
NEW YORK STATE REGISTER

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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 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 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 February 28, 2021
- the 45-day period expires on February 13, 2021
- the 30-day period expires on January 29, 2021

**ANDREW M. CUOMO
GOVERNOR**

**ROSSANA ROSADO
SECRETARY OF STATE**

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 should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-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 expiration of the public comment period.

The Administrative Regulations Review Commission (ARRC) reviews newly proposed regulations to examine 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)

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AAM -the abbreviation to identify the adopting agency
01 -the *State Register* issue number
96 -the year
00001 -the Department of State number, assigned upon receipt of notice.
E -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

Office of Children and Family Services

NOTICE OF ADOPTION

Define “Non-School Hours” and “Those Periods of the Year in Which School Is Not in Session”

I.D. No. CFS-36-20-00001-A

Filing No. 902

Filing Date: 2020-12-15

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Parts 413, 415 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f), 390 and 410-x

Subject: Define “non-school hours” and “those periods of the year in which school is not in session”.

Purpose: To include virtual and/or remote learning as in school hours.

Text or summary was published in the September 9, 2020 issue of the Register, I.D. No. CFS-36-20-00001-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Frank J. Nuara, Associate Attorney, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-9778, email: regcomments@ocfs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Education Department

EMERGENCY RULE MAKING

Addressing the COVID-19 Crisis and the Reopening of Schools

I.D. No. EDU-39-20-00012-E

Filing No. 897

Filing Date: 2020-12-14

Effective Date: 2020-12-14

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 52.21, 79-8.5, 100.5, 154-2.3 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 210, 215, 305, 315, 2117, 2843, 3001, 3004, 3009, 3204, 3713 and 8706

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis including orders directing the closure of schools for the remainder of the school year and summer school and directing nonessential work personnel to work from home. In response, the Department adopted emergency regulations at the April, May, June, and July 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis and to prepare for the reopening of schools. The Department presented this proposed amendment to the Full Board for adoption as an emergency action at its September 2020 meeting, effective September 15, 2020 to address additional issues resulting from the interruptions caused by the COVID-19 crisis and to prepare for the reopening of schools. The proposed amendments provide flexibility related to the following:

- Medical physics limited permits;
- Accreditation of their educator preparation programs;
- English Language Learner identification; and
- The Seal of Biliteracy.

Because the Board of Regents meets at scheduled intervals, the earliest the proposed amendment could be presented for regular (nonemergency) adoption, after publication in the State Register and expiration of the 60-day public comment period required in the State Administrative Procedure Act (SAPA) sections 201(1) and (5), is the December 2020 Regents meeting. However, because the COVID-19 crisis is presently affecting the State of New York, emergency action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to prepare for the reopening of schools and to ensure that the emergency action taken at the September meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented for adoption as

a permanent rule at the December 2020 Regents meeting, which is the first scheduled meeting after the 60-day public comment period prescribed in SAPA for State agency rule makings.

Subject: Addressing the COVID-19 Crisis and the Reopening of Schools.

Purpose: To address the COVID-19 crisis and to prepare for the reopening of schools.

Text of emergency rule: 1. Subdivision (c) of section 79-8.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(c) A limited permit shall be valid for two years and may be renewed by the department for additional two-year periods for up to a total of no more than six years. *Due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis, the Department, in its discretion, may renew such limited permit for additional two-year periods beyond six years for good cause shown, as determined by the Department.*

2. Subclause (2) of clause (c) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(2) Programs shall be continuously accredited by either:

(i) ...; or

(ii) a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. To pursue this option and have its programs be considered continuously accredited under this subclause, the institution shall provide the Department with satisfactory evidence, on a form prescribed by the Commissioner, that it intends to apply for accreditation with a professional education accrediting association that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education, prior to the expiration date of its current accreditation period. The institution will then have [five] six years from the date of such notification to successfully complete the accreditation process. If at any time during the accreditation process, the association determines that the institution's program or programs cannot be accredited by such association and/or that the institution has not diligently pursued an application for accreditation, then the institution's program or programs shall not be considered continuously accredited for purposes of this subclause.

3. Clause (b) of subparagraph (iii) of paragraph (6) of subdivision (c) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(b) Programs shall be accredited by either:

(1) ...; or

(2) a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. To pursue this option and have its programs be considered continuously accredited under this clause, the institution shall provide the Department with satisfactory evidence, on a form prescribed by the Commissioner, that it intends to apply for accreditation with a professional education accrediting association that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education, prior to the expiration date of its current accreditation period. The institution will then have [five] six years from the date of such notification to successfully complete the accreditation process. If at any time during the accreditation process, the association determines that the institution's program or programs cannot be accredited by such association and/or that the institution has not diligently pursued an application for accreditation, then the institution's program or programs shall not be considered continuously accredited for purposes of this clause.

4. Clause (a) of subparagraph (ii) of paragraph (4) of subdivision (h) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Area 1: Criteria for Demonstrating Proficiency in English.

(1) Students shall earn one point per item for achieving the following items:

(i) Score 75 or higher on the NYS Comprehensive English Regents Examination, or score 80 or higher on the NYS Regents Examination in English Language Arts [(Common Core)] (however, students in schools with an alternate pathway for graduation approved by the Commissioner will be held to those schools' criteria), or students who have been exempted from the applicable Regents Examination in English Language Arts in the June 2020 or August 2020 Regents examination administration pursuant to subparagraph (vi) of paragraph (5) of subdivision (a) of this section, or English Language Learners (ELLs) score 75 or above on two Regents exams other than English, without translation, or ELLs have been exempted from two of the applicable Regents examinations in the June 2020 or August 2020 Regents examination administration as pursuant to subparagraph (vi) of paragraph (5) of subdivision (a) of this section,;

(ii) ELLs [score at the Commanding level in two modalities] earn an overall score of 290 on the New York State English as a Second Language Achievement Test (NYSESLAT) or who were identified in the 2019-2020 school year at the Transitioning or Expanding English Language Proficiency Level by the statewide English language proficiency identification assessment or the annual English language proficiency assessment and who earned credit in a course of study for English as a New Language or Bilingual Education in the 2019-2020 school year.

5. Subdivision (a) of section 154-2.3 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (10) to read as follows:

(10) (i) Notwithstanding any other provision of this section to the contrary due to the COVID-19 crisis, for the 2020-2021 school year, any parent of a student who attends a school which is operating fully remotely pursuant to the district's reopening plan, or have opted to have their child receive instruction entirely remotely pursuant to the district's reopening plan, and whose child has been provisionally identified as an ELL pursuant to paragraphs (1) and (2) of this subdivision, or paragraph (3) of this subdivision for students who have a disability, may submit a written statement to the district waiving the administration of the statewide English language proficiency identification assessment pursuant to paragraph (4) of this subdivision. The district shall maintain a record of such written waiver for at least three years.

(ii) A parent shall submit the waiver described in subparagraph (i) of this paragraph within ten (10) days after enrollment for the 2020-2021 school year, provided, however, that parents whose child was either newly enrolled during the COVID-19 closures in the 2019-2020 school year, Summer 2020 or the first twenty (20) days of the 2020-2021 school year shall submit such waiver within thirty (30) school days after the commencement of the 2020-2021 school year.

(iii) If a waiver is submitted pursuant to subparagraph (i) of this paragraph, the child shall remain provisionally identified as an ELL for the 2020-2021 school year, unless the school such child attends changes to in-person or hybrid instruction during such school year, or the parent has opted to no longer have their child receive instruction entirely remotely. Within ten days of either instance such child shall be administered the English language proficiency identification assessment pursuant to paragraph (4) of this subdivision.

(iv) School districts shall maintain a record of all waivers submitted pursuant to this paragraph for a period for at least three years.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-39-20-00012-EP, Issue of September 30, 2020. The emergency rule will expire February 11, 2021.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 148EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues existence of Education Department, with Board of Regents as its head, and authorizes Regents to appoint Commissioner of Education as Department's Chief Administrative Officer, which is charged with general management and supervision of all public schools and educational work of State.

Education Law § 207 empowers Regents and Commissioner to adopt rules and regulations to carry out State education laws and functions and duties conferred on the Department.

Education Law § 208 empowers the Regents to confer diplomas and degrees as they deem proper and to establish examination as to attainments in learning, and award and confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the prescribed requirements.

Education Law § 210 conferred by the Regents to students who satisfactorily pass such examinations.

Education Law § 215 empowers the Regents and the Commissioner to visit, examine into and inspect, any institution in the University and any school or institution under the educational supervision of the State and may require reports therefrom giving information as the Regents or the Commissioner prescribe.

Education Law § 305 establishes the general powers and duties of the Commissioner of Education.

Education Law § 315 provides that each school district, other than a city school district, shall, in accordance with the Commissioner's regulations, adopt a simplified name as the legal name of the district.

Education Law § 2117 requires school authorities of each school district to make a full report to the Commissioner upon any matter relating to their schools whenever such report shall be required by the Commissioner.

Education Law § 2854 prescribes the general requirements for charter schools.

Education Law § 3001 prescribes the qualifications of teachers.

Education Law § 3004 directs the Commissioner of Education to prescribe regulations governing the examination and certification of teachers employed in all public schools of the State.

Education Law § 3713 authorizes and empowers the State, any school district, or its trustees or board of education to accept appropriations from the federal government for educational purposes.

Education Law § 4401 provides definitions relating to children with handicapping conditions.

Education Law § 8706 prescribes requirements for limited permits for medical physics practice.

2. LEGISLATIVE OBJECTIVES:

The proposed amendments are consistent with the above statutory authority and are necessary to address numerous issues resulting from the interruptions caused by the COVID-19 crisis and to prepare for the reopening of schools. The purpose of the proposed amendment is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to prepare for the reopening of schools.

3. NEEDS AND BENEFITS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. In response, the Department adopted emergency regulations at the April, May, June, and July 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The Governor of New York announced that schools across the State are permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. Therefore, to address additional issues resulting from the interruptions caused by the COVID-19 crisis, and to plan for the reopening of schools, the Department is proposing further emergency regulatory amendments providing flexibility related to the following:

- Medical physics limited permits: Section 79-8.5 of the Commissioner's regulations is amended to permit the Department, in its discretion, to renew limited permits for medical physics for additional two-year periods beyond the current limit of no more than six years total, for good cause shown, as determined by the Department;

- Accreditation of their educator preparation programs: Section 52.21 of the Commissioner's regulations is amended to provide additional time for institutions of higher education to complete the process for accreditation of their educator preparation programs from the time they notify the Department that they are seeking accreditation from a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. Such institutions would now have six years, instead of five, to complete the accreditation process;

- English Language Learner identification: Section 154-2.3(a) of the Commissioner's regulations is amended to provide that for the 2020-2021 school year, any parent of a student who attends a school which is operating fully remotely or have opted to have their child receive instruction fully remotely in accordance with the district's reopening plan, and whose child has been provisionally identified as an English Language Learner (ELL) via remote identification, may submit a waiver of the administration of the English language proficiency identification assessment; and

- The Seal of Biliteracy:

- o Section 100.5(h)(4)(a) of the Commissioner's regulations is amended to provide that students who were unable to take applicable Regents exams due to COVID-19 related cancellation will satisfy criteria for the New York State Seal of Biliteracy (NYSSB) that would have been met by the required June 2020 or August 2020 Regents exam(s), provided that such students have been exempted from the applicable Regents examinations in accordance with section 100.5(a)(5)(iv) of the Commissioner's regulations.

- o Additionally, such section is amended to provide that English Language Learners (ELLs) will satisfy criteria for the NYSSB that would have been met by a 2020 NYSESLAT score through a combination of having achieved an English language proficiency level of Transitioning or Expanding on the 2019 NYSESLAT or NYSESLAT Identification Test for ELLs (NYSESLAT ID) and who earned credit in a course of study for English as a New Language or Bilingual Education in the 2019-2020 school year. This change provides parity for students who would otherwise be disadvantaged to earn the NYSSB due to the cancellation of the 2020 NYSESLAT.

- o Finally, such section is amended to update the NYSSB's NYSESLAT score requirement. Prior to the 2015-2016 school year, the method

of determining a student's English language proficiency level was based on separate proficiency levels for each of the four language modalities (speaking, listening, reading, and writing). Beginning with the 2016 administration of the NYSESLAT, the method for determining a student's English language proficiency level was changed to be based on a single scale score reflecting English language proficiency overall. The proposed new language will reflect this updated score reporting by allowing students to apply a NYSESLAT scale score of 290 towards the NYSSB. The Department has determined this score to be equivalent to the previous requirement of achieving the commanding proficiency level in two separate modalities.

4. COSTS:

- a. Costs to State government: The amendments do not impose any costs on State government.

- b. Costs to local government: The amendments do not impose any costs on local government.

- c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.

- d. Cost to the regulatory agency: There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government.

6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed amendments are necessary to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools. There are no significant alternatives to the proposed amendment and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

If adopted at the September 2020 Regents meeting, the emergency rule will become effective September 15, 2020. It is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its December 2020 meeting. If adopted at the December 2020 meeting, the proposed amendment will become effective on December 30, 2020. Because the emergency adoption will expire before the December 2020 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November Regents meeting. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule relates to providing flexibility for certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools. The proposed amendments do not impose any adverse economic impact, reporting, recordkeeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amendments that they do not affect small businesses, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The purpose of the proposed amendments is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools. The proposed amendments apply to each of the 695 public school districts in the State.

2. COMPLIANCE REQUIREMENTS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. In response, the Department adopted emergency regulations at the April, May, June, and July 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The Governor of New York announced that schools across the State are permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. Therefore, to address additional issues resulting from the inter-

ruptions caused by the COVID-19 crisis, and to plan for the reopening of schools, the Department is proposing further emergency regulatory amendments providing flexibility related to the following:

- Medical physics limited permits;
- Accreditation of their educator preparation programs;
- English Language Learner identification; and
- The Seal of Biliteracy.

3. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

The proposed amendment will not impose any additional program, service, duty, responsibility or costs beyond those imposed by statute.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

6. MINIMIZING ADVERSE IMPACT:

The proposed amendments are necessary to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools. Accordingly, no alternatives were considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State and from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. In response, the Department adopted emergency regulations at the April, May, June, and July 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The Governor of New York announced that schools across the State are permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. Therefore, to address additional issues resulting from the interruptions caused by the COVID-19 crisis, and to plan for the reopening of schools, the Department is proposing further emergency regulatory amendments providing flexibility related to the following:

- Medical physics limited permits;
- Accreditation of their educator preparation programs;
- English Language Learner identification; and
- The Seal of Biliteracy.

The proposed amendment provides flexibility for certain regulatory requirements during the COVID-19 crisis and plans for the reopening of schools. Thus, the proposed amendment does not adversely impact entities in rural areas of New York State. Accordingly, no further steps were needed to ascertain the impact of the proposed amendment on entities in rural areas and none were taken. Thus, a rural flexibility analysis is not required and one has not been prepared.

Job Impact Statement

The purpose of the proposed amendments is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to plan for the reopening of schools. The proposed amendment provides flexibility related to the following:

- Medical physics limited permits;
- Accreditation of their educator preparation programs;
- English Language Learner identification; and
- The Seal of Biliteracy.

Because it is evident from the nature of the proposed amendment that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Addressing the COVID-19 Crisis

I.D. No. EDU-52-20-00018-EP

Filing No. 903

Filing Date: 2020-12-15

Effective Date: 2020-12-15

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of sections 30-3.16, 100.5(a), 155.17(f) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 215, 305, 2801-a, 3009, 3012-d, 3204 and 3205

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. The Governor of New York announced that schools across the State were permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. In response, the Department adopted emergency regulations at the April, May, June, July, September, October, and November 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis and to plan for the reopening of schools. To address additional issues resulting from the interruptions caused by the COVID-19 crisis, it is necessary for the Department to adopt further regulatory amendments related to the following:

- APPR variance timeframes;
- Snow emergency day reporting; and
- Declination of exemptions for graduation assessment requirements.

Because the Board of Regents meets at scheduled intervals, the earliest the proposed amendment could be presented for regular (nonemergency) adoption, after publication in the State Register and expiration of the 60-day public comment period required in the State Administrative Procedure Act (SAPA) sections 201(1) and (5), is the April 2021 Regents meeting. However, because the COVID-19 crisis is presently affecting the State of New York, emergency action is necessary for the preservation of public health and the general welfare in order to immediately address issues arising from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the April 2021 Regents meeting, which is the first scheduled meeting after the 60-day public comment period prescribed in SAPA for State agency rule makings. However, since the emergency regulation will expire before the April meeting, it is anticipated that an additional emergency action will be presented for adoption at the February 2021 Regents meeting.

Subject: Addressing the COVID-19 crisis.

Purpose: To address issues resulting from the COVID-19 crisis and to provide regulatory flexibility due to the COVID-19 crisis.

Text of emergency/proposed rule: 1. Subdivision (d) of section 30-3.16 of the Rules of the Board of Regents is amended by adding a new paragraph (4) to read as follows:

(4) *Notwithstanding the timeframes contained in paragraphs (1) and (2) of this subdivision, upon a finding by the commissioner of extraordinary circumstances, variance applications approved after December 1 of a school year may be implemented in that school year.*

2. Subdivision (f) of section 155.17 of the Regulations of the Commissioner of Education is amended to read as follows:

(f) Reporting. Each superintendent shall notify the commissioner as soon as possible whenever the emergency plan or building-level school safety plan is activated and results in the closing of a school building in the district, and shall provide such information as the commissioner may require in a manner prescribed by the commissioner. School districts within a supervisory district shall provide such notification through the

district superintendent, who shall be responsible for notifying the commissioner. Such information need not be provided for routine snow emergency days. *Provided, however, that for the 2020-21 school year, districts shall provide such notification for snow emergency days, including those days converted to remote instruction under the 2020-21 snow day pilot in accordance with the provisions of this subdivision.*

3. Subparagraph (viii) of paragraph (5) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(viii)(a) Notwithstanding subparagraph (vii) of this paragraph, no entry shall be recorded on the transcript or permanent record of a student in the event that a parent or person in a parental relation declines the exemption to the graduation assessment requirement(s) in accordance with clause (b) of this subparagraph.

(b) For the 2019-20 school year, at least 10 calendar days *and for the 2020-21 school year, at least 30 calendar days* prior to the date on which a student shall receive a high school diploma, the superintendent, or school principal of a charter school, or chief administrative officer of a registered nonpublic high school shall send notification by letter and also [be]by email and text, if available, to the parents or persons in parental relation of all students scheduled to graduate in June or August of 2020 *or January, June or August of 2021* who have been exempted from a graduation assessment requirement pursuant to this section or paragraph (10) of subdivision (d) of section 100.6 of this title. Such notification shall be sent in English and translated, when appropriate, into the recipient's native language or mode of communication.

- (c) ...
- (d) ...
- (e) ...
- (f) ...

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire March 14, 2021.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Julia Patane, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 148EB, Albany, NY 12234, (518) 474-6400, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues existence of Education Department, with Board of Regents as its head, and authorizes Regents to appoint Commissioner of Education as Department's Chief Administrative Officer, which is charged with general management and supervision of all public schools and educational work of State.

Education Law § 207 empowers Regents and Commissioner to adopt rules and regulations to carry out State education laws and functions and duties conferred on the Department.

Education Law § 208 empowers the Regents to confer by diploma honorary degrees as they deem proper, establish examinations and award and confer suitable certificates, diplomas and degrees on persons who meet the prescribed requirements for such.

Education Law § 209 provides that the Regents shall establish, in secondary institutions, examinations in studies furnishing a suitable standard of graduation therefrom and of admission to colleges, and certificates or diplomas shall be conferred by the Regents to students who satisfactorily pass such examinations.

Education Law § 215 empowers the Regents and the Commissioner to visit, examine into and inspect, any institution in the University and any school or institution under the educational supervision of the State and may require reports therefrom giving information as the Regents or the Commissioner prescribe.

Education Law § 305 establishes the general powers and duties of the Commissioner of Education.

Education Law § 2801-a requires the board of education or trustees of every school district, board of cooperative educational services, county vocational education and extension board, and the chancellor of the city school district of the city of New York to adopt and amend a comprehensive district-wide school safety plan and building-level emergency response and management plan.

Education Law § 3009 provides that unqualified teachers shall not be paid from school moneys.

Education Law § 3012-d provides for the development and implementation of annual professional performance reviews of teachers and principals.

Education Law § 3204 provides that a minor required to attend upon instruction may attend at a public school or elsewhere.

Education Law § 3205 provides that each minor from six to sixteen years of age in each school district or on an Indian reservation shall attend upon full time instruction.

2. LEGISLATIVE OBJECTIVES:

The proposed amendments are consistent with the above statutory authority and are necessary to address numerous issues resulting from the interruptions caused by the COVID-19 crisis.

3. NEEDS AND BENEFITS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. The Governor of New York announced that schools across the State were permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. In response, the Department adopted emergency regulations at the April, May, June, July, September, October, and November 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis and to plan for the reopening of schools. To address additional issues resulting from the interruptions caused by the COVID-19 crisis, the Department is proposing further emergency regulatory amendments as follows:

• APPR Variances

o To provide flexibility for Annual Professional Performance Review (APPR) variance application timeframes, the Department is proposing to amend section 30-3.16 of the Rules of the Board of Regents to provide that upon a finding by the Commissioner of extraordinary circumstances, variance applications approved after December 1st of a school year may be implemented in that school year.

• Snow Day Reporting

o Section 155.17(f) of the Commissioner's regulations requires superintendents to notify the Commissioner as soon as possible whenever a school's emergency plan or building-level school safety plan is activated that results in the closing of a school building in the district, and to provide any information the Commissioner requires. However, this section provides that such information need not be provided for routine snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department is offering a one-year pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

• Declination

o At the September 2020 meeting of the Board of Regents, the Department permanently adopted amendments to section 100.5(a)(5) of the Commissioner's regulations to provide that parents and persons in parental relation of students scheduled to graduate in January, June or August of 2020 who were exempted from a graduation assessment requirement be given the opportunity to decline such exemption. With the cancellation of the January 2021 Regents examination the Department is proposing to amend this provision to also provide parents and persons in parental relation of students scheduled to graduate in January, June or August of 2021 who have been exempted from a graduation assessment requirement the opportunity to decline such exemption. Additionally, the proposed amendments extend the time period required by schools to give parents or persons in parental relation notification of the option to decline such exemption from 10 calendar days to 30 calendar days.

4. COSTS:

- a. Costs to State government: The amendments do not impose any costs on State government.
- b. Costs to local government: The amendments do not impose any costs on local government.
- c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.
- d. Cost to the regulatory agency: There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendments require that for the 2020-21 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department is offering a one-year pilot program to allow school districts to shift to remote instruction for days

that a district would have otherwise closed due to a snow emergency for the 2020-21 school year. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

6. PAPERWORK:

The proposed amendments require that for the 2020-21 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department is offering a one-year pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 school year. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed amendments are necessary to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. There are no significant alternatives to the proposed amendments and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

If adopted at the December 2020 Regents meeting, the emergency rule will become effective December 15, 2020. It is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its April 2021 meeting. If adopted at the April 2021 meeting, the proposed amendment will become effective on April 28, 2021. Because the emergency adoption will expire before the April 2021 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the February Regents meeting. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule relates to addressing issues resulting from the COVID-19 crisis and providing flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendments do not impose any adverse economic impact, reporting, recordkeeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amendments that they do not affect small businesses, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The purpose of the proposed amendments is to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendments apply to each of the 695 public school districts in the State.

2. COMPLIANCE REQUIREMENTS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. In response, the Department adopted emergency regulations at the April, May, June, July, September, October, and November 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The Governor of New York announced that schools across the State are permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. To address additional issues resulting from the interruptions caused by the COVID-19 crisis, the Department is proposing further emergency regulatory amendments related to the following:

- APPR variance timeframes;
- Snow emergency day reporting; and
- Declination of exemptions for graduation assessment requirements.

The proposed amendment does require that for the 2020-21 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department is offering a one-year pilot

program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 school year. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

3. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

The proposed amendment will not impose any additional costs on local governments beyond those imposed by statute.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

6. MINIMIZING ADVERSE IMPACT:

The proposed amendments are necessary to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. Accordingly, no alternatives were considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State and from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to each public school district in the State, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools for the remainder of the 2019-2020 school year and 2020 summer school except for extended school year (ESY) services. In response, the Department adopted emergency regulations at the April, May, June, July, September, October, and November 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The Governor of New York announced that schools across the State are permitted to open in the fall and required all school districts to submit reopening plans to the Department and the Department of Health. To address additional issues resulting from the interruptions caused by the COVID-19 crisis, the Department is proposing further emergency regulatory amendments related to the following:

- APPR variance timeframes;
- Snow emergency day reporting; and
- Declination of exemptions for graduation assessment requirements.

The proposed amendment does require that for the 2020-21 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department is offering a one-year pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 school year. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

3. COSTS:

The proposed amendment will not impose any additional costs on school districts located in rural areas beyond those imposed by statute.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. Therefore, no alternatives were considered for school districts located in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools, including those in rural areas.

Job Impact Statement

The purpose of the proposed amendments is to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- APPR variance timeframes;
- Snow emergency day reporting; and
- Declination of exemptions for graduation assessment requirements.

Because it is evident from the nature of the proposed amendment that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Instruction to Prevent Child Sexual Exploitation and Child Sexual Abuse in Grades K-8

I.D. No. EDU-52-20-00023-EP

Filing No. 911

Filing Date: 2020-12-15

Effective Date: 2020-12-15

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 100.2(c) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305, 308 and 803-b, as added by L. 2019, ch. 187

Finding of necessity for emergency rule: Preservation of general welfare.

Specific reasons underlying the finding of necessity: The proposed amendment to section 100.2(c) of the Regulations of the Commissioner of Education is necessary to implement Chapter 187 of the Laws of 2019 ("Chapter 187" or "Erin's Law"), which amended the Education Law, effective July 1, 2020. Erin's Law requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents and school personnel about the prevention of child sexual exploitation and child sexual abuse.

The proposed amendment to section 100.2(c) of the Regulations of the Commissioner of Education implements Erin's Law by adding a new paragraph (12) to such section requiring that all public school students in kindergarten through grade 8 receive instruction designated to educate students, parents, teachers, and other school personnel about the prevention of child sexual exploitation and child sexual abuse. The proposed amendment provides that such instruction may be included as part of a school's health education program and should be developed in consultation with school counselors, school social workers, parents, and community members. Additionally, the proposed amendments provide that such instruction shall be designed to: (1) assist children, parents, teachers, and other school personnel in identifying child sexual abuse and child sexual exploitation; (2) provide awareness, assistance, referral, and resource information for children and families who are victims of child sexual abuse and/or child sexual exploitation; and (3) be aligned to the grade band objectives prescribed by the Commissioner in guidance.

Since the Board of Regents meets at fixed intervals, the earliest the proposed rule can be presented for permanent adoption, after expiration of the required 60-day comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5), would be the April 2021 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the April meeting would be April 28, 2021, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the December 2020 meeting for the preservation of the public health and general welfare in order to immediately conform the Regulations of the Commissioner of Education to Chapter 187, which requires that all students in grades kindergarten through 8, receive instruction designated to educate students, parents, teachers, and other school personnel about the prevention of child sexual exploitation and child sexual abuse.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the April 2021 Regents meeting, which is the first scheduled meeting after the 60-day public comment period prescribed in SAPA for State agency rule making. However, since the emergency regulation will expire before the April Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the February 2021 Regents meeting.

Subject: Instruction to prevent child sexual exploitation and child sexual abuse in grades K-8.

Purpose: Implementation of chapter 187 of the Laws of 2019.

Text of emergency/proposed rule: Subdivision (c) of section 100.2 of the Regulations of the Commissioner of Education is amended by adding a new paragraph (12) to read as follows:

(12) for all public school students in grades kindergarten through 8, instruction designed to educate students, parents, teachers, and other school personnel about the prevention of child sexual exploitation and child sexual abuse in accordance with section 803-b of the Education Law. Such instruction may be included as part of a school's health education program pursuant to section 135.3 of this Title. Curriculum addressing this topic should be developed in consultation with school counselors, school social workers, parents and community members and shall be designed to:

- (i) assist children, parents, teachers, and other school personnel in identifying child sexual abuse and child sexual exploitation;
- (ii) provide awareness, assistance, referral, and resource information for children and families who are victims of child sexual abuse and/or child sexual exploitation; and
- (iii) be aligned to grade band objectives prescribed by the commissioner in guidance.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire March 14, 2021.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Marybeth Casey, Assistant Commissioner, NYS Education Department, Office of Curriculum & Instruction, 89 Washington Avenue, Room 2M, Albany, NY 12234, (518) 474-0059, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Section 207 of the Education Law grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Education Law section 305(1) and (2) provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Education Law section 308 authorizes the Commissioner to enforce and give effect to any provision in the Education Law or in any other general or special law pertaining to the school system of the State or any rule or direction of the Regents.

Education Law section 803-b, as added by Chapter 187 of the Laws of 2019, requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement Chapter 187 of the Laws of 2019 (Chapter 187) which requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse.

3. NEEDS AND BENEFITS:

Chapter 187 added Education Law § 803-b to require that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse.

The Department has worked with key partners over the past year to develop guidance and resources to support this law. The New York State Education Department has created an Erin's Law website (<http://www.nysed.gov/curriculum-instruction/erins-law>) with curriculum resources to support this endeavor and to provide assistance to schools, families, and educators. The website and resources have been developed with the input, review, and help of partners such as the New York State Department of Health, the NYS Office of Children and Family Services (OCFS), and the New York State Center for School Health. These tools and resources can be used in schools to ensure students in kindergarten through

grade 8 have the instruction, support, and knowledge needed to protect themselves, as well as how to seek help when needed.

The New York State Education Department recommends that educators create their own Erin's Law curriculum to best fit within their school and programs, in accordance with the existing NYS standards for Health Education, to fully comply with the intent of Erin's Law. Although curriculum remains a local decision in New York State, the resources provided on the website can serve as a foundation in local curriculum development and instruction. As more resources are available, the Department will review and share them on the Erin's Law website. NYSED's Erin's Law website includes the following:

- Background on Erin's Law and school district responsibilities;
- Grade band (K-2; 3-4; 5-6; and 6-8) curriculum benchmark guidance; and
- Links to resources or programs that could be used to support local curriculum decisions and instruction.

NYSED also encourages local school districts to partner with families and communities to make decisions about sexual abuse education that are developmentally appropriate and consistent with community values.

The proposed amendment to section 100.2(c) of the Commissioner's regulations implements the provisions of Erin's Law by adding the requirement that all public school students in kindergarten through grade 8 receive instruction designated to educate students, parents, teachers, and other school personnel about the prevention of child sexual exploitation and child sexual abuse. The proposed amendment provides that such instruction may be included as part of a school's health education program and should be developed in consultation with school counselors, school social workers, parents, and community members. Additionally, the proposed amendments provide that such instruction shall be designed to: (1) assist children, parents, teachers, and other school personnel in identifying child sexual abuse and child sexual exploitation; (2) provide awareness, assistance, referral, and resource information for children and families who are victims of child sexual abuse and/or child sexual exploitation; and (3) be aligned to the grade band objectives prescribed by the Commissioner in guidance.

4. COSTS:

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: The proposed amendment will not impose any significant costs beyond those imposed by statute. Any costs associated with providing the instruction required by Education Law § 803-b are expected to be minimal and capable of being absorbed by using existing district staff and resources.

(c) Cost to private regulated parties: The proposed amendment does not impose any additional costs on regulated parties.

(d) Cost to the regulatory agency: The proposed amendment will not impose any additional costs on the Department.

5. LOCAL GOVERNMENT MANDATES:

As required by Education Law § 803-b the proposed amendment requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Additionally, such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse. The proposed amendment does not impose any additional program, service, duty or responsibility upon school districts beyond those imposed by statute.

6. PAPERWORK:

The proposed rule does not require any additional paperwork, and is necessary to implement Education Law § 803-b as added by Chapter 187 of the Laws of 2019.

7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or Federal requirements and is necessary to implement Education Law § 803-b as added by Chapter 187 of the Laws of 2019.

8. ALTERNATIVES:

The proposed rule is necessary to implement Education Law Education Law § 803-b as added by Chapter 187 of the Laws of 2019. There were no significant alternatives considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

If adopted at the December 2020 Regents meeting, the emergency rule will become effective December 15, 2020. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the April 2021 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. It is anticipated that regulated parties can achieve compliance with the proposed rule by its effective date.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule is necessary to implement Education Law § 803-b,

as added by Chapter 187 of the Laws of 2019, which requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse. The proposed rule does not impose any economic impact, or other compliance requirements on small businesses. Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The rule applies to each of the 695 public school districts in the State.

2. COMPLIANCE REQUIREMENTS:

The proposed rule is necessary to implement Education Law § 803-b, as added by Chapter 187 of the Laws of 2019, which requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse.

The Department has worked with key partners over the past year to develop guidance and resources to support this law. The New York State Education Department has created an Erin's Law website (<http://www.nysed.gov/curriculum-instruction/erins-law>) with curriculum resources to support this endeavor and to provide assistance to schools, families, and educators. The website and resources have been developed with the input, review, and help of partners such as the New York State Department of Health, the NYS Office of Children and Family Services (OCFS), and the New York State Center for School Health. These tools and resources can be used in schools to ensure students in kindergarten through grade 8 have the instruction, support, and knowledge needed to protect themselves, as well as how to seek help when needed.

The New York State Education Department recommends that educators create their own Erin's Law curriculum to best fit within their school and programs, in accordance with the existing NYS standards for Health Education, to fully comply with the intent of Erin's Law. Although curriculum remains a local decision in New York State, the resources provided on the website can serve as a foundation in local curriculum development and instruction. As more resources are available, the Department will review and share them on the Erin's Law website. NYSED's Erin's Law website includes the following:

- Background on Erin's Law and school district responsibilities;
- Grade band (K-2; 3-4; 5-6; and 6-8) curriculum benchmark guidance; and
- Links to resources or programs that could be used to support local curriculum decisions and instruction.

NYSED also encourages local school districts to partner with families and communities to make decisions about sexual abuse education that are developmentally appropriate and consistent with community values.

The proposed amendment to section 100.2(c) of the Commissioner's regulations implements the provisions of Erin's Law by adding the requirement that all public school students in kindergarten through grade 8 receive instruction designated to educate students, parents, teachers, and other school personnel about the prevention of child sexual exploitation and child sexual abuse. The proposed amendment provides that such instruction may be included as part of a school's health education program and should be developed in consultation with school counselors, school social workers, parents, and community members. Additionally, the proposed amendments provide that such instruction shall be designed to: (1) assist children, parents, teachers, and other school personnel in identifying child sexual abuse and child sexual exploitation; (2) provide awareness, assistance, referral, and resource information for children and families who are victims of child sexual abuse and/or child sexual exploitation; and (3) be aligned to the grade band objectives prescribed by the Commissioner in guidance.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

The proposed amendment will not impose any significant costs beyond those imposed by statute. Any costs associated with providing the instruction required by Education Law § 803-b are expected to be minimal and capable of being absorbed by using existing district staff and resources.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional technological requirements on local governments. Economic feasibility is discussed above in the Compliance Costs section.

6. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Education Law § 803-b, as added by Chapter 187 of the Laws of 2019. There were no significant alternatives considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBER OF RURAL AREAS:

The proposed rule applies to each public school district in the State, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule is necessary to implement Education Law § 803-b, as added by Chapter 187 of the Laws of 2019, which requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse.

The Department has worked with key partners over the past year to develop guidance and resources to support this law. The New York State Education Department has created an Erin's Law website (<http://www.nysed.gov/curriculum-instruction/erins-law>) with curriculum resources to support this endeavor and to provide assistance to schools, families, and educators. The website and resources have been developed with the input, review, and help of partners such as the New York State Department of Health, the NYS Office of Children and Family Services (OCFS), and the New York State Center for School Health. These tools and resources can be used in schools to ensure students in kindergarten through grade 8 have the instruction, support, and knowledge needed to protect themselves, as well as how to seek help when needed.

The New York State Education Department recommends that educators create their own Erin's Law curriculum to best fit within their school and programs, in accordance with the existing NYS standards for Health Education, to fully comply with the intent of Erin's Law. Although curriculum remains a local decision in New York State, the resources provided on the website can serve as a foundation in local curriculum development and instruction. As more resources are available, the Department will review and share them on the Erin's Law website. NYSED's Erin's Law website includes the following:

- Background on Erin's Law and school district responsibilities;
- Grade band (K-2; 3-4; 5-6; and 6-8) curriculum benchmark guidance; and
- Links to resources or programs that could be used to support local curriculum decisions and instruction.

NYSED also encourages local school districts to partner with families and communities to make decisions about sexual abuse education that are developmentally appropriate and consistent with community values.

The proposed amendment to section 100.2(c) of the Commissioner's regulations implements the provisions of Erin's Law by adding the requirement that all public school students in kindergarten through grade 8 receive instruction designated to educate students, parents, teachers, and other school personnel about the prevention of child sexual exploitation and child sexual abuse. The proposed amendment provides that such instruction may be included as part of a school's health education program and should be developed in consultation with school counselors, school social workers, parents, and community members. Additionally, the proposed amendments provide that such instruction shall be designed to: (1) assist children, parents, teachers, and other school personnel in identifying child sexual abuse and child sexual exploitation; (2) provide awareness, assistance, referral, and resource information for children and families who are victims of child sexual abuse and/or child sexual exploitation; and (3) be aligned to the grade band objectives prescribed by the Commissioner in guidance.

3. COSTS:

The proposed amendment will not impose any significant costs beyond those imposed by statute. Any costs associated with providing the instruction required by Education Law § 803-b are expected to be minimal and capable of being absorbed by using existing district staff and resources.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Education Law § 803-b, as added by Chapter 187 of the Laws of 2018. Therefore, no alternatives were considered for school districts located in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory

district in the State, from the chief school officers of the five big city school districts and from charter schools, including those in rural areas.

Job Impact Statement

The proposed rule is necessary to implement Education Law § 803-b, as added by Chapter 187 of the Laws of 2019, which requires that all students in kindergarten through grade 8 receive instruction designed to prevent child sexual exploitation and child sexual abuse. Such program of instruction must be designed to educate students, parents, and school personnel about the prevention of child sexual exploitation and child sexual abuse. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

NOTICE OF EMERGENCY ADOPTION AND REVISED RULE MAKING NO HEARING(S) SCHEDULED

Addressing the COVID-19 Crisis

I.D. No. EDU-20-20-00008-ERP

Filing No. 909

Filing Date: 2020-12-15

Effective Date: 2020-12-15

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action Taken: Addition of section 80-5.27; amendment of sections 52.21, 60.6, 61.9, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 209, 210, 211-f, 214, 215, 305, 3001, 3004, 3009, 3204, 3205, 3602, 3602-3, 3602-ee, 6525, 6611; Every Student Succeeds Act of 2015, sections 1111(b)(3), (c)(4) and (d)(2); U.S.C. sections 6301 et seq. (Public Law 114-95, 129 STAT. 1802)

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools and directing nonessential work personnel to work from home. In response, the Department adopted emergency regulations at the April, May, June, July, September, and October 2020 Board of Regents meetings to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The Department presented these proposed amendments to the Full Board for adoption as an emergency action at the May 2020 Regents meeting, effective May 5, 2020. At the June, July, September, and October 2020 Board of Regents meetings, the Department revised the proposed emergency regulation to provide clarification and additional regulatory flexibility. The Department is now proposing additional revisions to the proposed amendment to provide an exemption to the January 2021 Regents examination due to the COVID-19 crisis. The proposed amendments provide flexibility related to the following:

- Renewal of limited permits in medicine;
- In-person CPR course certification requirements for dentists and dental hygienists;
- The takeover and restructuring of struggling and persistently struggling schools;
- Teacher certification through the Individual Evaluation pathway;
- Expiration dates of the Initial certificate, Initial Reissuance, Provisional certificate, Provisional Renewal, and Conditional Initial certificate for teacher candidates;
- Emergency COVID-19 teaching certificates;
- School district leader and school district business leader assessments;
- Annual monitoring and tracking of prekindergarten program effectiveness and the annual report of the percentage of prekindergarten children making significant gains;
- Application deadline for alternative high school equivalency preparation programs;

- Unit of study requirements;
- Regents examinations, pathway assessments, alternative assessments, technical assessments, and locally developed test requirements for a diploma;
- NYS career and development and occupational studies commencement credential; and
- General comprehensive examination requirements for a high school equivalency diploma.

Because the Board of Regents meets at scheduled intervals, the earliest the revised proposed amendment could be presented for regular (nonemergency) adoption, after publication in the State Register and expiration of the 45-day public comment period required in the State Administrative Procedure Act (SAPA) section 201(4-a), is the March 2021 Regents meeting. However, because the COVID-19 crisis is presently affecting the State of New York, emergency action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the March 2021 Regents meeting, which is the first scheduled meeting after the 45-day public comment period prescribed in SAPA for State agency rule makings. However, since the emergency action will expire before the March meeting, it is anticipated that an additional emergency action will be presented for adoption at the January 2021 Regents meeting.

Subject: Addressing the COVID-19 Crisis.

Purpose: To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

Substance of emergency/revised rule (Full text is posted at the following State website: <http://www.counsel.nysed.gov/rulesandregs>): On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis, including orders directing the closure of schools and directing nonessential work personnel to work from home. In response, the Department adopted emergency regulations at the April 2020 Board of Regents Meeting to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. To address additional issues resulting from the interruptions caused by the COVID-19 crisis, the Department is proposing further emergency regulatory amendments as follows:

- Professions
 - o Section 60.6 is amended to permit the Department, at its discretion, to renew limited permits in medicine for one additional 24-month period.
 - o Section 61.19(b) is amended to permit the Department to accept alternative means to be used by dentists and dental hygienists to obtain and/or maintain the required certification in cardiopulmonary resuscitation other than through an in-person course during the COVID-19 crisis.
- Receivership
 - o Section 100.19 is amended to provide that: (1) the Commissioner shall not use 2019-20 school year results to newly identify any schools as struggling, place any schools under independent receivership, or remove the designation of any schools as struggling or persistently struggling; (2) all schools identified as persistently struggling or struggling schools for the 2019-20 school year shall remain so identified for the 2020-21 school year and all schools that operated under a school district superintendent receiver in the 2019-20 school year shall continue to operate under a school district superintendent receiver in the 2020-21 school year; and (3) the Commissioner may, upon a finding of good cause, modify for the 2019-20 through 2021-22 school years any timelines pertaining to notifications, plans, reports, or implementation of activities required by such section, except for any timelines prescribed by law.
- Higher Education
 - o Section 80-3.7 is amended to allow any undergraduate or graduate level course completed during the spring, summer, or fall 2020 terms with a passing grade, or its equivalent, to count toward the content core or pedagogical core semester hour requirements for certification through the Individual Evaluation pathway. The passing grade, or its equivalent, must be in accordance with the pass/fail grading policy, or its equivalent, at the institution of higher education (e.g., credit/no credit, pass/fail, satisfactory/unsatisfactory policy).
 - o Section 80-1.2(b) is amended to extend the expiration date of the Initial certificate, Initial Reissuance, Provisional certificate, Provisional Renewal, and the extensions of the initial and Provisional certificates from August 31, 2020 to January 31, 2021 to provide candidates with the time needed to work in schools and complete the requirements for the Professional or Permanent certificate. Additionally, such section is amended to

extend the expiration date of the Conditional Initial certificate from August 31, 2020 to August 31, 2021 to provide candidates with the time needed to complete the edTPA, which requires working with students. An additional year gives candidates the time to establish a relationship with students, teach lessons and assess student learning, and prepare the edTPA submission once classroom routines are more consistent after the COVID-19 crisis.

- o Section 80-5.27 is added to create an Emergency COVID-19 certificate for candidates seeking certain certificates, extensions, and annotations because there is limited test center availability and schools have been closed pursuant to Executive Order(s) of the Governor due to the COVID-19 crisis. This certificate would be valid for one year and could be renewed one time for an additional year with letter(s) of recommendation from school, district, and/or BOCES administrators. Candidates must apply for the certificate, extension, or annotation on or before September 1, 2021. They must also apply for the Emergency COVID-19 certificate, in the same certificate title as the certificate, extension, or annotation applied for, on or before September 1, 2021.

- o Section 52.21(c) is amended to exempt school district leader (SDL) and school business leader (SDBL) candidates from taking and passing the SDL and SDBL assessment, respectively, for program completion and for the institutional recommendation for the Professional certificate, if they completed all program requirements except the assessment requirement in the 2019-2020 or 2020-2021 academic year. The exemption enables these candidates to complete their program while there is limited test center availability due to the COVID-19 crisis and receive institutional recommendation for Professional certification, which would be needed to pursue the proposed Emergency COVID-19 certificate. The candidates would need to take and pass the SDL and SDBL assessment to earn Professional SDL and SDBL certification, respectively.

- o Section 52.21(c) is also amended to exempt candidates admitted to Transitional D programs leading to school district leader certification from taking and passing the SDL assessment for the institutional recommendation for the Transitional D certificate, if they completed all requirements for admitted candidates except the assessment requirement on or before September 1, 2021. The exemption enables Transitional D candidates to receive institutional recommendation for Transitional D certification while there is limited test center availability due to the COVID-19 crisis, which would be needed to pursue the proposed Emergency COVID-19 certificate. The candidates would need to take and pass the SDL assessment to earn Transitional D certification.

- Early Learning

- o Section 151-1.3(b) is amended to waive the requirement that school districts must annually monitor and track prekindergarten program effectiveness for the 2019-2020 school year and to waive the annual report of the percentage of prekindergarten children making significant gains for the 2019-2020 school year.

- Alternative High School Equivalency Program ("AHSEP")

- o Section 100.7 is amended to provide an extension to the June 30 application deadline for alternative high school equivalency preparation programs to be operated during the 2020-2021 school year.

- Curriculum and Instruction

- o Section 100.1 is amended to provide that a unit of credit may be earned where a student has not completed a unit of study due to the COVID-19 crisis but has otherwise achieved the standards assessed in the provided coursework;

- o Sections 100.2 and 100.5 are amended to provide an exemption to the Regents examination, pathway assessment, alternative assessment, technical assessment, and locally developed test requirements during the COVID-19 crisis so that students are still able to meet their diploma requirements since the June 2020, August 2020, and January 2021 Regents examinations have been canceled;

- o Section 100.4 is amended to make a technical citation correction;

- o Section 100.6 is amended to exempt students from the requirements for the career development and occupational studies commencement credential ("CDOS") provided that the student is otherwise eligible to exit from high school and has otherwise demonstrated knowledge and skills relating to the CDOS learning standards; and

- o Section 100.7 is amended to provide an exemption from the subtests of the general comprehensive examination requirements for a high school equivalency diploma where students meet certain criteria.

This notice is intended to serve as both a notice of emergency adoption and a notice of revised rule making. The notice of proposed rule making was published in the *State Register* on May 20, 2020, I.D. No. EDU-20-20-00008-EP. The emergency rule will expire February 12, 2021.

Revised rule making(s) were previously published in the State Register on September 30, 2020.

Emergency rule compared with proposed rule: Substantial revisions were made in section 100.5.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Julia Patane, NYS Education Department, 89 Washington Avenue, Room 148EB, Albany, NY 12234, (518) 474-6400, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 45 days after publication of this notice.

Revised Regulatory Impact Statement

Since the publication of a Notice of Emergency Adoption and Revised Rule Making in the State Register on November 4, 2020, substantial revisions were made to section 100.5 of the Commissioner's regulations to provide an exemption to the January 2021 Regents examination due to the COVID-19 crisis so that students are still able to meet their diploma requirements with the cancellation of the January 2021 Regents examination.

These substantial revisions do not require any changes to the previously published Regulatory Impact Statement.

Revised Regulatory Flexibility Analysis

Since the publication of a Notice of Emergency Adoption and Revised Rule Making in the State Register on November 4, 2020, substantial revisions were made to section 100.5 of the Commissioner's regulations to provide an exemption to the January 2021 Regents examination due to the COVID-19 crisis so that students are still able to meet their diploma requirements with the cancellation of the January 2021 Regents examination.

These substantial revisions do not require any changes to the previously published Regulatory Flexibility Analysis for Small Businesses and Local Government.

Revised Rural Area Flexibility Analysis

The purpose of the proposed amendments to the Regulations of the Commissioner of Education is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202. Subsequently, the Governor issued additional Executive Orders in response to the COVID-19 crisis including orders directing the closure of schools, directing non-essential work personnel to work from home, and directing non-essential gatherings of individuals of any size for any reason to be canceled or postponed. In response the Department adopted emergency regulations at the April 2020 Board of Regents Meeting to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. To address additional issues resulting from the interruptions caused by the COVID-19 crisis, the Department is proposing further emergency regulatory amendments providing flexibility related to the following:

- Renewal of limited permits in medicine;
- In-person CPR course certification requirements for dentists and dental hygienists;
- The takeover and restructuring of struggling and persistently struggling schools;
- Teacher certification through the Individual Evaluation pathway;
- Expiration dates of the Initial certificate, Initial Reissuance, Provisional certificate, Provisional Renewal, and Conditional Initial certificate for teacher candidates;
- Emergency COVID-19 teaching certificates;
- School district leader and school district business leader assessments;
- Annual monitoring and tracking of prekindergarten program effectiveness and the annual report of the percentage of prekindergarten children making significant gains;
- Application deadline for alternative high school equivalency preparation programs;
- Unit of study requirements;
- Regents examinations, pathway assessments, alternative assessments, technical assessments, and locally developed test requirements for a diploma;
- NYS career and development and occupational studies commencement credential; and
- General comprehensive examination requirements for a high school equivalency diploma.

The proposed amendment provides flexibility for certain regulatory requirements during the COVID-19 crisis. Thus, the proposed amendment does not adversely impact entities in rural areas of New York State. Accordingly, no further steps were needed to ascertain the impact of the proposed amendment on entities in rural areas and none were taken. Thus, a rural flexibility analysis is not required and one has not been prepared.

Revised Job Impact Statement

The purpose of the proposed amendments is to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Renewal of limited permits in medicine;
- In-person CPR course certification requirements for dentists and dental hygienists;
- The takeover and restructuring of struggling and persistently struggling schools;
- Teacher certification through the Individual Evaluation pathway;
- Expiration dates of the Initial certificate, Initial Reissuance, Provisional certificate, Provisional Renewal, and Conditional Initial certificate for teacher candidates;
- Emergency COVID-19 teaching certificates;
- School district leader and school business leader assessments;
- Annual monitoring and tracking of prekindergarten program effectiveness and the annual report of the percentage of prekindergarten children making significant gains;
- Application deadline for alternative high school equivalency preparation programs;
- Unit of study requirements;
- Regents examinations, pathway assessments, alternative assessments, technical assessments, and locally developed test requirements for a diploma;
- NYS career and development and occupational studies commencement credential; and
- General comprehensive examination requirements for a high school equivalency diploma.

Because it is evident from the nature of the proposed amendment that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Eligibility for Participation of Students With IEPs, Section 504 or ADA Plans in Interschool Competition and Inclusive Athletics

I.D. No. EDU-25-20-00008-A

Filing No. 908

Filing Date: 2020-12-15

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 135.4 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305, 803, 3204; Rehabilitation Act of 1973, as amended, section 504; 29 U.S.C. section 794; Americans with Disabilities Act 42 U.S.C. section 12101, et. seq.; Individuals with Disabilities Education Act, 20 U.S.C. section 1400, et. seq.

Subject: Eligibility for Participation of Students With IEPs, Section 504 or ADA Plans in Interschool Competition and Inclusive Athletics.

Purpose: To clarify eligibility requirements for participation of students with IEPs section 504 or ADA plans in interschool competition.

Text or summary was published in the September 30, 2020 issue of the Register, I.D. No. EDU-25-20-00008-P.

Final rule as compared with last published rule: No changes.

Revised rule making(s) were previously published in the State Register on September 30, 2020.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Addressing the COVID-19 Crisis and Planning for the Reopening of Schools**I.D. No.** EDU-30-20-00004-A**Filing No.** 910**Filing Date:** 2020-12-15**Effective Date:** 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 80-5.3, 80-5.4, 100.1, 100.2, 100.5, 100.6, 100.10, 117.3, 136.3, 145-2.1, 151-1.3, 154.2.2, 154-2.3, 156.3 and 200.4 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 215, 305, 308, 309, 602, 661, 905, 1709, 2117, 2854, 3001, 3004, 3009, 3204, 3205, 3208, 3212, 3214, 3602, 3602-c, 3602-e, 3604, 3623, 3713, 4401, 4403 and 4410

Subject: Addressing the COVID-19 crisis and planning for the reopening of schools.

Purpose: To provide regulatory flexibility due to the COVID-19 crisis and to plan for the reopening of schools.

Text or summary was published in the July 29, 2020 issue of the Register, I.D. No. EDU-30-20-00004-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Financial Transparency Requirement Reporting Deadlines**I.D. No.** EDU-39-20-00010-A**Filing No.** 907**Filing Date:** 2020-12-15**Effective Date:** 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 170.14(a) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 305, 3614; Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015; 20 U.S.C. section 6301 et seq. (Public Law 114-95, 129 STAT. 1802)

Subject: Financial Transparency Requirement Reporting Deadlines.

Purpose: To permit the department to establish the financial transparency reporting requirement deadline administratively.

Text or summary was published in the September 30, 2020 issue of the Register, I.D. No. EDU-39-20-00010-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Continuing Education Requirements for Psychologists**I.D. No.** EDU-39-20-00011-A**Filing No.** 906**Filing Date:** 2020-12-15**Effective Date:** 2021-01-01

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of section 72.6 of Title 8 NYCRR.

Statutory authority: Education Law, sections 7600, 7601, 7601-a, 7602, 7603, 7604, 7605, 7606, 7607; L. 2018, ch. 436

Subject: Continuing Education Requirements for Psychologists.

Purpose: To implement Chapter 436 of the 2018 requiring continuing education for psychologists.

Text or summary was published in the September 30, 2020 issue of the Register, I.D. No. EDU-39-20-00011-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

Since publication of a Notice of Proposed Rule Making in the September 30, 2020 State Register, the State Education Department received the following comments on the proposed regulation:

COMMENT: A psychologist association and the majority of commenters asked that the American Psychological Association (APA) be deemed an approved provider of psychology continuing education (CE) without application or fee and organizations approved by APA should be accepted without application or fee. Commenters were also concerned that out-of-state licensees would have to travel to New York (NY) to access (CE) programs. Additional comments suggested that the \$900 fee for providers seeking approval be waived or reduced and, furthermore, asked if individuals or organizations currently approved by APA would need to apply for approval in New York.

RESPONSE: Education Law § 7607(3)(b)(ii) requires prospective providers, including national organizations, to submit an application and fee to become an approved provider. The law does not allow an approved provider to approve other individuals or organizations, as that power is reserved to the Department. The \$900 triennial fee is the same fee charged to providers in the majority of professions with mandatory CE.

COMMENT: The psychologist association and individuals asked that implementation of psychologist CE be delayed for at least 6 months to allow time for compliance, including the review and approval of providers, and in response to the COVID-19 pandemic.

RESPONSE: The January 1, 2021 effective date is established in law and cannot be changed by the Department. Education Law § 7607(3)(a) permits the Department to grant an adjustment for cause to licensees who cannot meet the requirements. Psychologists will benefit from the blanket COVID related CE adjustment given to licensed professionals that allow 100% of the required CE to be completed as self-study from approved providers.

COMMENT: The psychologist association suggested that “diversity” be added to the acceptable subject provisions in § 72.6(c)(2)(i)(a).

RESPONSE: The list of subjects is not exhaustive and, if related to the practice of psychology, diversity could be an acceptable subject under the proposed rule.

COMMENT: The psychologist association and some commenters asked that the CE credit awarded to activities specified in § 72.6(c)(2)(ii)(b) be increased and amended to include clinical supervision, pro bono activities and teaching collegiate courses.

RESPONSE: The activities specified in the rule and the assigned credit hours are consistent with CE regulations in other health professions. Professional practice, including supervision, teaching and pro bono service are not authorized CE activities in the enabling law. A licensee may earn credit for developing and delivering a course for the first time in a higher education institution approved to offer psychology CE.

COMMENT: Several commenters requested clarification about independent study, mentoring, and other activities that may be acceptable CE activities.

RESPONSE: It is not necessary or appropriate to specify such details in regulation. The Department has provided Frequently Asked Questions (FAQs) online to assist licensees and providers. These will be updated throughout implementation of the law.

COMMENT: Several commenters asked that courses taken from APA or other providers prior to the effective date of the CE requirement be acceptable to satisfy it.

RESPONSE: Education Law § 7607(2) prohibits the transfer of CE hours taken during one triennium to another. Therefore, hours completed prior to January 1, 2021 and from non-approved providers, are not acceptable.

COMMENT: Some commenters asked for elimination of the cap on self-study courses from approved providers. Additional comments asked for a cap of 36 hours for a licensee returning to practice in NY after January 1, 2021.

RESPONSE: The proposed rules are consistent with the law and regulations in other behavioral health professions with mandatory CE and do not require amendment. The Department may grant an adjustment in certain cases, as allowed under § 7607(1)(b).

COMMENT: Commenters asked if a licensee must complete 3 hours of course work on ethics and for practice in NY during a registration period less than 36 months. A commenter asked that the law be amended to delete "for practice in New York" from § 7607(2) and the Department provide links to books on laws and ethics.

RESPONSE: § 7607(2) requires coursework in each triennial period, therefore, it does not apply to periods less than 3 years. The Department cannot endorse publications but applicable sections of Education Law, Commissioners Regulations and Regents Rules are available at www.op.nysed.gov/title8/. The law can only be amended by legislative action, not by regulations or policy.

COMMENT: One commenter suggested changes in the information retained by providers under § 72.6(i)(3).

RESPONSE: The required information is consistent with regulations in other professions with mandatory CE and allows the Department to audit an approved provider to verify compliance.

COMMENT: One commenter asked if the provision in § 72.6(i)(3)(vi) would prohibit demonstrations or re-enactments during a CE course.

RESPONSE: The provision, which is consistent with other professions with mandatory CE, does not prohibit demonstrations or re-enactments. It does prevent the practice of the profession by a person who is not licensed or authorized in NY, which is defined as a felony in Education Law § 6512.

COMMENT: One commenter expressed concern that individuals with disabilities will have difficulty accessing CE activities.

RESPONSE: Education Law § 7607(1)(b) allows the Department to grant an adjustment to a licensee with a documented health condition. An adjustment is not a waiver of CE requirements based on the licensee's age, years of experience or the cost of CE compliance. A licensee who needs additional time to complete CE may apply for a 12-month conditional registration, under Education Law § 7607(2).

COMMENT: A commenter asked if Independent Study, as defined in § 72.6(a)(4) requires prior approval by the Department.

RESPONSE: There is no such requirement; the licensee is responsible for documenting the learning for their records, subject to audit by the Department.

COMMENT: A licensee, who completed CE from a non-approved provider prior to the effective date, stated that he/she will request reimbursement for such courses if they are not accepted.

RESPONSE: The law takes effect on January 1, 2021 and, starting on that date, each psychologist must complete acceptable CE from Department-approved providers or other allowed activities to meet the requirement. Neither CE activities completed prior to the effective date nor courses taken from non-approved providers on or after that date, will be acceptable to meet the CE requirements for triennial registration.

COMMENT: A group of commenters asked for the definition of "first-time" author or presenter, as used in § 72.6(c)(2)(i) and whether it referred to the lead author or presenter.

RESPONSE: A licensee may only receive credit for the first-time publication of an article or book or a presentation, as defined in the rule, on and after January 1, 2021. If the article, book or presentation is substantially revised in the future, it could be acceptable to meet the CE requirement during that triennial registration period.

COMMENT: Several commenters expressed concerns about the cost of CE compliance and one suggested delaying implementation of the CE requirement until free CE is available.

RESPONSE: Department-approved providers set the CE fees for their offerings and may offer special rates, discounts or incentives. Additionally, a licensee may earn CE credit through other educational activities, as defined in § 72.6(b).

COMMENT: One commenter "heard" that CE courses from organizations in other professions, e.g., nursing and medicine, are not acceptable and urged acceptance of such courses.

RESPONSE: All providers, including qualified individuals and organizations in other professions, must submit the application, pay the \$900 provider fee and meet the requirements in Education Law § 7607(3)(b)(ii) and § 72.6(i) of the proposed rule.

NOTICE OF ADOPTION

Addressing the COVID-19 Crisis and the Reopening of Schools

I.D. No. EDU-39-20-00012-A

Filing No. 904

Filing Date: 2020-12-15

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 52.21, 79-8.5, 100.5, 154-2.3 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 210, 215, 305, 315, 2117, 2843, 3001, 3004, 3009, 3204, 3713 and 8706

Subject: Addressing the COVID-19 Crisis and the Reopening of Schools.

Purpose: To address the COVID-19 crisis and to prepare for the reopening of schools.

Text or summary was published in the September 30, 2020 issue of the Register, I.D. No. EDU-39-20-00012-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Authorize NY Higher Ed. Institutions to Participate in SARA and Approval of Out-of-State Institution to Provide Distance Ed

I.D. No. EDU-39-20-00013-A

Filing No. 905

Filing Date: 2020-12-15

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 49 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 210, 210-c, 212; State Finance Law, section 97-III

Subject: Authorize NY Higher Ed. Institutions to Participate in SARA and Approval of Out-of-State Institution to provide distance Ed.

Purpose: To align the Commissioner's regulations with national SARA policy and federal regulations.

Text or summary was published in the September 30, 2020 issue of the Register, I.D. No. EDU-39-20-00013-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Requirements for Awarding the NYS Seal of Biliteracy

I.D. No. EDU-52-20-00019-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of section 100.5(h) of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 308, 309 and 815

Subject: Requirements for Awarding the NYS Seal of Biliteracy.

Purpose: To update the requirements for awarding the NYS Seal of Biliteracy.

Text of proposed rule: 1. Clause (b) of subparagraph (ii) of paragraph (4) of subdivision (h) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(b) Area 2: Criteria for demonstrating proficiency in a world language.

(1) Students shall earn one point per item for achieving the following items:

(i) complete a level four Checkpoint C world language course, with a grade of 85 or higher, or a comparable score using another scoring system set by the district and approved by the commissioner[, for both the coursework and final examination consistent with Checkpoint C learning standards];

(ii) for students enrolled in a bilingual education program, complete all required Home Language Arts (HLA) [coursework and the district HLA exam] courses with an 85 or higher, or a comparable score using another scoring system set by the district and approved by the commissioner;

(iii) score at a proficient level on [one or one group, as applicable, of the following] *an* accredited Checkpoint C world language [assessments] *assessment, approved by the Commissioner* [:

AP--Advanced Placement Examination (minimum score 4)

IB--International Baccalaureate (minimum score 5)

STAMP4S--Standard Based Measurement of Proficiency (minimum score 6)

DELE--Diplomas of Spanish as a Foreign Language through Cervantes Institute of NYC (minimum score B1)

AAPPL--The ACTFL Assessment of Performance toward Proficiency in Languages (minimum score I-5)

OPI--The ACTFL Oral Proficiency Interview (minimum score Intermediate High)

OPIc--The ACTFL Oral Proficiency Computer Test (minimum score Intermediate High)

WPT/BWT--The ACTFL Writing Proficiency Test/Business Writing Test (minimum score Intermediate High)

RTP--The ACTFL Reading Proficiency Test (minimum score Intermediate High)

LPT--The ACTFL Listening Proficiency Test (minimum score Intermediate High)

ALIRA--The ACTFL Latin Interpretive Reading Assessment (minimum score I-4)

SLPI: ASL--American Sign Language Proficiency Interview (minimum score intermediate plus)]; and

(iv) ...

(2)

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Elisa Alvarez, Associate Commissioner, NYS Education Department, Room 594, 55 Hanson Place, Brooklyn, NY 12217, (718) 722-2445, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents at its head and the Commissioner of Education as the chief administrative officer, and charges the Department with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 empowers the Board of Regents and the Commis-

sioner to adopt rules and regulations to carry out laws of the State regarding education and the functions and duties conferred on the Department by law.

Education Law § 208 authorizes the Regents to establish examinations as to attainments in learning and to award and confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law § 209 authorizes the Regents to establish secondary school examinations in studies furnishing a suitable standard of graduation and of admission to colleges; to confer certificates or diplomas on students who satisfactorily pass such examinations; and requires the admission to these examinations of any person who shall conform to the rules and pay the fees prescribed by the Regents.

Education Law § 305 (1) and (2) provide that the Commissioner, as chief executive officer of the State system of education and of the Board of Regents, shall have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Education Law § 308 authorizes the Commissioner to enforce and give effect to any provision in the Education Law or in any other general or special law pertaining to the school system of the State or any rule or direction of the Regents.

Education Law § 309 charges the Commissioner with the general supervision of boards of education and their management and conduct of all departments of instruction.

Education Law § 815 establishes the New York State Seal of Biliteracy program to recognize high school graduates who have attained a "high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English." Subdivision (2)(b) of section 815 directs the Board of Regents to promulgate regulations as may be necessary to establish the criteria that students must achieve to earn a State Seal of Biliteracy.

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the authority conferred by the above statutes and is necessary to make the New York State Seal of Biliteracy (NYSSBL, or the Seal) more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors.

3. NEEDS AND BENEFITS:

On July 31, 2012, Governor Andrew Cuomo signed into law Chapter 271 of the Laws of 2012 (Education Law § 815), which established the New York State Seal of Biliteracy (NYSSB, or the Seal) to recognize high school graduates who have attained a "high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English." In April 2016, the Board of Regents approved the addition of section 100.5(h) to the Commissioner's regulations, which established the requirements for students to earn the Seal.

Section 100.5(h)(4)(ii)(b) of the Commissioner's regulations describes student requirements for demonstrating proficiency in a World Language (Language Other Than English) that may be applied toward earning the NYSSB, which include successful completion of a World Language course aligned to a Checkpoint C world language assessment, a Home Language Arts (HLA) course and the district HLA exam, and the earning of specific scores on one of 12 approved Checkpoint C world language assessments. The Department is proposing to amend such section to make the Seal more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessment to apply toward diploma requirements and other honors.

Specifically, the amendment: (i) removes the requirement that students earn a grade of 85 or higher, or a comparable score, on a final examination consistent with Checkpoint C learning standards, as some schools do not provide a final exam for Checkpoint C world language courses; (ii) removes the requirement that students enrolled in a bilingual education program complete "the district HLA exam" as some students have been unable to meet this qualification because their district does not offer a district HLA exam; and (iii) replaces the current list of approved World Language assessments and required scores with a statement authorizing the Commissioner to approve assessments that will apply toward this requirement as this current list only allows students to earn the NYSSB in a limited number of World Languages, and has at times served as an impediment for students who seek to earn the Seal based on their proficiency in a World Language that is not evaluated by one of these assessments. This change will also make the regulation more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors.

4. COSTS:

(a) Costs to State government: none.

(b) Costs to local government: none.

(c) Costs to private regulated parties: none.

(d) Costs to regulating agency for implementation and continued administration of this rule: none.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule makes the NYSSBL more available to students and makes the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. Thus, the proposed rule does not impose any additional program, service, duty or responsibility upon local governments.

6. PAPERWORK:

The proposed rule does not impose any new paperwork requirements, but merely makes the NYSSBL more available to students and makes the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors.

7. DUPLICATION:

The proposed rule is necessary to make the NYSSBL more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. The proposed regulation does not duplicate existing State or federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to make the NYSSBL more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. There are no significant alternatives to the proposed rule and none were considered.

9. FEDERAL STANDARDS:

There are no related federal standards in this area.

10. COMPLIANCE SCHEDULE:

It is anticipated regulated parties will be able to achieve compliance with the proposed rule by its effective date. School districts may choose or decline to participate in the NYS Seal of Biliteracy program.

Regulatory Flexibility Analysis

Small Businesses:

The proposed rule is necessary to make the New York State Seal of Biliteracy (NYSSBL, or the Seal) more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. The proposed rule relates to qualifications for students to earn the NYSSBL. Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

Local Governments:

1. EFFECT OF RULE:

The proposed rule applies to those school districts among the 689 public school districts in the State who choose to participate in the NYS Seal of Biliteracy program.

2. COMPLIANCE REQUIREMENTS:

The proposed rule is necessary to make the New York State Seal of Biliteracy (NYSSBL, or the Seal) more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. The proposed rule does not directly impose any additional compliance requirements on school districts. School district participation in the NYS Seal of Biliteracy program is voluntary.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional services requirements.

4. COMPLIANCE COSTS:

The proposed rule is necessary to make the New York State Seal of Biliteracy (NYSSBL, or the Seal) more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. As such the amendments will not impose any additional program, service, duty, responsibility or cost beyond those imposed by statute.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any new technological requirements on school districts or charter schools. Economic feasibility is addressed in the Costs section above.

6. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to make the New York State Seal of Biliteracy (NYSSBL, or the Seal) more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. There were no significant alternatives and none were considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to each of the 689 public school districts in the State, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

On July 31, 2012, Governor Andrew Cuomo signed into law Chapter 271 of the Laws of 2012 (Education Law § 815), which established the New York State Seal of Biliteracy (NYSSB, or the Seal) to recognize high school graduates who have attained a "high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English." In April 2016, the Board of Regents approved the addition of section 100.5(h) to the Commissioner's regulations, which established the requirements for students to earn the Seal. School district participation in the NYS Seal of Biliteracy program is voluntary.

Section 100.5(h)(4)(ii)(b) of the Commissioner's regulations describes student requirements for demonstrating proficiency in a World Language (Language Other Than English) that may be applied toward earning the NYSSB, which include successful completion of a World Language course aligned to a Checkpoint C world language assessment, a Home Language Arts (HLA) course and the district HLA exam, and the earning of specific scores on one of 12 approved Checkpoint C world language assessments. The Department is proposing to amend such section to make the Seal more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessment to apply toward diploma requirements and other honors.

Specifically, the amendment: (i) removes the requirement that students earn a grade of 85 or higher, or a comparable score, on a final examination consistent with Checkpoint C learning standards, as some schools do not provide a final exam for Checkpoint C world language courses; (ii) removes the requirement that students enrolled in a bilingual education program complete "the district HLA exam" as some students have been unable to meet this qualification because their district does not offer a district HLA exam; and (iii) replaces the current list of approved World Language assessments and required scores with a statement authorizing the Commissioner to approve assessments that will apply toward this requirement as this current list only allows students to earn the NYSSB in a limited number of World Languages, and has at times served as an impediment for students who seek to earn the Seal based on their proficiency in a World Language that is not evaluated by one of these assessments. This change will also make the regulation more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors.

3. COMPLIANCE COSTS:

The proposed rule is necessary does not impose any additional costs on school districts located in rural areas.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to make the NYSSBL more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. The proposed rule does not impose any additional compliance requirements on school districts. School district participation in the NYS Seal of Biliteracy program is voluntary. Because the statutory requirements in Education Law § 815 upon which the regulation is based apply to all school districts and BOCES in the State, it is not possible to establish differing compliance or reporting requirements or timetables or to exempt schools in rural areas from coverage by the proposed rule.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, including those located in rural areas.

Job Impact Statement

The proposed rule is necessary to make the New York State Seal of Biliteracy (NYSSBL, or the Seal) more available to students and to make the Commissioner's NYSSBL regulations more consistent with other sections that describe the use of outside assessments to apply toward diploma requirements and other honors. The proposed rule relates to the requirements for students to earn the NYSSBL, and will not have an adverse impact on jobs or employment opportunities. Because it is evident from the nature of the proposed rule that it will have a positive impact, or no

impact, on jobs or employment opportunities, no further steps were needed to ascertain those facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Content Core Requirement in Computer Science Teacher Preparation Programs

I.D. No. EDU-52-20-00020-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of section 52.21 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 305, 3001, 3003, 3004 and 3009

Subject: Content Core Requirement in Computer Science Teacher Preparation Programs.

Purpose: To make the content core requirement for the Computer Science certificate aligned with the NYS Computer Science Standards.

Text of proposed rule: 1. Subclause (1) of clause (a) of subparagraph (v) of paragraph (3) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(a) Content core. Except as provided in paragraph (1) of this subdivision, in addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision, the content core shall be a major or its equivalent in the subject area of the certificate that provides a knowledge base for assisting students in meeting the State learning standards for students, as applicable to one of the following subjects and prescribed in Part 100 of this Title: dance, family and consumer sciences, health education, music, physical education, technology education, theatre, or visual arts.

(1) For certificates in computer science (all grades), in addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision[and until such time as the department adopts State learning standards for computer science in Part 100 of this Title], the content core shall be at least a total of 12 semester hours[that provides a knowledge base for assisting students in understanding the following concepts:

- (i) algorithms and programming;
- (ii) computing systems;
- (iii) data and analysis;
- (iv) impacts of computing; and
- (v) networks and the internet.] that provides a knowledge

base for assisting students in meeting the State learning standards for students in computer science.

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Petra Maxwell, NYS Education Department, Office of Higher Education, 89 Washington Avenue, Room 975EBA, Albany, NY 12234, (518) 474-2238, email: OHEREGComments@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law 207 (not subdivided) grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law 305 authorizes the Commissioner to enforce the educational policies of this State and execute all educational policies determined by the Regents and shall prescribe the licensing of teachers employed in this State.

Education Law 3001 establishes the qualifications of teachers in the classroom.

Education Law 3003 authorizes the Commissioner to issue permanent certificates to school superintendents.

Education Law 3004(1) authorizes the Commissioner to promulgate regulations governing the certification requirements for teachers employed in public schools.

Education Law 3009 prohibits school districts from paying the salary of an unqualified teacher.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to revise the content core requirement for Computer Science certification to require teacher candidates to complete at least 12 semester hours of computer science coursework that provides a knowledge base to ensure that they are prepared to develop curriculum and teach students consistent with the new NYS K-12 Computer Science and Digital Fluency Learning Standards.

3. NEEDS AND BENEFITS:

At its March 2018 meeting, the Board of Regents established the Computer Science certificate and program registration requirements for teacher preparation programs leading to this certificate. All teacher preparation programs include a content core requirement, which requires candidates to complete study that prepares them with the knowledge base to teach the subject area of the certificate title in accordance with the State learning standards for students as prescribed in Part 100 of the Commissioner's regulations.

For computer science teacher preparation programs, section 52.21 of the Commissioner's regulations states that the content core requirement must be at least 12 semester hours that provides a knowledge base for assisting students in understanding five computer science concepts, until such time as the Department adopts State learning standards for computer science. The five concepts are: algorithms and programming, computing systems, data and analysis, impacts of computing, and networks and the internet.

The Department adopted New York State (NYS) K-12 Computer Science and Digital Fluency Learning Standards at the December 2020 meeting. With the adoption of these new State learning standards for computer science, the content core requirement described in section 52.21 for computer science teacher preparation programs requires corresponding amendment. It is anticipated that there will also be proposed revisions to Part 100 of the Commissioner's regulations related to these standards in fall 2021.

The Department is proposing to revise the content core requirement for program registration for Computer Science certification in section 52.21. The amendment would make the content core requirement for the Computer Science certificate similar to the content core requirement for the other special subject (all grades) certificate titles.

Specifically, the content core requirement would require teacher candidates to complete at least 12 semester hours of computer science coursework that provides a knowledge base to ensure that they are prepared to develop curriculum and teach students consistent with the new NYS K-12 Computer Science and Digital Fluency Learning Standards. The 12 semester hours of computer science coursework would no longer address five specified concepts. Since the standards will be added to Part 100 of the Commissioner's regulations at a later date, the proposed amendment does not reference Part 100 at this time.

4. COSTS:

a. Costs to State government: The amendment does not impose any costs on State government, including the State Education Department.

b. Costs to local government: The amendment does not impose any costs on local government.

c. Costs to private regulated parties: The amendment does not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: See above.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon any local government.

6. PAPERWORK:

The proposed amendment does not impose any additional paperwork requirements.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

Because the State believes that uniform certification standards are required across the State, no alternatives were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its April 2021 meeting. If adopted at the April 2021 meeting, the proposed amendment will become effective on April 28, 2021. It is anticipated that regulated parties can achieve compliance with the proposed rule by its effective date.

Regulatory Flexibility Analysis

The purpose of the proposed amendment to Section 52-21 is to revise the content core requirement for Computer Science certification to require

teacher candidates to complete at least 12 semester hours of computer science coursework that provides a knowledge base to ensure that they are prepared to develop curriculum and teach students consistent with the new NYS K-12 Computer Science and Digital Fluency Learning Standards.

The amendment does not impose any new recordkeeping or other compliance requirements and will not have an adverse economic impact on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it does not affect small businesses or local governments, no further steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

This proposed amendment applies to all candidates of computer science teacher preparation programs, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

At its March 2018 meeting, the Board of Regents established the Computer Science certificate and program registration requirements for teacher preparation programs leading to this certificate. All teacher preparation programs include a content core requirement, which requires candidates to complete study that prepares them with the knowledge base to teach the subject area of the certificate title in accordance with the State learning standards for students as prescribed in Part 100 of the Commissioner's regulations.

For computer science teacher preparation programs, section 52.21 of the Commissioner's regulations states that the content core requirement must be at least 12 semester hours that provides a knowledge base for assisting students in understanding five computer science concepts, until such time as the Department adopts State learning standards for computer science. The five concepts are: algorithms and programming, computing systems, data and analysis, impacts of computing, and networks and the internet.

The Department adopted New York State (NYS) K-12 Computer Science and Digital Fluency Learning Standards at the December 2020 meeting. With the adoption of these new State learning standards for computer science, the content core requirement described in section 52.21 for computer science teacher preparation programs requires corresponding amendment. It is anticipated that there will also be proposed revisions to Part 100 of the Commissioner's regulations related to these standards in fall 2021.

The Department is proposing to revise the content core requirement for program registration for Computer Science certification in section 52.21. The amendment would make the content core requirement for the Computer Science certificate similar to the content core requirement for the other special subject (all grades) certificate titles.

Specifically, the content core requirement would require teacher candidates to complete at least 12 semester hours of computer science coursework that provides a knowledge base to ensure that they are prepared to develop curriculum and teach students consistent with the new NYS K-12 Computer Science and Digital Fluency Learning Standards. The 12 semester hours of computer science coursework would no longer address five specified concepts. Since the standards will be added to Part 100 of the Commissioner's regulations at a later date, the proposed amendment does not reference Part 100 at this time.

3. COSTS:

The proposed amendment does not impose any costs on computer science candidates and/or the New York State school districts/BOCES who wish to hire them.

4. MINIMIZING ADVERSE IMPACT:

The Department believes that uniform standards for certification must be established across the State. Therefore, no alternatives were considered for those located in rural areas of the State.

5. RURAL AREA PARTICIPATION:

The proposed amendment has been shared with the New York Association of Colleges for Teacher Education, whose membership includes colleges in rural areas.

Job Impact Statement

The purpose of the proposed amendment to Section 52.21 of the Regulations of the Commissioner of Education is to revise the content core requirement for Computer Science certification to require teacher candidates to complete at least 12 semester hours of computer science coursework that provides a knowledge base to ensure that they are prepared to develop curriculum and teach students consistent with the new NYS K-12 Computer Science and Digital Fluency Learning Standards.

Because it is evident from the nature of the proposed amendment that it

will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Conferral of the Degree of Doctor of Medicine (M.D.) by the Board of Regents

I.D. No. EDU-52-20-00021-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of section 3.57 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 6504, 6507, 6521, 6522, 6524, 6528 and 6529; L. 1998, ch. 512; L. 1989, ch. 62, section 20

Subject: Conferral of the Degree of Doctor of Medicine (M.D.) by the Board of Regents.

Purpose: To conform the law with the statutory requirements for issuance of an M.D. to foreign-educated applicants.

Text of proposed rule: Section 3.57 of the Rules of the Board of Regent is amended, as follows:

An applicant for the degree of doctor of medicine (M.D.) pursuant to the provisions of section 6529 of the Education Law, shall submit evidence, satisfactory to the department, of:

(a) completion of a medical education program in a foreign medical school satisfactory to the department which does not grant the degree doctor of medicine (M.D.) and in which the philosophy and curriculum were equivalent, as determined by the department, in accordance with the policy of the Board of Regents, to those in programs leading to the degree of doctor of medicine (M.D.) at medical schools in the United States satisfactory to or registered by the Board of Regents and the department;

(b) [at least three years in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine. A year of practice shall consist of not less than 30 hours per week extending for at least 44 weeks in any 12-month period. For purposes of this section, practice shall include not only direct patient care but those other functions and responsibilities for which a medical license is required; and

(c)] licensure to practice medicine in New York State in accordance with provisions of section 6524 or 6528 of the Education Law or their equivalent as determined by the Regents pursuant to their authority under section 6506 of the Education Law[.]; and

(c) each applicant shall pay a fee of three hundred dollars to the education department for the issuance of such degree.

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Sarah S. Benson, NYS Education Department, Office of the Professions, 89 Washington Avenue, 2nd Floor EB, West Wing, Albany, NY 12234, (518) 486-1727, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 207 of the Education Law grants general rule-making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the professions.

Subparagraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions.

Section 6521 of the Education Law establishes and defines the practice of medicine.

Section 6522 of the Education Law establishes protection for the title "physician."

Section 6524 of the Education Law establishes the education, experience, examination, age, moral character and fee requirements for applicants seeking licensure as a physician.

Section 6528 of the Education Law establishes the qualification requirements for certain applicants seeking licensure as physicians.

Section 6529 of the Education Law grants the Board of Regents the authority, in its discretion, to confer the degree of doctor of medicine (M.D.) upon physicians, who are licensed pursuant to sections 6524 and 6528 of the Education Law.

Section 6529 of the Education Law, as amended by Chapter 512 of the Laws of 1998, eliminated the requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine.

Section 6529 of the Education Law, as amended by Section 20 of Chapter 62 of the Laws of 1989, raised the application fee for the conferral of the MD degree from \$75 to \$300.

2. LEGISLATIVE OBJECTIVES:

The proposed rule carries out the intent of the aforementioned statutes and conforms the Rules of the Board of Regents to Chapter 512 of the Laws of 1998, which amended Section 6529 of the Education Law, by eliminating the requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine, and section 20 of Chapter 62 of the Laws of 1989, which amended section 6529 of the Education Law, by raising the application fee for the conferral of the MD degree from \$75 to \$300.

3. NEEDS AND BENEFITS:

In accordance with section 6529 of the Education Law, the Board of Regents is authorized, in its discretion, to confer the degree of doctor of medicine (M.D.) upon physicians, who are licensed pursuant to sections 6524 and 6528 of the Education Law. Each applicant for MD degree conferral must pay a \$300 fee to the Department for the issuance of it. Applications to the Board of Regents for the conferral of the M.D. degree are from foreign-educated physicians, who received a medical degree in a country other than the United States, which is not designated as an M.D. degree. Chapter 512 of the Laws of 1998 (Chapter 512), effective September 1, 1998, amended section 6529 of the Education Law by eliminating a requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine.

However, section 3.57 of the Rules of the Board of Regents was not amended to remove this foreign-educated graduate three years of experience requirement for M.D. conferral. Earlier this year, this inadvertent omission was discovered by Office of the Professions staff. Additionally, section 3.57 of the Rules of the Board of Regents does not include Section 6529 of the Education Law's \$300 M.D. issuance fee requirement.

The proposed amendment is, therefore, necessary to conform section 3.57 of the Rules of the Board of Regents to section 6529 of the Education Law, as amended by Chapter 512 of the Laws of 1998 and Section 20 of Chapter 62 of the Laws of 1989.

4. COSTS:

(a) Costs to State government: The proposed rule implements statutory requirements and establishes standards as directed by statute, and will not impose any additional costs on State government beyond those imposed by the statutory requirements.

(b) Costs to local governments: There are no additional costs to local governments.

(c) Costs to private regulated parties: The proposed rule does not impose any additional costs to regulated parties beyond those imposed by statute. Pursuant to section 6529 of the Education Law, applicants for MD degree conferral must pay a \$300 fee the Department for the issuance of it.

(d) Costs to the regulatory agency: The proposed rule does not impose any additional costs on the Department beyond those imposed by statute. Any associated costs to the department will be offset by the fees charged to applicants and no significant cost will result to the Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule implements the requirements of Chapter 512 of the Laws of 1998, which amended section 6529 of the Education Law, by eliminating the requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine, and section 20 of Chapter 62 of the Laws of 1989, which amended Section 6529 of the Education Law, by raising the application fee for the conferral of the MD degree from \$75 to \$300. It does not impose any program, service, duty or responsibility upon local governments.

6. PAPERWORK:

The proposed rule imposes no new reporting requirements or other paperwork requirements beyond those imposed by the statute.

7. DUPLICATION:

There are no other state or federal requirements on the subject matter of this proposed rule. Therefore, the proposed rule does not duplicate other existing state or federal requirements and is necessary to implement

Chapter 512 of the Laws of 1998 and section 20 of Chapter 62 of the Laws of 1989.

8. ALTERNATIVES:

The proposed rule is necessary to conform the Rules of the Board of Regents to Chapter 512 of the Laws of 1998 and section 20 of Chapter 62 of the Laws of 1989. There are no significant alternatives to the proposed rule and none were considered.

9. FEDERAL STANDARDS:

Since, there are no applicable federal standards regarding the Board of Regents' authority, in its discretion, to confer the degree of doctor of medicine (M.D.) upon physicians, who are licensed pursuant to sections 6524 and 6528 of the Education Law, the proposed rule does not exceed any minimum federal standards for the same or similar subject areas.

10. COMPLIANCE SCHEDULE:

It is anticipated that the regulated parties will be able to comply with the proposed amendment by the effective date.

Regulatory Flexibility Analysis

The proposed amendment necessary to conform section 3.57 of the Rules of the Board of Regents to section 6529 of the Education Law, as amended by Chapter 512 of the Laws of 1998 and section 20 of Chapter 62 of the Laws of 1989.

In accordance with section 6529 of the Education Law, the Board of Regents is authorized, in its discretion, to confer the degree of doctor of medicine (M.D.) upon physicians, who are licensed pursuant to sections 6524 and 6528 of the Education Law. Each applicant for MD degree conferral must pay a \$300 fee to the Department for the issuance of it. Applications to the Board of Regents for the conferral of the M.D. degree are from foreign-educated physicians, who received a medical degree in a country other than the United States, which is not designated as an M.D. degree. Chapter 512 of the Laws of 1998 (Chapter 512), effective September 1, 1998, amended section 6529 of the Education Law by eliminating a requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine.

However, section 3.57 of the Rules of the Board of Regents was not amended to remove this foreign-educated graduate three years of experience requirement for M.D. conferral. Earlier this year, this inadvertent omission was discovered by Office of the Professions staff. Additionally, section 3.57 of the Rules of the Board of Regents does not include section 6529 of the Education Law's \$300 M.D. issuance fee requirement.

The proposed amendment will not impose any new reporting, record-keeping, or other compliance requirements, or any adverse economic impact, on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not adversely affect small businesses or local governments, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required, and one has not been prepared.

Rural Area Flexibility Analysis

The proposed amendment is necessary to conform section 3.57 of the Rules of the Board of Regents to Education Law § 6529, as amended by Chapter 512 of the Laws of 1998 and section 20 of Chapter 62 of the Laws of 1989.

In accordance with Education Law § 6529, the Board of Regents is authorized, in its discretion, to confer the degree of doctor of medicine (M.D.) upon physicians, who are licensed pursuant to Education Law § 6524 and 6528. Each applicant for an M.D. degree conferral must pay a \$300 fee to the Department for the issuance of it. Applications to the Board of Regents for the conferral of the M.D. degree are from foreign-educated physicians, who received a medical degree in a country other than the United States, which is not designated as an M.D. degree. Chapter 512 of the Laws of 1998 (Chapter 512), effective September 1, 1998, amended Education Law § 6529 by eliminating a requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine.

