
NEW YORK STATE
REGISTER

INSIDE THIS ISSUE:

- Standard Financial Aid Award Information Sheet for Institutions of Higher Education
- Registration of Manufacturers, Distributors, Wholesales, Various Retailers of Sparkling Devices
- Metropolitan Transportation Business Tax Surcharge

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 March 20, 2016
- the 45-day period expires on March 5, 2016
- the 30-day period expires on February 19, 2016

**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

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

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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.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; (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.ny.gov)

Rule Making Activities

Correction, State Commission of

- 1 / Manner in Which Significant Correctional Facility Incidents are Reported to the Commission of Correction (A)

Criminal Justice Services, Division of

- 1 / Victims of Human Trafficking (P)

Environmental Conservation, Department of

- 2 / Incorporation by Reference of Federal NSPS and NESHAP Rules (A)

Financial Services, Department of

- 2 / Standard Financial Aid Award Information Sheet for Institutions of Higher Education (EP)

Health, Department of

- 3 / Computed Tomography (CT) Quality Assurance (A)

Homeland Security and Emergency Services, Division of

- 4 / Registration of Manufacturers, Distributors, Wholesalers, Various Retailers of Sparkling Devices (E)
- 6 / Registration of Manufacturers, Distributors, Wholesalers, Various Retailers of Sparkling Devices (RP)

Human Rights, Division of

- 8 / Gender Identity Discrimination (A)

Labor, Department of

- 10 / Employer Imposed Limitations on the Inquiry, Discussion, and Disclosure of Wages (P)

Motor Vehicles, Department of

- 12 / Hearings for Persons Who Persistently Evade the Payment of Tolls (A)
- 12 / Use of the Vehicle Electronic Reassignment and Integrated Facility Inventory System (P)

Public Service Commission

- 14 / Proposal to Use Certain Deferred Credits to Offset Costs Associated with Incremental Capital Expenditures (P)
- 15 / Petition to Submeter Electricity (P)

Taxation and Finance, Department of

- 15 / Metropolitan Transportation Business Tax Surcharge (E)

Temporary and Disability Assistance, Office of

- 16 / Referrals of Human Trafficking Victims from Established Providers of Social or Legal Services (P)

Hearings Schedule for Proposed Rule Makings / 19

Action Pending Index / 21

Securities Offerings

- 71 / State Notices

Advertisements for Bidders/Contractors

- 73 / Sealed Bids

Miscellaneous Notices/Hearings

- 77 / Notice of Abandoned Property Received by the State Comptroller
- 77 / Notice of Public Hearing

