correctional system in New York State, and absent public comment to the contrary, the Commission has determined and hereby gives notice pursuant to State Administrative Procedure Act § 207(4) that the rules listed below shall continue without modification.

CMC-37-00-00022 Amendment of sections 7005.2, 7005.3 and 7009.6 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to provide for better management of inmates in special housing units of local correctional facilities with regard to showers, shaving and food services.

Legal basis for the rule: Correction Law section 45(6).

CMC-45-99-0009 Consensus rule making to section 7010.6 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to designate the person to whom reports should be submitted.

Legal basis for the rule: Correction Law section 45(6) and section 500-k.

CMC-29-05-00006 Amendment of sections 7002.9(a)(4), 7013.6(a)(4) and 7041.2(a)(8) of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to change all regulatory reference from inmate "recreation" to "exercise."

Legal basis for the rule: Correction Law sections 45(6) and 45(16).

CMC-29-05-00008 Amendment of sections 7022.5(c), 7200.2(a), 7200.3, 7200.6(b), 7202.4(a), 7202.6 and 7202.11(a) of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to amend the Commission of Correction's listed address.

Legal basis for the rule: Correction Law sections 45(6) and 45(16).

CMC-29-05-00005 Amendment of section 7039.3, 7602.3, 7602.5, 7602.7 and 7602.8 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to remove specific references to repealed New York State Fire Prevention and Building Codes.

Legal basis for the rule: Correction Law section 45(6) and 45(16).

CMC-29-05-00007 Amendment of section 7503.1(b) of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to remove a reference to a repealed provision of the New York State Penal Law.

Legal basis for the rule: Correction Law section 45(6) and 45(16).

CMC-41-10-00004-P Amendment of sections 7003.5 and 7003.6 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to remove the

requirement of overlapping officer shifts in conducting prisoner population counts.

Legal basis for the rule: Correction Law section 45(6) and 45(15)