However, section 3.57 of the Rules of the Board of Regents was not amended to remove this foreign-educated graduate three years of experience requirement for M.D. conferral. Earlier this year, this inadvertent omission was discovered by Office of the Professions staff. Additionally, section 3.57 of the Rules of the Board of Regents does not include section 6529 of the Education Law's \$300 M.D. issuance fee requirement.

The proposed amendment is only applicable to applicants seeking conferral of the M.D. degree from the Board of Regents. Accordingly, no further steps were needed to ascertain the impact of the proposed amendment on entities in rural areas and none were taken. Thus, a rural flexibility analysis is not required, and one has not been prepared.

Job Impact Statement

The proposed rule is required to conform the Rules of the Board of Regents to Chapter 512 of the Laws of 1998, which amended Section

6529 of the Education Law, by eliminating the requirement that applicants for MD degree conferral have, at least, three years experience in the practice of medicine in New York State subsequent to licensure in this State and satisfactory to the State Board for Medicine, and section 20 of Chapter 62 of the Laws of 1989, which amended section 6529 of the Education Law, by raising the application fee for the conferral of the MD degree from \$75 to \$300.

The amendment will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed amendment that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required, and one has not been prepared.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Implementation of the Crown Act

I.D. No. EDU-52-20-00022-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of sections 100.2, 119.16 of Title 8 NYCRR.

Statutory authority: Education Law, sections 11, 12, 13, 14, 15, 101, 207, 305(1), (2) and 2854(1)(b)

Subject: Implementation of the Crown Act.

Purpose: To implement chapter 95 of the Laws of 2019, known as the Crown Act.

Text of proposed rule: 1. Subparagraph (x) of paragraph (1) of subdivision (kk) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(x) *Race shall include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.*

(xi) *Protective hairstyles shall include, but not be limited to, such hairstyles as braids, locks, and twists.*

(xii) For purposes of this section, a report of harassment, bullying, and/or discrimination means a written or oral report of harassment, bullying, and/or discrimination that could constitute a violation of the Dignity for All Students Act (article 2 of the Education Law). Such a report may include, but is not limited to, the following examples:

(a) a report regarding the denial of access to school facilities, functions, opportunities or programs including, but not limited to, restrooms, changing rooms, locker rooms, and/or field trips, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or

(b) a report regarding application of a dress code, specific grooming or appearance standards that is based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or

(c) a report regarding the use of name(s) and pronoun(s) or the pronunciation of name(s) that is based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or

(d) a report regarding the punishment, differential treatment or humiliation of a student, or exclusion of a student from a school function, athletic team or school yearbook, based on hair texture or protective hairstyle, or the request to alter or actual alteration of a protective hairstyle; or

(e) a report regarding any other form of harassment, bullying and/or discrimination, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex.

2. Paragraph (2) of subdivision (c) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(2) for all public school students, instruction that supports development of a school environment free of harassment, bullying, and/or discrimination as required by the Dignity For All Students Act (article 2 of the Education Law), with an emphasis on discouraging acts of harassment, bullying, and/or discrimination, including but not limited to instruction that raises students' awareness and sensitivity to harassment, bullying and/or discrimination based on a person's actual or perceived race as defined in Education Law section 11(9), color, weight, national origin,

ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, and instruction in the safe, responsible use of the Internet and electronic communications; provided that in public schools other than charter schools, such instruction shall be provided as part of a component on civility, citizenship and character education in accordance with section 801-a of the Education Law;

3. Subdivision (k) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(k) Nondiscrimination in curricular and extracurricular activities. No student shall be denied membership or participation, on the basis of race as defined in Education Law section 11(9) and subdivision (kk) of this section, sex, marital status, color, religion, national origin or disability, in any program or activity which is included in a school program of curricular or extracurricular activities, provided that:

- (1) ...;
- (2) ...;
- (3) ...; and
- (4) ...

4. Subclause (6) of clause (b) of subparagraph (ii) of paragraph (2) of subdivision l of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(6) Such conduct shall include, but is not limited to acts based on a person's actual or perceived race as defined in Education Law section 11(9) and subdivision (kk) of this section, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law sections 3201-a or 2854(2)(a) and Title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973;

5. Clause (d) of subparagraph (vi) of paragraph (1) of subdivision (gg) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(d) Material incident of harassment, bullying, and/or discrimination. A single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, as defined in subparagraph (kk)(1)(viii) of this section, such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race as defined in Education Law section 11(9) and subdivision (kk) of this section, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law sections 3201-a or 2854(2)(a) and title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973.

6. Subparagraph (vii) of paragraph (1) of subdivision (j) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(vii) Discrimination means discrimination against any student by a student or students and/or an employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race as defined in Education Law section 11(9) and subdivision (kk) of this section, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

7. Clause (d) of subparagraph (viii) of paragraph (1) of subdivision (j) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(d) For purposes of this subdivision, the term threats, intimidation or abuse shall include verbal and non-verbal actions. Acts of harassment or bullying shall include, but not be limited to, acts based on a person's actual or perceived race as defined in Education Law section 11(9) and subdivision (kk) of this section, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

8. Subparagraph (i) of paragraph (3) of subdivision (j) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(i) raise awareness and sensitivity to potential acts of harassment, bullying, and/or discrimination directed at students that are committed by students and/or school employees on school property or at a school func-

tion, or off school property pursuant to subclause (1)(viii)(c)(3) of this subdivision; including, but not limited to, harassment, bullying and/or discrimination based on a person's actual or perceived race as defined in *Education Law section 11(9) and subdivision (kk) of this section*, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. Such training shall address the social patterns of harassment, bullying and/or discrimination, the identification and mitigation of such acts, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings;

9. Subparagraph (iii) of paragraph (4) of subdivision (jj) of section 100.2 of the Regulations of the Commissioner is amended to read as follows:

(iii) provided with training which addresses the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race as defined in *Education Law section 11(9) and subdivision (kk) of this section*, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex;

10. Paragraph (6) of subdivision (a) of section 119.6 of the Commissioner's Regulations is amended to read as follows:

(6) Such conduct shall include, but is not limited to acts based on a person's actual or perceived race as defined in *Education Law section 11(9) and subdivision (kk) of section 100.2 of this Subtitle*, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in *Education Law section 11(6)*, or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under *Education Law section 3201-a or 2854(2)(a)* and Title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973;

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Kathleen DeCataldo, Assistant Commissioner, Office of Student Support Services, NYS Education Department, 89 Washington Avenue, Room 218-M-EB, Albany, NY 12234, (518) 473-2890, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 11 establishes definitions for purposes of Article 2 of the Education Law, the Dignity for All Students Act (DASA).

Education Law § 12 prohibits students from being subject to harassment or bullying by employees or students on school property or at school functions and prohibits students from being subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property or at a school function.

Education Law § 13, requires school districts to create policies, procedures and guidelines intended to create a school environment that is free from harassment, bullying and discrimination, including provisions related to making and receiving reports of harassment, bullying and discrimination and the investigation of such reports.

Education Law § 14, requires the Commissioner to promulgate regulations to assist school districts in implementing DASA.

Education Law § 15, requires the Commissioner to create a procedure under which material incidents of harassment, bullying or discrimination on school grounds or at a school function are reported to the State Education Department at least on an annual basis. The procedure shall provide that such reports shall, wherever possible, also delineate the specific nature of such incidents of harassment, bullying or discrimination.

Education Law § 101 continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Education Law § 305(1) empowers the Commissioner of Education to be the chief executive officer of the State system of education and the Board of Regents and authorizes the Commissioner to enforce laws relating to the educational system and to execute educational policies determined by the Board of Regents. Education Law section 305(2) authorizes

the Commissioner to have general supervision over all schools subject to the Education Law.

Education Law § 2854(1)(b) provides that charter schools shall meet the same health and safety, civil rights, and student assessment requirements applicable to other public schools, except as otherwise specifically provided in Article 56 of the Education Law.

Chapter 95 of the Laws of 2019 adds a definition for the term "race" and "protective hairstyles to Education Law § 15, the definition section for DASA.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles.

3. NEEDS AND BENEFITS:

In 2010, the Dignity for All Students Act (DASA) added a new Article 2 to the Education Law to require, among other things, that school districts create policies and guidelines to be used in school training programs to discourage harassment, bullying, and/or discrimination and to enable school personnel to prevent and respond to discrimination or harassment. DASA became effective on July 1, 2012, and was later amended to include cyberbullying, effective July 1, 2013. Subsequently, the Department worked with key stakeholders through the DASA Task Force to develop and implement guidance and regulations to assist schools in implementing the provisions of the law. Since the adoption of Commissioner's Regulations to implement DASA, the Department has worked to provide training to the field, updates to the DASA website, and several guidance documents. Additionally, in April 2018, the Department amended Commissioner's Regulation § 100.2(kk)(1) to include illustrative examples of the types of incidents of harassment, bullying and/or discrimination which must be reported to the principal, superintendent, or designee when reported to or witnessed by a school employee.

Chapter 95 of the Laws of 2019 (Chapter 95), also known as the Crown Act, amended the Dignity for All Students Act (DASA) contained in Article 2 of the Education Law as well as the Human Rights Law contained in Article 15 of the Executive Law. The purpose of the Crown Act is to prohibit race discrimination based on natural hair or hairstyles. The Crown Act defines the term "race" to include traits historically associated with race, including but not limited to, hair texture and protective hairstyles. Additionally, the Crown Act defines the term "protective hairstyles" as including, but not limited to, such hairstyles as braids, locks, and twists.

The Crown Act addresses potential instances of discrimination against students in areas of access to school, participation in activities, and inclusion for opportunities. Students have experienced exclusion, punishment, and harassment from school administrators, faculty, and other students regarding their natural hair, treated or untreated hairstyles such as cornrows, twists, braids, Bantu knots, fades, Afros, and/or the right to keep hair in an uncut or untrimmed state, hair texture, and protective styles. New York is the second state to pass a law to protect natural hair or hairstyles. New York Legislators supported the introduction of the Crown Act based upon reported incidents from across the country demonstrating the impact of hair discrimination on students:

- A high school wrestler was forced to cut his hair or forfeit a wrestling match in New Jersey;
- A 6-year-old boy in Florida was turned away from a private Christian academy on his first day of school because his hair extended below his ears; and
- A New Orleans-area girl was sent home at the start of the school year from a Catholic school for wearing braids.

The proposed amendments to section 100.2 and 119.6 of the Commissioner's regulations are necessary to implement the provisions of the Crown Act. The proposed amendment to the DASA provisions in section 100.2(kk) of the Commissioner's regulations adds definitions for the terms "race" and "protective hairstyle" consistent with the Crown Act. Additionally, section 100.2(kk) is amended to provide additional illustrative examples of discrimination based on natural hair or hairstyles. Furthermore, additional provisions in section 100.2 and section 119.6 of the Commissioner's regulations are amended to make reference to the newly added definitions of "race" and "protective hairstyle."

DASA continues to be a powerful tool used to address bullying, discrimination, and harassment in our schools and to ensure that all students are educated in a safe and supportive school environment. However, the issues faced by students and schools in this area continue to evolve. The Department is committed to working with stakeholders to ensure that all students have the opportunity to learn and to attend school free from bullying, harassment, and/or discrimination. The Department will work with the Girls of Color Work Group, to create guidance to

schools on identifying, investigating, addressing and preventing DASA incidents of discrimination based on natural hair and protective hairstyles.

4. COSTS:

- (a) Costs to State government: None.
- (b) Costs to local government: None.
- (c) Costs to private regulated parties: None.
- (d) Costs to regulating agency for implementation and continued administration of this rule: None.

The proposed rule is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act and will not impose any additional costs on the State, school districts, BOCES and charters schools, or the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles. The proposed rule will not impose any additional program, service, duty, or responsibility beyond those imposed by statute.

6. PAPERWORK:

The proposed rule does not impose any new paperwork requirements beyond those already required by statute, but merely aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" and provides an additional illustrative example of discrimination based on natural hair or hairstyles.

7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to implement the Crown Act. There were no significant alternatives and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

The proposed rule is necessary to align the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles." Because the rule merely adds definitions and provides an additional illustrative example of discrimination based on natural hair or hairstyles, it is anticipated that regulated parties will be able to achieve compliance with the proposed rule by its effective date.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles.

Because it is evident from the nature of the proposed amendment that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The proposed amendment applies to each school district, BOCES and charter school in the State pursuant to Education Law Article 2.

2. COMPLIANCE REQUIREMENTS:

In 2010, the Dignity for All Students Act (DASA) added a new Article 2 to the Education Law to require, among other things, that school districts create policies and guidelines to be used in school training programs to discourage harassment, bullying, and/or discrimination and to enable school personnel to prevent and respond to discrimination or harassment. DASA became effective on July 1, 2012, and was later amended to include cyberbullying, effective July 1, 2013. Subsequently, the Department worked with key stakeholders through the DASA Task Force to develop and implement guidance and regulations to assist schools in implementing the provisions of the law. Since the adoption of Commissioner's Regulations to implement DASA, the Department has worked to provide training to the field, updates to the DASA website, and several guidance documents. Additionally, in April 2018, the Department amended Commissioner's Regulation § 100.2(kk)(1) to include illustrative examples of the types of incidents of harassment, bullying and/or discrimination which must be reported to the principal, superintendent, or designee when reported to or witnessed by a school employee.

Chapter 95 of the Laws of 2019 (Chapter 95), also known as the Crown Act, amended the Dignity for All Students Act (DASA) contained in Article 2 of the Education Law as well as the Human Rights Law contained in Article 15 of the Executive Law. The purpose of the Crown Act is to prohibit race discrimination based on natural hair or hairstyles. The Crown Act defines the term "race" to include traits historically associated with race, including but not limited to, hair texture and protective hairstyles. Additionally, the Crown Act defines the term "protective hairstyles" as including, but not limited to, such hairstyles as braids, locks, and twists.

The Crown Act addresses potential instances of discrimination against students in areas of access to school, participation in activities, and inclusion for opportunities. Students have experienced exclusion, punishment, and harassment from school administrators, faculty, and other students regarding their natural hair, treated or untreated hairstyles such as cornrows, twists, braids, Bantu knots, fades, Afros, and/or the right to keep hair in an uncut or untrimmed state, hair texture, and protective styles. New York is the second state to pass a law to protect natural hair or hairstyles. New York Legislators supported the introduction of the Crown Act based upon reported incidents from across the country demonstrating the impact of hair discrimination on students:

- A high school wrestler was forced to cut his hair or forfeit a wrestling match in New Jersey;
- A 6-year-old boy in Florida was turned away from a private Christian academy on his first day of school because his hair extended below his ears; and
- A New Orleans-area girl was sent home at the start of the school year from a Catholic school for wearing braids.

The proposed amendments to section 100.2 and 119.6 of the Commissioner's regulations are necessary to implement the provisions of the Crown Act. The proposed amendment to the DASA provisions in section 100.2(kk) of the Commissioner's regulations adds definitions for the terms "race" and "protective hairstyle" consistent with the Crown Act. Additionally, section 100.2(kk) is amended to provide additional illustrative examples of discrimination based on natural hair or hairstyles. Furthermore, additional provisions in section 100.2 and section 119.6 of the Commissioner's regulations are amended to make reference to the newly added definitions of "race" and "protective hairstyle."

DASA continues to be a powerful tool used to address bullying, discrimination, and harassment in our schools and to ensure that all students are educated in a safe and supportive school environment. However, the issues faced by students and schools in this area continue to evolve. The Department is committed to working with stakeholders to ensure that all students have the opportunity to learn and to attend school free from bullying, harassment, and/or discrimination. The Department will work with the Girls of Color Work Group, to create guidance to schools on identifying, investigating, addressing and preventing DASA incidents of discrimination based on natural hair and protective hairstyles.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

The proposed rule is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles. As such the clarifying amendments will not impose any additional program, service, duty, responsibility or costs beyond those imposed by the statute.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed amendment does not impose any new technological requirements on school districts or charter schools. Economic feasibility is addressed in the Costs section above.

6. MINIMIZING ADVERSE IMPACT:

There were no significant alternatives and none were considered. The proposed amendment is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles. As such the proposed amendments will not impose any additional program, service, duty or responsibility beyond those imposed by the statute.

Because the statute upon which the proposed amendment is based applies to all school districts in the State and to charter schools and registered nonpublic high schools, it is not possible to establish differing compliance or reporting requirements or timetables or to exempt schools from coverage by the proposed amendment.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to each of the 689 public school districts in the State, charter schools, and registered nonpublic schools in the State, to the extent that they offer instruction in the high school grades, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles. As such the proposed amendments will not impose any additional reporting, recordkeeping or professional service beyond those already imposed by the statute.

3. COMPLIANCE COSTS:

The proposed rule does not impose any additional costs on school districts, charter schools, and registered nonpublic schools located in rural areas.

4. MINIMIZING ADVERSE IMPACT:

There were no significant alternatives and none were considered. The proposed rule is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles. As such the clarifying amendments will not impose any additional program, service, duty or responsibility beyond those imposed by the statute.

Because the statute upon which the proposed amendment is based applies to all school districts in the State and to charter schools and registered nonpublic high schools, it is not possible to establish differing compliance or reporting requirements or timetables or to exempt schools in rural areas from coverage by the proposed amendment.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools, including those located in rural areas.

Job Impact Statement

The proposed amendment is necessary to implement Chapter 95 of the Laws of 2019, also known as the Crown Act. The proposed amendment aligns the DASA provisions of the Commissioner's regulations with the Crown Act by adding definitions for the terms "race" and "protective hairstyles" consistent with the definitions added by the Crown Act and provides an additional illustrative example of discrimination based on natural hair or hairstyles.

The proposed amendment will not have a substantial adverse impact on jobs or employment opportunities. Because it is evident from the nature of the proposed amendment that it will have no impact, or a positive impact, on jobs or employment opportunities, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Uniform Violent or Disruptive Incident Reporting (VADIR) System, Also Known as the School Safety and Educational Climate Report

I.D. No. EDU-52-20-00024-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of sections 100.2(cc), (gg) and 120.3(a) of Title 8 NYCRR.

Statutory authority: Education Law, sections 15, 101, 207, 305(1), (2), 308 and 2802

Subject: Uniform Violent or Disruptive Incident Reporting (VADIR) System, Also Known as the School Safety and Educational Climate Report.

Purpose: Update the definitions of violent and disruptive incidents for purposes of the VADIR and update the School Violence Index.

Text of proposed rule: 1. Subdivision (gg) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(gg) Uniform violent or disruptive incident reporting system *also known as the "School safety and educational climate reporting system"*. School districts, boards of cooperative educational services, charter schools and county vocational education and extension boards shall submit to the commissioner annual reports of violent or disruptive incidents that occurred in the prior school year, commencing with the 2001-2002 school year, in accordance with *sections 15 and 2802 of the Education Law* [section 2802] and this subdivision.

(1) Definitions. For the purposes of this subdivision:

(i) ...

(ii) ...

(iii) [Physical injury means impairment of physical condition or substantial pain and includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.

(iv) Serious physical injury means physical injury which creates a substantial risk of death or which causes death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ and requires hospitalization or treatment in an emergency medical care facility outside of school, including but not limited to, a bullet wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.

(v) [Weapon [means one or more of the following dangerous instruments:

(a) a firearm, including but not limited to a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, airgun or spring gun;

(b) a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife or other dangerous knife;

(c) a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;

(d) a sandbag or sandclub;

(e) a sling shot or slungshot;

(f) a martial arts instrument, including but not limited to a kung fu star, ninja star, nin chuck, or shirken;

(g) an explosive, including but not limited to a firecracker or other fireworks;

(h) a deadly or dangerous chemical, including but not limited to a strong acid or base, mace, or pepper spray;

(i) an imitation gun;

(j) loaded or blank cartridges or other ammunition; or

(k) any other dangerous or deadly instrument possessed with intent to use the same unlawfully against another] *shall mean any weapon defined in Article 265 of the Penal Law.*

(vi) (iv) Violent or disruptive incident shall mean one of the following categories of incidents that occurs on school property of the school district, board of cooperative educational services, charter school or county vocational education and extension board, committed with or without a weapon (except in the case of weapons possession):

(a) ...

(b) [Sex offenses.

(1) Forcible sex offenses. Sex offenses involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with or without a weapon including but not limited to, rape and sodomy; or resulting from forcibly touching or grabbing another student on a part of the body that is generally regarded as private, which includes, but is not limited to the buttocks, breasts, or genitalia.

(2) Other sex offenses. Other non-consensual sex offenses involving inappropriate sexual contact, including, but not limited to, touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against another person in a sexual manner. Other sex offenses shall also include, but not be limited to conduct that may be consensual or involve a child who is incapable of consent by reason of disability or because he or she is under 17 years of age, provided that such term shall not include consensual sexual conduct involving only students, and/or non-students 18 years of age or under, unless at least one of the individuals participating in the conduct is at least four years older than the youngest individual participating in the conduct.]

Sexual offense. An act committed by a person 10 years of age or older which would constitute a felony under Article 130 of the Penal Law, taking into consideration the developmental capacity of the person to form the intent to commit such act, and where the school has referred the person to the police for the act reported.

(c) Assault. [Intentionally or recklessly causing physical injury to another person, with or without a weapon, in violation of the school district code of conduct which shall include either:

(1) engaging in behavior which causes serious physical injury; or

(2) engaging in behavior which causes physical injury.] *An act committed by a person 10 years of age or older which would constitute a felony under Article 120 of the Penal Law, taking into consideration the developmental capacity of the person to form the intent to commit such act, and where the school has referred the person to the police for the act reported.*

(d) ...

(e) Threat (other than bomb threat or false alarm). A verbal, telephoned, written or electronic message of a threat of violence on school property or at a school related function.

[(e)] (f) Bomb threat. A telephoned, written or electronic message that a bomb, explosive, chemical or biological weapon has been or will be placed on school property.

[(f)] (g) False alarm. Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.

[(g)] (h) Weapons possession. [Possession of one or more weapons as defined by subparagraph (v) of this paragraph, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of a teacher or other school personnel as authorized by school officials which are discovered either through:

(1) routine security checks; or

(2) weapons possessed at a school function or on school property which are not discovered through a routine security check, including but not limited to, weapons found in the possession of a student or within a locker.] *An act committed by a person 10 years of age or older which would constitute a felony under Article 265 of the Penal Law, taking into consideration the developmental capacity of the person to form the intent to commit such act, and where the school has referred the person to the police for the act reported.*

[(h)] (i) ...

[(i)] (j) ...

(2) Recording of offenses.

(i) For purposes of reporting pursuant to this subdivision, each incident shall be reported once in the highest ranking category of offense that applies, except that incidents involving a weapon and one of the offenses listed in clauses (1)[(vi)](iv)(a) through [(f)](g) of this subdivision shall be reported in the highest ranking category of offense that applies as an offense committed with a weapon, and not in weapons possession; and incidents involving drug use, possession or sale and/or alcohol use, possession or sale and another offense shall be reported in the highest ranking category in clauses (1)[(vi)](iv)(a) through [(g)](h) of this subdivision that applies. If the offense involves only the use, possession or sale of drugs or alcohol, it shall be recorded in the applicable category of drug or alcohol use, possession or sale as an incident involving drug or alcohol use, possession or sale only. For purposes of determining the highest ranking of offense pursuant to this subparagraph, offenses shall be ranked in the order that they appear in clauses (1)[(vi)](iv)(a) through [(f)](g) of this subdivision, followed by weapons possession, drug use, possession or sale and alcohol use, possession or sale.

(ii) All incidents involving threats (other than bomb threats), bomb threats or false alarms as defined in clauses (1)[(vi)](iv)(e) [and (f)] through (g) of this subdivision shall be reported. All incidents involving material incidents of harassment, bullying, and/or discrimination as defined in clause (1)[(vi)](iv)(d) of this subdivision shall be reported.

(3) Submission of report. *Each annual school safety and educational climate incident report shall be in a form prescribed by the commissioner and shall contain such information as the commissioner shall prescribe, including but not limited to information on the frequency and types of incidents, offenders, victims and student discipline or referral actions taken, as is available on the date the annual report is submitted.* Each school district, board of cooperative educational services, charter school and county vocational education and extension board shall annually submit its report on violent or disruptive incidents, in the manner prescribed by the commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the commissioner.

(4) ...

(5) [Preparation of report. Each annual violent or disruptive incident report shall be in a form prescribed by the commissioner and shall contain

such information as the commissioner shall prescribe, including but not limited to information on the frequency and types of incidents, offenders, victims and student discipline or referral actions taken, as is available on the date the annual report is submitted.

[(6)] Local procedures...

[(7)] (6) Confidentiality...

[(8)] (7) School violence index. Each school year, commencing with the 2005-2006 school year, the department shall establish a school violence index as a comparative measure of the level of school violence in a school. The school violence index will be computed in accordance with a formula established by the commissioner that takes into account the enrollment of the school and is weighted to reflect the most serious violent incidents, which shall include [but need not be limited to] only the following categories of incidents: homicide, [forcible] sexual offense, assault [resulting in serious physical injury, assault resulting in physical injury], and incidents involving the possession[,] or use [or threatened use] of a weapon.

(8) *Persistently dangerous schools. For purposes of determining persistently dangerous schools pursuant to section 120.3 of this Subchapter, only the most serious violent incidents, which shall include only the following categories of incidents: homicide, sexual offense, and incidents involving the possession or use of a weapon, as defined in this subdivision, shall be used in making such determination.*

2. Paragraph (4) of subdivision (cc) of section 100.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(4) Violent or disruptive incident report. Commencing with the 2002-2003 school year, the BOCES report card shall include a summary of the BOCES' annual violent or disruptive incident report, *also known as the "school safety and educational climate report" as required pursuant to subdivision (gg) of this section* in a format containing such information as the commissioner shall prescribe.

3. Subdivision (a) of section 120.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Persistently dangerous schools. Pursuant to guidelines to be developed by the Commissioner in consultation with a representative sample of local educational agencies, the Commissioner shall determine which public elementary and secondary schools are persistently dangerous. A determination that a school is persistently dangerous shall be based upon objective information including, at a minimum, data submitted through the uniform violent incident reporting system, *also known as the "school safety and educational climate report"*, established pursuant to section 2802 of the Education Law and pursuant to section 100.2(gg) of this Subchapter, over a period of two years.

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Kathleen DeCataldo, Assistant Commissioner, Office of Student Support Services, NYS Education Department, 89 Washington Avenue, Room 318-M-EB, Albany, NY 12234, (518) 473-2890, email: REGCOMMENTS@nysed.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 15 of the Education Law requires the Commissioner to create a reporting system under which material incidents of harassment, bullying and discrimination are reported to the Department.

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Section 207 of the Education Law grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Education Law section 305(1) and (2) provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Education Law section 308 authorizes the Commissioner to enforce and give effect to any provision in the Education Law or in any other general or special law pertaining to the school system of the State or any rule or direction of the Regents.

Education Law section 2802, as added by section 5 of Chapter 181 of the Laws of 2000, required the Commissioner of Education to promulgate regulations establishing a statewide uniform violent incident reporting system that public school districts, boards of cooperative educational services (BOCES) and county vocational education and extension boards

shall follow to annually report to the Commissioner information concerning violent and disruptive incidents that occurred in the prior school year.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to update the definitions of violent and disruptive incidents for purposes of the uniform violent and disruptive incident reporting system (VADIR), also known as the safe schools and educational climate (SSEC) reporting system, consistent with the requirements of Education Law § 2802 and the Safe Schools Task Force. The proposed amendment is also necessary to update the serious violent incidents that are included in the School Violence Index (SVI) and used for the purposes of determining persistently dangerous schools, consistent with the recommendations of the Safe Schools Task Force.

3. NEEDS AND BENEFITS:

Both federal and State law require the Department to implement a statewide policy that identifies persistently dangerous public elementary and secondary schools for the purpose of unsafe school choice. Enacted as part of the Safe Schools Against Violence in Education Act (SAVE) in 2001, Education Law § 2802 required the Commissioner, in conjunction with the Division of Criminal Justice Services, to establish a statewide uniform violent and disruptive incident reporting system (VADIR), also known today as the school safety and educational climate (SSEC) reporting system, and to promulgate regulations defining “violent or disruptive incidents.” In order to implement this section, Commissioner’s regulation § 100.2(gg) was developed in consultation with the Division of Criminal Justice Services, as well as legislative and executive staff, and required schools to record information about violent and disruptive incidents beginning in the 2001-2002 school year.

To fulfill the requirements of federal law relating to unsafe school choice, Education Law § 2802 requires the Commissioner to annually determine which public elementary and secondary schools are persistently dangerous, in accordance with the Commissioner’s regulations. Each school is required to maintain a record of all violent and disruptive incidents that occur within each school year, from July 1 through June 30, and to provide an annual report of such incidents to the superintendent. Schools must submit to the Department the number of incidents in each category outlined in Commissioner’s regulations § 100.2(gg). Using this VADIR data, the Department calculates the School Violence Index (SVI) for determining which schools are persistently dangerous.

Immediately following the mass shooting tragedy at Sandy Hook Elementary School in 2012, the Board of Regents directed the Department to re-establish the New York State Safe Schools Task Force, which was first established in 1999. Starting in May 2013, the Task Force met repeatedly across many months, culminating in the September 2014 presentation of 36 recommendations to the Board of Regents. The Department adopted amendments to the VADIR system at the December 2016 Regents meeting, effective July 1, 2017. These amendments revised the method for collecting incident data that incorporated both VADIR and Dignity for All Students Act (DASA) reporting into one reporting structure and revised definitions developed by the Task Force to provide a greater degree of clarity and to better align with the intent of VADIR. However, the current VADIR system prescribed in § 100.2(gg) has had the unintended effect of having certain incidents included in VADIR that do not necessarily reflect violent and/or disruptive incidents. Therefore, amendments to the Commissioner’s regulations are necessary to ensure that VADIR only includes incidents that are truly violent and/or disruptive to better align with the intent of the VADIR system, which is not to be punitive but rather to inform policies for reducing school violence.

The Task Force determined that the definitions prescribed in § 100.2(gg) should be revised as follows:

- The terms “other sex offenses,” “forcible sex offenses,” and “assault” are revised to be consistent with the definitions of such terms in the New York State Penal Law (Penal Law) and to reflect developmental age and intent. Additionally, a requirement that the school has referred the person to the police for the act reported was added to these definitions so that VADIR only reflects the most serious of violent incidents;
- The term “weapon” is revised to be consistent with the definition of such term in the Penal Law, to accurately reflect all of the Penal Law’s enumerated list of weapons; and
- The Task Force recognized that while the VADIR system collects incidents of “bomb threat” and “false alarm,” there is no category to collect other forms of school threats. Therefore, the proposed amendment adds a definition for “threat (other than bomb threat or false alarm).”

Additionally, the Task Force reviewed the method of determining persistently dangerous schools and determined that serious violent incidents included in the SVI and used for the purposes of determining persistently dangerous schools, pursuant to section 120.3 of the Commissioner’s regulations, shall only include the following category of incidents: homicide, sexual offense, assault, and incidents involving the possession or use of a weapon.

4. COSTS:

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: In general, the proposed rule does not impose any costs beyond those imposed by Education Law § 2802. School districts, BOCES and county vocational education and extension boards continue to be required to collect information on violent and disruptive incidents as part of existing record-keeping procedures. There may be additional costs associated with changing software programming, etc. to report the new category of “threat (other than bomb threat or false alarm).” Actual costs may vary significantly due to the software programs and applications used by the reporting entity.

(c) Cost to private regulated parties: The proposed amendment does not impose any additional costs on regulated parties.

(d) Cost to the regulatory agency: The proposed amendment will not impose any additional costs on the Department, beyond those currently incurred for VADIR reporting purposes.

5. LOCAL GOVERNMENT MANDATES:

As required by Education Law § 2802 the proposed amendment continues to require school districts, boards of cooperative educational services and county vocational education and extension boards to submit to the Commissioner annual reports of violent or disruptive incidents that occurred in the prior school year. The proposed amendment adds an additional category, “threats (other than bomb threat or false alarm)”, to the violent or disruptive incidents to be reported.

6. PAPERWORK:

A school district, BOCES or county vocational education and extension board must continue to collect and maintain information on each violent or disruptive incident as defined by this amendment. School districts, BOCES and county vocational education and extension boards continue to be required to electronically submit a report to the Commissioner containing the information on all of the violent or disruptive incidents that occurred in the prior school year.

7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to implement Education Law § 2802 and consistent with the recommendations of the Safe Schools Task Force. There were no significant alternatives considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

It is anticipated that regulated parties can achieve compliance with the proposed rule by its effective date of July 1, 2021. The proposed rule provides school districts with additional time to make and implement any changes to their internal violent and disruptive incident reporting systems.

Regulatory Flexibility Analysis

(a) Small businesses:

As required by Education Law section 2802 the proposed amendment continues to require school districts, boards of cooperative educational services and county vocational education and extension boards to submit to the Commissioner annual reports of violent or disruptive incidents that occurred in the prior school year.

Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The rule applies to all school districts, BOCES, charter schools, county vocational education and extension boards required to submit to the Commissioner annual reports of violent or disruptive incidents that occurred in the prior school year. The proposed rule is necessary to update the definitions of violent and disruptive incidents for purposes of the uniform violent and disruptive incident reporting system (VADIR), also known as the safe schools and educational climate (SSEC) reporting system, consistent with the requirements of Education Law § 2802 and the Safe Schools Task Force. The proposed amendment is also necessary to update the serious violent incidents that are included in the School Violence Index (SVI) and used for the purposes of determining persistently dangerous schools, consistent with the recommendations of the Safe Schools Task Force.

2. COMPLIANCE REQUIREMENTS:

Both federal and State law require the Department to implement a statewide policy that identifies persistently dangerous public elementary and secondary schools for the purpose of unsafe school choice. Enacted as part of the Safe Schools Against Violence in Education Act (SAVE) in 2001, Education Law § 2802 required the Commissioner, in conjunction with the Division of Criminal Justice Services, to establish a statewide uniform violent and disruptive incident reporting system (VADIR), also

known today as the school safety and educational climate (SSEC) reporting system, and to promulgate regulations defining “violent or disruptive incidents.” In order to implement this section, Commissioner’s regulation § 100.2(gg) was developed in consultation with the Division of Criminal Justice Services, as well as legislative and executive staff, and required schools to record information about violent and disruptive incidents beginning in the 2001-2002 school year.

To fulfill the requirements of federal law relating to unsafe school choice, Education Law § 2802 requires the Commissioner to annually determine which public elementary and secondary schools are persistently dangerous, in accordance with the Commissioner’s regulations. Each school is required to maintain a record of all violent and disruptive incidents that occur within each school year, from July 1 through June 30, and to provide an annual report of such incidents to the superintendent. Schools must submit to the Department the number of incidents in each category outlined in Commissioner’s regulations § 100.2(gg). Using this VADIR data, the Department calculates the School Violence Index (SVI) for determining which schools are persistently dangerous.

Immediately following the mass shooting tragedy at Sandy Hook Elementary School in 2012, the Board of Regents directed the Department to re-establish the New York State Safe Schools Task Force, which was first established in 1999. Starting in May 2013, the Task Force met repeatedly across many months, culminating in the September 2014 presentation of 36 recommendations to the Board of Regents. The Department adopted amendments to the VADIR system at the December 2016 Regents meeting, effective July 1, 2017. These amendments revised the method for collecting incident data that incorporated both VADIR and Dignity for All Students Act (DASA) reporting into one reporting structure and revised definitions developed by the Task Force to provide a greater degree of clarity and to better align with the intent of VADIR. However, the current VADIR system prescribed in § 100.2(gg) has had the unintended effect of having certain incidents included in VADIR that do not necessarily reflect violent and/or disruptive incidents. Therefore, amendments to the Commissioner’s regulations are necessary to ensure that VADIR only includes incidents that are truly violent and/or disruptive to better align with the intent of the VADIR system, which is not to be punitive but rather to inform policies for reducing school violence.

The Task Force determined that the definitions prescribed in § 100.2(gg) should be revised as follows:

- The terms “other sex offenses,” “forcible sex offenses,” and “assault” are revised to be consistent with the definitions of such terms in the New York State Penal Law (Penal Law) and to reflect developmental age and intent. Additionally, a requirement that the school has referred the person to the police for the act reported was added to these definitions so that VADIR only reflects the most serious of violent incidents;
- The term “weapon” is revised to be consistent with the definition of such term in the Penal Law, to accurately reflect all of the Penal Law’s enumerated list of weapons; and
- The Task Force recognized that while the VADIR system collects incidents of “bomb threat” and “false alarm,” there is no category to collect other forms of school threats. Therefore, the proposed amendment adds a definition for “threat (other than bomb threat or false alarm).”

Additionally, the Task Force reviewed the method of determining persistently dangerous schools and determined that serious violent incidents included in the SVI and used for the purposes of determining persistently dangerous schools, pursuant to section 120.3 of the Commissioner’s regulations, shall only include the following category of incidents: homicide, sexual offense, assault, and incidents involving the possession or use of a weapon.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

In general, the proposed rule does not impose any costs beyond those imposed by Education Law § 2802. School districts, BOCES and county vocational education and extension boards continue to be required to collect information on violent and disruptive incidents as part of existing record-keeping procedures. There may be additional costs associated with changing software programming, etc. to report the new category of “threat (other than bomb threat or false alarm).” Actual costs may vary significantly due to the software programs and applications used by the reporting entity. The proposed amendment will not impose any additional costs on the Department, beyond those currently incurred for VADIR reporting purposes.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

6. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Education Law § 2802 and is consistent with the recommendations of the Safe Schools Task Force. There were no significant alternatives considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to school districts, boards of cooperative educational services (BOCES), charter schools and county vocational education and extension boards, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

Both federal and State law require the Department to implement a statewide policy that identifies persistently dangerous public elementary and secondary schools for the purpose of unsafe school choice. Enacted as part of the Safe Schools Against Violence in Education Act (SAVE) in 2001, Education Law § 2802 required the Commissioner, in conjunction with the Division of Criminal Justice Services, to establish a statewide uniform violent and disruptive incident reporting system (VADIR), also known today as the school safety and educational climate (SSEC) reporting system, and to promulgate regulations defining “violent or disruptive incidents.” In order to implement this section, Commissioner’s regulation § 100.2(gg) was developed in consultation with the Division of Criminal Justice Services, as well as legislative and executive staff, and required schools to record information about violent and disruptive incidents beginning in the 2001-2002 school year.

To fulfill the requirements of federal law relating to unsafe school choice, Education Law § 2802 requires the Commissioner to annually determine which public elementary and secondary schools are persistently dangerous, in accordance with the Commissioner’s regulations. Each school is required to maintain a record of all violent and disruptive incidents that occur within each school year, from July 1 through June 30, and to provide an annual report of such incidents to the superintendent. Schools must submit to the Department the number of incidents in each category outlined in Commissioner’s regulations § 100.2(gg). Using this VADIR data, the Department calculates the School Violence Index (SVI) for determining which schools are persistently dangerous.

Immediately following the mass shooting tragedy at Sandy Hook Elementary School in 2012, the Board of Regents directed the Department to re-establish the New York State Safe Schools Task Force, which was first established in 1999. Starting in May 2013, the Task Force met repeatedly across many months, culminating in the September 2014 presentation of 36 recommendations to the Board of Regents. The Department adopted amendments to the VADIR system at the December 2016 Regents meeting, effective July 1, 2017. These amendments revised the method for collecting incident data that incorporated both VADIR and Dignity for All Students Act (DASA) reporting into one reporting structure and revised definitions developed by the Task Force to provide a greater degree of clarity and to better align with the intent of VADIR. However, the current VADIR system prescribed in § 100.2(gg) has had the unintended effect of having certain incidents included in VADIR that do not necessarily reflect violent and/or disruptive incidents. Therefore, amendments to the Commissioner’s regulations are necessary to ensure that VADIR only includes incidents that are truly violent and/or disruptive to better align with the intent of the VADIR system, which is not to be punitive but rather to inform policies for reducing school violence.

The Task Force determined that the definitions prescribed in § 100.2(gg) should be revised as follows:

- The terms “other sex offenses,” “forcible sex offenses,” and “assault” are revised to be consistent with the definitions of such terms in the New York State Penal Law (Penal Law) and to reflect developmental age and intent. Additionally, a requirement that the school has referred the person to the police for the act reported was added to these definitions so that VADIR only reflects the most serious of violent incidents;
- The term “weapon” is revised to be consistent with the definition of such term in the Penal Law, to accurately reflect all of the Penal Law’s enumerated list of weapons; and
- The Task Force recognized that while the VADIR system collects incidents of “bomb threat” and “false alarm,” there is no category to collect other forms of school threats. Therefore, the proposed amendment adds a definition for “threat (other than bomb threat or false alarm).”

Additionally, the Task Force reviewed the method of determining persistently dangerous schools and determined that serious violent incidents included in the SVI and used for the purposes of determining persistently dangerous schools, pursuant to section 120.3 of the Commissioner’s regulations, shall only include the following category of incidents: homicide, sexual offense, assault, and incidents involving the possession or use of a weapon.

The proposed rule does not impose any additional professional services requirements on entities in rural areas.

3. COMPLIANCE COSTS:

In general, the proposed rule does not impose any costs beyond those imposed by Education Law § 2802. School districts, BOCES and county vocational education and extension boards continue to be required to collect information on violent and disruptive incidents as part of existing record-keeping procedures, included those located in rural areas. There may be additional costs associated with changing software programming, etc. to report the new category of "threat (other than bomb threat or false alarm)." Actual costs may vary significantly due to the software programs and applications used by the reporting entity. The proposed amendment will not impose any additional costs on the Department, beyond those currently incurred for VADIR reporting purposes.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Education Law § 2802 and is consistent with the recommendations of the Safe Schools Task Force. Therefore, no alternatives were considered for school districts, BOCES, and county vocational education and extension boards located in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools, including those in rural areas.

Job Impact Statement

The purpose of the proposed rule is to update the definitions of violent and disruptive incidents for purposes of the uniform violent and disruptive incident reporting system (VADIR), also known as the safe schools and educational climate (SSEC) reporting system, consistent with the requirements of Education Law § 2802 and the Safe Schools Task Force. The proposed amendment is also necessary to update the serious violent incidents that are included in the School Violence Index (SVI) and used for the purposes of determining persistently dangerous schools, consistent with the recommendations of the Safe Schools Task Force. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

New York State Energy Research and Development Authority

NOTICE OF ADOPTION

CO₂ Allowance Auction Program

I.D. No. ERD-19-20-00012-A

Filing No. 899

Filing Date: 2020-12-14

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of sections 507.2(f), (g), (h), (n), 507.6(g), (h); amendment of section 507.4(d) of Title 21 NYCRR.

Statutory authority: Public Authorities Law, sections 1850-a, 1851, 1854, 1855; Climate Leadership and Protection Act, section 75-103.4

Subject: CO₂ Allowance Auction Program.

Purpose: Continued administration and implementation of the CO₂ allowance auctions and programs under Part 507.

Text or summary was published in the May 13, 2020 issue of the Register, I.D. No. ERD-19-20-00012-ERD.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Peter Keane, NYSERDA, 17 Columbia Circle, Albany, NY 12203, (518) 862-1090, email: pete.keane@nyserdanyny.gov

Additional matter required by statute: Pursuant to Article 8 of the State

Environmental Quality Review Act, a Short Environmental Assessment Form and a Coastal Zone Assessment Form have been prepared and are on file.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The Regional Greenhouse Gas Initiative (RGGI) is a cooperative, historic effort among New York and nine Participating States¹ and is the first mandatory, market-based carbon dioxide (CO₂) emissions reduction program in the United States. Since its inception in 2008, RGGI has utilized a market-based mechanism to cap and cost-effectively reduce emissions that cause climate change. Recently, New York along with the Participating States completed a comprehensive program review and announced a proposal to lower the regional emissions cap established under RGGI to approximately 75 million tons in 2021, declining 3.0 percent a year through 2030.² Accordingly, New York and the then-Participating States committed to propose revisions, pursuant to state-specific regulatory processes, to their respective CO₂ Budget Trading Programs to further reduce CO₂ emissions from power plants in the region. To implement the updated RGGI program in New York State, the New York State Energy Research and Development Authority (the Authority) proposed revising 21 NYCRR Part, CO₂ Allowance Auction Program (the Program).

The Authority proposed revisions to Part 507 on May 13, 2020. The public comment period closed at 5:00 P.M. on July 13, 2020. The Authority received written and video comments from over 900 commenters on the proposed revisions to Part 507 and on the Department of Environmental Conservation (DEC's) April 29, 2020 proposals for 6 NYCRR Part 242, CO₂ Budget Trading Program and 6 NYCRR Part 200, General Provisions. All of these comments have been reviewed, summarized, and responded to by the Authority and/or DEC.

The vast majority of commenters, while supportive of the revisions to the Program, emphasized the need to ensure alignment with the Climate Leadership and Community Protection Act (CLCPA).³ Most notably, comments on specific aspects of the proposed revisions to the Program addressed the process and use of RGGI CO₂ allowance auction proceeds by the Authority and the need to dedicate a minimum percentage of the overall benefits of such investments to disadvantaged communities in accordance with the CLCPA and in a transparent manner. Other comments addressed the reduction in the CO₂ emission cap relative to the goals and requirements of the CLCPA, the applicability expansion to certain units 15 megawatts (MW) and larger and the need to cover additional sources, as well as the need for transparency in emission reporting. Additional commenters requested RGGI funds be used to support certain types of activities, including specific projects. The Authority's responses to these and all other comments received are summarized below.

First, a substantial number of comments were received asking the Authority to ensure that RGGI proceeds are invested in ways that prioritize frontline, environmental justice, and disadvantaged communities, with at least 40% of the revenue dedicated to projects and programs that directly benefit disadvantaged communities. The Authority responded that changes to Part 507 are consistent with the Climate Leadership and Community Protection Act (CLCPA) goal that 40% of benefits from investments in energy efficiency and clean energy, and not less than 35% of benefits, are realized by disadvantaged communities. Further, the Authority noted it will look to the outcome of the work of the Climate Justice Working Group, which is tasked with developing a definition and list of disadvantaged communities. Several commenters also requested there be a means by which to see how these provisions are being met, to which the Authority replied that its annual budget process will examine the allocation of projected funds that will be expected to meet the requirements. Other comments requested that the Authority collaborate with the Climate Justice Working Group and disadvantaged communities in developing its plans for use of RGGI proceeds. The Authority replied that it is developing an approach for collaborating with stakeholders and disadvantaged communities on program and initiative development through its Energy Affordability and Equity team. This collaboration will include input from the Climate Justice Working Group, in furtherance of realizing the stated directions of the Climate Act regarding investments and benefits for disadvantaged communities.

The Authority received comments requesting that the reduction targets under the Program reflect the greenhouse gas (GHG) emissions reduction and renewable energy requirements of the CLCPA. DEC also received similar comments. In response, DEC recognized that additional GHG emission reductions from power plants beyond those addressed in the revisions to Part 242 will be necessary on a Statewide basis to meet the requirements of the CLCPA. The DEC noted that the CO₂ budgets established are consistent with the State's commitment to implement the

proposed changes previously announced by RGGI participating states. Furthermore, the next program review scheduled to begin in 2021 will allow New York to factor the CLCPA's requirements and process in that review.

A couple of commenters, while noting that the Program reduced the number of offset categories, offered suggestions about the potential for additional offset categories in the future with a primary focus on farming. DEC responded by indicating it would take this potential for additional offsets under the RGGI program into consideration during the next RGGI program review. DEC also noted that the Agriculture and Forestry Advisory Panel of the CAC is considering various policies to further reduce or sequester GHG emissions from this sector, as part of the overall implementation of the CLCPA.

A couple of commenters suggested that the DEC should track and report emissions of CO₂ and co-pollutants from affected sources in a transparent manner. DEC responded that emissions for facilities are already posted on a quarterly basis in a transparent manner in the RGGI CO₂ Allowance Tracking System (COATS) found at: <https://rggi-coats.org/eats/rggi/>. In addition, co-pollutant emissions, including criteria pollutants and hazardous air pollutants, are posted to the Open NY website at: <https://data.ny.gov/Energy-Environment/Title-V-Emissions-Inventory-Beginning-2010/4ry5-tfin..> The Authority also noted that RGGI investments in energy efficiency, renewable or non-carbon emitting technologies, and/or innovative carbon emissions abatement technologies may also reduce co-pollutants.

While a number of commenters approved of the Program revisions to expand applicability to units 15 MW, they suggested a further applicability expansion to units smaller than 15 MW given the disproportionate impact these facilities have on environmental justice communities. DEC noted that the CLCPA includes multiple provisions that recognize that historically disadvantaged communities often suffer disproportionate and inequitable impacts from climate change, and that the revisions to Part 242 to expand its applicability are consistent with those provisions. DEC added that it will consider further expansion of the applicability provisions in Part 242 as part of the next RGGI program review. In addition to factoring in the requirements of the CLCPA process, this will allow DEC to be informed by the deliberations and actions of the CJWG established by the CLCPA, including the CJWG's identification of disadvantaged communities pursuant to the statute.

Several commenters discussed using RGGI funding to improve farming practices. One commenter mentioned in detail that practices that improve on-farm resiliency represent great untapped potential in climate policy in New York and that a soil health program should be a major component of or companion parallel program to any serious effort to address climate change. Another urged measures to help farmers sequester carbon in soils and site wind turbines. In response, while outside the scope of this rulemaking, DEC recognized that additional GHG emission reductions will be informed by the deliberations of the CAC pursuant to the CLCPA and noted that the Agriculture and Forestry Advisory Panel of the CAC is considering various policies to further reduce or sequester GHG emissions from this sector, as part of the overall implementation of the CLCPA. In addition, the Authority mentioned that the RGGI auction proceeds will be directed into the Energy Efficiency and Clean Energy Technology Account, which will "promote and reward investments in energy efficiency, renewable or non-carbon emitting technologies, and/or innovative carbon emissions abatement technologies with significant carbon reduction potential" in accordance with Part 507.

Finally, a number of requestors made specific requests for uses of RGGI funds. The Authority replied by stating it welcomes engagement and input that will advance the stated purpose of the Energy Efficiency and Clean Energy Technology Account, which is to "promote and implement programs in energy efficiency, renewable or non-carbon emitting technologies, and innovative carbon emissions abatement technologies with significant carbon reduction potential" as stated in Part 507.

¹ In addition to New York, the RGGI Participating States include: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont. Pennsylvania has expressed interest in potentially becoming a RGGI Participating State, while Virginia recently finalized its own regulation so that it will become a RGGI Participating State as of January 1, 2021.

² The Participating States released the Updated Model Rule on August 23, 2017. The Participating States also released Principles to Accompany Model Rule Amendments on December 19, 2017.

³ Actions under the CLCPA can be tracked at: <https://climate.ny.gov/>.

Department of Environmental Conservation

NOTICE OF ADOPTION

Emissions Limits for 2030 and 2050, As a Percentage of 1990 Levels, Required by Climate Leadership and Community Protection Act

I.D. No. ENV-33-20-00007-A

Filing No. 901

Filing Date: 2020-12-15

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Part 496 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, section 75-0107

Subject: Emissions limits for 2030 and 2050, as a percentage of 1990 levels, required by Climate Leadership and Community Protection Act.

Purpose: To limit greenhouse gas emissions that endanger public health and the environment.

Text of final rule: § 496.1 Purpose

This Part adopts limits on the emissions of greenhouse gases from across the State and all sectors of the State economy for the years 2030 and 2050, as a percentage of 1990 emission levels of 60 percent and 15 percent, respectively, as established in the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019.

§ 496.2 Applicability

This Part applies to all parts of the State and to all State agencies, offices, authorities, and divisions in the context of programs, regulations, decisions, and planning documents specified in the Climate Leadership and Community Protection Act.

§ 496.3 Definitions

For the purposes of this Part, the following definitions apply:

(a) 'Anthropogenic greenhouse gases.' Greenhouse gas emissions resulting from or produced by human activities.

(b) 'Carbon Dioxide Equivalent.' The amount of carbon dioxide by mass that would produce the same global warming impact as the given mass of another greenhouse gas over a specific time frame, as determined by the IPCC, and as provided in Section 496.5 of this Part.

(c) 'Greenhouse Gas.' Gaseous constituents of the atmosphere that absorb and emit radiation at specific wavelengths within the spectrum of terrestrial radiation emitted by the Earth's surface, the atmosphere itself, and by clouds. For the purposes of the Part, this includes substances provided in Section 496.5 of this Part.

(d) 'GWP20.' An assessment of the Global Warming Potential of greenhouse gases over an integrated twenty-year time frame.

(e) 'IPCC.' Intergovernmental Panel on Climate Change.

(f) 'Statewide Greenhouse Gas Emission Limit.' The maximum allowable level of gross statewide greenhouse gas emissions in a specified year.

(g) 'Statewide Greenhouse Gas Emissions.' Total annual emissions of greenhouse gases produced within the state from anthropogenic sources and greenhouse gases produced outside of the state that are associated with the generation of electricity imported into the state and the extraction and transmission of fossil fuels imported into the state, expressed in tons of carbon dioxide equivalents.

§ 496.4 Statewide Greenhouse Gas Emission Limits

(a) For the purposes of this Part, the estimated level of statewide greenhouse gas emissions in 1990 is 409.78 million metric tons of carbon dioxide equivalent, using a GWP20 as provided in Section 496.5 of this Part.

(b) For the purposes of this Part, the table below establishes statewide emission limits for the year specified, as a percentage of estimated 1990 statewide greenhouse gas emissions of 60 percent and 15 percent, respectively, measured in millions of metric tons of carbon dioxide equivalent gas using a GWP20 as provided in Section 496.5 of this Part.

Year	Statewide greenhouse gas emission limit (in million metric tons of carbon dioxide equivalent)
2030	245.87
2050	61.47

§ 496.5 Greenhouse Gases

For the purposes of this Part, the table below provides a carbon dioxide equivalent value for each greenhouse gas as provided by the IPCC using GWP20.

Greenhouse Gas	Carbon dioxide equivalent value
Carbon dioxide	1
Methane	84
Nitrous oxide	264
HFC-23	10,800
HFC-32	2430
HFC-41	427
HFC-125	6090
HFC-134	3580
HFC-134a	3710
HFC-143	1200
HFC-143a	6940
HFC-152	60
HFC-152a	506
HFC-161	13
HFC-227ca	5080
HFC-227ea	5360
HFC-236cb	3480
HFC-236ea	4110
HFC-236fa	6940
HFC-245ca	2510
HFC-245cb	6680
HFC-245ea	863
HFC-245eb	1070
HFC-245fa	2920
HFC-263fb	278
HFC-272ca	530
HFC-329p	4510
HFC-365mfc	2660
HFC-43-10mee	4310
HFC-1132a	<1
HFC-1141	<1
(Z)-HFC-1225ye	<1
(E)-HFC-1225ye	<1
(Z)-HFC-1234ze	1
HFC-1234yf	1
(E)-HFC-1234ze	4
(Z)-HFC-1336	6
HFC-1243zf	1
HFC-1345zfc	<1
3,3,4,4,5,5,6,6,6-Nonafluorohex-1-ene	<1
3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-Heptafluorodec-1-ene	<1
Nitrogen trifluoride	12,800
Sulphur hexafluoride	17,500
PFC-14	4880
PFC-116	8210
PFC-c216	6850
PFC-218	6640
PFC-318	7110
PFC-31-10	6870

Perfluorocyclopentene	7
PFC-41-12	6350
PFC-51-14	5890
PFC-61-16	5830
PFC-71-18	5680
PFC-91-18	5390
Perfluorodecalin (cis)	5430
Perfluorodecalin (trans)	4720
PFC-1114	<1
PFC-1216	<1
Perfluorobuta-1,3-diene	<1
Perfluorobut-1-ene	<1
Perfluorobut-2-ene	6

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 496.3, 496.4 and 496.5.

Text of rule and any required statements and analyses may be obtained from: Suzanne Hagell, NYSDEC Office of Climate Change, 625 Broadway, Albany, NY 12233-3251, (518) 549-8448, email: suzanne.hagell@dec.ny.gov

Additional matter required by statute: Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form, a Negative Declaration and a Coastal Assessment Form have been prepared and are on file.

Summary of Revised Regulatory Impact Statement

On July 18, 2019 Governor Cuomo signed into law the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (CLCPA). Among other requirements, the CLCPA adds a new Article 75 to the Environmental Conservation Law (ECL), including ECL Section 75-0107. This section directs the Department of Environmental Conservation (the Department) to adopt regulations establishing statewide emission limits. Therefore, the Department is proposing 6 NYCRR Part 496, Statewide Greenhouse Gas Emission Limits (the “proposed rule” or “Part 496”). As called for in ECL Section 75-0107, the proposed rule will establish the two statewide greenhouse gas emission limits called for in the CLCPA: a limit for 2030 that is equal to 60% of 1990 greenhouse gas emission levels and a limit for 2050 that is equal to 15% of 1990 emission levels. Part 496 will translate the statewide percentage emission reduction requirements, as set forth in the CLCPA, into tonnage limits based on carbon dioxide equivalents.

The statewide emission limits established by the proposed rule will be the foundation for multiple components of the CLCPA and are critically important for the successful implementation of the CLCPA. For example, the Scoping Plan to be developed by the Climate Action Council must outline recommendations regarding regulatory measures and other State actions to ensure attainment of the statewide greenhouse gas emission limits. Similarly, the statewide greenhouse gas emission limits established in Part 496 will serve as the baseline for the promulgation of future regulations by the Department under the CLCPA, which the CLCPA requires to ensure compliance with the statewide emission reduction limits. ECL § 75-0109.

1. Statutory Authority

The statutory authority to promulgate this rulemaking is derived from ECL Section 75-0107, as added by the CLCPA. This section of the ECL directs the Department to promulgate a regulation that establishes statewide greenhouse gas emission limits as specified percentages of estimated 1990 emissions, expressed in tons of carbon dioxide equivalents. The adoption of Part 496 will fulfill this statutory directive.

2. Legislative Objectives

The CLCPA, as provided in ECL Section 75-0107, directs the Department to establish a statewide greenhouse gas emissions limit for the years 2030 and 2050 equal to sixty (60) percent and fifteen (15) percent of 1990 emissions, respectively. The proposed rule seeks to implement this requirement by establishing an estimate of total statewide greenhouse gas emissions in 1990, or a baseline, and then establishing emission limits as a percent of that baseline. Both the 1990 baseline and the emission limits for 2030 and 2050 are expressed in millions of metric tons of carbon dioxide equivalent.

In determining the scope of the emission sources and gases to be included in the estimation of 1990 emissions, the Department followed the

requirements in Section 75-0107 and other related provisions of the CLCPA. The Department generally used protocols established by the Intergovernmental Panel on Climate Change (IPCC), which is a scientific body convened to support the United Nations Framework Convention on Climate Change (UNFCCC). To the extent the CLCPA establishes requirements that differ from the IPCC protocol, the Department followed the CLCPA provisions. Overall, the Department's objective in developing the proposed rule was to estimate 1990 emission levels using the best and most reliable information available.

In addition to this proposed rule, which is based on an estimate of 1990 emission levels, the CLCPA requires the Department to issue an annual statewide greenhouse emissions report. ECL § 75-0105. The Department will continue to incorporate appropriate new information regarding all relevant sources as part of the annual emissions reports.

The CLCPA directs the Department to set greenhouse gases on a common scale using the carbon dioxide equivalence metric (CO₂e) and the 20-year Global Warming Potential (GWP20) of each gas, which the Department derived from the IPCC Fifth Assessment Report (AR5). In addition, the CLCPA establishes that the statewide emission limit, and therein the emission reduction requirements of the CLCPA, include certain emission sources that are located outside of the State borders. ECL § 75-0101(13) defines statewide greenhouse gas emissions as including emissions associated with imported electricity and fossil fuels. The proposed rule is consistent with these statutory objectives.

Finally, the CLCPA's 100 percent emission reduction goal, or a goal of attaining net zero emissions, is not part of the Legislature's direction to the Department for promulgating the statewide emission limits. Hence, the proposed rule includes anthropogenic emissions, but not removals of these emissions, such as through carbon sequestration and storage in plants. A more thorough assessment of removals and net emissions from land use in New York will be included in the annual emissions reporting required by the CLCPA. The proposed rule establishes regulatory limits based on a percentage of gross 1990 emissions as opposed to net emissions, as required by the CLCPA.

3. Needs and Benefits

The CLCPA includes multiple actions that reference the statewide greenhouse gas emission limits established by this rule and therefore will rely on the data and content herein. This includes, but is not limited to, the development of a scoping plan by the Climate Action Council, the issuance of an annual statewide greenhouse gas emissions report, the promulgation of regulations, and the publishing of an implementation report by the Department. ECL § § 75-0103, 75-0105, 75-0109, and 75-0119. The CLCPA also requires that all State agencies, offices, authorities, and divisions consider the attainment of the statewide greenhouse gas emission limits established in ECL Article 75 in considering and issuing permits, licenses, and other administrative approvals and decisions. CLCPA § 7(2).

Description of Sectoral Methods and Results

The New York State Energy Research and Development Authority (NYSERDA) has provided a regularly-updated inventory of greenhouse gas emissions in the state that follows standard IPCC protocol. As discussed, the CLCPA established certain key requirements that differ from the IPCC protocol. Hence, the Department worked with NYSERDA in 2020 to evaluate the 1990 baseline and conduct new analyses as needed for this rulemaking. New analyses were not required in all cases, as the new requirements of the CLCPA do not completely differ from the methodology historically used by NYSERDA. As such, many components of the estimates provided here are the same or similar to the previous State inventory.

Analytic methods, data sources, and results are described for each of four major IPCC sectors: Energy, Industrial Processes and Product Use (IPPU), Agriculture Forestry and Other Land Use (AFOLU), and Waste. Each section below represents a separate set of analyses and results that together form the 1990 baseline summarized in Table 1, which is used to establish the statewide greenhouse gas emission limits.

Table 1. Total Statewide Greenhouse Gas Emissions in 1990 by IPCC Sector and Gas, in GWP20. Totals may not sum due to independent rounding.

MMTCO₂e (AR5 - 20 year GWP)

Sector	CO ₂	CH ₄	N ₂ O	PFCs	HFCs	SF ₆	NF ₃	Total
Energy	259.96	71.76	1.32	-	-	4.00	-	337.04
IPPU	1.76	0.00	0.00	0.90	0.05	0.01	0.00	2.72
AFOLU	0.05	13.07	4.01	-	-	-	-	17.13
Waste	3.03	49.35	0.50	-	-	-	-	52.88
Total	264.80	134.19	5.83	0.90	0.05	4.01	0.00	409.78

1. Energy

The Energy sector includes five (5) main categories: (a) Fuel Combustion, (b) Fugitive Emissions, (c) Electricity Transmission, (d) Imported Fuels, and (e) Imported Electricity. The latter two categories are not included in IPCC protocol or other governmental greenhouse gas inventories, but as described above are two key distinct requirements of the CLCPA for this rulemaking. These two categories represent an estimate of what may be referred to as the lifecycle, fuel cycle, or out-of-state upstream emissions associated with in-state energy demand and consumption.

2. Industrial Processes and Product Use (IPPU)

The Industrial Process and Product Use (IPPU) sources assessed for the 1990 baseline are organized into five (5) categories: Mineral Industry, Chemical Industry, Metal Industry, Electronics Industry, and Product Uses.

3. Agriculture Forestry and Other Land Use (AFOLU)

Under the IPCC protocol, the Agriculture Forestry and Other Land Use sector includes emission sources and removals associated with land management in four (4) categories: Livestock, Land Use, Aggregated Sources, and Other. As discussed, because the emission limit in the proposed rule is a gross rather than net limit, anthropogenic emissions are included in the proposed rulemaking, but not removals.

4. Waste

The Waste sector includes four (4) categories of emission sources: Solid Waste Disposal, Biological Treatment of Solid Waste, Waste Combustion, and Wastewater.

Stakeholder Outreach

The Department conducted pre-proposal, stakeholder outreach starting the date on which the CLCPA went into effect, or January 1, 2020, through May 2020. This included two public webinars held on February 14 and 28, 2020 to discuss the scope and key considerations of this rulemaking as well as other presentations and meetings with various stakeholders, including members of the Climate Action Council, by request. The Department also consulted with other State agencies and authorities, including NYSERDA, the Department of Transportation, the Department of Public Service, and the Department of Agriculture and Markets. The Department reviewed the feedback received in this stakeholder outreach as part of further developing Part 496.

4. Costs

The proposed rule does not impose a compliance requirement on any entity, and therefore does not directly impose any costs on any regulated entities. As explained above, the proposed rule establishes a tonnage limit on statewide greenhouse gas emissions from across the New York economy, consistent with the statutory percentage reduction limits set forth in the CLCPA. Other regulatory and non-regulatory policies will be required to ensure that these emission limits are met, as contemplated in the CLCPA. As such, while this rule does not itself impose a cost on any entity, future actions by the Department and other State agencies to implement the CLCPA will consider costs as necessary and appropriate. This includes as part of any Department rulemaking actions pursuant to the State Administrative Procedure Act.

5. Paperwork

The proposed rule does not itself impose any paperwork or reporting requirements. However, additional and separate policies may be adopted at a later date that are related to this rule. Any paperwork or reporting requirements will be assessed as part of any such future actions.

6. Local Government Mandates

The proposed rule will not create any mandates for local governments as compared to other entities.

7. Duplication

This proposal does not duplicate, overlap, or conflict with any other existing federal or State regulations or statutes. Instead, as described above, Part 496 places into regulation requirements of the CLCPA by translating the statewide emission reduction requirements into tonnage limits for 2030 and 2050.

8. Alternatives

The Department is required to adopt statewide greenhouse gas limits in regulation per the CLCPA as set forth in ECL Section 75-0107, so it is not viable to take a no-action alternative. Alternatives to the specific methodology for estimating 1990 greenhouse gas emission levels for particular sectors, categories, or subcategories were considered by the Department on a case-by-case basis.

9. Federal Standards

There are no enforced federal rules or other restrictions for the adoption of statewide limits on greenhouse gases, regardless of whether such statewide emission limit also includes certain out-of-state emissions associated with in-state consumption. Therefore, this proposal does not result in the imposition of requirements that exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance Schedule

The proposed rule will be effective immediately upon publication of the

final rule in the State Register. However, there is no compliance schedule required by the establishment of the proposed rule because, as discussed above, the rule does not itself impose any compliance obligations on any entity. Finally, the 2030 and 2050 dates for the applicable statewide greenhouse gas emission limits in the rule are specifically set forth in the CLCPA.

Revised Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

The edits made to the Express Terms do not require any changes to the Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The New York State Department of Environmental Conservation (DEC or Department) proposed Part 496 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Part 496) in August 2020. The Department proposed Part 496 as required by Environmental Conservation Law (ECL) § 75-0107, as added by the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (CLCPA or Climate Act). DEC held two virtual public comment hearings on October 20, 2020, and accepted comments on the proposed rule through 5 pm on October 27, 2020. The Department received comments from 31 commenters on the proposed rule.

The Department received comments from individuals, elected officials, municipal governments, environmental advocacy groups, community groups, academia, and private businesses and trade groups including those related to electricity generation, fuel production and transmission/distribution, and manufacturing. Most commenters voiced their appreciation of the rule and the difficulties inherent to establishing a 1990 baseline per the requirements of the Climate Act. Many commenters suggested changes that are beyond the scope of this rule and expressed concern regarding unintended consequences of the rule and Climate Act. Some requested specific consideration of impacts to the State economy, specific fuel or technology providers, disadvantaged communities, and local governments. Several commented directly or implied that DEC is picking “winners and losers” as part of the rulemaking.

DEC appreciates that the Climate Act will require changes to State policy that touch upon the issues raised by commenters. However, as the Department explained in the Regulatory Impact Statement (RIS), while this rule is foundational to the overall implementation of the Climate Act, Part 496 does not itself impose any compliance obligations on any entity. Future actions by the Department and the State will be necessary to ensure the achievement of the statewide greenhouse gas (GHG) emission limits, as required by the Climate Act.

The intent of this rule is limited to establishing a framework for estimating 1990 emissions that is based on a) the requirements of the Climate Act, b) the best available science regarding the impacts of greenhouse gases on global climate change, and that c) encompasses statewide emission sources. Separate policies will be needed to ensure that the myriad goals and requirements of the CLCPA are met. Similarly, separate reporting may be needed to show emissions at larger or smaller spatial scales.

Several commenters expressed confusion or disagreement with DEC’s interpretation of the requirements of the Climate Act, primarily with regard to three topics: (1) the definition of “greenhouse gas”, (2) setting emission limits for “individual types of gases”, and (3) the treatment of gross versus net emissions. In each case, DEC developed its proposal to best reflect the requirements and intent of the Climate Act. Moreover, the Department explained that its approach in Part 496 was to be as consistent as possible with the model provided by United Nations and on which this portion of the law is based (“UN model”). Specifically, the Climate Act requires the use of a 1990 GHG emission baseline and the Global Warming Potential (GWP) metric to calculate the carbon dioxide equivalent value of each GHG, as in the UN model.

With respect to the first issue, commenters stated that this rule must apply the exact same definition of “greenhouse gas” as in the statute, which includes “any substance reasonably anticipated” to affect climate change. The regulatory definition of “greenhouse gas” in Part 496 is consistent with the statutory definition in the Climate Act, and specifically and clearly lists the gases that are within the scope of the regulation. To provide additional clarity regarding the list of GHGs included in the rule, DEC revised the rule to list these gases in an additional table, rather than incorporating a table by reference as had been proposed. Moreover, in response to comments, the Department added nitrogen trifluoride (NF3) to the list of GHGs, but notes that NF3 emissions were virtually nonexistent in 1990 and therefore would not contribute to the 1990 baseline. Other suggested substances either cannot be measured following the UN model

(aerosols) or are not included in the UN model because they would undermine it (ozone-depleting substances).

With respect to the second issue, DEC determined that, based on the overall statutory language and structure of the Climate Act, the rule would establish one collective statewide GHG emission limit for all individual GHGs for each relevant year. The Department lists all substances covered by the regulatory definition of “greenhouse gas,” as explained above, and the rule has set a limit for all such types of GHGs. A different approach that would establish separate and distinct emission limits for each of up to 200 or more individual gases would conflict with other requirements of the Climate Act, including specified statutory definitions and GHG accounting methodologies.

Moreover, as described in the RIS, the Department’s adoption of Part 496 is foundational to multiple components of the overall implementation of the Climate Act. The CLCPA contemplates that the Climate Action Council (Council) will make recommendations as part of the Scoping Plan regarding measures to achieve the statewide emission limits, including subsequent rulemaking by the Department or other State agencies. At this preliminary stage in the overall implementation of the CLCPA, consistent with this overall structure of the statute, the Department is not seeking through this rulemaking to make significant policy decisions regarding the level of emission reductions required for each type of GHG emission source. If the Department were to establish limits on individual types of greenhouse gases, it would conflict with this statutory objective and structure, because it may prematurely suggest or establish the relative amount of emission reductions necessary from each sector or type of source.

With regard to the third issue of gross versus net emissions, many commenters stated that DEC’s approach is incorrect because it is inconsistent with the UN or other models. Moreover, some commenters noted that the word “gross” is not found in the law, or asserted that the intent of the law was to provide for two different definitions of “net”. DEC disagrees that the rule is required to be identical to that of the UN model, as the Climate Act itself requires specific deviations from the UN Model, including the requirement that certain GHG emission sources outside of the State must be included in statewide GHG emissions and the use of the 20-year rather than 100-year GWP. Nevertheless, DEC’s approach is consistent with that model with regard to gross and net emissions as was explained in the RIS. The term “gross” is commonly reported alongside “net” emissions, such as in the annual U.S. national inventory, which follows the UN model.

DEC applied the term “gross” in this rule primarily because the Climate Act refers to two emission targets for 2050, one of which is referred to as a “net” zero emission goal. This regulation addresses only one of these two statutory emission targets for 2050: the 85x50 emission limit established in ECL § 75-0107. This rule does not directly address the separate net zero emission goal set forth in ECL § 75-0103(11). As discussed in the RIS, given these two separate statutory directives and the fact that only the former applies directly to this rulemaking, the Department developed the statewide GHG emission limit in this rule as a “gross” limit.

Some commenters suggested that the 2050 net zero goal is meant to include both net emissions as typically defined by the UN (or total emissions minus total removals) and “offsets”, which are a compliance mechanism used in certain cap-and-trade or other market-based policies. However, the term “offsets” is only used in the CLCPA to refer to an optional and separate policy measure referred to as the “Alternative Compliance Mechanism.” (ECL § 75-0109(4)) This is a mechanism that the Department may choose to adopt; the Department is not required to do so. If the Department chooses to adopt this mechanism in the future, it will be separate from this rulemaking and additional issues will need to be addressed. Some commenters made useful but non-substantive suggestions regarding improvements or corrections that were implemented in the final rule. As noted in the RIS, DEC has the authority to revise this rule when appropriate. In fact, all jurisdictions that maintain a 1990 baseline make continued improvements as new data or methods become available. Finally, a few commenters stated that DEC has failed to properly engage with Council in the development of this rule. As the law states, “the department shall... consult with the council, stakeholders, and the public,” which DEC has done. In addition to public meetings and individual meetings with Council members, this rule has been discussed at every Council meeting held since the Council was convened. DEC will continue to invite the Council, as well as every member of the public, to provide feedback on this rule in order to ensure that it is based on “the most accurate determination feasible”. This includes in the development of the annual statewide GHG emission report, which is subject to a separate non-regulatory process pursuant to a different provision of the Climate Act. ECL § 75-0105.

Department of Financial Services

NOTICE OF ADOPTION

Financial Statement Filings and Accounting Practices and Procedures

I.D. No. DFS-39-20-00025-A

Filing No. 900

Filing Date: 2020-12-14

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 83 (Regulation 172) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 107(a)(2), 301, 307, 308, 1109, 1301, 1302, 1308, 1404, 1405, 1407, 1411, 1414, 1501, 1505, 3233, 4117, 4233, 4239, 4301, 4310, 4321-a, 4322-a, 4327, 6404; Public Health Law, art. 44

Subject: Financial Statement Filings and Accounting Practices and Procedures.

Purpose: To make technical corrections and clarifications, add new subdivisions 83.4(t) and (u) and update incorporated references.

Text or summary was published in the September 30, 2020 issue of the Register, I.D. No. DFS-39-20-00025-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Michael Campanelli, New York State Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5290, email: Michael.Campanelli@dfs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The Department of Financial Services ("Department") received comments from a trade organization representing life insurance companies ("life trade"), three asset management firms (asset managers "A", "B", and "C"), a trade organization representing asset managers ("asset manager trade"), a retirement and financial services provider ("retirement provider"), and a life insurer. All comments received pertained to new Section 83.4(t) of the regulation.

Comment: The life trade expressed its concern that Section 83.4(t) deviates from the National Association of Insurance Commissioners' ("NAIC's") accounting treatment of bond exchange-traded funds ("ETFs") as bonds. Specifically, it averred that by not allowing New York-domiciled insurers to apply the NAIC standard, or something similar, the regulation would put such insurers at a significant disadvantage as compared to insurers domiciled in other states. The life trade further asserted that there is an opportunity to explore a different capital charge structure for these types of funds that is not as punitive as the capital charge associated with equity securities, stating that the risk profile of bond ETFs is not the same as that of traditional equities.

Response: As stated in the needs and benefits section of the regulatory impact statement for the regulation, the Department has determined that bond treatment is not appropriate for all bond ETFs and mutual funds designated by the NAIC's Accounting Practices and Procedure Manual for such treatment, but the Department recognizes that certain investments in ETFs and mutual funds may warrant treatment that is different from the common stock treatment currently required by the proposed regulation for those investments. The Department is currently analyzing investments in ETFs and mutual funds to determine which subset of those investments may warrant treatment that is different from that of common stock and what that treatment should be, and expects to promulgate a further amendment to the regulation to implement appropriate changes to the treatment of investments in ETFs and mutual funds resulting from this analysis.

Accordingly, the Department did not make any changes in response to this comment.

Comment: Asset manager "A" commented that it disagreed with the Department's present decision not to adopt the NAIC's accounting treatment of ETFs. Its comment included an extensive summary of the history, structure, and use of bond ETFs, a legal analysis in support of its view that

bond ETFs should be treated in the same manner as bonds, statements of public policy considerations related to insurer investments in bond ETFs, and recommendations regarding the Department's potential determination of a subset of bond ETFs to be accorded debt treatment in calculating reserves.

Asset manager "B" expressed support for the Department's planned approach, as set forth in the regulatory impact statement for the regulation, to recognize that certain investments in bond ETFs and mutual funds warrant treatment that differs from that of common stock, as is currently required by the proposed regulation.

Asset manager "C", while favoring the NAIC's treatment of bond ETFs, also expressed support for the Department's planned approach. In support of its view, it provided a detailed general overview of ETFs, a description of the growth in the use of fixed income ETFs by insurers, a discussion of the performance of fixed income ETFs during the coronavirus disease 2019 ("COVID-19") pandemic, and recommendations to the Department for analyzing investments in fixed income and preferred stock ETFs.

The asset manager trade requested that the Department quickly promulgate additional amendments to the regulation to ensure that insurers can treat reserve investments in certain bond ETFs as investments in bonds instead of as equities.

The retirement provider requested that the Department remove Section 83.4(t) from the proposed regulation and allow certain bond ETFs to receive bond accounting treatment in appropriate circumstances. Alternatively, the retirement provider requested that the Department promulgate Section 83.4(t) with an "extended effective date" to give the Department sufficient time to address its concerns and develop guidance to allow for appropriate use of this asset class by insurers.

The life insurer expressed its support for the Department's stated plan to implement appropriate changes to the treatment of investments in ETFs and mutual funds. The life insurer further stated that the Department should act swiftly and in a manner that creates certainty for insurers while minimizing disruption to existing investments.

Response: As noted above, the Department expects to promulgate a further amendment to the regulation to implement appropriate changes to the treatment of investments in bond ETFs and mutual funds. Therefore, the Department did not make any changes to the regulation in response to these comments.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Principle-Based Reserving

I.D. No. DFS-52-20-00001-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of Part 103 (Regulation 213) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 308, 4217 and 4517

Subject: Principle-Based Reserving.

Purpose: To prescribe minimum principle-based valuation standards.

Text of proposed rule: The title of section 103.3, (a) and (b) are amended as follows:

§ 103.3 Superintendent's authority to require [reserve] adjustments from the valuation manual.

(a) The superintendent may require a life insurance company to change an assumption or method that in the superintendent's opinion is necessary to comply with the requirements of the valuation manual or Insurance Law section 4217(g), and the life insurance company shall adjust the reserves as required by the superintendent. *Pursuant to Insurance Law section 308, the superintendent may request information from a life insurance company in addition to the information specified in the valuation manual.* The superintendent may take other disciplinary action as permitted by the Insurance Law, Financial Services Law, and any other applicable laws and regulations.

(b) For purposes of this Part, valuation manual shall have the meaning set forth in Insurance Law section 4217(g)(5).¹

Section 103.5(a) is amended as follows:

(a) Scope.

(1) This section applies to the following, whether group or individual, including both life contingent and term certain only contracts, directly written or assumed through reinsurance[, with the exception of benefits arising from variable annuities]:

- (i) immediate annuity contracts issued on or after January 1, 2019;
- (ii) deferred income annuity contracts issued on or after January 1, 2019;

(iii) structured settlements in payout or deferred status issued on or after January 1, 2019;

(iv) fixed payout annuities resulting from the exercise of settlement options or annuitizations of host contracts [issued], *for which the fixed payout annuities commence* on or after January 1, 2019;

(v) supplementary contracts, excluding contracts with no scheduled payments (such as retained asset accounts and settlements at interest), issued on or after January 1, 2019;

(vi) fixed income payment streams attributable to guaranteed living benefits associated with deferred annuity *and variable annuity* contracts [issued], *for which the fixed income payment streams commence* on or after January 1, 2019, once the contract funds are exhausted; and

(vii) certificates with premium determination dates on or after January 1, 2019, under non-variable group annuity and pure endowment contracts purchased under a retirement plan or plan of deferred compensation, established or maintained by an employer, including a partnership or sole proprietorship, or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuity contracts under Internal Revenue Code section 408.

Section 103.5(c)(3)(i)(b)(1) is amended as follows:

(1) is the Daily Valuation Rate defined by Section 3.C.5 of VM-22 of the valuation manual[, where the quarterly valuation rate, denoted by *lq*, is] *less the amount* determined in accordance with clause (a)(2) of this subparagraph for the calendar quarter preceding the business day immediately preceding the premium determination date;

The title of section 103.6 is amended as follows:

Valuation of variable annuity *and hybrid annuity* reserves.

Section 103.6(a)(1)(iii) is amended, (iv) is renumbered as (v), and a new (iv) is added as follows:

(iii) individual and group annuity contracts with guarantees similar in nature to GMDBs, VAGLBs, or any combination thereof; [and]

(iv) *hybrid annuities*; and

(v) all other insurance policies or annuity contracts that contain guarantees similar in nature to GMDBs or VAGLBs, even if the insurer does not offer the mutual funds or variable funds to which these guarantees relate, where there is no other explicit reserve requirement. If an insurer offers such a guarantee as part of an insurance policy or annuity contract that has an explicit reserve requirement and that guarantee does not currently have an explicit reserve requirement, then the minimum reserve held for the insurance policy or annuity contract shall equal the sum of:

(a) the reserve for the guarantee where for purposes of the reserve calculation, the guarantee is treated as a separate contract; and

(b) the reserve for the underlying insurance policy or annuity contract determined according to the explicit reserve requirement.

Section 103.6(b) is amended to read as follows:

(b) Effective dates and minimum valuation standards.

(1) This section is effective for all valuations on or after [January 1] *December 31, 2020*, regardless of when the insurance policies and annuity contracts were issued.

(2) *For those insurers that do not elect to apply the optional phase-in methodology of paragraph (3)(i)(b) of this subdivision and for all valuations after the phase-in period if elected, the minimum aggregate reserve shall be the greater of:*

(i) the sum of:

(a) *the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (d) of this section for insurance policies and annuity contracts issued prior to January 1, 2020; and*

(b) *the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (e) of this section for insurance policies and annuity contracts issued on or after January 1, 2020; or*

(ii) *the minimum reserve calculated in accordance with the methodology and assumptions prescribed by the valuation manual prior to reflecting any reinsurance ceded.*

(3) *Minimum valuation standards during the phase-in period for those insurers that elect to apply the optional phase-in methodology prescribed by subparagraph (i)(b) of this paragraph.*

(i) For insurance policies and annuity contracts issued prior to January 1, 2020:

[(i)] (a) The minimum reserve shall be the greater of:

[(a)] (1) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (d) of this section; and

[(b)] (2) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by the valuation manual prior to reflecting any reinsurance ceded.

[(ii)] (b) At the insurer's election, any positive amount equal to the excess of the [sum of the] aggregate minimum reserves determined in accordance with [subparagraph (i)(a) of this paragraph] *clause (a) of this*

subparagraph over [the greater of] the aggregate minimum reserves determined in accordance with the 2017 Actuarial Guideline XLIII [and the aggregate minimum reserves determined in accordance with the valuation manual] may be established [over a three-year period beginning on January 1, 2020] *as follows*. To comply with the requirements of this paragraph, such excess reserve amount shall be calculated each year and established in the following manner:

[(a)] (1) [one-third] *one-fifth* of the excess reserve amount shall be established by December 31, 2020;

[(b)] (2) [two-thirds] *two-fifths* of the excess reserve amount shall be established by December 31, 2021; [and]

(3) *three-fifths of the excess reserve amount shall be established by December 31, 2022;*

(4) *four-fifths of the excess reserve amount shall be established by December 31, 2023; and*

[(c)] (5) the entire minimum reserve determined in accordance with [subparagraph (i) of this paragraph] *clause (a) of this subparagraph* shall be established by December 31, [2022] 2024.

[(3)] (ii) The minimum reserve for insurance policies and annuity contracts issued on or after January 1, 2020 shall be the greater of:

[(i)] (a) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by subdivision (e) of this section; and

[(ii)] (b) the minimum reserve calculated in accordance with the methodology and assumptions prescribed by the valuation manual prior to reflecting any reinsurance ceded.

Section 103.6(c)(5) through (13) are renumbered as section 103.6(c)(6) through (14) and a new section 103.6(c)(5) is added as follows:

(5) *Actuarial Guideline XXXV means the "Actuarial Guideline XXXV – The Application of the Commissioners Annuity Reserve Method to Equity Indexed Annuities" published in the National Association of Insurance Commissioners' Accounting Practices and Procedures Manual as adopted by Part 83 (Insurance Regulation 172) of this Title.*

Section 103.6(c)(14) through (19) are renumbered as section 103.6(c)(16) through (21) and a new section 103.6(c)(15) is added as follows:

(15) *Hybrid annuity means an annuity contract with an investment option where the rate of return is based on an index, such as the S&P 500, and for which such return may be less than zero.*

Section 103.6(d)(1)(iv) and (v) are amended and a new section 103.6(d)(1)(vi) is added as follows:

(iv) the discount rate as defined by section A3.1(B)(2) of the 2017 Actuarial Guideline XLIII shall equal the series of one-year U.S. Treasury forward rates implied by the U.S. Treasury yield curve as of the valuation date plus 150 basis points. Forward rates beyond 30 years shall equal the thirtieth year forward rate; [and]

(v) for all guaranteed living benefits that are in the money, the lapse rates prescribed by section A3.3(C)(3) of the 2017 Actuarial Guideline XLIII shall be 3 percent per annum for each projection interval where the benefit is less than 20 percent in the money, and 1.5 percent per annum for each projection interval where the benefit is 20 percent or more in the money[.]; and

(vi) *for hybrid annuities, the amounts determined in section A3.3(B)(1) and A3.3(B)(2)(a) of the 2017 Actuarial Guideline XLIII shall be determined by applying Part 99 (Insurance Regulation 151) of this Title and Actuarial Guideline XXXV. Section A.3.3(B)(2) of the 2017 Actuarial Guideline XLIII shall only be calculated for those hybrid annuity contracts with guaranteed living benefits or guaranteed death benefits.*

Section 103.6(e)(1) is amended as follows:

(1) The minimum reserve for each contract is the greater of the standard scenario reserve, the cash surrender value, and the option value floor. *The option value floor shall not apply to those contracts reserved for in accordance with the alternative methodology prescribed by VM-21 of the valuation manual.*

Section 103.6(e)(2)(i) is amended as follows:

(i) for annuity contracts without any guaranteed benefits, the standard scenario reserve shall be determined by applying [section 99.9 of] Part 99 (Insurance Regulation 151) of this Title *and Actuarial Guideline XXXV, as applicable;*

Section 103.6(e)(2)(ii)(a) is amended as follows:

(a) is the amount determined by applying Part 99 (Insurance Regulation 151) of this Title *and Actuarial Guideline XXXV, as applicable,* to the annuity contract disregarding any GMDBs or VAGLBs;

Text of proposed rule and any required statements and analyses may be obtained from: Amanda Fenwick, New York State Department of Financial Services, One Commerce Plaza, Albany, New York 12257, (518) 474-7929, email: Amanda.Fenwick@dfs.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. Statutory authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 308, 4217, and 4517.

Financial Services Law Section 202 establishes the office of the Superintendent of Financial Services ("Superintendent"). Financial Services Law Section 302 and Insurance Law Section 301, in material part, authorize the Superintendent to effectuate any power accorded to the Superintendent by the Financial Services Law, Insurance Law, or any other law, and to prescribe regulations interpreting the Insurance Law.

Insurance Law Section 308 authorizes the Superintendent to request special reports from authorized insurers and authorized officers thereof regarding their transactions, condition, or any matter connected therewith.

Insurance Law Section 4217 sets forth rules for the valuation of insurance policies and contracts. Insurance Law Section 4217(d) provides that reserves for all individual and group accident and health insurance policies must reflect a sound value placed on the liabilities of such policies and permits the Superintendent to issue, by regulation, guidelines for the application of reserve valuation provisions for such policies. Insurance Law Section 4217(g) requires authorized life insurance companies and fraternal benefit societies (collectively, "life insurers") to use principle-based reserving ("PBR") for certain individual and group life insurance policies and annuity contracts upon the Superintendent's approval of the National Association of Insurance Commissioners' ("NAIC's") valuation manual (the "Manual"), subject to the Superintendent's adopting any amendment to the Manual by regulation.

Insurance Law Section 4517 makes Insurance Law Section 4217 applicable to the valuation of life insurance and annuity certificates issued by fraternal benefit societies.

2. Legislative objectives: Insurance Law Section 4217 sets forth rules for the valuation of insurance policies and contracts. In December 2018, Governor Andrew M. Cuomo signed into law a bill that added a new Insurance Law Section 4217(g) to allow PBR for certain individual and group life insurance policies and annuity contracts beginning in 2019.

This amendment accords with the public policy objectives that the Legislature sought to advance in Insurance Law Section 4217(g) when it adopted PBR for life insurers by clarifying, and making certain adjustments to, the regulation and prescribing additional minimum standards for valuing statutory reserves that in the Superintendent's opinion are necessary to comply with the Manual adopted by the Superintendent and with Insurance Law Section 4217(g).

3. Needs and benefits: The Department of Financial Services ("DFS") adopted its first amendment to 11 NYCRR 103 in February 2020 to conform to the 2009 revisions to the NAIC's model Standard Valuation Law and comply with the NAIC's accreditation standards.

This proposed amendment clarifies, and makes certain adjustments to, the regulation and prescribes additional minimum standards for valuing statutory reserves that in the Superintendent's opinion are necessary to comply with the Manual to best serve the policyholders of New York State by ensuring that the minimum standards for valuing statutory reserves are set at a level appropriate for the payment of future claims.

4. Costs: The amendment may impose compliance costs on life insurers because a life insurer must adjust its reserves as the Superintendent deems necessary to comply with the amendment, including new minimum valuation requirements.

DFS also may incur costs to implement this amendment, because DFS will need to monitor reserves to ensure conformance with this amendment, the Manual, and Insurance Law Section 4217(g). However, any additional costs incurred should be minimal and DFS should be able to absorb the costs in its ordinary budget.

This amendment does not impose compliance costs on any local government.

5. Local government mandates: This amendment does not impose any program, service, duty, or responsibility upon a county, city, town, village, school district, fire district, or other special district.

6. Paperwork: This amendment imposes reporting requirements, including the VM-31 PBR Actuarial Report, related to the insurance policies and contracts subject to the minimum valuation standards prescribed by this amendment.

7. Duplication: This amendment does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

8. Alternatives: A significant alternative considered by DFS was to maintain the current valuation requirements prescribed by the first amendment to the regulation as the minimum valuation standards. However, as discussed with the life insurance industry, the Superintendent has determined that this amendment is necessary to best serve the policyholders of New York State by ensuring that the minimum standards for valuing statutory reserves are set at a level appropriate for the payment of future claims.

9. Federal standards: The rule does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: A life insurer must comply with the rule upon publication of the Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

1. Effect of the rule: SAPA section 102(8) defines a small business to mean "any business which is resident in this State, independently owned and operated, and employs one hundred or less individuals." The amendment affects life insurance companies and fraternal benefit societies (collectively, "life insurers"). There may be life insurers affected by the amendment that may be small businesses.

The amendment does not affect local governments because the regulation does not apply to any local government.

2. Compliance requirements: Insurance Regulation 213 currently imposes reporting requirements related to insurance policies and contracts that are subject to the minimum valuation standards prescribed by the regulation. This amendment to the regulation prescribes additional minimum standards for valuing statutory reserves, and thus may impose additional reporting requirements, including the VM-31 PBR Actuarial Report.

No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the amendment because the regulation does not apply to any local government.

3. Professional services: A life insurer, including one that is a small business, may need to retain professional services, such as actuaries, to comply with the amendment.

No local government will need professional services to comply with the amendment because the regulation does not apply to any local government.

4. Compliance costs: The amendment may impose compliance costs on life insurers, including any life insurer that is a small business, because a life insurer must adjust its reserves as the Superintendent of Financial Services deems necessary to comply with the amendment, including new minimum valuation requirements.

No local government will incur any costs to comply with the amendment because the regulation does not apply to any local government.

5. Economic and technological feasibility: Life insurers, including any that is a small business, should not incur any economic or technological impact as a result of the amendment.

The regulation does not apply to any local government; therefore, no local government should experience any economic or technological impact as a result of the amendment.

6. Minimizing adverse impact: The amendment uniformly affects all life insurers, including any that is a small business. The rule should not have an adverse impact on any life insurer that is a small business.

No local government should be adversely impacted by the amendment because the regulation does not apply to any local government.

7. Small business and local government participation: The Department of Financial Services ("Department") complied with SAPA section 202-b(6) by posting the proposed rule on its website for informal outreach and notifying trade organizations that represent the interests of small businesses that the proposed rule had been posted. The Department also will comply with SAPA section 202-b(6) by publishing the proposed amendment in the State Register and posting the proposed amendment on its website again.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Life insurance companies and fraternal benefit societies (collectively, "life insurers") affected by this rule operate in every county in this state, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping and other compliance requirements; and professional services: Insurance Regulation 213 currently imposes reporting requirements, including the VM-31 PBR Actuarial Report, related to insurance policies and contracts that are subject to the minimum valuation standards prescribed by the regulation. This amendment to the regulation prescribes additional minimum standards for valuing statutory reserves. Therefore, a life insurer in a rural area may need to retain professional services, such as actuaries, to comply with this rule.

3. Costs: The amendment may impose compliance costs on life insurers, including any life insurer located in a rural area, because a life insurer must adjust its reserves as the Superintendent of Financial Services deems necessary to comply with the amendment, including new minimum valuation requirements.

4. Minimizing adverse impact: This rule uniformly affects life insurers that are located in both rural and non-rural areas of New York State. The rule should not have an adverse impact on rural areas.

5. Rural area participation: Life insurers in rural areas will have an opportunity to participate in the rule making process when the notice of proposed rulemaking is published in the State Register and posted on the Department of Financial Services' website.

Job Impact Statement

This amendment should not adversely impact jobs or employment opportunities in New York State.

In February 2020, the Department of Financial Services adopted an amendment to 11 NYCRR 103 to conform to the 2009 revisions to the National Association of Insurance Commissioners' ("NAIC's") Standard Valuation Law and comply with the NAIC's accreditation standards. This amendment makes certain clarifications and adjustments to the present regulation, and prescribes additional minimum standards for valuing statutory reserves that in the Superintendent's opinion are necessary to comply with the Manual.

This amendment may create new jobs or employment opportunities because life insurance companies and fraternal benefit societies may need to hire additional personnel, such as actuaries, to comply with the regulation.

Long Island Railroad Company

EMERGENCY RULE MAKING

Requiring Mask Wearing Covering the Nose and Mouth When Using Terminals, Stations, and Trains Operated by LIRR

I.D. No. LIR-39-20-00005-E

Filing No. 892

Filing Date: 2020-12-09

Effective Date: 2020-12-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 1097 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, section 1266(4) and (5)

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The emergency amendment is necessary to safeguard public health and safety and to ensure through mandated mask wearing covering the nose and mouth that the public, health care providers, first responders, and other essential workers who rely on subways and trains to get to and from work and also our employees are protected during the COVID-19 outbreak.

Subject: Requiring mask wearing covering the nose and mouth when using terminals, stations, and trains operated by LIRR.

Purpose: To safeguard the public health and safety by amending the rules to require use of masks when using LIRR facilities.

Text of emergency rule: A new subdivision (g) is added to section 1097.4 to read as follows:

(g) All persons in a terminal, station or train shall comply with all lawful orders and directives of any police officer, peace officer or any Long Island Rail Road or Authority employee acting within the scope of their employment, including one pursuant to an order or directive issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or an order or directive issued by the Authority that includes requiring the wearing of masks or face coverings by any individual over the age of two and is able to medically tolerate a face covering.. Masks or face coverings must be worn in a proper manner covering the nose and mouth. Any person who does not comply with such an order or directive requiring wearing of masks or face coverings in a proper manner covering the nose and mouth may be barred from entering, or be ejected from, any terminal, station, or train, in addition to a fine of \$50.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. LIR-39-20-00005-EP, Issue of September 30, 2020. The emergency rule will expire February 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Peter Sistrom, Metropolitan Transportation Authority, 2 Broadway, New York, NY 11803, (212) 878-7176, email: psistrom@mtahq.org

Regulatory Impact Statement

Statutory authority: Section 1204(5-a) provides that the New York City Transit Authority may adopt rules and regulations governing the conduct

and safety of the public as it may deem necessary, convenient or desirable for the use and operation of the transit facilities under its jurisdiction. Under the Executive Law, the Governor has declared a state disaster emergency and has issued Executive Order 202.18, which requires "any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, [to] wear a mask or face covering over the nose and mouth during any such trip."

Legislative objectives: The Legislature has conferred on the New York City Transit Authority the authority to ensure the safety of their passengers and employees. It has exercised that authority to adopt rules of conduct governing the conduct and safety of the public in the use of their facilities; this amended rule furthers the Legislature's objective by safeguarding public health and safety during the State disaster emergency related to the COVID-19 outbreak and after.

Needs and benefits: The proposed amendment is necessary to safeguard public health and safety to ensure that persons who rely on subways to get to and from work comply with the public health guidance to wear a mask or face covering to try to limit the transmission of COVID-19.

Costs:

(a) Regulated parties. The proposed amendments to the rules governing conduct and safety do not impose new costs on passengers or others.

(b) State and local government. The proposed amendments to the rules governing conduct and safety will not impose any new costs on State or local governments.

Local government mandates: The proposed amended rules do not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department's Transit Bureau is already responsible with others in enforcing the New York City Transit Authority's Rules Governing the Conduct and Safety of the Public.

Paperwork: The proposed amended rules do not impose any new reporting requirements.

Duplication: The proposed amended rules do not duplicate, overlap, or conflict with any State or Federal rule.

Alternatives: No significant alternatives to these amendments were considered.

Federal standards: The proposed amended rule does not exceed any Federal minimum standards.

Compliance schedule: There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency amendment to the existing rules governing the conduct and safety of the public will be effective immediately.

Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A regulatory flexibility analysis for small businesses and local governments, a rural area flexibility analysis, and a job impact statement are not required for this rulemaking because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This rulemaking will authorize law enforcement officers and designated employees of the Metropolitan Transportation Authority and LIRR to enforce compliance with orders and directives issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or the Metropolitan Transportation Authority requiring persons in a terminal, station or train to wear masks or face coverings in a manner covering the nose and mouth. Due to its narrow focus, this proposed emergency rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

Assessment of Public Comment

On September 11, 2020, the Long Island Rail Road Company (LIRR) and several other Metropolitan Transportation Authority (MTA) operating affiliates and subsidiaries submitted to the Secretary of State Notices of Emergency Adoption and Proposed Rule Making; they were published in the New York State Register on September 30, 2020. The LIRR emergency rule, which was identical to the proposed rule, became effective upon filing. The emergency rule was filed to ensure compliance with Executive Order 202.18, issued April 16, 2020, which requires all persons using public or private transportation carriers over the age of two and able to medically tolerate a face covering to wear a mask or face covering over the nose and mouth, and also with Executive Order 202.62, issued September 11, 2020, in which Governor Cuomo directed the MTA and its operating agencies to "promulgate an enforcement plan to ensure compliance with all EOs and guidance applicable to MTA's operations, including enforcement of face-covering requirements and ensuring availability of face-coverings for riders" and directed the MTA and its operating agencies to issue any emergency rules needed to effectuate the Executive Order.

To correct a minor filing error, LIRR on October 28, 2020, published a Notice of Emergency Adoption and Revised Rule Making, but the text of

the emergency rule adopted in September remains the same and it is being adopted for another 60 days. Because this is technically a second readoption of the emergency rule, LIRR here summarizes all of the public comments that MTA has received during the time permitted for public comment following publication of the proposed mask rules in the New York State Register in September even though most of those comments did not refer specifically to the LIRR's proposed rule.

The MTA has received over 40 comments on the proposed rules requiring the wearing of masks or face coverings while in terminals, subway and commuter train stations, subway cars, buses, and commuter trains, divided almost evenly between those in favor of the proposed rules and those who object to them.

Seventeen commentators supported the proposed rules that require the wearing of masks covering the nose and mouth and urged more vigorous enforcement or penalties more severe than the \$50 fine. One commentator suggested that the MTA operating agencies hand out masks to all customers upon request, including those already wearing masks. One commentator supported the proposed rules but objected to the exception for very young children. And another commentator who supports adoption of the proposed rule urged the MTA operating agencies to use his own mask design.

Several commentators asserted that the scientific and medical evidence does not establish the efficacy of wearing face masks while using public transportation to prevent or limit the spread of COVID-19. Others suggested that since COVID-19 is only a "minor" illness, the proposed rules are unnecessary. Six commentators oppose the proposed rules because they contend that masks unduly restrict breathing, may cause hypoxia, or may increase the risk of infection if the mask becomes contaminated. And others raised concerns that some people are not medically able to tolerate masks and assert that the proposed rule discriminates against the disabled. We note that the proposed rules expressly provide that only those who are "able to medically tolerate a face covering" are obliged to wear one. Five commentators asserted that having to wear masks impinges on religious rights.

MTA continues to evaluate all the public comments but has not yet decided whether to adopt the proposed mask rules or to revise them and therefore is not yet ready and is not required to fully assess and respond to all the comments.

Manhattan and Bronx Surface Transit Operating Authority

EMERGENCY RULE MAKING

Requiring Mask Wearing Covering the Nose and Mouth When Using the Facilities and Conveyances Operated by MaBSTOA

I.D. No. MBA-39-20-00007-E

Filing No. 891

Filing Date: 2020-12-09

Effective Date: 2020-12-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 1050 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, section 1266(4) and (5)

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The emergency amendments are necessary to safeguard public health and safety and to ensure through mandated mask wearing that the public, health care providers, first responders, and other essential workers who rely on subways and trains to get to and from work and also our employees are protected during the COVID-19 outbreak.

Subject: Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by MaBSTOA.

Purpose: To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system.

Text of emergency rule: Subdivision (d)(1) of section 1050.6 is amended to read as follows:

(d) All persons on or in any facility or conveyance of the authority shall:

(1) comply with all lawful orders and directives of any police officer, peace officer or any employee of the authority or the MTA acting within the scope of their employment[;], including one pursuant to an order or directive issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or by the MTA that includes requiring the wearing of masks or face coverings by an individual who is over the age of two and is able to medically tolerate a face-covering. Masks or face coverings must be worn in a manner covering the nose and mouth. Any person who does not comply with such an order or directive requiring wearing of masks or face coverings in a manner covering the nose and mouth may be barred from entering or remaining on or in any facility or conveyance of the authority, in addition to a fine of \$50.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. MBA-39-20-00007-EP, Issue of September 30, 2020. The emergency rule will expire February 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Peter Sistrom, Metropolitan Transportation Authority, 2 Broadway, New York, NY 10004, (212) 878-7176, email: psistrom@mtahq.org

Regulatory Impact Statement

Statutory authority: Section 1204(5-a) provides that the New York City Transit Authority may adopt rules and regulations governing the conduct and safety of the public as it may deem necessary, convenient or desirable for the use and operation of the transit facilities under its jurisdiction; Sections 1266(4) and (5) of the Public Authorities Law provide that the Metropolitan Transportation Authority and its subsidiary public benefit corporations may adopt rules and regulations governing the conduct and safety of the public as they may deem necessary, convenient or desirable for the use of any transportation facility and related services operated by it or its subsidiaries. Under the Executive Law, the Governor has declared a state disaster emergency and has issued Executive Order 202.18, which requires "any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, [to] wear a mask or face covering over the nose and mouth during any such trip."

Legislative objectives: The Legislature has conferred on the New York City Transit Authority and the Metropolitan Transportation Authority and their subsidiaries the authority to ensure the safety of their passengers and employees. Both have exercised that authority to adopt rules of conduct governing the conduct and safety of the public in the use of their facilities; this amended rule furthers the Legislature's objective by safeguarding public health and safety during the State disaster emergency related to the COVID-19 outbreak and after.

Needs and benefits: The proposed amendment is necessary to safeguard public health and safety to ensure that persons who rely on subways to get to and from work comply with the public health guidance to wear a mask or face covering to try to limit the transmission of COVID-19.

Costs:

(a) Regulated parties. The proposed amendments to the rules governing conduct and safety do not impose new costs on passengers or others.

(b) State and local government. The proposed amendments to the rules governing conduct and safety will not impose any new costs on State or local governments.

Local government mandates: The proposed amended rules do not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department's Transit Bureau is already responsible with others in enforcing the New York City Transit Authority's Rules Governing the Conduct and Safety of the Public, and the MTA Police Department is responsible for enforcing the comparable rules and regulations governing the conduct and safety of the public on trains and stations operated by the Metropolitan Transportation Authority's two commuter railroads.

Paperwork: The proposed amended rules do not impose any new reporting requirements.

Duplication: The proposed amended rules do not duplicate, overlap, or conflict with any State or Federal rule.

Alternatives: No significant alternatives to these amendments were considered.

Federal standards: The proposed amended rule does not exceed any Federal minimum standards.

Compliance schedule: There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency amendment to the existing rules governing the conduct and safety of the public will be effective immediately.

Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A regulatory flexibility statement for small business and local governments, a rural flexibility analysis, and a job impact statement are not

required for this rulemaking proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This rulemaking will authorize law enforcement officers and designated employees of the Metropolitan Transportation Authority, New York City Transit Authority, and Manhattan and Bronx Surface Transit Authority to enforce compliance with orders and directives issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or the Metropolitan Transportation Authority requiring persons in their facilities and conveyances to wear masks or face coverings in a manner covering the nose and mouth. Due to its narrow focus, this proposed emergency rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

Metropolitan Transportation Agency

EMERGENCY RULE MAKING

Requiring Mask Wearing Covering the Nose and Mouth When Using the Facilities and Conveyances Operated by MTA Bus Company

I.D. No. MTA-39-20-00009-E

Filing No. 890

Filing Date: 2020-12-09

Effective Date: 2020-12-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 1044 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, section 1266(4) and (5)

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The emergency amendments are necessary to safeguard public health and safety and to ensure through mandated mask wearing that the public, health care providers, first responders, and other essential workers who rely on subways and trains to get to and from work and also our employees are protected during the COVID-19 outbreak.

Subject: Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by MTA Bus Company.

Purpose: To safeguard the public health and safety by amending rules to require use of masks when using MTA Bus facilities and conveyance.

Text of emergency rule: A new subdivision (f) is added to Section 1044.4 to read as follows:

(f) All persons on or in any facility or conveyance shall comply with all lawful orders and directives of any police officer, peace officer or any MTABC or Authority employee acting within the scope of their employment, including one pursuant to an order or directive issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or an order or directive issued by the Authority that includes requiring the wearing of masks or face coverings by any individual who is over the age of two and is able to medically tolerate a face-covering. Masks or face coverings must be worn in a manner covering the nose and mouth. Any person who does not comply with such an order or directive requiring wearing of masks or face coverings in a manner covering the nose and mouth may be barred from entering, or be ejected from any facility or conveyance, in addition to a fine of \$50.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. MTA-39-20-00009-EP, Issue of September 30, 2020. The emergency rule will expire February 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Peter Siström, Metropolitan Transportation Authority, 2 Broadway, New York, NY, (212) 878-7176, email: psiström@mtahq.org

Regulatory Impact Statement

Statutory authority: Section 1204(5-a) provides that the New York City Transit Authority may adopt rules and regulations governing the conduct and safety of the public as it may deem necessary, convenient or desirable

for the use and operation of the transit facilities under its jurisdiction; Sections 1266(4) and (5) of the Public Authorities Law provide that the Metropolitan Transportation Authority and its subsidiary public benefit corporations may adopt rules and regulations governing the conduct and safety of the public as they may deem necessary, convenient or desirable for the use of any transportation facility and related services operated by it or its subsidiaries. Under the Executive Law, the Governor has declared a state disaster emergency and has issued Executive Order 202.18, which requires "any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, [to] wear a mask or face covering over the nose and mouth during any such trip."

Legislative objectives: The Legislature has conferred on the New York City Transit Authority and the Metropolitan Transportation Authority and their subsidiaries the authority to ensure the safety of their passengers and employees. Both have exercised that authority to adopt rules of conduct governing the conduct and safety of the public in the use of their facilities; this amended rule furthers the Legislature's objective by safeguarding public health and safety during the State disaster emergency related to the COVID-19 outbreak and after.

Needs and benefits: The proposed amendment is necessary to safeguard public health and safety to ensure that persons who rely on subways to get to and from work comply with the public health guidance to wear a mask or face covering to try to limit the transmission of COVID-19.

Costs: (a) Regulated parties. The proposed amendments to the rules governing conduct and safety do not impose new costs on passengers or others. (b) State and local government. The proposed amendments to the rules governing conduct and safety will not impose any new costs on State or local governments.

Local government mandates: The proposed amended rules do not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department's Transit Bureau is already responsible with others in enforcing the New York City Transit Authority's Rules Governing the Conduct and Safety of the Public, and the MTA Police Department is responsible for enforcing the comparable rules and regulations governing the conduct and safety of the public on trains and stations operated by the Metropolitan Transportation Authority's two commuter railroads.

Paperwork: The proposed amended rules do not impose any new reporting requirements.

Duplication: The proposed amended rules do not duplicate, overlap, or conflict with any State or Federal rule.

Alternatives: No significant alternatives to these amendments were considered.

Federal standards: The proposed amended rule does not exceed any Federal minimum standards.

Compliance schedule: There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency amendment to the existing rules governing the conduct and safety of the public will be effective immediately.

Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A regulatory flexibility statement for small business and local governments, a rural flexibility analysis, and a job impact statement are not required for this rulemaking proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This proposed rulemaking will authorize law enforcement officers and designated employees of the Metropolitan Transportation Authority and Metropolitan Transit Authority Bus Company to enforce compliance with orders and directives issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or the Metropolitan Transportation Authority requiring persons in its facilities and conveyances to wear masks or face coverings in a manner covering the nose and mouth. Due to its narrow focus, this proposed emergency rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

New York City Transit Authority

EMERGENCY RULE MAKING

Requiring Mask Wearing Covering the Nose and Mouth When Using the Facilities and Conveyances Operated by NYC Transit Authority

I.D. No. NTA-39-20-00006-E

Filing No. 889

Filing Date: 2020-12-09

Effective Date: 2020-12-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 1050 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, sections 1204(5-a), 1266(4) and (5)

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The emergency amendments are necessary to safeguard public health and safety and to ensure through mandated mask wearing that the public, health care providers, first responders, and other essential workers who rely on subways and trains to get to and from work and also our employees are protected during the COVID-19 outbreak.

Subject: Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by NYC Transit Authority.

Purpose: To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system.

Text of emergency rule: Subdivision (d)(1) of section 1050.6 is amended to read as follows:

(d) All persons on or in any facility or conveyance of the authority shall: (1) comply with all lawful orders and directives of any police officer, peace officer or any employee of the authority or the MTA acting within the scope of their employment[;], *including one pursuant to an order or directive issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or by the MTA that includes requiring the wearing of masks or face coverings by an individual who is over the age of two and is able to medically tolerate a face-covering. Masks or face coverings must be worn in a manner covering the nose and mouth. Any person who does not comply with such an order or directive requiring wearing of masks or face coverings in a manner covering the nose and mouth may be barred from entering or remaining on or in any facility or conveyance of the authority, in addition to a fine of \$50.*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. NTA-39-20-00006-EP, Issue of September 30, 2020. The emergency rule will expire February 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Peter Siström, Metropolitan Transportation Authority, 2 Broadway, New York, NY 10004, (212) 878-7176, email: psistrom@mtahq.com

Regulatory Impact Statement

Statutory authority: Section 1204(5-a) provides that the New York City Transit Authority may adopt rules and regulations governing the conduct and safety of the public as it may deem necessary, convenient or desirable for the use and operation of the transit facilities under its jurisdiction; Sections 1266(4) and (5) of the Public Authorities Law provide that the Metropolitan Transportation Authority and its subsidiary public benefit corporations may adopt rules and regulations governing the conduct and safety of the public as they may deem necessary, convenient or desirable for the use of any transportation facility and related services operated by it or its subsidiaries. Under the Executive Law, the Governor has declared a state disaster emergency and has issued Executive Order 202.18, which requires "any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, [to] wear a mask or face covering over the nose and mouth during any such trip."

Legislative objectives: The Legislature has conferred on the New York City Transit Authority and the Metropolitan Transportation Authority and their subsidiaries the authority to ensure the safety of their passengers and employees. Both have exercised that authority to adopt rules of conduct governing the conduct and safety of the public in the use of their facilities; this amended rule furthers the Legislature's objective by safeguarding public health and safety during the State disaster emergency related to the COVID-19 outbreak and after.

Needs and benefits: The proposed amendment is necessary to safeguard public health and safety to ensure that persons who rely on subways to get to and from work comply with the public health guidance to wear a mask or face covering to try to limit the transmission of COVID-19.

Costs: (a) Regulated parties. The proposed amendments to the rules governing conduct and safety do not impose new costs on passengers or others. (b) State and local government. The proposed amendments to the rules governing conduct and safety will not impose any new costs on State or local governments.

Local government mandates: The proposed amended rules do not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department's Transit Bureau is already responsible with others in enforcing the New York City Transit Authority's Rules Governing the Conduct and Safety of the Public, and the MTA Police Department is responsible for enforcing the comparable rules and regulations governing the conduct and safety of the public on trains and stations operated by the Metropolitan Transportation Authority's two commuter railroads.

Paperwork: The proposed amended rules do not impose any new reporting requirements.

Duplication: The proposed amended rules do not duplicate, overlap, or conflict with any State or Federal rule.

Alternatives: No significant alternatives to these amendments were considered.

Federal standards: The proposed amended rule does not exceed any Federal minimum standards.

Compliance schedule: There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency amendment to the existing rules governing the conduct and safety of the public will be effective immediately.

Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A regulatory flexibility analysis for small business and local governments, a rural area flexibility analysis, and a job impact statement are not required for this rulemaking proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This rulemaking will authorize law enforcement officers and designated employees of the Metropolitan Transportation Authority, New York City Transit Authority, and Manhattan and Bronx Surface Transit Authority to enforce compliance with orders and directives issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or the Metropolitan Transportation Authority requiring persons in their facilities and conveyances to wear masks or face coverings in a manner covering the nose and mouth. Due to its narrow focus, this proposed emergency rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

Office for People with Developmental Disabilities

NOTICE OF EMERGENCY

ADOPTION

AND REVISED RULE MAKING NO HEARING(S) SCHEDULED

Day Habilitation Duration

I.D. No. PDD-37-20-00004-ERP

Filing No. 898

Filing Date: 2020-12-14

Effective Date: 2020-12-14

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action Taken: Amendment of section 635-10.5 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 13.07, 13.09(b), 13.15(a) and 16.00

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The emergency adoption of amendments that provides service day duration flexibility for group day habilitation, site-based prevocational, and supplemental group day habilitation service providers, as set forth by the OPWDD Commissioner during the COVID-19 Public Health Emergency for individuals with developmental disabilities, is necessary to protect the health, safety, and welfare of individuals who receive these services. The emergency regulation would help maintain the capacity of providers to operate during the COVID-19 emergency. This regulation must be issued by emergency regulation to implement approvals made by the federal Centers for Medicare and Medicaid Services pursuant to that agency's disaster relief authorities.

Subject: Day Habilitation Duration.

Purpose: To assist providers in maintaining capacity to operate during the public health emergency.

Text of emergency/revised rule: • Addition of a new clause (c) to Subpart 635-10.5(c)(6)(i) to read as follows:

(c) *During the period beginning on July 22, 2020 and ending on October 14, 2020, due to the COVID-19 Public Health Emergency, group day habilitation and supplemental group day habilitation services may be delivered, and payment for such services made, for durations set forth in guidance issued by the OPWDD Commissioner.*

• Addition of a new clause (e) to Subpart 635-10.5(c)(6)(ii) to read as follows:

(e) *[During the period b] Beginning on July 22, 2020 and ending [on October 14, 2020, due to] upon termination of the COVID-19 Public Health Emergency, as determined by Executive Order, group day habilitation and supplemental group day habilitation services may be delivered, and payment for such services made, during mealtimes.*

• Addition of a new paragraph (18) to Subpart 635-10.5(c) to read as follows:

(18) *During the period beginning on July 22, 2020 and ending on October 14, 2020, due to the COVID-19 Public Health Emergency, providers billing for services rendered using the flexible definitions of the program day duration for day habilitation authorized by subpart 635-10.5(c)(6)(i)(c) are subject to all the following conditions:*

(i) *The total monthly number of day habilitation units claimed during the COVID-19 Public Health Emergency do not exceed the average monthly units for each service claimed from the period of July 1, 2019 through December 31, 2019;*

(ii) *The combined average monthly revenue for day habilitation, site based prevocational services, community-based prevocational services, and community habilitation during the COVID-19 Public Health Emergency claimed by the provider may not exceed the provider's combined average monthly revenue for those services for the period of July 1, 2019 through December 31, 2019;*

(iii) *Any claims in excess of the monthly averages from this period will be subject to immediate recoupment if the agency has submitted any claims during the month that do not meet the full program day duration requirements; and*

(iv) *Providers will continue to work in partnership with OPWDD to make more available non-center-based and telehealth modalities in an effort to increase community involvement of waiver enrollees and to protect the delivery of services during future emergencies.*

• Addition of a new clause (d) to Subpart 635-10.5(ag)(4)(iii) to read as follows:

(d) *[During the period b] Beginning on July 22, 2020 and ending [on October 14, 2020, due to] upon termination of the COVID-19 Public Health Emergency, as determined by Executive Order, site-based prevocational services may be delivered, and payment for such services made, during mealtimes.*

• Addition of a new subparagraph (iv) to Subpart 635-10.5(ag)(4) to read as follows:

(iv) *During the period beginning on July 22, 2020 and ending on October 14, 2020, due to the COVID-19 Public Health Emergency, site-based prevocational services may be delivered, and payment for such services made, for durations set forth in guidance issued by the OPWDD Commissioner.*

• Addition of a new paragraph (7) to Subpart 635-10.5(ag) to read as follows:

(7) *During the period beginning on July 22, 2020 and ending on October 14, 2020, due to the COVID-19 Public Health Emergency, providers billing for services rendered using the flexible definitions of the program day duration for site-based prevocational services authorized by subpart 635-10.5(ag)(4)(iv) are subject to all the following conditions:*

(i) *The total monthly number of site-based prevocational services units claimed during the COVID-19 Public Health Emergency do not exceed the average monthly units for each service claimed from the period of July 1, 2019 through December 31, 2019;*

(ii) *The combined average monthly revenue for day habilitation, site based prevocational services, community-based prevocational services, and community habilitation during the COVID-19 Public Health Emergency claimed by the provider may not exceed the provider's combined average monthly revenue for those services for the period of July 1, 2019 through December 31, 2019;*

(iii) *Any claims in excess of the monthly averages from this period will be subject to immediate recoupment if the agency has submitted any claims during the month that do not meet the full program day duration requirements; and*

(iv) *Providers will continue to work in partnership with OPWDD to make more available non-center-based and telehealth modalities in an effort to increase community involvement of waiver enrollees and to protect the delivery of services during future emergencies.*

This notice is intended to serve as both a notice of emergency adoption and a notice of revised rule making. The notice of proposed rule making was published in the *State Register* on September 16, 2020, I.D. No. PDD-37-20-00004-EP. The emergency rule will expire February 11, 2021.

Emergency rule compared with proposed rule: Substantive revisions were made in sections (c)(6)(ii) and (ag)(4)(iii).

Text of rule and any required statements and analyses may be obtained from: Mary Beth Babcock, Office for People with Developmental Disabilities, Office of Counsel, 44 Holland Avenue, Albany, NY, (518) 474-7700, email: rau.unit@opwdd.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 45 days after publication of this notice.

Additional matter required by statute: Pursuant to the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

Revised Regulatory Impact Statement

1. Statutory Authority:

a. The Office for People With Developmental Disabilities (OPWDD) has the statutory responsibility to provide and encourage the provision of appropriate programs, supports, and services in the areas of care, treatment, habilitation, rehabilitation, and other education and training of persons with intellectual and developmental disabilities, as stated in the New York State (NYS) Mental Hygiene Law (MHL) Section 13.07.

b. OPWDD has the authority to adopt rules and regulations necessary and proper to implement any matter under its jurisdiction as stated in the NYS MHL Section 13.09(b).

c. OPWDD has the statutory authority to adopt regulations concerned with the operation of programs and the provision of services, as stated in the NYS MHL Section 16.00. The regulation also ensures compliance by OPWDD certified and operated residences with the proper provision of services.

2. Legislative Objectives: The proposed regulations further legislative objectives embodied in MHL sections 13.07, 13.09(b), and 16.00. The regulations amend Title 14 New York Codes Rules and Regulations (NYCRR) Subpart 635-10.5 in order to provide service day duration flexibility for group day habilitation, site-based prevocational, and supplemental group day habilitation service providers, as set forth by the OPWDD Commissioner during the COVID-19 Public Health Emergency.

3. Needs and Benefits: The proposed regulation amends Title 14 NYCRR Subpart 635-10.5 to set forth new day habilitation and site-based prevocational services duration requirements. These changes are necessary to help maintain the capacity of providers to operate during the COVID-19 emergency, and to implement approvals made by the federal Centers for Medicare and Medicaid Services pursuant to that agency's disaster relief authorities.

These flexibilities will benefit the State, providers, and individuals receiving services by helping the existing provider base address the expectation of reduced service utilization during the public health emergency. This flexibility achieves that by helping to cover a provider's fixed costs during an expected period of reduced service utilization during the Pandemic. The State, providers, and individuals will also benefit in the future as these flexibilities were offered with the expectation that providers will continue to work in partnership with OPWDD to make more available non-center-based and tele-modalities in an effort to increase community involvement of waiver enrollees and to protect the delivery of services during future emergencies.

4. Costs:

a. Costs to the Agency and to the State and its local governments:

There is no anticipated impact on Medicaid expenditures as a result of the proposed regulations, as the providers that utilize these flexibilities must undergo a reconciliation process.

These regulations will not have any fiscal impact on local governments, as the contribution of local governments to Medicaid has been capped. Chapter 58 of the Laws of 2005 places a cap on the local share of Medicaid costs and local governments are already paying for Medicaid at the capped level.

There are no anticipated costs to OPWDD in its role as a provider of services to comply with the new requirements.

b. Costs to private regulated parties: There are no anticipated costs to regulated providers to comply with the proposed regulations. The amendments/additions modify the duration of services to be delivered by providers.

5. Local Government Mandates: This rule would only apply to a small number of local governments that deliver these services via a local department of social services. There are no new requirements imposed by the rule on any other county, city, town, village; or school, fire, or other special district.

6. Paperwork: Providers will experience an increase in paperwork as a result of the proposed regulations. Additional revenue reporting requirements are necessary to ensure Medicaid program integrity for the emergency flexibilities.

7. Duplication: The proposed regulations do not duplicate any existing State or Federal requirements on this topic.

8. Alternatives: OPWDD did not consider any other alternatives to the proposed regulations. The regulations are necessary to ensure public health, public welfare, and public safety. The emergency regulations are necessary to implement flexibilities due to the COVID-19 public health emergency. These flexibilities were obtained through an emergency appendix to OPWDD's Home and Community Based Services Comprehensive 1915(c) Waiver, known as an Appendix K, which is designed to take immediate effect to address the public health emergency. OPWDD obtained the flexibilities at issue here after approval by the Centers for Medicare and Medicaid Services ("CMS") on August 18, 2020 and needed these emergency amendments to immediately allow these flexibilities under existing regulations. The normal promulgation process would have delayed the implementation, and the purpose, of the flexibilities authorized by CMS.

9. Federal Standards: The proposed amendments do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance Schedule: OPWDD plans to adopt the regulations as an Emergency Adoption. The effective date for enforcement of the regulation will be July 22, 2020. The regulations are scheduled to sunset on October 14, 2020, except for the revision allowing for the continuation of payment for the delivery of group day habilitation; supplemental group day habilitation services and site-based prevocational services, delivered during mealtimes. The proposed regulations were discussed with and reviewed by representatives of providers in advance of this proposal. OPWDD expects that providers will be in compliance with the proposed requirements at the time of their effective date(s).

Revised Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A revised Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement is not required as the changes made to the last published rule do not necessitate revision to the previously published RFA.

Assessment of Public Comment

The agency received no public comment.

Statutory authority: Public Service Law, section 67(1)

Subject: Petition for the use of gas metering equipment.

Purpose: To ensure that consumer bills are based on accurate measurements of gas usage.

Substance of proposed rule: The Public Service Commission is considering a petition filed by Consolidated Edison Company of New York and Orange and Rockland Utilities, Inc. on August 17, 2020, seeking to use the Itron 550G Encoder Receiver Transmitter module with Rockwell R750 large diaphragm gas meters in commercial gas metering applications.

Pursuant to 16 NYCRR Part 227, the Commission requires testing of new types of gas meters and accessories to establish their accuracy before they may be deployed for the purpose of customer billing.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0392SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Notice of Intent to Submeter Electricity and Waiver Request

I.D. No. PSC-52-20-00003-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering the notice of intent of Asteri Ithaca, LLC to submeter electricity at 118 E. Green Street, Ithaca, New York 14850, and request for waiver of an energy audit in 16 NYCRR section 96.5(k)(3).

Statutory authority: Public Service Law, sections 2, 4(1), 30, 32-48, 52, 53, 65(1), 66(1), (2), (3), (4), (12) and (14)

Subject: Notice of intent to submeter electricity and waiver request.

Purpose: To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.

Substance of proposed rule: The Commission is considering the notice of intent filed by Asteri Ithaca, LLC on October 6, 2020, to submeter electricity at a new market-rate and income based rental building located at 118 E. Green Street, Ithaca, New York 14850, located in the territory of New York State Electric & Gas Corporation.

In the notice of intent, LIC Owner LLC requests authorization to take electric service from NYSEG and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to residents is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

The Commission is also considering the owner's request for waiver of 16 NYCRR § 96.5(k)(3), which requires proof that an energy audit has been conducted when 20 percent or more of the residents receive income-based housing assistance. The owner states that because the building is new construction, it must comply with the 2020 New York State Energy Conservation Construction Code, which provides strict energy conservation requirements for new and renovated buildings.

The full text of the notice of intent and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition for the Use of Gas Metering Equipment

I.D. No. PSC-52-20-00002-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Public Service Commission is considering a petition filed by Consolidated Edison Company of New York and Orange and Rockland Utilities, Inc. for the use of the Itron 550G Encoder Receiver Transmitter gas module with Rockwell R750 gas meters.

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0489SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Use of Pipeline Refund

I.D. No. PSC-52-20-00004-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by National Fuel Gas Distribution Corporation (National Fuel) to utilize proceeds from a settlement entered into by National Fuel and Transcontinental Gas Pipe Line Company, LLC.

Statutory authority: Public Service Law, section 113(2)

Subject: Use of pipeline refund.

Purpose: To consider how a pipeline refund of \$2.26 million will be utilized by National Fuel.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by National Fuel Gas Distribution Corporation (National Fuel or the Company) on October 30, 2020, requesting authorization to utilize proceeds from a pipeline refund provided to National Fuel from Transcontinental Gas Pipe Line Company, LLC (Transco).

National Fuel proposes to credit the Company's Research, Development and Demonstration (RD&D) account to advance State interest in emission reduction and to implement a residential methane detector program to promote gas safety. National Fuel request the Commission's approval of the transaction pursuant to Public Service Law § 113(2).

National Fuel's refund from Transco is approximately \$2.26 million, which is all owed to the Company's New York division. The Company would like to allocate \$500,000 for a new safety initiative regarding residential methane detection program and the remaining \$1.76 million will be allocated to the Company's RD&D account.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0545SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Clarification or Reconsideration of a Provision in a Prior Order

I.D. No. PSC-52-20-00005-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid for clarification or reconsideration of a provision of the Order Authorizing Implementation of Advanced Metering Infrastructure with Modifications.

Statutory authority: Public Service Law, sections 5, 65 and 66

Subject: Clarification or reconsideration of a provision in a prior order.

Purpose: To determine whether to clarify or reconsider a provision of a prior order regarding the implementation of Green Button Connect.

Substance of proposed rule: The Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid (NMPC) on December 10, 2020 in Cases 17-E-0238 and 17-G-0239. In the petition, NMPC seeks clarification or reconsideration from the Commission regarding NMPC's implementation of Green Button Connect (GBC), which was addressed in the Commission's Order Authorizing Implementation of Advanced Metering Infrastructure with Modifications, issued on November 20, 2020 in Cases 17-E-0238 and 17-G-0239 (AMI Order).

In the petition, NMPC request clarification or reconsideration of the Commission directive on page 30 of the AMI Order, which states that NMPC "shall not begin Green Button Connect implementation until the statewide Green Button Connect collaborative focusing on developing the standardized terms and conditions of Green Button Connect implementation and application is finalized and the Commission determines how to proceed with Green Button Connect implementation." NMPC states that the Commission's Rate Order, issued on March 15, 2018, approving the Joint Proposal in Cases 17-E-0238 and 17-G-0239 included funding to implement GBC My Data, and NMPC is working towards placing GBC My Data in service by March 31, 2021. NMPC states it is participating in the statewide GBC collaborative process and believes finalizing the collaborative should not be a prerequisite to NMPC implementation of GBC My Data. Further, NMPC states that the requirement that it not implement GBC My Data at this time conflicts with the requirements adopted in the Commission's Rate Order.

Therefore, NMPC requests clarification that the AMI Order does not direct NMPC to stop deployment of GBC My Data; but for NMPC to continue to participate in the GBC statewide collaborative process. NMPC states its implementation of GBC My Data will adhere to industry standards and NMPC will demonstrate compliance with those standards by obtaining Green Button Alliance certification. Alternatively, NMPC requests that the Commission reconsider this aspect of the AMI Order to enable NMPC to implement GBC My Data by March 31, 2021, as previously authorized in the Rate Order.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(17-E-0238SP11)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Banked Credit Distribution Rules and Processes

I.D. No. PSC-52-20-00006-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a Whitepaper filed by the Department of Public Service with recommendations intended to establish consistent banked credit distribution rules and processes across the utilities.

Statutory authority: Public Service Law, sections 5(1)(b), (2), 65(1), (2), (3), 66(2), (5) and 66-p

Subject: Banked credit distribution rules and processes.

Purpose: To ensure just and consistent banked credit distribution rules and processes.

Substance of proposed rule: The Public Service Commission is considering the recommendations in the Whitepaper on Community Distributed Generation Banked Credits (the Whitepaper), filed by Staff from the Department of Public Service (Department Staff) on December 15, 2020.

The Whitepaper presents recommendations of Department Staff regarding a number of matters, including the treatment of banked credits when a subscriber to a Community Distribution Generation (CDG) project closes its utility account or terminates participation in the CDG project. The recommendations are intended to establish consistent banked credit distribution rules and processes across the utilities and avoid the forfeiture of credits in these two situations. The Whitepaper also seeks comments on, among other things, (1) whether banked credits remaining in a subscriber account following termination of the subscription can be returned to the Sponsor's bank and, if so, how the transition should be managed to avoid creating issues for Sponsors that do not use the percentage-allocation billing model; (2) the recommended options for the treatment of banked credits associated with a Market Transition Credit (MTC) or Community Credit (CC) or, in the alternative, other approaches recommended by stakeholders; and, (3) whether any other changes to the banked credit distribution rules or process, or reporting requirements are needed at this time.

The full text of the Whitepaper and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0751SP36)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Negative Performance Factor Adjustments Applied to Auto-Dynamic Load Management and Term-Dynamic Load Management Participants

I.D. No. PSC-52-20-00007-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition for clarification filed by the Joint Utilities requesting to apply a negative performance factor should a participant fail to provide contractually obligated load relief.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Negative performance factor adjustments applied to auto-dynamic load management and term-dynamic load management participants.

Purpose: To improve multi-year and auto-DLM programs that will improve demand response program offerings.

Substance of proposed rule: The Public Service Commission (Commission) is considering a filing made on October 19, 2020 by Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), Orange and Rockland Utilities, Inc. (O&R), and Rochester Gas & Electric Corporation (RG&E) (the Utilities or, collectively, the Joint Utilities), requesting clarification of the Commission's Order Establishing Term-Dynamic Load Management and Auto-Dynamic

Load Management Program Procurements and Associated Cost-Recovery that was issued on September 17, 2020 (the DLM Order).

Specifically, the Utilities seek clarification as to whether they may include Negative Performance Factors in their contracts with DLM resource participants in the event that a participant fails to provide its contractually obligated load relief. The petition states that while the DLM Order addressed Performance Factor Adjustments, the Commission did not explicitly address the proposed Negative Performance Factor.

In order to calculate a Negative Performance Factor, the Utilities would calculate each participant's Performance Factor for each called event, which would then be used to compute an Adjusted Performance Factor. The combination of the Performance Factor and Adjusted Performance Factor compares the contracted load relief to the actual load relief provided. The Joint Utilities propose that if the participant meets its requirement it is entitled to be paid, but if a participant falls below a certain performance levels, e.g. 40 or 45 percent of its contracted load for Term-DLM and Auto-DLM, respectively, it would receive reduced compensation, and under some circumstances may be required to make a payment to the Utilities.

The Joint Utilities explain that the DLM Order's discussion of Performance Factors aligns with the Joint Utilities' position that Negative Performance Factors should be included in contracts with participants to better ensure the required load relief occurs. The Utilities request that the Commission expressly approve the Negative Performance Factor tool.

The full text of the filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SP9)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Transfer of a Natural Gas Pipeline and the Associated Certificate, and Application of Lightened and Incidental Regulation

I.D. No. PSC-52-20-00008-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by SABIC Innovative Plastics U.S., L.L.C. to transfer a 2.1 mile long natural gas supply line and associated certificate from SABIC to SHPP U.S., LLC, and request for lightened and incidental regulation.

Statutory authority: Public Service Law, sections 2(10)-(13), (21), (22), 5(1)(b), 66(13), 70 and 79-83

Subject: Transfer of a natural gas pipeline and the associated certificate, and application of lightened and incidental regulation.

Purpose: To determine whether the requested transfers and regulatory treatment are consistent with the law and the public interest.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a petition filed on November 12, 2020 by SABIC Innovative Plastics U.S., L.L.C. (SABIC) and SHPP U.S., L.L.C. (SHPP) (collectively, Joint Petitioners) to transfer from SABIC to SHPP a 12-inch diameter, approximately 2.1 mile long gas supply line (Pipeline) located in Selkirk, New York that is used to transport natural gas to a cogeneration facility that produces steam for SABIC and electricity for sale into the wholesale markets.

The Joint Petitioners also request, pursuant to PSL § 121(2), to transfer from SABIC to SHPP a Certificate of Environmental Compatibility and Public Need governing the ownership and operation of the Pipeline. Fur-

ther, the Joint Petitioners requests lightened and incidental regulatory treatment of SHPP following the consummation of the transfers, similar to the regulatory regime currently applicable to SABIC.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0556SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Notice of Intent to Submeter Electricity

I.D. No. PSC-52-20-00009-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering the notice of intent of CJ Plaza One LLC to submeter electricity at 147-40 Archer Avenue, Jamaica, New York.

Statutory authority: Public Service Law, sections 2, 4(1), 30, 32-48, 52, 53, 65(1), 66(1), (2), (3), (4), (12) and (14)

Subject: Notice of intent to submeter electricity.

Purpose: To ensure adequate submetering equipment and consumer protections are in place.

Substance of proposed rule: The Commission is considering the notice of intent filed by CJ Plaza One LLC, on October 13, 2020, to submeter electricity at 147-40 Archer Avenue, Jamaica, New York, 11435 located in the territory of Consolidated Edison Company of New York Inc. (Con Edison).

In the notice of intent, CJ Plaza One LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to residents is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

The full text of the notice of intent and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0502SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Proposed Filing Regarding Capacity Surcharge for ESCO Transportation Customers

I.D. No. PSC-52-20-00010-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a tariff filing by New York State Electric & Gas Corporation to modify P.S.C. No. 88 — Gas, to clarify the geographical areas where ESCOs of daily metered transportation customers will be assessed a capacity surcharge.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Proposed filing regarding capacity surcharge for ESCO transportation customers.

Purpose: To ensure safe and reliable service for customer at just and reasonable rates.

Substance of proposed rule: The Commission is considering a tariff filing by New York State Electric & Gas Corporation (NYSEG or the Company) on November 16, 2020, proposing to amend its tariff schedule, P.S.C. No. 88 — Gas, to clarify the geographical areas where energy service companies (ESCO) of daily metered transportation customers will be assessed a capacity surcharge.

By the proposed tariff amendments filed on November 16, 2020, NYSEG seeks to modify the tariff provisions related to ESCO daily metered transportation customers by clarifying the geographical areas where those ESCO customers will be assessed a capacity surcharge. Specifically, the proposed tariff provisions will refer to the Company's Gas Transportation Operating Manual where the specific geographical areas are listed. The proposed amendments have an effective date of April 1, 2021.

The full text of the tariff filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0593SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition for the Use of Gas Metering Equipment

I.D. No. PSC-52-20-00011-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Public Service Commission is considering a petition filed by National Fuel Gas Distribution Corporation for the use of the Romet RMT1000 to RMT23000 family of gas rotary meters.

Statutory authority: Public Service Law, section 67(1)

Subject: Petition for the use of gas metering equipment.

Purpose: To ensure that consumer bills are based on accurate measurements of gas usage.

Substance of proposed rule: The Public Service Commission is considering a petition filed by National Fuel Gas Distribution Corporation on September 1, 2020, seeking to use the Romet RMT1000-RMT23000 family of rotary gas meters in commercial gas metering applications.

The Commission requires testing of new types of gas meters and accessories, and their accuracy established, in accordance with the Commission's regulations, specifically 16 NYCRR Part 227, before they may be deployed for the purpose of customer billing.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0435SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Upgrading of Cellular Antennas on an Electric Transmission Tower

I.D. No. PSC-52-20-00012-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. and New Cingular Wireless PCS, LLC, to upgrade cellular antennas located on an electric transmission tower in the Town of Putnam Valley.

Statutory authority: Public Service Law, section 70

Subject: Upgrading of cellular antennas on an electric transmission tower.

Purpose: To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.

Substance of proposed rule: The Commission is considering a petition filed on November 13, 2020 by Consolidated Edison Company of New York, Inc. (Con Edison) and New Cingular Wireless PCS, LLC (Cingular), to upgrade cellular antennas located on an electric transmission tower in the Town of Putnam Valley.

The Commission authorized Cingular's existing cellular attachments on Con Edison's Tower K-236 by Order, dated December 23, 2011. Con Edison and Cingular signed a new agreement for the upgraded equipment on September 22, 2020 to attach 12 antenna panels at a height of 154 feet. Cingular would also occupy approximately 250 square feet at the base of the tower for associated equipment. The contract is for a period of five years with three five year renewal terms and does not allow Cingular to exclude other cellular providers from the tower. The fees are established by Con Edison's fee schedule used for all cellular attachments. The first year's fee would be \$75,209, with an annual increase of 4%. The petition states that Cingular has provided the documentation necessary under Con Edison's Commission-approved standard procedure.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0583SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Changes to Public Service Law Section 66-p Relating to Billing Information for Residential Rental Premises

I.D. No. PSC-52-20-00013-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a proposal filed by Reserve Gas Company, Inc. to modify its gas tariff schedule regarding changes to PSL Section 66-p relating to billing information for residential rental premises.

Statutory authority: Public Service Law, sections 65, 66 and 66-p

Subject: Changes to Public Service Law section 66-p relating to billing information for residential rental premises.

Purpose: To establish provisions as necessary to effectuate Public Service Law section 66-p.

Substance of proposed rule: The Commission is considering a proposal by Reserve Gas Company, Inc. (Reserve or the Company) on December 2, 2020, to amend its tariff schedule, P.S.C. No. 1—Gas. Reserve proposes to establish provisions relating to billing information for residential rental properties in accordance with the recently enacted Public Service Law Section 66-p which became effective on April 18, 2020.

Reserve proposes to include language in its gas tariff specifying that the Company shall provide the prospective tenant and landlord or other authorized person of prospective residential premises the total gas charges incurred for the life at such premises, or the preceding two-year period, whichever is shorter, within ten days of receipt of the written request, at no cost to the requestor. The proposed amendments have an effective date of March 1, 2021.

The full text of the proposal and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0029SP18)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Upgrading of Cellular Antennas on an Electric Transmission Tower

I.D. No. PSC-52-20-00014-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. and New Cingular Wireless PCS, LLC, to upgrade cellular antennas located on an electric transmission tower in the Town of Carmel.

Statutory authority: Public Service Law, sections 70

Subject: Upgrading of cellular antennas on an electric transmission tower.

Purpose: To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.

Substance of proposed rule: The Commission is considering a petition

filed on November 16, 2020 by Consolidated Edison Company of New York, Inc. (Con Edison) and New Cingular Wireless PCS, LLC (Cingular), to upgrade cellular antennas located on an electric transmission tower in the Town of Putnam Valley.

The Commission authorized Cingular's existing cellular attachments on Con Edison's Tower K-226 pursuant to an Order, dated December 23, 2011. Con Edison and Cingular signed a new agreement for the upgraded equipment on September 22, 2020 to attach 12 antenna panels at a height of 159 feet. Cingular would also occupy approximately 250 square feet at the base of the tower for associated equipment. The contract is for a period of five years with three five year renewal terms and does not allow Cingular to exclude other from the tower. The fees are established by Con Edison's fee schedule used for all cellular attachments. The first year's fee would be \$70,496.28, with an annual increase of 4%. The petition states that Cingular has provided the documentation necessary under Con Edison's Commission-approved standard procedure.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0583SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Upgrading of Cellular Antennas on an Electric Transmission Tower

I.D. No. PSC-52-20-00015-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. and New Cingular Wireless PCS, LLC, to upgrade cellular antennas located on an electric transmission tower in the Town of Carmel.

Statutory authority: Public Service Law, section 70

Subject: Upgrading of cellular antennas on an electric transmission tower.

Purpose: To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.

Substance of proposed rule: The Commission is considering a petition filed on November 13, 2020 by Consolidated Edison Company of New York, Inc. (Con Edison) and New Cingular Wireless PCS, LLC (Cingular), to upgrade cellular antennas located on an electric transmission tower in the Town of Carmel.

The Commission authorized Cingular's existing cellular attachments on Con Edison's Tower K-250 pursuant to an Order, dated December 23, 2011. Con Edison and Cingular signed a new agreement for the upgraded equipment on September 22, 2020 to attach 12 antenna panels at a height of 144 feet. Cingular would also occupy approximately 250 square feet at the base of the tower for associated equipment. The contract is for a period of five years with three five year renewal terms and does not allow Cingular to exclude other cellular providers from the tower. The fees are established by Con Edison's fee schedule used for all cellular attachments. The first year's fee will be \$75,209, with an annual increase of 4%. The petition states that Cingular has provided the documentation necessary under Con Edison's Commission-approved standard procedure.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0583SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Waiver of 16 NYCRR Sections 86.3(a)(1), (2) and (b)(2)

I.D. No. PSC-52-20-00016-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Sunrise Wind, LLC, for waiver of certain provisions of Part 16 of the NYCRR regarding requirements for applications under PSL Article VII for Certificates of Environmental Compatibility and Public Need.

Statutory authority: Public Service Law, sections 4 and 122

Subject: Waiver of 16 NYCRR sections 86.3(a)(1), (2) and (b)(2).

Purpose: To consider a waiver of certain regulations relating to the content of an application for transmission line siting.

Substance of proposed rule: The Public Service Commission is considering a petition filed by Sunrise Wind, LLC (Applicant), on December 9, 2020, for waiver of certain requirements for the content of an application for authority pursuant to Public Service Law Article VII to construct and operate the Sunrise Wind New York Cable Project (Project), an electric transmission line.

The Project would deliver electricity from the Sunrise Wind Farm, located offshore in federal waters to the existing New York State electrical grid. The Project would be located in the Town of Brookhaven, Suffolk County, and would include: (1) one 6.2-mile, direct current, 320-kilovolt (kV) submarine transmission line that would be located in New York State jurisdictional waters three miles offshore from Fire Island and land onshore underground on the eastern portion of Smith Point County Park in the Town of Brookhaven; (2) one underground, 320-kV transmission circuit of up to 17.5 miles in length (Onshore Transmission Cable) to be located within existing roadway rights-of-way, transition joint bays (TJBs), and concrete and/or direct buried joint bays; (3) one new Onshore Converter Station (OnCS-DC) to convert the Project voltage to 138 kV alternating current (AC); (4) two 138-kV, AC underground circuits (Onshore Interconnection Cable) of up to one mile in length, which will connect to the existing Holbrook Substation; and (5) fiber optic cables co-located with both the Onshore Transmission Cable and the Onshore Interconnection Cable.

As part of the Article VII process, the Applicant has sought a waiver of Commission regulations 16 NYCRR §§ 86.3(a)(1), 86.3(a)(2), and 86.3(b)(2). 16 NYCRR §§ 86.3(a)(1) and 86.3(a)(2) require an Article VII application to include certain New York State Department of Transportation (DOT) topographic maps at a scale of 1:24,000 showing, among other things, the proposed right-of-way, covering an area of at least five miles on either side of the proposed facility location and the relationship of the proposed facility to the applicant's overall system with respect to certain delineated items. Stating that mapping at the requisite DOT scale is not practical to depict the entire Project area and still show the required information, the Applicant seeks approval to provide, as an alternative, maps at scales of 1:190,080 and 1:15,840, which it states will supply all of the statutorily required information and provide greater resolution of delineated features.

Finally, the Applicant seeks a waiver of 16 NYCRR § 86.3(b)(2), which requires that an Article VII application include aerial photographs taken within six months of the date of filing an Article VII application. The Applicant seeks approval to instead provide photographs taken in August 2019, alleging, among other things, that such photographs reflect current conditions along the proposed Project corridor.

The full text of the petition, the certificate application, and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-T-0617SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC's Proposed Financing

I.D. No. PSC-52-20-00017-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC requesting authorization to issue up to \$250 million in long-term debt.

Statutory authority: Public Service Law, sections 2(22), 5(1)(c), 78, 79, 80, 82, 84 and 85

Subject: Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC's proposed financing.

Purpose: To review the proposed financing and consider whether it is within the public interest.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a petition filed on November 5, 2020 by Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC (Syracuse Energy) (collectively, Joint Petitioners) requesting to issue up to \$250 million in new long-term debt securities.

The Joint Petitioners explain that the proceeds of this financing would be used for general corporate purposes, including provision of working capital and other financial requirements, to support investments in the renovation and expansion of the Syracuse University Steam System and to fund a payment to be made to Syracuse University (University) to be used to advance the University's educational and community programs. Further, the debt would be serviced through a combination of an availability payment made by the University to Syracuse Energy and revenues from sales of steam, chilled water, and electricity distribution products and services provided to the University and third-party customers. A long-term contract (Concession Agreement) would be pledged as collateral for the debt.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-S-0550SP1)

Staten Island Rapid Transit Operating Authority

EMERGENCY RULE MAKING

Requiring Mask Wearing Covering the Nose and Mouth When Using Terminals, Stations and Trains Operated by SIRTOA

I.D. No. SIR-39-20-00008-E

Filing No. 893

Filing Date: 2020-12-09

Effective Date: 2020-12-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 1040 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, section 1266(4) and (5)

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The emergency amendments are necessary to safeguard public health and safety and to ensure through mandated mask wearing that the public, health care providers, first responders, and other essential workers who rely on subways and trains to get to and from work and also our employees are protected during the COVID-19 outbreak.

Subject: Requiring mask wearing covering the nose and mouth when using terminals, stations and trains operated by SIRTOA.

Purpose: To safeguard the public health and safety by amending rules to require the use of masks when using terminals and stations.

Text of emergency rule: A new subdivision (g) is added to section 1040.4 to read as follows:

(g) All persons in a terminal, station or train shall comply with all lawful orders and directives of any police officer, peace officer or any SIRTOA or Authority employee acting within the scope of their employment, including one pursuant to an order or directive issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or an order or directive issued by the Authority that includes requiring the wearing of masks or face coverings by any individual who is over the age of two and is able to medically tolerate a face-covering. Masks or face coverings must be worn in a manner covering the nose and mouth. Any person who does not comply with such an order or directive requiring wearing of masks or face coverings in a manner covering the nose and mouth may be barred from entering, or remaining on or in any terminal, station, or train, in addition to a fine of \$50.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. SIR-39-20-00008-EP, Issue of September 30, 2020. The emergency rule will expire February 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Peter Siström, Metropolitan Transportation Authority, 2 Broadway, New York, NY 10004, (212) 878-7176, email: psistrom@mtahq.org

Regulatory Impact Statement

Statutory authority: Section 1204(5-a) provides that the New York City Transit Authority may adopt rules and regulations governing the conduct and safety of the public as it may deem necessary, convenient or desirable for the use and operation of the transit facilities under its jurisdiction; Sections 1266(4) and (5) of the Public Authorities Law provide that the Metropolitan Transportation Authority and its subsidiary public benefit corporations may adopt rules and regulations governing the conduct and safety of the public as they may deem necessary, convenient or desirable for the use of any transportation facility and related services operated by it or its subsidiaries. Under the Executive Law, the Governor has declared a state disaster emergency and has issued Executive Order 202.18, which requires "any person utilizing public or private transportation carriers or other for-hire vehicles, who is over age two and able to medically tolerate a face covering, [to] wear a mask or face covering over the nose and mouth during any such trip."

Legislative objectives: The Legislature has conferred on the New York City Transit Authority and the Metropolitan Transportation Authority and their subsidiaries the authority to ensure the safety of their passengers and employees. Both have exercised that authority to adopt rules of conduct governing the conduct and safety of the public in the use of their facilities; this amended rule furthers the Legislature's objective by safeguarding public health and safety during the State disaster emergency related to the COVID-19 outbreak and after.

Needs and benefits: The proposed amendment is necessary to safeguard public health and safety to ensure that persons who rely on subways to get to and from work comply with the public health guidance to wear a mask or face covering to try to limit the transmission of COVID-19.

Costs: (a) Regulated parties. The proposed amendments to the rules governing conduct and safety do not impose new costs on passengers or others. (b) State and local government. The proposed amendments to the rules governing conduct and safety will not impose any new costs on State or local governments.

Local government mandates: The proposed amended rules do not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department's Transit Bureau is already responsible with others in enforcing the New York City Transit Authority's Rules Governing the Conduct and Safety of the Public, and the MTA Police Department is responsible for enforcing the comparable rules and regulations governing the conduct and safety of the public on trains and stations operated by the Metropolitan Transportation Authority's two commuter railroads.

Paperwork: The proposed amended rules do not impose any new reporting requirements.

Duplication: The proposed amended rules do not duplicate, overlap, or conflict with any State or Federal rule.

Alternatives: No significant alternatives to these amendments were considered.

Federal standards: The proposed amended rule does not exceed any Federal minimum standards.

Compliance schedule: There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency amendment to the existing rules governing the conduct and safety of the public will be effective immediately.

Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A regulatory flexibility statement for small business and local governments, a rural flexibility analysis, and a job impact statement are not required for this rulemaking proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

This rulemaking will authorize law enforcement officers and designated employees of the Metropolitan Transportation Authority and Staten Island Rapid Transit Operating Authority to enforce compliance with orders and directives issued by the Governor of the State of New York pursuant to a state disaster emergency relating to public health or the Metropolitan Transportation Authority requiring persons in a terminal, station or train to wear masks or face coverings in a manner covering the nose and mouth. Due to its narrow focus, this proposed emergency rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses or local governments in rural or urban areas or on jobs and employment opportunities.

Assessment of Public Comment

The agency received no public comment.

Action taken: Addition of Part 8300 to Title 20 NYCRR.

Statutory authority: Education Law, section 2023-a(2)(c); Tax Law, section 171, subdivision First

Subject: Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures.

Purpose: To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts.

Text or summary was published in: the January 15, 2020 issue of the Register, I.D. No. TAF-02-20-00001-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kathleen D. Chase, Regulations Specialist, Department of Taxation and Finance, Office of Counsel, Building 9, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4153, email: kathleen.chase@tax.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Taxation and Finance

NOTICE OF ADOPTION

Property Tax Levy Limits for School Districts in Relation to Certain Costs Resulting from Capital Local Expenditures

I.D. No. TAF-02-20-00001-A

Filing No. 896

Filing Date: 2020-12-11

Effective Date: 2020-12-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

Agency I.D. No.	Subject Matter	Location—Date—Time
Lake George Park Commission		
LGP-43-20-00005-P	Stream Corridor Protection Regulations for the Lake George Park	Fort William Henry, 48 Canada St., Lake George, NY—January 12, 2021, 4:00 p.m.
Public Service Commission		
PSC-42-20-00006-P	Proposed Major Rate Increase in National Grid's Delivery Revenues of Approximately \$41.8 Million (or 9.8% in Total Revenues)	Department of Public Service, 19th Fl. Board Rm., 3 Empire State Plaza, Albany, NY—January 6, 2021, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 20-G-0381
PSC-42-20-00009-P	Proposed Major Rate Increase in National Grid's Delivery Revenues of Approximately \$100.4 Million (or 3.2% in Total Revenues)	Department of Public Service, 19th Fl. Board Rm., 3 Empire State Plaza, Albany, NY—January 6, 2021, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 20-E-0380
PSC-45-20-00004-P	Major Gas Rate Filing	Department of Public Service, 19 Fl. Board Rm., 3 Empire State Plaza, Albany, NY—February 16, 2021, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 20-E-0429
PSC-45-20-00005-P	Major Electric Rate Filing	Department of Public Service, 19 Fl. Board Rm., 3 Empire State Plaza, Albany, NY—February 16, 2021, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 20-E-0428
PSC-46-20-00005-P	Recommendations of the DPS Staff Report to Improve Hudson Valley Water's Service	The Public Hearing will be held online and by telephone. Details for access will be published via Notice at the DPS website (www.dps.ny.gov) under Case 20-W-0477—January 19, 2021, 4:00 p.m.* *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 20-W-0477

ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals

listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	00001	P

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-12-20-00006-P	04/01/21	Calibrating and testing of certain weights and measures standards and devices.	To allow the Dept. to increase the fees it charges in calibrating and testing certain weights & measures standards and devices.
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ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-19-20-00001-RP	05/13/21	General service standards applicable to outpatient substance use disorder programs	To set-forth the minimum regulatory requirements for certified outpatient substance use disorder treatment programs.
ASA-28-20-00013-P	07/15/21	Patient Rights	To set-forth the minimum regulatory requirements for patient rights in OASAS certified, funded or otherwise authorized programs
ASA-28-20-00014-P	07/15/21	Specialized Services	To replace the term "chemical dependence" with "addiction"
ASA-28-20-00016-P	07/15/21	Designated Services	To set-forth the minimum regulatory requirements for certified programs to seek an Office designation

AUDIT AND CONTROL, DEPARTMENT OF

AAC-43-20-00004-P	10/28/21	Budgets and Financial Plan Format of Public Authorities	Conform regulations related to the submission of annual budgets and financial plans to the Public Authorities Reform Act of 2009
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CHILDREN AND FAMILY SERVICES, OFFICE OF

*CFS-46-19-00002-RP	03/03/21	Behavioral health services, elimination of room isolation and authority to operate de-escalation rooms	To implement standards for behavioral health services and the operation of de-escalation rooms and to eliminate room isolation
CFS-04-20-00009-P	01/28/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-36-20-00003-P	09/09/21	Requires training on adverse childhood experiences (ACEs), focused on understanding trauma and on nurturing resiliency	Requires training on adverse childhood experiences (ACEs), focused on understanding trauma and on nurturing resiliency
CFS-46-20-00001-P	11/18/21	Amendment to community guardian program regarding who can complete the annual evaluation or examination	Amendment to community guardian program regarding who can complete the annual evaluation or examination
CFS-49-20-00006-EP	12/09/21	Maintenance reimbursement for residential CSE programs when a student has been absent from the program for more than 15 days.	Remove an existing regulatory barrier that precludes maintenance reimbursement for residential CSE programs.
CFS-51-20-00003-P	12/23/21	Outlining the procedures for requesting and conducting criminal history disqualification reviews	Outlining the procedures for requesting and conducting criminal history disqualification reviews
CIVIL SERVICE, DEPARTMENT OF			
CVS-03-20-00003-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00004-P	04/01/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-03-20-00005-P	04/01/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-03-20-00006-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-03-20-00007-P	04/01/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-06-20-00001-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-20-00002-P	04/01/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-06-20-00003-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00004-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00005-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-06-20-00006-P	04/01/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-20-00007-P	04/01/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class
CVS-06-20-00008-P	04/01/21	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-13-20-00002-P	04/01/21	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2020
CVS-13-20-00009-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00010-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00011-P	04/01/21	Jurisdictional Classification	To delete positions from the exempt class
CVS-13-20-00012-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00013-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00014-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00015-P	04/01/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-13-20-00016-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00017-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00018-P	04/01/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-20-00019-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00020-P	04/01/21	Jurisdictional Classification	To delete positions in the non-competitive class
CVS-13-20-00021-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00022-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00023-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00024-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes.
CVS-13-20-00025-P	04/01/21	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-18-20-00004-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00005-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00006-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00007-P	05/06/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-18-20-00008-P	05/06/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class

Action Pending Index**NYS Register/December 30, 2020**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-18-20-00009-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00010-P	05/06/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-20-00002-P	06/17/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-24-20-00003-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00004-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00005-P	06/17/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-20-00006-P	06/17/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-24-20-00007-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00008-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00009-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00010-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-20-00004-P	07/15/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-28-20-00005-P	07/15/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00006-P	07/15/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00007-P	07/15/21	Jurisdictional Classification	To delete a position from the exempt class
CVS-28-20-00008-P	07/15/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00009-P	07/15/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-20-00010-P	07/15/21	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-28-20-00011-P	07/15/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00012-P	07/15/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-20-00003-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00004-P	08/12/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-32-20-00005-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00006-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-41-20-00002-P	10/14/21	Jurisdictional Classification	To delete positions from and to classify a subheading and positions in the exempt class
CVS-41-20-00003-P	10/14/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-20-00004-P	10/14/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-20-00005-P	10/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-20-00006-P	10/14/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-41-20-00007-P	10/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-49-20-00002-P	12/09/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-20-00003-P	12/09/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class.
CVS-49-20-00004-P	12/09/21	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-20-00005-P	12/09/21	Jurisdictional Classification	To classify a position in the non-competitive class
CORRECTION, STATE COMMISSION OF			
*CMC-35-19-00002-P	02/01/21	Disciplinary and administrative segregation of inmates in special housing.	Prohibit the segregation of vulnerable inmates, and to standardize allowable uses and duration of special housing segregation.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-34-20-00001-P	08/26/21	Family Reunion Program	To clarify for logic and consistency, and make additional changes to the current Family Reunion Program
CRIMINAL JUSTICE SERVICES, DIVISION OF			
*CJS-30-19-00010-ERP	04/01/21	Use of Force	Set forth use of force reporting and recordkeeping procedures
CJS-19-20-00010-P	05/13/21	Part 364 - Conditional release conditions.	Conform to the recent changes made by the Legislature by removing the term "gravity knife".
CJS-44-20-00002-P	11/04/21	Intake for Article 7 (PINS)	Update existing Rule to reflect services which will be performed by Probation departments

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-41-20-00014-P	10/14/21	The Excelsior Linked Deposit Program	Administration of the Excelsior Linked Deposit Program
EDV-48-20-00001-P	12/02/21	Employee Training Incentive Program	To update the administrative processes for the ETIP program
EDUCATION DEPARTMENT			
*EDU-17-19-00008-P	02/01/21	To require study in language acquisition and literacy development of English language learners in certain teacher preparation	To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population
*EDU-27-19-00010-P	02/01/21	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
EDU-11-20-00013-RP	03/23/21	Special Education Impartial Hearing Officers and the Special Education Due Process System Procedures	To address volume of special education due process complaints in the New York City due process system
EDU-16-20-00002-ERP	04/22/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-20-20-00008-ERP	05/20/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-30-20-00002-P	07/29/21	Creating a transitional J Certificate for Military Spouses	To create a Transitional J certificate for spouses of individuals on full-time active duty with the Armed Forces
EDU-30-20-00003-P	07/29/21	Creating Safety Nets for the Arts Content Specialty Tests (CSTs)	To create a safety net for the Arts Content Specialty Tests (CSTs)
EDU-30-20-00005-P	07/29/21	Creating a Safety Net for the School Building Leader Assessment	To create a safety net for the School Building Leader Assessment
EDU-48-20-00003-P	12/02/21	Regional Bibliographic Data Bases and Interlibrary Resources Sharing Program	Update and clarify certain terminology related to the use of technology in libraries and to reflect new technologies.
EDU-52-20-00018-EP	12/30/21	Addressing the COVID-19 crisis	To address issues resulting from the COVID-19 crisis and to provide regulatory flexibility due to the COVID-19 crisis
EDU-52-20-00019-P	12/30/21	Requirements for Awarding the NYS Seal of Biliteracy	To update the requirements for awarding the NYS Seal of Biliteracy
EDU-52-20-00020-P	12/30/21	Content Core Requirement in Computer Science Teacher Preparation Programs	To make the content core requirement for the Computer Science certificate aligned with the NYS Computer Science Standards
EDU-52-20-00021-P	12/30/21	Conferral of the Degree of Doctor of Medicine (M.D.) by the Board of Regents	To conform the law with the statutory requirements for issuance of an M.D. to foreign-educated applicants
EDU-52-20-00022-P	12/30/21	Implementation of the Crown Act	To implement Chapter 95 of the Laws of 2019, known as the Crown Act

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-52-20-00023-EP	12/30/21	Instruction to prevent child sexual exploitation and child sexual abuse in grades K-8	Implementation of chapter 187 of the Laws of 2019
EDU-52-20-00024-P	12/30/21	Uniform Violent or Disruptive Incident Reporting (VADIR) System, Also Known as the School Safety and Educational Climate Report	Update the definitions of violent and disruptive incidents for purposes of the VADIR and update the School Violence Index
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
*ENV-36-19-00003-P	04/01/21	Stationary Combustion Installations	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.
*ENV-37-19-00003-RP	04/01/21	Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations	To improve the review of projects by removing some project types that are known not to cause harm from the review stream
ENV-05-20-00002-P	04/10/21	Sulfur-in Fuel Limitations	Limit sulfur in liquid and solid fuels throughout NYS
ENV-06-20-00018-P	04/16/21	The repeal and replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles	To further reduce harmful volatile organic compounds (VOCs) emitted into the atmosphere.
ENV-06-20-00019-P	04/16/21	Consumer Products	Reduce Volatile Organic Compound emissions from Consumer Products - those products used in the average household.
ENV-06-20-00020-P	04/16/21	New Source Review requirements for proposed new major facilities and major modifications to existing facilities.	To conform to federal NSR rule requirements and related court rulings, correct typographical errors, and clarify rule language.
ENV-12-20-00001-EP	03/25/21	Regulations governing commercial fishing of Tautog (blackfish).	To revise regulations concerning the commercial harvest of Tautog in New York State.
ENV-17-20-00005-P	04/29/21	The above referenced Parts make up the Department's air pollution control permitting program.	The purpose of this rulemaking is to improve the clarity and consistency of the Department's air pollution permitting program
ENV-33-20-00005-P	08/19/21	Repeal of Section 485.1	To remove outdated and redundant references in the Department's regulations
ENV-36-20-00002-P	09/09/21	Deer Hunting Seasons	Establish a bow and muzzleloader deer hunting season in the Southern Zone during the Christmas and New Year holiday week
ENV-42-20-00003-EP	10/21/21	Sanitary Condition of Shellfish Lands	To reclassify underwater shellfish lands to protect public health
ENV-47-20-00004-P	11/25/21	Inland trout stream fishing regulations	To revise and standardize inland trout stream fishing regulations
ENV-47-20-00005-P	11/25/21	Sportfishing (freshwater) and associated activities	To revise and simplify sportfishing regulations and associated activities
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-25-18-00006-P	..... exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
*DFS-43-19-00017-P	..... 04/01/21	Independent Dispute Resolution for Emergency Services and Surprise Bills	To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided
DFS-36-20-00007-P	..... 09/09/21	Superintendent's Regulations: Information Subject to Confidential Treatment	Provide rules concerning publication or disclosure of information subject to confidential treatment
DFS-45-20-00007-P	..... 11/10/21	Office of Pharmacy Benefits	To establish the Office of Pharmacy Benefits and rules for the Drug Accountability Board
DFS-49-20-00011-P	..... 12/09/21	Credit for Reinsurance	To conform to covered agreements entered into between the US and EU and the US and UK, and implement NAIC models.
DFS-52-20-00001-P	..... 12/30/21	Principle-Based Reserving	To prescribe minimum principle-based valuation standards
GAMING COMMISSION, NEW YORK STATE			
SGC-34-20-00009-P	..... 08/26/21	Qualification time in harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-40-20-00001-P	..... 10/07/21	To expressly permit veterinary technicians to practice in horse racing	To preserve the safety and integrity of pari-mutuel racing while generating reasonable revenue for the support of government
SGC-44-20-00012-P	..... 11/04/21	Allowing licensed lottery courier services to purchase and deliver lottery tickets to customers	To facilitate the sale of lottery tickets to generate additional revenue for education
SGC-50-20-00006-P	..... 12/16/21	Participation in the management and operation of charitable games of chance	To maintain integrity and accountability in the management and operation of games of chance
SGC-50-20-00007-P	..... 12/16/21	Contactless payment methods for chances in charitable gaming	To promote public health and support of organizations authorized to operate games of chance
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	..... exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-36-19-00006-P	..... 04/01/21	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.
*HLT-40-19-00004-P	..... 04/01/21	Drug Take Back	To implement the State's drug take back program to provide for the safe disposal of drugs
*HLT-46-19-00003-P	..... 04/01/21	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
*HLT-47-19-00008-P	04/01/21	Hospital Medical Staff - Limited Permit Holders	To repeal extra years of training required for limited permit holders to work in New York State hospitals.
*HLT-51-19-00001-P	04/01/21	Women, Infants and Children (WIC) Program	To support implementation of eWIC; clarify rules for violations, penalties & hearings & conform vendor authorization criteria.
HLT-53-19-00001-P	01/02/21	Prohibition on the Sale of Electronic Liquids with Characterizing Flavors	To prohibit the sale of electronic liquids with characterizing flavors
HLT-53-19-00012-P	04/01/21	Consumer Directed Personal Assistance Program Reimbursement	To establish a program to pay home care services & establish a methodology framework for the payment of FI administrative costs.
HLT-04-20-00003-P	04/01/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
HLT-04-20-00011-P	04/01/21	Nursing Home Case Mix Rationalization	To authorize the Department of Health to change the case mix acuity process for all nursing homes.
HLT-11-20-00003-P	04/01/21	Adult Day Health Care (ADHC)	To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program
HLT-27-20-00006-P	07/08/21	Medicaid Managed Care State Fair Hearings and External Appeals Processes and Standards	To address & clarify rules of procedure & presentation of evidence for Medicaid managed care fair hearings & external appeals
HLT-28-20-00019-P	07/15/21	Personal Care Services (PCS) and Consumer Directed Personal Assistance Program (CDPAP)	To implement a revised assessment process and eligibility criteria for PCS and CDPAP
HLT-31-20-00012-EP	exempt	Hospital Non-comparable Ambulance Acute Rate Add-on	Prevents duplicate claiming by Article 28 hospitals for the ambulance add-on regarding participation in the program
HLT-38-20-00006-P	09/23/21	Medicaid Transportation Program	Medicaid payment standards for emergency ambulance providers participating in an Emergency Triage, Treat & Transport (ET3) model
HLT-38-20-00008-EP	09/23/21	Revise Requirements for Collection of Blood Components	To facilitate the availability of human blood components while maintaining safety
HLT-39-20-00003-EP	09/30/21	Reduce Hospital Capital Rate Add-on and Reduce Hospital Capital Reconciliation Payment	To include a 5 percent reduction to the budgeted and actual capital add-on in Article 28 hospital inpatient reimbursement rates
HLT-40-20-00002-EP	10/07/21	Hospital Indigent Care Pool Payment Methodology	To develop an indigent care distribution methodology for calendar years through 2022
HLT-45-20-00002-P	11/10/21	Cannabinoid Hemp	To create a licensing framework for cannabinoid hemp processors and cannabinoid hemp retailers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
*HCR-21-19-00019-P	04/01/21	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of flow-income housing tax credits.
HCR-26-20-00012-EP	09/09/21	Schedule of Reasonable Costs for Major Capital Improvements in rent regulated housing accommodations	Provide a schedule of reasonable costs for Major Capital Improvements in rent regulated housing accommodations
HOUSING FINANCE AGENCY			
*HFA-21-19-00020-P	04/01/21	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-28-20-00031-RP	07/15/21	Source of funding reporting	Clarifying amendments to Source of Funding reporting
JPE-28-20-00032-RP	07/15/21	Amendments to the lobbying regulations	To clarify the lobbying regulations that implement the provisions of the Lobbying Act
LABOR, DEPARTMENT OF			
*LAB-46-19-00004-P	04/01/21	NY State Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards
LAB-49-20-00012-P	12/09/21	Sick Leave Requirements	To provide definitions and standards for the sick leave requirements contained in Section 196-b of the Labor Law
LAKE GEORGE PARK COMMISSION			
LGP-29-20-00006-P	09/22/21	Amendment of Stormwater Regulations within the Lake George Park	To more adequately control and minimize the pollutants found in stormwater runoff from going into Lake George
LGP-43-20-00005-P	01/12/22	Stream corridor protection regulations for the Lake George Park	To establish permit requirements and standards for the protection of stream corridors in the Lake George Park
LAW, DEPARTMENT OF			
LAW-18-20-00002-P	05/06/21	Designation of a Privacy Officer	Removal of a named Privacy Officer., along with their contact information
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-03-10-00004-P	..... exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
LPA-37-20-00008-P	..... exempt	The Authority's annual budget, as reflected in the rates and charges in the Tariff for Electric Service	To update the Tariff to implement the Authority's annual budget and corresponding rate adjustments
LPA-37-20-00009-P	..... exempt	Consolidated billing for community distributed generation	To modify the Tariff to offer consolidated billing options for community distributed generation consistent with the NY PSC
LPA-37-20-00010-P	..... exempt	To modify the RDM and DSA to address the unforeseen impact of COVID-19	To modify the Tariff to mitigate high bill impacts and allow for additional expense recovery related to a state of emergency
LPA-37-20-00011-P	..... exempt	New optional TOU rates as proposed in PSEG Long Island's 2018 Utility 2.0 Filing and subsequent filing updates	To incorporate best practices in TOU rate design, reduce peak load, and offer customers new rate options
LPA-37-20-00012-P	..... exempt	The Authority's implementation of PSL § 66-p in the Tariff for Electric Service	To update the Tariff to provide access to historical electric charges billed to a rental property
LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers

LONG ISLAND RAILROAD COMPANY

LIR-39-20-00005-ERP 09/30/21	Requiring wearing masks over the nose and mouth when using terminals, stations, and trains operated by Long Island Rail Road	To safeguard the public health and safety on terminals, stations and trains operated by Long Island Rail Road
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MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY

MBA-39-20-00007-EP 09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MENTAL HEALTH, OFFICE OF			
OMH-42-20-00011-EP	10/21/21	Comprehensive Psychiatric Emergency Programs	To provide clarify and provide uniformity relating to CPEPs and to implement Chapter 58 of the Laws of 2020
METRO-NORTH COMMUTER RAILROAD			
MCR-39-20-00004-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations, and trains operated by Metro-North Railroad	To safeguard the public health and safety by amending the rules to require use of masks when using Metro-North facilities
METROPOLITAN TRANSPORTATION AGENCY			
MTA-39-20-00009-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by MTA Bus Company	To safeguard the public health and safety by amending rules to require use of masks when using MTA Bus facilities and conveyance
NEW YORK CITY TRANSIT AUTHORITY			
NTA-39-20-00006-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by NYC Transit Authority	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-39-20-00023-P	09/30/21	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc	To amend procurement guidelines to reflect changes in law and clarifying language
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-37-20-00004-ERP	09/16/21	Day Habilitation Duration	to help providers maintain capacity to operate during the public health emergency
PDD-42-20-00001-P	10/21/21	Crisis Intervention Services for individuals with intellectual/developmental disabilities	Specifies qualifications for providers for the provision of these services and allowance for billing

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-49-20-00001-P	..... 12/09/21	Medication regimen review	Change from a semi-annual review to an annual review. Increased flexibility for providers
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-41-20-00009-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers

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PUBLIC SERVICE COMMISSION			
*PSC-25-06-00017-P exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program

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PUBLIC SERVICE COMMISSION			
*PSC-39-07-00017-P exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with its AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with its AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
*PSC-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*PSC-19-17-00004-P	..... exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2016.
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement.
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-44-18-00016-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-47-18-00008-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
*PSC-12-19-00004-P	..... exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs.	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities.
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation.	To determine if the proposed merger is in the public interest.
*PSC-19-19-00014-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 124 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 124 MW electric generating facility.
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-20-19-00015-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 105.8 MW electric generating facility	Consideration of a lightened regulatory regime for an approximately 105.8 MW electric generating facility
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00015-P	..... exempt	Proposed major rate increase in KEDNY's gas delivery revenues by \$236.8 million (13.6% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00016-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues of approximately \$49.4 million (or 4.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
*PSC-44-19-00003-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00005-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-44-19-00006-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00007-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
*PSC-46-19-00010-P	..... exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
*PSC-48-19-00007-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.
*PSC-50-19-00004-P	..... exempt	Petition to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-52-19-00001-P	..... exempt	SUEZ Water New York Inc.'s acquisition of 100% of Heritage Hills Water Works Corporation's assets.	To determine if the proposed acquisition is in the public interest.
PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
PSC-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
PSC-04-20-00014-P	..... exempt	Transfer of the Indian Point site, nuclear waste, and decommissioning and site restoration funds from Entergy to Holtec.	To protect the public interest.
PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
PSC-10-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Family Energy, Inc. should be granted a waiver to offer two "green gas" products to mass market customers.
PSC-11-20-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-20-00008-P	..... exempt	Revisions to the proration tariff language.	To consider revisions to the proration tariff language under Leaf 18.1, 18 61 to 64 and Leaf 69.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-11-20-00011-P	..... exempt	Application of the Public Service Law to owners of a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To determine whether to apply a lightened regulatory regime to the owners of a proposed 345 kV transmission line.
PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation.	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.
PSC-12-20-00010-P	..... exempt	Direct Energy, LLC's Green Gas Products.	To consider whether Direct Energy, LLC should be allowed to offer two Green Gas Products to mass market customers.
PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators.
PSC-15-20-00013-P	..... exempt	Ownership of New York American Water Company, Inc.	To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.
PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund.	To determine how much of a state sales tax refund should be retained by Central Hudson.
PSC-17-20-00008-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Alpha Gas & Electric, LLC should be permitted to offer its Green Gas Program to mass market customers.
PSC-18-20-00012-P	..... exempt	The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.	To revise the price to be paid by the Company under Service Classification No. 10. for qualifying purchases of unforced capacity
PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.
PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.
PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To provide cost recovery for new DLM programs and prevent double compensation to participating customers.
PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity.
PSC-21-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Green Gas Products to mass market customers.
PSC-21-20-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-21-20-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IGS Energy should be allowed to offer a Carbon-Neutral Gas Product and a Home Warranty Service Product.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-23-20-00006-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IDT Energy, Inc. and Residents Energy, LLC should be permitted to offer Green Gas Products in New York.
PSC-23-20-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether American Power & Gas LLC should be permitted to offer its Green Gas Products to mass market customers.
PSC-23-20-00008-P	..... exempt	Disposition of sales tax refund and other related matters.	To consider the appropriate allocation of the sales tax refund proceeds while balancing ratepayer and shareholder interests.
PSC-23-20-00010-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether AmeriChoice Energy should be permitted to offer its Green Gas Products to mass market customers.
PSC-24-20-00016-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the NRG Retail Companies should be permitted to offer Green Gas Products in New York.
PSC-24-20-00018-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Atlantic Energy, LLC should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-24-20-00020-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether CenStar Energy, Major Energy Services, and Spark Energy Gas should be permitted to offer Green Gas Products.
PSC-25-20-00009-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements.	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.
PSC-25-20-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-20-00012-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-25-20-00014-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether South Bay Energy Corp. should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-25-20-00015-P	..... exempt	Staff whitepaper on a Data Access Framework.	To standardize the necessary privacy and cybersecurity requirements for access to energy-related data.
PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program.	To address the economic impacts of the COVID-19 pandemic.
PSC-25-20-00017-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Marathon Energy should be permitted to offer Green Gas Products to mass market customers in New York.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-25-20-00018-P	..... exempt	Staff's whitepaper proposing an IEDR.	To collect and integrate a large and diverse set of energy-related information and data on one statewide platform.
PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent.	To encourage consumer protections and safe and adequate service.
PSC-28-20-00020-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00027-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioners should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
PSC-29-20-00008-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
PSC-29-20-00011-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of Opportunities for Broome, Inc for waiver of Opinion No. 76-17 and 16 NYCRR Part 96.
PSC-30-20-00006-P	..... exempt	Petition to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-20-00003-P	..... exempt	Authority to issue and sell promissory notes.	To consider the petition of National Fuel Gas Distribution Corporation to issue up to \$300 million in promissory notes.
PSC-31-20-00004-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-20-00008-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Kiwi Guard product to mass market customers in New York.
PSC-31-20-00010-P	..... exempt	Submetering of electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-20-00011-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-32-20-00014-P	..... exempt	The term for retention of a monetary crediting methodology.	To provide sufficient revenues to support financing, realize promised benefits from the project, and repay necessary re-work.
PSC-32-20-00015-P	..... exempt	Petition for waiver of the requirements of 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of St. Paul's Center to master meter and for waiver of 16 NYCRR Part 96.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-34-20-00004-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers.	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory.
PSC-34-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-35-20-00015-P	..... exempt	Request for waiver of 16 NYCRR 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-35-20-00016-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-20-00017-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer green gas products to mass market customers in New York.
PSC-36-20-00005-P	..... exempt	The petition relates to the proposed transfer of membership interests in companies providing gas transportation services.	To consider the requested transfer and, if approved, what regulatory conditions should apply.
PSC-36-20-00006-P	..... exempt	A debt financing arrangement with respect to a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.
PSC-37-20-00006-P	..... exempt	Con Edison's petition for a proposed Non-Pipeline Solutions portfolio and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-38-20-00003-P	..... exempt	Minor Rate Filing	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
PSC-39-20-00014-P	..... exempt	Tariff filing.	To determine if New York State Electric & Gas Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00015-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-39-20-00016-P	..... exempt	Tariff filing.	To determine if Central Hudson Gas & Electric Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00017-P	..... exempt	Tariff filing.	To determine if National Grid's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00018-P	..... exempt	Tariff filing.	To determine if Rochester Gas and Electric Corporation's tariff filing is consistent with the law and in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-39-20-00019-P	..... exempt	Tariff filing.	To determine if Orange and Rockland Utilities, Inc.'s tariff filing is consistent with the law and in the public interest.
PSC-39-20-00020-P	..... exempt	Tariff filing.	To determine if Consolidated Edison Company of New York's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00021-P	..... exempt	Authority to issue to long-term debt.	To consider Corning's request for authority to issue long-term debt.
PSC-39-20-00022-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-40-20-00003-P	..... exempt	NYSEG's petition for a proposed Non-Pipeline Alternatives portfolio of projects and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-40-20-00004-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-20-00005-P	..... exempt	Electric Generation Facility Cessation Mitigation Program Funding	To develop a funding mechanism for the Electric Generation Facility Cessation Mitigation Program.
PSC-40-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-40-20-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.
PSC-40-20-00008-P	..... exempt	A benefit for electric utility customers in communities that host a major renewable energy facility.	To consider a just and reasonable benefit for electric utility customers in renewable host communities.
PSC-40-20-00009-P	..... exempt	Amendments clarifying the sharing of revenue from the Energy Storage Program.	To ensure that Con Edison's tariff is clear regarding sharing of revenue when annual wholesale revenues exceed contract costs.
PSC-40-20-00010-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.
PSC-41-20-00010-P	..... exempt	Disposition of a \$50 million municipal tax refund	To consider a disposition of a municipal tax refund for customer and company benefit
PSC-41-20-00011-P	..... exempt	Major gas rate filing.	To consider a proposed increase in Corning's gas delivery revenues of approximately \$6.3 million (23.4% in total revenues).
PSC-41-20-00012-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-41-20-00013-P	..... exempt	The proposed transfer of a Certificate of Environmental Compatibility and Public Need.	Consideration of whether the proposed transfer is in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-42-20-00006-P	..... exempt	Proposed major rate increase in National Grid's delivery revenues of approximately \$41.8 million (or 9.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-20-00007-P	..... exempt	Transfer of ownership interests and facilities associated with three nuclear generating units, funds, and storage facilities.	To ensure appropriate regulatory review, oversight, and action concerning the proposed transfer to serve the public interest.
PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations.
PSC-42-20-00009-P	..... exempt	Proposed major rate increase in National Grid's delivery revenues of approximately \$100.4 million (or 3.2% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-43-20-00003-P	..... exempt	The use of \$50 million to support residential and commercial customers experiencing financial hardship	To consider whether the proposed support of ratepayers is in the public interest
PSC-44-20-00004-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-44-20-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-20-00006-P	..... exempt	Transfer of property interests in the Union Falls Hydroelectric Facility.	To determine whether to authorize the transfer of the Union Falls Hydroelectric Facility and the proper accounting treatment.
PSC-44-20-00007-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 90.5 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 90.5 MW electric generating facility.
PSC-44-20-00008-P	..... exempt	Lease of right-of-way and transfer of facilities.	To determine whether to authorize lease of right-of-way, transfer of facilities and the proper accounting treatment.
PSC-44-20-00009-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-44-20-00010-P	..... exempt	Transfer of natural gas pipeline facilities and ownership interests in those facilities, and an applicable regulatory regime.	To ensure appropriate regulatory review, oversight, and action concerning the proposed transfers and the facility owners.
PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-45-20-00004-P	..... exempt	Major gas rate filing	To consider an increase in Central Hudson's gas delivery revenues
PSC-45-20-00005-P	..... exempt	Major electric rate filing	To consider an increase in Central Hudson's electric delivery revenues
PSC-45-20-00006-P	..... exempt	Petition to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
PSC-46-20-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service.	To determine if approving the DPS Staff's recommendations is in the public interest.
PSC-46-20-00006-P	..... exempt	Amendments to the SIR.	To more effectively interconnect distributed generation and energy storage Systems 5 MW or less to the distribution system.
PSC-46-20-00007-P	..... exempt	Compliance of New York Transco LLC with the applicable portions of the Electric Safety Standards.	To consider the petition of New York Transco LLC for clarification of its responsibilities under the Electric Safety Standards.
PSC-46-20-00008-P	..... exempt	Compliance report by electric utilities on developing distribution and local transmission in accordance with the AREGCB Act.	To support distribution and local transmission investments necessary to achieve the the State's climate goals.
PSC-46-20-00009-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
PSC-47-20-00006-P	..... exempt	Notice of intent to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-47-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-47-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-20-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers.
PSC-48-20-00006-P	..... exempt	PSC regulations 16 NYCRR 86.3(a)(2); 86.3(a)(2)(iv) and 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-48-20-00008-P	..... exempt	Proposed modifications to Rider T - Commercial Demand Response Program.	To consider revisions to Rider T - CDRP for the 2021 Capability Period.
PSC-48-20-00009-P	..... 12/02/21	Siting of major transmission facilities in new or existing rights of way that qualify for expedited process.	To establish expedited requirements for the siting, construction and operation of major transmission facilities.
PSC-49-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-49-20-00008-P	..... exempt	Amendments to modify provisions related to Emergency Electric Generators under General Information Section III (H).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-49-20-00009-P	..... exempt	Transfer of certain electric transmission facilities and easements.	To determine whether to authorize the proposed transfers and the proper accounting treatment.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-49-20-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-50-20-00004-P	..... exempt	Proposed transfer of the Company's assets to the Purchasers.	To determine if transfer of the water system to the Purchasers is in the public interest.
PSC-51-20-00006-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00007-P	..... exempt	Whitepaper on the ACOS method used by utilities in developing Standby and Buyback Service rates.	To standardize the utility ACOS methods and resulting rates, and to enable stand-alone energy storage systems.
PSC-51-20-00008-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin of 20.7%	To ensure adequate levels of Installed Capacity.
PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers.
PSC-51-20-00010-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00011-P	..... exempt	Lease of right-of-way and transfer of facilities.	To determine whether to authorize lease of right-of-way, and transfer of facilities and the proper accounting treatment.
PSC-51-20-00012-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00013-P	..... exempt	Competitive solicitations to procure 350mw of energy storage systems directed by the Commission's 2018 Energy Storage Order.	To ensure compliance with Public Service Law Section 74 and achieve state goals to install energy storage systems.
PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources.	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources.
PSC-52-20-00002-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-52-20-00003-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-52-20-00004-P	..... exempt	Use of pipeline refund.	To consider how a pipeline refund of \$2.26 million will be utilized by National Fuel.
PSC-52-20-00005-P	..... exempt	Clarification or reconsideration of a provision in a prior order.	To determine whether to clarify or reconsider a provision of a prior order regarding the implementation of Green Button Connect.
PSC-52-20-00006-P	..... exempt	Banked credit distribution rules and processes.	To ensure just and consistent banked credit distribution rules and processes.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-20-00007-P	..... exempt	Negative performance factor adjustments applied to auto-dynamic load management and term-dynamic load management participants.	To improve multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-52-20-00008-P	..... exempt	Transfer of a natural gas pipeline and the associated certificate, and application of lightened and incidental regulation.	To determine whether the requested transfers and regulatory treatment are consistent with the law and the public interest.
PSC-52-20-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-52-20-00010-P	..... exempt	Proposed filing regarding capacity surcharge for ESCO transportation customers.	To ensure safe and reliable service for customer at just and reasonable rates.
PSC-52-20-00011-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-52-20-00012-P	..... exempt	The upgrading of cellular antennas on an electric transmission tower.	To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.
PSC-52-20-00013-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-52-20-00014-P	..... exempt	The upgrading of cellular antennas on an electric transmission tower.	To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.
PSC-52-20-00015-P	..... exempt	The upgrading of cellular antennas on an electric transmission tower.	To determine whether the upgrading of cellular antennas on an electric transmission tower is in the public interest.
PSC-52-20-00016-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(1), 86.3(a)(2), and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-52-20-00017-P	..... exempt	Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC's proposed financing.	To review the proposed financing and consider whether it is within the public interest.
STATE, DEPARTMENT OF			
DOS-37-20-00015-P	..... 09/16/21	Siting of major renewable energy facilities	To establish procedural requirements for permits for siting, construction and operation of major renewable energy facilities
DOS-37-20-00016-P	..... 11/29/21	Siting permits for major renewable energy facilities	To establish uniform standards and conditions for siting, design, construction & operation of major renewable energy facilities
DOS-41-20-00001-P	..... 10/14/21	Public Playground Safety	Update public playground safety standards
DOS-48-20-00010-P	..... 12/02/21	Procedures and requirements related to the filing of certificates by the Department of State's Division of Corporations	To clarify and update procedures related to the filing of certificates with the Division of Corporations
DOS-51-20-00004-P	..... 12/23/21	Fair Housing Requirements for Appraisers and Assistant Appraisers	To Mandate Fair Housing Education as a Condition of Renewal

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE UNIVERSITY OF NEW YORK			
SUN-53-19-00005-P	04/01/21	Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville	Amend existing regulations to update traffic and parking regulations
SUN-29-20-00004-EP	07/22/21	State basic financial assistance for the operating expenses of community colleges under the program of SUNY and CUNY	To modify limitations formula for basic State financial assistance and remove an operating support "floor"
SUN-29-20-00005-EP	07/22/21	Student Assembly Elections, Student Assembly Officers, Campus Government Elections, Student Activity Fees	To postpone voting on student activity fees and elections of Student Assembly representatives and officers until Fall 2020
SUN-37-20-00002-EP	09/16/21	Appointment of Employees; Eligibility	To allow for the addition of one year to the service limits for current faculty to attain continuing appointment
STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY			
SIR-39-20-00008-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations and trains operated by SIRT OA.	To safeguard the public health and safety by amending rules to require the use of masks when using terminals and stations.
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-46-20-00003-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-51-20-00002-EP	12/23/21	Metropolitan Transportation Business Tax Surcharge	To provide metropolitan transportation business tax rate for tax year 2021
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-16-20-00012-P	04/22/21	New York State Combined Application Project (NYSCAP)	To implement the NYSCAP, a new combined application project for recipients of Supplemental Security Income benefits, who have been designated as Live-Alone by the Social Security Administration and the State-funded SSI State Supplement Program
TDA-26-20-00007-P	07/01/21	Supplemental Security Income (SSI) Additional State Payments	To clarify who participates, the intended uses for benefits, that benefits won't be issued once a death is verified, time frames to report and circumstances when underpayment/retroactive benefits will issue, and NYS operates SSP under State rules
TDA-39-20-00024-EP	09/30/21	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/1/20
TDA-46-20-00002-P	11/18/21	Payment access cards	To update State regulations pertaining to payment access cards to align with Part V of Chapter 56 of the Laws of 2020

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
THRUWAY AUTHORITY, NEW YORK STATE			
THR-42-20-00013-P	10/21/21	Amend the Authority's rules in relation to Grand Island Bridges sidewalks and Governor Mario M Cuomo Bridge Shared Use Path	To regulate certain activities on the Grand Island Bridges sidewalks and Governor Mario M Cuomo Bridge Shared Use Path
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-50-20-00005-P	exempt	A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA	A proposal to raise additional revenue
WORKERS' COMPENSATION BOARD			
WCB-23-20-00004-P	06/10/21	EDI system updates	To require carriers to report certain credits taken for payments to claimants; biannual reports; EDI 3.1 updates
WCB-28-20-00003-EP	07/15/21	Adding COVID-19 diagnosis by a health care provider as a serious health condition for purposes of Paid Family Leave	To clarify that employees may take PFL to care for a family member with COVID-19
WCB-42-20-00004-P	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs
WCB-42-20-00005-P	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs
WCB-42-20-00010-P	10/21/21	Requesting prior approval for medical treatment and care	To implement an internet portal-based submission and review process
WCB-42-20-00012-P	10/21/21	DME Fee Schedule	To replace DME fee schedule, update fees; create prior authorization process
WCB-48-20-00002-EP	12/02/21	Reimbursement for COVID-19 testing	To allow reimbursement for COVID-19 testing when benefits are sought due to workplace exposure to COVID-19

RULE REVIEW

Education Department

Section 207 of the State Administrative Procedure Act (SAPA) requires that each State agency review each of its rules that is adopted on or after January 1, 1997 in the calendar year specified in the notice of adoption for the rule, provided that at a minimum every rule shall be initially reviewed no later than in the fifth calendar year after the year in which the rule is adopted, and, thereafter, every rule shall be re-reviewed at five-year intervals, in order to determine whether such rules should be modified or continued without modification.

Pursuant to SAPA section 207, the State Education Department submits the following list of its rules that were adopted during calendar years 2017, 2016, 2015 2010, 2005 and 2000 that the Department has reviewed and determined should be continued without modification. All section and Part references are to Title 8 of the New York Code of Rules and Regulations.

A. CALENDAR YEAR 2017 (3 YEAR REVIEW)

2017

OFFICE OF P-12 EDUCATION

Section 100.2(x) McKinney Vento

Description of Rule: Implements the provisions of the McKinney-Vento Homeless Assistance Act for the education of homeless children and youths, as reauthorized by the Every Student Succeeds Act.

Justification for continuation without modification: Required by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. section 11431 et seq.), as amended by Title IX of the Every Student Succeeds Act of 2015 (Public Law 114-95) and Part C of Chapter 56 of the Laws of 2017.

Legal Basis for Rule: Education Law sections 101, 207, 215, 305, 3202, 3209 and 3713 and Title VII-B of the McKinney-Vento Homeless Assistance Act.

Assessment of public comment: No public comment received.

Section 100.4(c)(1) Middle Level CTE

Description of Rule: Revises the distribution of the unit of study requirements for Career and Technical Education (CTE) in grades 7 and 8.

Justification for continuation without modification: To implement Board of Regents policy relating to career and technical education units of study.

Legal Basis for Rule: Education Law 101(not subdivided), 207(not subdivided), 208 (not subdivided), 209(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Sections 100.5 and 100.20 Military Compact and Physical Education

Description of Rule: Implements the Interstate Compact on Educational Opportunity for Military Children and other provisions relating to exemptions from the assessment requirements for transfer students and diploma requirements for physical education.

Justification for Continuation without modification: Necessary to

implement Chapter 328 of the Laws of 2014 and to provide flexibility in the physical education diploma requirements.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and 3308-3318, to implement Chapter 328 of the Laws of 2014.

Assessment of public comment: No public comment received.

Section 100.18(g)

Description of Rule: Removes the requirement that Local Assistance Plans (LAPs) and Focus Schools be identified using assessment results from 2015-2016 and thereafter.

Justification for Continuation without modification: Necessary to implement Regents policy relating to public school and district accountability and federal requirements relating to the provisions of the Every Student Succeeds Act of 2015(ESSA).

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 210(not subdivided), 215(not subdivided), 305(1) and (2) and (20), 308(not subdivided), 309(not subdivided), 3713(1) and (2).

Assessment of public comment: No public comment received.

100.2(ee) Academic Intervention Services

Description of Rule: Revises the methodology by which school districts identify students in grades 3-8 who receive Academic Intervention Services (AIS).

Justification for Continuation without modification: Necessary to continue the two-step identification process for students eligible for AIS, which includes identification of students who perform at or below a median cut point score between a Level 2/partially proficient and a Level 3/proficient, as determined by the Commissioner for the 2017-2018 and 2018-2019 school years, and delays the standard setting process until the 2019-2020 school year to ensure accuracy and consistency among the assessments and the learning standards

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Part 136 School Health Services

Description of Rule: Amends Part 136 of the Commissioner's Regulations relating to school health services.

Justification for continuation without modification: Necessary to implement policy enacted by the Board of Regents relating to school health services and is further necessary to implement and otherwise conform the Commissioner's Regulations to Chapter 58 of the Laws of 2006, Chapter 57 of the Laws of 2013, and Chapter 373 of the Laws of 2016.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 901(1) and (2), 902(1) and (2), 903(1), (2) and (3), 904(1), 906(1), (2) and (3), 921(1) and (2), 3208(1), (2), (3), (4) and (5). Public Health Law section 2164(7).

Assessment of public comment: No public comment received.

Section 135.4(c)(7)(ii) Athletic Eligibility

Description of Rule: Provides a protocol for districts that choose to allow students in grades 7 and 8 to play at the high school level, or for students in grades 9-12 to participate at the middle school level

Justification for continuation without modification: Necessary to implement policy enacted by the Board of Regents relating to the age and four-year duration of competition limitations for athletic competition and the athletic placement process.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) & (2), 803(not subdivided), and 3204(2) & (3).

Assessment of public comment: No public comment received.

Sections 30-3.4 and 30-3.5 APPRP NYC Student Growth Score

Description of Rule: Relates to the calculation of scores for student learning objectives in the required subcomponent of the student performance category of annual professional performance reviews (APPR) for teachers and principals in the City School District of the City of New York.

Justification for continuation without modification: To provide further flexibility to allow the City School District of the City of New York to calculate scores and ratings for student learning objectives (SLOs) pursuant to a methodology approved by the Commissioner in the district's APPR plan.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 215(not subdivided), 305(1) and (2), 3009(1), 3012-c and section 3012-d; section 3 of Subpart C of Chapter 20 of the Laws of 2015; and sections 1 and 2 of Subpart E of Part EE of Chapter 56 of the Laws of 2015.

Assessment of public comment: No public comment received.

OFFICE OF HIGHER EDUCATION

Section 80-1.5 edTPA Safety Net

Description of Rule: Extends the existing edTPA Safety Net until June 30, 2018 and revises the eligibility criteria for the Multiple Measures Review Process to be aligned with the recommendations of the edTPA standard setting panel.

Justification for modification: To Extend the existing edTPA Safety Net until June 30, 2018 to help candidates transition to the Multiple Measures Review Process.

Legal Basis for Rule: Education law sections 207, 215, 3001, 3003 and 3009.

Assessment of public comment: No public comment received.

Section 145-2.1 TAP Eligibility

Description of Rule: Allows students to meet the full-time study requirement for purposes of the Tuition Assistance Program (TAP) in their second to last semester of eligibility if the student takes at least 6 semester hours needed to meet their graduation requirements (formerly 12) and the student enrolls in at least 12 semester hours or its equivalent.

Justification for modification: To provide additional flexibility to students who have difficulty meeting the "full-time" status for purposes of TAP in their program of study during their final year of college.

Legal Basis for Rule: Education Law sections 101, 207, 305, 602 and 661.

Assessment of public comment: No public comment received.

Sections 30-3.2, 30-3.5, 52.21, and 80-3.10 Professional Standards for Educational Leaders (PSELs)

Description of Rule: Adopts the 2015 Professional Standards for Educational Leaders (PSELs) with certain New York specific modifications for the purpose of registration of school building leader programs and school building leader evaluation.

Justification for continuation without modification: To establish new professional practice guidelines and expectations for principals.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305 (1) and (2) and 3012-d(4).

Assessment of public comment: No public comment received.

Sections 80-3.3, 80-3.4, 80-3.5 & 80-3.7 CTE Certification Pathways

Description of Rule: Provides additional flexibility for candidates seeking a certification in a career and technical educational (CTE) subject. First, it provides for a new Option J pathway to obtain a Transitional A certificate and it also provides additional gateways to obtaining Initial and/or Professional certification through either individual evaluation or program completion. The amendments also eliminate the 30 semester hour coursework requirement for the Initial certificate in CTE and replaces it with nine hours of pedagogy coursework for an Initial certificate in CTE and replaces it with nine hours of pedagogy coursework for an Initial certificate and an additional nine hours of pedagogy coursework for the Professional CTE certificate.

Justification for continuation without modification: To provide additional flexibility for candidates seeking a certification in a career and technical educational (CTE) subject to address teacher shortages.

Legal Basis for Rule: Education Law 207(not subdivided), 305(1) and (2), 3004(1) and 3009(1).

Assessment of public comment: No public comment received.

Subpart 152-1 HEOP

Description of Rule: Clarifies for institutions what types of expenses fall within the newly enumerated categories eligible for the Arthur O. Eve Higher Education Opportunity Program (HEOP) grant funding and makes technical amendments to conform to current practice and to update current regulatory language.

Justification for modification: Necessary to implement Chapter 494 of the Laws of 2016 and to make technical clarifying amendments.

Legal Basis for Rule: Education Law sections 207(not subdivided), 210(not subdivided), 215(not subdivided), 305(1), 6451(1-6), 6452(1-5) and Chapter 494 of the Laws of 2016.

Assessment of public comment: No public comment received.

Section 80-5.17 Conditional Initial Certificate

Description of Rule: Permanently extends the option out-of-state candidates who have met all other requirements for an initial certificate other than completion of the edTPA, to obtain a conditional initial certificate and be employed in New York State schools.

Justification for continuation without modification: It is essential for those individuals who want to come to New York but do not have access to a classroom, and therefore find difficulty in completing the edTPA.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), 3001(2), 3004(1), 3006(1) and 3009(1).

Assessment of public comment: No public comment received.

Part 48 Enough is Enough Reporting

Description of Rule: Provides for annual aggregate data reporting by New York State institutions of higher education related to reports of domestic violence, dating violence, stalking and sexual assault.

Justification for continuation without modification: Necessary to implement Chapter 76 of the laws of 2015.

Legal Basis for Rule: Education Law §§ 101, 207, 305 and 6439 through 6449, as added by Chapter 76 of the Laws of 2015.

Assessment of public comment: No public comment received.

Section 80-5.23 Residency Certificates

Description of Rule: Establishes the requirements for a residency certificate for students enrolled in a Classroom Academy Residency Pilot Program. Allows such students to apply for a time-limited certificate so that candidates enrolled in the program may be certified and receive payment by the school district/BOCES for their services.

Justification for continuation without modification: Allow candidates enrolled in the Classroom Academy Residency Pilot Program to be certified and receive payment by the school district/BOCES for their services.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(not subdivided), 3001(2), 3004(1) and 3009(1).

Assessment of public comment: No public comment received.

Section 80-1.5 EdTPA Multiple Measure Review

Description of Rule: Establishes a multiple measures review process for the edTPA.

Justification for continuation without modification: Necessary to implement recommendations from the edTPA Task Force to establish a multiple measures review process for the edTPA for certain candidates to seek a waiver from the edTPA examination requirement for initial certification as a teacher in this State.

Legal Basis for Rule: Education Law sections 207(not subdivided), 215(not subdivided), 3001(2), 3004(1) and 3009(1).

Assessment of public comment: No public comment received.

Part 80 ALST Elimination

Description of Rule: Eliminates the Academic Literacy Skills Test (ALST) for Teacher Certification and removes unnecessary references to the Liberal Arts and Sciences Test (LAST).

Justification for continuation without modification: Necessary to implement recommendations from the edTPA Task Force, which was reconvened at the request of the Board of Regents.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), 3001(2), 3004(1) and 3009(1).

Assessment of public comment: No public comment received.

Sections 52.21, 100.2(j) and Part 80 School Counseling

Description of Rule: Enhances existing public school district guidance programs to require comprehensive developmental counseling programs for all students in grades prekindergarten through twelve provided by certified school counselors. The amendment also makes changes to the certification requirements for school counselors and the requirements for school counselor preparation programs in order to support comprehensive developmental school counseling programs.

Justification for continuation without modification: Necessary to implement policy of the Board of Regents relating to enhancing existing public school district guidance programs to require comprehensive developmental counseling programs for all students in grades prekindergarten through twelve provided by certified school counselors.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 210(not subdivided), 214(not subdivided), 215(not subdivided), 305(1) and (2), 308, 3001(2), 3004(1), 3006(1)(b) and 3009(1).

Assessment of public comment: No public comment received.

Sections 80-1.8 and 80-5.18 Reissuance of certificates and supplementary certificates

Description of Rule: Allows candidates to complete the required professional development within one year prior to the Department's receipt of a completed application or within one year after the Department's receipt of such completed application for the reissuance. The proposed amendment also makes supplementary certificates valid for five years rather than three years.

Justification for continuation without modification: To provide increased flexibility to candidates who may otherwise qualify for a reissuance of their expired certificate, but who have not completed the required 75 hours of professional development before applying for the reissuance. Also, to provide increased flexibility to districts and candidates seeking a certificate in a new certificate title, to have a supplementary certificate valid for five years rather than the current three years. This allows teachers with a supplementary certificate to have more time to complete the requirements for their initial or professional certificate in the new certificate title.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), 3001(1)-(3), 3004(1) and 3009(1).

Assessment of public comment: No public comment received.

Section 3.56 Permission to Operate

Description of Rule: Establishes fees and procedures for out-of-state institutions seeking to operate with a physical presence in New York State.

Justification for continuation without modification: To provide resources to support evaluation and administration of out-of-state institutions seeking to operate in New York State in a manner that does not diminish resources otherwise available to support New York State's degree-granting institutions.

Legal Basis for Rule: Education Law 101(not subdivided), 207(not

subdivided), 210(not subdivided), 210-c(not subdivided), 212(3), 97-III of the State Finance Law and Chapter 220 of the Laws of 2015.

Assessment of public comment: No public comment received.

Section 801.6 Time Extension

Description of Rule: Automatically extends the time validity of certain expired provisional, initial or transitional certificates for three years if a candidate meets certain criteria and is unable to complete the requirements for the initial, permanent or professional certificate in a timely manner.

Justification for continuation without modification: Addresses concerns from the field related to teacher shortages raised by school districts and Board of Cooperative Educational Services (BOCES).

Legal Basis for Rule: Education Law 207, 207, 215, 3001, 3003 and 3009.

Assessment of public comment: No public comment received.

Section 80-3.5 Three Pathway Career and Technical Education (CTE)

Description of Rule: Establishes new pathway options for the Transitional A certificate in a career and technical education subject for candidates who do not meet the current requirements but who possess industry experience, credentials, or are in the process of completing certification.

Justification for continuation without modification: To provide additional opportunities and flexibility for individuals with specific technical and career experience to obtain a Transitional A teaching certificate in their area of expertise, or related are, thus allowing them to teach CTE subjects at the secondary school level. This helps to increase the supply of qualified, certified teachers in the career and technical education field in order to satisfy the increasing demand for those teachers.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1) and (2), 3001(2), 3004(1), 3006(1) and 3009.

Assessment of public comment: No public comment received.

Section 80-1.5 Safety Nets for the Revised Content Specialty Tests

Description of Rule: Creates a new safety net that will allow candidates to take and pass either the revised content specialty test (CST) or the predecessor CST for certification, for both the currently operational redeveloped CSTs and the newly operational CSTs. The safety net for the newly operational CSTs expired on June 30, 2019, and the safety net for the currently operational CSTs expired on June 30, 2017. The proposed amendment also extends the current safety net for the Multi-Subject 7-12 Part Two: mathematics CST until June 30, 2018.

Justification for continuation without modification: To provide programs additional time to prepare their students for the content specialty tests.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1) and (2), 3001(2), 3004(1), 3006(1) and 3009.

Assessment of public comment: No public comment received.

OFFICE OF ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCESS)

Part 126 Online Educational Marketplaces

Description of Rule: Provides a procedure whereby online education marketplaces, and the schools that contract with them, may lawfully conduct marketing and advertising activities without obtaining a private agent certificate pursuant to Education Law § 5004, subject to certain conditions.

Justification for continuation without modification: To implement Chapter 475 of the laws of 2016 which exempts an "online education marketplace" from the requirements for a private school agent certificate.

Legal Basis for Rule: Education Law sections 207(not subdivided), 210(not subdivided), 305(1), Education Law 5001 through 5010 and Chapter 475 of the Laws of 2016.

Assessment of public comment: No public comment received.

OFFICE OF CULTURAL EDUCATION

Section 3.12 Members of the Museum and Library Council

Description of Rule: Increases the Museum Advisory Council and Library Council membership from 9 members to 15 members.

Justification for continuation without modification: By increasing the membership of both the Museum and Library Councils to 15 members each, all Office of Cultural Education Councils will have an equal number of members.

Legal Basis for Rule: Education Law §§ 101(not subdivided), 206(not subdivided), 207(not subdivided), 214 (not subdivided) 232(not subdivided) 305(1) and (2).

Assessment of public comment: Since publication of its Review of Existing Rules pursuant to the State Administrative Procedure Act section 207, in the January 29, 2020 issue of the State Register, the State Education Department has received the following comments:

Comment: A commenter writes in support of the rule citing it is an important step towards growing and diversifying representation on the Council to include broad representative rang of voices from New York's cultural community.

Departments Response: Comment is supportive, and the Department concurs with the comment.

Sections 90.12 and 90.18 State Aid for Library Construction and School Library Systems

Description of Rule: Updates and clarifies certain terminology relating to the functions of school library systems and updates Commissioner's regulations relating to State aid for library construction.

Justification for modification: To implement Education Law section 273-a and to update terminology related to the functions of school library systems.

Legal Basis for Rule: Education Law sections 207(not subdivided), 215(not subdivided), 273-a(1) through (7), 282(not subdivided), 283(not subdivided) and 284(not subdivided).

Assessment of public comment: No public comment received.

B. CALENDAR YEAR 2016 (4 YEAR REVIEW)

2016

OFFICE OF P-12 Education

Section 100.5(g)(1)(i) Regents Exam in English Language Arts

Description of Rule: Transition to the Regents Examination in English Language Arts by allowing, for a limited time and at the discretion of the local school district, students who began grade 9 prior to 2013, and who receive ELA (Common Core) instruction, to take the Regents Comprehensive Examination in English Language Arts aligned to the 2005 Learning Standards in addition to the Regents Examination in English Language Arts (Common Core) and meet the requirement for graduation by passing either examination.

Justification for continuation without modification: To provide additional flexibility in the transition to the Common Core-aligned Regents Examination in English Language Arts. The Department is considering repealing this rule as it only applies to students in a cohort prior to 2013.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Section 100.2(c)(11) Students with Disabilities CPR Exemption

Description of Rule: Allows for an exemption of a student with a disability from the requirement for instruction in hands-only cardiopulmonary resuscitation and the use of automated external defibrillators.

Justification for continuation without modification: Necessary to implement Regents policy to allow an exemption of a student identified as having a disability that precludes his or her ability to participate in hands-only instruction in CPR and instruction in the use of AEDs from the instruction requirement in section 100.2(c)(11) of the Commissioner's regulations.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1), (2), (20) and (52), 308(not subdivided), 804-c(2), 804-d(not subdivided) and Chapter 417 of the Laws of 2014.

Assessment of public comment: No public comment received.

Section 100.19 School Receivership

Description of Rule: Establishes criteria for appointment of receivers to assist low-performing schools.

Justification for continuation without modification: Necessary to implement Education Law section 211-f by establishing criteria for appointment of receivers to assist low-performing schools.

Legal Basis for Rule: Education Law sections 207(not subdivided), 211-f(15), 215(not subdivided), 305(1), (2) and (20), 308(not subdivided), 309(not subdivided) and Part EE, Subpart H of Ch.56 of the Laws of 2015.

Assessment of public comment: No public comment received.

C. CALENDAR YEAR 2015

OFFICE OF P-12 Education

Section 100.5(g)(1)(ii)(a) Math Exam Flexibility

Description of Rule: The purpose of the rule is to adopt a technical clarification to the Commissioner's Regulations, providing additional flexibility in the transition to the Common Core Regents Examination in Algebra I.

Justification for continuation without modification: The rule is necessary to clarify that for the June 2015 administration only, students receiving Algebra I (Common Core) instruction that began prior to September 2014, may, at the discretion of the applicable school district, take the Regents Examination in Integrated Algebra in addition to the Regents Examination in Algebra I (Common Core) and may meet the mathematics requirement for graduation by passing either examination. The Department is considering repealing this rule as it only applies to the June 2015 administration.

Legal Basis for Rule: Education Law sections 101 (not subdivided), 208 (not subdivided), 209 (not subdivided), 305 (1) and (2), 308 (not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Sections 80-3.6, 100.2, 154-2.3 ELL Professional Development

Description of Rule: The rule amends sections 80-3.6, 100.2(dd), and 154-2.3(k) of the Regulations of the Commissioner of Education relating to professional development in language acquisition addressing the needs of English Language Learners (ELLs).

Justification for continuation without modification: The rule is necessary to establish professional development requirements for teachers, holders of a level III teaching assistant certificate, and administrators, in language acquisition that specifically addresses the needs of students who are ELLs and to integrate language and content instruction for such ELL students.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 215 (not subdivided), 305(1) and (2), 2117(1), 2001(2), 3003(1), 3004(1), 3006(1)(b), and 3009(1).

Assessment of public comment: No public comment received.

Section 136.6 Epinephrine Auto-injectors

Description of Rule: Prescribes standards for the provision, maintenance and use of epinephrine auto-injectors pursuant to Education Law section 921, to ensure ready and appropriate access for use during emergencies to any student or staff having anaphylactic symptoms.

Justification for continuation without modification: To implement Chapter 424 of the Laws of 2014 which added a new section 921 to the Education Law, permitting schools and any person employed by them, to administer epinephrine auto-injectors in the event of an emergency.

Legal Basis for Rule: Education Law sections 207, 305, and 921 and Chapter 424 of the Laws of 2014.

Assessment of public comment: No public comment received.

Section 100.5(d)(7) ELL Graduation Requirements

Description of Rule: Extends the ability to graduate with a Local Diploma via appeal to English Language Learners (ELLs) who meet all other conditions for appeal and are otherwise eligible to graduate on and after January 2015, and clarifies that the appeal process applies to ELLs who meet one or more graduation assessment requirements via an available alternative pathway and meet all other conditions for appeal.

Justification for continuation without modification: Necessary to

implement Regents policy relating to criteria for bilingual education and English as a New Language programs for students who are ELLs, including determining graduation requirements, in order to ensure compliance with Education Law sections 3204 and 4403, and Title I and III of the Elementary and Secondary Education Act (ESEA), Title IV of the Civil Rights Act of 1964, Equal Educational Opportunities Act of 1974 (EEOA).

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305, 308, 309 and 3204.

Assessment of public comment: No public comment received.

Section 100.5 Regents Diploma Pathways

Description of Rule: Clarifies the requirements for earning a Regents Diploma with advanced designation by students who elect to meet the requirements through the mathematics or science pathway options and allows students to earn a Regents Diploma through the humanities pathway by passing either an additional Regents assessment, or a Department approved alternative, in a different course in Social Studies or in English.

Justification for continuation without modification: Necessary to implement policy enacted by the Regents relating to State learning standards, State assessments, graduation and diploma requirements, and higher levels of student achievement.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1)-(2), 308(not subdivided), and 3204(3).

Assessment of public comment: No public comment received.

Section 100.2(y) Student Enrollment

Description of Rule: Provides clear requirements for school districts regarding student enrollment, particularly as it pertains to procedures for unaccompanied minors and other undocumented youths.

Justification for continuation without modification: To codify applicable Federal and State laws, as well as existing Department guidance to school districts, in order to ensure that unaccompanied minors and undocumented youths are provided their constitutional right to a free public education.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), (2), and (20), 3202(1), and 3713(1)-(2).

Assessment of public comment: No public comment received.

Section 154-2.3(h) Units of Study and Provision of Credits for ELLs

Description of Rule: Makes technical amendments relating to units of study for English as a New Language and Native Language Arts.

Justification for continuation without modification: Necessary to clarify units of study mandates for and credits given to English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction, and clarify the units of study mandated for and credits given to ELLs in Bilingual Education Programs for ENL and bilingual core content area instruction.

Legal Basis for Rule: Education Law sections 207(not subdivided), 208(not subdivided), 215(not subdivided), 305(1)-(2), 2117(1), 2854(1)(b), and 3204(2), (2-a), (3), and (6).

Assessment of public comment: No public comment received.

Section 100.18 New York State's School and District Accountability System

Description of Rule: Makes technical changes to the definition of how schools and districts are credited with making Adequate Yearly Progress (AYP) for the "all students" group to align with New York's approved ESEA flexibility waiver and to clarify the methodology for identification of Local Assistance Plan (LAP) schools.

Justification for continuation without modification: Necessary to implement the Regents policy relating to public school and district accountability and federal requirements relating to New York State's approved ESEA flexibility waiver. The Department has since implemented the State's ESSA accountability system under section 100.21 of the Commissioner's regulations.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 210(not subdivided), 215(not subdivided), 305(1), (2), and (20), 308(not subdivided), 309(not subdivided), 3204(3), and 3713(1) and (2).

Assessment of public comment: No public comment received.

Section 136.7 Self-administration of Certain Medications

Description of Rule: Permits the carrying and self-administration of certain medications by students and permits schools to authorize a licensed registered professional nurse, nurse practitioner, physician assistant, or physician to train unlicensed school personnel to inject certain medication in certain emergency situations, to students who have a written parent/guardian consent.

Justification for continuation without modification: To implement Chapter 423 of 2014 which requires school districts and BOCES to permit students diagnosed with asthma or other respiratory conditions, allergies, and diabetes to carry and self-administer certain medications at school.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1) and (2), 902-a (1) and (2), 902-b (1) and (2), 916-a (1) and (2), 916-b(1) and (2) and 921 (1) and (2) and Chapter 423 of the Laws of 2014.

Assessment of public comment: No public comment received.

Section 136.8 Opioid Overdose Prevention

Description of Rule: Prescribes standards for the provision, maintenance and use of opioid antagonists pursuant to Education Law section 922.

Justification for continuation without modification: To ensure ready and appropriate access for use of opioid antagonists during emergencies to any student or staff having opioid overdose symptoms.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 305(1) and (2), and 922(1) and (2) and Part 5 of Chapter 57 of the Laws of 2015.

Assessment of public comment: No public comment received.

Section 100.18 ESEA Waiver Renewal

Description of Rule: Makes revisions pertaining to school and district accountability in order to conform the regulations with the State's approved Elementary and Secondary Education Act (ESEA) Renewal Waiver and align the regulations with Commissioner's Regulation section 100.19 related to receivership.

Justification for continuation without modification: Required in order to implement New York State's approved ESEA Renewal Waiver. The Department has since implemented the States' Every Students Succeeds Act (ESSA) accountability system pursuant to section 100.21 of the Commissioner's regulations.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 210(not subdivided), 211-e(1-5), 211-f(15), 215(not subdivided), 305(1) and (2), 309(not subdivided) and 3713(1) and (2).

Assessment of public comment: No public comment received.

Section 100.5(g)(1)(ii) Algebra II

Description of Rule: Allows, at the discretion of the applicable school district, students receiving Algebra II (Common Core) instruction to take the Regents Examination in Algebra 2/Trigonometry aligned to the 2005 Learning Standards in addition to the Regents Examination in Algebra II (Common Core), and meet the mathematics requirement for graduation by passing either examination.

Justification for continuation without modification: To provide additional flexibility in the transition to Common Core-aligned Regents Examination in mathematics.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Section 100.5(d)(7)(i) Special Education Safety Net

Description of Rule: Extends the ability to graduate with a Local Diploma via appeal of a score of 55 to students with disabilities who meet all other conditions for appeal and are otherwise eligible to graduate.

Justification for continuation without modification: Necessary to implement Regents policy to provide an option to students with disabilities who meet certain specified criteria to graduate with a Local Diploma via an appeals process.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 208(not subdivided), 209(not subdivided), 215(not subdivided), 305(1) and (2), 308(not subdivided) and 309(not subdivided).

Assessment of public comment: No public comment received.

OFFICE OF HIGHER EDUCATION

Sections 80-1.1 & 80-5.6 Teaching Assistant Certificates

Descriptions of Rule: Provides time extensions for Level II teaching assistant certificates, amends the definition of school year for purposes of experience for certification as a teaching assistant, and makes a technical amendment relating to fees for internship certificates.

Justification for continuation without modification: To clarify existing certification requirements for teaching assistants and to provide a time extension on the validity of Level II teach assistant certificate while a candidate is pursuing citizenships, which is required for a Level III teaching assistant certificate.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 305(1)-(2), 3001(2), 3004(1), 3006(1)(b) and 3009(1).

Assessment of public comment: No public comment received.

Subpart 152-3 Foster Youth College Success Program

Description of Rule: Provides support services to assist youth in foster care to apply for, enroll in, and succeed in college through the Foster Youth College Success Initiative.

Justification for continuation without modification: To implement Part X of Chapter 56 of the Laws of 2015 which established the Foster Youth College Success Initiative.

Legal Basis for Rule: Education Law sections 207(not subdivided), 210(not subdivided), 215(not subdivided), 305(1) and (2), 6451(1-6) and 6456(1-7), as added by Chapter 56 of Laws of 2015.

Assessment of public comment: No public comment received.

OFFICE OF THE PROFESSIONS

Sections 29.2, 52-44, 52.45, 59.14, 79-17, 79-18 Applied Behavior Analysis (ABA)

Description of Rule: Licensure of behavior analysts and certification of behavior analyst assistants.

Justification for continuation without modification: Required by State statute Chapter 554 of the Laws of 2013 and Chapter 8 of the Laws of 2014.

Legal Basis for Rule: Education Law sections 207 (not subdivided), 6503-a, 6504(not subdivided), 6507(2)(a), 6509(9), 8800, 8801, 8802, 8803, 8804, 8805, 8806, 8807 and 8808, Chapter 554 of the Laws of 2013 and Chapter 8 of the Laws of 2014.

Assessment of public comment: No public comment received

Section 66.6 Therapeutic Pharmaceutical Agents

Description of Rule: Expands the list of methods of study that the Department will consider acceptable for continuing education requirements for optometrists certified to use therapeutic pharmaceutical agents.

Justification for continuation without modification: To provide optometrists, who are certified to use therapeutic pharmaceutical agents, with more flexibility in satisfying their continuing education requirements.

Legal Basis for Rule: Education Law sections 207(not subdivided), 6504(not subdivided), 6507(2)(a), 7101, and 7101-a(7).

Assessment of public comment: No public comment received.

Sections 52.31, 79-8.5, 79-8.6 Safety Net

Description of Rule: Amends the requirements for medical physics education programs and eligibility requirements for a limited permit in a specialty area of medical physics, and removes obsolete regulatory provisions relating to the licensure of medical physicists.

Justification for continuation without modification: To reflect changes in the national accreditation requirements for medical physics education programs.

Legal Basis for Rule: Education Law sections 207(not subdivided), 6504(not subdivided), 6507(2)(a), 8701, 8705 and 8706.

Assessment of public comment: No public comment received.

Sections 60.8 and 60.11 Physicians Assistants and Specialist Assistants

Description of Rule: Licensure of Physician Assistants and Registration of Specialist Assistants.

Justification for continuation without modification: To conform the Regulations of the Commissioner of Education to Chapter 48 of 2012, which became effective January 1, 2013, by separating the licensure requirements for physician assistants from the registration requirements for specialist assistants.

Legal Basis for Rule: Education Law sections 207(not subdivided), 6501(not subdivided), 6504(not subdivided), 6507(2)(a), 6540, 6541, 6544(not subdivided), 6546, 6547, 6548, and 6549-b(not subdivided), and Chapter 48 of the Laws of 2012.

Assessment of public comment: No public comment received.

Section 64.7 Opioid Overdose Treatment/Hepatitis C

Description of Rule: Execution by registered professional nurses of non-patient specific orders to administer opioid related overdose treatment and hepatitis C tests.

Need for Rule: To establish uniform requirements for registered professional nurses to meet when executing non-patient specific orders to administer hepatitis C test and opioid related overdose treatment.

Justification for continuation of modification: Education Law sections 207(not subdivided), 6504 (not subdivided), 6507(2)(a), 6527(6)(e), 6527(6)(f), 6902(1), 6909(4)(e), 6909(4)(f), and Chapter 352 of the Laws of 2014 and Part V of Chapter 57 of the Laws of 2015.

Assessment of public comment: No public comment received.

Section 63.9 Pharmacist Vaccinations

Description of Rule: Administration of vaccinations by pharmacists.

Justification for continuation without modification: Necessary to conform the Regulations of the Commissioner of Education to Chapter 46 of 2015, which includes authorizing certain qualified pharmacists to administer vaccinations.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided), 6507(2)(a), 6527(7), 6801(2) and (4), 6802(22), and 6909(7) of the Education Law, and Chapter 46 of the Laws of 2015.

Assessment of public comment: No public comment received.

D. CALENDAR YEAR 2010

OFFICE OF P-12 EDUCATION

Section 3.16 Charter School Delegation

Description of Rule: The purpose of the rule is to delegate to the Commissioner of Education the authority of the Board of Regents pursuant to Education Law section 2852(7) to approve revisions to the charters of charter schools, with certain specified exceptions.

Justification for continuation without modification: The rule is necessary to delegate to the Commissioner of Education the authority of the Board of Regents to approve revisions, with certain specified exceptions, to the charter of public charter schools. Having the Board of Regents approve all revisions, including revisions that do not fundamentally affect the school's missions, organizational structure or educational program, and other such changes, is not deemed to be the most appropriate and efficacious means to address these matters, considering the scope of duties of the Board, the limited number of times that the Board meets during the year, and the time demands placed on individual Board members. It has been determined that delegation to the Commissioner of the Board's authority to approve charter revisions, with certain specified exceptions, will provide for the most efficient and expeditious means to approve and issue charter revisions.

Authority to approve revisions concerning the following is retained by the Board of Regents and not delegated to the Commissioner: (1) educational philosophy, mission or vision; (2) governance or leadership structure; (3) the curriculum model or school design changes that are inconsistent with that approved in the current charter; (4) hiring or termination of a management company; (5) school name; (6) location,

if such revision results in relocation to another school district; (7) maximum enrollment, as set forth in the current charter; and/or (8) grades served, as set forth in the current charter. The rule authorizes the Commissioner to approve revisions concerning items (1) through (3) above, provided that the revisions are determined by the Commissioner not to be significant.

Legal Basis for Rule: Education Law sections 101(not subdivided), 206(not subdivided), 207(not subdivided), 305(1), (2) and (20) and 2852(7).

Assessment of public comment: No public comment received.

Sections 100.1, 100.2, 100.4 & 100.5 LOTE and State Assessments

Description of Rule: The rule amends sections 100.1, 100.2, 100.4 and 100.5 of the Commissioner's Regulations to eliminate certain State examinations beginning in the 2010-2011 school year as a cost-saving measure associated with the administration of State assessments.

Justification for continuation without modification: In response to current fiscal constraints, this rule implements cost-saving measures associated in administering State examinations and assessments by eliminating certain State examinations beginning in the 2010-2011 school year, specifically second language proficiency (SLP) examinations, Regents comprehensive examinations in German, Hebrew and Latin, and State assessments in social studies for grades five and eight. Despite the elimination of these assessments, this rule will ensure that students continue to meet State learning standards and earn diploma credit.

Given the elimination of SLP examinations, students will be required to pass a locally developed examination, in addition to completing two units of study, which will be aligned with Checkpoint A learning standards for languages other than English and approved for high school credit by the superintendent or chief administrative officer of a charter or public school, as applicable. Further, despite the elimination of State assessments in social studies, schools will remain required to provide academic intervention services to students when such students have been determined through a district-developed or district-adopted procedure to be at risk of not achieving State learning standards in social studies. Lastly, despite the elimination of Regents comprehensive examinations in Hebrew, German and Latin, students may pass a locally developed test aligned with Checkpoint B learning standards for languages other than English to earn Regents diploma credit.

Legal Basis for Rule: Education Law §§ 101, 207, 208, 209, 305, 308, 309, and 3204.

Assessment of public comment: No public comment received.

Section 100.2(ee) Academic Intervention Services

Description of Rule: The rule establishes modified requirements for the provision of academic intervention services (AIS) during the 2010-2011 school year to provide flexibility to school districts and hold districts harmless from the expected fiscal impact of an increase in the number of students required to receive AIS as a result of a change in cut scores for the grades 3-8 assessments in English language arts and mathematics.

Justification for continuation without modification: The rule establishes modified requirements for the provision of AIS during the 2010-2011 school year based on several factors, including: (1) the change in cut scores for the grades 3-8 assessments in English language arts and mathematics which determine student proficiency; (2) the fact that such changes will not be announced to the field until late July or early August; and (3) the fiscal impact that school districts may experience because of the increase in the number of students required to receive AIS. The purpose of the rule is to provide flexibility to school districts in providing AIS during the 2010-2011 school year in order to hold districts harmless from the expected fiscal impact of an increase in the number of students required to receive AIS as a result of a change in cut scores for the grades 3-8 assessments in English language arts and mathematics. School districts will continue to have the option to offer services to those children who they feel are in need of the additional support.

Legal Basis for Rule: Education Law sections 101(not subdivided),

207(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Section 100.2(ee)(7) AIS/RTI

Description of Rule: The rule adds a new paragraph (7) to section 100.2(ee) of the Commissioner's Regulations. The rule affords flexibility to school districts in providing academic intervention services (AIS) by allowing districts to offer a Response to Intervention program in lieu of providing AIS to eligible students, provided specified conditions are met.

Justification for continuation without modification: The rule affords flexibility to school districts in providing AIS by allowing districts to offer a Response to Intervention (RTI) program in lieu of providing AIS to eligible students, provided specified conditions are met. Specifically, the rule would allow for a school district to: (1) continue with a current AIS model, or (2) move to or expand on an RTI model, or (3) use a blended approach of AIS and RTI (ex: RTI in lower grades, AIS in upper grades).

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 308(not subdivided), 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

Section 100.2(p) SURR & PLA Schools

Description of Rule: The rule would amend section 100.2(p) of the Commissioner's Regulations, effective July 14, 2010, to conform provisions regarding the identification of schools for registration review (SURR) with United States Department of Education (USED) requirements to identify schools as Persistently Lowest-Achieving in order for states to access State Fiscal Stabilization Funds (Phase II), School Improvement Grants and other Federal funding opportunities, and to require SURRs to implement intervention strategies based upon School Improvement Grant guidelines issued by USED in January 2010.

Justification for continuation without modification: Section 100.2(p) is amended to comply with USDE requirements to identify schools as PLA in order for states to access State Fiscal Stabilization Funds (Phase II), School Improvement Grants and other Federal funding opportunities and to require schools identified as SURRs to implement intervention strategies based upon School Improvement Grant guidelines issued by USDE in January 2010.

The purpose of the rule is to strengthen the SURR process by merging it with the process to identify PLA schools in order to increase the percentage of schools that successfully implement an intervention strategy that results in the school being removed from PLA status or that results in the school being replaced by a new school in Good Standing.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 210(not subdivided), 215(not subdivided), 305(1), (2) and (20), 309(not subdivided) and 3713(1) and (2).

Assessment of public comment: No public comment received.

Section 100.2(p)(1) Accountability Declassified SWD

Description of Rule: The rule amends section 100.2(p)(1) of the Commissioner's Regulations to conform the Commissioner's Regulations with New York State's approved amended No Child Left Behind (NCLB) accountability plan that includes in the students with disabilities subgroup, students previously identified as students with disabilities during the preceding one or two school years. The amended plan was approved by the United States Department of Education (USDE) on June 9, 2010.

Justification for continuation without modification: Section 100.2(p)(1)(i) has been amended to establish criteria and procedures to ensure State and local educational agency compliance with the provisions of the NCLB relating to academic standards and school and school district accountability. The State and local educational agencies (LEAs) are required to comply with the NCLB as a condition to their receipt of federal funds under Title I of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

NCLB section 1111(b)(2) requires each state that receives funds to

demonstrate, as part of its State Plan, that the state has developed and is implementing a single, statewide accountability system to ensure that all LEAs, public elementary schools and public high schools make adequate yearly progress (AYP). Each state must implement a set of yearly student academic assessments in specified subject areas that will be used as the primary means of determining the yearly performance of the state and each LEA and school in the state in enabling all children to meet the State's academic achievement standards.

The rule conforms the Commissioner's Regulations to New York State's amended accountability plan, as approved by the USDE. Adoption of the rule provides a more accurate account of the academic progress that schools and districts are making with students with disabilities commencing with the 2009-2010 school year, and will make the accountability rules for former students with disabilities consistent with rules currently applied to former limited English proficient students.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 210(not subdivided), 215(not subdivided), 305(1), (2) and (20), 309(not subdivided) and 3713(1) and (2).

Assessment of public comment: No public comment received.

Section 105.3 Special Act School Districts

Description of Rule: The rule amends section 105.3 of the Commissioner's Regulations to provide the Commissioner with more flexibility to appoint prospective public members to Special Act school district board of educations, based upon their availability to serve. The current regulation generally provides for uniform, consecutive 4-year terms for all public members that commence on the first day of a school year (July 1st) and end on the last day of the fourth school year thereafter (June 30th). However, because of the unavailability of persons willing to serve at the prescribed times, it was not possible for the Commissioner to appoint public members in accordance with the current regulation.

Justification for continuation without modification: Commissioner's Regulations § 105.3(b) generally provides for uniform, consecutive 4-year terms for all public members that commence on the first day of a school year (July 1st) and end on the last day of the fourth school year thereafter (June 30th). However, because of the unavailability of persons willing to serve at the prescribed times, it was not possible for the Commissioner to appoint public members in accordance with the current language in the regulation. The rule provides more flexibility for the appointment of public members based upon their availability to serve.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1), (2) and (20), 308(not subdivided), 309(not subdivided) and Chapters 628 and 629 of the Laws of 2004.

Assessment of public comment: No public comment received.

Section 100.5(d)(8) Make-up Credit

Description of Rule: To establish requirements for award of make-up credit to high school students.

Justification for continuation without modification: In April 2009, the EMSC Committee of the Board of Regents reviewed a "Draft Proposed Policy on Making Up Course Credit and Receiving Course Credit for Independent Study." After review and discussion, the Regents directed staff to seek public input on the draft policy on making up course credit. A field survey was posted on the Department's Web site in June and concluded in September. A summary and analysis of the survey responses was compiled and submitted for review and consideration in October.

At the October 13, 2009 Board of Regents meeting, members reviewed and approved policy relating to making up course credit. Staff was directed to draft regulatory changes to the Commissioner's Regulations to implement the make up course credit policy.

The rule establishes standards for make-up credit programs for school districts, registered nonpublic schools, and charter schools that choose to offer such programs. The rule is intended to insure appropriate levels of rigor and quality for make-up (credit recovery) programs implemented by local schools.

The make-up program must be aligned with the New York State learning standards for that subject, satisfactorily address the student's

course completion deficiencies and individual needs, and ensure that the student receives equivalent, intensive instruction in the subject matter area provided under the direction and/or supervision of a teacher. For programs offered by school districts and boards of cooperative educational services, the direction and supervision must be provided by a teacher certified in the subject matter area.

In the case of a school district or registered nonpublic school, a student's participation in the make-up credit program must be approved by a school-based panel consisting of, at a minimum, the principal, a teacher in the subject area for which the student must make up credit, and a guidance director or other administrator.

To receive credit, the student must successfully complete the make-up credit program and demonstrate mastery of the learning outcomes for the subject, including passing the Regents examination in the subject or other assessment required for graduation, if applicable.

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305(1) and (2), 308, 309 and 3204(3).

Assessment of public comment: No public comment received.

Section 100.5(d)(9) Independent Study

Description of Rule: To establish requirements for independent study offered by school districts, registered nonpublic schools and charter schools.

Justification for continuation without modification: In April 2009, the EMSC Committee of the Board of Regents reviewed a "Draft Proposed Policy on Making Up Course Credit and Receiving Course Credit for Independent Study."

In March 2010, the Regents approved a conceptual policy on receiving course credit for independent study. At the April 2010 Board of Regents meeting, the EMSC Committee reviewed and discussed policy relating to independent study credit. Staff was directed to draft regulatory changes to the Commissioner's Regulations to implement the independent study credit policy.

The rule establishes standards for a school district, a charter school or a registered nonpublic school to award up to three units of elective credit towards a Regents diploma for independent study. The independent study must be academically rigorous and aligned to the New York State commencement level learning standards for the subject in which credit is sought; overseen by a teacher knowledgeable and experienced in the subject area of the independent study; based on a syllabus on file for each independent study; and of comparable scope and quality to classroom work that would have been done at the school district, charter school or registered nonpublic school awarding the credit.

In the case of a school district or registered nonpublic school, a student's participation in independent study shall be approved by a school-based panel consisting of, at a minimum, the principal, a teacher in the subject area for which independent study is sought, and a guidance director or other administrator.

The rule is intended to ensure appropriate levels of rigor and quality for providing students with the opportunity to earn independent study credit and for awarding independent study credit for successful program completion. To receive credit, the student must successfully complete the independent study and demonstrate mastery of the learning outcomes for that subject.

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305(1) and (2), 308, 309 and 3204(3).

Assessment of public comment: No public comment received.

Section 135.4 Duration of Competition

Description of Rule: The rule provides a waiver for a student with a disability, defined under § 4401 of the Education Law, to participate in a non-contact sport for a fifth additional season in high school if such student has not graduated from high school as a result of his or her disability delaying his or her education. Such student would have to meet other criteria in order to qualify for such a waiver.

Justification for continuation: The rule provides a waiver for a student with a disability to participate in senior high school athletic competition for an additional season despite the age and four-year limitations prescribed in section 135.4 of the Commissioner's

regulations. The rule advances initiatives of inclusion by allowing students with disabilities who would otherwise not be able to participate in interscholastic athletic competition due to their age or years in school to participate in a sport for an additional season if they have not graduated as a result of their disability delaying their education. This rule offers these students continued socialization with teammates and continued opportunity to develop the skills and abilities associated with his or her participation in such sport.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 305(1) and (2), 308(not subdivided), 803 (not subdivided) and 3204(2) and (3).

Assessment of public comment: No public comment received.

Section 155.22 Qualified School Construction Bonds

Description of Rule: The rule establishes procedures for allocation of the State limitation amount for the issuance of Qualified School Construction Bonds (QSCB) issued under 26 USC section 54F to those school district bond issuers not receiving a direct federal allocation pursuant to 26 USC section 54(F)(d)(2).

In addition, the rule revises the provisions relating to Qualified Zone Academy Bonds (QZAB) to provide for a separate Charter school allocation from the QZAB State limitation amount. The QZAB provisions are also updated to include QZAB issued under 26 USC 54E, as added by Pub.L. 110-343, 122 Stat. 3765, 3869. Prior to the addition of section 54E, QZAB were issued pursuant to 26 USC section 1397E. Participation in both the QSCB and QZAB programs is voluntary.

Notification for continuation without modification: Internal Revenue Code section 54F (26 USC section 54F), as added by section 1521(a) of Title 1 of Part III of Subtitle F of the American Recovery and Reinvestment Act of 2009 (ARRA), Pub.L. 111-5, provides for the issuance of Qualified School Construction Bonds for the construction, rehabilitation, or repair of a public school facility or for the acquisition of land on which such a facility is to be constructed with part of the proceeds of such issue, by a State or local government within the jurisdiction of which such school is located. The statute establishes a national qualified school construction bond limitation for each of the 2009 and 2010 calendar years. Within such national bond limitation amount, the Secretary of the U.S. Treasury will allocate state limitation amounts to each state for the state's allocation to bond issuers within the state.

New York State is home to three city school districts, New York City, Buffalo and Rochester, that are large enough to qualify as part of the 100 largest nationwide school districts, and as such, these districts will receive direct federal Qualified School Construction Bond Allocations from the U.S. Treasury Secretary. Additionally, New York State received \$192 Million in the 2009 and \$178 Million in the 2010 calendar years to allocate to other districts in the State that did not receive a direct federal allocation.

The 2009 allocation was retained by the State to fund State expenditures for local district capital projects. The purpose of the rule to amend section 155.22 of the Commissioner's Regulations is to prescribe the procedures for New York State to allocate its \$174,782,000 2010 state limitation amount to those school district bond issuers not receiving a direct federal allocation.

In addition, the rule revises the provisions relating to Qualified Zone Academy Bonds (QZAB) to provide for a separate charter school allocation from the QZAB State limitation amount. The QZAB provisions are also updated to include QZAB issued under 26 USC 54E, as added by Pub.L. 110-343, 122 Stat. 3765, 3869. Prior to the addition of section 54E, QZAB were issued pursuant to 26 USC section 1397E. The Department is considering repealing this rule due to the federal Tax Cuts and Jobs Act which repealed the authority to issue tax credit bonds after December 31, 2017. With the passage of this legislation the authority to issue Qualified Zone Academy Bonds and qualified school construction bonds has been repealed.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2) and 26 USC sections 54E and 54F.

Assessment of public comment: No public comment received.

Part 200 Special Education Mandate Relief

Description of Rule: Mandate relief to schools in certain areas of

special education that exceed federal requirements, and to make technical changes. The purpose of the rule is to amend sections 200.2, 200.4, 200.5, 200.6, 200.9, 200.10, 200.11, 200.13, 200.20, 201.2 and 201.11 of the Regulations of the Commissioner of Education to provide relief from certain special education service requirements, specifically by: repealing the minimum service delivery requirements for speech and language; authorizing school districts to add up to two additional students to integrated co-teaching classes; and repealing the requirement that each student with autism receive instructional services to meet his/her individual language needs at a minimum of 30 minutes daily in groups not to exceed two, or 60 minutes daily in groups not to exceed six.

The rule would also conform State regulations to federal requirements relating to meeting notice and parent participation in CSE meetings and to State statutory language relating to district plans of service for special education, and correct certain citations.

Justification for continuation without modification: The rule provides mandate relief to schools in certain areas of special education that exceed federal requirements; conforms the Commissioner's Regulations to the federal regulations (34 CFR Part 300) that implement the Individuals with Disabilities Education Act (IDEA) and State law; and makes certain technical amendments, including correction of cross citations.

The rule provides mandate relief and appropriate flexibility for committees on special education (CSE) to make special education recommendations based on students' individual needs by repealing minimum level of service requirements for speech and language related services and for instruction to address the individual language needs of students with autism, and by authorizing the addition of up to two additional students in an integrated co-teaching class when it is necessary to do so to address the unique needs of students in that class. To conform to federal and state requirements, the rule will also ensure that the State regulations use language consistent with federal regulations for CSE meeting notices and State statute for district plans of service for special education; and makes other technical amendments.

Legal Basis for Rule: Education Law sections 207(not subdivided), 305(1), (2) and (20), 3214(3), 4402(not subdivided) and 4403(3), 4410(13) and Chapter 410 of the Laws of 1978.

Assessment of public comment: No public comment received.

OFFICE OF HIGHER EDUCATION

Sections 52.1, 52.21 & 80-5.13 Clinically Rich Teacher Pilot Program for High Needs Schools

Description of Rule: The purpose of the rule is to establish program registration standards for the clinically rich graduate level pilot program and to authorize institutions, other than institutions of higher education, and that are selected by the Board of Regents to offer teacher preparation programs under this pilot program.

Justification for continuation without modification: At its November 2009 and December 2009 meetings, the Board of Regents approved the conceptual framework for graduate level clinically rich teacher preparation pilot programs. At its April 2010 meeting, the Board approved an amendment to the Commissioner's regulations to establish a graduate level clinically rich teacher preparation pilot program, effective May 1, 2010.

The rule establishes two tracks for the graduate level clinically rich program: 1) the Model A track is the residency program for candidates working with a teacher of record in a high need school; and 2) the Model B track is the residency program for candidates employed as teachers of record in a high need school who will be eligible to receive a Transitional B certificate upon completion of required introductory preparation, tests, and workshops. To ensure program quality, the rule requires that the pilot program meet the general registration standards established by the Board of Regents for graduate curricula in terms of instructional time, faculty qualifications, and the rigor of curriculum.

Legal Basis for Rule: Education Law §§ 207, 208, 210, 214, 216, 224, 305(1), (2) and (7), 3004(1) and 3006(1).

Assessment of public comment: No public comment received.

Parts 52 & 80 Special Education Certification Restructuring

Description of Rule: The rule amends sections 52.21, 80-1.1, 80-

3.3, 80-3.7 and 80-5.22 of the Regulations of the Commissioner of Education relating to program registration requirements for teacher education programs and certification requirements an expedited pathway to teach science and mathematics in grades 5 through 9 and 7 through 12. The purpose of the rule is to establish program registration requirements and certification requirements for an expedited pathway for individuals with advanced degrees in science, technology, engineering and mathematics and at least two years of postsecondary teaching experience to become certified in science and mathematics in grades 5-9 and 7-12.

Justification for continuation without modification: The purpose of the rule is to ensure an adequate supply of effective adolescence level students with disabilities teachers and to better prepare all teachers to instruct students with disabilities and skillfully collaborate with their colleagues. In 1999, the Board of Regents endorsed a new structure of certificate titles in general and special education. In 2000, teacher preparation programs began offering programs aligned with the new titles. Prior to February 2004, there had been only one special education certificate for teaching students with disabilities Pre-K through Grade 12, in all instructional settings. The 1999 changes to the special education certificate structure focused on student developmental levels and academic content knowledge, to ensure that special educators had sufficient content knowledge in at least one academic subject. This special education redesign resulted in a four-tiered certification structure. Since the changes to the State certification requirements went into effect, the Department has analyzed data related to the supply and demand of special education teachers and found that there is a shortage of these teachers with the appropriate certification to teach students with disabilities in grades 7-12. Approximately 50 percent of students with disabilities are in the birth to grade six, yet, for those students selecting special education as a teaching profession, 80 percent are being prepared at the early childhood or childhood level and only 20 percent at the middle or secondary level. This issue is further exacerbated since the 20 percent are divided between the middle childhood level (5-9) and the secondary level (7-12) and further subdivided by academic disciplines.

Establishment of a students with disabilities generalist certificate at the adolescence level and the phasing out of the students with disabilities 5-9 generalist and content specialist and 7-12 content specialist will entice more candidates into the adolescence level as generalists who can act in supportive roles such as consultant teacher and provide resource room services. These teachers can further develop content expertise through a subject area extension and teach the subject to a special class with required weekly collaboration and monthly co-teaching with a certified general education content specialist.

As more and more students with disabilities are included in regular classes, all teachers must be better prepared to teach students with disabilities. The rule also requires all teacher preparation programs to include a minimum of three semester hours in educating students with disabilities and defining the elements of those semester hours coupled with a focusing a specific number of hours of required field experience that must focus on the needs of students with disabilities to ensure that all teachers are prepared to instruct such students to their highest level of achievement.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 305(1) and (2), 3001, 3004(1) and (6) and 3006.

Assessment of public comment: No public comment received.

Section 52.1(a)(6), 52.21(c)(7) & 80-3.10(a)(1)(ii)(a)(3) Clinically Rich Pilot Program for School Building Leaders

Description of Rule: The rule amends Sections 52.1, 52.21 and 80-3.10 of the Regulations of the Commissioner of Education, effective May 25, 2010, relating to the establishment of a clinically rich principal preparation program. The purpose of the rule is to establish program registration standards for the clinically rich principal preparation pilot program and to authorize institutions, other than institutions of higher education, and that are selected by the Board of Regents to offer principal preparation programs under this pilot program.

Justification for continuation without modification: The purpose of creating the clinically rich pilot program is to address the retention is-

sue in high need schools and improve student growth and achievement in high need schools. Research studies show that school leaders are critical to helping improve student performance and preparation programs that are grounded in intensive clinical experiences prepare effective school leaders. To maximize student growth and achievement in high need schools, the Department will select program providers for the clinically rich principal preparation pilot program through a Request for Proposal (RFP) process.

In order to ensure that any program selected to offer a clinically rich principal preparation program is of high quality, the Board of Regents will establish a Blue Ribbon Commission to evaluate all applications. This Blue Ribbon Commission will be comprised of highly renowned teacher educators. The Blue Ribbon Commission will make recommendations to the Board of Regents for those programs that should be authorized to establish clinically rich principal preparation programs, from collegiate and non-collegiate providers or in partnerships. The goal is to create a process that will ensure a rigorous programmatic review and to select only the highest quality providers to assist in the preparation of principals for our high need schools. In addition, non-collegiate programs will be required to seek accreditation from an education preparation program accrediting body approved by the Board of Regents.

The rule authorizes institutions, other than institutions of higher of education, to offer the graduate level clinically rich pilot program. Such institutions shall include, but not be limited to, cultural institutions, libraries, research centers, and other organizations with an educational mission that are selected by the Commissioner for participation through the RFP process.

To prepare effective principals for high need schools, the graduate level clinically rich pilot program shall include at least one continuous school year of mentored clinical experience, centered on practicing research-based educational leadership skills. Pedagogical study linking theory and practice will be embedded in the clinical experience.

Legal Basis for Rule: Statutory Authority: Education Law §§ 207, 210, 305(1) and (2), 3001(2) and 3007(2).

Assessment of public comment: No public comment received.

Section 52.21 Clinically Rich Teacher Preparation Program

Description of Rule: The rule amends section 52.21 of the Regulations of the Commissioner of Education, effective November 19, 2010, relating to the clinically rich graduate level teacher preparation program. The purpose of the rule is to amend the clinical experience component of the pilot programs to allow program providers to offer less than a year of mentored clinical experience to provide program providers with the flexibility they need to be as innovative as possible.

Justification for continuation without modification: At its November 2009 and December 2009 meetings, the Board of Regents approved the conceptual framework for graduate level clinically rich teacher preparation pilot programs. At its April 2010 meeting, the Board approved an amendment to the Commissioner's regulations to establish a graduate level clinically rich teacher preparation pilot program, effective May 1, 2010.

The regulatory amendments adopted in April 2010 also required that the pilot programs include at least one continuous school year of mentored clinical experience, grounded in the teaching standards currently being developed, and centered on practicing research-based teaching skills that make a difference in the classroom.

A competitive bidding process will be implemented to select program providers for the graduate level clinically rich teacher preparation pilot program. In order to provide program providers with the flexibility they need to be as innovative as possible, the Department believes that the one school year requirement for clinical experience is too restrictive. Therefore, the rule changes the required clinical experience component of the pilot program to require up to one continuous school year of mentored experience.

Legal Basis for Rule: Education Law §§ 207, 208, 210, 214, 216, 224, 305(1), (2) and (7), 3004(1) and 3006(1).

Assessment of public comment: No public comment received.

Section 80-4.3 Flexibility in Teacher Certification to Avoid or Mitigate a Reduction in Force

Description of Rule: The rule amends Section 80-4.3 of the Regulations of the Commissioner of Education, effective April 27, 2010, relating to teacher certification flexibility to avoid or mitigate reductions in force. The purpose of the rule is to provide teacher certification flexibility during a demonstrated fiscal crisis to allow school districts and BOCES to reassign effective classroom teachers to another grade level to avoid reductions in force.

Justification for continuation without modification: In 2010, the Board of Regents adopted an amendment to section 80-4.3 of the Commissioner's regulations to provide school districts and BOCES with flexibility in certification when there was a demonstrated immediate fiscal crisis and the certification flexibility would avoid a reduction in force. In 2010, the Regents created certification flexibility in the following areas:

Grades 7-12 Academic Area Certification Extended to Grades 5 and 6

The 2010 amendment allows a district or BOCES to reassign a teacher who is employed by a school district and BOCES and certified in the classroom teaching service in a subject area in grades 7-12 to teach that same subject area in grades 5 or 6 through a limited extension to the teacher's existing certificate. The limited extension will be valid for two years and shall be valid with that employing entity only. A full extension may be issued to the candidate if the candidate meets the requirements within those two years.

Childhood Education Extended to Grades 7 and 8

The 2010 amendment also authorizes a certified and qualified elementary school teacher (grades 1-6) to be reassigned to a position teaching an academic subject in grades 7 and 8. The teacher would need to have appropriate education and experience for such teaching assignment as demonstrated by earning Highly Qualified status under NCLB in order to be granted a limited extension to their existing certificate title. Also, the teacher must agree to: 1) successfully complete the Content Specialty Test in that subject area, and 2) complete 6 semester hours of course work in Middle Childhood Education, within the next two years to qualify for the full certificate extension when their limited extension expires.

The Limited extensions certificates for teacher certification flexibility would not be renewable and would expire at the end of the two-year period. It is intended that these Limited Extensions would provide a two-year bridge to authorize teaching for an already experienced teacher who is seeking to complete any remaining requirements to qualify for the full certificate extension in the new teaching assignment.

Currently, school districts and BOCES may only use this certification flexibility if they can demonstrate an immediate fiscal crisis and that such certification flexibility would avoid a reduction in force. The current regulation also sunsets in June 2013. The rule would create additional flexibility in the assignment of teachers to these grade levels. The rule eliminates the requirement that districts or BOCES demonstrate an immediate fiscal crisis or a reduction in force. The employing entity would only need to demonstrate that the certification flexibility would provide for a more efficient operation of the school district or BOCES. The rule also eliminates the sunset provision.

The rule addresses certification issues only. Hiring decisions or appointments to tenure areas continue to be governed by existing law and rules. For example, if, due to a previous reduction in force, a preferred eligibility list exists that covers the tenure area where the district seeks to fill a position, the school district must use the preferred eligibility list first before making any new appointments to that tenure area. Also, any reassignments to a new tenure area require the consent of the teacher and result in the teacher serving a probationary period in the new tenure area.

Legal Basis for Rule: Statutory Authority: Education Law §§ 207(not subdivided), 3001 and 3004(1).

Assessment of public comment: No public comment received.

Section 100.2(o) Annual Evaluations for Teachers

Description of Rule: The rule amends Section 100.2(o) of the Regulations of the Commissioner of Education, effective May 1, 2010, relating to the annual professional performance reviews for teachers

in the classroom teaching service. The purpose of the rule is to require school districts and BOCES to provide timely and constructive feedback to teachers as part of their annual evaluations, implement uniform designated rating categories for the evaluation of teachers, and mandate that a ninth evaluation criteria, i.e., student growth be utilized in the evaluation of teachers.

Justification for continuation without modification: As part of the current Annual Professional Performance Review ("APPR") set forth in section 100.2 of the Commissioner's regulations, school districts and BOCES are required to perform annual evaluations of their teachers and the evaluation must be based on at least eight evaluation criteria prescribed in regulation. As part of its reform agenda for strengthening teaching, the Board of Regents have made a policy determination to make four major changes to the current requirements for the annual professional performance reviews of teachers.

First, the rule requires school districts and BOCES to include student growth as a mandatory criteria to be used in the evaluation of teachers. The rule defines student growth as a positive change in student achievement between at least two points in time as determined by the school district or BOCES, taking into consideration the unique abilities or disabilities of each student, including English language learners.

Secondly, the rule requires school districts and BOCES to implement the following uniform qualitative rating categories/criteria in the evaluation of its teachers: Highly Effective, Effective, Developing and Ineffective. The rule also defines each of these quality rating categories/criteria.

The rule also requires that school districts and BOCES to provide timely and constructive feedback to the teacher. The rule requires school districts and BOCES to include in their professional performance review plan a description of how it will provide timely and constructive feedback to its teachers on all criteria evaluated, including data on student growth for each of their students, the class and the school as a whole and feedback and training on how the teacher can use such data to improve instruction as part of the teacher's APPR.

Where the Commissioner finds that a collective bargaining agreement was executed by a school district or BOCES pursuant to Article 14 of the Civil Service Law prior to the effective date of this regulation and whose terms are inconsistent with the new provisions of this regulation the Commissioner will grant a variance from that portion of the regulation for the duration of the existing collective bargaining agreement.

Lastly, the rule eliminates the reporting requirements which previously required school districts and BOCES to annually report information related to the school district's efforts to address the performance of teachers whose performance is rated as unsatisfactory.

Legal Basis for Rule: Education Law §§ 207(not subdivided).

Assessment of public comment: No public comment received.

Section 145-2.2 TAP

Description of Rule: The rule amends section 145-2.2 of the Regulations of the Commissioner of Education relating to the new standards for academic progress for the tuition assistance program for the 2010-2011 academic year. The purpose of the rule is to implement Chapter 53 of the Laws of 2010 and provide clarity as to what constitutes a program of remedial study to determine whether the 2006 or 2010 standards of academic progress apply for the 2010-2011 academic year.

Justification for continuation without modification: The enacted 2010-11 New York State budget included new provisions for TAP which are set forth in Chapter 53 of the Laws of 2010. In particular, Chapter 53 establishes new standards of academic progress (SAP) for non-remedial students first receiving State aid in 2007-08 and thereafter. These standards take effect for students enrolled in the 2010-11 academic year. These standards, however, do not apply to "students enrolled in a program of remedial study approved by the Commissioner."

The intent of the new law is to ensure that students receiving TAP funds and not needing remedial instruction or needing only a small amount of such remedial instruction demonstrate sufficient academic

progress to complete their academic program in a timely manner. The intent is not to deny TAP to students who need remedial instruction.

However, a problem arises for some students who entered college on or after 2007-08 and were meeting the standards of academic progress established in 2006-07. Now they are faced with new standards which may preclude them from being eligible for TAP for the 2010 fall term. For example, for students in a baccalaureate program based on semesters, under the 2006 SAP requirements, students must have completed at least 21 credits by the end of the fourth term in order to be eligible for TAP in the fifth term. However, under the new 2010 SAP students now must have completed 30 credits by the end of the fourth term to be eligible for TAP in the fifth term. Some students are therefore put into a situation where they were not aware of the new requirements and could not possibly have time to take additional credit hours to meet the new standards in the 2010 SAP. A similar situation is also true for students pursuing an associate degree.

To remedy this situation, in the rule, these returning students that “fall in the gap” between the 2006 and 2010 SAP, will be deemed to be remedial students for the 2010-11 academic year only and therefore can continue to be eligible for TAP under the 2006 SAP. The rationale is that these “gap” students are not progressing along their academic programs at a rate of success that the State finds acceptable for participation in the TAP program. They therefore are being given an academic year to achieve the level of academic performance necessary for participation in TAP.

For purposes of the new standards of academic progress established in Chapter 53 of the Laws of 2010, a student shall be deemed to be in a program approved by the Commissioner for remedial study if he/she: (1) is enrolled in the Higher Education Opportunity Program (HEOP), the Education Opportunity Program (EOP), The Search for Education, Elevation and Knowledge (SEEK) program or the College Discovery (CD) program; (2) takes six credit hours of remedial instruction the first semester and at least nine credit hours of remedial instruction in the first year; or (3) takes three credit hours of remedial instruction in the first semester and six credit hours of remedial instruction in the second semester. Remedial courses taken in the summer session preceding the first academic year may count towards the required nine or more credits of remedial instruction for the purpose of program approval by the Commissioner for remedial study. In addition, for students first becoming eligible for TAP in the 2010-2011 academic year due to a change in their financial circumstances, remedial courses taken in a previous academic year may also be counted. For the 2010-11 academic year only, a student who first received an award prior to the 2010-2011 academic year and does not meet the eligibility requirements to be certified for TAP under the 2010-2011 SAP shall be deemed to be in an approved program of remedial study for the 2010-11 academic year solely for the purpose of defining which standards of academic progress apply for the 2010-11 academic year. This includes students who become ineligible for TAP in the Spring 2010 term because they have insufficient time to adjust their schedule in the Fall term to carry the required number of credits under the new standards of academic progress due to courses becoming unavailable, full or because the add/drop period has ended. The Department will issue guidance on this issue to the colleges.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 602(1), 661(2) and 665(6) and Chapter 53 of the Laws of 2010.

Assessment of public comment: No public comment received.

Part 162 VTA Tuition Awards

Description of Rule: The rule amends Subparts 79-9, 79-10, 79-11 and 79-12 of the Regulations of the Commissioner of Education, effective July 14, 2010, relating to licensure requirements for mental health counselors, marriage and family therapists, creative arts therapists and psychoanalysts. The purpose of the rules is to change the current requirements relating to experience and limited permits in each of these professions to conform to current practice. The rule also adds a new section to the existing regulations in each of these professions to allow the Department to endorse a license issued in another jurisdiction if the applicant meets certain education, experience and examination requirements.

Justification for continuation without modification: The purpose of

the rule is to conform Part 162 of the Regulations of the Commissioner of Education to Chapter 57 of the Laws of 2008 to allow Persian Gulf, Afghanistan and other Eligible Combat veterans to receive veterans tuition awards (VTA) for veterans enrolled in approved undergraduate or graduate programs at degree granting institutions or enrolled in approved vocational training programs and who apply for a tuition assistance program award. The rule also conforms the current regulations to current practice by authorizing the Commissioner to approve for VTA funding vocational training programs whose curricula is approved or developed by another state agency acceptable to the Department.

Legal Basis for Rule: Education Law §§ 207, 6506, 8402, 8403, 8404, 8405, and 8409 of the Education Law.

Assessment of public comment: No public comment received.

OFFICE OF THE PROFESSIONS

Sections 59.14 & 29.18 Mental Health Corporate Practice Waiver

Description of Rule: The rule adds a new section 29.18 to the Rules of the Regents and a new section 59.14 to the Regulations of the Commissioner relating to waivers from corporate practice restrictions for certain entities to provide services under Articles 154 or 163 of the Education Law or psychotherapy services as defined in section 8401(2) of the Education Law and services authorized and provided under Articles 131, 139 or 153 of the Education Law. The purpose of the rule is to allow the Department to issue waivers to qualified not-for-profit or educational corporations, so that these entities may employ licensed professionals or authorized individuals to provide services that are restricted under Title VIII of the Education Law.

Justification for continuation without modification: Chapters 130 and 132 of the Laws of 2010 amend the Education Law to address critical issues relating to the authority of certain entities to employ licensed master social workers (LMSW), licensed clinical social workers (LCSW), licensed mental health counselors (LMHC), licensed marriage and family therapists (LMFT), licensed creative arts therapists (LCAT), licensed psychoanalysts (LP), and licensed psychologists and to provide services within the scopes of practice of those professions. Prior to the restrictions on practice of those professions established by laws enacted in 2002, any individual or entity could provide psychotherapy and other services that are now restricted. While the new licensing laws provided exemptions for individuals in certain programs, these exemptions did not extend to thousands of not-for-profit and educational corporations throughout New York that provide essential services. This affected not only access to services for vulnerable persons, but also the ability of new graduates to meet the experience requirements for licensure in authorized settings, thereby restricting access to the licensed professions.

On June 18, 2010, Governor Paterson signed into law Chapters 130 and 132 of the Laws of 2010 to authorize the Department to issue waivers authorizing qualified entities to provide certain professional services; to accept supervised experience for licensure completed in settings that are eligible for waivers; to extend the exemption from licensure requirements for individuals in certain programs; and to mandate the Department to recommend, by July 1, 2012, with input from exempt agencies and key stakeholders, any amendments in laws or regulations needed to fully implement licensure by July 1, 2013.

The new section 6503-a of the Education Law authorizes the Department to issue a waiver to certain not-for-profit or educational corporations that were in existence on the effective date of the law, June 18, 2010. An entity must submit a waiver application within 120 days of the applications being posted on the Department's website and may continue to provide services until the application is approved or denied. The law allows entities to continue providing services until July 1, 2012, but if an application is denied by the Department, the entity must cease providing professional services in New York.

The law is very clear that the waiver is not intended to supplant the authority of other State agencies, such as the Department of Health or Office of Mental Health, that have oversight of health and mental health services. In reviewing applications for a waiver, the law requires the Education Department to collaborate with other State agencies to ensure public protection by minimizing the risk of an unqualified entity receiving a waiver to provide professional services. There are

also provisions in the law in regard to eligible entities, professional services that may be offered by entities, oversight by the Board of Regents, and attestations by each officer or director of the entity that he or she is of good moral character. An entity that receives a waiver under the law must apply for a renewal every three years and must request a waiver certificate for each site in New York at which professional services are provided.

Section 6503-a identifies a number of entities that do not require a waiver from the corporate practice prohibitions, including any entity with an operating certificate issued under the Public Health Law, Mental Hygiene Law or in accordance with comparable procedures by a State, federal or local government agency; an institution of higher education that provides a program leading to licensure in medicine, nursing, psychology, social work or the mental health professions; an institution of higher education that provides counseling to students, staff and family members of students and staff; and a university faculty practice corporation. The law allows the Regents to identify in regulation other entities that do not require a waiver, provided that such entity is otherwise authorized by law to provide such services.

The rule implements the provisions of law by setting forth the requirements to be met by a qualified entity in order to receive a waiver. These include, but are not limited to, the submission of the certificate of incorporation or other documentation that authorizes the entity to provide services described in the law and a description of the services that will be offered to the public. The entity must attest to adequate financial resources and that it will comply with section 18 of the Public Health Law in regard to access to patient information and records. Although the granting of a waiver resolves the issue of the authority of the entity to provide professional services, only licensed or authorized persons may provide services, and the entity is responsible for verifying the licensure of providers and the appropriate supervision of interns or permit holders who are only authorized to practice under supervision.

The addition of section 29.18 of the Rules of the Board of Regents implements the Board of Regents disciplinary authority over entities receiving waivers under Education Law section 6503-a. The rule clarifies that the entity is subject to the same professional misconduct provisions of the Regents Rules as a licensed professional or professional entity, and that the entity has the same due process rights as a licensed professional or professional entity.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6501(not subdivided), 6503-a, 6504(not subdivided), 6506(6), 6507(2)(a), 6508(1), 6509 (not subdivided), 6510 (not subdivided) and 6511 (not subdivided) of the Education Law.

Assessment of public comment: No public comment received.

Section 61.15 & 61.18 Continuing Education for Dentists

Description of Rule: The amends Sections 61.15 and 61.18 of the Regulations of the Commissioner of Education, effective January 27, 2010, relating to continuing education and limited permits for dentists. The purpose of the rule is to implement the provisions of Chapter 436 of the Laws of 2009.

Justification for continuation without modification: Existing regulations governing the ethics and jurisprudence component of mandatory continuing education for licensed dentists requires that this course be taken during the first registration period in which completion of formal education is required, which occurs after a dentist is licensed. The rule implements section 6604-a, as amended by Chapter 436 of the Laws of 2009, by permitting a postgraduate dental student enrolled in an approved residency program to take the dental jurisprudence and ethics course during their residency program, prior to licensure.

Existing regulations that describe the residency requirement for dental licensure make no provision for the registration of residents, or the payment of a residency fee. The rule implements section 6605(5) of the Education Law, as amended by Chapter 436 of the Laws of 2009, by requiring dental residents in an approved residency program to register with the Department and pay a registration fee equal to the amount now charged for a limited permit.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6504(not subdivided) 6507(2)(a), 6604-a(6) and 6605(5) of the Education Law.

Assessment of public comment: No public comment received.

Section 69.2(b)(2) Architectural Licensing Examination

Description of Rule: The rule amends section 69.2 of the Regulations of the Commissioner of Education relating to the examination requirements for licensure as an architect. The purpose of the rule is to align the New York State requirements for licensure with current national standards set by the National Council of Architectural Registration Boards (NCARB) regarding the retention of credit for Architect Registration Examination (ARE) divisions passed prior to January 1, 2006 and extensions to the existing five year rolling clock.

Justification for continuation without modification: The purpose of the rule is to align the New York State requirements for licensure with current national standards set by the National Council of Architectural Registration Boards (NCARB) regarding the retention of credit for Architect Registration Examination (ARE) divisions passed prior to January 1, 2006.

In 2005, the Board of Regents enacted a five year rolling clock for Architecture Registration Examination (ARE) divisions passed on or after January 1, 2006. This rolling clock gave such applicants for licensure five years to pass all divisions of what was, at the time, a nine division exam. Under prior regulations, an applicant may retain credit for ARE divisions passed prior to January 1, 2006 without time limitation. The rule provides that applicants who have passed a division of the ARE prior to January 1, 2006 will lose credit for those divisions if they have not successfully completed the ARE on or before June 30, 2014. This change would be consistent with a recent policy change by NCARB, which, at its Annual Meeting in 2009, voted to extend the five-year rolling clock provision to ARE divisions passed prior to January 1, 2006.

Since 1983, the ARE has transitioned four times. In June 1987, the ARE had a total of nine divisions, consisting of seven multiple choice and two graphic divisions, and was given in a paper and pencil format. By July 2008, the ARE had a total of 7 divisions, with the graphic divisions fully incorporated into the multiple choice divisions, and the exam is now taken and scored by computer. In between, there were transitions in 1988 and 1997 that both combined and split divisions, changing the configuration of the exam.

One of the critical components of licensure is an exam that ensures a minimum threshold of competency within the profession. Given the numerous division transitions within the ARE, enactment of a five-year rolling clock on divisions passed prior to January 1, 2006 will ensure that a candidate has passed the exam as a whole, and not numerous parts of different exams over many years.

The rule also contains extension provisions to the existing five year rolling clock requirement. The State Education Department may allow extensions to this rolling clock for the birth or adoption of an applicant's child, an applicant's serious medical condition, active service in the Armed Forces, or for extreme hardships or other circumstances beyond the applicant's control. If the Department finds that the conditions for an extension are met, the Department may grant an applicant an appropriate extension.

Legal Basis for Rule: Education Law §§ 207, 6504, 6507, and 7304.

Assessment of public comment: No public comment received.

Section 70.10 CPA Mandatory Quality Review

Description of Rule: The rule adds a new section 70.10 to the Regulations of the Commissioner of Education relating to the mandatory quality review program in public accountancy. The purpose of the rule is to establish the requirements for the mandatory quality review program for public accountancy to implement section 7410 of the Education Law, as added by Chapter 651 of the Laws of 2008.

Justification for continuation without modification: Section 7410 of the Education Law requires all firms, as a condition of renewal of their registrations, to undergo a quality review of the firms' attest services as a condition to renewal of their registration, in a manner specified in the Regulations of the Commissioner. Sole proprietorships and firms with two or fewer accounting professionals are exempt from quality review; however, such firms may voluntarily participate in the quality review program.

The quality review process must include a verification that individu-

als in the firm who are responsible for supervising attest services or who sign or authorize someone to sign the accountant's report on the financial statements meet competency requirements set out in professional standards for such services and in the Regulations of the Commissioner of Education.

In addition, the new law requires the Commissioner's regulation to include reasonable provisions for compliance by an applicant for firm registration showing that the firm has undergone a quality review in the last three years or a peer review in another state that is the satisfactory equivalent; require that organizations that administer quality review programs be subject to evaluations by the Department or its designee to periodically assess the effectiveness of the quality review program; and require that quality reviews be conducted by reviewers acceptable to the Department in accordance with Commissioner's regulations. In addition, the Commissioner of Education is authorized to require firms undergoing quality review and organizations administering quality review programs to timely submit quality review reports to the State Board for Public Accountancy. Reports submitted must be maintained as confidential in accordance with state law, unless the report is admitted into evidence in a hearing held by the Department.

Any firm, including a sole proprietorship or a firm with two or fewer accounting professionals, that performs attest services for any New York state or municipal entity performing a governmental or proprietary function for New York State or performs attest services specifically required pursuant to New York State law must undergo an external peer review in accordance with Government Auditing Standards issued by the Comptroller General of the United States.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 6501(not subdivided), 6504(not subdivided), 6506(6) and 7410 of the Education Law.

Assessment of public comment: No public comment received.

Subpart 74 Social Work Regulations

Description of Rule: The rule amends sections 74.3, 74.4, 74.5, 74.6 and 74.7 and adds a new section 74.9 to the Regulations of the Commissioner of Education relating to limited permits for licensed master social workers (LMSW) and licensed clinical social workers (LCSW) and experience, supervision, and endorsement requirements for licensure as a LCSW in New York. The purpose of the rule is to expedite the processing of applications for licensure as a LCSW in New York State and to provide clarity regarding acceptable supervised experience for licensure as a LCSW to ensure public protection and to establish requirements for the endorsement of certain out-of-state licensed clinical social workers.

Justification for continuation without modification: Section 7704(2) of the Education Law requires an applicant seeking licensure as a LCSW to complete three years of full-time supervised post-graduate clinical social work experience in diagnosis, psychotherapy and assessment-based treatment planning, or its part-time equivalent obtained over a period of not more than six years. The law does not require the applicant to complete any other social work experience, although the practice of licensed clinical social work includes other activities, including case management, advocacy, and testing. Such activities are not acceptable toward completion of the experience requirement under the current law. The rule requires an applicant to complete 2,000 client contact hours in diagnosis, psychotherapy, and assessment-based treatment planning over a period of not less than 36 months and not more than 72 months under a qualified supervisor. While this is a 30 percent reduction from the current requirement of 2,880 client contact hours over the same period of time, it is still among the highest requirements for clinical hours in the U.S., and the Department believes 2,000 client contact hours provides sufficient experience to ensure client protection once the applicant is licensed.

The rule amends section 74.3 of the Commissioner's regulations to clarify the experience requirements for licensure as a LCSW in New York. The rule requires an applicant for licensure to complete the required experience as a LMSW or permit holder in New York, except in certain limited circumstances. For experience completed in another jurisdiction, the experience must be obtained after the applicant completes his or her master's degree. The rule requires the applicant to complete the experience in an acceptable setting under a qualified

supervisor, as defined in section 74.6 of the Commissioner's regulations. The rule requires the supervisor to maintain records of the applicant's client contact hours and supervision and to submit verification of the client contact hours and supervision on forms prescribed by the Commissioner.

The rule also amends section 74.4 of the Commissioner's regulations to clarify that limited permit applicants must be of good moral character and that the permit may only be issued for work in an authorized setting under a qualified supervisor. In addition, the rule strengthens the requirement that the supervisor is responsible for the services provided by the permit holder and limits a licensee to supervising no more than five permit holders at any one time. Since the permit holder is only authorized to practice under supervision, this restriction is appropriate for public protection and consistent with the requirements in other professions. A LMSW or LCSW permit holder who is practicing clinical social work under supervision must be under general supervision as defined in the rule.

Currently, section 74.5 of the Commissioner's regulations establishes the fee and experience requirements for a LCSW to qualify for the insurance privilege established in section 3221(l)(4)(D) or 4303(n) of the Insurance Law. The rule increases the application fee from \$85 to \$100 and continue the requirement that the applicant complete 2,400 client contact hours of psychotherapy. However, prior regulations allow experience completed before licensure to be submitted and the rule clarifies the intent of the law that experience must be after licensure as an LCSW over a period of not less than three years. Under the rule, the applicant would have to have no less than 400 client contact hours in any one year in order to qualify for the privilege. In order to clarify the process of meeting the requirements in Insurance Law, the rule also defines an acceptable setting for the practice of licensed clinical social work and requires a LCSW to submit for approval by the State Board for Social Work a plan for appropriate supervision. The rule also defines acceptable supervision for the privilege as two or more hours per month of individual or group consultation or enrollment in a program in psychotherapy offered by an institution of higher education or by a psychotherapy institute chartered by the Board of Regents. This rule eliminates peer supervision, which is not authorized by the Insurance Law, and clarifies the pathway to the insurance privilege.

The rule amends section 74.6 of the Commissioner's regulations to establish the supervision requirements for a licensed master social worker providing clinical social work services. A LMSW who has submitted an application for licensure as a LCSW must maintain registration as a LMSW in New York and may only practice under supervision until licensed as a LCSW. The amendments clarify what constitutes an acceptable setting for the practice of clinical social work and require the supervisor to provide at least 100 hours of individual or group supervision to the LMSW, distributed appropriately over a period of at least 36 months. The LMSW would also be able to submit a plan for supervised experience toward licensure as a LCSW, for review and approval by the State Board for Social Work. By obtaining such approval prior to starting a position, an applicant would be able to avoid working for three years in a position which cannot be accepted toward meeting the experience requirements for licensure as a LCSW because the setting or supervisor was not authorized by law and/or regulation. The State Board's review and approval of the voluntary plan would both protect the public and provide assurances to the LMSW that the setting and supervisor are authorized to engage in the practice of clinical social work in New York. Since a LMSW may provide diagnosis, psychotherapy and assessment-based treatment planning under supervision without seeking licensure as an LCSW, the amendment requires such a LMSW to receive at least two hours per month of in-person individual or group clinical supervision.

Section 7706(2) of the Education Law provides an exemption from licensure for an individual with a bachelor's degree in social work, if the person is under the general supervision of a LMSW or LCSW and engages in non-supervisory and non-clinical activities only. The rule amends section 74.7 of the Commissioner's regulations to provide standards for an individual with a BSW or MSW degree to provide licensed master social work services, under supervision. In order to clarify the boundaries of practice, the rule clearly states that the indi-

vidual may not provide administrative supervision or engage in the practice of licensed clinical social work or use the title “LMSW” or “LCSW.”

The rule adds a new section 74.9 to allow the Department to endorse for practice in New York the license of an LCSW licensed in another jurisdiction. The applicant would have to have at least 10 years of licensed practice during the 15 years immediately preceding the application for licensure in New York. In addition, the applicant must demonstrate: licensure as a LCSW on the basis of an a master’s degree in social work from an acceptable school, post-degree supervised clinical experience, and the passage of a clinical examination in social work acceptable to the department. The applicant must also be of good character, complete coursework in the identification and reporting of suspected child abuse, and submit the application for licensure and fee established in law and regulation.

Legal Basis for Rule: Education Law §§ 207(not subdivided), 212(3), 6501(not subdivided), 6504(not subdivided), 6506(6), 6507(2)(a), 6508(1), 7704(2)(c), 7705(1), and 7706(1) through (5) of the Education Law.

Assessment of public comment: No public comment received.

Subparts 79-9, 79-10, 79-11, 79-12 Mental Health Regulations

Description of Rule: The rule implements requirements of Article 163 of the Education Law and establishes endorsement provisions relating to licensure as mental health counselors, marriage and family therapists, creative arts therapists and psychoanalysts in New York State.

Justification for continuation without modification: In 2002, Article 163 was added to the Education Law to authorize the licensure and practice of mental health counselors, marriage and family therapists, creative arts therapists and psychoanalysts. The Board of Regents adopted regulations in 2005 to implement the provisions of Article 163 of the Education Law.

The rule changes current regulations in each of these professions in three major areas. First, the rule amends the experience requirements for licensure in each of these professions by requiring applicants to obtain experience under the general supervision of a qualified supervisor. The rule defines general supervision, requires a certain amount of clock hours of the supervised experience to consist of direct contact with clients, and requires that any supervised experience be performed by an applicant under a limited permit issued by the department. This ensures that the applicant is receiving appropriate supervision from a qualified supervisor in a setting that is authorized to provide services that are restricted under Title VIII of the Education.

The rule also eliminates the requirement that the individual supervising an applicant’s experience have three years of licensed experience in the practice of the profession and defines what is considered an appropriate setting to receive licensure-qualifying experience in each of these professions. Due to the recent creation of these four mental health professions, the State Board has notified the Department of shortages in qualified supervisors because of the three-year experience requirement for supervisors. Eliminating the three-year requirement will decrease the shortages in qualified supervisors and be consistent with other professions.

Secondly, the rule clarifies that the Department will issue a limited permit to an applicant to practice under supervision while meeting the experience and/or examination requirements for licensure in these professions and that the limited permit shall identify a qualified supervisor. The rule requires that the permit identify a qualified supervisor acceptable to the department, and prohibits a supervisor from supervising more than five permit holders at a time, which reflects the significant role of the supervisor in overseeing the practice of permit holders.

Finally, a new section is added to the existing regulations in each of these professions to allow the Department to endorse a license issued in another jurisdiction if the applicant meets certain education, experience and examination requirements and the applicant has at least 5 years of experience in that profession, satisfactory to the State Board of Mental Health Practitioners, within the 10 years immediately preceding their application for licensure by endorsement.

Legal Basis for Rule: Education Law Sections 207 (not subdivided),

6501 (not subdivided), 6504 (not subdivided), 6506(6), 6507(2)(a), 6508(1), 8402(3)(c), 8403(3)(c), 8404(3)(c), 8405(3)(c) and 8409(1) of the Education Law.

Assessment of public comment: No public comment received.

OFFICE OF CULTURAL EDUCATION

Section 90.5 Reference & Research Library Resources Systems

Description of Rule: The rule amends section 90.5 of the Regulations of the Commissioner of Education to update certain terminology and to clarify procedural requirements in the Commissioner’s Regulations relating to reference and research library resources systems. Specifically, the rule expands the definition of plan of service and more accurately reflects the information to be included in a plan of service in order to be consistent with the description in other library system regulations. The rule also clarifies the requirements for a full-time director and eliminates references to obsolete practices and terms.

Justification for continuation without modification: The rule is needed to update certain terminology and to clarify procedural requirements in the Commissioner’s Regulations relating to reference and research library resources systems. Specifically, the rule expands the definition of plan of service and more accurately reflects the information to be included in a plan of service in order to be consistent with the description in other library system regulations; the requirements for a full-time director are clarified; and references to obsolete practices and terms are omitted; in order to conform to Education Law section 272, as amended by Chapter 57 of the Laws of 2005, Part O, and to accurately reflect the current implementation of the statute.

Legal Basis for Rule: Education Law §§ 207, 215, 254, 255, 272(2), and 273.

Assessment of public comment: No public comment received.

OFFICE OF OPERATIONS AND MANAGEMENT SERVICES

Section 3.2 Establish Audit Committee

Description of Rule: The rule amends section 3.2 of the Rules of the Board of Regents to establish a Regents standing committee on Audits/ Budget and Finance that will assist the Board of Regents in carrying out its financial oversight responsibilities by ensuring accountability through centralizing review and discussion of fiscal and audit issues related to the State Education Department.

Justification for continuation without modification: The rule is necessary to establish the Committee on Audits/ Budget and Finance as a standing committee of the Board of Regents to assist the Board of Regents in carrying out its financial oversight responsibilities by ensuring accountability through centralizing review and discussion of fiscal and audit issues related to the State Education Department. The Committee will: review State and federal budget actions; review financial reports and all audits of the Department; recommend budget priorities for the upcoming State fiscal year and actions needed to achieve budget reductions and close structural deficits; review select audits of other institutions in the University of the State of New York which may require Department action and submit recommendations and reports to the Full Board, as appropriate; and provide oversight of the Department’s Office of Audit Services.

Legal Basis for Rule: Education Law section 207(not subdivided).

Assessment of public comment: No public comment received.

Section 3.2 AEWD Committee Name Change

Description of Rule: The rule amends section 3.2 of the Rules of the Board of Regents and is needed to change the name of a Regents standing committee from Committee on Adult Education and Workforce Development to “Committee on Adult Career and Continuing Education Services (ACCES),” in order to conform to a change of name of the Department’s Office of Adult Education and Workforce Development to “Office for Adult Career and Continuing Education Services (ACCES).”

Justification for continuation without modification: The Office of Adult Education and Workforce Development was established under a recent reorganization of the State Education Department that abolished the Office of Vocational Educational Services for Individuals with Disabilities (VESID), and transferred responsibility for adult education, workforce development, vocational rehabilitation and propri-

etary school supervision to the new Adult Education and Workforce Development committee, and transferred responsibility for special education to a new Office of P-12 Education.

The Office of Adult Education and Workforce Development intends to change its name to Office for Adult Career and Continuing Education Services (ACCES). The rule is needed to make a conforming change in the name of the Regents standing committee from Committee on Adult Education and Workforce Development to "Committee on Adult Career and Continuing Education Services (ACCES)."

Legal Basis for Rule: Education Law section 207(not subdivided).

Assessment of public comment: No public comment received.

Section 3.2 Regents Standing Committees

Description of Rule: The rule is necessary to conform the Regents Rules to recent changes in the internal organization of the State Education Department, relating to the standing committees of the Board of Regents.

Notification for continuation without modification: The rule is necessary to conform the Regents Rules to a recent reorganization of the committee structure of the Board of Regents so that the Board may more effectively meet its statutory responsibilities. The rule conforms the Rules of the Board of Regents to the recent reconfiguration of the standing committees of the Board of Regents, as follows:

(1) The Committee on Elementary, Middle, Secondary and Continuing Education will be renamed the "Committee on P-12 Education."

(2) A new Committee on Adult Education and Workforce Development will be created.

(3) The Committee on Vocational and Education Services for Individuals with Disabilities is abolished, and its functions regarding vocational rehabilitation will be transferred to the Committee on Adult Education and Workforce Development, and its functions regarding special education programs and services for students with disabilities will be transferred to the Committee on P-12 Education.

(4) The adult education and workforce development functions of the Committee on P-12 Education will be transferred to the Committee on Adult Education and Workforce Development.

(5) The functions of the Committee on Adult Education and Workforce Development regarding proprietary school supervision are specified.

(6) The former Committee on Policy Integration and Innovation is abolished.

(7) Clarification is provided regarding the ex officio membership of the chancellor, vice chancellor, and chancellor emeritus on each subcommittee, task force and work group.

(8) Several minor technical changes are made to the Rules to add a reference to Regents work groups and to provide for reasonable notice of meetings to committee members.

The Board of Regents has determined that the reorganization of the committee structure is necessary to assist the Board of Regents to effectively meet its responsibilities to govern the University of the State of New York, determine the educational policies of the State and oversee the State Education Department. The committee reorganization is also consistent with a current restructuring of the Department's internal organization. The rule conforms the Regents Rules to recent changes to the names and functions of certain Regents standing committees so that they may efficiently and effectively carry out the Board's work. The minor technical changes with conform the Rules to the current nomenclature and practice used by the Board.

Legal Basis for Rule: Education Law section 207(not subdivided).

Assessment of public comment: No public comment received.

Section 3.8 Senior Deputy Commissioner

Description of Rule: The rule is necessary to conform the Regents Rules to changes in the internal organization of the State Education Department, relating to the designation of the Senior Deputy Commissioner for P-12 Education as the Deputy Commissioner of Education as specified in Education Law section 101, who shall exercise the duties of the Commissioner of Education in his absence or disability, or when a vacancy exists in the office of Commissioner.

Justification for continuation without modification: The rule is necessary

to conform the Rules of the Board of Regents to changes made in the internal organization of the State Education Department, relating to the designation of the Senior Deputy Commissioner for P-12 Education as the deputy commissioner of education as specified in Education Law section 101, who shall exercise the duties of the Commissioner of Education in his absence or disability, or when a vacancy exists in the office of Commissioner.

Legal Basis for Rule: Education Law section 101(not subdivided).

Assessment of public comment: No public comment received.

Parts 275 & 276 Charter School Co-location Appeals

Description of Rule: The rule amends Parts 275 and 276 of the Regulations of the Commissioner of Education. The rule is necessary to implement Chapter 101 of the Laws of 2010 by establishing procedures for expedited appeals relating to New York City charter school location/co-location and building usage plans brought pursuant to Education Law §§ 310 and 2853(3)(a-5). Education Law § 2853(3)(a-5) requires that petitions in such appeals must be dismissed, adjudicated or disposed of by the Commissioner within ten days of the receipt of the New York City School District's response. The rule modifies existing notice, service and filing requirements in Parts 275 and 276 of the Commissioner's Regulations, relating to appeals to the Commissioner pursuant to Education Law § 310, to provide for such expedited appeals consistent with statutory requirements.

Justification for continuation without modification: The rule is necessary to implement Chapter 101 of the Laws of 2010 by establishing procedures for expedited appeals relating to New York City charter school location/co-location and building usage plans brought pursuant to Education Law §§ 310 and 2853(3)(a-5). Education Law § 2853(3)(a-5) requires that petitions in such appeals must be dismissed, adjudicated or disposed of by the Commissioner within ten days of the receipt of the New York City School District's response. The rule modifies existing notice, service and filing requirements in Parts 275 and 276 of the Commissioner's Regulations, relating to appeals to the Commissioner pursuant to Education Law § 310, to provide for such expedited appeals consistent with statutory requirements. The rule establishes procedures that accommodate the extremely short time frames imposed by the statute, while assuring that due process is provided through procedures which are workable and fair to both parties.

Legal Basis for Rule: Education Law §§ 101, 207, 305(1) and (2), 310, 311 and 2853(3)(a-5) and § 15 of Chapter 101 of the Laws of 2010.

Assessment of public comment: No public comment received.

E. CALENDAR YEAR 2005

OFFICE OF P-12 EDUCATION

100.1(t) State Learning Standards for Mathematics

Description of Rule: The rule revised the definition of State learning standards for mathematics.

Justification for continuation without modification: The rule is necessary to modify the definition of the State learning standards for mathematics, consistent with policy enacted by the Board of Regents. The rule added the following provision: "Students will, through the integrated study of number sense and operations, algebra, geometry, measurement, and statistics and probability, understand the concepts of and become proficient with the skills of mathematics, communicate and reason mathematically and become problem solvers by using appropriate tools and strategies."

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2), 308, 309(not subdivided) and 3204(3).

Assessment of public comment: No public comment received.

125.1 Voluntary Registration of Nonpublic nursery schools and kindergartens

Description of Rule: The rule replaced the existing requirement in section 125.1(c) for annual visits of each registered nonpublic nursery school and kindergarten with a requirement that Department staff conduct annual visits of only those schools in the following categories: (i) schools with registration certificates that will expire during the

year; (ii) schools operated by new applicants, including schools operated by new owners; schools located in newly constructed or renovated sites; and (iii) schools that require onsite technical assistance to alleviate regulatory non-compliance issues.

Justification for continuation without modification: The rule removed the requirement for annual visits by Department consultants to each of the registered schools, and replaced it with a visitation plan that is consistent with the current resources of the Department and the needs of the schools. The rule focuses on schools whose registration status may be in jeopardy for various reasons, by requiring annual site visits to the approximately twenty percent (30-40) of the schools that are in one or more of the following categories: (i) schools with registration certificates that will expire during the year; (ii) schools operated by new applicants, including schools operated by new owners; (iii) schools located in newly constructed or renovated sites; and (iv) schools that require onsite technical assistance to alleviate regulatory non-compliance issues.

The rule provides flexibility concerning the visits by Department staff to registered schools to determine compliance with regulatory requirements and will allow the Department to provide more focused technical assistance and support to schools targeted for annual visits to ensure compliance with the Commissioner's Regulations.

Legal Basis for Rule: Education Law sections 207 and 210.

Assessment of public comment: No public comment received.

100.3, 100.4 & 80-5.12 Middle-level education

Description of Rule: The rule implements a Regents Policy Statement on Middle-level Education. Districts with low-performing schools are authorized to propose a program that strengthens core academic subjects and effective academic intervention services, and provides all students with exploratory subjects that address the learning standards, are of high interest to students, and further reinforce core academic learning (Model B). Low-performing schools receive regulatory relief from the prescribed time requirements for units of study in the exploratory courses in order to implement their proposed program. Districts with new or high-performing schools are authorized to submit proposals for restructuring the full educational program (Model C#1) or specific program refinements (Model C#2) and be granted relief from programmatic regulatory requirements. In addition, the rule authorizes districts under certain circumstances to apply for approval to implement an "Experiment in Organization" that provides for the flexible assign of certified teaching staff. The rule also made technical changes to align the Commissioner's regulations with the State learning standards and clarifies testing requirements related to students with disabilities.

Justification for continuation without modification: The rule is necessary to implement Regents policy, and ensures that school districts have the flexibility they need to ensure that all students in State public schools are provided instruction in the State learning standards areas and have the skills, knowledge, and understanding necessary for success. The rule provides school districts additional flexibility in meeting State intermediate learning standards and increasing student proficiency in English language arts and mathematics consistent with the federal No Child Left Behind Act.

Legal Basis for Rule: Education Law sections 101, 207, 208, 215, 305(1) and (2), 308(not subdivided), 309(not subdivided), 4403(3) and 3713(1) and (2).

Assessment of public comment: No public comment received.

100.2(p) school and school district accountability

Description of Rule: The rule establishes criteria and procedures to ensure State and local educational agency compliance with the provisions of the federal No Child Left Behind Act of 2001 relating to academic standards and school/district accountability.

Justification for continuation without modification: The rule is in response to guidance provided by the U.S. Department of Education and is necessary to ensure consistency with NCLB accountability requirements and the Individuals with Disabilities Education Improvement Act of 2004 (Pub. L. 108-446). NCLB section 1111(b)(2) requires each state that receives funds to demonstrate, as part of its State Plan, that the state has developed and is implementing a single,

statewide accountability system to ensure that all LEAs, public elementary schools and public high schools make adequate yearly progress (AYP). Each state must implement a set of yearly student academic assessments in specified subject areas that will be used as the primary means of determining the yearly performance of the state and each LEA and school in the state in enabling all children to meet the State's academic achievement standards. The Department has since implemented the State's ESSA accountability system under section 100.21 of the Commissioner's regulations.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305(1), (2) and (20), 309(not subdivided) and 3713(1) and (2).

Assessment of public comment: No public comment received.

100.5 State assessments, graduation and diploma requirements

Description of Rule: The rule revised requirements for obtaining a Regents high school diploma, a Regents diploma with advanced designation, and a local high school diploma. The rule phased-in the 65 passing score on the five required Regents examinations to meet graduation requirements by requiring students who enter grade 9 in the 2005-06 school year to achieve 65 or above on two required Regents examinations and a score of 55 or above on the remaining three required Regents examinations, by requiring students who enter grade 9 in the 2006-07 school year to achieve 65 or above on three required Regents examinations and a score of 55 or above on the remaining two required Regents examinations, by requiring students who enter grade 9 in the 2007-08 school year to achieve 65 or higher on four required Regents examinations and a score of 55 on the one remaining required Regents examination, and by requiring students who enter grade 9 in the 2008-09 school year to achieve 65 on all five required Regents examinations.

The rule also establishes an appeal process for students who first enter grade 9 in September 2005 or thereafter and who fail, after at least two attempts, to attain a score of 65 or above on a required Regents examination for graduation. A standing committee chaired by the school principal would review all appeals within 10 days of submission and make a recommendation to the superintendent of the school district or, in the case of New York City, the Chancellor or his/her designee.

Justification for continuation without modification: The rule is necessary to implement revisions to policy adopted by the Board of Regents in June 2005. The rule revised the graduation and diploma requirements first adopted by the Board of Regents in July 1999, and subsequently revised in November 2003, to help ensure that all students in the State's public schools have the skills, knowledge and understandings they need to succeed in the next century.

Despite the significant increase in the number of students with disabilities taking Regents level courses and passing Regents examinations, there still is a significant gap between the performance of special education and general education students. Therefore, the rule provides an additional safety net for all students with disabilities entering grade 9 in the 2005-06 school year. Under this safety net, students with disabilities may achieve a passing score of 55-64 on the five required Regents examinations to meet local diploma requirements.

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305(1) and (2), 308, 309 and 3204(3).

Assessment of public comment: No public comment received.

Part 105 Special act school districts

Description of Rule: The rule implements Chapters 628 and 629 of the Laws of 2004 by establishing procedures for the appointment by the Commissioner of Education of public members to the board of education of each Special Act school district, to ensure public accountability for educational services and use of public funds.

Justification for continuation without modification: The rule is necessary to implement Chapters 628 and 629 of the Laws of 2004 by adding a new Part 105 that establishes requirements for the appointment by the Commissioner of two public members to the board of education of each special act school district. Section 105.1 provides for definitions of terms used in the new Part. Section 105.2 establishes eligibility requirements for appointment as a public member. Section 105.3 establishes appointment procedures, term lengths, procedures to

fill vacancies, and provides that public members, upon appointment, shall have all the rights, privileges, powers, duties and responsibilities of members of the board of education of a union free school district.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2), 308 and 309(not subdivided) and Chapters 628 and 629 of the Laws of 2004.

Assessment of public comment: No public comment received.

175.5 Superintendent's conference days

Description of Rule: The rule permits a school district to use up to two of the allowed four superintendents' conference days provided for in Education Law section 3604(8) for teacher rating of State assessments, including assessments required under the federal No Child Left Behind Act of 2001.

Justification for continuation without modification: The rating of students' performance on the State assessments is an effective way for teachers to learn the new learning standards and therefore constitutes permissible staff development activities relating to implementation of the new high learning standards and assessments, as authorized by Education Law section 3604(8). The rule provides school districts with additional flexibility and discretion to use this staff development function to fulfill their State test scoring requirements while minimizing impact on student instructional time.

Legal Basis for Rule: Education Law sections 101, 207 and 3604(8).

Assessment of public comment: No public comment received.

136.1, 136.2 & 136.3 School health services

Description of Rule: The rule implements and otherwise conforms the Commissioner's Regulations to Chapter 477 of the Laws of 2004.

Justification for continuation without modification: The rule is necessary to implement and otherwise conform the Commissioner's Regulations to Chapter 477 of the Laws of 2004. School health services staff in New York State public schools will be able to provide services that are consistent with current standards in medical and health care practice and State law.

Legal Basis for Rule: Education Law sections 207; 901(1) and (2); 902(1), (2) and (3); 903(1) and (2); 904(1) and (2); 905(1), (2), (3) and (4); 906(1) and (2); 911(1); 913; 914(1) and Chapter 477 of the Laws of 2004.

Assessment of public comment: No public comment received.

136.3 School health services

Description of Rule: The rule clarifies the accommodation for religious beliefs provision in the Commissioner's Regulations to ensure consistency with Public Health Law section 2164 and the Regulations of the Commissioner of Health and Chapter 477 of the Laws of 2004.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to the Regulations of the Department of Health and thereby ensure consistency with the legislative intent of Chapter 477 of the Laws of 2004. Section 136.3(a)(2) was also amended to ensure conformance to applicable legal requirements regarding disclosure of confidential information by adding the phrase "except where otherwise prohibited by law." In addition, section 136.3(a)(2) was amended to conform its provisions to Education Law section 904(1), as amended by Chapter 477 of the Laws of 2004, which provides for notification of "persons in parental relation" instead of "guardian" and provides for notification of "defective sight or hearing, or other physical disability."

Legal Basis for Rule: Education Law sections 207; 901(1) and (2); 902(1), (2) and (3); 903(1) and (2); 904(1) and (2); 905(1), (2), (3) and (4); 906(1) and (2); 911(1); 913; 914(1) and Chapter 477 of the Laws of 2004.

Assessment of public comment: No public comment received.

Section 100.2(x)(4)(i), (iii) and (iv) and 100.2(x)(7)(xii) Education of homeless children

Description of Rule: The rule was amended to require a school district to: coordinate the transmittal of records for a student with a disability who is a homeless youth; provide comparable special education services to a homeless youth with a disability who enrolls in a school district; ensure the local educational agency liaison assists in

the enrollment and educational placement through coordination with the Committee on Special Education (CSE) for a student with a disability who is a homeless youth; and coordinate the implementation of the homeless provisions with IDEA.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to the federal Individuals with Disabilities Education Act (IDEA), as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 100.2(dd)(1)(iii) Professional Development Plan

Description of Rule: The rule was amended to require a school district to include in its professional development plans a description of professional development activities provided to school personnel who work with students with disabilities.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Part 101 Exemptions from attendance

Description of Rule: The rule repealed Part 101 relating to exemption from attendance.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.1 Definitions

Description of Rule: The rule conformed the definitions of assistive technology service, impartial hearing officer, mediator, parent, related services, school health services, special education, learning disability, surrogate parent and transition services; adds definitions of homeless youth, limited English proficiency, universal design and ward of the State, consistent with the federal definitions of these terms; and made technical amendments to the definitions of guardian ad litem, general curriculum and prior written notice.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to correct cross citations in the definition of a student with a learning disability and guardian ad litem and to revise the definitions of parent, related services, school health services and transition services consistent with IDEA and the October 2006 amendments to Part 300 of the Code of Federal Regulations (34 CFR), which implement IDEA. The rule was further amended in 2008 to revise the definitions of related services, school health services and transition services consistent with Chapter 378 of the New York State (NYS) Laws of 2007 and the IDEA 2004 statutes and regulations.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.2(a), (b), (d), (e), (h) and (i) Board of Education Responsibilities

Description of Rule: The rule added child find requirements for students with disabilities who are homeless or wards of the State; added data requirements consistent with federal law; added new responsibilities relating to child find, evaluation, data collection and data reporting for students with disabilities placed in private elementary and secondary schools by their parents; required instructional

materials to be in a format that meets the National Instructional Materials Accessibility Standard (NIMAS) as published in the federal Register; ensured that amendments to individualized education programs (IEPs) are disseminated consistent with Chapter 408 of the Laws of 2002 and recommendations made to IEPs without convening a meeting or by amending the IEP are provided to the board of education; repealed requirements for a comprehensive system of personnel development and required schools to include personnel development activities for staff working with students with disabilities in the professional development plan pursuant to section 100.2 of the Commissioner's Regulations; required boards of education and boards of cooperative educational services (BOCES) to establish written policies that identify the measurable steps it will take to recruit, hire, train and retain highly qualified personnel; required school districts to develop policies and procedures that describe the guidelines for the provision of appropriate accommodations necessary to measure the academic and functional performance of the student in the administration of district-wide assessments; and required a school district to identify how, to the extent feasible, it will use universal design principles in developing and administering any district-wide assessments.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to correct the federal cross citation relating to NIMAS consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.3 Committee on special education (CSE) and committee on preschool special education (CPSE)

Description of Rule: The rule required that not less than one regular education teacher and not less than one special education teacher or provider be members of the CSE, a subcommittee thereof, and the CPSE; and added, consistent with amendments made to section 4402 of the Education Law by Chapter 194 of the Laws of 2004, that the additional parent member on the CSE may be a parent of a student who has been declassified or who has graduated within the past five years.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446 and to NYS Education Law.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7), 4410(13) and Chapter 194 of the NYS Laws of 2004.

Assessment of public comment: No public comment received.

Section 200.4 Procedures for referral, evaluation, IEP development, placement and review.

Description of Rule: The rule conformed State regulations to federal law requirements relating to parental consent, individual evaluations and reevaluations, evaluation procedures, eligibility determinations including determinations of learning disabilities, IEP contents including transition services to be in effect beginning with the school year when the student turns age 15, the right of the parent to agree to alternative means of participation for CSE, subcommittee or CPSE meetings, annual review requirements, changes to the IEP after the annual review, and provision of services and transfer of records for students who transfer school districts.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to correct a cross citation and to conform State regulations relating to eligibility determinations including determinations of learning disabilities, IEP contents and provision of services and transfer of records for students who transfer school districts consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA. The rule was further amended in 2008 to conform State regulations relating to reevaluations and changes to an IEP after the

annual review consistent with Chapter 378 of the NYS Laws of 2007 and IDEA statutes and regulations.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.5 Due process procedures

Description of rule: The rule conformed State due process requirements to federal law relating to prior written notice, consent, notice of meetings, parent participation in CSE meetings, procedural safeguards notice, mediation, due process hearing request notification requirements, resolution sessions, impartial hearings, appeals of the decision of the State review officer and surrogate parents.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to correct a cross citation and to conform State Regulations relating to prior written notice, consent, procedural safeguards notice, mediation, due process hearing request notification requirements, impartial hearings and resolution process consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA. The rule was further amended in 2009 to conform State regulations relating to consent to the December 2008 amendments to 34 CFR Part 300.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.6(m) Interim alternative educational setting (IAES)

Description of Rule: The rule added IAES to the required continuum of services for students with disabilities.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to re-letter section 200.6(m) to section 200.6(n).)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

200.7(c)(4) and 200.7(d) Additional operational and administrative provisions related solely to private schools and Appointment of blind, deaf and severely physically disabled students to certain State-operated and State-supported schools

Description of Rule: The rule conformed State requirements to federal law relating to CSE members and due process for student placements in State-operated and State-supported schools.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.14(d) and (e) Day treatment programs certified by the Office of Mental Health

Description of Rule: The rule conformed the requirements for IEP development for students in day treatment programs to the amended requirements in section 200.4.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 200.16 Educational programs for preschool students with disabilities

Description of Rule: The rule conformed State requirements to

federal law relating to CPSE membership, individual evaluation, eligibility determinations, reevaluations, IEP development, annual reviews, changes to the IEP, procedural safeguards and due process procedures.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13). (The rule was amended in 2007 to conform State regulations relating to procedural safeguards consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Assessment of public comment: No public comment received.

Section 201.2 Definitions relating to procedural safeguards for students with disabilities subject to discipline

Description of Rule: The rule conformed the definition of IAES to federal law and added a definition of serious bodily injury.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to conform the definition of IAES consistent with the federal definition of this term.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.3 CSE responsibilities for functional behavioral assessments and behavioral intervention plans

Description of Rule: The rule conformed the CSE responsibilities for functional behavioral assessments and behavioral intervention plans to federal law.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to repeal section 201.3 and add a new section 201.3 to conform State Regulations consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.4 Manifestation determinations

Description of Rule: The rule conformed State requirements to federal law relating to the establishment of a manifestation team and factors to determine if the behavior of a student was or was not a manifestation of the student's disability.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to conform State Regulations relating to manifestation determinations consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.5 Students presumed to have a disability for discipline purposes

Description of Rule: The rule revised the basis of knowledge as to whether a student is presumed to have a disability for discipline purposes to be consistent with federal law.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.7(d) and (e) General procedures for suspensions and removals of students with disabilities

Description of Rule: The rule made technical changes relating to the manifestation team; added serious bodily injury as a reason school personnel may change a student's placement to an IAES; and provided that school personnel may consider unique circumstances for students with disabilities relating to discipline decisions.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to correct a cross citation and to conform State regulations relating to the consideration of unique circumstances for students with disabilities relating to discipline decisions consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.8 Authority of impartial hearing officer (IHO) to order a change in placement to an IAES in a dangerous situation

Description of Rule: The rule established the authority of an IHO to order a change of placement to an IAES, consistent with federal law.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to conform State regulations relating to the authority of an IHO to order a change in placement to an IAES in a dangerous situation consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.9(b) and (c) Coordination with superintendent's hearing and other due process procedures applicable to all students

Description of Rule: The rule changed the coordination with a superintendent's hearing and other due process procedures applicable to all students to federal requirements.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446.

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.10(c), (d) and (e) Provision of services during suspensions

Description of Rule: The rule defined services a student with a disability must receive during suspensions of 10 school days or more and that the IAES setting shall be determined by the CSE.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as amended by Pub L. 108-446. (The rule was amended in 2007 to conform State regulations relating to the provision of services during suspensions consistent with IDEA and the October 2006 amendments to 34 CFR Part 300, which implement IDEA.)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a (1-7) and 4410(13).

Assessment of public comment: No public comment received.

Section 201.11(b) and (d) Expedited due process hearings

Description of Rule: The rule required the pendency setting for students with disabilities during expedited impartial hearings to be the IAES or other disciplinary setting.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to IDEA, as

amended by Pub L. 108-446. (The rule was amended in 2007 to make a technical correction and to re-letter section 201.11(d) to section 201.11(c).)

Legal Basis for Rule: Education Law sections 207(not subdivided), 3208(1-5), 3209(7), 3602-c(2), 4002(1-3), 4308(3), 4355(3), 4402(1-7), 4403(3), 4404(1-5), 4404-a(1-7) and 4410(13).

Assessment of public comment: No public comment received.

OFFICE OF HIGHER EDUCATION

Sections 80-3.3(a)(1) and 52.21(b)(2)(i)(h) Duration of Initial Teaching Certificate and Flexibility in Staffing of Teacher Preparation Programs.

Description of Rule: The rule increases the duration of the initial certificate for classroom teaching from three, or four years with extension, to five years.

Justification for continuation without modification: The rule is needed to extend the previous duration of the initial certificate, which was considered too short to provide new teachers with sufficient time to complete the master's degree program required for the professional certificate. The rule also provides teacher preparation programs that meet articulated standards of institutional accountability greater flexibility in the staffing of those programs.

Legal Basis for Rule: Education Law §§ 207; 210; 215; 305(1), (2), and (7); 3001(2); 3004(1); and 3006(1)(b).

Assessment of public comment: No public comment received.

Sections 3.47(d)(2) and 3.50 (b)(17) Authorization of Degrees.

Description of Rule: The rule authorizes the conferral in New York State of the graduate professional degree of Doctor of Nursing Practice (D.N.P.) for completion of a practice oriented doctoral program in nursing.

Justification for continuation without modification: The rule arose from a request by Columbia University to offer a program in nursing leading to the Doctor of Nursing Practice degree. This degree provides an alternative to the existing doctoral programs in nursing (Ph.D. and D.N.S. degree programs) that are research oriented. The new degree benefits nurses who are interested in achieving a terminal degree that focuses on expert clinical practice. The Department expects the degree to be used primarily by, but not limited to, those programs that educate nurse practitioners and nurse-midwives.

Legal Basis for Rule: Education Law §§ 207; 210; 218(1) and 224(4).

Assessment of public comment:

Section 80-2.3(f) Certification and scope of practice in school social work

Description of Rule: The rule updates references to the titles of the new licensed professions in social work and the requirements for permanent certification in school social work and clarifies the scope of practice of certified school social workers in light of the new practice protected licensed professions in social work.

Justification for continuation without modification: The rule is needed to implement the statutory requirements of Chapter 2004 of the Laws of 2004. Effective September 1, 2004, social work became a practice protected profession under Article 154 of the Education Law, and the titles changed for individuals licensed in social work under Article 154 of the Education Law. The rule clarifies the scope of practice for holders of provisional or permanent certificates in school social work. The rule also updates these titles and requires the candidate for permanent certification to be licensed and registered by the State Education Department as a licensed master social worker or licensed clinical social worker.

Legal Basis for Rule: Education Law §§ 207; 305(1), (2), and (7); 3001(2); 3004(1); 3006(1)(b); 3009(1); 3010; 7702(2)(a) and (3)(a); and 7706(5)(a).

Assessment of public comment: No public comment received.

Sections 52.21(b)(4), 80-4.1(a)(2) and 80-4.3(d) Teacher certification in gifted education.

Description of Rule: The rule requires candidates seeking to meet the education requirement for the extension in gifted education

through equivalent coursework to complete 12 semester hours of coursework in specified subjects, rather than six. The rule clarifies the content of the education requirement for the extension, ensuring that coursework is focused specifically on preparing teachers for providing instruction and support to gifted students and adequately preparing candidates for the New York State certification examination.

Justification for continuation without modification: The rule clarifies and strengthens the education requirements for the extension of a teaching certificate in gifted education to better align with the competencies tested in the teacher certification examination for this extension as articulated in the examination's framework.

The rule also clarifies the content requirements for meeting the education requirement, either through a registered program or through equivalent course completion and clarifies that the coursework must be specifically focused on training teachers for providing instruction and support to gifted students.

Legal Basis for Rule: Education Law sections 207; 210; 305(1),(2), and (7); 3001(2); 3004(1); 3006(1)(b); 3009(1); and 3010.

Assessment of public comment: No public comment received.

Sections 80-2.3(e)(1), 80-2.9(a)(5), and 80-4.3(a)(3) Bilingual school psychologists

Description of Rule: The rule establishes an expedited pathway for licensed psychologists who have demonstrated proficiency in a language other than English to obtain the first level certificate necessary to work as a school psychologist without first completing a college supervised internship in school psychology. In addition, the rule establishes an expedited pathway for holders of certificates in school psychology, speech and language disabilities, and for teaching the speech- and hearing-handicapped to be issued an extension to their certificate authorizing them to provide bilingual education services.

Justification for continuation without modification: The rule's purpose is to increase the number of bilingual certified school psychologists and teachers of students with speech and language disabilities to meet the needs of limited English speaking students with disabilities, so as to alleviate serious shortages of bilingual certified school psychologists and teachers of students with speech and language disabilities.

Legal Basis for Rule: Education Law sections 207; 210; 305(1),(2), and (7); 3001(2); 3004(1); 3006(1)(b); 3009(1); and 3010.

Assessment of public comment: No public comment received.

126.10(j) & 126.17(c) Monetary assessment of Proprietary Schools

Description of Rule: The rule specifies the existing method that the State Education Department uses for assessing new schools for the tuition reimbursement account and the proprietary vocational school supervision account.

Justification for continuation without modification: The rule clarifies requirements for the monetary assessment of new schools and for-profit English as a Second Language (ESL) Schools for the tuition reimbursement account and the proprietary vocational school supervision account.

Legal Basis for Rule: Education Law sections 207; 5001(1), (4)(e) and (f), and (9); and 5007 (10) and (12) of the Education Law.

Assessment of public comment: No public comment received.

OFFICE OF THE PROFESSIONS

Section 52.32 and Subpart 79-9 of the Commissioner's Regulations – mental health counseling

Description of Rule: the rule establishes professional education program registration standards; professional study, examination, experience, and limited permit requirements; provisions for the use of classification systems; and special provisions for the profession of mental health counseling.

Justification for continuation without modification: the rule is needed to implement the requirements of Article 163 of the Education Law, as added by Chapter 676 of the Laws of 2002.

Legal Basis for Rule: Education Law sections 207; 210; 6501; 6504; 6507(2)(a), (3)(a), and (4)(a); 6508(1); 8402(3)(b), (c), and (d); 8409; 8411(2)(a) and (b) and (3).

Assessment of public comment: No public comment received.

Section 52.33 and Subpart 79-10 of the Commissioner's Regulations – marriage and family therapy

Description of Rule: the rule establishes professional education program registration standards; professional study, examination, experience, and limited permit requirements; provisions for the use of classification systems; and special provisions for the profession of marriage and family therapy.

Justification for continuation without modification: the rule implements the requirements of Article 163 of the Education Law, as added by Chapter 676 of the Laws of 2002.

Legal Basis for Rule: Education Law sections 207; 210; 6501; 6504; 6507(2)(a), (3)(a), and (4)(a); 6508(1); 8403(3)(b), (c), and (d); 8409; 8411(2)(a) and (b) and (3).

Assessment of public comment: No public comment received.

Section 52.34 and Subpart 79-11 of the Commissioner's Regulations – creative arts therapy

Description of Rule: the rule establishes professional education program registration standards; professional study, examination, experience, and limited permit requirements; provisions for the use of classification systems; and special provisions for the profession of creative arts therapy.

Justification for continuation without modification: the rule implements the requirements of Article 163 of the Education Law, as added by Chapter 676 of the Laws of 2002.

Legal Basis for Rule: Education Law sections 207; 210; 6501; 6504; 6507(2)(a), (3)(a), and (4)(a); 6508(1); 8404(3)(b), (c), and (d); 8409; 8411(2)(a) and (b) and (3).

Assessment of public comment: No public comments received.

Section 52.35 and Subpart 79-12 of the Commissioner's Regulations – psychoanalysis

Description of Rule: the rule establishes professional education program registration standards; professional study, examination, experience, and limited permit requirements; provisions for the use of classification systems; and special provisions for the profession of psychoanalysis.

Justification for continuation without modification: the rule implements the requirements of Article 163 of the Education Law, as added by Chapter 676 of the Laws of 2002.

Legal Basis for Rule: Education Law sections 207; 210; 6501; 6504; 6507(2)(a), (3)(a), and (4)(a); 6508(1); 8405(3)(b), (c), and (d); 8409; 8411(2)(a) and (b) and (3).

Assessment of public comment: No public comment received.

Sections 74.3, 74.4, 74.5, 74.6 and 74.8 of the Commissioner's Regulations – social work

Description of Rule: the rule establishes regulatory requirements for licensure in licensed master social work and licensed clinical social work and for authorization qualifying licensed clinical social workers for certain insurance reimbursements.

Justification for continuation without modification: the rule establishes standards for licensure as a licensed master social worker or as a licensed clinical social worker, in accordance with changes in these requirements established by Chapter 230 of the Laws of 2004.

Legal Basis for Rule: Education Law sections 207; 6501; 6507(2)(a) and (3)(a); 7701(1); 7704(2)(b) and (c); 7705(1) and (2); 7706(3); and 7707(2) and (4); and Insurance Law sections 3221(l)(4)(A) and (D) and 4303(i) and (n).

Assessment of public comment: No public comment received.

Sections 29.2, 29.15 & 29.16 of Regents' Rules - unprofessional conduct in the social work and mental health professions

Description of Rule: the rule establishes definitions of unprofessional conduct in the practice of the licensed professions of licensed master social work, licensed clinical social, creative arts therapy, marriage and family therapy, mental health counseling, and psychoanalysis.

Justification for continuation without modification: the rule defines unprofessional conduct in accordance with the new statutory requirements in Article 163 of the Education Law relating to the social work professions and mental health practitioners.

Legal Basis for Rule: Education Law sections 207; 6504; 6506(1); 6509(9); 7701(1) and (2); 7702(1); 7708(1) and (2); 8402(1); 8403(1); 8404(1); 8405(1); and 8407(1) and (2).

Assessment of public comment: No public comment received.

Sections 50.2 and 59.9 of the Commissioner's Regulations – fees for licensee photo IDs

Description of Rule: the rule establishes a fee for a photo identification card to be issued to those professionals licensed and registered pursuant to Title VIII of the Education Law who elect to receive one, and repeals an outdated fee provision.

Justification for continuation without modification: the rule establishes a fee to defray the costs of photo identification cards for licensed professionals who choose to obtain one.

Legal Basis for Rule: Education Law sections 207, 212, 6502(1), 6507(2)(a) and (4)(f).

Assessment of public comment: No public comment received.

Section 24.6 and Part 28 of Regents' Rules – prior disciplinary history

Description of Rule: the rule establishes procedures for the State Education Department's evaluation of an applicant's prior disciplinary history in another jurisdiction to determine whether the applicant is qualified to practice a licensed profession in New York State under Title VIII of the Education Law.

Justification for continuation without modification: the rule is needed to implement sections 6506(6)(g) and 6507(5), as added by Chapter 239 of the Laws of 2004, that require the State Education Department to evaluate such prior disciplinary history and authorizes the Department to deny authorization to practice a licensed profession based upon such review.

Legal Basis for Rule: Education Law sections 207; 6504; 6506(1), (6)(h), and (10); and 6507(5).

Assessment of public comment: No public comment received.

Section 29.3 of Regents' Rules and sections 29.3, 68.3, 68.6, 68.11 & 68.12 – land surveying and engineering

Description of Rule: the rule establishes a definition of unprofessional conduct in the profession of land surveying and licensing examination and continuing education requirements in land surveying and engineering.

Justification for continuation without modification: the rule implements the Board of Regents' authority to define unprofessional conduct in the licensed professions and the State Education Department's responsibility to establish requirements relating to professional examinations and continuing education requirements.

Legal Basis for Rule: Education Law sections 207; 6504; 6506(1); 6507(2)(a); 6509(9); 7206(1)(4); 7206-a(1)(4); 7211(1)(d) and (4); and 7212(4).

Assessment of public comment: No public comment received.

Sections 69.1, 69.2, and 69.6 of the Commissioner's Regulations – exam and continuing education for architects

Description of Rule: the rule establishes requirements for the licensing examination in architecture and for continuing education that licensed architects must complete to be registered to practice this profession in New York State.

Justification for continuation without modification: the rule discontinues an unnecessary conditional admission requirement for the licensing examination. It also conforms licensing examination requirements to policy changes of the National Council of Architectural Registration Boards, the national organization that gives the licensing examination. Finally, the rule establishes standards for acceptable continuing education for architects, consistent with recent statutory changes.

Legal Basis for Rule: Education Law sections 207; 6506(1); 6507(2)(a); 7304(4); 7308(2) and (4).

Assessment of public comment: No public comment received.

OFFICE OF MANAGEMENT SERVICES

Section 100.2(x) & Parts 275 & 276 310 Appeals for Homeless

Description of Rule: The rule modifies the procedures concerning

appeals involving homeless children that are brought pursuant to Education Law section 310 to ensure the rights of homeless individuals consistent with Federal statutes.

Justification for continuation without modification: The rule is necessary to conform the Commissioner's Regulations to the Federal McKinney-Vento Homeless Education Assistance Act (42 U.S.C. sections 11431 et seq.), as amended by the Federal No Child Left Behind Act of 2001 (NCLB) [Pub.L. 107-110]. The State is required to comply with the requirements of the McKinney-Vento Act and the NCLB as a condition to its receipt of Federal funds. The rule modifies the procedures concerning appeals involving homeless children that are brought pursuant to Education Law section 310 to ensure the rights of homeless individuals consistent with Federal statutes.

Legal Basis for Rule: Education Law sections 101(not subdivided), 207(not subdivided), 215(not subdivided), 305(1) and (2), 310(not subdivided), 311(not subdivided), 3202(1) and (8), 3209(7), and 3713(1) and (2).

Assessment of public comment: No public comment received.

Sections 3.8 & 3.9 Chief of Staff and Counsel

Description of Rule: The rule provides for the position of Chief of Staff, to be appointed by the Board of Regents, and designates the Chief of Staff as the deputy commissioner of education as specified in Education Law section 101, who, in the absence or disability of the Commissioner or when a vacancy exists in the office of Commissioner, shall exercise and perform the functions, powers and duties of the Commissioner.

Justification for continuation without modification: The rule is necessary to conform the Rules of the Board of Regents to changes made in the internal organization of the State Education Department, resulting in the elimination of the position of Chief of Staff.

Legal Basis for Rule: Education Law section 101(not subdivided).

Assessment of public comment: No public comment received.

Sections 3.8, 3.9 & 3.15 Chief Operating Officer

Description of Rule: The rule repealed provisions relating to the duties and responsibilities of the Chief Operating Officer of the State Education Department

Justification for continuation without modification: The rule is necessary to conform the Rules of the Board of Regents to changes made in the internal organization of the State Education Department, resulting in the elimination of the position of Chief Operating Officer.

Legal Basis for Rule: Education Law section 101(not subdivided) and 305(1) and (6).

Assessment of public comment: No public comment received.

F. CALENDAR YEAR 2000

OFFICE OF P-12 EDUCATION

Section 21.2(a) of the Regents Rules - definition of "textbook"

Description of Rule: the rule provides a definition of Textbook for purposes of the New York State Textbook Loan Program and Textbook Aid and clarifies that certain materials in electronic format qualify for this program and aid.

Justification for continuation without modification: the rule is necessary to implement Chapter 405 of the Laws of 1999, and ensures that there is a definition of qualifying courseware and other content-based instructional materials in an electronic format for purposes of Textbook aid.

Legal Basis for Rule: Education Law sections 207 and 701(2) and section 8 of Chapter 405 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 100.2(ff) of the Commissioner's Regulations - education and employment discharge planning for youth released from residential care of other State agencies

Description of Rule: the rule requires that boards of education ensure the prompt enrollment and admittance to attendance of youths released or conditionally released from residential facilities operated by or under contract with the Office of Children and Family Services, the Office of Mental Health, the Office of Mental Retardation and Developmental Disabilities or a local department of social services,

and that school district personnel cooperate with such facilities and agencies in facilitating such prompt enrollment.

Justification for continuation without modification: the rule is necessary to implement the requirements of section 21 of Chapter 181 of the Laws of 2000, Safe Schools Against Violence Act (SAVE).

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2), 112(1).

Assessment of public comment: No public comment received.

Section 100.2(c) of the Commissioner's Regulations - instruction in false reporting of crimes

Description of Rule: the rule requires that instruction in fire and arson prevention include materials to educate children on the dangers of falsely reporting a criminal incident or impending explosion or fire emergency involving danger to life or property or impending catastrophe.

Justification for continuation without modification: the rule is necessary to implement Chapter 207 of the Laws of 1999.

Legal Basis for Rule: Education Law sections 207 and 808(1) and Chapter 207 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 100.2(l) of the Commissioner's Regulations - school district code of conduct relating to Safe Schools Against Violence in Education Act

Description of Rule: the rule requires school districts and BOCES to adopt codes of conduct for the maintenance of order on school property and at school functions, which govern the conduct of students, teachers and other school personnel as well as visitors.

Justification for continuation without modification: the rule is necessary to implement sections 2 and 3 of Chapter 181 of the Laws of 2000, the Safe Schools Against Violence in Education Act (SAVE).

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2), 2801(1) through (5) and 3214(3) and (3-a).

Assessment of public comment: No public comment received.

Sections 100.2, 100.3, 100.4 and 100.5 of the Commissioner's Regulations - technical changes to State Learning Standards, State Assessments and New Graduation and Diploma Requirements

Description of Rule: State learning standards, State assessments and graduation and diploma requirements.

Justification for continuation without modification: the rule is necessary in that it corrected technical errors in citation of certain sections of the regulations and reinstated certain original language that was incorrectly stated or inadvertently revised in the amendments adopted by the Board of Regents in July 1999.

Legal Basis for Rule: Education Law sections 101, 207, 208, 209, 305(1) and (2), 308 and 309.

Assessment of public comment: No public comment received.

Sections 100.2(m) and (p) and 100.7(h) and (i) of the Commissioner's Regulations - registration of public schools and school accountability performance criteria

Description of Rule: sections 100.2(m) and (p) and 100.7(h) and (i) of the Commissioner's Regulations establish criteria for school accountability; enable the Commissioner to designate school performance on State assessments on three levels; establish adequate yearly progress targets for schools and require improvement plans for schools that fail to make adequate programs; and use a cohort measure for high school accountability.

Justification for continuation without modification: the rule is necessary to implement Regents policy and establishes school accountability criteria, designating schools as farthest from, below, or meeting school accountability performance criteria, consistent with policy adopted by the Board of Regents to ensure that all students in public schools have the skills, knowledge and understanding they need to succeed in the next century. The rule was amended in July 2003 to align the State's System of Accountability for Student Success with the federal No Child Left Behind accountability requirements. The Department has since implemented the State's ESSA accountability system under section 100.21 of the Commissioner's regulations.

Legal Basis for Rule: Education Law sections 101, 207, 210, 215, 305(1), (2) and (20), 308, 309, 3204(2) and (2-9) and 4403(3).

Assessment of public comment: No public comment received.

Section 100.3(b)(2) of the Commissioner's Regulations - State Assessment requirements for students in grades pre-kindergarten through sixth

Description of Rule: section 100.3(b)(2) of the Commissioner's Regulations changes the date from November 2000 to November 2001 for administration in grade 5 of the new State elementary assessment in social studies and requires school districts to retest fifth grade students who scored at Level 1 of the State designated performance level on the English language arts and/or mathematics elementary level assessments administered in grade 4. Such students must receive at least one semester of academic intervention services and be retested using multiple sources of evidence, including, but not limited to, a commercial test or other external test determined by the school district to be a valid and reliable means of evaluating a student's progress in achieving the elementary level State learning standards in these subjects.

Justification for continuation without modification: the rule is necessary to implement Regents policy to change the date for administration of the new State elementary assessment in social studies and to require school districts to retest fifth grade students who scored at Level 1 of the State designated performance level on the English language arts and/or mathematics elementary assessments administered in grade 4.

Legal Basis for Rule: Education Law sections 207, 208, 209, 305(1) and (2), 308, 309 and 3204(3).

Assessment of public comment: No public comment received.

Section 100.11 of the Commissioner's Regulations - school-based planning and shared decision-making in the NYC School District

Description of Rule: the rule establishes standards for school-based planning and shared decision-making in the City School District of the City of New York.

Justification for continuation without modification: the rule is necessary to align section 100.11 of the Commissioner's Regulations with the New York City governance system, as provided in Chapter 720 of the Laws of 1997, by providing for the exercise by community school district superintendents of certain functions relating to school-based planning and shared decision-making. The rule insures that each community school district in the New York City school district will operate with a single, consistent school-based planning and shared decision-making plan.

Legal Basis for Rule: Education Law sections 101, 207, 215, 305(1) and (2), 308, 309, 2590-e(1) and (3), 2590-f(1) and (2) and 2590-h(15).

Assessment of public comment: No public comment received.

Section 119.3 of the Commissioner's Regulations - charter school report card

Description of Rule: the rule specifies the academic and performance data items for charter school report cards. The regulation requires each charter school to submit an annual report by August 1 of each year for the preceding school year, one component of which is a charter school report card that includes measures of the school's comparative academic and fiscal performance.

Justification for continuation without modification: the rule is necessary to implement Chapter 4 of the Laws of 1998.

Legal Basis for Rule: Education Law sections 207 and 2857(2) and Chapter 4 of the Laws of 1998.

Assessment of public comment: No public comment received.

Sections 151-1.4 and 151-1.8 of the Commissioner's Regulations - Universal Pre-Kindergarten Program

Description of Rule: the rule establishes standards for the implementation of summer programs as part of the Universal Prekindergarten Program.

Justification for continuation without modification: the rule is necessary to comply with Chapter 405 of the Laws of 1999 to provide the option of a summer program when a school district is unable to oper-

ate a Universal Prekindergarten program during the regular school session.

Legal Basis for Rule: Education Law sections 101, 207, 3602-e(12) and section 39 of Part L of Chapter 405 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 155.2 of the Commissioner's Regulations - school district construction plans and specifications

Description of Rule: the rule requires the submittal of only one set of plans and specifications to the Office of Facilities Planning for review and approval pursuant to Education Law section 408.

Justification for continuation without modification: the rule reduces duplicative documentation requirements and thereby streamlines the review process in the Office of Facilities Planning and provides mandate relief to school districts.

Legal Basis for Rule: Education Law sections 101, 207, 305(1), (2) and (19) and 408(1), (2) and (3).

Assessment of public comment: No public comment received.

Section 155.9 of the Commissioner's Regulations - State Environmental Quality Review and school district capital construction projects

Description of Rule: the rule removed the State Education Department as the lead agency for purposes of the State Environmental Quality Review (SEQR) process.

Justification for continuation without modification: the responsibility for thorough environmental investigations and review more appropriately lies with the local governmental authority proposing a specific project, since that authority is directly familiar with the proposed site and its surroundings and has a greater knowledge for the potential impact that may result from the project.

Legal Basis for Rule: Education Law sections 101, 207, 305(1), (2) and (19), 408(3) and 1950(4)(t) and Environmental Conservation Law sections 8-0113(3) and 8-0117(5).

Assessment of public comment: No public comment received.

Section 155.17 of the Commissioner's Regulations - school safety plans

Description of Rule: the rule requires school districts to adopt district-wide school safety plans and building-level school safety plans.

Justification for continuation without modification: the rule is necessary to implement Chapter 181 of the Laws of 2000 to improve school safety.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2) and 2801-a.

Assessment of public comment: No public comment received.

Section 155.22 of the Commissioner's Regulations - Qualified Zone Academy Bonds

Description of Rule: the rule establishes the process by which local educational agencies gain access to a federal tax credit program concerning Qualified Zone Academy Bonds.

Justification for continuation without modification: the rule is needed to establish the process for allocation of the State's qualified zone academy bond limitation amount pursuant to 26 USC section 1397E. The Department is considering repealing this rule due to the federal Tax Cuts and Jobs Act which repealed the authority to issue tax credit bonds after December 31, 2017. With the passage of this legislation the authority to issue Qualified Zone Academy Bonds and qualified school construction bonds has been repealed.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2) and 26 USC section 1397E.

Assessment of public comment: No public comment received.

Section 170.11 of the Commissioner's Regulations - school property tax report cards

Description of Rule: the rule establishes procedures for the preparation of school property tax report cards. It requires school districts to prepare an annual school tax report card and specified the format for the content, describes how it must be made available to the public and specifies when school districts must submit their school property tax report cards to the State Education Department.

Justification for continuation without modification: the rule is necessary to implement Chapter 405 of the Laws of 1999 and to make the calculation used for purposes of the display of the difference of Consumer Price Indexes consistent with the calculation used for the six-day budget notice and the calculation of the contingency budget cap.

Legal Basis for Rule: Education Law sections 207, 1608(7) and 1716(7) and sections 10-a and 10-b of Part L of Chapter 405 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 175.5 of the Commissioner's Regulations - use of Superintendent's conference days

Description of Rule: the rule specifies the use of superintendent's conference days by public school districts and boards of cooperative educational services to satisfy a deficiency in the length of public school sessions for the instruction of pupils and to advance the implementation of standards and assessments.

Justification for continuation without modification: the rule is necessary to implement section 44 of Chapter 405 of the Laws of 1999. It ensures that a definition of qualifying staff development activities and the acceptable scheduling of such activities is available to determine the number of regularly scheduled days of session and days of authorized superintendents' conferences for purposes of State aid.

Legal Basis for Rule: Education Law sections 207 and 3604(8) and section 44 of Chapter 405 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 175.42 of the Commissioner's Regulations - aid to partitioned school districts

Description of Rule: the rule provides a method of apportioning aid to school districts in the first year of reorganization, where a school district was partitioned pursuant to Education Law section 2818 after July 1st of the school year.

Justification for continuation without modification: the rule is necessary to implement Chapter 405 of the Laws of 1999.

Legal Basis for Rule: Education Law sections 207 and 3602-f(5) and section 83-a of Part L of Chapter 405 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 175.44 of the Commissioner's Regulations - partial full day kindergarten conversion aid

Description of Rule: the rule establishes standards for the receipt of full day kindergarten conversion aid by school districts that are converting to full day kindergarten, but which are unable, due to limiting and extenuating circumstances, to serve all children who wish to attend a full day program.

Justification for continuation without modification: the rule implements Education Law section 3602(12-a), as amended by section 12 of Part A of Chapter 60 of the Laws of 2000.

Legal Basis for Rule: Education Law sections 101, 207 and 3602(12-a) and section 12 of Part A of Chapter 60 of the Laws of 2000.

Assessment of public comment: No public comment received.

Part 57 and section 100.2(dd) of the Commissioner's Regulations - approval of providers of coursework and training in school violence prevention and intervention

Description of Rule: the rule establishes standards for approval of providers of course work or training in school violence prevention and intervention that is offered to candidates for a teachers' certificate of license in classroom teaching service, school service or administrative and supervisory service.

Justification for continuation without modification: the rule is necessary to implement section 9 of Chapter 181 of the Laws of 2000, Safe Schools Against Violence in Education Act (SAVE).

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2) and 3004(3).

Assessment of public comment: No public comment received.

OFFICE OF HIGHER EDUCATION

Section 52.21 of the Commissioner's Regulations - teacher education programs

Description of Rule: the rule made technical corrections to requirements for teacher education programs.

Justification for continuation without modification: the rule clarifies, corrects omissions in, and makes technical corrections to the requirements for teacher education programs adopted by the Board of Regents in September 1999 and makes the requirements more responsive to school staffing needs, while preserving the standards for preparing effective classroom teachers.

Legal Basis for Rule: Education Law sections 207, 210, 215, 305(1) and 3004(1).

Assessment of public comment: No public comment received.

Sections 52.21, 80-1.1, 80-3.4, 80-3.5, 80-5.13 and 80-5.14 - alternative teacher certification program

Description of Rule: the rule defines alternative teacher certification requirements leading to the transitional B certificate and the provisional or initial certificate for all titles in the classroom teaching service; specifies the requirements for registration of such alternative teacher certification programs, and renames the transitional certificate for career changes and others holding a graduate academic or graduate academic or professional degree as the transitional C certificate and the transitional certificate for teaching a specific career and technical subject as the transitional A certificate.

Justification for continuation without modification: the rule provides an alternative method for teacher candidates to obtain a provisional or initial teaching certificate and provides a means to alleviate teacher shortages in the public schools.

Legal Basis for Rule: Education Law sections 207, 210, 215, 305(1), (2) and (7), 3004(1) and 3006(1).

Assessment of public comment: No public comment received.

Sections 52.21, 80-1.4, 80-3.5 and 80-5.14 of the Commissioner's Regulations - requirements for teacher certification and teacher education programs concerning school violence prevention and intervention

Description of Rule: the rule requires applicants for teaching certificates and licenses to have obtained at least two clock hours of course work or training in school violence prevention and intervention and to require registered teacher education programs to include such course work or training.

Justification for continuation without modification: the rule is needed to implement the requirements of Education Law section 3004(3), as amended by Chapter 181 of the Laws of 2000, part of the Safe Schools Against Violence in Education Act (SAVE).

Legal Basis for Rule: Education Law sections 207, 210, 305(1), 3004(1) and (3).

Assessment of public comment: No public comment received.

Sections 80.2, 80.6, 80.7, 80.8, 80.10, 80.15 and 80.16 of the Commissioner's Regulations - requirements for provisional teacher certification

Description of Rule: the rule permits an out-of-state certified teacher to obtain a conditional provisional certificate to teach in New York State for two years.

Justification for continuation without modification: the rule alleviates personnel shortages in New York State public schools by removing barriers for teachers who are certified to teach in other states to become provisionally certified to teach in New York State public schools.

Legal Basis for Rule: Education Law sections 305(1), (2) and (7), 3004(1), 3006(1), 3007(1) and 3030(1).

Assessment of public comment: No public comment received.

Part 80 and 100.2(dd) - requirements for teachers' certificates, teaching practice and professional development for teachers

Description of Rule: the rule revised the certification requirements for the classroom teaching services and for teaching assistants, revamped certification titles, established professional development requirements for teachers and teaching assistants, and required school districts and BOCES to report and maintain records on professional development.

Justification for continuation without modification: the rule imple-

mented Regents teaching policy embodied in the report “New York’s Commitment: Teaching to Higher Standards. It strengthens teacher certification requirements and conform to Regents teacher education program standards and ensure that all teachers are prepared to teach to the State learning standards.

Legal Basis for Rule: Education Law sections 101, 207, 215, 305(1), 3003(1), 3004(1), 3006(1)(b) and 3604(8).

Assessment of public comment: No public comment received.

Sections 83.4, 83.5 and 83.6 of the Commissioner’s Regulations - penalties in moral character proceedings for certified teachers

Description of Rule: the rule conforms the penalties available in moral character proceedings against an individual holding a teaching certificate with penalties established in statute.

Justification for continuation without modification: the rule is necessary to implement section 12 of Chapter 181 of the Laws of 2000, the Safe Schools Against Violence in Education Act (SAVE).

Legal Basis for Rule: Education Law sections 207 and 305(7) and section 12 of Chapter 181 of the Laws of 2000.

Assessment of public comment: No public comment received.

Section 85.2 of the Commissioner’s Regulations - Mentor Teacher-Internship Programs

Description of Rule: the rule permits a school district or board of cooperative educational services seeking a variance allowing an evaluative role for mentors to be eligible for funding of a Mentor Teacher-Internship program, provided that the terms of the applicable collective bargaining agreement prescribe such activity.

Justification for continuation without modification: the rule ensures that all qualified school districts and BOCES are given the opportunity to obtain funding for a mentoring program.

Legal Basis for Rule: Education Law sections 207 and 3033(1) and (2).

Assessment of public comment: No public comment received.

Part 126 of the Commissioner’s Regulations - requirements for licensed private schools and registered business schools/computer training facilities

Description of Rule: the rule established requirements for licensed private schools and registered business schools/computer training facilities.

Justification for continuation without modification: the rule is necessary to implement Chapter 434 of the Laws of 1999.

Legal Basis for Rule: Education Law sections 207, 5001(1), (2) and (4)(b), 5002(2)(c), (3)(c), (4)(c) and (e), (6)(a) and (c), and (7), 5003(1)(d) and 5007(10) and Chapter 434 of the Laws of 1999.

Assessment of public comment: No public comment received.

Section 59.2 of the Commissioner’s Regulations - education requirements for professional licensure

Description of Rule: the rule requires applicants for professional licensure who seek to meet the education requirement for licensure through programs that are not registered or accredited to submit adequate evidence of verification of their educational credentials by an acceptable independent credentials verification organization.

Justification for continuation without modification: the rule is needed to ensure that only individuals who meet the educational requirements for licensure are licensed and to protect the public from attempts by individuals to submit fraudulent licensure credentials.

Legal Basis for Rule: Education Law sections 207, 6504 and 6507(1), (2)(a) and (3)(a).

Assessment of public comment: No public comment received.

Section 61.10 of the Commissioner’s Regulations - certification of licensed dentists in the use of conscious sedation, deep sedation or general anesthesia

Description of Rule: the rule establishes educational and training requirements for licensed dentists to be certified to employ conscious sedation, deep sedation, or general anesthesia in the practice of dentistry at any location other than a general hospital, and to establish practice requirements for the use of conscious sedation, deep sedation, or general anesthesia by such licensed dentists.

Justification for continuation without modification: Education Law section 6605-a, as amended by Chapter 615 of the Laws of 1999, directs the Commissioner of Education to establish requirements in regulation.

Legal Basis for Rule: Education Law sections 207, 6506(1), 6507(2)(a), 6601 and 6605-a(2).

Assessment of public comment: No public comment received.

Section 64.7 of the Commissioner’s Regulations and section 29.14 of the Regents Rules - administration of immunization and anaphylaxis treatment agents by registered professional nurses.

Description of Rule: the rule establishes requirements that registered professional nurses must meet to administer immunization and anaphylaxis treatment agents through non-patient specific orders and protocols, the immunization and anaphylaxis treatment agents that may be administered, the requirements for orders and the protocols, and special requirements which define unprofessional conduct for the profession of nursing.

Justification for continuation without modification: Chapter 573 of the Laws of 1999 directs the Commissioner of Education to promulgate regulations concerning the administration of immunization and anaphylaxis treatment agents by registered professional nurses pursuant to non-patient specific orders of licensed physicians or certified nurse practitioners.

Legal Basis for Rule: Education Law sections 207, 6503(3), 6506(1) and (9), 6507(2)(a), 6509(9), 6527(6), 6807(3), 6902(1) and 6909(4) and (5).

Assessment of public comment: No public comment received.

Section 69.6 of the Commissioner’s Regulations - mandatory continuing education for architects

Description of Rule: the rule establishes continuing education requirements and standards for the registration of licensed architects.

Justification for continuation without modification: the rule implements Education Law section 7308, as added by Chapter 521 of the Laws of 1999.

Legal Basis for Rule: Education Law sections 207, 212(3), 6502(1), 6504, 6507(2)(a), 6508(1) and 7308(1)(a), (b) and (c).

Assessment of public comment: No public comment received.

Section 70.6 of the Commissioner’s Regulations - mandatory continuing education for public accountancy

Description of Rule: the rule requires individuals licensed in public accountancy to participate in at least four contact hours of continuing education study in professional ethics during each triennial registration period and to prescribe that full contact hour credit would be given for interactive self-study programs used to fulfill the continuing education requirement.

Justification for continuation without modification: the rule conforms the public accountancy continuing education requirements for self-study programs to the national authority’s recommended guidelines and to ensure that licensees focus a portion of their continuing education on the subject of professional ethics. A recent amendment to the public accountancy regulations renumbered the sections and eliminated the distinction between interactive and non-interactive continuing education.

Legal Basis for Rule: Education Law sections 207, 6502(1), 6504, 6507(2)(a) and 7409(1)(a)(2) and (4).

Assessment of public comment: No public comment received.

Sections 79-4.6 and 79-4.7 of the Commissioner’s Regulations - mandatory continuing education for respiratory therapists and respiratory therapy technicians.

Description of Rule: the rule establishes continuing education requirements and standards that licensed respiratory therapists and licensed respiratory therapy technicians must meet to be registered to practice in New York State and requirements for approval of sponsors of continuing education.

Justification for continuation without modification: the rule clarifies and implements the requirements of Education Law sections 8504-a and 8510-a, as added by Chapter 505 of the Laws of 1999, by

establishing standards for what constitutes acceptable formal continuing education, educational requirements when there is a lapse in practice, requirements for licensees under conditional registration, standards for the approval of sponsors of continuing education to licensed respiratory therapists and licensed respiratory therapy technicians, and the fee for the review of sponsors of continuing education to defray the cost of such review by the State Education Department.

Legal Basis for Rule: Education Law sections 207, 212(3), 6502(1), 6504, 6507(2)(a), 6508(1), 8504-a(1)(a), (b) and (c), (2) through (6), and 8510-a(1)(a)(b) and (c), (2) through (6).

Assessment of public comment: No public comment received.

OFFICE OF THE PROFESSIONS

Section 59.2 of the Commissioner's Regulations - education requirements for professional licensure

Description of Rule: the regulation requires applicants for professional licensure who seek to meet the education requirement for licensure through programs that are not registered or accredited to submit adequate evidence of verification of their educational credentials by an acceptable independent credentials verification organization.

Justification for continuation without modification: the rule implements the Board of Regents' authority to establish educational requirements relating to professional licensure.

Legal Basis for Rule: Education Law sections 207, 6504 and 6507(1), (2)(a) and (3)(a).

Assessment of public comment: No public comment received.

Section 61.10 of the Commissioner's Regulations - certification of licensed dentists in the use of conscious sedation, deep sedation or general anesthesia

Description of Rule: the regulation establishes educational and training requirements for licensed dentists to be certified to employ conscious sedation, deep sedation, or general anesthesia in the practice of dentistry at any location other than a general hospital, and to establish practice requirements for the use of conscious sedation, deep sedation, or general anesthesia by such licensed dentists.

Justification for continuation without modification: Education Law section 6605-a, as amended by Chapter 615 of the Laws of 1999, directs the Commissioner of Education to establish requirements in regulation.

Legal Basis for Rule: Education Law sections 207, 6506(1), 6507(2)(a), 6601 and 6605-a(2).

Assessment of public comment: No public comment received.

Section 64.7 of the Commissioner's Regulations and section 29.14 of the Regents Rules - administration of immunization and anaphylaxis treatment agents b registered professional nurses.

Description of Rule: the regulation establishes requirements that registered professional nurses must meet to administer immunization and anaphylaxis treatment agents through non-patient specific orders and protocols, the immunization and anaphylaxis treatment agents that may be administered, the requirements for orders and the protocols, and special requirements which define unprofessional conduct for the profession of nursing.

Justification for continuation without modification: Chapter 573 of the Laws of 1999 directs the Commissioner of Education to promulgate regulations concerning the administration of immunization and anaphylaxis treatment agents by registered professional nurses pursuant to non-patient specific orders of licensed physicians or certified nurse practitioners.

Legal Basis for Rule: Education Law sections 207, 6503(3), 6506(1) and (9), 6507(2)(a), 6509(9), 6527(6), 6807(3), 6902(1) and 6909(4) and (5).

Assessment of public comment: No public comment received.

Section 69.6 of the Commissioner's Regulations - mandatory continuing education for architects

Description of Rule: the regulation establishes continuing education requirements and standards for the registration of licensed architects.

Justification for continuation without modification: the regulation implements Education Law section 7308, as added by Chapter 521 of the Laws of 1999.

Legal Basis for Rule: Education Law sections 207, 212(3), 6502(1), 6504, 6507(2)(a), 6508(1) and 7308(1)(a), (b) and (c).

Assessment of public comment: No public comment received.

Section 70.6 of the Commissioner's Regulations - mandatory continuing education for public accountancy

Description of Rule: the regulation requires individuals licensed in public accountancy to participate in at least four contact hours of continuing education study in professional ethics during each triennial registration period and to prescribe that full contact hour credit would be given for interactive self-study programs used to fulfill the continuing education requirement.

Justification for continuation without modification: the regulation confirms the public accountancy continuing education requirements for self-study programs to the national authority's recommended guidelines and to ensure that licensees focus a portion of their continuing education on the subject of professional ethics. An amendment to the public accountancy regulations renumbered the sections and eliminated the distinction between interactive and non-interactive continuing education.

Legal Basis for Rule: Education Law sections 207, 6502(1), 6504, 6507(2)(a) and 7409(1)(a)(2) and (4).

Assessment of public comment: No public comment received.

Sections 79-4.6 and 79-4.7 of the Commissioner's Regulations - mandatory continuing education for respiratory therapists and respiratory therapy technicians

Description of Rule: the regulation establishes continuing education requirements and standards that licensed respiratory therapists and licensed respiratory therapy technicians must meet to be registered to practice in New York State and requirements for approval of sponsors of continuing education.

Justification for continuation without modification: the regulation clarifies and implements the requirements of Education Law sections 8504-a and 8510-a, as added by Chapter 505 of the Laws of 1999, by establishing standards for what constitutes acceptable formal continuing education, educational requirements when there is a lapse in practice, requirements for licensees under conditional registration, standards for the approval of sponsors of continuing education to licensed respiratory therapists and licensed respiratory therapy technicians, and the fee for the review of sponsors of continuing education to defray the cost of such review by the State Education Department.

Legal Basis for Rule: Education Law sections 207, 212(3), 6502(1), 6504, 6507(2)(a), 6508(1), 8504-a(1)(a), (b) and (c), (2) through (6), and 8510-a(1)(a)(b) and (c), (2) through (6).

Assessment of public comment: No public comment received.

OFFICE OF MANAGEMENT SERVICES

Part 281 of the Commissioner's Regulations - appeals to Commissioner of Education pursuant to Education Law section 3020(3) relating to employees or titles in the NYC School District

Description of Rule: the regulations establish procedures for appeals to the Commissioner of Education of certain disciplinary determinations for employees or titles in the City School District of the City of New York.

Justification for continuation without modification: the regulation is necessary to implement Chapter 3 of the Laws of 2000.

Legal Basis for Rule: Education Law sections 101, 207, 305(1) and (2), 308 and 3020(3) and Chapter 3 of the Laws of 2000.

Assessment of public comment: No public comment received.

Office of Children and Family Services

Section 207 of the State Administrative Procedure Act (SAPA) requires that each State agency review, after five years and, thereafter, at five year intervals, each of its rules adopted on or after January 1, 1997 to determine whether such rules should be modified or continued without modification.

Pursuant to section 207 of SAPA, OCFS submits the following rules that were adopted during calendar years 2000, 2005, 2010, 2015 and 2017 and invites public comment on the continuation or modification of such rules. All section and part references are to Title 18 of the New York Code of Rules and Regulations (NYCRR). Comments should be sent to the attention of the following agency contact: Frank Nuara, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144. Email: regcomments@ocfs.ny.gov. Comments must be received within 45 days of the date of publication of this Notice.

The following information relates to regulations promulgated in 2000, 2005, 2010, 2015 and 2017 that are scheduled for review during 2020:

1. CFS-06-10-0004-A Mandatory Disqualification of Foster and Adoptive Parents Based on Criminal History Amended sections 421.27(d)(1) and 443.8(e)(1) and repealed sections 421.27(k) and 443.8(k) of Title 18 NYCRR to implement Chapter 623 of the Laws of 2008 relating to criminal history checks of applicants for certification or approval as foster or adoptive parents.

Analysis of the need for the rule: These regulations are necessary to implement Chapter 623 of the Laws of 2008 relating to criminal history record reviews of applicants for certification or approval as foster or adoptive parents. The regulations reflect amendments to federal and state statutory standards relating to situations where an applicant has been convicted of a mandatory disqualifying crime.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f), and 378-a(2), as amended by L. 2008, Ch. 623.

2. CFS-18-10-00005-A Foster Family Boarding Homes Amended section 443.3(a)(4) and (5) of Title 18 NYCRR to allow for enhanced flexibility in regard to sleeping arrangements for siblings and half-siblings in foster family boarding homes.

Analysis of the need for the rule: These regulations are necessary for local social services districts and voluntary authorized agencies to have greater flexibility in placing siblings and half-siblings together in foster family boarding homes.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f) and 378(5).

3. CFS-21-10-00006-A Child Care Market Rate and Stimulus Regulations Amended sections 404.5, 415.2 and 415.9 of Title 18 NYCRR to revise the market rates and address the expanded need for child care services caused by the economic downturn.

Analysis of the need for the rule: These regulations are necessary to carry out the legislative intent of the child care subsidy program to assist low income families in meeting their child care costs in programs that provide for the health and safety of their children and to have child care subsidy payment rates that reflect the market conditions and that are adequate to enable subsidized families to access child care services comparable to other families not in receipt of child care subsidies. The regulations in section 415.9 that set forth the actual market rates are reviewed and updated on a biennial basis in accordance with federal law to reflect changes in child care market rates.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f), 410 and Title 5-C of Article 6.

4. CFS-21-10-00007-A Parent Advocate Regulations Added section 441.2(o) and amended section 441.21(b)(1) and (2) of Title 18 NYCRR to add a new category of individuals who may complete casework contact requirements.

Analysis of the need for the rule: These regulations are necessary to expand the categories of individuals who may complete casework contact requirements to include parent advocates.

Legal basis for the rule: Social Services Law, sections 20(3)(d) and 34(3)(f).

5. CFS-39-10-00003-A Amendment of Definition of a Child for the Purpose of Adoption Subsidy and Criteria for the Continuation of Subsidies Amended section 441.24 of Title 18 NYCRR to implement amendments to Section 453(1) of the Social Services Law required by Chapter 518 of the Laws of 2006 regarding the definition of a child for the purpose of adoption subsidy and criteria for the continuation of subsidies.

Analysis of the need for the rule: These regulations are necessary to implement the requirements of Chapter 518 of the Laws of 2006 requiring the amendment of the definition of child for the purpose of adoption subsidy and criteria for the continuation of subsidies.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f) and 450 through 458.

6. CFS-09-04-00015-A Statewide Automated Child Welfare Information System (SACWIS) Amended Parts 428 and 441 and added Part 466 of Title 18 NYCRR to implement the State's SACWIS system, which helps to improve the efficiency of child welfare workers. A SACWIS system is necessary to meet the requirements of federal law and regulations and to protect federal financial participation.

Analysis of the need for the rule: These regulations are necessary to establish standards for the use of SACWIS by child welfare workers and to meet standards for federal financial participation.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f), and 446.

7. CFS-09-05-00011-A Uniform Case Records in Child Welfare Cases Amended sections 404.1(d)(2), 432.2(b)(3), 441.7, 465.1, 466.4 and Part 428 of Title 18 NYCRR to support the uniform case record component of CONNECTIONS, which is New York's statewide automated child welfare information system (SACWIS), and to promote better child welfare casework practices.

Analysis of the need for the rule: These regulations are needed to establish standards for the completion and maintenance of uniform case records by child welfare caseworkers. Part 428 of the regulations was updated in 2005 to comply with the permanency hearing report and other reporting requirements enacted by Chapter 3 of the Laws of 2005.

Legal basis for the rule: Social Service Law, sections 20(3)(d), 153-k, 409-a(1), 427(1) and 446.

8. CFS-09-05-00010-A Approval or Certification of a Foster Home on an Emergency Basis Amended sections 443.1 and 443.7 of Title 18 NYCRR to expand the circumstances in which an authorized agency may approve or certify a foster home on an emergency basis to include voluntary placements, and placements resulting from persons in need of supervision (PINS) and juvenile delinquency proceedings.

Analysis of the need for the rule: These regulations are necessary to establish standards for the emergency approval and certification of foster homes and to satisfy federal requirements for foster home certification. Section 443.7 was further amended in 2007 to comply with federal and state requirements governing criminal history background checks of foster parents and others residing in the foster home.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f) and 378(5).

9. CFS-45-99-00008-A Criminal History Record Checks Amended sections 421.15(c), 421.19(e) and (g), 443.1(j), 443.3(a), (d), (e) and (o), 443.5(a), 443.7, 444.6 and 444.9 and added sections 421.27, 443.8 and 443.9 of Title 18 NYCRR regarding criminal history checks of prospective and existing foster and adoptive parents and persons over the age of 18 residing in their homes.

Analysis of the need for the rule: These regulations are necessary to promote the safety of foster children who need foster or adoptive homes by obtaining information regarding the criminal history of the adults in the homes for use when determining whether a particular home is an appropriate placement for foster or adoptive children.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f) and 378-a; L. 1999, Ch. 7.

10. CFS-00-19-00001-A Market Rates for Subsidized Child Care Amended sections 415.1 and 415.9 of Title 18 NYCRR regarding market rates for subsidized child care.

Analysis of the need for the rule: These regulations are necessary to update the market rate local social services districts can pay for subsidized child care, and authorize higher payments for both accredited programs and those operating during non-traditional hours. The regulations in section 415.9 that set forth the actual market rates are reviewed and updated on a biennial basis in accordance with federal law to reflect changes in child care market rates.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f), 410 and 410-x(4).

11. CFS-17-17-00010-A Increase in the Maximum Length of Stay in Residential Domestic Violence Programs Amended sections 408.6 and 452.9 of Title 18 NYCRR.

Analysis of the need for the rule: These regulations are necessary to implement changes to section 459-a of the Social Services Law increasing maximum length of stay in domestic violence programs.

Legal basis for the rule: Social Services Law, sections 20(3)(d), 34(3)(f), and 459-a.

GUIDANCE DOCUMENTS

Not less than once each year, every agency shall submit to the Secretary of State for publication in the *State Register* a list of all Guidance Documents on which the agency currently relies [SAPA, section 202-e(1)]. However, an agency may be exempted from compliance with the requirements of SAPA section 202-e(1) if the agency has published on its website the full text of all Guidance Documents on which it currently relies [SAPA, section 202-e(2)].

Department of Taxation and Finance

The Department of Taxation and Finance has published the full text of all guidance documents on which said agency currently relies on at the following website: <http://www.tax.ny.gov>

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

Two (2) General Construction Work Contracts: 47071-C, 47077-C

One (3) HVAC Work Contracts: 47071-H

One (1) Electrical Work Contract: 47072-E

One (1) Plumbing Work Contracts: 47072-P

Sealed bids for the above Work located in the Geographic Contract Areas described below in Table 1 and comprising separate contracts for General Construction Work, Plumbing Work, Electrical Work and Roofing & Appurtenant Work, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Contract Management, 35th Floor Corning Tower, Empire State Plaza, Albany, NY 12242, until 2:00 p.m. on the date indicated in Table 2 below, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$25,000.

This Advertisement for Bids is for multiple Job Order Contracts (hereinafter called JOC). A Job Order Contract is an indefinite quantity contract pursuant to which the Contractor will perform a series of individual repair, alteration, modernization, maintenance, rehabilitation, demolition and construction projects at different locations. Work is accomplished by means of issuance of a Job Order against a master contract. Under the JOC concept, the Contractor furnishes all management, documentation, labor, materials and equipment needed to perform the Work. The State has published Construction Task Catalogs® containing a series of work items with pre-established Unit Prices. The Contractor will bid Adjustment Factors to be applied to the pre-established Unit Prices. The price paid by the State for an individual Project will be determined by multiplying the pre-established Unit Prices by the appropriate quantities and by the appropriate Adjustment Factor(s).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Anticipated Annual Value of Work as noted in Table 2.

Table 1- Geographic Contract Areas

Geographic Contract Area		
Contract #	Area Title	Counties Served
47071-C, H	1	Bronx, Kings, Nassau, New York, Queens, Richmond, and Suffolk
47072-E, P	2	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester
47077-C	7	Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne and Yates

The Completion dates for these Projects, is 365 days after the Agreement is approved by the Comptroller.

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten

percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

_____ Project commenced design before January 1, 2020. Not subject to provision.

X Project commenced design on or after January 1, 2020. Subject to provision.

Table 2- Contract Values and Bid Due Dates

Contract Number	Anticipated Annual Value of Work	Bid Due Date
47071-C	\$2,000,000	January 6, 2021
47071-H	\$1,000,000	January 6, 2021
47072-E	\$1,000,000	January 6, 2021
47072 P	\$750,000	January 6, 2021
47077-C	\$1,000,000	January 6, 2021

Prospective bidders must register for a Pre-Bid Conference in order to attend. The conference will be held for the purpose of discussing the JOC concept, Contract Documents, specifics of the OGS JOC program, OGS expectations, JOC from the Contractor's perspective (including how to properly prepare a bid) and other bid considerations. The attendees representing prospective bidders at the Pre-Bid Conferences should be principals of the firm and/or the individuals who will be compiling the bid on behalf of the firm. If the bidder is a joint venture, at least one party of the joint venture must register to attend a Pre-Bid Conference.

Pre-Bid Conferences – Zoom:

Using the links below, prospective bidders will need to register for one of the dates listed below. Prospective bidders will then receive a confirmation email with a link to join on the selected date. Prospective bidders will click on one of the provided links within the confirmation email and Zoom will launch. The system will walk prospective bidders through joining the meeting by audio either via phone or on their computer.

Wednesday, December 16, 2020 at 10:00 AM

Tuesday, December 22, 2020 at 10:00 AM

Zoom Link – December 16, 2020

<https://zoom.us/join/join?secret=57AtpuGFfl5sWD>

Zoom Link – December 22, 2020

<https://zoom.us/join/join?secret=57AtpuGFfl5sWD>

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a).

Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award, and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://ogs.ny.gov/design-construction/construction-contractors>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By John D. Lewycky, Deputy Director
OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Campus, Bldg. 7A
Albany, NY 12242

UNITS OF LOCAL GOVERNMENTS WITHIN TARGETED COUNTIES

FY 2019 Critical Infrastructure Grant Program

Fiscal Year 2019 Critical Infrastructure Grant Program seeks applications for up to \$50,000 from Federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for critical infrastructure protection. The FY 2019 Critical Infrastructure Grant Program (CIGP) advances a common understanding of risk management. Applicants select a government owned critical infrastructure, mass gathering/ special event site and complete a risk assessment. First responders assess their capability to prevent and protect against attacks on the site. Grant funding is then applied to mitigate vulnerabilities identified in the risk assessment or enhance first responder's capabilities.

The priority focus for the FY 2019 CIGP is government owned critical infrastructure, mass gathering/ special event sites. Examples of critical infrastructure sites include, but are not limited to, government office buildings (city/town halls), emergency services (emergency operations centers, 911 centers, police or fire stations), water systems (water treatment facilities, water distribution, wastewater treatments) or government owned stadiums. Examples of mass gathering sites include, government property, where events such as, but not limited to, major community festivals, races, concerts or games are held. These events must be reoccurring (but not necessarily the same event) and located or held on government owned or leased property that has definable geographic boundaries; the event or location must pose special security concerns, such a population surges and other factors that require additional law enforcement or emergency resources.

Only units of local government within targeted counties are eligible to apply for the FY 2019 CIGP. Units of local governments include: counties, cities, towns, and/or villages. Applicants must be located in New York City or one of the following targeted counties: Albany, Broome, Dutchess, Erie, Herkimer, Livingston, Madison, Monroe, Nassau, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Tioga, Wayne, Westchester, and Yates. The application must be coordinated with at least two (2) agencies with prevention and/or protection responsibilities at the selected site. These must be law enforcement, fire department, emergency management, or public works agencies.

Applications will be accepted until January 6, 2021 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <http://www.dhses.ny.gov/grants/targeted.cfm> or contact the DHSES Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Campus, Bldg. 7A
Albany, NY 12242

ALL NEW YORK STATE COUNTIES AS WELL AS UNITS OF LOCAL GOVERNMENT TO INCLUDE CITIES, TOWNS, AND/OR VILLAGES THAT ARE REGISTERED MEMBERS OF THE MULTI-STATE INFORMATION SHARING AND ANALYSIS CENTER

FY 2019 Cyber Security Grant Program

Fiscal Year 2019 Cyber Security Grant Program (CSGP) seeks applications for up to \$50,000 from Federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The purpose of this grant opportunity is to aid New York State's local jurisdictions in enhancing their ability to protect, identify, respond to and recover from cyber incidents through funding of eligible planning, equipment, training and exercise costs.

The five objectives of this grant are to: 1) To provide New York State local jurisdictions with the resources and equipment necessary to prevent disruption of the confidentiality, integrity and availability of their information systems; 2) To assess cyber security risks, identify vulnerabilities and determine capability gaps with the focus of allocating resources to address the most critical needs; 3) To ensure that local jurisdictions are equipped with the knowledge and resources necessary for providing cyber security awareness training to their staff in support of good cyber hygiene at the user level; 4) To develop actionable cyber security plans that focus on response and immediate remediation to a cyber incident, and; 5) To encourage the participation in established cyber security support networks and utilization of the vast amount of resources available to local governments.

All New York State counties as well as units of local government to include cities, towns, and/or villages that are registered members of the Multi-State Information Sharing and Analysis Center (MS-ISAC) are eligible to apply for the FY2019 CSGP.

Applications will be accepted until January 6, 2021 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <http://www.dhses.ny.gov/grants/targeted.cfm> or DHSES's Grant Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Campus, Bldg. 7A
Albany, NY 12242

LOCAL, COUNTY AND TRIBAL LAW ENFORCEMENT AGENCIES WITH AN ACTIVE ROAD PATROL COMPONENT OF THEIR LAW ENFORCEMENT OPERATIONS AND WHO CURRENTLY AND/OR PREVIOUSLY MANAGED A DCJS OR NYS

CERTIFIED EXPLOSIVE DETECTION CANINE TEAM WITHIN THE LAST FIVE YEARS**FY 2019 Explosive Detection Canine Team Grant Program**

Fiscal Year 2019 Explosive Detection Canine Team Grant Program seeks applications for up to \$50,000 from Federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for programs to develop and support explosive detection canine team capabilities.

The six primary objectives of this grant are: 1.) The advancement of explosive detection canine team capabilities; 2.) The certification of explosive detection canine teams and compliance with annual recertification requirements; 3.) Participation in DHS's Office for Bombing Prevention's (DHS-OBP) Explosive Detection Canine Capability Analysis Program; 4.) Alignment to New York State's thirteen FBI Accredited bomb squads; 5.) Use of the Bomb Arson Tracking System (BATS); and, 6.) Promotion of regional partnerships in the development of mutual explosive detection canine team capabilities. Grants will be awarded to support local, county and Tribal law enforcement agencies with an active road patrol component of their law enforcement operations and who currently and/or previously managed a DCJS or NYSP certified explosive detection canine team within the last five (5) years.

Applications will be accepted until January 6, 2021 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <http://www.dhSES.ny.gov/grants/targeted.cfm> or contact DHSES's Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Campus, Bldg. 7A
Albany, NY 12242

LOCAL, COUNTY AND TRIBAL LAW ENFORCEMENT AGENCIES WITH AN ACTIVE TACTICAL TEAM AS PART OF THEIR LAW ENFORCEMENT OPERATIONS THAT RESPONDS TO CALLS FOR SERVICE OUTSIDE OF A CORRECTIONAL SETTING AND HAVE BEEN CERTIFIED BY DCJS OR HAVE A PENDING APPLICATION FOR CERTIFICATION WITH DCJS

FY 2019 Tactical Team Grant Program

Fiscal Year 2019 Tactical Team Grant Program seeks applications for up to \$75,000 from Federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The primary focus of this year's grant opportunity is to improve a tactical team's response capabilities through the attainment and sustainment of the SWAT Team Standards that were developed and approved by the New York State Division of Criminal Justice Services (DCJS) through the Municipal Police Training Council (MPTC).

Grants will be awarded to local, county, and tribal law enforcement agencies with an active tactical team as part of their law enforcement operations that responds to calls for service outside of a correctional setting AND have been certified by DCJS or have a pending application for certification with DCJS. The four primary objectives of this grant are to: 1) Advance tactical team capabilities through the attainment and sustainment of the minimum standards within this community; 2) Encourage and support training among law enforcement specialty teams to include bomb squads and explosive detection canine teams; 3) Promote regional partnerships in the development and build-out of mutual tactical team capabilities, and 4) Participate in DHS's Office for Bombing Prevention's (DHS-OBP) SWAT Capability Analysis Program.

Applications will be accepted until January 6, 2021 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES

website at <http://www.dhSES.ny.gov/grants/targeted.cfm> or contact DHSES's Grant Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Campus, Bldg. 7A
Albany, NY 12242

LOCAL EMERGENCY RESPONSE TEAMS THAT PROVIDE TECHNICAL RESCUE & USAR SERVICES COUNTYWIDE OR REGIONALLY

FY 2019 Technical Rescue & USAR Team Grant Program

Fiscal Year 2019 Technical Rescue & USAR Team Grant Program seeks applications for up to \$225,000 from Federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The focus of this grant opportunity is to develop and support Technical Rescue & USAR team capabilities.

Grants will be awarded to counties on behalf of local emergency response teams that provide Technical Rescue & USAR services countywide or regionally. The four primary objectives of this grant are to: 1) Advance Technical Rescue & USAR capabilities statewide; 2) Develop Regional Response Partnerships to enhance multi-county response capabilities; 3) Encourage the development and maintenance of county-level Technical Rescue/USAR plans; and 4) Assess and standardize Technical Rescue and USAR Resources through participation in the DHSES Office of Fire Prevention and Control's Technical Rescue/USAR Accreditation program.

Applications will be accepted until January 6, 2021 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <http://www.dhSES.ny.gov/grants/targeted.cfm> or contact DHSES's Grants Hotline at (866) 837-9133.

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

Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for January 2021 will be conducted on January 13 and January 14 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at <https://www.cs.ny.gov/commission/>.

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. One, Albany, NY 12239, (518) 473-6598

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Social Services Law Section 365-a. The following changes for the Medicaid Alternative Benefit Plan (ABP) are proposed. The ABP includes all mandatory and optional benefits defined in the New York Medicaid State Plan under the categorically needy population designation.

Non-Institutional Services

Effective on or after October 1, 2020 the Department is proposing to remove the annual physical therapy, occupational therapy, and speech therapy visit caps and replace with authorization based on medical necessity. Revision of the physical therapy, occupational therapy and speech annual cap will provide members an opportunity to obtain additional rehabilitation therapy as a pathway to nonpharmacologic treatment alternative for pain management. The Department

assures access to early and periodic screening, diagnostic and treatment (EPSDT) services will continue unchanged.

There is no additional estimated annual change to gross Medicaid expenditures as a result of this proposed amendment.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services consistent with New York State Mental Hygiene Laws § 7.15 and § 43.02. The following changes are proposed:

Non-Institutional Services

Effective on or after December 31, 2020, the New York State Offices of Mental Health will amend the New York Medicaid State Plan for rehabilitation services provided by Assertive Community Treatment (ACT) programs. The amendments are intended to codify and comprehensively describe existing service coverage, eligibility and reimbursement standards.

There is no additional estimated annual change to gross Medicaid expenditures as a result of this proposed amendment.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

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1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.57, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Section 367-a(6)(c)(iii) of Social Services Law. The following changes are proposed:

Non-Institutional Services:

Effective on or after January 1, 2021, this notice proposes to correct SPA 17-0029 regarding copayment for preferred brand-name prescription drugs that are not part of the Brand Less Than Generic Program, consistent with the March 29, 2017 Federal Public Notice regarding pharmacy copayments. Specifically,

- The co-pay for preferred brand-name prescription drugs will be corrected to change the copayment from \$1.00 to \$2.50, provided, however, that the copayments for brand name prescriptions drugs in the Fee-for-Service Brand Less Than Generic program will continue to be \$1.00.

There is no additional estimated annual change to gross Medicaid expenditures as a result of the proposed amendments.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018
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3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Title 14 NYCRR Parts 822 and 841 and 42 CFR 440.130(d). The following changes are proposed:

Non-Institutional Services

The COVID emergency SPA covering the NYS Office of Addiction Services and Supports (OASAS) Opioid Treatment Programs (OTPs) ends on January 21, 2021. That SPA permitted billing weekly OTP (Opioid Treatment Programs) bundles under a methodology similar to that of Medicare. Effective on or after January 1, 2021, OASAS proposed to establish those bundled rates as a permanent alternative to the OTP Ambulatory Patient Group (APG) methodology. Each week, for any given patient, the provider must choose to bill under either the APG methodology or the bundled weekly rates, generally based on the amount of face-to-face contact with the patient during that week and the specific services provided.

The following is a clarification to the October 28, 2020 noticed already provided. There will be a small savings in fee-for-service Medicaid associated with this initiative of approximately (\$920,000) per year (all shares). The estimated annual net aggregate decrease in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2020/2021 is (\$230,000).

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

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250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

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114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY
12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with S.7506-B & A.9506-B, Part LL, § 3. The following changes are proposed:

Effective on or after January 22, 2021, and subject to Federal financial participation, a supplemental reimbursement program for publicly owned or operated Medicaid enrolled ground emergency medical transportation (ambulance) providers would be established or transitioned from one approved under emergency State Plan Amendment authority. Medicaid enrolled publicly owned or operated ground emergency medical transportation (ambulance) providers are currently reimbursed on a fee-for-service basis, but at a rate that is far less than the actual cost of providing these services. This proposed amendment is intended to help bridge that fiscal gap. Providers participating in the inpatient supplemental reimbursement program will no longer be reimbursed through the inpatient rates as a non-comparable add-on to the acute per discharge rate.

The additional estimated annual change to gross Medicaid expenditures as a result of this proposed amendment is estimated to be \$175M. This proposed amendment presents a potential savings to local governments, counties; cities; towns; or villages, which own or operate ground emergency medical transportation (ambulance) services, and which voluntarily choose to participate.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

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Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99

Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY
12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of State Program Change

STATEWIDE — Pursuant to 15 CFR 923, the New York State Department of State (DOS) hereby gives notice that the National Oceanic and Atmospheric Administration's Office for Coastal Management (OCM) concurred on December 8, 2020 on the incorporation of the Village of Alexandria Bay and Town of Alexandria Local Waterfront Revitalization Program (LWRP) into New York State's Coastal Management Program as a Program Change. As of December 8, 2020, the enforceable policies identified in the Table of Approved Changes below shall be applicable in reviewing federal actions pursuant to the federal consistency requirements of the Coastal Zone Management Act (CZMA) and its implementing regulations found at 15 CFR part 930. DOS requested OCM's concurrence on this action on October 14, 2020, in a previous notice in the New York State Register, which further described the content of the action.

The Village of Alexandria Bay and Town of Alexandria LWRP was prepared in partnership with DOS and in accordance with the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the New York State Coastal Management Program. The LWRP is a long-term management program for the waterfront resources of the Village and Town along the St. Lawrence River and Otter Creek and is based on the policies of the New York State Coastal Management Program. The Village of Alexandria Bay and Town of Alexandria LWRP provides a detailed inventory and analysis of natural, historic and cultural resources in the Local Waterfront Revitalization Area in the Village and Town, describes existing land and water uses, harbor management, and important economic activities, presents issues and opportunities for future development, and contains enforceable policies to be used for CZMA consistency review purposes.

Pursuant to the New York State Coastal Management Program and Article 42 of the New York State Executive Law, the Village of Alexandria Bay and Town of Alexandria LWRP was adopted by resolution by the Village of Alexandria Bay Board of Trustees on May 8, 2018 and by the Town of Alexandria Town Board on September 19, 2018 and approved by the New York State Secretary of State on January 6, 2020.

OCM's concurrence includes the following list of changes and qualifications:

Table of Approved Changes

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state	Enforceable policy	Enforceable mechanism citation
Not applicable	Village of Alexandria Bay and Town of Alexandria Joint Local Waterfront Revitalization Program (LWRP)	Revised	01/06/2020	Yes (Section III only)	Executive Law, Article 42

Qualifications

As with previous approval of NY CMP LWRPs, the enforceable provisions of Section III are only the stated policies and sub-policies. The enforceable policies do not include the explanatory text that accompanies each policy. While the explanatory text may be advisory as to how activities can show consistency with the LWRP policies, the State may not use the explanatory text as a basis for issuing an objection under its CZMA authority. Please also note that for the review of federal actions pursuant to the CZMA, the requirements of the statute and implementing regulations at 15 CFR part 930 are controlling over any conflicting interpretation of the discussion of the CZMA federal consistency requirements within the Village of Alexandria Bay and Town of Alexandria LWRP.

As a standard qualification applying to all program changes, states

may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for CZMA federal consistency review purposes unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

The Village of Alexandria Bay and Town of Alexandria Local Waterfront Revitalization Program is available at: http://www.dos.ny.gov/opd/programs/WFRevitalization/LWRP_status.html, the website of the New York State Department of State. *If you have any questions, please contact:* Barbara Kendall, DOS Office of Planning, Development & Community Infrastructure, at Barbara.Kendall@dos.ny.gov

PUBLIC NOTICE

Department of State
F-2020-0729

Date of Issuance – December 30, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2020-0729 - Kevin Dymond proposes the removal and replacement in-place of 164 linear ft of bulkhead, proposed installation of a new deck landward of the bulkhead, measuring- (5' x 6') + (84' x 4') + (48' x 5') + (16' x 5'). Proposed removal of existing dock & components and installation of a new dock consisting of a 4' x 20' catwalk w/ thru flow decking leading to a 3' x 24' gangway w/ thru flow decking leading to two (2) 6' x 20' timber floats and a 7' x 12' float with thru flow decking in an "L" and a proposed 6-pile boat lift. Conscience Bay, Village of Old Field, Town of Brookhaven, Suffolk County.

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York. An electronic copy of the applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0729ConsistCert.pdf>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or January 14, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2020-0748

Date of Issuance – December 30, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency

certification and accompanying public information and data are available for inspection on the New York State Department of State's website at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0748.pdf>

In F-2020-0748, or the "200 Atlantic Ave – Greenport Dock", the applicant – 200 Atlantic Ave Realty – proposes to install a new 4' x 32' fixed pier, a 30" x 14' aluminum ramp and a 6' x 20' float with two 10" diameter piles attached to the existing dock.

The purpose of the proposed project is to provide access to the water for water dependent uses for the property owner. The project is located at 200 Atlantic Avenue in the Village of Greenport, Suffolk County on the Sterling Creek.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, January 29, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2020-1007

Date of Issuance – December 30, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-1007, Andrew Georgakopoulos is proposing to construct a new dock consisting of a ramp to catwalk to be 4' x 13'. A fixed catwalk (4' x 86') to be elevated 4' above wetlands and constructed using open-grate decking. The catwalk will connect to a 3' x 30' aluminum gangway and 6' x 20' seasonal float. Four (4) timber mooring piles are proposed. The project location is on Stony Brook Harbor at 5 Swan Place, Saint James, NY 11780, Suffolk County.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-1007Georgakopoulos.pdf>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or January 29, 2021.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2020-1035

Date of Issuance – December 30, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities

described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York and are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-1035_Application-for-PN.pdf

In F-2020-1035, GU Holdings, Inc. is proposing the Grace Hopper TransAtlantic Cable Project (project), a proposed subsea fiber-optic submarine cable system linking the United States, United Kingdom, and Spain. The applicant proposes to install one submarine fiber optic cable (or cable) in the Atlantic Ocean making landfill using an existing borepipe at the Smith Point County Park, on Fire Island, in the Town of Shirley, NY. The approximately 4,350-mile long cable would occupy approximately 4.9 miles within New York State waters and continue in federal waters for approximately 98.7 miles before exiting the U.S. Exclusive Economic Zone. The stated purpose of the project is to provide greater connectivity and increased digital data capacity across the Atlantic Ocean.

The activity would involve installing a 1.5-inch maximum diameter cable originating from an existing manhole located in a paved parking in Shirley, New York. The cable would extend through the existing borepipe approximately 1,850 linear feet offshore where the conduit terminates. At the mouth of the borepipe, a 100 cubic yards pit would be temporarily hydraulically excavated. This will enable the exposed borepipe to be cut back to six feet below the existing seabed, allowing the cable to be buried beneath the seabed. From the offshore end of the borepipe to a location where a water depth of approximately 3,280 feet (1,000 meters) is encountered, the cable is proposed to be buried to depths ranging from approximately 0.8 feet to 4.0 feet. Beyond the 3,280-foot water depth, the cable would be surface laid on the ocean floor until it exits the U.S. Exclusive Economic Zone, continuing to its endpoints in the United Kingdom and Spain. Additionally, a set of ocean ground bed electrodes would be installed within the existing paved parking lot near the manhole.

The applicant would conduct a pre-lay grapnel run along the proposed cable burial route prior to installation. Anticipated cable installation tools are a jetting sled with divers, sea plow, and potentially a Remote-Operated Vehicle (ROV) with a seawater jetting system. These tools would create a temporary furrow (maximum width approximately 2.5 feet) in which the cable would be laid. The proposed activity would temporarily disturb 7,442 cubic yards of benthic sediment in State waters, and approximately 192,385 cubic yards of benthic substrate would be temporarily disturbed in federal waters.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities in New York State waters and federal waters may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or January 29, 2021.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2020-1099 (DA)

Date of Issuance – December 30, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The United States Coast Guard has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue in Albany, New York.

Maintenance dredging within the Sector Field Office Moriches boat basin to El. -6 feet MLLW + 2 foot over-dredge. Dredged material will be placed within an existing upland diked area at USCG Sector Field Office Moriches for dewatering and final disposal. A temporary weir box and return flow pipe will be incorporated into the diked area to control the flow of discharged water back into Moriches Bay. The project is located on Tuthill Cove, 100 Moriches Island Road, East Moriches, NY 11940, Suffolk County.

The applicant's consistency certification and supporting information are available for review at: [http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-1099\(DA\)USCGSectorFieldOfficeMoriches.pdf](http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-1099(DA)USCGSectorFieldOfficeMoriches.pdf)

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or January 29, 2020.

Comments should be addressed to: Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Suite, 1010, Albany, NY 12231, (518) 474-6000, Fax (518) 474-6572

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0178 Matter of Deborah Yelvington, 20 Waterford Drive, Wheatley Heights, NY 11798 for a variance concerning fire safety requirements, including minimum ceiling heights. Involved is an existing dwelling located at 126 Wilmington Drive, Town of Huntington, County of Suffolk, State of New York.

2020-0188 Matter of Dynamic Design, Planning & Permit Services, Deborah Yelvington, 20 Waterford Drive, Wheatley Heights, NY 11798, for a variance concerning safety requirements, including basement ceiling heights. Involved is an existing one-family dwelling located at 37 Renwick Avenue, Huntington, Town of Huntington, NY 11743, County of Suffolk, State of New York.

2020-0208 Matter of Steven & Danielle Porto, 18 Princeton Street, Garden City, NY 11530, for a variance concerning safety requirements, including basement ceiling heights. Involved is an existing one-family dwelling located at 18 Princeton Street, Village of Garden City, NY 11530, County of Nassau, State of New York.

2020-0209 Matter of Laurie Porter, 10 Columbia Place, Merrick, NY 11566, for a variance concerning safety requirements, including basement ceiling heights. Involved is an existing one-family dwelling located at 10 Columbia Place, Merrick, Town of Hempstead, NY 11566, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless other-

wise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0492 Matter of Glen Harbor Holdings, LLC 786 Walt Whitman Road, Melville, NY 11747 for variances concerning, fire apparatus access. Involved is a new building located at 10 Shore Road, Glenwood Landing, Town of North Hempstead, County of Nassau, State of New York.

2020-0486 Matter of John F Capobianco R.A., 159 Doughty Boulevard a variance concerning, plumbing fixture requirements. Involved is an existing building located at 661 Northern Boulevard, Incorporated Village of Thomaston, County of Nassau, State of New York.

2020-0491 Matter of John Amisano, Two Brittany Court for a variance concerning ceiling height requirements. Involved is an existing building located at 150 Main Street, Town of North Hempstead, County of Nassau, State of New York.

2020-0484 Matter of John Lagoudes, 707 Route 110, Farmingdale, NY 11735 for a variance concerning, ceiling height requirements. Involved is an existing building located at 675 Henry Street, Town of Hempstead, County of Nassau, State of New York.

2020-0485 Matter of Mark Searage, 159 Broadway, Amityville, NY 11701 for a variance concerning, plumbing fixture spacing requirements. Involved is an existing building located at 875 Willis Avenue, Albertson, Town of North Hempstead, County of Nassau, State of New York.

2020-0513 Matter of Raymond M. Willhoft, 304 Cinnabar Lane, Yardley, PA 19067 for a variance concerning, ceiling height requirements. Involved is an existing building located at 1112 Merillon Street, Town of Hempstead, County of Nassau, State of New York.

2020-0544 Matter of Urbahn Architects, 306 West 37 Street, New York, NY 10018 for a variance concerning, egress and construction requirements. Involved is an existing elevated passenger rail train station. The station is known as the Babylon Station and is located north of Railroad Avenue between Carl Avenue North and Deer Park Avenue, Town of Babylon, County of Suffolk, State of New York.

2020-0528 Matter of Aecom, 125 Broad Street, New York, NY 10004 for a variance concerning, egress and construction requirements. Involved is an existing underground passenger rail train station. The station is known as Penn Station and is located between 7th and 8th Avenues and 34th and 31st Streets, City of New York, County of New York, State of New York.

PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0565 Matter of Bryan Mcmillen, 70 Hernan Avenue, Locust Valley, NY 11560, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 70 Hernan Avenue, Locust Valley, Town of Oyster Bay, NY 11560, County of Nassau, State of New York.

2020-0567 Matter of Justin & Lisa Jones Belkin, 325 W. 10th Street, Deer Park, NY 11729, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 325 W. 10th Street, Deer Park, Town of Babylon, NY 11729, County of Suffolk, State of New York.

2020-0568 Matter of Morenikeji Oshin, 18 Elizabeth Court, Hempstead, NY 11550, for a variance concerning safety requirements, including the ceiling height. Involved is an existing one-family dwelling located at 18 Elizabeth Court; Village of Hempstead, NY 11550, County of Nassau, State of New York.

2020-0569 Matter of Long Island Perfect Permits, Chris Ross, 124 Front St. Suite 205, Massapequa Park, NY 11762, for a variance concerning safety requirements, including the ceiling height and height under a girder/soffit. Involved is an existing one-family dwelling located at Two Fanwood Place, Huntington Station, Town of Huntington, NY 11746, County of Suffolk, State of New York.

2020-0570 Matter of Gregory Isola Architect, Gregory Isola, 2715 Beaver Turn, Seaford, NY 11783, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 1186 Bruce Street; Franklin Square, Town of Hempstead, NY 11010, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0574 In the matter of David Culbertson, National Pipe and Plastics Inc., 3421 Old Vestal Road, Vestal, NY 13850 requesting a variance concerning fire safety and building code requirements, to National Pipe and Plastics Inc. office building located at One North Page Avenue, Village of Endicott, Tioga County, State of New York.

PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0578 Matter of Robert Feise, Eight McNulty Street, Dix Hills, NY 11746, for a variance concerning safety requirements, including the required ceiling height and the height under a girder/soffit. Involved is an existing one-family dwelling located at Eight McNulty Street, Dix Hills, Town of Huntington, NY 11746 County of Suffolk, State of New York.

2020-0581 Matter of Michael Kimack, P.O. Box 1047, Southold, NY 11971, for a variance concerning safety requirements, including the required automatic sprinkler system. Involved is an existing building of a F1/S1/R3 (factory/storage/residential) occupancy of Type 5B construction approximately 11,603 SQ. FT. in area located at 5645 Aldrich Lane, Mattituck, Town of Southold, NY 11952, County of Suffolk, State of New York.

COURT NOTICES

AMENDMENT OF RULE

Court of Appeals

At a session of the Court, held at Court of Appeals Hall in the City of Albany, on the 9th day of December, 2020.

JANET DiFIORE, Chief Judge presiding.

In the Matter of The Amendment of the Rules of Practice of the Court of Appeals (22 NYCRR Part 500).

Pursuant to section 51 of the Judiciary Law, it is hereby

ORDERED that Part 500 of the Rules of Practice of the Court of Appeals is amended (22 NYCRR Part 500), effective December 30, 2020, or as soon thereafter as section 52 of the Judiciary Law is complied with, by deleting the bracketed material and adding the underlined material to sections 500.2(a) and (d) and 500.20(a), (b), (d), (e), (f) and (g) to read as follows:

500.2 Submission of Companion Digital Filings.

(a) The Court requires the submission of filings in digital format as companions to the required number of copies of paper filings required under sections 500.10, 500.11, 500.12, 500.14, 500.20, 500.21, 500.22, 500.23, 500.24, 500.26 and 500.27 of this Part.

(d) Unless otherwise permitted by the Clerk of the Court, companion digital filings required under sections 500.10, 500.11, 500.12 and 500.27 shall be received by the Clerk's Office no later than the filing due date for the printed filings. Companion digital filings required under sections 500.21, 500.22, 500.23 and 500.24 shall be submitted no later than seven days after the return date of the motion. Companion digital filings required under sections 500.20 and 500.26 shall be submitted within the time directed by the Clerk of the Court.

500.20 Criminal Leave Applications.

(a) Letter application. *In addition to the submission in digital format required by subsection 500.20(e) of this Part, a*[A]pplications to the Chief Judge for leave to appeal in a criminal case (CPL 460.20) shall be by letter addressed to 20 Eagle Street, Albany, New York 12207, and shall be sent to the attention of the Clerk of the Court, with proof of service of one copy on the adverse party. The letter shall indicate:

(1) the names of all codefendants in the trial court, if any, and the status of their appeals, if known;

(2) that no application for the same relief has been addressed to a justice of the Appellate Division, as only one application is available;

(3) whether an oral hearing on the application, in person or by telephone conference call, is requested; and

(4) the grounds upon which leave to appeal is sought. Particular written attention shall be given to reviewability and preservation of error, identifying and reproducing the particular portions of the record where the questions sought to be reviewed are raised and preserved. [After the application is assigned to a Judge for review, counsel will be given an opportunity to serve and file additional submissions, if any, and opposing counsel will be given an opportunity to respond. A reply is not permitted unless authorized by the assigned Judge.]

(b) Material to be provided with application.

(1) Orders of intermediate appellate courts determining appeals to those courts. An application for leave to appeal from an intermediate appellate court order determining an appeal taken to that court shall include:

(i) [one copy of] each brief submitted on defendant's behalf *and the People's behalf* to the intermediate appellate court *in digital*

format only, unless a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part. If a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part, the application shall include one unbound copy of each brief submitted on defendant's and the People's behalf to the intermediate appellate court;

[(ii) one copy of each brief submitted by the People to the intermediate appellate court;]

ii) [(iii)] the order and decision of the intermediate appellate court sought to be appealed from;

(iii) [(iv)] all relevant opinions or memoranda of the courts below, along with any other papers to be relied on in furtherance of the application; and

(iv) [(v)] if defendant is a corporation or other business entity, a disclosure statement pursuant to subsection 500.1(f) of this Part.

(2) Orders of intermediate appellate courts determining applications for writs of error coram nobis. An application for leave to appeal from an intermediate appellate court order determining an application for coram nobis relief shall include:

(i) the order and decision sought to be appealed from;

(ii) the papers in support of and opposing the application filed in the intermediate appellate court, *as well as the briefs filed on the underlying appeal, if available, in digital format only, unless a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part. If a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part, the application shall include one unbound copy of the papers in support of and opposing the application filed in the intermediate appellate court, as well as the briefs filed on the underlying appeal, if available; and*

(iii) the intermediate appellate court decision and order sought to be vacated. [as well as the briefs filed on the underlying appeal, if available.]

(c) Assignment. The Chief Judge directs the assignment of each application to a Judge of the Court through the Clerk of the Court; counsel shall not apply directly to a Judge or request that an application be assigned to a particular Judge. The assigned Judge shall advise the parties if an oral hearing on the application will be entertained.

(d) *Additional and Responding Submissions. After the application is assigned to a Judge for review, the applicant will be given an opportunity to serve and file additional submissions, if any, and the adverse party will be given an opportunity to respond. A reply is not permitted unless authorized by the assigned Judge. In addition to the submission in digital format required by subsection 500.20(e) of this Part, hard copy additional and responding submissions shall be addressed to 20 Eagle Street, Albany, New York 12207, and shall be sent to the attention of the assigned Judge, with proof of service of one copy on the adverse party.*

(e) *Companion submission in digital format.*

(1) *Unless a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part, the following materials are required to be submitted in digital format:*

(i) *subsection 500.20(a) letter application and subsection 500.20(b) material to be provided with the application;*

(ii) *subsection 500.20(d) additional and responding submissions; and*

(iii) subsection 500.20(f) reargument or reconsideration requests.

(2) All material submitted under this section shall comply with the technical specifications and instructions for submission available from the Clerk's Office, be submitted within the time directed by the Clerk of the Court and be identical to the filed original printed materials except they need not contain original signatures.

(f) [(d)] Reargument or reconsideration.

(1) In addition to the submission in digital format required by subsection 500.20(e) of this Part, r[R]equests for reargument or reconsideration shall be in letter form addressed to the Clerk of the Court, with proof of service on the adverse party, and shall be assigned to the Judge who ruled on the original application. Copies of the papers filed on the underlying leave application need not be filed. A request for reargument or reconsideration shall not be based on the assertion for the first time of new points, except for extraordinary and compelling reasons.

(2) Unless otherwise permitted by the assigned Judge, the reargument or reconsideration request shall be served not later than 30 days after the date of the certificate determining the application of which reargument or reconsideration is sought. Only one request for reargument or reconsideration per party of a specific criminal leave application is permitted.

(g) [(e)] Counsel. This Court does not assign counsel for criminal leave applications. One set of motion papers addressed to this Court under section 500.21 of this Part for assignment of counsel on a criminal appeal may be filed, with proof of service of one copy on the adverse party, only after leave to appeal is granted.

(h) [(f)] Stay requests. Whether prominently set forth at the beginning of a letter application for leave to appeal or made by separate letter with proof of service of one copy on the adverse party, [a request for] *an applicant seeking a stay* (CPL 460.60; 530.50) *should contact the Clerk's Office in advance of the filing and file the stay request as directed by the Clerk's Office. A stay request shall state:*

(1) whether the relief sought has been previously requested;

(2) whether defendant is presently incarcerated and the incarceration status, if known, of any codefendants; and,

(3) if the defendant is at liberty:

(i) whether a surrender date has been set; and

(ii) the conditions of release (e.g., on defendant's own recognizance or on a set bail amount).

(i) [(g)] Applications for extensions of time to seek leave to appeal. An application for an extension of time to seek leave to appeal (CPL 460.30) shall be by one set of motion papers in compliance with section 500.21 of this Part, with proof of service of one copy on the adverse party. The motion shall be accompanied by a copy of the order sought to be appealed[, and one copy of each brief filed in the intermediate appellate court or, in the case of an order granting or denying an application for a writ of error coram nobis, the papers filed in the intermediate appellate court in support of and in opposition to the application for the writ. If no opposing papers were filed, the motion papers filed in this Court must clearly so state.] *If the motion for an extension of time is granted and the motion is treated as a timely criminal leave application, the parties must comply with the submission in digital format requirements of subsection 500.20(e).*

FINANCIAL REPORTS



**Department of
Taxation and Finance**

Depositories for the Funds of the State of New York

Month End: November 30, 2020

Prepared by the Division of the Treasury
Investments, Cash Management and Accounting Operations

A handwritten signature in black ink, appearing to read "M Schmidt".

Michael R Schmidt
Commissioner

ACCOUNT DESCRIPTION	DEPOSITORY	BALANCE AS OF 11/30/2020
ACCOUNTS HELD IN JOINT CUSTODY BY THE COMMISSIONER OF TAXATION FINANCE AND THE NEW YORK STATE COMPTROLLER		
Unemployment Insurance Funding Account	Key Bank	11,042,537.31
Occupational Training Act Funding Account	Key Bank	114,713.00
Unemployment Insurance Exchange Account	Key Bank	0.00
PIT Special Refund Account	JPMorgan Chase Bank, N.A.	(333,096,483.05)
General Checking	Key Bank	(785,368,585.71)
Direct Deposit Account	Wells Fargo	51,428.44
TOTAL		(352,438,134.91)
01000 - EXECUTIVE CHAMBER		
Executive Chamber Advance Account	Key Bank	No report received
01010 - DIVISION OF BUDGET		
Advance Account	Bank of America, N.A.	4,898.51
01030 - DIVISION OF ALCOHOLIC BEVERAGE CONTROL		
Albany		
SLA Investigations Account	Key Bank	1,741.45
01050 - OFFICE OF GENERAL SERVICES		
Exec Mansion Official Function	Key Bank	16,766.48
NY ISO Account	Key Bank	8,611,566.39
OCS Binghamton Office Bldg	Key Bank	34.80
SNY Office of General Services	JPMorgan Chase Bank, N.A.	0.00
State of New York OGS Escrow II	Key Bank	2,817,894.73
State of New York OGS Petty Cash	Key Bank	291,467.18
State of New Your OGS Escrow	Key Bank	117,445.08
State of NY Office Of General Services	Key Bank	213.00
01060 - DIVISION OF STATE POLICE		
CNET Confidential Account	Key Bank	0.00
Div Headquarters - Petty Cash	Key Bank	1,866.85
Key Advantage Account	Key Bank	92,504.44
Manhattan Office-confidential	JPMorgan Chase Bank, N.A.	500.00
NYS Police Special Account	Key Bank	2,618,321.82
NYS CTIU Confidential Fund	Key Bank	3,700.00
SIU Confidential Fund Account	Key Bank	5,742.05
Special Fund	Key Bank	50,107.83
State Police Receipts Account	Bank of America, N.A.	100,599.67
Troop A Batavia - Petty Cash	Bank of America, N.A.	1,000.00
Troop A Batavia-Confidential	Bank of America, N.A.	3,397.46
Troop B Confidential	Key Bank	3,604.50
Troop B Petty Cash	Community Bank	1,000.00
Troop C Confidential Fund	NBT Bank	1,800.00
Troop C Petty Cash	NBT Bank	1,000.00
Troop D Oneida - Confidential	Alliance Bank	2,400.00
Troop D Oneida Petty Cash	Alliance Bank	1,000.00
Troop E Canandaigua Confidential	Canandaigua National Bank	2,000.00
Troop E Petty Cash	Canandaigua National Bank	1,000.00
Troop F Confidential	JPMorgan Chase Bank, N.A.	2,500.00
Troop F Petty Cash	JPMorgan Chase Bank, N.A.	1,000.00
Troop G Loudonville Conf	Bank of America, N.A.	2,375.91
Troop G Petty Cash	Bank of America, N.A.	1,000.00
Troop K Petty Cash	Bank of Millbrook	1,000.00
Troop K Poughkeepsie-Confidential	Bank of Millbrook	839.93
Troop L Confidential Fund	Bank of America, N.A.	7,500.00
01070 - DIVISION OF MILITARY & NAVAL AFFAIRS		
Advance For Travel	Key Bank	11,771.82
SNY Camp Smith Billeting Fund	JPMorgan Chase Bank, N.A.	8,918.19
01077 - OFFICE OF HOMELAND SECURITY		
Academy Of Fire Science	Chemung Canal Trust	83,787.00
01080 - DIVISION OF HOUSING & COMMUNITY RENEWAL		
Albany Office Of Financial Administration		
Maximum Base Rent Fee Account	JPMorgan Chase Bank, N.A.	19,754.53
Revenue Account	JPMorgan Chase Bank, N.A.	2,621,416.05
01090 - DIVISION OF HUMAN RIGHTS		
Petty Cash Fund Account	JPMorgan Chase Bank, N.A.	No report received
01150 - OFFICE OF EMPLOYEE RELATIONS		
GOER Panel Administration Escrow Account	Key Bank	7,630.07
NYS Flex Spending	Key Bank	(57,670.89)
State of New York LMC Petty Cash Account	Key Bank	1,940.00
01160 - JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS		
Agency Advance Account	Key Bank	1,985.00
01300 - ADIRONDACK PARK AGENCY		

General Fund	Community Bank	2.00
Petty Cash	Community Bank	2,935.35
01400 - CRIME VICTIMS COMPENSATION BOARD		
Crime Victims	JPMorgan Chase Bank, N.A.	149,680.00
Emergency Award Account	M&T Bank	0.00
Emergency Claims	Key Bank	15,700.00
Petty Cash Account	Key Bank	1,550.00
REST/SUBROG Escrow Account	Key Bank	389.66
01490 - DIVISION OF CRIMINAL JUSTICE SERVICES		
Advance Account	Bank of America, N.A.	1,581.19
FBI Fee Account	Bank of America, N.A.	3,351.96
Fingerprint Fee Account	Bank of America, N.A.	1,560,836.00
01530 - STATE COMMISSION OF CORRECTION		
Advance Account	Bank of America, N.A.	2,000.00
01540 - STATE BOARD OF ELECTIONS		
Revenue Account	Key Bank	No report received
01620 - OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE		
NYS Prevention Domestic Violence	Bank of America, N.A.	No report received
02000 - OFFICE OF THE STATE COMPTROLLER		
Admissions	Bank of America, N.A.	2,895.47
Advance for Travel Account	Key Bank	No report received
Alcohol Beverage	Bank of America, N.A.	5,027,602.04
Alcoholic Bev Control License	Wells Fargo Bank	161,117.66
Alcoholic Beverage Control License	M&T Bank	245,485.38
Assessments Bulk	JPMorgan Chase Bank, N.A.	104,951.19
Assessments Receivable	JPMorgan Chase Bank, N.A.	4,168,556.92
Assessments Receivable (EFT)	Wells Fargo Bank	79,866.13
Boxing And Wrestling Tax	Bank of America, N.A.	67,814.99
Check 21 Corporation Tax	JPMorgan Chase Bank, N.A.	5,787,041.89
Check 21 Estate Tax	JPMorgan Chase Bank, N.A.	3,740,459.13
Check 21 Highway Use	JPMorgan Chase Bank, N.A.	586,887.91
Check 21 PIT	JPMorgan Chase Bank, N.A.	650,880.34
Check 21 Real Estate Transfer	JPMorgan Chase Bank, N.A.	359,077.10
Check Sales Tax	JPMorgan Chase Bank, N.A.	794,137.47
Cigarette Stamp Tax	JPMorgan Chase Bank, N.A.	0.00
Cigarette Stamp Tax (EFT)	Wells Fargo Bank	9,208,048.50
Cigarette Stamp Tax Split	JPMorgan Chase Bank, N.A.	372,636.07
Cigarette Tax Tobacco Products	Bank of America, N.A.	383,892.01
Congestion Surcharge	Wells Fargo Bank	78,418.25
Corporation Tax	Wells Fargo Bank	426.98
Corporation Tax - Coupon Acct.	JPMorgan Chase Bank, N.A.	667,087.26
Educational Charitable Account	Wells Fargo Bank	0.00
Employer Compensation Expense	Wells Fargo Bank	6,542.52
Encon Beverage Container Deposit/Bottle Bill (EFT)	Wells Fargo Bank	203,173.22
ERS Petty Cash Acct	Key Bank	No report received
Estimated Tax	JPMorgan Chase Bank, N.A.	8,435,109.79
Gift Tax	Bank of America, N.A.	0.00
Hazardous Waste	Key Bank	1,304.38
Highway Use - Permits & Reg.	Bank of America, N.A.	34,767.31
Highway Use Truck Mileage Tax (EFT)	Wells Fargo Bank	702,519.84
Hudson River-Black River	Bank of America, N.A.	407,980.17
Hudson River-Black River	Community Bank	14,869.29
Hut/Oscar Registrations & Renewals (EFT)	Wells Fargo Bank	65,404.50
IFTA Fuel Use Tax (EFT)	Wells Fargo Bank	22,648.66
IFTA/Oscar Renewals (EFT)	Wells Fargo Bank	48,704.00
IFTA-Decal/Permit Fee Acct.	Bank of America, N.A.	64,812.00
IFTA-Fuel Use	Bank of America, N.A.	85,243.73
Income Tax - LLC	JPMorgan Chase Bank, N.A.	190,004.10
Justice Court	Key Bank	380,610.53
Mac #847 NYS T&F Pari Mutuel	Key Bank	321.94
Mac #848 NYS T&F Off Track	Key Bank	2,466,396.45
MCTD Medallion Taxicab Trip	JPMorgan Chase Bank, N.A.	876.50
Medallion Taxicab Trip Tax (EFT)	Wells Fargo Bank	1,131.50
Medical Marijuana Tax Collections	Bank of America, N.A.	39,498.57
Metro Commuter Trans. Mobility	JPMorgan Chase Bank, N.A.	68,084.63
Ogdensburg Bridge & Port	Community Bank	159,169.03
Opioid Excise Tax	Wells Fargo Bank	102,666.71
Personal Income Tax	Wells Fargo Bank	51,222.00
Petroleum Business Tax (EFT)	Wells Fargo Bank	304,251.28
Petroleum Products Tax	Bank of America, N.A.	3,882,663.16
Petty Cash Account	Key Bank	No report received
PIT Bulk	JPMorgan Chase Bank, N.A.	274,843.00
Port Of Oswego	Key Bank	5,014.93
Promptax - MCTMT	Wells Fargo Bank	1,959,405.61

Promptax - Petroleum Business Tax	Wells Fargo Bank	951.59
Promptax - Sales Tax/Sales Tax Prepaid Fuel	Wells Fargo Bank	257.72
Promptax - Withholding	Wells Fargo Bank	4,680,804.60
Promptax - Withholding Checks	JPMorgan Chase Bank, N.A.	2,173.83
Real Estate Transfer Tax	Key Bank	1,120,322.38
Revenue Holding	First Niagara Bank	3,157,000.00
Sales Tax	JPMorgan Chase Bank, N.A.	0.00
Sales Tax	Wells Fargo Bank	1,911,879.09
SUNY Concentration	First Niagara Bank	170,000.00
TNC Assessment (EFT)	Wells Fargo Bank	1,791.44
Troy Debt Service Reserve Fund	Bank of America, N.A.	428,502.48
Uncashed Winning Tickets	Bank of America, N.A.	175,597.76
Unclaimed Funds	JPMorgan Chase Bank, N.A.	61,098.01
Unclaimed Funds - 2	JPMorgan Chase Bank, N.A.	1,814.00
Withholding	Wells Fargo Bank	579.98
Withholding Tax	JPMorgan Chase Bank, N.A.	16,401,458.26
Cash Advance Accounts		
Advance For Travel Account	Key Bank	1,350.00
ERS Petty Cash Acct	Key Bank	5,100.00
Petty Cash Account	Key Bank	3,700.00
Common Retirement Fund		
Common Retirement Fund - Depository	JPMorgan Chase Bank, N.A.	(2,624.69)
NYS Common Retirement Fund	JPMorgan Chase Bank, N.A.	483,008.69
Employees Retirement System		
Employees Retirement System - EFT	JPMorgan Chase Bank, N.A.	14.23
Employees Retirement System - General	JPMorgan Chase Bank, N.A.	0.00
Employees Retirement System - Pension	JPMorgan Chase Bank, N.A.	0.00
Group Term Life		
Group Term Life - General	JPMorgan Chase Bank, N.A.	0.00
Municipal Assistance Corporation Accounts		
City Of Troy - MAC	JPMorgan Chase Bank, N.A.	575,384.80
Police and Fire		
Retirement Police & Firemen's - EFT	JPMorgan Chase Bank, N.A.	1.27
Retirement Police & Firemen's - General	JPMorgan Chase Bank, N.A.	0.00
Retirement Police & Firemen's - Pension	JPMorgan Chase Bank, N.A.	0.00
03000 - DEPARTMENT OF LAW		
Albany Filing Fees Account	Key Bank	No report received
Albany Petty Cash	Bank of America, N.A.	No report received
Albany Revenue Account	Key Bank	No report received
Assessment Account	JPMorgan Chase Bank, N.A.	No report received
Attorney General Account	Key Bank	No report received
Civil Recoveries Account	Key Bank	No report received
Dept Of Law Controlled Disb	M&T Bank	No report received
Marie Roberts	JPMorgan Chase Bank, N.A.	No report received
NYC Filing Fees Account	JPMorgan Chase Bank, N.A.	No report received
NYC Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
NYC Revenue Account	JPMorgan Chase Bank, N.A.	No report received
Restitution Account	M&T Bank	No report received
Special Account	Key Bank	No report received
US Justice Dept - Shared Forfeiture	Key Bank	No report received
US Treas Dept - Shared Forfeiture	Key Bank	No report received
03010 - OFFICE OF THE ATTORNEY GENERAL		
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
03020 - MEDICAID FRAUD CONTROL		
dept atty gen vs john doe	Key Bank	11,428,315.29
National Global Settlement	JPMorgan Chase Bank, N.A.	22,942,802.25
NYS Department Of Law Confidential Account	JPMorgan Chase Bank, N.A.	40,000.00
NYS Department of Law Petty Cash Account	JPMorgan Chase Bank, N.A.	5,205.11
04020 - NYS ASSEMBLY		
Advance For Travel	Bank of America, N.A.	3,645.00
Petty Cash Account Dist Off	Bank of America, N.A.	21,221.36
Petty Cash New York City	JPMorgan Chase Bank, N.A.	722.56
Public Information Office	Key Bank	0.25
04030 - ASSEMBLY WAYS & MEANS COMMITTEE		
Advance For Travel	Key Bank	No report received
Petty Cash	Key Bank	No report received
04040 - LEGISLATIVE BILL DRAFTING COMMISSION		
NY LBDC - Legislative Computer Services Fund	Key Bank	29,041.72
NYS Leg Bill Drafting Comm-Petty Cash Acct	Key Bank	2,000.00
04250 - REAPPORTIONMENT		
NYS Taskforce On Demo Res & Reapp	JPMorgan Chase Bank, N.A.	125.00
05000 - OFFICE OF COURT ADMINISTRATION		
Attorney Registration Fees - Revenue	JPMorgan Chase Bank, N.A.	1,093,125.00

Criminal Records Search Acct - Revenue	JPMorgan Chase Bank, N.A.	7,650,880.00
Finger Print Account	JPMorgan Chase Bank, N.A.	225.00
05005 - OCA OFFICE OF BUDGET & FINANCE		
Petty Cash Account	Key Bank	0.00
05008 - LAWYERS FUND FOR CLIENT PROTECTION		
Client Security Fund - Bail	Key Bank	1,155,523.06
Lawyers Fund For Client Protection - Bail	Key Bank	702.09
Petty Cash	Key Bank	4,072.17
05071 - COURT OF APPEALS		
Chief Judge Advance	Key Bank	15.07
Clerk Of The Court Of Appeals	Key Bank	3,330.00
05072 - STATE BOARD OF LAW EXAMINERS		
State Board Of Law Examiners Fee	Key Bank	611,150.00
05081 - APPELLATE DIVISION - 1ST JUDICIAL DEPARTMENT		
1st Appellate Division Supreme Ct	JPMorgan Chase Bank, N.A.	43,560.00
05082 - APPELLATE DIVISION - 2ND JUDICIAL DEPARTMENT		
Appellate Div 2nd Dept Revenue	JPMorgan Chase Bank, N.A.	101,240.00
05083 - APPELLATE DIVISION - 3RD JUDICIAL DEPARTMENT		
Third Dept Civil Fees Acct - Revenue	Key Bank	26,021.25
05084 - APPELLATE DIVISION - 4TH JUDICIAL DEPARTMENT		
4th Dept Appellate Div Civil Fees - Revenue	JPMorgan Chase Bank, N.A.	11,347.25
05090 - COURT OF CLAIMS		
Court Of Claims Revenue Account	Key Bank	6,338.38
05111 - 10TH JUDICIAL DISTRICT NASSAU COUNTY ADMINISTRATION		
Glen Cove City Court		
Glen Cove City Court Bail	Wells Fargo Bank	3,001.20
Glen Cove City Court Revenue	Wells Fargo Bank	19,968.15
Long Beach City Court		
Long Beach City Court Revenue	Wells Fargo Bank	51,039.42
Long Beach Court Bail	Wells Fargo Bank	29,361.75
Nassau County Court		
Nassau County Assessment	Wells Fargo Bank	18,815.25
Nassau District Court - Criminal		
Nassau Dist Ct Criminal Revenue	Wells Fargo Bank	104,147.85
Nassau District Court-Civil		
Nassau County Dist Ct- Civil Revenue	Wells Fargo Bank	59,018.70
Nassau Surrogate		
Nassau County Surrogate Court-Revenue	Wells Fargo Bank	194,842.50
05112 - 10TH JUDICIAL DISTRICT SUFFOLK COUNTY ADMINISTRATION		
10th Judicial District Suffolk County Admin		
Suffolk County Court -Court Fund	People's United Bank	21,717.30
Suffolk County Surrogate		
Surrogate Court Of Suffolk County	People's United Bank	89,064.25
Suffolk District Court Civil Fees		
Suffolk County District Court Civil Fees	Citibank	338,373.36
Suffolk District Court Criminal Fines		
Suffolk County District Court Criminal Fines	Citibank	189,161.03
Suffolk District Court Trust Acct		
Suffolk County District Court Trust Account	Citibank	18,051.00
05210 - NYC-CIVIL COURT		
Bronx Civil Court - Civil		
Bronx Civil Court - Revenue	JPMorgan Chase Bank, N.A.	494,400.40
Harlem Community Justice Court		
Harlem Community Justice - Revenue Account	JPMorgan Chase Bank, N.A.	10,806.15
Kings Civil Court- Civil		
Kings Civil Court- Civil Revenue	JPMorgan Chase Bank, N.A.	438,439.95
New York Civil Court - Civil		
New York Civil Court Revenue Acct	JPMorgan Chase Bank, N.A.	115,073.60
Queens Civil Court - Civil		
Queens Civil - Revenue	JPMorgan Chase Bank, N.A.	243,593.45
Richmond Civil Court - Civil		
Richmond Civil Ct Revenue Acct	JPMorgan Chase Bank, N.A.	37,623.40
05215 - NYC-CRIMINAL COURT		
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Bail	JPMorgan Chase Bank, N.A.	207,812.00
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Revenue	JPMorgan Chase Bank, N.A.	16,812.00
Kings County Criminal Court		
Kings Criminal Court	Citibank	172,045.00
New York County Criminal Court		
New York Criminal Court	JPMorgan Chase Bank, N.A.	35,405.00
New York Criminal Court- State Funds	JPMorgan Chase Bank, N.A.	20,631.00
Queens County Criminal Court		
Queens Criminal Court	JPMorgan Chase Bank, N.A.	21,944.00

Queens Criminal Court - State Funds	JPMorgan Chase Bank, N.A.	14,204.00
Richmond County Criminal Court		
Richard Criminal Court-City Funds	JPMorgan Chase Bank, N.A.	24,036.00
Richmond Criminal Court-State Funds	JPMorgan Chase Bank, N.A.	6,179.00
05231 - SUPREME COURT - BRONX COUNTY		
Bronx County Supreme - NYS OCA	JPMorgan Chase Bank, N.A.	353.50
05235 - SUPREME COURT - KINGS COUNTY		
Kings Co Supreme		
Supreme Court Kings County-Revenue	JPMorgan Chase Bank, N.A.	1,440.00
05240 - SUPREME COURT - QUEENS COUNTY		
Queens Co Supreme		
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	8,987.94
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	0.00
05250 - NEW YORK COUNTY CLERK		
New York Co Clerk Revenue Account	JPMorgan Chase Bank, N.A.	1,130,300.75
05255 - BRONX COUNTY CLERK		
Bronx County Clerk		
Bronx Cnty Clerk Revenue Acct	JPMorgan Chase Bank, N.A.	758,283.32
05260 - KINGS COUNTY CLERK		
Kings County Clerk		
Kings County Clerk Revenue Account	Flushing Commercial Bank	1,118,445.45
05265 - QUEENS COUNTY CLERK		
Queens County Clerk-Revenue Acct	Sterling Bank	915,725.69
05270 - RICHMOND COUNTY CLERK		
Richmond Co Clerk State Fees Account	JPMorgan Chase Bank, N.A.	6,845,200.10
Richmond County Clerk DEC	JPMorgan Chase Bank, N.A.	78.93
05275 - NEW YORK COUNTY SURROGATES COURT		
New York Surrogate		
New York Surrogate Court	JPMorgan Chase Bank, N.A.	62,565.00
05280 - BRONX COUNTY SURROGATES COURT		
Bronx Surrogate		
Bronx Surrogate Court Revenue Acct	JPMorgan Chase Bank, N.A.	134,032.85
05285 - KINGS COUNTY SURROGATES COURT		
Kings County Surrogate		
Kings Co. Surrogate Revenue Acct	Bank of America, N.A.	393,378.00
05290 - QUEENS COUNTY SURROGATES COURT		
Queens surrogate		
Queens Co Revenue Acct Surrogate	Signature Bank	42,364.00
05295 - RICHMOND COUNTY SURROGATES COURT		
Richmond County Surrogate Court Revenue Account	Victory State Bank	22,609.50
05360 - 3RD JUDICIAL DISTRICT ADMINISTRATION		
Albany City Court - (Civil)		
Albany City Civil - Revenue	Wells Fargo Bank	3,990.00
Albany City Court - (Crim-Bail)		
Albany City Criminal - Bail	Wells Fargo Bank	11,147.14
Albany City Court - (Traffic)		
Albany City Traffic-Revenue	Wells Fargo Bank	48,242.00
Albany Traffic Court - Bail	Bank of America, N.A.	0.00
Albany City Court - Civil Part		
Albany City Court Civil - Revenue	Trustco Bank	0.00
Albany City Court - Crim		
Albany City Court-Crim	Wells Fargo Bank	10,213.00
Albany City Court - Traffic-Bail		
Albany City Traffic - Bail	Wells Fargo Bank	1,300.17
Albany County Surrogate		
Albany Cty Surrogates Court - Revenue	Bank of America, N.A.	14,503.35
Albany Police Court		
Albany Police Court Bail Account	Key Bank	0.00
Cohoes City Court		
Cohoes City Court Bail	Key Bank	1,751.80
Cohoes City Court Fees/Fines Account	Key Bank	8,329.00
Columbia County Surrogate		
Columbia Co Surrogate Ct Fees - Revenue	Key Bank	0.00
Greene Surrogate		
Greene Surrogate-Revenue	Wells Fargo Bank	1,194.00
Hudson City Court		
Hudson City Bail	Wells Fargo Bank	30,166.52
Hudson City Revenue	Wells Fargo Bank	5,379.00
Kingston City Court		
Kingston City Court Bail	Wells Fargo Bank	15,000.00
Kingston City Court Revenue	Wells Fargo Bank	24,415.64
Rensselaer City Court		
Rensselaer City Court - Bail	Wells Fargo Bank	101.03
Rensselaer City Court - Revenue	Wells Fargo Bank	3,425.75

Rensselaer City Court Bail Acct	Key Bank	0.00
Rensselaer County Surrogate		
Rensselaer Co Surrogate Ct Fees - Revenue	Key Bank	18,195.25
Schoharie County Surrogate		
Schoharie Co Surrogates Court - Revenue	Bank of America, N.A.	1,149.75
Sullivan Surrogate		
Sullivan Surrogate-Revenue	Wells Fargo Bank	3,179.75
Troy City Court		
Troy City Court- Revenue Acct - Revenue	Bank of America, N.A.	23,452.00
Troy Police Court Bail Account	Bank of America, N.A.	13,803.28
Ulster County Surrogate		
Ulster County Surrogate Court - Revenue	Key Bank	13,556.00
Watervliet City Court		
Watervliet City Court - Bail	Wells Fargo Bank	42,640.00
Watervliet City Court - Revenue	Wells Fargo Bank	18,917.06
05460 - 4TH JUDICIAL DISTRICT ADMINISTRATION		
Amsterdam City Court		
Amsterdam City Court - Bail	Key Bank	23,965.26
Amsterdam City Court - Revenue	Key Bank	14,651.50
Clinton County Surrogates		
Clinton County Surrogates - Revenue	Key Bank	3,010.25
Essex County Surrogate		
Essex Co Surrogate Clerk - Revenue	Champlain National	1,258.25
Franklin County Surrogate		
Franklin Co Surrogate Court - Revenue	Key Bank	720.00
Fulton County Surrogate		
Fulton County Surrogate's Court	Key Bank	3,133.75
Glens Falls City Court		
Glens Falls City Court Account - Revenue	Glens Falls National	16,102.00
Glens Falls City Court Bail Acct	Glens Falls National	12,810.67
Gloversville City Court		
Gloversville City Court Bail	NBT Bank	16,575.73
Gloversville City Court Revenue	NBT Bank	3,206.00
Hamilton Surrogate		
Hamilton Surrogate - Revenue	Community Bank	1,280.00
Johnstown City Court		
City Of Johnstown Bail Account - Bail	Key Bank	3,101.03
Johnstown City Court Fines/Fees - Revenue	Key Bank	5,179.00
Mechanicville City Court		
Mechanicville City Court Bail	TD Bank	11,151.02
Mechanicville City Ct Revenue Acct	TD Bank	2,714.60
Montgomery County Surrogate		
Montgomery County Surrogates Court - Revenue	NBT Bank	298.00
Ogdensburg City Court		
Ogdensburg City Court Int Bail	Community Bank	2,474.02
Ogdensburg City Court Revenue	Community Bank	2,169.00
Plattsburgh City Court		
Plattsburgh City Court - Bail	Glens Falls National	9,850.41
State Of NY Plattsburgh City Court - Revenue	Glens Falls National	10,889.36
Saratoga County Surrogate		
Saratoga County Surrogate - Revenue	Ballston Spa National Bank	10,114.50
Saratoga Springs City Court		
Saratoga Springs Bail Account	The Adirondack Trust Company	6,080.25
Saratoga Springs City Revenue Acct	The Adirondack Trust Company	10,098.00
Schenectady City Court		
Schenectady City Court- Bail	Bank of America, N.A.	41,405.86
Schenectady City Court Revenue	Bank of America, N.A.	22,041.80
Schenectady Surrogate		
Schenectady Surrogate Court - Revenue	Key Bank	3,626.50
St. Lawrence Co Surrogate		
St. Lawrence County Surrogate - Revenue	Community Bank	349.00
Warren County Surrogate		
Warren County Surrogate Court - Revenue	TD Bank	4,128.50
Washington Surrogates		
Washington Surrogate Revenue	TD Bank	0.00
05560 - 5TH JUDICIAL DISTRICT ADMINISTRATION		
Fulton City Court		
Fulton City Court Bail Acct	Key Bank	7,161.05
Fulton City Court Revenue	Key Bank	5,575.00
Herkimer Surrogate		
Herkimer Surrogate - Revenue	Partners Trust	2,706.00
Jefferson Surrogates		
Jefferson Co Surrogate Revenue	Key Bank	5,927.50
Lewis County		

Lewis County Clerk	Community Bank	1,040.00
Lewis County Surrogates		
Lewis County Surrogate Court - Revenue	Key Bank	0.00
Little Falls City Court		
Little Falls City Court Bail	Bank of America, N.A.	1,000.00
Little Falls City Court Revenue	M&T Bank	2,422.25
Oneida County Combined		
Oneida County Combined Court	Adirondack Bank	4,920.00
Oneida County Surrogates		
Oneida County Surrogate Court Revenue	The Adirondack Trust Company	26,105.20
Onondaga County Surrogates		
Onondaga Surrogate Court - Revenue	Alliance Bank	7,846.50
Oswego City Court		
Oswego City Court Bail Acct	JPMorgan Chase Bank, N.A.	10,200.17
Oswego City Court Revenue	JPMorgan Chase Bank, N.A.	22,083.75
Oswego Surrogate Court		
Oswego County Surrogate Court - Revenue	Key Bank	2,100.00
Rome City Court		
City Court Of Rome Bail Account - Bail	Bank of America, N.A.	702.00
Rome City Court - Revenue	Bank of America, N.A.	22,357.40
Sherrill City Court		
Sherrill City Court 5th Jud Dist - Bail	Alliance Bank	0.00
Sherrill City Court Fees - Revenue	Alliance Bank	495.00
Syracuse City Court		
Syracuse City Court - Bail	Alliance Bank	220,119.01
Syracuse City Court - Fees - Revenue	Alliance Bank	41,963.95
Utica City Court		
Utica City Court Criminal Bail	Bank of Utica	46,410.40
Utica City Court Revenue Account	Key Bank	33,311.44
Watertown City Court		
Watertown City Court Bail	Key Bank	14,659.83
Watertown City Court Fees & Fines - Revenue	Key Bank	10,516.00
05661 - 6TH JUDICIAL DISTRICT ADMINISTRATION		
Binghamton City Court		
Binghamton City Court Bail	M&T Bank	37,241.00
Binghamton City Court Revenue	M&T Bank	19,617.75
Broome Surrogates		
SNY UCS Broome County Surrogates Court	Wells Fargo Bank	2,242.00
Chemung County Surrogates		
SNY UCS Chemung County Surrogates Court	Wells Fargo Bank	65.00
Chenango County Surrogates		
SNY UCS Chenango County Surrogates Court	Wells Fargo Bank	0.00
Cortland City Court		
Court City Court Bail	NBT Bank	13,966.24
Court City Court- Revenue	NBT Bank	4,154.50
Cortland County Surrogates		
SNY UCS Cortland County Surrogates Court	Wells Fargo Bank	0.00
Delaware County Surrogates		
Delaware County Surrogate - Revenue	Delaware National Bank	14.75
Elmira City Court		
Elmira City Court - Revenue Account	Chemung Canal Trust	9,744.50
Elmira City Court Bail	Chemung Canal Trust	29,510.10
Ithaca City Court		
Ithaca City Court	Tompkins County Trust	11,139.00
Ithaca City Court Revenue	Tompkins County Trust	6,461.50
Madison County Surrogates		
SNY UCS Madison County Surrogates Court	Wells Fargo Bank	2,385.00
Norwich City Court		
Norwich City Court Bail Acct	NBT Bank	7,201.00
Norwich City Court Revenue Acct	NBT Bank	980.00
Oneida City Court		
Oneida City Court Bail Account	JPMorgan Chase Bank, N.A.	5,500.00
Oneida City Court Fee & Fine - Revenue	JPMorgan Chase Bank, N.A.	12,930.50
Oneonta City Court		
Oneonta City Court - Revenue	Community Bank	4,945.00
Oneonta City Court Bail Account	Community Bank	7,750.00
Otsego County Surrogates		
Otsego County Surrogates Court - Revenue	Key Bank	131.25
Schuyler County Surrogates		
Schuyler County Surrogates Court	Community Bank	423.00
Tioga County Surrogates		
Tioga Surrogates Court - Revenue	M&T Bank	0.00
Tompkins County Surrogates		
SNY UCS Tompkins County Surrogates Court	Wells Fargo Bank	2,669.00

05761 - 7TH JUDICIAL DISTRICT ADMINISTRATION

Auburn City Court		
Auburn City Court Bail Acct	Key Bank	25,285.55
Auburn City Court Fees & Fines - Revenue	Key Bank	8,496.00
Canandaigua City Court		
Canandaigua City Court Bail Acct	Canandaigua National Bank	19,802.51
Canandaigua City Court Revenue	Canandaigua National Bank	5,949.00
Cayuga County Surrogates		
Cayuga Surrogate Court	Wells Fargo Bank	0.00
Corning City Court		
Corning City Court - Bail	Wells Fargo Bank	0.00
Corning City Court - Revenue	Wells Fargo Bank	7,586.00
Geneva City Court		
Geneva City Court Bail Account	Wells Fargo Bank	18,446.24
Geneva City Court Revenue Account	Wells Fargo Bank	5,359.00
Hornell City Court		
Hornell City Court Bail Account	Community Bank	9,915.08
Hornell City Court Revenue	Community Bank	2,969.00
Livingston County Surrogates		
Livingston Surrogate Court	Wells Fargo Bank	1,292.00
Monroe County Surrogates		
7th District Monroe Surrogate	Wells Fargo Bank	12,365.00
Ontario County Surrogates		
Ontario Surrogate Court	Wells Fargo Bank	1,587.00
Rochester City Court		
Rochester City Court Bail Account	M&T Bank	435,427.10
Rochester City Revenue	M&T Bank	16,517.00
Seneca County Surrogates		
Seneca Surrogate Court	Wells Fargo Bank	582.00
Steuben County Surrogates		
7th District Steuben Surrogate	Wells Fargo Bank	1,125.00
Wayne County Surrogates		
Wayne Surrogate Court	Wells Fargo Bank	1.00
Yates County Surrogates		
Yates Surrogate Court	Wells Fargo Bank	1,298.00

05860 - 8TH JUDICIAL DISTRICT ADMINISTRATION

ALLEGANY COUNTY SURROGATES COURT		
ST of NY Office of The State Comptroller State of New York Unified Courts Allegany Surrogate Court	Wells Fargo Bank	No report received
Batavia City Court		
ST of NY Office of The State Comptroller Batavia City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Batavia City Court REVENUE	Wells Fargo Bank	No report received
BUFFALO CITY COURT		
ST of NY Office of The State Comptroller Buffalo City Court Bail Account	Wells Fargo Bank	No report received
ST of NY OFFICE OF THE STATE COMPTROLLER BUFFALO CITY COURT REVENUE ACCOUNT	Wells Fargo Bank	No report received
Cattaraugus County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Cattaraugus Surrogate Court	Wells Fargo Bank	No report received
Chautauqua County Surrogates Court		
ST of NY Office of the State Comptroller State of New York Unified Courts Chautauqua Surrogate Court	Wells Fargo Bank	No report received
Dunkirk City Court		
ST of NY Office of The State Comptroller Dunkirk Bail Account	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Dunkirk Revenue Account	Wells Fargo Bank	No report received
Erie - Buffalo County Law Library		
Sur Ct Lib At Buffalo - Revenue	M&T Bank	No report received
Erie County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Erie Surrogate Court	Wells Fargo Bank	No report received
Genesee County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Genesee Surrogate Court	Wells Fargo Bank	No report received
Jamestown City Court		
St of NY Office of the State Comptroller Jamestown City Court Bail Account	Wells Fargo Bank	No report received
St of NY Office of the State Comptroller Jamestown City Court Revenue Account	Wells Fargo Bank	No report received
State of New York Office of Court Administration Jamestown City Court Bail	Key Bank	No report received
State of New York Office of Court Administration Jamestown City Court Revenue	Key Bank	No report received
Lackawanna City Court		
Lackawanna City Court Bail Account	Key Bank	No report received
Lackawanna City Court Revenue Account	Key Bank	No report received
Lockport City Court		
Lockport City - Bail	Key Bank	No report received
Lockport City HESC EFT Account - Revenue	Key Bank	No report received
St of NY Office of the State Comptroller Lockport City Court Bail Account	Wells Fargo Bank	No report received
St of NY Office of the State Comptroller Lockport City Court Revenue Account	Wells Fargo Bank	No report received
Niagara City Court		
Niagara Falls Bail Bond Account	M&T Bank	No report received
Niagara County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Niagara Surrogate Court	Wells Fargo Bank	No report received

Niagara Falls City Court		
ST of NY Office of The State Comptroller Niagara Falls Bail Account	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Niagara Falls Revenue Account	Wells Fargo Bank	No report received
No. Tonawanda City Court		
N. Tonawanda City Court Revenue	M&T Bank	No report received
ST of NY Office of The State Comptroller No. Tonawanda City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller No. Tonawanda Revenue	Wells Fargo Bank	No report received
Olean City Court		
ST of NY Office of The State Comptroller Olean City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Olean City Court Revenue	Wells Fargo Bank	No report received
Orleans County Surrogates		
ST of NY Office of The State Comptroller State of New York Unified Courts Orleans Surrogate Court	Wells Fargo Bank	No report received
Salamanca City Court		
Salamanca City Court Bail	Community Bank	No report received
Salamanca City Court City Judge - Revenue	Community Bank	No report received
St of NY Office of the State Comptroller Salamanca City Court Bail Account	Wells Fargo Bank	No report received
St of NY Office of the State Comptroller Salamanca City Court Revenue Account	Wells Fargo Bank	No report received
Tonawanda City Court		
ST of NY Office of The State Comptroller Tonawanda City Court Bail	Wells Fargo Bank	No report received
ST of NY Office of The State Comptroller Tonawanda City Court Revenue	Wells Fargo Bank	No report received
Tonawanda City Court Bail	M&T Bank	No report received
Wyoming County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Wyoming Surrogate Court	Wells Fargo Bank	No report received
05960 - 9TH JUDICIAL DISTRICT ADMINISTRATION		
Beacon City Court		
Beacon City Court Bail Account - Bail	JPMorgan Chase Bank, N.A.	33,205.53
Beacon City Fines Account - Revenue	JPMorgan Chase Bank, N.A.	3,200.00
Dutchess County Surrogates Court		
Dutchess County Surrogate Court - Revenue	JPMorgan Chase Bank, N.A.	34,345.25
Middletown City Court		
Middletown City Bail Escrow - Bail	Wells Fargo Bank	93,941.33
Middletown City Court Revenue	JPMorgan Chase Bank, N.A.	0.00
Middletown City Court Revenue	Wells Fargo Bank	20,215.45
Mt Vernon City Court		
Mt Vernon City Court State Bail	Wells Fargo Bank	133,151.45
Mt Vernon City Court State Revenue	Wells Fargo Bank	27,947.71
New Rochelle City Court		
New Rochelle City Court Bail	JPMorgan Chase Bank, N.A.	279,240.72
New Rochelle City Court Revenue	JPMorgan Chase Bank, N.A.	60,370.08
Newburgh City Court		
Newburgh Bail Account	Wells Fargo Bank	17,259.51
Newburgh City Court Revenue	Wells Fargo Bank	14,198.96
Orange County Surrogates Court		
Orange Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	12,642.50
Peekskill City Court		
Peekskill City Court Revenue	JPMorgan Chase Bank, N.A.	13,675.01
Peekskill City Court		
Peekskill City Court - Bail	JPMorgan Chase Bank, N.A.	45,086.41
Port Jervis City Court		
Port Jervis Bail Account - Bail	JPMorgan Chase Bank, N.A.	60,710.45
Port Jervis Revenue Account - Revenue	JPMorgan Chase Bank, N.A.	5,004.00
Poughkeepsie		
Poughkeepsie City Court -Bail	Wells Fargo Bank	44,180.08
Poughkeepsie City Court -Revenue	Wells Fargo Bank	37,240.50
Putnam Co Surrogate's Court		
Putnam Co Surrogates Court	Putnam County National Bank	11,982.00
Rockland County Surrogates Court		
Rockland Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	11,067.75
Rye City Court		
City Of Rye Bail Account	JPMorgan Chase Bank, N.A.	606.41
City Of Rye Fines And Fees - Revenue	JPMorgan Chase Bank, N.A.	21,828.01
Westchester County Surrogates Court		
Westchester Co Surrogates Fees - Revenue	Wells Fargo Bank	91,578.75
White Plains City Court		
White Plains City Court Bail Account	Sterling Bank	0.00
White Plains City Court Bail Account	Wells Fargo Bank	47,047.27
White Plains City Court Vehicle And Traffic Acct - Revenue	Sterling Bank	0.00
White Plains City Court Vehicle And Traffic Acct - Revenue	Wells Fargo Bank	45,581.26
Yonkers City Court		
Yonkers City Bail Account - Bail	Wells Fargo Bank	312,671.74
Yonkers City Revenue Account - Revenue	Wells Fargo Bank	66,290.93
06000 - AGRICULTURE & MARKETS		
Administration Account	Key Bank	16,602.03
Agency Advance Account	Key Bank	10,000.00

Agriculture Producers Sec Fund	Key Bank	20,162.68
Animal Population Control Account	Key Bank	26,106.67
Apple Marketing Order Fund	Key Bank	0.00
Consumer Food Industry Account	Key Bank	5,958.80
Dairy Industry Services Account	Key Bank	4,895.80
Dairy Promotion Order Fund	Key Bank	0.00
Milk Producers Security Fund	Key Bank	30,287.59
NYS Farmers Market Program	Key Bank	432,692.24
NYS WNY Milk Mktg Area Administration Fund	M&T Bank	58.69
NYS WNY Milk Mktg Area Equalization Fund	M&T Bank	26,274.77
NYS WNY Milk Mktg Area Equalization Fund Savings	M&T Bank	319.36
Onion Marketing Order	Key Bank	0.00
Plants Industry Account	Key Bank	33,720.91
Pride of NY	Key Bank	6,266.98
Sour Cherry Marketing Fund	Key Bank	0.00
Weights & Measures Account	Key Bank	31,533.18
NYS Dept Agriculture & Markets		
Apple Marketing Order Fund	Key Bank	0.00
Dairy Promotion Order Fund	Key Bank	0.00
Farm Products	Key Bank	44,395.14
State Fair		
NYS Fair Operating Account	Solvay Bank	10,504.30
NYS Fair Special Account	Solvay Bank	231.17
08000 - DEPARTMENT OF CIVIL SERVICE		
Agency Advance Account	Bank of America, N.A.	3,000.00
Examination Application Fees Account	Bank of America, N.A.	778.00
Examination Application Fees Account	Key Bank	247.00
NYS Affirmative Action Advisory Account	Bank of America, N.A.	5,141.90
NYS Department of Civil Service	US Bank	112,593,825.87
08010 - PUBLIC EMPLOYEE RELATIONS BOARD		
Petty Cash And Travel Advance Account	Key Bank	1,514.50
09000 - DEPARTMENT OF ENVIRONMENTAL CONSERVATION		
Albany		
Bayville Feasibility Study	JPMorgan Chase Bank, N.A.	494,043.22
Conservation Petty Cash Account	M&T Bank	28,285.00
DEC/Exchange Account	M&T Bank	14,580.53
ENCON License Issuing Office	M&T Bank	3,483.22
ENCON/Montauk Point Feasibility Study	JPMorgan Chase Bank, N.A.	7,205.32
ENCON/South Shore Of Staten Island	JPMorgan Chase Bank, N.A.	22,920.65
Hunting Trapping & Fishing Account	M&T Bank	8,342.11
Lake Montauk Harbor	JPMorgan Chase Bank, N.A.	156,246.75
Lockbox Account	Wells Fargo Bank	101,729.95
Mattituck Inlet	JPMorgan Chase Bank, N.A.	1,329.13
NY Conservationist	Bank of America, N.A.	12,450.66
Program Fee	JPMorgan Chase Bank, N.A.	123,873.32
Revenue Account	Bank of America, N.A.	1,390,967.22
Rockaway Beach Study & Project	JPMorgan Chase Bank, N.A.	1,265,781.43
State of New York	Key Bank	88,568.58
Region 1		
Marine Permit Account	People's United Bank	149,350.75
Region 3		
Beaverkill & Mongaup Pond	Jeff Bank	0.00
Revenue Region 3 Account	Bank of America, N.A.	0.00
Region 4		
Bear Spring Revenue Account	Wayne Bank	0.00
Region 4	Greene County Commercial Bank	0.00
Region 4 Camping	NBT Bank	0.00
Region 5		
Campsite Revenue Account	Glens Falls National	24,946.40
Land & Forest Region 5W	TD Bank	324,892.71
NYS Conservation	Glens Falls National	6,141.59
Recreation (Warrensburg)	City National Bank & Trust	5,776.91
Region 5	Citizens Bank	27,012.76
Region 5	NBT Bank	98,497.12
Tree Nursery	Bank of America, N.A.	2,275.00
Region 6		
Fish & Wildlife Watertown	Key Bank	126.92
Lands & Forest District #7	Community Bank	0.00
Lands & Forests District #6	Community Bank	0.00
Lands And Forests District 10	M&T Bank	21.20
SNY Dept Of Environmental Conserv	Community Bank	14.04
10000 - ATTICA CORRECTIONAL FACILITY		
Agency Advance Account	Five Star Bank	1,700.00
CD Spendable	Five Star Bank	220,000.00

Employee Benefit Fund	Five Star Bank	7,351.84
General Cash Fund	Five Star Bank	493.10
Inmate Occupational Therapy Fund	Five Star Bank	70,386.43
Inmate Savings Account	Five Star Bank	255,270.59
Spendable Fund	Five Star Bank	358,892.26
10010 - AUBURN CORRECTIONAL FACILITY		
Advance Account	Key Bank	No report received
Certificate of Deposit	Bank of America, N.A.	No report received
Certificate of Deposit	Bank of America, N.A.	No report received
Inmate Occupational Therapy Fund	Key Bank	No report received
Inmate Spendable Account	Key Bank	No report received
Inmate Spendable Savings CD	Key Bank	No report received
Misc Revenue	Key Bank	No report received
10020 - CLINTON CORRECTIONAL FACILITY		
Advance Account	Key Bank	12,960.36
Employee Benefit Fund	Key Bank	10,793.98
General Fund	Key Bank	1,028.53
Inmate Funds	Key Bank	76,186.91
Inmate Funds Money Market Account	Key Bank	819,427.33
Inmate Occupational Therapy Acct	Key Bank	74,042.25
10030 - WATERTOWN CORRECTIONAL FACILITY		
Agency Advance Account	Key Bank	2,378.48
Inmate Occupational Therapy Fund	Key Bank	15,050.15
Inmate Spendable Funds	Key Bank	30,747.19
Inmate Spendable Savings Account	Key Bank	60,674.23
Miscellaneous Receipts	Key Bank	12,803.23
10040 - GREAT MEADOW CORRECTIONAL FACILITY		
Certificate of Deposit	Glens Falls National	25,000.00
Certificate of Deposit	Glens Falls National	150,000.00
Certificate of Deposit	Glens Falls National	100,000.00
Facility Advance	Key Bank	6,250.72
General Fund	Key Bank	0.00
Inmate Fund	Key Bank	202,247.93
Inmate Fund Savings Account	Glens Falls National	52,500.00
Miscellaneous Account	Key Bank	10,313.88
Occupational Therapy	Key Bank	51,265.18
10050 - FISHKILL CORRECTIONAL FACILITY		
Agency Advance	M&T Bank	3,217.32
Employee Benefits	M&T Bank	7,854.53
Inmate Spending Account	M&T Bank	340,630.17
Inmates Account	M&T Bank	463,073.08
Misc Receipts	M&T Bank	14,313.00
Occupational Therapy Account	M&T Bank	45,466.96
10060 - WALLKILL CORRECTIONAL FACILITY		
Advance Account	Key Bank	1,264.96
Employee Benefit	Key Bank	2,024.60
Inmate Occupational Therapy Fund	Key Bank	32,120.46
Inmate Savings Account	Key Bank	88,190.57
Inmates Fund Account	Key Bank	57,849.83
Misc. Receipts	Key Bank	15,561.34
10070 - SING SING CORRECTIONAL FACILITY		
Cash Advance	JPMorgan Chase Bank, N.A.	8,290.93
Inmate Funds	JPMorgan Chase Bank, N.A.	351,320.91
Inmate Interest Funds	JPMorgan Chase Bank, N.A.	455,404.68
Misc Receipts	JPMorgan Chase Bank, N.A.	47,136.99
Occupational Therapy	JPMorgan Chase Bank, N.A.	119,868.39
Quality Work Life	JPMorgan Chase Bank, N.A.	25,203.58
10080 - GREEN HAVEN CORRECTIONAL FACILITY		
Advance Account	Key Bank	No report received
General Fund	Key Bank	No report received
Inmates Money Market	Key Bank	No report received
Inmates Now Checking	Key Bank	No report received
Occupational Therapy Fund	Key Bank	No report received
10090 - ALBION CORRECTIONAL FACILITY		
Albion Advance Account	Bank of America, N.A.	413.65
Employee Benefit Fund	Bank of America, N.A.	11,259.19
Inmate Funds	Bank of America, N.A.	89,342.97
Inmate Funds Savings	Bank of America, N.A.	154,303.12
Misc Receipts	Bank of America, N.A.	7,725.21
Occupational Therapy	Bank of America, N.A.	19,994.78
10100 - EASTERN NEW YORK CORRECTIONAL FACILITY		
Agency Advance Account	Sterling Bank	1,688.10
Employee Benefit Fund	Sterling Bank	16,722.04
ID Now 3 Month CD	M&T Bank	50,102.55

Inmate Deposit Now Account	Sterling Bank	486,382.94
Inmate Occupational Therapy Account	Sterling Bank	31,839.36
Misc. Receipts	Sterling Bank	2,700.16
10110 - ELMIRA CORRECTIONAL & RECEPTION CENTER		
Agency Advance Account	Chemung Canal Trust	2,120.04
Employee Benefit Fund	Chemung Canal Trust	27,637.85
Inmate CD Account	M&T Bank	213,882.47
Inmates Fund	Chemung Canal Trust	495,969.36
Miscellaneous Receipts	Chemung Canal Trust	931.88
Occupational Therapy Fund	Chemung Canal Trust	31,986.91
10120 - BEDFORD HILLS CORRECTIONAL FACILITY		
Advance Account	JPMorgan Chase Bank, N.A.	4,993.90
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	8,437.88
Inmate Funds	JPMorgan Chase Bank, N.A.	95,593.44
Inmate Funds CD	JPMorgan Chase Bank, N.A.	90,000.00
Inmate Funds Money Market	JPMorgan Chase Bank, N.A.	23,275.12
Misc. Receipts	JPMorgan Chase Bank, N.A.	189.00
Occupational Therapy	JPMorgan Chase Bank, N.A.	62,087.13
10130 - COXSACKIE CORRECTIONAL FACILITY		
Agency Advance Account	National Bank of Cossackie	1,895.20
Employee Benefits Fund	National Bank of Cossackie	28,756.15
Inmates Fund	National Bank of Cossackie	79,085.05
Inmates Fund Savings Acct	National Bank of Cossackie	186,104.17
Misc. Revenue	National Bank of Cossackie	14,228.74
Money Market Acct	National Bank of Cossackie	No report received
Occupational Therapy Acct	National Bank of Cossackie	57,280.60
10140 - WOODBOURNE CORRECTIONAL FACILITY		
CD - Inmate Funds	First National Bank of Jeffersonville	50,000.00
CD - Inmate Funds	First National Bank of Jeffersonville	190,000.00
WCF Agency Advance	Jeff Bank	1,513.37
WCF General Fund	Jeff Bank	17,785.17
WCF Inmate Fund	Jeff Bank	156,331.28
WCF Occupational Therapy Fund	Jeff Bank	43,411.75
10160 - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION		
Agency Advance Account	Key Bank	24,864.35
Employee Benefit Fund	Key Bank	18,183.60
Inmate Escrow Account	Key Bank	460,627.17
Misc. Receipts Account	Key Bank	1,203,403.39
Special Account	Key Bank	857.00
10170 - QUEENSBORO CORRECTIONAL FACILITY		
Agency Advance Account	JPMorgan Chase Bank, N.A.	3,208.62
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	7,921.24
Inmate Funds Account	JPMorgan Chase Bank, N.A.	224,661.13
Miscellaneous Receipts Account	JPMorgan Chase Bank, N.A.	1,073.04
Occupational Therapy Fund	JPMorgan Chase Bank, N.A.	1,767.93
Savings Account	JPMorgan Chase Bank, N.A.	15,647.34
10230 - ADIRONDACK CORRECTIONAL FACILITY		
ADK QWL	Community Bank	7,581.62
Agency Advance	Community Bank	790.00
Diversity Management	Community Bank	493.07
Employee Benefit Fund	Community Bank	3,980.65
General Fund	Community Bank	352.00
Inmate Funds	Community Bank	40,033.23
Inmate Occupational Therapy Fund	Community Bank	1,499.15
10240 - DOWNSTATE CORRECTIONAL FACILITY		
Agency Advance	JPMorgan Chase Bank, N.A.	1,900.52
Employee Recreational Funds	JPMorgan Chase Bank, N.A.	15,852.13
Inmate Fund	JPMorgan Chase Bank, N.A.	489,523.76
Inmates Funds Savings	JPMorgan Chase Bank, N.A.	80,467.29
Misc. Receipts	JPMorgan Chase Bank, N.A.	12,549.43
Occupational Therapy	JPMorgan Chase Bank, N.A.	70,191.22
10250 - TACONIC CORRECTIONAL FACILITY		
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	No report received
Inmate Funds	JPMorgan Chase Bank, N.A.	No report received
Misc. Revenue	JPMorgan Chase Bank, N.A.	No report received
Money Market	JPMorgan Chase Bank, N.A.	No report received
Occupational Therapy Fund	JPMorgan Chase Bank, N.A.	No report received
Taconic Advance Account	JPMorgan Chase Bank, N.A.	No report received
10270 - HUDSON CORRECTIONAL FACILITY		
Advance Account	Key Bank	2,679.78
Employee Benefit Fund Account	Key Bank	5,398.68
Inmate Funds Account	Key Bank	31,434.38
Inmate Key Advantage Account	Key Bank	50,359.19
Inmate Occupational Therapy Account	Key Bank	6,814.80

Miscellaneous Receipts Account	Key Bank	3,818.69
10290 - OTISVILLE CORRECTIONAL FACILITY		
Cash Advance	Jeff Bank	687.76
General Fund	Jeff Bank	2,749.77
Inmate Funds	Jeff Bank	202,934.21
Inmate Occupational Therapy	Jeff Bank	38,676.09
Inmate Savings	Jeff Bank	51,365.47
Inmate Savings CD	Hometown Bank	78,515.76
10300 - ROCHESTER CORRECTIONAL FACILITY		
Consolidated Advance Account	M&T Bank	1,651.00
Employee Recreation Fund	M&T Bank	1,243.42
Inmate Deposit Account	M&T Bank	70,101.09
Misc Fees	M&T Bank	2,508.51
Work Release Advance Account	M&T Bank	10,047.69
10320 - EDGEcombe CORRECTIONAL FACILITY		
Agency Advance	JPMorgan Chase Bank, N.A.	1,092.26
Employee Benefit Account	JPMorgan Chase Bank, N.A.	2,472.24
Inmate Cash Account	JPMorgan Chase Bank, N.A.	19,971.55
Misc. Receipts Account	JPMorgan Chase Bank, N.A.	0.00
Occupational Therapy Acct	JPMorgan Chase Bank, N.A.	1,715.79
Work Release Account	JPMorgan Chase Bank, N.A.	No report received
10350 - OGDENSBURG CORRECTIONAL FACILITY		
Agency Advance Account	Community Bank	3,000.00
EBF	Community Bank	6,521.53
Inmate Fund	Community Bank	52,458.82
Inmate Savings	Community Bank	45,241.01
Misc. Receipts	Community Bank	9.21
Occupational Therapy	Community Bank	13,649.27
10370 - FIVE POINTS CORRECTIONAL FACILITY		
Consolidated Advance	Five Star Bank	1,063.01
EBF Checking	Five Star Bank	40,485.33
EBF Savings	Five Star Bank	30,843.88
Inmate Savings	Five Star Bank	257,944.15
Inmate Spendable	Five Star Bank	164,361.08
Misc Receipts	Five Star Bank	1,173.03
Occupational Therapy	Five Star Bank	38,942.10
10390 - MOHAWK CORRECTIONAL FACILITY		
Agency Advance	Key Bank	2,647.46
Employee Benefit Fund Checking	Bank of America, N.A.	31,062.49
Inmate Funds Checking	Key Bank	198,196.67
Inmate Funds Savings	Key Bank	314,485.82
Miscellaneous Revenue	Key Bank	1,045.43
Occupational Therapy	Key Bank	24,135.83
10430 - WENDE CORRECTIONAL FACILITY		
Consolidated Advance	Alden State Bank	3,748.45
Employee Benefit Account	Alden State Bank	20,335.53
Inmate Savings	Alden State Bank	197,272.93
Inmates Funds	Alden State Bank	198,589.56
Misc. Receipts	Alden State Bank	14,950.04
Occupational Therapy	Alden State Bank	31,880.55
10441 - DEPARTMENT OF CORRECTIONAL SERVICES-FOOD PRODUCTION CENTER		
Office of Nutritional Services		
Miscellaneous Receipts	Key Bank	10,654.76
10450 - GOWANDA CORRECTIONAL FACILITY		
Advance Account	Community Bank	2,139.29
Employee Benefit Fund	Community Bank	16,117.74
Inmate Funds	Community Bank	178,540.42
Inmate Funds Savings	Community Bank	259,787.17
Miscellaneous Revenue	Community Bank	3,501.18
Occupational Therapy	Community Bank	16,164.74
10460 - GROVELAND CORRECTIONAL FACILITY		
Agency Advance Account	Five Star Bank	2,000.00
Employee Commission Account	Five Star Bank	17,365.31
Inmate Funds Account	Five Star Bank	130,825.34
Inmate Funds Account - Savings	Five Star Bank	108,059.90
Miscellaneous Receipts Account	Five Star Bank	2,790.87
Occupational Therapy Account	Five Star Bank	11,186.79
10470 - COLLINS CORRECTIONAL FACILITY		
Agency Advance	Community Bank	4,790.00
Employee Activities	Community Bank	41,005.07
Inmate Fund Checking	Community Bank	207,140.47
Inmate Savings	Community Bank	130,560.76
Miscellaneous Revenue	Community Bank	8,759.75
Occupational Therapy	Community Bank	9,959.01

10480 - MID-STATE CORRECTIONAL FACILITY

Agency Advance	Key Bank	1,116.33
Employee Benefit Fund	Bank of America, N.A.	35,684.94
Inmate Funds	Key Bank	354,654.20
Inmate Savings	Key Bank	198,754.75
Misc. Revenue	Key Bank	1,367.00
Occupational Therapy	Key Bank	39,692.29

10490 - MARCY CORRECTIONAL FACILITY

Agency Advance Account	Key Bank	3,907.89
Employee Benefit Fund Account	Bank of America, N.A.	16,004.53
Inmate Fund Account	Key Bank	129,870.87
Misc receipts Acct	Key Bank	78.75
NYS DOCS Marcy CORR Facility	Key Bank	206,817.35
Occupational Therapy fund Acct	Key Bank	40,230.10

10501 - CENTRAL PHARMACY

NYS Docs Central Pharmacy Advance Acct	Bank of America, N.A.	1,000.00
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10510 - MORIAH SHOCK INCARCERATION CORRECTIONAL FACILITY

Moriah Shock Incarceration Advance Acct	Glens Falls National	1,800.00
Moriah Shock Incarceration Employee Benefit Fund	Glens Falls National	3,319.36
Moriah Shock Incarceration Occ Therapy	Glens Falls National	2,816.85
Moriah Shock Misc Receipts	Glens Falls National	0.00
NYS Moriah Shock Incarceration Inmate Checking	Glens Falls National	30,996.06

10530 - FRANKLIN CORRECTIONAL FACILITY

Advance Account	Key Bank	3,831.57
Employee Benefit Account	Key Bank	12,533.49
Inmate Funds	Key Bank	145,154.56
Inmate Occupational Therapy	Key Bank	16,985.16
Inmate Savings	Key Bank	217,721.94
Misc. Receipts	Key Bank	1,516.32

10540 - ALTONA CORRECTIONAL FACILITY

Cons Adv Travel Petty Cash	NBT Bank	3,622.75
Employees Vending Benefit	NBT Bank	7,873.06
Inmates Funds	NBT Bank	94,923.98
Misc Revenues General Fund	NBT Bank	333.39
Occupational Therapy	NBT Bank	3,963.99

10550 - CAYUGA CORRECTIONAL FACILITY

Agency Advance	First National Bank of Groton	1,290.50
Cert Of Deposit	First National Bank of Groton	87,452.06
Employee Benefit Fund	First National Bank of Groton	5,404.08
Inmate Occupational Therapy Account	First National Bank of Groton	31,048.26
Inmate Spendable	First National Bank of Groton	206,476.02
Misc Receipts	First National Bank of Groton	442.09

10560 - BARE HILL CORRECTIONAL FACILITY

Agency Advance	Key Bank	1,882.00
Employee Benefit Fund	Key Bank	9,064.14
Inmate Spendable Funds	Key Bank	78,545.60
Key Public Money Market Checking	Key Bank	259,012.11
Miscellaneous Receipts	Key Bank	1,310.90
Occupational Therapy	Key Bank	16,102.56

10570 - RIVERVIEW CORRECTIONAL FACILITY

Agency Advance Account	Key Bank	1,471.48
Inmate Accounts	Key Bank	37,896.90
Inmate Savings Account	Key Bank	105,646.56
Miscellaneous Receipts Account	Key Bank	11,531.74
Miscellaneous Receipts Account	Key Bank	0.00
Occupational Therapy	Key Bank	15,128.25

10580 - CAPE VINCENT CORRECTIONAL FACILITY

Advance Account	Community Bank	1,900.00
Employee Benefit Fund	Community Bank	44,091.35
Inmate Occupation Therapy Acct	Community Bank	34,443.09
Inmate Savings	Community Bank	121,744.61
Inmate Spendable Account	Community Bank	77,243.22
Miscellaneous Receipts Account	Community Bank	2,352.26

10600 - LAKEVIEW SHOCK INCARCERATION CORRECTIONAL FACILITY

Agency Advance	Community Bank	3,700.00
Employee Benefit Fund	Community Bank	15,246.21
Inmate Funds	Community Bank	53,377.08
Inmate Funds - Sav	Community Bank	84,663.52
Miscellaneous Revenue	Community Bank	2,134.26
Occupational Therapy	Community Bank	229.60

10610 - ULSTER CORRECTIONAL FACILITY

Agency Advance	Bank of America, N.A.	0.00
Agency Advance	M&T Bank	1,461.86
Employee Benefit Fund	Bank of America, N.A.	0.00

Employee Benefit Fund	M&T Bank	6,560.53
Inmate Fund	Bank of America, N.A.	0.00
Inmate Fund	M&T Bank	148,780.81
Inmate Funds Savings	Bank of America, N.A.	0.00
Inmate Funds Savings	M&T Bank	12,306.19
Misc Receipts	M&T Bank	574.19
Misc. Receipts	Bank of America, N.A.	0.00
Occupational Therapy	Bank of America, N.A.	0.00
Occupational Therapy	M&T Bank	3,265.33
10630 - SOUTHPORT CORRECTIONAL FACILITY		
Advance Account	Chemung Canal Trust	297.11
Employee Benefit Fund	Chemung Canal Trust	12,017.52
Inmate Funds	Chemung Canal Trust	121,769.63
Inmate Funds Account	Chemung Canal Trust	36,224.51
Misc. Receipts Account	Chemung Canal Trust	197.05
Occupational Therapy Account	Chemung Canal Trust	27,147.13
10640 - ORLEANS CORRECTIONAL FACILITY		
Agency Advance	Bank of America, N.A.	2,211.50
Employee Benefit Fund	Bank of America, N.A.	10,365.31
Inmate Funds	Bank of America, N.A.	66,865.34
Inmate Savings	Bank of America, N.A.	108,252.99
Miscellaneous Receipts	Bank of America, N.A.	13,230.51
Occupational Therapy	Bank of America, N.A.	15,464.33
10650 - WASHINGTON CORRECTIONAL FACILITY		
Advance Account	Key Bank	2,420.47
EBF Account	Key Bank	8,457.98
General Account	Key Bank	0.00
Inmate Account	Key Bank	106,667.21
Inmate Funds Account Certificate Of Deposit	Glens Falls National	79,109.64
Inmate Savings Account	Key Bank	14,369.50
Occupational Therapy Account	Key Bank	14,661.19
10660 - WYOMING CORRECTIONAL FACILITY		
Agency Advance	Five Star Bank	6,277.80
Employee Benefit Fund	Five Star Bank	12,598.13
Inmate Occupational Therapy	Five Star Bank	33,712.62
Inmate Savings - Certificate of Deposit	Five Star Bank	25,000.00
Inmate Savings - Certificate of Deposit	Five Star Bank	25,000.00
Inmate Savings - Certificate of Deposit	Five Star Bank	25,000.00
Inmate Savings Account	Five Star Bank	52,023.49
Inmate Spendable	Five Star Bank	175,592.92
Misc. Receipts Account	Five Star Bank	7,679.09
10670 - GREENE CORRECTIONAL FACILITY		
Consolidated Advance	National Bank of Cocksackie	1,850.15
Employee Benefit Fund	National Bank of Cocksackie	21,250.89
Inmate Accounts	National Bank of Cocksackie	97,355.37
Inmate Savings	National Bank of Cocksackie	248,805.75
Misc. Receipts	National Bank of Cocksackie	0.00
Occupational Therapy	National Bank of Cocksackie	58,789.88
10680 - SHAWANGUNK CORRECTIONAL FACILITY		
Consolidated Advance Account	Key Bank	1,300.00
Inmate Funds	Key Bank	150,386.52
Inmate Funds Account	Key Bank	71,036.20
Misc. Receipts Account	Key Bank	4,910.95
Occupational Therapy Acct	Key Bank	30,847.20
10690 - SULLIVAN CORRECTIONAL FACILITY		
Consolidated Advance	Key Bank	1,384.00
Inmate Checking	Key Bank	134,271.30
Inmate Savings	Key Bank	100,501.85
Miscellaneous	Key Bank	9,481.04
Occupational Therapy	Key Bank	32,432.36
10810 - GOUVERNEUR CORRECTIONAL FACILITY		
Agency Advance	Community Bank	1,322.93
Inmate Occupational Therapy	Community Bank	19,550.93
Inmate Savings	Community Bank	175,002.33
Inmate Spendable Fund	Community Bank	131,523.35
Misc Receipts	Community Bank	15,572.83
10820 - WILLARD DRUG TREATMENT CENTER		
Consolidated Advance	Community Bank	996.94
Employee Benefit Fund	Community Bank	14,709.67
Inmate Funds	Community Bank	62,920.91
Inmate Occupational Therapy	Community Bank	11,089.87
Misc Receipts	Community Bank	180.00
10840 - UPSTATE CORRECTIONAL FACILITY-AUDIT 1		
Advance Account	Key Bank	1,885.93

Facility Committees	Key Bank	19,562.30
Inmate Fund	Key Bank	150,754.21
Inmate Occupational Therapy Fund	Key Bank	6,337.46
Miscellaneous Account	Key Bank	196.00
10850 - HALE CREEK ASACTC		
Consolidated Advance	Key Bank	675.00
Employee Benefit Fund	Bank of America, N.A.	8,439.25
Inmate Funds	Key Bank	116,529.26
Inmate Interest Bearing Account	Key Bank	15,000.25
Misc Receipts	Key Bank	168.00
Occupational Therapy	Key Bank	29,087.09
10890 - CORRECTIONS AND COMMUNITY SUPERVISION		
Asset Forfeiture Special Rev Acct	Bank of America, N.A.	307,462.76
Parole Supervision Fee	Wells Fargo Bank	16,058.36
10916 - CENTRAL OFFICE - INDUSTRIES		
Div of Ind Petty Cash Acct	Key Bank	5,733.00
Div of Ind Revenue Acct	Key Bank	41,557.96
11000 - EDUCATION DEPARTMENT		
Consolidated Advance Account	Key Bank	No report received
Consolidated Advance Account (Control Disbursement)	Key Bank	No report received
Revenue Account	Key Bank	No report received
11100 - NYS HIGHER EDUCATION SERVICES CORPORATION		
NYS HESC-Federal Student Loan Suspense	Key Bank	24,629.65
Operating	Key Bank	1,843,525.70
Retail Lockbox	US Bank	177,706.20
TAP	Key Bank	15,259.69
Wholesale Lockbox	US Bank	1,511,141.69
11260 - BATAVIA SCHOOL FOR THE BLIND		
Misc. Receipts	M&T Bank	716.29
Petty Cash	M&T Bank	3,655.66
Student Spending Account	Bank of America, N.A.	8,488.23
11270 - ROME SCHOOL FOR THE DEAF		
Miscellaneous Receipts	NBT Bank	4,978.71
Petty Cash	NBT Bank	2,000.00
Student Activity Fund	NBT Bank	14,577.39
11280 - ARCHIVES PARTNERSHIP TRUST		
Endowment	Janney Montgomery Scott LLC	5,257,601.31
Endowment - Special Account	Janney Montgomery Scott LLC	No report received
Trust's Board Project Account	Key Bank	237,585.38
12000 - DEPARTMENT OF HEALTH CENTRAL ADMINISTRATION		
CSA Rebate Account	Bank of America, N.A.	0.00
DOH EPIC Lockbox Acct	Wells Fargo Bank	6,104.57
DOH Main Cash Advance	Key Bank	17,969.28
Early Intervention - Municipal Deposits for Provider Pymts	Key Bank	0.00
Early Intervention - Provider Payments Escrow	Key Bank	890,939.92
Early Intervention - State Funds	Key Bank	182,823.19
EPIC Co Pay Account	Bank of America, N.A.	0.00
Epic Drug Manufacturer Rebate Account	Bank of America, N.A.	1,725.53
EPIC EFT Acct	Bank of America, N.A.	0.00
EPIC Master Funding Acct	Bank of America, N.A.	298,400.51
EPIC Provider Receipt Account	Bank of America, N.A.	0.00
EPIC Refund Acct	Bank of America, N.A.	0.00
eWIC	Wells Fargo Bank	31,651.77
General Account	M&T Bank	432,474.20
ICR Audit Fees Account	Bank of America, N.A.	10,060.08
Indian Health Disbursement Account	Bank of America, N.A.	0.00
Indian Health-Master Acct	Bank of America, N.A.	16,339.77
Medicaid	Key Bank	5,437,422.41
Medicaid Audit Recoveries Acct	Key Bank	0.00
Medicaid Insurance Recoveries Acct	Bank of America, N.A.	1,968,468.78
Nurses Aide Fees (Prometric)	Bank of America, N.A.	56,766.00
Nursing Home Fees Account	Bank of America, N.A.	50,096.32
NYS DOH CLEP Revenue	Key Bank	7,366.59
OBRA Drug Rebate Program Acct	Bank of America, N.A.	332,253.30
SPARCS	Key Bank	43,686.26
12010 - ROSWELL PARK MEMORIAL INSTITUTE		
Office Of Patient Accounts	M&T Bank	664,879.48
12030 - HELEN HAYES HOSPITAL		
Misc. Receipts	JPMorgan Chase Bank, N.A.	273,040.54
Petty Cash Account	JPMorgan Chase Bank, N.A.	12,610.69
Rental Deposit Acct	JPMorgan Chase Bank, N.A.	5,976.67
12120 - NYS VETERANS HOME-OXFORD		
Agency Advance	NBT Bank	No report received
Exchange Account	NBT Bank	No report received

Maintenance Fund	NBT Bank	No report received
NYS Veterans Home-Oxford (Resident Account, Custodial Account)	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
Resident Custodial Account	NBT Bank	No report received
12150 - NYS VETERANS HOME-ST ALBANS		
NYC Veteran Home Agency Advance	JPMorgan Chase Bank, N.A.	35,717.38
St Albans NYC Vet Home Resid Funds	JPMorgan Chase Bank, N.A.	715,509.10
St Albans Vet Home Maintenance Acct	NBT Bank	218,592.75
12180 - WESTERN NEW YORK VETERANS HOME		
Advance Account	Bank of America, N.A.	5,675.00
Exchange Account	Bank of America, N.A.	7,205.02
Maintenance Account	NBT Bank	130,948.06
Resident Funds	Bank of America, N.A.	53,323.41
12190 - VETERANS HOME AT MONTROSE		
Agency Advance Account	Bank of America, N.A.	20,497.94
Maintenance Acct	NBT Bank	186,112.22
Residence Account	Bank of America, N.A.	520,586.90
12200 - OFFICE OF MEDICAID INSPECTOR GENERAL		
Albany Confidential Account	Key Bank	229.59
Albany Petty Cash Account	Key Bank	442.00
NYC Confidential Account	JPMorgan Chase Bank, N.A.	166.00
14000 - DEPARTMENT OF LABOR		
Agency Advance Account	Key Bank	27,560.00
Exchange Account	Bank of America, N.A.	9,371.33
Fee And Permit Account	Key Bank	654,623.10
Min Wage & Claim Funding Acct	Key Bank	149,931.03
Minimum Wage & Wage Claim Acct	Key Bank	788,528.68
Misc Receipts	Bank of America, N.A.	191,748.26
U.I. Fund Clearing Account	JPMorgan Chase Bank, N.A.	5,640,616.42
UI Fund ACH Transactions	Wells Fargo Bank	1,000,000.00
14010 - WORKERS COMPENSATION BOARD		
DTF/WCB MAC 14	JPMorgan Chase Bank, N.A.	277,495,304.57
16000 - PUBLIC SERVICE COMMISSION		
Cable Account	Key Bank	10,659.56
Petty Cash Account	Key Bank	4,005.00
Special Fee Account	Key Bank	37,995.11
17000 - NYS DEPARTMENT OF TRANSPORTATION		
Contractors Bid And Guarantee	Key Bank	No report received
Driver Improvement Program (DIP)	Key Bank	No report received
Main Office Advance For Travel	Key Bank	No report received
PARTNERS DOT -HOOCs	Key Bank	No report received
Revenue Unit	Key Bank	No report received
Republic Airport, Long Island		
Republic Airport Revenue Acct	JPMorgan Chase Bank, N.A.	No report received
19000 - DEPARTMENT OF STATE		
Athletic	M&T Bank	6,950.00
Licensing Revenue Account	JPMorgan Chase Bank, N.A.	557,200.21
Main	M&T Bank	89,687.63
Petty Cash Account	Key Bank	18,501.52
Summons	M&T Bank	231,534.00
19001 - TUG HILL COMMISSION		
Agency Advance Account	Key Bank	No report received
19002 - LAKE GEORGE PARK COMMISSION		
Petty Cash Account	Glens Falls National	No report received
Revenue Transfer Account	Glens Falls National	No report received
19005 - COMMISSION ON PUBLIC INTEGRITY		
JCOPE Petty Cash Account	Bank of America, N.A.	No report received
JCOPE Revenue Account	Bank of America, N.A.	No report received
20000 - DEPARTMENT OF TAXATION & FINANCE		
IFTA Funding	JPMorgan Chase Bank, N.A.	49,410.44
Misc Tax Account - Exchange	Bank of America, N.A.	24,618.58
Off Track Betting Tax (MAC 848)	Key Bank	2,466,396.45
Pari Mutuel Betting Tax (MAC 847)	Key Bank	321.94
Petty Cash	Bank of America, N.A.	14,850.00
Tax Preparer Registration Fee (EFT)	Wells Fargo Bank	67,600.00

Waste Tire Fee (EFT)	Wells Fargo Bank	25,498.48
Waste Tire Tax	JPMorgan Chase Bank, N.A.	47,645.00
20050 - NEW YORK STATE GAMING COMMISSION		
Charitable Gaming Account	Key Bank	197,323.10
Commercial Gaming Revenue Account	Key Bank	0.00
Custody Account	US Bank	12,688.33
Fingerprint Concentration Account	Key Bank	15,845.86
License Revenue Account	Bank of America, N.A.	37,047.06
Lottery Concentration Account	Key Bank	52,457.08
Lottery Prize Payment Account	Key Bank	0.00
Lottery Subscriptions Account	Key Bank	797,081.90
Petty Cash Account	Key Bank	921.17
Racing Refund Account	Key Bank	562,787.00
Video Gaming Revenue Account	Key Bank	8,196,600.94
21012 - WELFARE INSPECTOR GENERAL		
Confidential Fund	Bank of America, N.A.	15,000.00
Confidential Fund	JPMorgan Chase Bank, N.A.	No report received
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
21110 - OFFICE OF REGULATORY REFORM		
Petty Cash	Key Bank	No report received
21190 - NYS ENERGY RESEARCH & DEVELOPMENT AUTHORITY		
NYSERDA Greenbank MAC 26	JPMorgan Chase Bank, N.A.	No report received
NYSERDA Main Checking MAC 30	JPMorgan Chase Bank, N.A.	(13,524,144.39)
21290 - HUDSON RIVER-BLACK RIVER REGULATING DISTRICT		
Checking- General Fund Acct.	Community Bank	33,207.24
Checking- Petty Cash Fund	Community Bank	5,000.00
Hudson River General Acct.	Bank of America, N.A.	514,587.30
Money Market	Bank of America, N.A.	0.38
Petty Cash Fund	Bank of America, N.A.	6,500.00
21700 - OFFICE OF THE STATE INSPECTOR GENERAL		
Office Of The State Inspector General Pass Thru Account	Key Bank	0.00
OSIG Petty Cash Account	Key Bank	1,474.13
Albany		
Office of the Inspector General Confidential	Bank of America, N.A.	27,700.00
21820 - STATE COMMISSION ON JUDICIAL CONDUCT		
Petty Cash Account	JPMorgan Chase Bank, N.A.	608.85
Petty Cash Account	Key Bank	902.00
Petty Cash Fund	JPMorgan Chase Bank, N.A.	1,604.60
21940 - NYS FINANCIAL CONTROL BOARD		
Agency Advance Acct	JPMorgan Chase Bank, N.A.	No report received
23000 - DEPARTMENT OF MOTOR VEHICLES		
Albany Central Main Acct		
Albany Central Main Acct	Wells Fargo Bank	No report received
Albany Central Main Exchange		
Exchange	Wells Fargo Bank	No report received
Albany Central Office		
Title Escrow Exchange (Albany Central Office)	Wells Fargo Bank	No report received
Albany TVB Sub (Albany Central Office)		
Adjudication Account	Wells Fargo Bank	No report received
Administrative Adj	M&T Bank	No report received
Albany-Region 3		
Confidential Inv Subpoena - Albany	Key Bank	No report received
Allegany-Belmont		
County Clerk Fee Allegany	Steuben Trust Co.	No report received
Andronack Mountains		
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Buffalo-Region 5		
MV- Buffalo Investigator & Subpoena	M&T Bank	No report received
Capital Saratoga Revenue		
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Catskill Mountains		
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Central Leatherstocking		
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Chautauqua-Steuben		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Chautauqua County		
Holding Acct-Chautauqua County	Community Bank	No report received
Holding Acct-Chautauqua County	Key Bank	No report received
Holding Acct-Chautauqua County	M&T Bank	No report received
Concentration (CTY)(OSC)		
Concentration (CTY)(OSC)	Key Bank	No report received
Concentration (DO)(OSC)		
Concentration (DO)(OSC)	Key Bank	No report received

Confidential Fund (Albany Central Office)		
Confidential Fund	Bank of America, N.A.	No report received
CTY Credit Card (Albany Central Office)		
County Office Credit Card Account	JPMorgan Chase Bank, N.A.	No report received
Customer Service Counter (Albany)		
NYS DMV CSC	Wells Fargo Bank	No report received
D.O. Credit Card (Albany Central Office)		
District Office Credit Card Account	JPMorgan Chase Bank, N.A.	No report received
DMV Division Of Field Investigations - Albany Central Office		
Field Investigation	M&T Bank	No report received
Downstate		
Revenue Account - Downstate	Wells Fargo Bank	No report received
Eric County Revenue		
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Finger Lakes First		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Finger Lakes Second		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Genesee County		
Genesee County Clerk - DMV	Bank of Castile	No report received
Greene County		
Fee Account - Greene	Greene County Commercial Bank	No report received
Hudson Valley		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
IRP (Albany Central Office)		
International Registration	M&T Bank	No report received
International Registration	Wells Fargo Bank	No report received
IRP Exchange (Albany Central Office)		
Irp Internet Office - Dept. MV	M&T Bank	No report received
Kiosk		
Kiosk Account	JPMorgan Chase Bank, N.A.	No report received
Long Island/Staten Island DO		
Long Island/Staten Island DO	Wells Fargo Bank	No report received
Long Island/Staten Island JP		
Long Island/Staten Island (Mass/Med)	JPMorgan Chase Bank, N.A.	No report received
Nassau Region 1		
Div. of Vehicle Safety	Citibank	No report received
Niagara Frontier		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Oneida County		
DMV Oneida County Fee Account	Bank of Utica	No report received
Oneida County Fee Account	NBT Bank	No report received
Petty Cash (Albany Central Office)		
Petty Cash	Bank of America, N.A.	No report received
Queens-Region 6		
Confidential - Queens	JPMorgan Chase Bank, N.A.	No report received
Rockland/Westchester DO		
Rockland/Westchester DO	Wells Fargo Bank	No report received
Search Exchange (Albany Central Office)		
MV Search	Key Bank	No report received
Search Exchange (Albany Central Office)		
MV Search	Wells Fargo Bank	No report received
Syracuse-Region 4		
Confidential - Syracuse	Key Bank	No report received
Thousand Island Seaway		
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
TLC/DOCCS		
TLC/DOCCS	JPMorgan Chase Bank, N.A.	No report received
Travel Advance (Albany Central Office)		
Travel Advance	Bank of America, N.A.	No report received
TVB Acct		
TVB Acct	Wells Fargo Bank	No report received
TVB Credit Card (Albany Central Office)		
TVB Credit Card Receipts	JPMorgan Chase Bank, N.A.	No report received
Upstate DO		
Upstate District Offices (ALB, SYD, SYS, UTD)	Wells Fargo Bank	No report received
Utica D.O.		
Exchange Account	Bank of Utica	No report received
Revenue Utica	Bank of Utica	No report received
Yonkers-Region 2		
Safety Sup Automotive FAC INSP	JPMorgan Chase Bank, N.A.	No report received
25000 - OFFICE OF CHILDREN & FAMILY SERVICES		
Brentwood Resid Center Cash Advance	JPMorgan Chase Bank, N.A.	950.00
Brentwood Residents' Account	JPMorgan Chase Bank, N.A.	162.37

Brookwood Cash Advance	Key Bank	1,702.58
Brookwood Resid Residential Cash	Key Bank	16,204.85
Check Exchange	Bank of America, N.A.	64.95
CO Independent Living Acct	Bank of America, N.A.	711.00
Co. Training Employment Dev (Youth Stipend)	Bank of America, N.A.	25,000.00
Columbia Girls Secure Center-Advance Acct	Key Bank	873.36
Columbia Girls Secure Center-Youth Savings	Key Bank	246.29
Finger Lakes Res Ctr Residents Cash	Tompkins County Trust	3,788.73
Fingerlakes Res Ctr Cash Advance	Tompkins County Trust	3,300.00
Goshen Cash Advance	Bank of America, N.A.	2,600.00
Goshen Residents Account	Bank of America, N.A.	24,114.62
Harriet Tubman Advance Account	Key Bank	500.00
Harriet Tubman Residents' Account	Key Bank	392.46
Highland Res Ctr Petty Cash Account	Bank of America, N.A.	2,747.40
Highland Res Ctr Residents Acct	Bank of America, N.A.	1,649.69
Home Office Care & Maintenance Account	Bank of America, N.A.	0.00
Industry Advance Account	JPMorgan Chase Bank, N.A.	2,099.89
Industry Res Account	JPMorgan Chase Bank, N.A.	5,822.70
Industry School Dug-Out	JPMorgan Chase Bank, N.A.	0.00
MacCormick Cash Advance	Tompkins County Trust	2,321.00
MacCormick Residents' Account	Tompkins County Trust	11,967.02
Medicaid Reimbursement Exchange	Bank of America, N.A.	40,190.15
NYS OCFS Advance Acct (Travel & Misc P.C.)	Bank of America, N.A.	15,464.00
NYS OCFS Salary Advance Account	Bank of America, N.A.	16,743.83
Queens-Long Island Aftercare	JPMorgan Chase Bank, N.A.	500.00
Red Hook Res Ctr Resident Cash	Key Bank	265.35
Red Hook Resid Ctr Cash Advance	Key Bank	300.00
SCR Credit Card Revenue Account	Bank of America, N.A.	40,375.00
State Central Register	Bank of America, N.A.	37,442.60
Taberg Cash Advance	NBT Bank	758.85
Taberg Residents Account	NBT Bank	917.08
Youth Leadership Academy	NBT Bank	0.00
Youth Leadership Cash Advance	NBT Bank	750.00
27000 - OFFICE OF TEMPORARY & DISABILITY ASSISTANCE		
Exchange Account	Key Bank	20.70
Title IV D Of Social Security	Key Bank	2,175,434.06
Travel Advance	Key Bank	10,001.14
28010 - SUNY ALBANY		
Fee Account	Key Bank	269,210.94
Loan Services Center Account	Key Bank	61,564.46
Petty Cash/Travel Advance	Key Bank	0.00
28020 - SUNY BINGHAMTON		
SUNY Binghamton	M&T Bank	189,142.83
SUNY Binghamton - Controlled Disb	M&T Bank	No report received
28030 - SUNY BUFFALO		
Controlled Disbursement Account	Bank of America, N.A.	No report received
General Revenue Account	Bank of America, N.A.	No report received
General Revenue Account	Key Bank	699,556.01
Imprest Account	Key Bank	No report received
28050 - SUNY STONY BROOK		
Central Funding	JPMorgan Chase Bank, N.A.	2,800,012.34
Controlled Disbursement	JPMorgan Chase Bank, N.A.	0.00
Fees Depository	JPMorgan Chase Bank, N.A.	539,424.91
LISVH Fees Depository	JPMorgan Chase Bank, N.A.	111,121.16
LISVH Fees Depository	Sterling Bank	454,020.87
LISVH Residence Fund	Sterling Bank	422,261.04
Payroll Advance	JPMorgan Chase Bank, N.A.	8,165.54
SBU Student Refunds Cont Disb Acct	JPMorgan Chase Bank, N.A.	0.00
Student ACH Refunds Account	JPMorgan Chase Bank, N.A.	213,443.19
SUNY Eastern Long Island Hospital Depository	JPMorgan Chase Bank, N.A.	429,608.27
SUNY Southampton Depository	JPMorgan Chase Bank, N.A.	1,024,545.98
University Hosp Fees Depository	JPMorgan Chase Bank, N.A.	15,241,916.57
University Hospital Petty Cash	JPMorgan Chase Bank, N.A.	1,909.35
28100 - SUNY HEALTH SCIENCE CENTER AT BROOKLYN		
Center Revenue	JPMorgan Chase Bank, N.A.	90,130.68
EFT Federal Deposits Acct	JPMorgan Chase Bank, N.A.	0.00
Hospital Controlled Disbursement	JPMorgan Chase Bank, N.A.	0.00
Hospital Revenue	JPMorgan Chase Bank, N.A.	1,334,853.89
LICH Controlled Disbursement	JPMorgan Chase Bank, N.A.	0.00
LICH Depository	JPMorgan Chase Bank, N.A.	123,466.79
Petty Cash	JPMorgan Chase Bank, N.A.	0.00
Student Refunds	JPMorgan Chase Bank, N.A.	0.00
28110 - SUNY HEALTH SCIENCE CENTER AT SYRACUSE		
College Revenue	Key Bank	96,961.21

Controlled Disbursement	Key Bank	0.00
Hospital Revenue	Key Bank	1,488,195.81
Parking	Key Bank	362,733.19
28150 - SUNY BROCKPORT		
Brockport-REOC Account	Key Bank	976.17
Concentration Acct	M&T Bank	148,362.45
Controlled Disb	M&T Bank	No report received
28160 - SUNY BUFFALO STATE COLLEGE		
Controlled Disb	M&T Bank	0.00
Dept Public Safety	M&T Bank	0.00
Special Grant Account	M&T Bank	3,073.14
Students Acct Office	M&T Bank	73,693.87
28170 - SUNY CORTLAND		
General Checking Account	Key Bank	149,538.73
28180 - SUNY FREDONIA		
Controlled Disb	M&T Bank	No report received
Depository Account	M&T Bank	No report received
28190 - SUNY GENESEO		
Controlled Disbursement Account	Key Bank	No report received
State Fees	Key Bank	87,787.44
28200 - SUNY OLD WESTBURY		
Local Depository	JPMorgan Chase Bank, N.A.	39,019.52
28210 - SUNY NEW PALTZ		
Disbursement Account	Key Bank	No report received
State Revenue	Key Bank	290,703.53
28220 - SUNY ONEONTA		
Petty Cash Advance Account	NBT Bank	No report received
Revenue Account	NBT Bank	1,554,354.91
28230 - SUNY OSWEGO		
Controlled Disbursement	Key Bank	0.00
General Revenue	Key Bank	630,944.33
Imprest Account	Key Bank	0.00
28240 - SUNY PLATTSBURGH		
General Revenue	TD Bank	1,109,271.93
28250 - SUNY POTSDAM		
Control Disbursement Account	Key Bank	No report received
State Fee Reconciliation Account	Key Bank	No report received
28260 - SUNY PURCHASE		
General Income Fund	Key Bank	183,105.39
28270 - SUNY INSTITUTE OF TECHNOLOGY UTICA/ROME		
Advance Account	Bank of America, N.A.	No report received
Controlled Disbursement Account	Bank of America, N.A.	No report received
Revenue	Bank of America, N.A.	126,181.87
28280 - SUNY EMPIRE STATE COLLEGE		
Concentration Account	Key Bank	180,212.34
Distribution Center Account	Key Bank	116,436.72
Zero Balance Controlled Disbursement Account	Key Bank	No report received
28350 - SUNY COLLEGE OF TECHNOLOGY AT ALFRED		
Fees Account	Community Bank	928,400.53
28360 - SUNY COLLEGE OF TECHNOLOGY AT CANTON		
Community Cash Deposits	NBT Bank	301,868.33
Income Fund	Key Bank	122,184.40
International Program Account	Key Bank	37,521.36
28370 - SUNY AGRICULTURAL & TECHNICAL COLLEGE AT COBLESKILL		
Income Fund	Key Bank	29,193.66
28380 - SUNY COLLEGE OF TECHNOLOGY AT DELHI		
General Revenue	Delaware National Bank	92,202.73
Petty Cash Fund	Delaware National Bank	No report received
28390 - SUNY COLLEGE OF TECHNOLOGY AT FARMINGDALE		
Income Fund	Citibank	1,310,936.21
28400 - SUNY AGRICULTURAL & TECHNICAL COLLEGE AT MORRISVILLE		
Income Fund	Key Bank	2,148,018.86
Revenue Account	NBT Bank	11,007.67
28550 - SUNY COLLEGE OF ENVIRONMENTAL SCIENCE & FORESTRY		
Agency Advance	Key Bank	No report received
Controlled Disb	Key Bank	No report received
ESF/GSA	Key Bank	No report received
Forestry	Community Bank	230.78
Regular Account	Key Bank	219,790.12
Student Government	Key Bank	No report received
28570 - SUNY MARITIME COLLEGE		
Controlled Disbursement Account	JPMorgan Chase Bank, N.A.	0.00
Cruise Account	JPMorgan Chase Bank, N.A.	0.00
Revenue Deposit Account	JPMorgan Chase Bank, N.A.	38,159.49

Revenue EFT Account	JPMorgan Chase Bank, N.A.	42,364.01
28580 - SUNY COLLEGE OF OPTOMETRY		
General Revenue	JPMorgan Chase Bank, N.A.	248,485.78
Medical Transportation	JPMorgan Chase Bank, N.A.	480.38
28650 - SUNY CENTRAL SYSTEM ADMINISTRATION		
ASC	Key Bank	10,000.00
NYS Iso	Key Bank	4,434,698.36
Revenue	Key Bank	195,667.65
37000 - DEPARTMENT OF FINANCIAL SERVICES		
Confidential Investigations	JPMorgan Chase Bank, N.A.	11,202.85
Confidential Investigations	JPMorgan Chase Bank, N.A.	9,020.62
Fire Tax Account (Main)	Key Bank	40,500.25
Fire Tax Payment	Key Bank	0.00
General Assessment Account	JPMorgan Chase Bank, N.A.	124,519.28
General Fund	Key Bank	45,914.64
Market Stabilization Pool Account	JPMorgan Chase Bank, N.A.	6,053,285.68
Miscellaneous Account	JPMorgan Chase Bank, N.A.	194,863.60
Paid Family Leave	JPMorgan Chase Bank, N.A.	0.00
Petty Cash	Key Bank	6,000.00
Workers Comp Insurance Sec Fund Pymnt	JPMorgan Chase Bank, N.A.	100,003.72
49010 - SARATOGA-CAPITAL DISTRICT STATE PARK COMMISSION		
Revenue (SA)	Glens Falls National	47,026.41
SARATOGA REGION CONTRACTORS BID ACCOUNT	Key Bank	88,231.68
49020 - LONG ISLAND STATE PARK COMMISSION		
Contractors Bid (LI)	JPMorgan Chase Bank, N.A.	76,176.93
Regional Account (LI)	Bank of America, N.A.	1.00
Regional Account 2 (LI)	JPMorgan Chase Bank, N.A.	271,907.08
Revenue (LI)	People's United Bank	54,986.60
49030 - GENESEE STATE PARK COMMISSION		
Contractors Bid (GE)	Bank of Castile	50,306.55
Revenue (GE)	Bank of Castile	278,722.31
49040 - NIAGARA FRONTIER STATE PARK COMMISSION		
Contractors Bid (NIA)	Key Bank	1,484.63
Revenue (NIA)	Evans National Bank	35,082.47
49050 - PALISADES INTERSTATE STATE PARK COMMISSION		
Contractors Bid (PA)	JPMorgan Chase Bank, N.A.	3,253.04
49070 - OFFICE OF PARKS & RECREATION		
Main Office - Change Fund	Key Bank	93,685.00
Main Office Account (ALB)	Key Bank	1,500.00
OPRHP Concentration Account	Key Bank	143,378.57
Petty Cash (ALB)	Key Bank	29,703.20
Revenue (NI, GE, AL, CE, TA)	M&T Bank	57,383.33
Revenue (NYC, CE, LI, PA, TA)	JPMorgan Chase Bank, N.A.	53,609.49
Revenue (SA, LI, GE, NI, CE, TA)	Bank of America, N.A.	35,482.81
Revenue (SA, NI, PA, CE, TA, TI)	Key Bank	36,009.08
Revenue (various)	Wells Fargo Bank	86,477.39
Statewide Campsite/Cabin Revenue	JPMorgan Chase Bank, N.A.	1,732.42
Statewide Credit Card Revenue, Revenue (ALB, FL, LI, PA, TI)	Key Bank	526,125.46
Statewide Housing Security Deposits	Key Bank	140,952.76
49090 - FINGER LAKES STATE PARK COMMISSION		
Contractors Bid (FL)	Tompkins County Trust	20,517.78
Revenue (FL)	Savannah Bank	34,101.31
Revenue (FL-Multi)	Community Bank	2,403.55
Revenue (FL-Multi-Facilities)	Tompkins County Trust	89,678.19
49100 - ALLEGANY STATE PARK COMMISSION		
Contractors Bid (AL)	Five Star Bank	868.00
Regional Account (AL)	Five Star Bank	134,358.03
Revenue (AL)	Five Star Bank	51,027.98
49120 - CENTRAL NEW YORK STATE PARK COMMISSION		
Contractors Bid (CE)	JPMorgan Chase Bank, N.A.	21,065.27
Revenue (CE, SA, TI)	NBT Bank	34,062.44
49130 - TACONIC STATE PARK COMMISSION		
Contractors Bid (TA)	M&T Bank	898.70
49140 - THOUSAND ISLANDS STATE PARK COMMISSION		
Revenue (TI)	Citizens Bank	35,740.35
Revenue (TI-Multi)	Community Bank	809.18
50000 - OFFICE OF MENTAL HEALTH		
Consolidated Advance	Bank of America, N.A.	19,500.00
Iterim Assistance Agreement	Bank of America, N.A.	No report received
OMH Medication Grant Program Acct	Bank of America, N.A.	7,366.21
Reimbursement Account	Bank of America, N.A.	No report received
50010 - GREATER BINGHAMTON HEALTH CENTER		
Agency Advance Account	JPMorgan Chase Bank, N.A.	9,787.88
Facility Holding Account	JPMorgan Chase Bank, N.A.	11,470.84

Patient Cash Funds	JPMorgan Chase Bank, N.A.	450,930.12
Patients Cash Account	JPMorgan Chase Bank, N.A.	369,565.14
Security Deposit	JPMorgan Chase Bank, N.A.	4,089.40
50020 - KINGSBORO PSYCHIATRIC CENTER		
Advance Account	Banco Popular	2,883.36
Family Care	Banco Popular	14,290.87
Holding Account	Banco Popular	218,581.40
Medicaid Outpatient Travel	Banco Popular	629.61
Patient Cash Acct (MM)	Banco Popular	362,098.37
Patient Checking Account	Citibank	50,660.95
Patient Savings Account	Banco Popular	334,945.25
Security Deposit	Banco Popular	2,489.26
Urban Oasis/EBT	Banco Popular	55,778.32
50030 - BUFFALO PSYCHIATRIC CENTER		
Advance Account	Key Bank	24,932.68
Facility Holding	Key Bank	6,925.42
Patient Cash Checking	Key Bank	303,338.05
50080 - MANHATTAN PSYCHIATRIC CENTER		
Advance Account	Sterling Bank	2,902.96
CD	Hudson Valley National Bank	425,038.94
General Fund Checking	Hudson Valley National Bank	3,347.17
Patient Cash Checking	Hudson Valley National Bank	979,099.54
Patients Money Market	Hudson Valley National Bank	72,889.80
Social Service Tokens	Hudson Valley National Bank	33,966.19
50110 - ROCHESTER PSYCHIATRIC CENTER		
Agency Advance	Key Bank	33,407.89
Facility Holding	Key Bank	28,748.33
Patients Cash Account	Key Bank	236,498.51
Patients Fund Savings	Key Bank	155,461.71
50120 - ST LAWRENCE PSYCHIATRIC CENTER		
Facility Advance Account	Community Bank	15,485.57
Facility Holding Account	Community Bank	95,251.46
Patients Cash Account	Community Bank	28,572.97
Patients Cash Savings	Community Bank	256,015.24
50150 - CREEDMOOR PSYCHIATRIC CENTER		
Advance Account	HSBC	45,925.66
Certificate Of Deposit	HSBC	150,000.00
Certificate Of Deposit	HSBC	250,000.00
Holding Account	HSBC	19,173.78
Medicaid Travel Account	HSBC	0.00
Money Management Account	HSBC	658,305.69
Patient Cash Account	HSBC	69,681.82
Rent Holding Account	HSBC	1,261.00
50170 - ROCKLAND PSYCHIATRIC CENTER		
Exchange	JPMorgan Chase Bank, N.A.	121,111.09
Holding Account	JPMorgan Chase Bank, N.A.	271,809.38
Investment CD A	Sterling Bank	100,000.00
INVESTMENT CD B	Sterling Bank	100,000.00
Investment CD C	Sterling Bank	100,000.00
Investment CD D	Sterling Bank	100,000.00
Investment CD G	Sterling Bank	100,000.00
Investment CD I	Sterling Bank	100,000.00
Patient Cash Account	JPMorgan Chase Bank, N.A.	93,495.46
Patient Cash Checking Account	JPMorgan Chase Bank, N.A.	907,629.35
Patient Cash Savings Account	JPMorgan Chase Bank, N.A.	481,606.49
50180 - NYS PSYCHIATRIC INSTITUTE		
Donation & Gift Acct/Patient Fund Acct	JPMorgan Chase Bank, N.A.	4,559.21
General	JPMorgan Chase Bank, N.A.	43,010.44
Petty Cash	JPMorgan Chase Bank, N.A.	1,003.84
50190 - RICHARD H HUTCHINGS PSYCHIATRIC CENTER		
Advance Account	Key Bank	13,499.98
Clients Count	Key Bank	152,700.45
Holding Account	Key Bank	17,152.42
50200 - PILGRIM PSYCHIATRIC CENTER		
Facility Advance Account	JPMorgan Chase Bank, N.A.	43,257.99
Facility Holding Acct	JPMorgan Chase Bank, N.A.	176,435.29
Patient Cash	JPMorgan Chase Bank, N.A.	1,114,911.40
50210 - MOHAWK VALLEY PSYCHIATRIC CENTER		
Advance Fund	Key Bank	12,278.00
Facility Holding	Key Bank	1,099.42
Patient Cash Checking	Key Bank	40,513.03
Patient Cash Savings	Key Bank	28,930.81
Security Deposit	Key Bank	7,523.09
50310 - BRONX PSYCHIATRIC CENTER		

CD	JPMorgan Chase Bank, N.A.	250,000.00
Consolidated Advance	JPMorgan Chase Bank, N.A.	18,568.92
Misc. Receipts	JPMorgan Chase Bank, N.A.	27,251.38
Patients Cash MM	JPMorgan Chase Bank, N.A.	88,211.79
Patients Checking Acct	JPMorgan Chase Bank, N.A.	450,098.99
50340 - NATHAN KLINE INSTITUTE		
Petty Cash Account	JPMorgan Chase Bank, N.A.	1,300.00
50350 - KIRBY FORENSIC PSYCHIATRIC CENTER		
Consolidated Advance Account	Hudson Valley National Bank	7,422.70
Holding Account	Hudson Valley National Bank	30,899.20
Patient Cash Account	Hudson Valley National Bank	109,104.92
50390 - CENTRAL NY PSYCHIATRIC CENTER		
Agency Advance Account	Key Bank	7,342.80
General Fund	Key Bank	7,575.92
Patient Checking	Key Bank	29,333.64
Patient Savings	Key Bank	266,507.31
Security Deposit	Key Bank	3,820.78
50440 - MID-HUDSON FORENSIC PSYCHIATRIC CENTER		
Facility Advance Account	Key Bank	7,573.51
Facility Holding Account	Key Bank	2,484.42
Patients Account	Key Bank	190,346.31
50520 - BROOKLYN CHILDRENS PSYCHIATRIC CENTER		
Petty Cash Advance Account	Banco Popular	4,975.00
50790 - SOUTH BEACH PSYCHIATRIC CENTER		
Agency Advance Checking	JPMorgan Chase Bank, N.A.	16,826.18
Facility Holding Checking	JPMorgan Chase Bank, N.A.	12,784.89
Family Care Checking	JPMorgan Chase Bank, N.A.	0.00
Patients Cash Checking	JPMorgan Chase Bank, N.A.	564,881.67
50800 - BRONX CHILDRENS PSYCHIATRIC CENTER		
General Fund	JPMorgan Chase Bank, N.A.	10,705.06
50810 - WESTERN NY CHILDRENS PSYCHIATRIC CENTER		
Agency Advance	Key Bank	1,515.18
Exchange Account	Key Bank	0.00
Patient Cash	Key Bank	140.00
50850 - SAGAMORE CHILDRENS PSYCHIATRIC CENTER		
Sagamore Patient Personal Acct	JPMorgan Chase Bank, N.A.	52,644.23
Sagamore Petty Cash Account	JPMorgan Chase Bank, N.A.	4,545.20
50860 - ROCKLAND CHILDRENS PSYCHIATRIC CENTER		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
50870 - QUEENS CHILDRENS PSYCHIATRIC CENTER		
Queens Adv Acct	HSBC	11,245.00
Queens Childrens Account	HSBC	7,694.58
50920 - ELMIRA PSYCHIATRIC CENTER		
Certificate of Deposit	Chemung Canal Trust	100,000.00
Certificate of Deposit	Chemung Canal Trust	100,000.00
Facility Advance Account	Chemung Canal Trust	12,428.00
General Fund Account	Chemung Canal Trust	3,824.65
IMMA	Chemung Canal Trust	46,563.74
Patients Fund Account	Chemung Canal Trust	214,163.47
50980 - CAPITAL DISTRICT PSYCHIATRIC CENTER		
Facility Advance Account	Key Bank	2,827.07
Facility Holding Account	Key Bank	180,061.50
Parking Garage Account	Key Bank	160,873.22
Patients Cash Checking Account	Key Bank	308,108.23
Patients Cash Savings Account	Key Bank	397,209.39
51000 - NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES		
Petty Cash Acct	Bank of America, N.A.	No report received
Revenue Account	Bank of America, N.A.	4,109,965.00
51210 - HUDSON VALLEY DDSO		
EBT Checking	JPMorgan Chase Bank, N.A.	No report received
Exchange Account	JPMorgan Chase Bank, N.A.	No report received
General Fund	JPMorgan Chase Bank, N.A.	No report received
Investor's Choice Savings	JPMorgan Chase Bank, N.A.	No report received
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
PTS Cash Checking	JPMorgan Chase Bank, N.A.	No report received
51240 - CENTRAL NY DDSO		
Advance Accounts	Key Bank	34,256.54
Clients Account	Key Bank	225,541.83
Consumer Cash - Savings	Adirondack Bank	1,843,795.49
Consumer Cash - Savings	Key Bank	3,416,651.47
51250 - TACONIC DDSO		
Agency Advance Account	M&T Bank	6,558.14
General Fund	M&T Bank	134.50
Patients Cash Checking	M&T Bank	2,170,679.32

500 Baltown Rd Schenectady, NY		
TDDSO Representative Payee Savings Acct		
51270 - STATEN ISLAND DDSO		
Clients Cash Account		
General Fund Account		
Money Market Account		
Petty Cash Account		
51290 - CAPITAL DISTRICT DDSO		
Agency Advance Account		
Agency Advance Account		
Consumer EBT Fund / Fiduciary Account		
Consumers Fund / Fiduciary Account		
Patients Account Direct Deposit / Fiduciary Acct		
Patients Fund Operating Acct / Fiduciary Acct		
Summer Camp - Fiduciary Acct		
51330 - WESTERN NY DDSO		
Agency Advance Account		
CD-Patient Property Funds		
Exchange Account		
General Account		
Patient Property Funds		
Patient Property Funds		
51350 - LONG ISLAND DDSO		
Consolidated Advance		
EBT Checking Account		
General Fund		
Patient Cash		
51380 - BROOKLYN DDSO		
CD		
Consumers Fund		
Consumers Money Management		
Miscellaneous Receipts		
Petty Cash - Mental Hygiene Brooklyn		
Thomas Shirtz Community Service		
51420 - SUNMOUNT DDSO		
Certificate of Deposit		
Community Store Fund		
Exchange Fund		
Residents Fund		
Sunmount Advance Account		
51430 - INSTITUTE FOR BASIC RESEARCH IN DEVELOPMENTAL DISABILITIES		
Petty Cash		
51450 - METRO NY DDSO		
Consolidated Acct		
Manhattan DDSO Client Cash		
Metro NY DDSO Food Stamp Acct		
Metro NY DDSO REP PAYEE ACCOUNT		
Patients Cash Account		
Patients Money Market Account		
Petty Cash		
51470 - BERNARD M FINESON DDSO		
Money Market Account		
Patient Fund Account		
Petty Cash Fund		
51780 - FINGER LAKES DDSO		
Advance Account		
F.L. Newark Resident Checking		
Finger Lakes Resident Checking		
FL Vending Machine Account		
General Account		
Geneseo Client Cash		
Kelsey Trust Fund		
Mary Moore Trust Fund		
Monroe Resident Checking		
Monroe Resident Savings		
Patient Food Stamp Account		
51940 - BROOME DDSO		
Broome DDSO		
Broome DDSO - Advance Account		
Broome DDSO - General Fund		
Disabled Individuals Savings		
Disabled Individuals Savings		
OMRDD Broome DDSO EBT Checking		
53000 - OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES		
	The Adirondack Trust Company	1,399,497.03
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	Key Bank	No report received
	The Adirondack Trust Company	No report received
	Key Bank	No report received
	Key Bank	No report received
	The Adirondack Trust Company	No report received
	The Adirondack Trust Company	No report received
	The Adirondack Trust Company	No report received
	M&T Bank	No report received
	Key Bank	No report received
	M&T Bank	No report received
	Community Bank	No report received
	Adirondack Bank	No report received
	M&T Bank	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	Banco Popular	No report received
	JPMorgan Chase Bank, N.A.	350,347.58
	JPMorgan Chase Bank, N.A.	687,260.81
	JPMorgan Chase Bank, N.A.	222,719.72
	JPMorgan Chase Bank, N.A.	22,307.11
	JPMorgan Chase Bank, N.A.	7,461.91
	Community Bank	No report received
	Community Bank	No report received
	Community Bank	No report received
	Community Bank	No report received
	Community Bank	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	35,412.01
	JPMorgan Chase Bank, N.A.	27,841.50
	JPMorgan Chase Bank, N.A.	0.00
	JPMorgan Chase Bank, N.A.	447,000.70
	JPMorgan Chase Bank, N.A.	18,798.32
	JPMorgan Chase Bank, N.A.	0.10
	JPMorgan Chase Bank, N.A.	0.00
	JPMorgan Chase Bank, N.A.	307,086.85
	JPMorgan Chase Bank, N.A.	476,022.71
	JPMorgan Chase Bank, N.A.	14,204.18
	JPMorgan Chase Bank, N.A.	No report received
	Community Bank	No report received
	JPMorgan Chase Bank, N.A.	No report received
	Community Bank	No report received
	JPMorgan Chase Bank, N.A.	No report received
	Bank of America, N.A.	No report received
	Bank of America, N.A.	No report received
	Bank of America, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	JPMorgan Chase Bank, N.A.	No report received
	M&T Bank	No report received
	M&T Bank	No report received
	M&T Bank	No report received
	Key Bank	No report received
	M&T Bank	No report received
	M&T Bank	No report received

Agency Advance Acct	Key Bank	No report received
Creedmoor PNA Account	JPMorgan Chase Bank, N.A.	No report received
Patient Fees	Bank of America, N.A.	No report received
Revenue Account	Bank of America, N.A.	No report received
53020 - KINGSBORO ALCOHOLISM TREATMENT CENTER		
Petty Cash Advance Account	Bank of America, N.A.	No report received
70000 - CUNY UNIVERSITY MANAGEMENT & PROGRAM BOARD OF HIGHER EDUCATION		
CUNY Admin Imprest Cash Account	Citibank	11,103.68
70030 - CUNY HUNTER COLLEGE		
Travel Petty Cash Account	Citibank	50,185.70
70060 - CUNY JOHN JAY COLLEGE		
CUNY JOHN JAY COLLEGE IMPREST FUND	Citibank	16,681.16
70070 - CUNY LEHMAN COLLEGE		
Lehman College	Citibank	4,345.50
70080 - CUNY YORK COLLEGE		
York College Imprest Funds	Citibank	11,288.64
York College Travel Advance Fund	Citibank	817.00
70100 - CUNY COLLEGE OF STATEN ISLAND		
CSI Imprest Cash	TD Bank	4,913.37
70120 - CUNY NYC COLLEGE OF TECHNOLOGY		
NY City College Of Technology Technical College Imprest Fund	Popular Community Bank	5,000.00
70150 - CUNY SCHOOL OF LAW		
CUNY School Of Law	TD Bank	24,480.20

The above balances represent funds deposited in various banking institutions as reported by the State department and agencies, and published in accordance with Section 107 of the State Finance Law.

Division of the Treasury, Department of Taxation and Finance
Christopher Curtis *Deputy Commissioner and State Treasurer*

**FUNDS OF THE DIVISION OF THE TREASURY OF WHICH THE COMMISSIONER OF TAXATION AND FINANCE
IS THE SOLE CUSTODIAN WITH BALANCES AS OF 11/30/2020**

ACCOUNT DESCRIPTION	DEPOSITORY	BALANCE AS OF 11/30/2020
COMMUNITY COLLEGE TUITION AND INSTRUCTIONAL INCOME FUND		
0232 Upstate Community Colleges, Series 2005B	Key Bank	7,515.75
DEPARTMENT OF FINANCIAL SERVICES		
0001 Property/Casualty Insurance Security Fund	Key Bank	116,520.05
0002 Public Motor Vehicle Security Fund	JPMorgan Chase Bank, N.A.	936,045.31
0003 Workers' Compensation Security Fund	JPMorgan Chase Bank, N.A.	506,310.64
DORMITORY AUTHORITY OF THE STATE OF NEW YORK		
0039 Mental Hygiene Facilities Improvement Fund Income Account	Bank of America, N.A.	(150,171.98)
0104 Lincoln Medical and Mental Health Center Project Construction Account	Key Bank	10,859.45
0105 Greenpoint Medical and Mental Health Center Project Construction Account	Key Bank	303,345.14
0149 State Advances Repayment Account	Bank of America, N.A.	0.00
HOMELESS HOUSING ASSISTANCE CORPORATION		
0320 Social Services Homeless Housing and Assistance Corporation Operating Account	Key Bank	15,451,777.49
NELSON A. ROCKEFELLER EMPIRE STATE PLAZA PERFORMING ARTS CENTER CORPORATION		
0315 The Egg	Key Bank	16,988.28
NEW YORK CONVENTION CENTER		
0300 Operating Fund	JPMorgan Chase Bank, N.A.	11,848,934.86
NEW YORK JOB DEVELOPMENT AUTHORITY		
0036 Special Purpose Fund	Bank of America, N.A.	2,466,508.81
0371 Series H Commercial Paper	Bank of America, N.A.	1,422,568.84
0389 Daily Demand Special Purpose Bonds Series 1992A-B	JPMorgan Chase Bank, N.A.	339,558.05
0423 Escrow Account for USA Industries Inc.	Key Bank	37,274.67
0424 Escrow Account for Pluritec USA Inc.	Key Bank	19,782.38
0426 Agriculture Loan Program	Key Bank	370,388.91
NYS AFFORDABLE HOUSING CORPORATION		
0491 Disbursement Account	JPMorgan Chase Bank, N.A.	780,174.52
0520 Development Account	Key Bank	2,599,008.93
0522 Repayment Account	Key Bank	1,075,029.84
0523 Recapture Account	Key Bank	167,426.59
0880 Payroll Account	JPMorgan Chase Bank, N.A.	0.00
NYS DEPARTMENT OF HEALTH		
0004 Medical Indemnity Fund	JPMorgan Chase Bank, N.A.	(1,984,173.97)
NYS DEPARTMENT OF TAXATION AND FINANCE		
0510 Excelsior Linked Deposit Fund	Key Bank	0.00
0600 World Trade Center Memorial Foundation Fund Account	Bank of America, N.A.	95,524.07
0625 Advance Acct/Imprest Confidential Fund	Bank of America, N.A.	29,906.00
0626 Criminal Investigation Division	Key Bank	263,697.25
0778 PIT/STAR Rebate Exchange Account	JPMorgan Chase Bank, N.A.	0.00
0800 NYS IRS PIT offset account	Key Bank	0.00
0827 Stock Transfer Incentive Fund	Key Bank	1,128,531.01
0847 Pari-Mutuel Revenue Transfer Account	Key Bank	0.00
0848 Off-Track Bet Tax Revenue Transfer Account	Key Bank	0.00
NYS HOUSING FINANCE AGENCY		
0252 Energy Conservation/Tenant Health & Safety Improvement Account	JPMorgan Chase Bank, N.A.	205,927.29
0254 Agency Assisted Housing Operation Fund	JPMorgan Chase Bank, N.A.	4,272,552.96
0267 Neighborhood Stabilization Program - Round 1	JPMorgan Chase Bank, N.A.	87,646.12
0274 NYSHFA Special Reserve Fund	JPMorgan Chase Bank, N.A.	960,255.65
0283 Small Owner's Assistance Program Account	Key Bank	75,277.71
0285 Public Purpose Account	Key Bank	8,259,144.69
0286 Disbursement Account	Key Bank	4,858,021.50
0287 Infrastructure Development Fund	Key Bank	197,817.52
0288 Mobile Home Cooperative Fund	Key Bank	23,793.33
0292 Homeless Housing Initiatives	Key Bank	199,854.21
0294 Housing Plan Fund	Key Bank	21,184,215.24
0301 HFA - Subsidy Repayment Account	Key Bank	187,534.08
0305 HPD Disbursement Fund	Key Bank	1,519,697.24
0879 Payroll Account	JPMorgan Chase Bank, N.A.	152,325.74
NYS HOUSING TRUST FUND CORPORATION		
0458 Section 8 Housing Assistance Payment Account	JPMorgan Chase Bank, N.A.	1,949,008.60
0460 Escrow Account	M&T Bank	982,173.83
0461 Housing Modernization Account	M&T Bank	865,792.47

0462	General Custodial Account	M&T Bank	51,283,322.16
0465	Home Program Account	M&T Bank	10,864,713.55
0466	Homes for Working Families Account	M&T Bank	6,228,680.76
0467	Section 8 Administrative Account	M&T Bank	12,857,859.40
0469	OCR Community Miscellaneous Programs Account	M&T Bank	14,592,016.86
0470	HCV Main Account	Bank of America, N.A.	42,809,506.31
0471	Empire State Relief Fund	M&T Bank	492,089.07
0472	Master Escrow Account	Bank of America, N.A.	0.00
0473	Family Self-Sufficiency Account	Bank of America, N.A.	4,331,993.09
0475	Reserve Account	Bank of America, N.A.	2,011,526.78
0480	OHP Miscellaneous Programs Account	Bank of America, N.A.	10,542,078.08
0891	Small Cities Community Development Block Grant Program	M&T Bank	1,423,274.41
0892	Disaster Recovery Initiative Account	M&T Bank	42,656.93
0893	Payroll Account for Small Cities CDBG Program	M&T Bank	158.69
0895	HTFC Storm Recovery Payment	M&T Bank	1,136,358.14
0899	HTFC Storm Recovery Lockbox	US Bank	27,648.44
NYS TEACHERS RETIREMENT SYSTEM			
0052	Main Account	JPMorgan Chase Bank, N.A.	6,869,607.82
0052	Master Funding Account	State Street Bank & Trust Co.	0.00
0853	Excess Benefit Fund	JPMorgan Chase Bank, N.A.	3,044,640.26
STATE INSURANCE FUND			
0053	State Insurance Fund	Bank of America, N.A.	34,986,011.77
0054	State Insurance Fund	Bank of America, N.A.	8,977,927.20
0055	State Insurance Fund	Bank of America, N.A.	17,850,540.54
0861	Disability Benefits Fund Tax Escrow Account	Bank of America, N.A.	25,731.04
STATE UNIVERSITY CONSTRUCTION FUND			
0034	Income Fund	Key Bank	1,061,162.72
0075	Educational Facilities Revenue Bonds Debt Service Account	Key Bank	31,806.05
0870	Deductions Account	Key Bank	280,728.17

The above balances represent funds deposited in various banking institutions per the records of the Department of Taxation and Finance, Division of Treasury, and published in accordance with Section 107 of the State Finance Law.

Division of the Treasury, Department of Taxation and Finance
Christopher Curtis Deputy Commissioner and State Treasurer



Office of the NEW YORK STATE
COMPTROLLER

Comptroller's Monthly Report on State Funds Cash Basis of Accounting

NOVEMBER 2020

NYS Comptroller
THOMAS P. DiNAPOLI

Office of Operations
Division of Payroll, Accounting and Revenue Services
Bureau of Financial Reporting and Oil Spill Remediation



STATE OF NEW YORK
OFFICE OF OPERATIONS
DIVISION OF PAYROLL, ACCOUNTING AND REVENUE SERVICES
BUREAU OF FINANCIAL REPORTING AND OIL SPILL REMEDIATION

THOMAS P. DINAPOLI
STATE COMPTROLLER

COMPTROLLER'S MONTHLY REPORT TO THE LEGISLATURE ON STATE FUNDS - CASH BASIS OF ACCOUNTING

November 30, 2020

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EXHIBIT A

**STATE OF NEW YORK
GOVERNMENTAL FUNDS
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES**
(amounts in millions)

	GENERAL			SPECIAL REVENUE			DEBT SERVICE			CAPITAL PROJECTS			TOTAL GOVERNMENTAL FUNDS			YEAR OVER YEAR		
	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	% Increase/ Decrease	
RECEIPTS:																		
Personal Income Tax	(3)	\$ 1,286.0	\$ 15,981.1	\$ 1.4	\$ 1.6	\$ 1,287.4	\$ 15,982.7	\$ -	\$ -	\$ -	\$ 2,574.8	\$ 31,955.4	\$ 2,469.4	\$ 33,029.2	\$ (1,063.8)	-3.2%		
Consumption/Use Taxes		585.4	4,640.0	144.9	1,168.1	544.9	4,205.6	42.5	341.7	42.5	1,327.7	10,355.4	1,412.3	11,963.3	(1,628.1)	-13.6%		
Business Taxes		74.4	3,106.6	61.2	976.0	-	-	46.3	362.8	46.3	181.9	4,445.4	164.8	4,630.8	(185.4)	-4.0%		
Other Taxes		132.4	841.3	-	-	79.0	468.6	11.9	71.5	11.9	223.3	1,381.4	188.7	1,730.7	(349.3)	-5.1%		
Miscellaneous Receipts		448.2	6,318.6	1,153.6	10,841.1	22.0	275.0	75.4	3,704.9	75.4	1,699.2	21,136.6	1,737.3	18,399.0	2,740.6	14.9%		
Federal Receipts		0.1	0.2	4,052.8	53,281.3	24.4	221.9	221.9	1,318.9	221.9	4,274.8	54,624.8	5,394.3	43,129.6	11,495.2	26.7%		
Total Receipts		2,536.5	30,887.8	5,413.9	66,268.1	1,933.3	20,956.3	388.0	5,799.8	388.0	10,281.7	123,912.0	11,386.8	112,627.2	11,284.8	10.0%		
DISBURSEMENTS:																		
Local Assistance Grants:																		
Education		1,411.4	13,350.1	347.3	4,992.6	-	-	45.6	86.2	45.6	1,804.3	18,428.9	2,138.2	20,138.3	(1,729.4)	-8.6%		
Environment and Recreation		-	-	0.2	2.2	-	-	9.8	66.8	9.8	10.0	89.0	12.2	137.8	(48.8)	-35.4%		
General Government		8.8	637.1	94.6	4,215.3	-	-	55.6	352.5	55.6	159.0	5,204.9	72.1	1,473.1	3,731.8	253.3%		
Public Health:																		
Medicaid		1,041.9	10,288.4	3,770.7	33,057.7	-	-	-	-	-	4,812.6	43,346.1	5,947.1	44,521.2	(1,175.1)	-2.6%		
Other Public Health		181.5	1,480.0	551.3	4,788.8	-	-	41.5	351.0	41.5	774.3	6,619.8	591.2	6,502.0	117.8	1.8%		
Public Safety		3.7	40.3	19.1	1,420.0	-	-	34.0	40.8	34.0	56.8	1,501.1	217.2	1,083.5	417.6	38.5%		
Public Welfare		222.3	1,650.2	164.5	2,368.9	-	-	7.8	375.1	7.8	394.2	4,394.2	1,057.6	5,075.7	(681.5)	-13.4%		
Support and Regulate Business		7.5	47.1	18.7	42.8	-	-	28.0	261.1	28.0	54.2	351.0	68.7	740.9	(389.9)	-52.6%		
Transportation		13.9	56.1	438.5	2,135.9	-	-	503.9	1,716.0	503.9	9,022.1	3,908.0	540.4	3,653.7	254.3	7.0%		
Total Local Assistance Grants		2,891.0	27,549.3	5,404.9	53,024.2	-	-	726.2	3,269.5	726.2	10,642.7	83,843.0	10,642.7	83,346.2	496.8	0.6%		
Departmental Operations:																		
Personal Service		615.3	5,600.7	474.9	4,290.2	-	-	-	-	-	1,890.2	9,890.9	1,129.8	10,114.5	(223.6)	-2.2%		
Non-Personal Service		192.7	1,026.1	297.0	3,498.8	3.2	32.8	-	-	-	492.9	4,568.7	514.4	4,418.8	139.9	3.2%		
General State Charges		342.1	5,115.4	158.0	950.1	-	-	-	-	-	500.1	6,065.5	565.7	6,575.1	(509.6)	-7.8%		
Debt Service, including Payments on		-	-	-	-	30.4	1,349.2	-	-	-	30.4	1,349.2	74.9	1,100.0	249.2	22.7%		
Financing Agreements	(1)	-	-	-	2.3	-	-	609.8	4,754.5	609.8	609.8	4,756.8	705.0	4,848.0	(91.2)	-1.9%		
Capital Projects		-	-	-	-	-	-	-	-	-	11,745.5	110,464.1	13,632.5	110,402.6	61.5	0.1%		
Total Disbursements		4,041.1	39,291.5	6,334.8	61,766.6	33.6	1,382.0	1,336.0	8,024.0	1,336.0	11,745.5	110,464.1	13,632.5	110,402.6	61.5	0.1%		
Excess (Deficiency) of Receipts over Disbursements		(1,504.6)	(8,403.7)	(920.9)	4,501.5	1,899.7	19,574.3	(938.0)	(2,224.2)	(938.0)	(1,463.8)	13,447.9	(2,245.7)	2,224.6	11,223.3	504.5%		
OTHER FINANCING SOURCES (USES):																		
Bond and Note Proceeds (net)		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%	
Transfers from Other Funds	(2)	1,162.0	17,019.6	85.0	1,715.8	89.5	1,466.1	908.3	2,052.8	908.3	2,244.8	22,394.3	2,363.8	28,651.9	(6,357.6)	-22.2%		
Transfers to Other Funds	(2)	(985.5)	(3,957.4)	(67.0)	(1,268.5)	(1,163.2)	(16,977.5)	(12.1)	(298.6)	(12.1)	(2,247.8)	(22,502.0)	(2,367.2)	(28,760.6)	(6,258.6)	-21.8%		
Total Other Financing Sources (Uses)		176.5	13,062.2	(2.0)	447.3	(1,073.7)	(15,511.4)	896.2	1,794.2	896.2	(3.0)	(207.7)	(3.4)	(108.7)	(99.0)	-91.1%		
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses		(1,328.1)	4,638.5	(922.9)	4,948.8	826.0	4,062.9	(41.8)	(430.0)	(41.8)	(1,466.8)	13,240.2	(2,249.1)	2,115.9	11,124.3	525.7%		
Beginning Fund Balances (Deficits)		14,930.8	8,944.2	12,183.8	6,312.1	3,300.3	63.4	(1,423.1)	(1,034.9)	(1,423.1)	28,991.8	14,284.8	14,340.0	9,975.0	4,309.8	43.2%		
Ending Fund Balances (Deficits)		\$ 13,602.7	\$ 13,602.7	\$ 11,260.9	\$ 11,260.9	\$ 4,126.3	\$ 4,126.3	\$ (1,464.9)	\$ (1,464.9)	\$ (1,464.9)	\$ 27,525.0	\$ 27,525.0	\$ 12,080.9	\$ 12,080.9	\$ 15,434.1	127.7%		

**STATE OF NEW YORK
GOVERNMENTAL FUNDS-STATE OPERATING (*)
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
(amounts in millions)**

**EXHIBIT A
SUPPLEMENTAL**

	GENERAL		STATE SPECIAL REVENUE (**)		DEBT SERVICE		TOTAL STATE OPERATING FUNDS		\$ Increase/ (Decrease)	% Increase/ Decrease
	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2019	8 MOS. ENDED NOV. 30, 2019		
RECEIPTS:										
Personal Income Tax	\$ 1,286.0	\$ 15,981.1	\$ 1.4	\$ 1.6	\$ 1,287.4	\$ 15,982.7	\$ 2,469.4	\$ 33,029.2	\$ (1,063.8)	-3.2%
Consumption/Use Taxes	595.4	4,640.0	144.9	1,168.1	544.9	4,205.6	1,368.4	10,013.7	(1,543.5)	-13.4%
Business Taxes	74.4	3,105.6	61.2	976.0	-	-	132.5	4,170.2	(87.6)	-2.1%
Other Taxes	132.4	841.3	-	-	79.0	468.6	176.8	1,363.6	(73.7)	-5.3%
Miscellaneous Receipts	448.2	6,316.6	1,139.5	10,702.6	22.0	275.0	1,589.4	14,752.6	2,543.6	17.2%
Federal Receipts	0.1	0.2	(33.6)	7.2	-	24.4	0.2	55.0	(23.2)	-42.2%
Total Receipts	2,536.5	30,887.8	1,313.4	12,855.5	1,933.3	20,953.3	5,736.7	64,947.8	(243.2)	-0.4%
DISBURSEMENTS:										
Local Assistance Grants:										
Education	1,411.4	13,350.1	148.1	2,919.7	-	-	1,890.8	17,704.2	(1,434.4)	-8.1%
Environment and Recreation	-	-	0.2	1.8	-	-	0.3	3.1	(1.3)	-41.9%
General Government	8.8	637.1	9.3	95.9	-	-	51.1	874.1	(141.1)	-16.1%
Public Health:										
Medicaid	1,041.9	10,288.4	461.8	3,680.6	-	-	2,341.5	17,565.2	(3,596.2)	-20.5%
Other Public Health	181.5	1,480.0	53.3	519.5	-	-	143.1	2,029.6	(30.1)	-1.5%
Public Safety	3.7	40.3	(10.4)	87.7	-	-	22.5	240.9	(112.9)	-46.9%
Public Welfare	222.3	1,650.2	-	1.0	-	-	469.9	1,720.7	(69.5)	-4.0%
Support and Regulate Business	7.5	47.1	18.7	36.8	-	-	21.0	135.9	(62.0)	-38.3%
Transportation	13.9	56.1	432.2	2,095.6	-	-	486.9	2,542.8	(391.1)	-15.4%
Total Local Assistance Grants	2,891.0	27,545.3	1,113.2	9,438.6	-	-	5,430.1	42,816.5	(5,828.6)	-13.6%
Departmental Operations:										
Personal Service	615.3	5,600.7	361.2	3,445.5	-	-	1,083.1	9,678.9	(632.7)	-6.5%
Non-Personal Service	192.7	1,025.1	221.3	1,647.3	3.2	32.8	431.6	3,586.6	(860.4)	-24.5%
General State Charges	342.1	5,115.4	128.7	578.9	-	-	539.5	6,368.8	(664.5)	-10.5%
Debt Service, Including Payments on Financing Agreements	-	-	-	-	30.4	1,349.2	74.9	1,100.0	249.2	22.7%
Capital Projects	-	-	-	-	-	-	-	-	-	0.0%
Total Disbursements	4,041.1	39,291.5	1,824.4	15,110.3	33.6	1,382.0	7,559.2	63,540.8	(7,757.0)	-12.2%
Excess (Deficiency) of Receipts over Disbursements	(1,504.6)	(8,403.7)	(511.0)	(2,254.8)	1,899.7	19,571.3	(1,822.5)	1,407.0	7,506.8	533.7%
OTHER FINANCING SOURCES (USES):										
Transfers from Other Funds	1,162.0	17,019.6	131.0	2,256.2	89.5	1,466.1	1,883.8	26,225.4	(5,483.5)	-20.9%
Transfers to Other Funds	(985.5)	(3,957.4)	(2.6)	(190.6)	(1,163.2)	(16,977.5)	(2,236.4)	(27,398.7)	(6,273.2)	-22.9%
Total Other Financing Sources (Uses)	176.5	13,062.2	128.4	2,065.6	(1,073.7)	(15,511.4)	(352.6)	(1,173.3)	789.7	67.3%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(1,328.1)	4,656.5	(382.6)	(189.2)	826.0	4,062.9	(2,175.1)	233.7	8,296.5	3,550.9%
Beginning Fund Balances (Deficits)	14,930.8	8,944.2	5,594.1	5,400.7	3,300.3	63.4	14,770.1	12,361.3	2,047.0	16.6%
Ending Fund Balances (Deficits)	\$ 13,602.7	\$ 13,602.7	\$ 5,211.5	\$ 5,211.5	\$ 4,126.3	\$ 4,126.3	\$ 12,595.0	\$ 12,595.0	\$ 10,345.5	82.1%

(*) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal Funds) and Debt Service Funds.

(**) Eliminations between Special Revenue - State and Federal Funds are not included.

GOVERNMENTAL FUNDS FOOTNOTES

1. Certain disbursements from Capital Projects funds are financed by operating transfers from other funds, proceeds of State bonds and notes, and reimbursements received from Public Authorities and the Federal Government. The amounts shown below represent disbursements to be reimbursed in future months from the sources indicated:

Urban Development Corporation (Correctional Facilities)	\$251.9 million
Housing Finance Agency (HFA)	17.7
Housing Assistance Fund	486.1
Dormitory Authority (Mental Hygiene)	12.9
Dormitory Authority and State University Income Fund	437.3
Federal Capital Projects	349.4
State bond and note proceeds	459.0
	202.5

2. Operating Transfers constitute legally authorized transfers from a fund receiving revenues to a fund through which disbursements will ultimately be made. The more significant transfers include:

General Fund "Transfers to Other Funds" are as follows:

State Capital Projects Fund	\$1,767.4 million
General Debt Service Fund	185.3
Banking Services Account	21.8
Building Administration Account	8.0
Business Services Center	26.9
Centralized Tech Services	11.5
Court Facilities Incentive Aid Fund	62.8
Dedicated Highway & Bridge Trust Fund	33.0
Dedicated Infrastructure Investment Fund	244.0
Dedicated Mass Transportation - Railroad Account	4.4
Dedicated Mass Transportation - Transit Authority Account	24.4
Dedicated Mass Transportation - (Non MTA)	2.5
Environmental Protection Fund	19.8
Health Insurance Revolving Fund	12.0
Housing Debt Service Fund	1.0
Mass Transportation Operating Assistance Fund	24.4
Mass Transportation Financial Assistance	244.3
New York Central Business District Trust Fund	100.0
New York City County Clerks' Operations Offset	2.8
Recruitment Incentive Account	2.1
State Fair Receipts	3.0
State University Income Fund	929.4

Also included in the General Fund are transfers representing payments for patients residing in State-operated health, mental hygiene and State University facilities to Debt Service funds (\$5.5m), and the State University Income Fund (\$240.7 m).

§72(4)(b) was added to the State Finance Law in 2010 to permit the State's General Debt Service Fund to maintain a cash reserve for the payment of debt service, and related expenses, during the current fiscal quarter. As of November 30, 2020 - pursuant to a certification of the Budget Director - the reserve amount is (\$39.4m), which was funded by a transfer from the General Fund.

**EXHIBIT A NOTES
NOVEMBER 2020**

Special Revenue Funds "Transfers To Other Funds" includes transfers to Mental Health Services Fund and Department of Health Income Fund (\$1,004.5m) representing the federal share of Medicaid payments for patients residing in State-operated Health and Mental Hygiene facilities, the General Debt Service Fund (\$4.9m), Medicaid Management Information System Escrow Fund (\$122.3m), SUNY Capital Projects Fund (\$3.0m), and All Other Capital Projects (\$25.6m).

Also included in Special Revenue funds are transfers to the General Fund from the following:

Federal Department of Health Services Fund	\$54.2 million
Federal Operating Grants Fund	5.3
Federal USDA/Food and Nutrition Services Fund	7.7
Mass Transportation Operating Assistance Fund	1.0
SUNY Income Fund	22.4
Unemployment Insurance Administration Fund	2.7
Unemployment Insurance Interest & Penalty Account	11.3

Debt Service Funds "Transfers To Other Funds" includes transfers to the General Fund from the following:

Revenue Bond Tax Fund	\$12,194.8 million
Local Government Assistance Tax Fund	2,102.8
Sales Tax Revenue Bond Tax Fund	1,283.2
Clean Water/Clean Air Fund	435.2
Mental Health Services Fund	884.2

Also included in Debt Service funds are transfers to Special Revenue funds representing receipts in excess of lease-purchase obligations that are used to finance a portion of the operating expenses for the Department of Health (\$77.2m).

Capital Projects Funds "Transfers To Other Funds" includes transfers to the General Fund (\$13.9m), the General Debt Service Fund - Lease Purchase (\$82.9m), and the Revenue Bond Tax Fund (\$201.9m).

3. A portion of Personal Income Tax receipts is transferred to the State Special Revenue School Tax Relief (STAR) Fund to be used to reimburse school districts for the STAR property tax exemptions for homeowners and payments to homeowners for the STAR Property Rebate Program. School Tax Relief payments were (\$1.6m) as of November 30, 2020.

EXHIBIT B

STATE OF NEW YORK
 PROPRIETARY FUNDS
 COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
 (amounts in millions)

	ENTERPRISE			INTERNAL SERVICE			TOTAL PROPRIETARY FUNDS			YEAR OVER YEAR	
	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2019	8 MOS. ENDED NOV. 30, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease	
RECEIPTS:											
Miscellaneous Receipts	\$ 3.9	\$ 45.3	\$ 29.0	\$ 250.7	\$ 32.9	\$ 296.0	\$ 62.7	\$ 425.6	\$ (129.6)	-30.5%	
Federal Receipts	2,484.9	38,848.3	-	-	2,484.9	38,848.3	1.0	7.8	38,840.5	497,955.1%	
Unemployment Taxes	544.2	13,083.5	-	-	544.2	13,083.5	151.2	1,256.7	11,826.8	941.1%	
Total Receipts	3,033.0	51,977.1	29.0	250.7	3,062.0	52,227.8	214.9	1,690.1	50,537.7	2,990.2%	
DISBURSEMENTS:											
Departmental Operations:											
Personal Service	0.9	9.5	9.9	93.5	10.8	103.0	12.1	99.1	3.9	3.9%	
Non-Personal Service	3.9	35.8	44.8	315.2	48.7	351.0	52.9	323.4	27.6	8.5%	
General State Charges	0.2	1.2	4.6	43.2	4.8	44.4	5.4	37.4	7.0	18.7%	
Unemployment Benefits	3,028.3	51,922.3	-	-	3,028.3	51,922.3	152.2	1,265.2	50,657.1	4,003.9%	
Total Disbursements	3,033.3	51,968.8	59.3	451.9	3,092.6	52,420.7	222.6	1,725.1	50,695.6	2,938.7%	
Excess (Deficiency) of Receipts Over Disbursements	(0.3)	8.3	(30.3)	(201.2)	(30.6)	(192.9)	(7.7)	(35.0)	(157.9)	-451.1%	
OTHER FINANCING SOURCES (USES):											
Transfers from Other Funds	-	3.0	3.1	82.7	3.1	85.7	3.6	52.6	33.1	62.9%	
Transfers to Other Funds	-	-	(0.1)	(0.4)	(0.1)	(0.4)	(0.2)	(1.1)	(0.7)	-63.6%	
Total Other Financing Sources (Uses)	-	3.0	3.0	82.3	3.0	85.3	3.4	51.5	33.8	65.6%	
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(0.3)	11.3	(27.3)	(118.9)	(27.6)	(107.6)	(4.3)	16.5	(124.1)	-752.1%	
Beginning Fund Balances (Deficits)	41.3	29.7	(389.1)	(297.5)	(347.8)	(267.8)	(255.3)	(276.1)	8.3	3.0%	
Ending Fund Balances (Deficits)	\$ 41.0	\$ 41.0	\$ (416.4)	\$ (416.4)	\$ (375.4)	\$ (375.4)	\$ (259.6)	\$ (259.6)	\$ (115.8)	-44.6%	

EXHIBIT C

STATE OF NEW YORK
TRUST FUNDS
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
(amounts in millions)

	PENSION			PRIVATE PURPOSE			TOTAL TRUST FUNDS				YEAR OVER YEAR	
	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020		MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020		MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2019	8 MOS. ENDED NOV. 30, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease
RECEIPTS:												
Miscellaneous Receipts	\$ 5.6	\$ 79.2	\$ -	\$ -	\$ 0.2		\$ 5.6	\$ 79.4	\$ 5.4	\$ 77.5	\$ 1.9	2.5%
Total Receipts	<u>5.6</u>	<u>79.2</u>	<u>-</u>	<u>-</u>	<u>0.2</u>		<u>5.6</u>	<u>79.4</u>	<u>5.4</u>	<u>77.5</u>	<u>1.9</u>	<u>2.5%</u>
DISBURSEMENTS:												
Departmental Operations:												
Personal Service	5.5	49.8	-	-	0.2		5.5	50.0	5.3	46.9	3.1	6.6%
Non-Personal Service	0.7	6.0	-	-	-		0.7	6.0	1.5	9.8	(3.8)	-38.8%
General State Charges	0.1	25.9	-	-	0.1		0.1	26.0	3.3	25.0	1.0	4.0%
Total Disbursements	<u>6.3</u>	<u>81.7</u>	<u>-</u>	<u>-</u>	<u>0.3</u>		<u>6.3</u>	<u>82.0</u>	<u>10.1</u>	<u>81.7</u>	<u>0.3</u>	<u>0.4%</u>
Excess (Deficiency) of Receipts Over Disbursements	<u>(0.7)</u>	<u>(2.5)</u>	<u>-</u>	<u>-</u>	<u>(0.1)</u>		<u>(0.7)</u>	<u>(2.6)</u>	<u>(4.7)</u>	<u>(4.2)</u>	<u>1.6</u>	<u>38.1%</u>
OTHER FINANCING SOURCES (USES):												
Transfers from Other Funds	-	-	-	-	-		-	-	-	-	-	0.0%
Transfers to Other Funds	-	-	-	-	-		-	-	-	-	-	0.0%
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0.0%</u>
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	<u>(0.7)</u>	<u>(2.5)</u>	<u>-</u>	<u>-</u>	<u>(0.1)</u>		<u>(0.7)</u>	<u>(2.6)</u>	<u>(4.7)</u>	<u>(4.2)</u>	<u>1.6</u>	<u>38.1%</u>
Beginning Fund Balances (Deficits)	<u>(2.9)</u>	<u>(1.1)</u>	<u>14.2</u>	<u>14.2</u>	<u>14.3</u>		<u>11.3</u>	<u>13.2</u>	<u>10.7</u>	<u>10.2</u>	<u>3.0</u>	<u>29.4%</u>
Ending Fund Balances (Deficits)	<u>\$ (3.6)</u>	<u>\$ (3.6)</u>	<u>\$ 14.2</u>	<u>\$ 14.2</u>	<u>\$ 14.2</u>		<u>\$ 10.6</u>	<u>\$ 10.6</u>	<u>\$ 6.0</u>	<u>\$ 6.0</u>	<u>\$ 4.6</u>	<u>76.7%</u>

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)

EXHIBIT D

	ALL GOVERNMENTAL FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:					
Taxes:					
Personal Income	\$ 30,337.0	\$ 31,627.0	\$ 31,965.4	\$ 1,628.4	\$ 338.4
Consumption/Use	10,042.0	10,139.0	10,355.4	313.4	216.4
Business	4,522.0	4,665.0	4,445.4	(76.6)	(219.6)
Other	1,354.0	1,342.0	1,381.4	27.4	39.4
Miscellaneous Receipts	22,092.0	22,362.0	21,139.6	(952.4)	(1,222.4)
Federal Receipts	45,726.0	53,727.0	54,624.8	8,898.8	897.8
Total Receipts	114,073.0	123,862.0	123,912.0	9,839.0	50.0
DISBURSEMENTS:					
Local Assistance Grants	82,139.0	85,546.0	83,843.0	1,704.0	(1,703.0)
Departmental Operations	14,198.0	15,696.0	14,449.6	251.6	(1,246.4)
General State Charges	6,228.0	6,158.0	6,065.5	(162.5)	(92.5)
Debt Service	1,368.0	1,350.0	1,349.2	(18.8)	(0.8)
Capital Projects	6,463.0	5,023.0	4,756.8	(1,706.2)	(266.2)
Total Disbursements	110,396.0	113,773.0	110,464.1	68.1	(3,308.9)
Excess (Deficiency) of Receipts over Disbursements	3,677.0	10,089.0	13,447.9	9,770.9	3,358.9
OTHER FINANCING SOURCES (USES):					
Bond and Note Proceeds, net	-	-	-	-	-
Transfers from Other Funds	22,458.0	21,958.0	22,294.3	(163.7)	336.3
Transfers to Other Funds	(22,550.0)	(22,166.0)	(22,502.0)	(48.0)	336.0
Total Other Financing Sources (Uses)	(92.0)	(208.0)	(207.7)	(115.7)	0.3
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	3,585.0	9,881.0	13,240.2	9,655.2	3,359.2
Fund Balances (Deficits) at April 1	14,284.0	14,283.0	14,284.8	0.8	1.8
Fund Balances (Deficits) at November 30, 2020	\$ 17,869.0	\$ 24,164.0	\$ 27,525.0	\$ 9,656.0	\$ 3,361.0

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

**STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)**

EXHIBIT D

	STATE OPERATING FUNDS (***)			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan Actual Over/ (Under) Updated Financial Plan
RECEIPTS:				
Taxes:				
Personal Income	\$ 30,337.0	\$ 31,627.0	\$ 31,965.4	\$ 1,628.4
Consumption/Use	9,700.0	9,790.0	10,013.7	313.7
Business	4,160.0	4,288.0	4,082.6	(177.4)
Other	1,282.0	1,271.0	1,309.9	27.9
Miscellaneous Receipts	16,736.0	17,776.0	17,296.2	(479.8)
Federal Receipts	36.0	61.0	31.8	(29.2)
Total Receipts	62,251.0	64,813.0	64,699.6	2,448.6
DISBURSEMENTS:				
Local Assistance Grants	39,500.0	37,558.0	36,987.9	(2,512.1)
Departmental Operations	12,764.0	11,855.0	11,752.4	(1,011.6)
General State Charges	5,996.0	5,725.0	5,694.3	(301.7)
Debt Service	1,368.0	1,350.0	1,349.2	(18.8)
Capital Projects	-	-	-	-
Total Disbursements	59,628.0	56,488.0	55,783.8	(3,844.2)
Excess (Deficiency) of Receipts over Disbursements	2,623.0	8,325.0	8,915.8	590.8
OTHER FINANCING SOURCES (USES):				
Transfers from Other Funds	20,463.0	20,794.0	20,741.9	278.9
Transfers to Other Funds	(21,013.0)	(20,503.0)	(21,125.5)	112.5
Total Other Financing Sources (Uses)	(550.0)	291.0	(383.6)	166.4
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	2,073.0	8,616.0	8,532.2	6,459.2
Fund Balances (Deficits) at April 1	14,408.0	14,407.0	14,408.3	0.3
Fund Balances (Deficits) at November 30, 2020	\$ 16,481.0	\$ 23,023.0	\$ 22,940.5	\$ 6,459.5
				\$ 1.3
				\$ (82.5)

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

(***) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal Funds) and Debt Service Funds.

(****) Eliminations between Special Revenue - State and Federal Funds are not included.

**STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)**

EXHIBIT D

	GENERAL FUND			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
RECEIPTS:				
Taxes:				
Personal Income	\$ 15,158.0	\$ 15,803.0	\$ 15,981.1	\$ 823.1
Consumption/Use	4,497.0	4,559.0	4,640.0	143.0
Business	3,178.0	3,303.0	3,106.6	(71.4)
Other	792.0	776.0	841.3	49.3
Miscellaneous Receipts	5,685.0	6,223.0	6,318.6	65.3
Federal Receipts	-	-	0.2	0.2
Transfers From:				
PIT / ECET in excess of Revenue Bond Debt Service	12,298.0	12,214.0	12,194.8	(103.2)
Sales Tax in excess of LGAC / STREB Debt Service	3,219.0	3,271.0	3,386.0	167.0
Real Estate Taxes in excess of CW/CA Debt Service	488.0	462.0	435.2	(22.8)
All Other	917.0	1,312.0	1,003.6	86.6
Total Receipts and Other Financing Sources	46,182.0	47,923.0	47,907.4	1,725.4
				(15.6)
DISBURSEMENTS:				
Local Assistance Grants	29,745.0	27,997.0	27,549.3	(2,195.7)
Departmental Operations	7,629.0	6,670.0	6,626.8	(1,002.2)
General State Charges	5,305.0	5,119.0	5,115.4	(189.6)
Transfers To:				
Debt Service	153.0	165.0	165.3	12.3
Capital Projects	1,937.0	1,130.0	2,064.2	127.2
State Share Medicaid	-	-	246.2	246.2
SUNY Operations	1,196.0	985.0	929.4	(266.6)
Other Purposes	766.0	830.0	552.3	(213.7)
Total Disbursements and Other Financing Uses	46,731.0	42,896.0	43,248.9	(3,482.1)
				352.9
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(549.0)	5,027.0	4,658.5	5,207.5
				(368.5)
Fund Balances (Deficits) at April 1	8,944.0	8,944.0	8,944.2	0.2
Fund Balances (Deficits) at November 30, 2020	\$ 8,395.0	\$ 13,971.0	\$ 13,602.7	\$ 5,207.7
				\$ (368.3)

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

(***) Includes transfers to the Department of Health Income Fund and the State University Income Fund representing payments for patients residing in State-Operated Health and State University facilities.

EXHIBIT D

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)

	SPECIAL REVENUE FUNDS					Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Eliminations	Total		
RECEIPTS:							
Taxes:							
Personal Income	\$ 11.0	\$ 10.0	\$ 1.6	\$ -	\$ 1.6	\$ (9.4)	\$ (8.4)
Consumption/Use	1,148.0	1,135.0	1,168.1	-	1,168.1	20.1	33.1
Business	982.0	985.0	976.0	-	976.0	(6.0)	(9.0)
Miscellaneous Receipts	10,933.0	11,411.0	10,841.1	-	10,841.1	(91.9)	(569.9)
Federal Receipts	44,325.0	52,420.0	53,281.3	-	53,281.3	8,956.3	861.3
Transfers from Other Funds (***)	2,274.0	2,150.0	2,256.2	(540.4)	1,715.8	(558.2)	(434.2)
Total Receipts and Other Financing Sources	59,673.0	68,111.0	68,524.3	(540.4)	67,983.9	8,310.9	(127.1)
DISBURSEMENTS:							
Local Assistance Grants	49,216.0	54,635.0	53,024.2	-	53,024.2	3,808.2	(1,610.8)
Departmental Operations	6,548.0	8,993.0	7,790.0	-	7,790.0	1,242.0	(1,203.0)
General State Charges	923.0	1,039.0	950.1	-	950.1	27.1	(88.9)
Capital Projects	-	2.0	2.3	-	2.3	2.3	0.3
Transfers to Other Funds (***)	1,349.0	1,570.0	1,808.9	(540.4)	1,268.5	(90.5)	(301.5)
Total Disbursements and Other Financing Uses	58,036.0	66,239.0	63,575.5	(540.4)	63,035.1	4,999.1	(3,203.9)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	1,637.0	1,872.0	4,948.8	-	4,948.8	3,311.8	3,076.8
Fund Balances (Deficits) at April 1	6,312.0	6,311.0	6,312.1	-	6,312.1	0.1	1.1
Fund Balances (Deficits) at November 30, 2020	\$ 7,949.0	\$ 8,183.0	\$ 11,260.9	\$ -	\$ 11,260.9	\$ 3,311.9	\$ 3,077.9

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

(***) Actual reported transfer amounts include eliminations between Special Revenue - State and Federal Funds.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)

EXHIBIT D

	STATE SPECIAL REVENUE FUNDS				FEDERAL SPECIAL REVENUE FUNDS			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Enacted Financial Plan	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan
RECEIPTS:								
Taxes:								
Personal Income	\$ 11.0	\$ 10.0	\$ 1.6	\$ (9.4)	\$ (8.4)			
Consumption/Use	1,148.0	1,135.0	1,168.1	20.1	33.1			
Business	982.0	985.0	976.0	(6.0)	(9.0)			
Miscellaneous Receipts	10,816.0	11,286.0	10,702.6	(115.4)	(583.4)			
Federal Receipts	-	37.0	7.2	7.2	(29.8)			
Transfers from Other Funds	2,274.0	2,150.0	2,256.2	(17.8)	106.2			
Total Receipts and Other Financing Sources	15,233.0	15,603.0	15,111.7	(121.3)	(491.3)			
DISBURSEMENTS:								
Local Assistance Grants	9,755.0	9,581.0	9,438.6	(316.4)	(122.4)			
Departmental Operations	5,114.0	5,152.0	5,092.8	(21.2)	(59.2)			
General State Charges	691.0	606.0	578.9	(112.1)	(27.1)			
Capital Projects	-	-	-	-	-			
Transfers to Other Funds	119.0	203.0	180.6	71.6	(12.4)			
Total Disbursements and Other Financing Uses	15,679.0	15,522.0	15,300.9	(378.1)	(221.1)			
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(446.0)	81.0	(189.2)	256.8	(270.2)			
Fund Balances (Deficits) at April 1	5,401.0	5,400.0	5,400.7	(0.3)	0.7			
Fund Balances (Deficits) at November 30, 2020	4,955.0	5,481.0	5,211.5	256.5	(269.5)			

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.
(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

EXHIBIT D

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)

	DEBT SERVICE FUNDS			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:				
Taxes:				
Personal Income	\$ 15,168.0	\$ 15,814.0	\$ 15,982.7	\$ 168.7
Consumption/Use	4,055.0	4,096.0	4,205.6	150.6
Other	490.0	495.0	468.6	(21.4)
Miscellaneous Receipts	253.0	267.0	275.0	22.0
Federal Receipts	36.0	24.0	24.4	(11.6)
Transfers from Other Funds	1,297.0	1,385.0	1,466.1	169.1
Total Receipts and Other Financing Sources	21,299.0	22,081.0	22,422.4	1,123.4
DISBURSEMENTS:				
Departmental Operations	21.0	33.0	32.8	11.8
Debt Service	1,368.0	1,350.0	1,349.2	(18.8)
Transfers to Other Funds	16,842.0	17,190.0	16,977.5	135.5
Total Disbursements and Other Financing Uses	18,231.0	18,573.0	18,359.5	128.5
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	3,068.0	3,508.0	4,062.9	554.9
Fund Balances (Deficits) at April 1	63.0	63.0	63.4	0.4
Fund Balances (Deficits) at November 30, 2020	\$ 3,131.0	\$ 3,571.0	\$ 4,126.3	\$ 555.3

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

EXHIBIT D

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)

	CAPITAL PROJECTS FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Eliminations	Total
					Actual Over/ (Under) Enacted Financial Plan
					Updated Financial Plan
RECEIPTS:					
Taxes:					
Consumption/Use	\$ 342.0	\$ 349.0	\$ 341.7	\$ -	\$ 341.7
Business	362.0	377.0	362.8	-	362.8
Other	72.0	71.0	71.5	-	71.5
Miscellaneous Receipts	5,241.0	4,461.0	3,704.9	-	3,704.9
Federal Receipts	1,365.0	1,283.0	1,318.9	-	1,318.9
Bond and Note Proceeds, net	-	-	-	-	-
Transfers from Other Funds	1,995.0	1,164.0	2,092.8	-	2,092.8
Total Receipts and Other Financing Sources	9,377.0	7,705.0	7,892.6	-	7,892.6
					Actual Over/ (Under) Enacted Financial Plan
					Updated Financial Plan
DISBURSEMENTS:					
Local Assistance Grants	3,178.0	2,914.0	3,269.5	-	3,269.5
Capital Projects	6,463.0	5,021.0	4,754.5	-	4,754.5
Transfers to Other Funds	307.0	296.0	298.6	-	298.6
Total Disbursements and Other Financing Uses	9,948.0	8,231.0	8,322.6	-	8,322.6
					Actual Over/ (Under) Enacted Financial Plan
					Updated Financial Plan
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(571.0)	(526.0)	(430.0)	-	(430.0)
Fund Balances (Deficits) at April 1	(1,035.0)	(1,035.0)	(1,034.9)	-	(1,034.9)
Fund Balances (Deficits) at November 30, 2020	(1,606.0)	(1,561.0)	(1,464.9)	-	(1,464.9)
					Actual Over/ (Under) Enacted Financial Plan
					Updated Financial Plan

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

EXHIBIT D

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2020-2021
FOR EIGHT MONTHS ENDED NOVEMBER 30, 2020
(amounts in millions)

	STATE CAPITAL PROJECTS FUNDS				FEDERAL CAPITAL PROJECTS FUNDS			
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan
RECEIPTS:								
Taxes:								
Consumption/Use	\$ 342.0	\$ 349.0	\$ 341.7	\$ (0.3)	\$ -	\$ -	\$ -	\$ -
Business	362.0	377.0	362.8	0.8	-	-	-	-
Other	72.0	71.0	71.5	(0.5)	-	-	-	-
Miscellaneous Receipts	5,241.0	4,460.0	3,704.2	(1,536.8)	-	1.0	0.7	(0.3)
Federal Receipts	2.0	2.0	2.1	0.1	1,363.0	1,281.0	1,316.8	35.8
Bond and Note Proceeds, net	-	-	-	-	-	-	-	-
Transfers from Other Funds	2,164.0	1,164.0	2,092.8	(71.2)	(169.0)	-	-	169.0
Total Receipts and Other Financing Sources	8,183.0	6,423.0	6,575.1	(1,607.9)	1,194.0	1,282.0	1,317.5	123.5
								35.5
DISBURSEMENTS:								
Local Assistance Grants	2,737.0	2,540.0	2,930.1	193.1	441.0	374.0	339.4	(101.6)
Capital Projects	5,610.0	4,119.0	3,890.1	(1,729.9)	853.0	902.0	874.4	21.4
Transfers to Other Funds	308.0	286.0	298.6	(9.4)	(1.0)	-	-	1.0
Total Disbursements and Other Financing Uses	8,655.0	6,955.0	7,108.8	(1,546.2)	1,293.0	1,276.0	1,213.8	(79.2)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(472.0)	(532.0)	(533.7)	(61.7)	(99.0)	6.0	103.7	202.7
								97.7
Fund Balances (Deficits) at April 1	(471.0)	(471.0)	(472.2)	(1.2)	(564.0)	(564.0)	(562.7)	1.3
Fund Balances (Deficits) at November 30, 2020	(943.0)	(1,003.0)	(1,005.9)	(62.9)	(663.0)	(558.0)	(459.0)	99.0

(*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

(**) Source: 2020-21 Mid Year Update dated October 30, 2020.

STATE OF NEW YORK
GOVERNMENTAL FUNDS
COMPARATIVE SCHEDULE OF TAX RECEIPTS
(amounts in millions)

EXHIBIT E

	GENERAL			SPECIAL REVENUE			DEBT SERVICE			CAPITAL PROJECTS			TOTAL GOVERNMENTAL FUNDS			YEAR OVER YEAR			
	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2020	8 MOS. ENDED NOV. 30, 2020	MONTH OF NOV. 2019	8 MOS. ENDED NOV. 30, 2019	MONTH OF NOV. 2019	8 MOS. ENDED NOV. 30, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease			
PERSONAL INCOME TAX	\$ 3,032.3	\$ 24,587.8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,032.3	\$ 24,587.8	\$ 2,981.8	\$ 24,782.5	\$ 2,981.8	\$ 24,782.5	\$	(194.7)	-0.8%		
		Withholding								11,012.2		93.5	11,012.2		93.5	(1,563.8)	-12.4%		
		Estimated Payments								51.4		42.5	51.4		42.5	47.7	1.5%		
		Returns								3,221.9		3,174.2		3,174.2		3,174.2	-1.3%		
		State/City Offsets								(65.9)		(59.5)		(59.5)		(59.5)	(12.3)	-1.3%	
		Other (Assessments/LC)								730.7		730.7		730.7		730.7	(164.6)	-22.3%	
		Gross Receipts								3,208.3		3,208.3		3,208.3		3,208.3	(143.6)	-4.5%	
		Transfers to School Tax Relief Fund								-		-		-		-	0.0%		
		Transfers to Revenue Bond Tax Fund								-		-		-		-	0.0%		
		Less: Refunds Issued								(633.5)		(710.5)		(739.9)		(778.3)	(10.5%)	-10.5%	
	Total	1,286.0	15,981.1	1.4	1.6	1,287.4	15,982.7	1,287.4	2,574.8	31,965.4	2,489.4	33,029.2	2,489.4	33,029.2	(1,063.8)	(3.2%)	-3.2%		
CONSUMPTION TAXES	545.5	4,208.7	76.4	582.3	544.9	4,205.6	-	-	1,166.8	8,896.6	1,250.6	10,568.8	1,250.6	10,568.8	(1,572.2)	(14.9%)	-14.9%		
		Sales and Use								31.4		57.3		57.3		(25.9)	(45.2%)	-45.2%	
		Auto Rental								714.1		722.8		722.8		(8.7)	(1.2%)	-1.2%	
		Cigarette/Tobacco Products								86.0		84.1		84.1		3.7	4.3%	4.3%	
		Medical Marijuana								5.4		0.5		0.5		1.7	45.9%	45.9%	
		Motor Fuel								39.7		38.3		38.3		1.4	3.6%	3.6%	
		Alcoholic Beverage								286.3		41.5		355.4		(69.1)	(19.4%)	-19.4%	
		Highway Use								189.9		24.5		179.1		10.8	6.0%	6.0%	
		Vapor Excise								11.5		11.0		96.4		(6.0)	(6.2%)	-6.2%	
		Opoid Excise								0.1		22.6		22.6		18.7	100.0%	100.0%	
	Total	595.4	4,640.0	144.9	1,168.1	544.9	4,205.6	544.9	1,327.7	10,355.4	1,412.3	11,883.5	1,412.3	11,883.5	(1,528.1)	(13.6%)	-13.6%		
BUSINESS TAXES	65.6	1,955.4	24.5	520.5	-	-	-	-	90.1	2,475.9	108.9	2,504.2	108.9	2,504.2	(28.3)	(1.1%)	-1.1%		
		Corporation Franchise								60.0		285.7		285.7		(43.6)	(14.7%)	-14.7%	
		Corporation and Utilities								8.2		144.0		1,068.8		(154.8)	(14.5%)	-14.5%	
		Insurance								93.0		805.8		805.8		(166.4)	(20.7%)	-20.7%	
		Bank								82.8		639.0		639.0		(188.4)	(29.3%)	-29.3%	
		Petroleum Business								181.9		184.8		184.8		(185.4)	(4.0%)	-4.0%	
		Total	74.4	3,106.6	61.2	976.0	-	-	-	181.9	4,445.4	184.8	4,630.8	184.8	4,630.8	(185.4)	(4.0%)	-4.0%	
	OTHER TAXES	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%	0.0%	
			Real Property Gains								833.4		669.9		669.9		163.5	24.4%	24.4%
			Estate and Gift								131.5		87.2		87.2		11.2	(4.0)	(35.7%)	-35.7%
		Pan-Michel								0.8		1.1		1.1		(4.0)	(35.7%)	-35.7%	
		Real Estate Transfer								90.8		99.7		771.1		(231.7)	(30.0%)	-30.0%	
		Racing and Exhibitions								-		0.1		0.6		1.9	(1.8)	(94.7%)	-94.7%
		Employer Compensation Expense Tax								0.2		1.3		1.3		0.3	30.0%	30.0%	
		Total	132.4	841.3	-	-	79.0	488.6	79.0	223.3	1,381.4	188.7	1,455.1	188.7	1,455.1	(73.7)	(5.1%)	-5.1%	
		Total Tax Receipts	\$ 2,088.2	\$ 24,569.0	\$ 207.5	\$ 2,145.7	\$ 1,911.3	\$ 20,556.9	\$ 1,911.3	\$ 4,307.7	\$ 48,147.6	\$ 4,255.2	\$ 51,098.6	\$ 4,255.2	\$ 51,098.6	\$ (2,951.0)	(5.8%)	-5.8%	

STATE OF NEW YORK
GOVERNMENTAL FUNDS (*)
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020												8 Months Ended November 30,		% Increase/ Decrease
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2020	2019	
Beginning Fund Balance	\$ 14,284.8	\$ 20,544.4	\$ 17,650.3	\$ 20,623.6	\$ 28,288.0	\$ 27,457.2	\$ 25,800.5	\$ 28,891.8					\$ 14,284.8	\$ 9,975.0	43.2%
RECEIPTS:															
Taxes:															
Personal Income Tax:															
Withholdings	3,187.3	2,829.3	3,086.3	3,400.3	2,876.6	3,147.2	2,919.6	3,032.3					24,437.8	24,782.5	-0.8%
Estimated Payments	1,145.0	1,145.0	1,145.0	1,145.0	1,145.0	1,145.0	1,145.0	1,145.0					1,145.0	1,145.0	-0.0%
State/City Offsets	339.1	124.7	280.9	1,765.5	69.3	83.4	529.0	51.6					3,121.6	3,172.2	-1.5%
Other (Assessments/LCO)	(68.6)	(38.8)	(59.4)	(187.0)	(28.1)	(71.7)	(444.9)	(65.9)					(865.6)	874.3	-1.3%
Gross Receipts	3,775.6	3,444.2	4,854.8	11,410.3	3,144.1	5,766.8	5,312.7	3,289.3					38,487.0	40,428.1	-4.6%
Transfers to School Tax Relief Fund	-	-	-	-	-	-	-	-					-	-	0.0%
Transfers to Revenue Bond Tax Fund	(1,709.1)	(645.0)	(489.2)	(1,178.0)	(391.1)	(652.1)	(789.1)	(633.5)					(6,521.9)	(7,389.7)	0.0%
Refunds	2,086.2	1,189.2	4,368.2	10,229.0	2,723.0	5,271.4	2,515.6	2,574.8					31,965.4	30,009.2	-5.2%
Total Personal Income Tax															
Consumption/Use Taxes:															
Sales and Use	969.4	790.8	1,210.0	1,132.4	1,146.4	1,540.2	1,140.6	1,166.8					8,966.6	10,568.8	-14.9%
Auto Rental	0.5	(1.4)	13.5	2.1	2.1	14.5	0.1	31.4					31.4	57.3	-45.2%
Cigarette/Tobacco Products	98.8	74.0	86.1	97.8	87.0	103.4	81.0	86.0					714.1	722.8	-1.2%
Medical Marijuana	0.5	0.6	0.7	0.6	0.8	0.7	0.8	0.7					5.4	3.7	46.9%
Medical Marijuana	0.5	0.6	0.7	0.6	0.8	0.7	0.8	0.7					5.4	3.7	46.9%
Alcohol Beverage	26.7	21.4	22.6	30.5	28.5	21.4	23.3	22.9					189.9	185.4	2.4%
Highway Use	11.6	8.9	12.4	12.4	10.3	12.7	10.6	11.5					90.4	96.4	-6.2%
Vapor Excise	-	0.1	11.7	(0.4)	(0.1)	7.4	-	-					18.7	100.0%	-18.7%
Opium Excise	7.2	-	-	8.9	-	0.3	6.1	0.1					22.6	22.6	100.0%
Total Consumption/Use Taxes	1,045.0	915.8	1,388.7	1,318.5	1,312.1	1,744.1	1,302.5	1,327.7					10,555.3	11,953.3	-13.8%
Business Taxes:															
Corporate Franchise	254.4	(34.7)	557.5	569.2	29.7	1,003.7	115.0	80.1					2,375.9	2,504.2	-5.1%
Corporate Franchise	15.6	(11.0)	84.9	33.3	2.3	1,003.7	102.1	252.1					2,375.9	2,504.2	-5.1%
Insurance	70.2	6.5	364.0	33.3	16.0	391.7	23.1	9.2					914.0	1,098.8	-14.7%
Bank	7.4	2.6	91.8	0.7	46.5	15.3	0.4	(0.7)					164.0	(43.7)	475.3%
Petroleum Business	69.3	38.8	85.7	87.9	87.0	98.4	88.5	82.8					639.4	805.8	-20.7%
Total Business Taxes	415.9	1,193.9	718.4	718.4	181.5	1,612.4	238.2	181.9					4,453.8	4,630.8	-4.0%
Other Taxes:															
Real Estate Gains	-	-	-	-	-	-	-	-					-	-	0.0%
Estate and Gift	72.7	52.0	147.3	147.7	55.8	91.3	135.1	131.5					833.4	695.9	24.4%
Penalty	0.7	0.2	0.8	1.0	1.4	0.7	1.6	0.8					7.2	11.2	-35.7%
Real Estate Transfer	57.2	48.4	49.8	64.9	88.3	82.2	77.8	90.8					539.4	771.1	-30.0%
Racing and Exhibitions	0.1	-	-	-	-	-	-	-					0.1	1.8	-94.7%
Employer Compensation Expense Tax	0.2	(0.2)	0.2	0.2	0.2	0.2	0.3	0.2					1.3	1.0	30.0%
Total Other Taxes	130.9	100.4	198.1	213.8	125.7	174.4	214.8	223.3					1,381.4	1,455.1	-5.1%
Total Taxes	3,656.0	3,118.6	7,149.2	12,492.4	4,342.3	8,802.3	4,287.1	4,397.7					48,147.6	51,098.6	-5.8%
Miscellaneous Receipts:															
Abandoned Property:															
Bottle Bill	1.6	0.7	0.8	0.9	25.9	86.0	11.4	215.9					343.2	294.0	16.7%
Assessments:	0.7	0.3	20.6	18.4	0.1	43.2	2.1	0.7					86.1	71.8	18.9%
Medical Care	54.6	68.0	98.0	78.5	49.6	72.7	97.6	19.0					525.0	589.3	-10.8%
Public Utilities	571.2	468.8	506.1	442.8	483.6	520.0	508.0	477.1					3,956.4	4,298.2	-7.9%
Other	-	0.1	-	4.4	0.4	45.4	(10.1)	0.1					39.0	43.2	-8.7%
Fees, Licenses and Permits:													0.2	0.6	-66.7%
Alcohol Beverage Control Licensing	2.2	2.9	2.9	4.9	4.8	5.4	5.0	3.8					31.9	51.6	-38.2%
Real Estate Professional:	69.0	71.9	180.0	55.2	55.3	128.6	65.5	47.1					610.0	645.2	-8.5%
Civil	4.3	3.3	5.5	3.1	88.8	(9.8)	14.6	33.4					143.2	187.1	-23.5%
Criminal	0.6	0.4	0.2	1.6	-	0.2	0.5	0.1					0.1	5.2	-30.8%
Motor Vehicle	(28.8)	-	187.3	200.9	103.6	128.9	105.0	114.2					810.1	904.3	-10.4%
Recreational/Consumer	43.0	-	36.6	34.2	43.3	155.0	85.3	60.7					458.1	605.2	-24.8%
Fines, Penalties and Forfeitures	100.9	233.7	18.3	201.3	6.9	16.3	80.1	154.8					812.3	1,237.2	-34.3%
Gaming	-	-	-	-	-	-	-	-					-	-	0.0%
Liquor	-	-	-	29.8	-	8.0	33.4	10.0					72.2	193.0	-62.8%
Video Lottery	157.0	142.1	173.8	202.2	195.9	199.3	189.3	171.0					1,452.8	1,652.8	-14.7%
Interest Earnings	32.9	0.6	-	(0.4)	6.7	6.2	5.8	5.9					147.8	639.1	-76.9%
Receipts from Public Authorities:													90.1	310.0	-70.9%
Bond Proceeds	1,122.1	1,019.1	3,842.4	268.9	32.4	384.7	895.8	1.0					7,937.4	2,695.4	4,872.0
Post Recovery Assessments	0.5	1.4	25.5	24.7	-	1.8	39.4	0.5					48.7	37.9	28.5%
Non Bond Related	9.3	0.3	0.5	2.3	2.3	0.1	0.8	-					17.3	104.0	-83.4%
Receipts from Municipalities	9.3	2.5	3.9	3.8	2.0	4.7	3.5	3.5					56.2	(23.0)	40.9%
Rentals	(4.6)	(41.7)	1.8	4.2	7.8	35.9	61.8	12.5					77.7	203.9	-61.9%

**STATE OF NEW YORK
GOVERNMENTAL FUNDS (*)
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)**

	2020	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021	JANUARY	FEBRUARY	MARCH	2020	2019	\$ Increase/ (Decrease)	% Increase/ Decrease
Revenues of State Departments:																		
Administrative Recoveries	25.0	8.8	25.4	0.2	9.1	8.9	25.6	24.5	8.8	8.8					136.1	127.9	8.2	6.4%
Commissions	0.6	(0.3)	0.2	0.2	0.2	-	-	1.3	0.2	0.2					3.1	4.9	(1.8)	-36.7%
Commissions - Asset Conversion	0.6	2.2	27.9	0.7	1.9	0.7	-	5.9	0.7	0.7					42.0	29.3	12.7	0.0%
Grants and Donations	0.6	5.4	7.4	5.9	6.1	6.1	5.7	5.0	5.0	5.0					48.5	54.0	(5.5)	-10.2%
Indirect Cost Reimbursement	526.5	372.8	350.6	227.5	221.8	221.8	79.0	291.4	187.1	187.1					2,259.7	1,737.6	519.1	29.9%
Patient/Care Reimbursement	7.8	15.3	13.2	17.7	12.7	12.7	12.7	9.8	13.8	13.8					103.0	116.6	(13.6)	-11.7%
Rebates	7.0	0.6	0.6	0.3	42.7	42.7	5.3	3.6	1.3	1.3					61.4	25.6	35.8	139.8%
Restitution and Settlements	6.1	1.4	3.2	8.4	6.8	6.8	3.7	3.0	3.6	3.6					37.2	43.7	(6.5)	-14.9%
Student Loans	(18.9)	10.7	30.0	75.6	48.8	65.5	75.7	42.8	48.8	48.8					327.6	498.0	(170.4)	-28.5%
All Other	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6					18.7	18.7	0.0	0.0%
Tuition	(67.5)	33.9	55.9	133.3	375.7	113.3	375.7	49.7	49.7	49.7					785.4	904.9	(119.5)	-13.2%
Total Miscellaneous Receipts	2,637.2	2,439.7	3,557.0	1,978.0	1,530.7	2,444.4	2,831.9	1,699.2	1,699.2	1,699.2	-	-	-	-	21,339.6	18,399.0	2,940.6	14.9%
Federal Receipts	10,853.1	4,207.0	7,520.2	5,423.2	4,591.2	10,136.1	7,609.2	4,274.8	10,281.7	10,281.7					54,024.8	43,128.6	11,495.2	26.7%
Total Receipts	17,150.3	9,765.3	20,227.2	18,894.2	10,484.2	21,382.8	14,778.2	10,281.7	10,281.7	10,281.7	-	-	-	-	123,912.0	112,827.2	11,284.8	10.0%
DISBURSEMENTS:																		
Local Assistance Grants:																		
Education	1,149.2	4,132.7	3,964.9	799.2	1,070.5	4,157.3	1,350.8	1,804.3	1,804.3	1,804.3					18,028.9	20,158.3	(1,729.4)	-8.6%
Environment and Recreation	4.5	3.7	14.0	12.9	20.6	15.6	7.7	10.0	10.0	10.0					89.0	137.8	(48.8)	-35.4%
General Government	48.5	17.7	543.7	67.4	109.0	3,937.2	324.4	159.0	159.0	159.0					5,204.9	1,473.1	3,731.8	253.3%
Public Health:																		
Other Public Health	5,410.3	5,099.6	6,092.5	5,367.6	5,202.9	7,094.6	4,296.1	4,812.6	4,812.6	4,812.6					43,346.1	44,521.2	(1,175.1)	-2.6%
Public Safety	602.5	63.6	980.4	1,029.7	701.2	1,078.5	816.2	774.3	774.3	774.3					6,819.8	6,502.0	317.8	1.8%
Public Welfare	211.8	217.7	388.7	850.8	364.1	1,487.5	479.0	394.6	394.6	394.6					1,501.1	1,085.5	415.6	38.5%
Support and Regulate Business	48.1	15.1	35.9	26.7	84.5	22.3	64.2	54.2	54.2	54.2					351.0	5,075.7	(4,724.7)	-13.4%
Transportation	80.0	90.9	72.6	625.5	509.8	618.1	745.0	859.3	859.3	859.3					3,009.0	3,653.7	(644.7)	-17.6%
Total Local Assistance Grants	7,660.2	10,279.3	12,246.0	9,240.0	8,224.0	18,472.1	8,705.1	9,022.1	9,022.1	9,022.1	-	-	-	-	83,345.2	83,345.2	0.0%	0.0%
Debt and Capital Operations:																		
Capital Projects	1,568.5	1,135.9	1,116.4	1,278.8	1,053.9	1,527.0	1,119.2	1,090.2	1,090.2	1,090.2					9,890.9	10,114.5	(223.6)	-2.2%
General State Charges	594.1	417.0	504.4	571.1	605.9	756.7	620.6	492.9	492.9	492.9					4,559.7	4,419.8	139.9	3.2%
General State Charges	535.2	365.0	2,621.5	471.9	414.0	616.1	511.7	500.1	500.1	500.1					6,065.5	6,575.1	(509.6)	-7.8%
Debt Service, Including Payments on																		
Financing Agreements	36.5	23.5	28.9	10.7	337.8	941.8	39.8	30.4	30.4	30.4					1,349.2	1,100.0	249.2	22.7%
Capital Projects	503.8	405.0	681.9	641.4	657.7	705.7	535.6	609.8	609.8	609.8					4,758.8	4,845.0	(86.2)	-1.8%
Total Disbursements	10,895.3	12,656.9	17,199.0	12,213.9	11,303.1	22,920.4	11,530.0	11,745.5	11,745.5	11,745.5	-	-	-	-	110,464.1	110,402.6	61.5	0.1%
Excess (Deficiency) of Receipts over Disbursements	6,255.0	(2,891.6)	3,028.3	7,670.3	(818.9)	(1,537.6)	3,198.2	(1,466.8)	(1,466.8)	(1,466.8)	-	-	-	-	13,447.9	2,224.6	11,223.3	504.5%
OTHER FINANCING SOURCES (USES):																		
Proceeds from Sale of Real Estate	-	-	-	-	-	-	-	-	-	-					-	-	-	-
Transfers to Other Funds	1,063.1	1,858.4	4,185.9	5,857.2	1,882.7	3,319.7	1,882.5	2,344.8	2,344.8	2,344.8					22,354.3	28,851.9	(6,497.6)	-22.2%
Transfers to Other Funds	(1,065.5)	(1,860.9)	(4,240.9)	(5,863.1)	(1,884.6)	(3,438.8)	(1,889.4)	(2,347.8)	(2,347.8)	(2,347.8)					(22,502.0)	(28,780.6)	(6,278.6)	-21.8%
Total Other Financing Sources (Uses)	(3.4)	(2.5)	(55.0)	(5.9)	(11.9)	(115.1)	(6.9)	(3.9)	(3.9)	(3.9)	-	-	-	-	(207.7)	(106.7)	(99.0)	-91.1%
Excess (Deficiency) of Receipts over Disbursements and Other Financing Uses	6,251.6	(2,894.1)	2,973.3	7,664.4	(830.8)	(1,652.7)	3,191.3	(1,466.8)	(1,466.8)	(1,466.8)	-	-	-	-	13,240.2	2,115.9	11,124.3	525.7%
Ending Fund Balance	\$ 20,544.4	\$ 17,650.3	\$ 20,623.6	\$ 25,268.0	\$ 27,457.2	\$ 25,800.5	\$ 26,991.8	\$ 27,525.0	\$ 27,525.0	\$ 27,525.0	\$ -	\$ -	\$ -	\$ -	\$ 27,525.0	\$ 12,096.9	\$ 15,438.1	127.7%

(*) Governmental Funds includes General, Special Revenue, Debt Service and Capital Projects Funds combined.

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Beginning Fund Balance	2020			2021			9 Months Ended November 30			% Increase (Decrease)	16.6%			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER			JANUARY	FEBRUARY	MARCH	2020	2019
	\$ 14,408.3	\$ 16,171.6	\$ 13,542.7	\$ 14,605.2	\$ 22,665.9	\$ 22,116.0	\$ 22,983.0	\$ 23,252.2					\$ 14,408.3	\$ 12,961.3
EBPBTs:														
Taxes:														
Personal Income Tax:														
Miscellaneous Payments	3,187.3	2,928.3	3,056.3	3,400.3	2,876.6	3,147.2	2,919.5	3,032.3					24,697.8	24,782.5
Retained Earnings	211.6	70.9	1,493.0	6,329.0	121.3	2,510.0	176.8	96.6					11,012.2	12,576.0
State/City Offsets	339.1	124.7	280.9	1,765.1	89.3	83.4	528.0	51.4					3,174.2	3,221.9
Other (Reimbursements/LC)	(69.8)	(39.8)	(58.4)	(71.7)	(68.9)	(28.1)	(444.9)	(65.9)					(695.9)	(977.9)
Transfers to School Tax Relief Fund	3,775.2	3,141.7	4,854.8	1,140.3	3,112.0	5,166.8	3,317.9	3,088.3					38,380.0	40,675.3
Transfers to Revenue Bond Tax Fund	-	-	-	-	-	-	-	-					-	-
Refunds Issued	(1,709.4)	(945.0)	(488.3)	(1,179.8)	(391.1)	(495.4)	(781.1)	(633.5)					(6,621.6)	-
Total Personal Income Tax	(2,086.2)	2,199.2	4,368.5	10,200.7	2,722.0	5,271.4	2,571.6	2,574.8					31,965.4	33,729.2
Corporate Tax Taxes:														
Sales and Use	889.4	790.8	1,210.0	1,132.4	1,146.4	1,540.2	1,140.6	1,168.8					8,986.6	10,598.6
Auto Rental	(0.1)	(1.9)	3.4	2.1	2.1	(1.1)	-	-					4.9	7.3
Cigarette/Tobacco Products	98.8	74.0	86.1	97.8	87.0	103.4	81.0	96.0					714.1	722.8
Medical Marijuana	0.5	0.6	0.7	0.6	0.8	0.7	0.7	0.7					6.4	3.7
Highway Use	26.7	21.4	22.8	26.0	23.1	23.3	23.7	22.9					189.6	179.1
Alcoholic Beverage	-	0.1	-	-	0.1	-	-	0.1					0.3	0.4
Vapor Excise	-	0.1	11.7	(0.4)	(0.1)	7.4	-	-					18.7	18.7
Opoid Excise	-	-	-	-	-	0.3	6.1	0.1					22.6	22.6
Total Consumption/Use Taxes	1,080.9	890.2	1,341.3	1,275.9	1,283.5	1,831.1	1,280.5	1,283.2					10,413.7	11,557.2
Business:														
Corporation Franchise	254.4	(134.7)	557.5	563.2	28.7	1,000.7	115.0	90.1					2,475.9	2,504.2
Corporation and Utilities	15.5	(9.9)	94.3	29.7	2.2	104.1	94.5	0.5					246.3	287.3
Insurance	70.2	70.2	394.0	33.3	16.0	391.7	23.1	914.0					1,098.8	1,098.8
Bank	30.3	17.8	37.9	46.5	17.1	15.3	39.4	39.7					251.7	251.7
Permitting Business	-	-	-	-	-	-	-	-					43.3	43.3
Total Business Taxes	(117.3)	(117.3)	1,143.3	663.7	133.1	1,553.0	187.6	135.6					4,082.6	4,170.2
Other Taxes:														
Real Property Gains	72.7	52.0	147.3	-	-	81.3	135.1	-					893.4	899.9
Estate and Gift	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7					6.5	6.5
Real Estate Transfer	57.2	48.4	37.9	53.0	56.4	70.3	65.8	78.9					467.9	699.6
Racing and Exhibitions	0.1	-	-	-	-	-	-	-					1.9	1.9
Employer Compensation Expense Tax	0.2	(0.2)	0.2	0.2	0.2	0.2	0.3	0.2					1.3	1.0
Total Other Taxes	130.9	100.3	186.2	201.9	113.8	425.5	202.8	211.4					1,369.9	1,383.6
Total Taxes	3,853.9	3,072.3	7,041.3	12,374.2	4,238.4	8,672.0	4,182.5	4,207.0					50,140.2	(2,768.6)
Miscellaneous Receipts:														
Abandoned Property:														
Abandoned Property	1.6	0.7	0.8	0.9	25.9	98.0	11.4	216.9					343.2	49.2
Abandoned Property	0.7	0.3	20.8	(4.6)	0.1	43.2	2.1	0.7					48.8	14.3
Assessments:														
Business:														
Business	42.7	21.8	82.4	69.8	33.4	95.5	88.9	6.0					452.5	(42.0)
Medical Care	571.2	469.8	506.1	442.6	463.6	520.0	509.0	477.1					4,396.2	(339.8)
Public Utilities	-	-	0.4	4.4	0.4	46.4	(10.1)	(1.6)					38.0	43.2
Fees, Licenses and Permits:													0.2	0.6
Alcohol Beverage Control Licensing	2.2	2.9	-	4.9	4.8	5.4	5.0	3.8					31.9	51.6
Alcohol Beverage Control Licensing	-	-	0.1	0.2	0.7	0.7	0.1	0.3					2.1	(0.5)
Audit Fees	-	-	0.1	0.2	46.0	125.5	64.0	44.8					621.4	(35.4)
Business/Professional	67.2	69.8	114.4	54.3	46.0	46.0	46.0	44.8					598.0	621.4
Criminal	0.6	0.3	0.3	0.3	88.8	0.2	1.5	0.1					143.6	143.6
Motor Vehicle	(82.0)	(33.2)	144.2	140.3	40.2	71.5	44.3	53.9					375.2	401.9
Recreational/Consumer	43.0	-	36.1	34.2	32.3	147.3	85.2	60.7					438.8	(155.5)
Fines, Penalties and Forfeitures	98.6	231.6	16.1	199.9	3.5	13.8	78.1	153.2					1,794.8	(418.8)
Grants:														
Lottery	-	-	-	20.8	-	8.0	33.4	10.0					72.2	(120.8)
Video Lottery	157.0	142.1	173.8	202.2	195.9	199.3	171.0	171.0					1,409.6	(243.2)
Interest Earnings	29.2	13.8	7.7	(0.4)	5.4	5.3	59.6	54.2					639.1	(491.3)
Repayments from Public Authorities:	-	-	-	4.3	-	-	5.0	5.0					282.6	(206.9)
Cost Recovery Assessments	-	1,000.0	3,500.0	-	-	-	-	-					4,500.0	100.0
Cost Recovery Assessments	-	-	-	-	-	-	8.9	-					46.7	(37.8)
Cost Recovery Assessments	-	-	-	-	-	-	-	-					80.9	-

FISCAL YEAR 2020-2021
(amounts in millions)

	2020				2021				8 Months Ended November 30				% Increase/Decrease	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH		2020	2019
Insurance Fees	0.6	1.4	25.5	24.7	-	1.8	30.2	0.5					84.6	44.2
Non Bond Related	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0					15.9	54.4
Rentals from Municipalities	0.0	0.0	3.9	4.2	1.9	0.3	0.4	0.4					0.0	15.9
Revenues of State Departments:	(5.1)	(42.8)	(0.3)	2.0	4.0	34.7	61.0	31.6					65.1	197.3
Administrative Recoveries	25.0	8.8	25.4	9.1	8.9	25.6	24.5	8.8					136.1	127.9
Commissions - Asset Conversion	0.6	(0.3)	0.2	0.2	-	1.3	0.2	-					4.9	1.8
Gifts, Grants and Donations	0.6	1.5	22.1	0.7	0.6	0.5	6.1	0.3					31.4	6.1
Indirect Cost Recoveries	5.5	5.5	5.5	5.9	6.1	5.7	5.4	5.5					46.5	54.9
Non-Resident Care Reimbursement	52.5	39.6	39.6	5.9	5.9	29.3	29.3	29.3					167.1	167.1
Rehabilitation and Settlements	0.1	0.6	0.7	10.2	5.9	5.0	2.3	6.4					41.6	50.2
Student Loans	6.1	1.4	3.2	6.4	6.8	3.7	0.3	0.9					52.0	21.3
Other	(23.1)	8.6	1.5	3.2	6.4	3.9	3.2	3.6					37.2	(6.5)
Sales	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0					11.3	(118.7)
Tuition	(67.5)	33.6	56.9	50.9	113.3	375.7	172.8	49.7					904.9	904.9
Total Miscellaneous Receipts	1,431.2	2,321.8	5,130.2	1,602.6	1,399.1	1,855.2	1,843.6	1,300.7					17,366.2	14,752.6
Federal Receipts	-	-	4.1	(4.1)	2.5	48.9	12.0	(33.5)					31.8	55.0
Total Receipts	5,015.1	5,384.1	12,178.4	13,972.7	5,640.0	10,677.1	6,009.0	5,783.2					64,696.6	64,447.8
DISBURSEMENTS:														
Local Government Grants:														
Education	754.3	4,065.1	3,409.1	563.6	856.2	3,861.8	1,200.2	1,559.5					16,269.8	17,704.2
Environment and Recreation	0.1	0.3	-	0.2	(0.1)	0.4	0.7	0.2					3.1	3.1
General Government	16.1	4.6	500.0	20.4	33.6	62.5	77.7	18.1					874.1	874.1
Health:														
Medicaid	757.7	1,757.8	2,497.4	2,043.9	1,856.5	2,135.5	1,416.5	1,503.7					13,980.0	17,556.2
Other Public Health	93.5	72.8	307.2	496.1	118.0	438.1	249.0	234.8					1,986.5	2,029.6
Public Safety	16.9	11.1	4.5	16.9	20.9	34.6	17.3	128.0					128.0	240.9
Transportation	18.2	18.2	9.0	5.4	4.6	4.6	4.6	26.2					145.3	145.3
Support and Regulate Business	4.8	7.1	9.0	7.1	11.0	10.9	8.9	26.2					83.9	135.9
Transportation	1.7	41.7	726.3	357.9	357.9	24.3	266.4	446.1					1,511.7	2,542.8
Total Local Assistance Grants	1,785.9	6,118.7	6,381.7	4,440.9	3,319.6	7,143.0	2,654.4	4,004.2					36,397.9	42,161.8
Departmental Operations:														
Non-Personal Service	1,494.8	1,084.9	955.5	1,114.0	990.1	1,213.7	997.4	976.5					9,478.9	9,478.9
Non-Personal Service	372.9	372.9	335.8	308.2	384.5	528.7	432.0	417.2					2,705.2	3,586.6
General State Charges	512.5	370.3	2,582.6	388.2	343.3	592.6	434.0	470.8					5,694.3	
Debt Service, Including Payments on														
Capital Projects	38.5	23.5	28.9	10.7	397.6	841.8	39.8	30.4					1,349.2	1,100.0
Total Disbursements	4,373.0	7,670.3	10,706.9	5,645.6	5,375.1	10,619.8	5,191.0	5,899.1					55,783.8	63,440.8
Excess (Deficiency) of Receipts over Disbursements	642.1	(2,576.2)	1,468.5	8,327.1	264.9	57.3	848.0	(115.9)					8,915.8	1,407.0
OTHER FINANCING SOURCES (USES):														
Transfers from Other Funds (¹)	1,939.1	1,674.9	3,796.1	5,367.5	1,326.8	3,217.1	2,037.9	1,382.5					26,225.4	
Transfers to Other Funds (¹)	(817.9)	(1,727.9)	(4,202.1)	(5,533.9)	(1,841.6)	(3,107.4)	(1,643.7)	(2,151.3)					(27,598.7)	
Total Other Financing Sources (Uses)	1,121.2	(52.7)	(406.0)	(266.4)	(514.8)	109.7	394.2	(768.8)					(1,773.3)	
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	1,769.3	(2,628.9)	1,062.5	8,060.7	(248.9)	167.0	1,242.2	(884.7)					8,532.2	233.7
Ending Fund Balance	\$ 16,171.6	\$ 13,342.7	\$ 14,405.2	\$ 22,465.9	\$ 22,416.0	\$ 22,583.0	\$ 23,823.2	\$ 22,940.5	\$ -	\$ -	\$ -	\$ -	\$ 22,940.5	\$ 10,345.5
														\$ 3,556.99
														\$ 82.1%

(*) **State Operating Funds** are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal funds) and Debt Service Funds. Eliminations between State and Federal Special Revenue Funds are not included.

STATE OF NEW YORK GENERAL FUND STATEMENT OF CASH FLOW FISCAL YEAR 2020-2021 (amounts in millions)													EXHIBIT F	
Beginning Fund Balance	8 Months Ended November 30												% Increase/ Decrease	24.1%
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH		
	\$ 8,944.2	\$ 10,082.5	\$ 7,310.2	\$ 6,883.6	\$ 14,383.0	\$ 13,522.7	\$ 15,441.8	\$ 14,930.8					\$ 1,736.5	
RECEIPTS:														
Personal Income Tax:														
Withholdings	3,187.3	2,928.3	3,096.3	3,400.3	2,876.6	3,147.2	2,919.5	3,032.3					24,782.5	(194.7)
Estimated Payments	211.6	70.9	1,493.0	6,329.0	121.3	2,510.0	176.8	99.6					12,578.0	(1,563.8)
Returns	339.1	124.7	260.9	1,765.1	69.3	83.4	528.0	51.4					3,174.2	47.7
State/County Offsets	(109.8)	(38.6)	(68.4)	(167.0)	(88.1)	(88.1)	(444.9)	(69.9)					(955.3)	1.3%
State/County (LLC)													(171.9)	1.3%
Gross Receipts	3,715.6	3,144.2	4,854.8	11,410.5	3,114.3	5,766.8	3,312.7	3,288.3	-	-	-	-	40,428.1	(1,842.1)
Transfers to School Tax Relief Fund						(0.1)	(0.1)	(1.4)					(1.6)	-50.0%
Transfers to Revenue Bond Tax Fund	(1,033.1)	(1,069.6)	(2,184.2)	(5,115.4)	(1,361.5)	(2,635.7)	(1,285.8)	(1,287.4)					(15,882.7)	(631.9)
Refunds Issued	(1,709.4)	(645.0)	(485.2)	(1,179.8)	(391.1)	(495.4)	(781.1)	(633.5)					(7,359.9)	(78.3)
Transfers from State/County Income Tax	1,033.1	1,069.6	2,184.2	5,115.4	1,361.5	2,635.7	1,285.8	1,287.4					15,882.7	(631.9)
Consumption/Use Taxes:														
Sales and Use	394.9	369.9	572.4	530.0	536.5	748.0	511.5	545.5					4,208.7	4,921.2
Auto Rental														(712.5)
Cigarette/Tobacco Products	30.0	22.7	25.9	29.0	26.6	32.4	25.3	26.9					218.8	220.9
Motor Fuel														(2.1)
Beverage	26.7	21.4	22.8	26.0	23.1	23.3	23.7	22.9					179.1	10.8
Highway Use														0.0%
Vapor Excise														0.0%
Opium Excise	7.2													0.0%
Total Consumption/Use Taxes	458.8	414.0	674.1	589.8	586.2	804.0	566.6	595.4	-	-	-	-	5,321.2	(881.2)
Business Taxes:														
Business Tax	197.4	(131.5)	447.4	449.2	18.0	835.0	74.3	65.6					1,945.4	10.0
Franchise	13.3	(2.6)	73.8	12.7	3.8	79.7	5.4	0.4					207.2	(20.9)
Corporation and Utilities	63.0	6.9	325.4	28.9	15.6	348.4	21.9	8.9					819.0	947.8
Bank	6.1	2.0	78.9	0.7	40.4	18.4	(0.1)	(0.5)					145.9	(41.8)
Petroleum Business														187.7
Other Taxes/ Business Taxes	275.8	(125.2)	935.5	491.5	77.6	1,261.5	101.5	74.4	-	-	-	-	3,106.6	48.0
Real Property Gains														18.8%
Estate and Gift	72.7	52.0	147.3	147.7	55.8	91.3	135.1	131.5					669.9	-
Part-Mutual	0.7	0.2	0.8	1.0	1.4	0.7	1.6	0.8					11.2	163.5
Real Estate Transfer													7.2	(4.0)
Other	0.1												0.1	1.9
Employer Compensation Expense Tax													0.6	(1.9)
Total Other Taxes	73.8	52.1	148.2	148.7	57.3	92.1	138.3	132.4	-	-	-	-	883.5	94.0
Total Taxes	1,845.3	1,440.5	3,879.1	6,346.5	2,022.6	4,813.2	2,070.6	2,088.2	-	-	-	-	25,574.7	157.8
Miscellaneous Receipts:														
Abandoned Property	0.4	-	-	-	25.1	84.8	10.6	215.0					266.3	48.6
State Bill	0.7	0.3	20.6	(4.6)	0.1	43.2	2.1	0.7					48.6	14.3
Business:														
Medical Care	1.9	2.1	1.7	1.8	2.1	2.7	3.3	6.3					-	-
Public Utilities	-	-	-	-	-	-	-	-					21.9	(0.8)
Other	-	0.1	-	-	-	-	-	-					0.2	(0.2)
Alcohol Beverage Control Licensing	2.2	2.9	2.9	4.9	4.8	5.4	5.0	3.8					51.6	(19.7)
Audit Fees														-38.2%
Business/Professional	19.0	(0.6)	27.9	13.5	9.7	30.7	17.9	4.1					159.0	(19.7)
Civil	1.1	0.9	2.9	1.7	82.7	9.5	29.2	4.1					113.5	(36.8)
Crimes	100.4	0.1	12.1	109.1	13.2	48.2	29.1	10.1					149.2	(35.7)
Recreational/Consumer													207.1	(0.3)
Fines, Penalties and Forfeitures	88.9	228.0	14.7	186.1	3.3	82.1	12.8	150.4					6.5	(6.0)
Interest Earnings	15.6	5.9	1.6	0.9	1.4	1.9	1.7	1.6					890.4	(297.3)
Receipts from Public Authorities:													30.6	(94.2)
Bond Proceeds	-	1,000.0	3,500.0	-	-	-	-	-					4,500.0	100.0%
Competition Assessments	-	-	-	-	-	-	-	-					18.0	(18.0)
Insurance Fees	-	-	20.2	24.7	-	1.8	30.2	0.5					37.0	40.4
Non Bond Related	-	-	-	-	-	-	-	-					25.2	(25.2)
Receipts from Municipalities	0.2	0.1	0.1	0.1	0.2	0.1	-	0.3					1.1	(16.7)
Rentals													1.0	0.1
Transfers from State Departments:														-88.4%
Administrative Recoveries	0.4	0.3	16.7	0.4	0.1	15.5	0.3	0.1					33.8	(7.2)
Commissions	0.4	(0.4)	0.1	-	(0.3)	0.5	(0.5)	0.1					(0.1)	(0.5)
Gifts, Grants and Donations	-	-	-	-	-	-	-	-					-	-125.0%
Indirect Cost Recoveries	5.5	5.4	7.4	5.9	6.1	5.7	5.0	5.5					46.5	(7.5)
Patent/Client Care Reimbursement	(3.7)	53.7	(2.2)	(17.1)	53.7	(107.3)	49.3	1.2					(14.0)	(18.2)
Restoration and Settlements	0.2	1.7	0.9	3.2	3.2	-	(0.1)	0.2					0.6	8.5%
				0.1	-	-	-	-					0.5	(0.1)

EXHIBIT F

STATE OF NEW YORK
GENERAL FUND
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020		2019		2018		2017		2016		2015		2014		2013		2012		2011		2010		2009		2008		2007		2006		2005		2004		2003		2002		2001		2000		1999		1998		1997		1996		1995		1994		1993		1992		1991		1990		1989		1988		1987		1986		1985		1984		1983		1982		1981		1980		1979		1978		1977		1976		1975		1974		1973		1972		1971		1970		1969		1968		1967		1966		1965		1964		1963		1962		1961		1960		1959		1958		1957		1956		1955		1954		1953		1952		1951		1950		1949		1948		1947		1946		1945		1944		1943		1942		1941		1940		1939		1938		1937		1936		1935		1934		1933		1932		1931		1930		1929		1928		1927		1926		1925		1924		1923		1922		1921		1920		1919		1918		1917		1916		1915		1914		1913		1912		1911		1910		1909		1908		1907		1906		1905		1904		1903		1902		1901		1900		1899		1898		1897		1896		1895		1894		1893		1892		1891		1890		1889		1888		1887		1886		1885		1884		1883		1882		1881		1880		1879		1878		1877		1876		1875		1874		1873		1872		1871		1870		1869		1868		1867		1866		1865		1864		1863		1862		1861		1860		1859		1858		1857		1856		1855		1854		1853		1852		1851		1850		1849		1848		1847		1846		1845		1844		1843		1842		1841		1840		1839		1838		1837		1836		1835		1834		1833		1832		1831		1830		1829		1828		1827		1826		1825		1824		1823		1822		1821		1820		1819		1818		1817		1816		1815		1814		1813		1812		1811		1810		1809		1808		1807		1806		1805		1804		1803		1802		1801		1800		1799		1798		1797		1796		1795		1794		1793		1792		1791		1790		1789		1788		1787		1786		1785		1784		1783		1782		1781		1780		1779		1778		1777		1776		1775		1774		1773		1772		1771		1770		1769		1768		1767		1766		1765		1764		1763		1762		1761		1760		1759		1758		1757		1756		1755		1754		1753		1752		1751		1750		1749		1748		1747		1746		1745		1744		1743		1742		1741		1740		1739		1738		1737		1736		1735		1734		1733		1732		1731		1730		1729		1728		1727		1726		1725		1724		1723		1722		1721		1720		1719		1718		1717		1716		1715		1714		1713		1712		1711		1710		1709		1708		1707		1706		1705		1704		1703		1702		1701		1700		1699		1698		1697		1696		1695		1694		1693		1692		1691		1690		1689		1688		1687		1686		1685		1684		1683		1682		1681		1680		1679		1678		1677		1676		1675		1674		1673		1672		1671		1670		1669		1668		1667		1666		1665		1664		1663		1662		1661		1660		1659		1658		1657		1656		1655		1654		1653		1652		1651		1650		1649		1648		1647		1646		1645		1644		1643		1642		1641		1640		1639		1638		1637		1636		1635		1634		1633		1632		1631		1630		1629		1628		1627		1626		1625		1624		1623		1622		1621		1620		1619		1618		1617		1616		1615		1614		1613		1612		1611		1610		1609		1608		1607		1606		1605		1604		1603		1602		1601		1600		1599		1598		1597		1596		1595		1594		1593		1592		1591		1590		1589		1588		1587		1586		1585		1584		1583		1582		1581		1580		1579		1578		1577		1576		1575		1574		1573		1572		1571		1570		1569		1568		1567		1566		1565		1564		1563		1562		1561		1560		1559		1558		1557		1556		1555		1554		1553		1552		1551		1550		1549		1548		1547		1546		1545		1544		1543		1542		1541		1540		1539		1538		1537		1536		1535		1534		1533		1532		1531		1530		1529		1528		1527		1526		1525		1524		1523		1522		1521		1520		1519		1518		1517		1516		1515		1514		1513		1512		1511		1510		1509		1508		1507		1506		1505		1504		1503		1502		1501		1500		1499		1498		1497		1496		1495		1494		1493		1492		1491		1490		1489		1488		1487		1486		1485		1484		1483		1482		1481		1480		1479		1478		1477		1476		1475		1474		1473		1472		1471		1470		1469		1468		1467		1466		1465		1464		1463		1462		1461		1460		1459		1458		1457		1456		1455		1454		1453		1452		1451		1450		1449		1448		1447		1446		1445		1444		1443		1442		1441		1440		1439		1438		1437		1436		1435		1434		1433		1432		1431		1430		1429		1428		1427		1426		1425		1424		1423		1422		1421		1420		1419		1418		1417		1416		1415		1414		1413		1412		1411		1410		1409		1408		1407		1406		1405		1404		1403		1402		1401		1400		1399		1398		1397		1396		1395		1394		1393		1392		1391		1390		1389		1388		1387		1386		1385		1384		1383		1382		1381		1380		1379		1378		1377		1376		1375		1374		1373		1372		1371		1370		1369		1368		1367		1366		1365		1364		1363		1362		1361		1360		1359		1358		1357		1356		1355		1354		1353		1352		1351		1350		1349		1348		1347		1346		1345		1344		1343		1342		1341		1340		1339		1338		1337		1336		1335		1334		1333		1332		1331		1330		1329		1328		1327		1326		1325		1324		1323		1322		1321		1320		1319		1318		1317		1316		1315		1314		1313		1312		1311		1310		1309		1308		1307		1306		1305		1304		1303		1302		1301		1300		1299		1298		1297		1296		1295		1294		1293		1292		1291		1290		1289		1288		1287		1286		1285		1284		1283		1282		1281		1280		1279		1278		1277		1276		1275		1274		1273		1272		1271		1270		1269		1268		1267		1266		1265		1264		1263		1262		1261		1260		1259		1258		1257		1256		1255		1254		1253		1252		1251		1250		1249		1248		1247		1246		1245		1244		1243		1242		1241		1240		1239		1238		1237		1236		1235		1234		1233		1232		1231		1230		1229		1228		1227		1226		1225		1224		1223		1222		1221		1220		1219		1218		1217		1216		1215		1214		1213		1212		1211		1210		1209		1208		1207		1206		1205		1204		1203		1202		1201		1200		1199		1198		1197		1196		1195		1194		1193		1192		1191		1190		1189		1188		1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EXHIBIT G

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	Infra-Fund Transfer Eliminations (1)	2020 \$	2019 \$	% Increase/ Decrease	% Increase/ Decrease
Beginning Fund Balance	\$ 6,312.1	\$ 11,224.0	\$ 11,140.2	\$ 14,472.7	\$ 13,232.7	\$ 12,870.2	\$ 9,910.0	\$ 12,185.8						\$ 6,912.1	\$ 3,842.4	\$ 2,409.7	84.3%
RECEIPTS:																	
Taxes:																	
Personal Income Tax	-	-	-	-	-	-	0.1	0.1	1.4				-	1.6	3.2	(1.6)	-50.0%
Corporate Income Tax	-	-	-	-	-	-	-	-	-				-	-	-	-	-
Capital Gains Tax	-	-	-	-	-	-	-	-	-				-	-	-	-	-
Other Tax	-	-	-	-	-	-	-	-	-				-	-	-	-	-
Non-Tax:																	
Lottery	80.3	51.2	65.6	72.7	73.6	83.3	79.2	76.4					-	592.3	730.6	(148.3)	-20.3%
Sales and Use	(0.1)	(1.5)	3.4	2.1	2.1	(1.1)	-	-					-	4.9	7.3	(2.4)	-32.3%
Auto Rental	68.8	51.3	60.2	68.8	60.4	71.0	55.7	59.1					-	495.3	501.9	(6.6)	-1.3%
Cigarette/Tobacco Products	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5					-	6.5	6.5	-	0.0%
Alcoholic Beverages	8.5	4.7	8.5	8.5	9.1	8.9	8.3	8.6					-	61.2	75.1	(13.9)	-18.5%
Highway Use	-	-	-	-	-	-	-	-					-	-	-	-	0.0%
Vaporized Tobacco	0.1	0.1	-	-	0.1	-	-	0.1					-	0.3	0.4	(0.1)	-25.0%
Other	156.0	185.3	148.2	152.3	146.0	176.2	144.0	144.9					-	1,188.1	1,319.0	(130.9)	-11.4%
Total Consumption/Use Taxes													-				
Business Taxes:													-				
Corporation Franchise	57.0	(3.2)	110.1	114.0	117.7	165.7	40.7	24.5					-	520.5	558.8	(38.3)	-6.9%
Corporation and Utilities	2.2	(0.9)	38.6	4.4	0.4	44.3	1.2	0.3					-	95.0	121.0	(26.0)	-21.5%
Bank	1.3	0.6	12.9	1.4	6.1	(3.1)	0.5	(0.2)					-	18.1	20.0	(1.9)	-9.5%
Petroleum Business	30.3	17.6	37.7	38.8	38.7	43.2	39.6	38.5					-	392.4	353.6	(38.8)	-11.0%
Other	98.0	7.7	219.0	174.2	55.3	273.5	86.1	61.2					-	976.0	1,111.8	(135.8)	-12.2%
Total Business Taxes													-				
Total Taxes	254.0	114.2	388.0	376.5	291.5	443.8	230.2	207.5					-	2,145.7	2,433.8	(288.1)	-11.8%
Miscellaneous Receipts:													-				
Abandoned Property	1.2	0.7	0.8	0.9	0.8	1.2	0.8	0.9					-	7.3	7.7	(0.4)	-5.2%
Assessments:													-				
Business	46.7	62.4	62.6	71.5	41.0	55.6	90.3	47.7					-	471.8	518.8	(47.0)	-9.1%
Other	508.0	486.0	508.0	486.0	486.0	486.0	486.0	486.0					-	3,390.0	4,432.0	(1,042.0)	-23.5%
Public Utilities	0.1	-	0.4	4.4	0.4	45.4	(10.1)	(1.6)					-	-	0.2	(0.2)	-100.0%
Other	-	-	-	-	-	-	-	-					-	-	-	-	-
Fees, License and Permits:													-				
Business/Professional	40.2	70.4	86.5	40.8	36.3	94.8	46.1	40.7					-	463.8	462.4	1.4	0.3%
Chil	3.2	2.4	2.6	1.4	6.1	4.7	5.1	4.2					-	29.7	37.9	(8.2)	-21.6%
Criminal	0.0	0.3	0.1	1.5	-	26.3	0.4	34.9					-	2.8	4.1	(1.3)	-31.7%
Other	15.4	19.8	15.4	17.1	27.1	24.3	24.3	24.3					-	154.0	154.0	-	0.0%
Recreational/Consumer	43.0	34.3	38.0	34.3	31.8	14.3	83.3	59.6					-	432.3	581.8	(149.5)	-25.7%
Fees, Penalties and Forfeitures	10.0	5.8	1.6	14.0	0.4	5.9	65.4	3.0					-	106.1	230.2	(124.1)	-53.9%
Gaming:													-				
Lottery	-	-	-	20.9	-	9.0	33.4	19.0					-	72.2	193.0	(120.8)	-62.6%
Video Lottery	157.0	142.1	173.8	202.2	195.9	199.3	189.3	171.0					-	1,409.6	1,652.8	(243.2)	-14.7%
Interest Earnings	-	0.6	-	(0.4)	-	33.8	59.6	54.2					-	147.8	638.1	(490.3)	-76.9%
Revenues of State Departments:													-				
Administrative	16.5	11.7	7.5	4.3	5.2	4.2	4.1	4.1					-	57.6	175.6	(118.0)	-67.2%
Cost Recovery Assessments	-	-	-	-	-	-	-	-					-	-	-	-	0.0%
Insurance Fees	0.5	1.4	5.3	-	-	-	8.9	-					-	8.9	28.7	(19.8)	-69.0%
Reimbursement	9.3	2.2	3.7	3.7	1.6	4.7	3.4	1.6					-	7.2	7.2	-	0.0%
Rentals	(6.3)	(42.9)	(0.4)	1.9	3.8	34.6	61.0	11.3					-	30.2	35.9	(5.7)	-15.9%
Revenues of State Departments:													-				
Administrative	24.5	8.5	9.7	8.7	8.9	10.1	24.2	8.7					-	102.3	86.9	15.4	17.7%
Administrative Recoveries	0.2	0.1	0.1	0.2	0.3	0.8	0.7	0.8					-	3.2	4.5	(1.3)	-28.9%
Commissions - Asset Conversion	-	-	-	-	-	-	-	-					-	-	-	-	0.0%
Gifts, Grants and Donations	0.6	1.5	22.1	0.7	0.6	0.5	5.1	0.3					-	31.4	6.1	25.3	414.8%
Interest	48.0	305.7	305.8	198.8	167.9	150.1	221.2	165.9					-	1,998.4	1,458.9	539.5	37.0%
Interest Cost Recoveries	7.8	13.6	14.1	17.7	9.5	12.7	10.5	11.2					-	97.1	111.0	(13.9)	-12.5%
Reimbursed	3.7	0.4	0.6	0.1	41.8	3.9	0.3	0.7					-	51.5	20.7	30.8	148.8%
Restitution and Settlements	6.1	4.4	3.2	6.3	4.8	46.7	66.0	33.2					-	232.2	345.7	(113.5)	-32.8%
Student Loans	(24.0)	4.4	0.8	0.7	0.5	0.6	1.3	0.8					-	5.8	12.2	(6.4)	-52.5%
Other	(67.5)	33.6	56.9	50.9	113.3	375.7	172.8	49.7					-	785.4	904.9	(119.5)	-13.2%
Sales	1,381.9	1,187.7	1,347.4	1,242.8	1,203.8	1,798.5	1,424.4	1,153.6					-	10,841.1	12,268.8	(1,427.7)	-11.6%
Total Miscellaneous Receipts													-				
Federal Receipts	10,777.4	4,104.3	7,392.3	5,214.1	4,404.5	9,934.4	7,411.5	4,052.8					-	53,281.3	41,744.9	11,536.4	27.5%
Total Receipts	12,393.3	5,292.2	9,087.7	6,765.4	5,808.8	15,177.7	9,314.1	5,413.9					-	66,268.1	56,477.3	9,790.8	17.2%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

EXHIBIT G

	2020	2021	2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021		2021			
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(1) Intra-Fund transfer eliminations represent transfers between Special Revenue-State and Federal Funds.

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

EXHIBIT G

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	8 Months Ended November 30 2019	\$ Increase/ Decrease	% Increase/ Decrease
Beginning Fund Balance	\$ 5,400.7	\$ 5,686.2	\$ 5,710.4	\$ 7,246.4	\$ 6,676.9	\$ 6,748.8	\$ 4,803.9	\$ 5,594.1					\$ 5,090.8	\$ 309.9	6.1%
RECEIPTS:															
Taxes:															
Personal Income Tax	-	-	-	-	-	-	-	-	-	-	-	-	1.6	3.2	(1.6)
Consumption/Use Taxes:															
Alcohol	80.3	51.2	65.6	72.7	73.6	83.3	79.2	76.4					592.3	730.6	-20.3%
Auto Rental	(0.1)	(1.5)	3.4	2.1	2.1	(1.1)							4.9	(2.4)	-32.9%
Cigarette/Tobacco Products	68.8	51.3	60.2	68.8	60.4	71.0	55.7	56.1					495.3	501.9	-1.3%
Medical Marijuana	0.5	0.6	0.7	0.6	0.8	0.7	0.8	0.7					5.4	3.7	45.8%
Motor Fuel	6.5	4.7	6.6	8.5	8.5	8.9	8.3	8.6					61.2	75.1	-18.5%
Alcoholic Beverage	-	-	-	-	-	-	-	-					0.0	0.0	0.0%
Professional Fees	-	0.1	-	-	0.1	-	-	0.1					0.3	(0.1)	-25.0%
Vapor Excise	-	-	-	-	-	-	-	-					0.4	18.7	100.0%
Total Consumption/Use Taxes	156.0	106.5	148.2	152.3	148.0	176.2	144.0	144.3	-	-	-	-	1,319.1	(150.9)	-11.4%
Business Taxes															
Corporation Franchise	57.0	(3.2)	110.1	114.0	11.7	165.7	40.7	24.5					558.8	(38.3)	-8.9%
Corporation and Utilities	7.2	(0.9)	13.5	17.0	1.4	41.4	4.1	(1.4)					129.1	(2.1)	-1.6%
Income Tax	7.2	0.9	39.6	4.4	0.4	43.3	1.2	0.3					121.0	(20.0)	-21.5%
Bank	1.3	0.6	12.9	6.1	6.1	(3.1)	0.5	(1.8)					20.0	1,052.6%	
Petroleum Business	30.3	17.6	37.7	38.8	38.7	43.2	38.6	36.5					282.4	353.6	-20.1%
Total Business Taxes	98.0	77.7	219.8	174.2	55.5	273.5	86.1	61.2	-	-	-	-	1,111.8	(71.2)	-12.2%
Total Taxes	254.0	144.2	368.0	326.5	203.5	449.8	230.2	207.5	-	-	-	-	2,433.8	(288.1)	-11.8%
Miscellaneous Receipts:															
Abandoned Property	1.2	0.7	0.8	0.9	0.8	1.2	0.8	0.9					7.3	(0.4)	-5.2%
Assessments:															
Medical Care	42.7	21.8	82.4	69.8	33.4	65.5	88.9	6.0					410.5	(42.0)	-9.3%
Public Utilities	569.3	464.7	504.4	440.8	461.5	517.3	503.7	470.8					4,273.5	(339.0)	-7.9%
Other	0.1	-	0.4	4.4	0.4	-	(10.1)	(1.6)					43.2	(4.2)	-8.7%
Fees, Licenses and Permits:													0.2	(0.2)	-100.0%
Adult Fees	-	-	0.1	0.2	0.7	0.7	0.1	0.3					2.1	(0.5)	-19.2%
Business/Professional	48.2	70.4	86.5	40.8	30.3	94.8	48.1	40.7					462.4	1.4	0.3%
Civil	3.2	2.4	2.6	1.4	6.1	4.7	5.1	4.2					29.7	(8.2)	-21.6%
Criminal	0.5	0.3	0.1	1.5	-	-	0.4	-					4.1	(1.3)	-31.7%
Motor Vehicle	18.4	15.8	17.0	30.6	27.0	28.3	15.8	34.9					184.2	(6.4)	-3.3%
Recreational/Consumer	43.0	-	36.0	34.3	31.8	144.3	83.3	58.6					581.8	(148.5)	-25.7%
Fine Penalties and Forfeitures	9.7	5.6	1.4	13.8	0.2	5.6	65.3	2.8					223.9	(121.5)	-53.8%
Gaming	-	-	-	20.8	-	8.0	33.4	10.0					193.0	(120.8)	-62.6%
Casino	-	-	-	202.2	195.9	199.3	168.3	171.0					1,652.8	(243.2)	-14.7%
Lottery	157.0	142.1	173.8	(0.4)	-	33.8	58.6	54.2					639.1	(481.3)	-76.9%
Interest Earnings	13.5	7.8	6.1	3.4	4.0	3.4	3.3	3.3					156.3	(111.5)	-71.3%
Revenues from State Authorities:													-	-	0.0%
Bond Proceeds	-	-	-	-	-	-	-	-					-	-	0.0%
Cost Recovery Assessments	-	-	-	-	-	-	-	-					-	-	0.0%
Insurance Fees	0.5	1.4	5.3	-	-	-	-	-					7.2	-	0.0%
Non Bond Related	8.9	0.3	3.7	4.2	1.8	-	0.4	-					29.2	(13.6)	-46.8%
Receipts from Municipalities	(6.3)	(42.8)	(0.4)	3.7	3.6	4.7	61.0	11.3					30.2	(53.7)	-43.9%
Revenues of State Departments:													186.3	(132.3)	-41.4%
Administrative Recoveries	24.6	8.5	8.7	8.7	8.8	10.1	24.2	8.7					88.9	15.4	17.7%
Commissions	0.2	0.1	0.1	0.2	0.3	0.8	0.7	0.8					4.5	(1.3)	-28.9%
Commissions - Asset Conversion	-	-	-	-	-	-	-	-					-	-	0.0%
Gifts, Grants and Donations	0.6	1.5	22.1	0.7	0.6	0.5	5.1	0.3					0.1	25.3	414.8%
Patent/Client Care Reimbursement	483.0	305.7	305.8	198.8	167.9	150.1	221.2	165.9					1,436.8	(48.0)	-3.3%
Rebates	0.1	4.9	6.6	10.2	2.1	5.0	3.0	3.8					56.0	(9.1)	-20.3%
Restitution and Settlements	3.7	0.4	0.6	0.1	41.8	3.9	0.3	0.7					44.8	30.8	148.8%
Student Loans	6.1	1.4	3.2	6.4	8.8	3.7	6.0	3.6					37.2	(6.5)	-14.9%
State All Other	(24.9)	0.1	0.1	6.7	38.4	46.7	58.2	36.2					30.7	(117.4)	-53.1%
Tuition	(67.5)	33.6	50.9	50.9	113.3	375.7	172.8	48.7					904.9	(119.5)	-13.2%
Total Miscellaneous Receipts	1,346.0	1,054.0	1,338.1	1,214.4	1,188.8	1,766.7	1,632.5	1,136.5	-	-	-	-	12,140.6	(1,438.0)	-11.8%
Federal Receipts	-	-	4.1	(4.1)	2.5	25.4	12.9	(35.6)					17.7	(10.5)	-59.3%
Total Receipts	1,600.6	1,168.2	1,710.2	1,536.8	1,390.8	2,259.9	1,875.6	1,313.4	-	-	-	-	14,592.1	(1,736.6)	-11.9%

EXHIBIT G

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	2020	2019	8 Months Ended November 30 \$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																
Local Assistance Grants:																
Education	0.1	35.0	297.0	0.3	(0.1)	2,260.3	148.0	148.1					2,919.7	3,160.4	(240.7)	-7.6%
Environment and Recreation	-	0.3	-	0.2	-	0.4	0.7	0.2					1.8	1.0	0.8	80.0%
General Government	9.3	3.9	6.3	8.0	33.0	10.8	15.3	9.3					95.9	135.8	(39.9)	-29.4%
Public Health:																
Other Public Health	528.3	474.2	30.5	823.1	424.7	521.0	417.0	461.8					3,680.6	4,000.4	(319.8)	-8.0%
Public Safety	29.8	25.5	67.4	52.2	45.3	160.8	55.4	53.3					519.5	559.2	(39.7)	-7.1%
Public Welfare	18.0	9.7	4.2	14.2	21.5	20.5	10.0	(10.4)					87.7	125.8	(38.1)	-30.3%
Support and Regulate Business	0.1	0.2	-	0.6	-	0.1	-	-					1.0	4.5	(3.5)	-77.8%
Transportation	-	0.4	4.4	0.6	0.7	5.3	0.7	18.7					38.8	36.1	2.7	7.5%
Transfers to Other Funds	6.2	4.4	2.6	70.6	34.8	25.7	25.7	15.7					2,125.9	2,125.9	-	0.0%
Total Local Assistance Grants	647.0	580.9	425.3	1,601.0	875.6	3,280.3	901.6	1,113.2					6,136.6	10,480.9	(4,344.3)	-41.5%
Departmental Operations:																
Personal Service	601.1	383.6	390.9	375.2	328.9	607.2	388.4	361.2					3,445.5	3,523.0	(77.5)	-2.2%
Non-Personal Service	230.1	176.8	158.7	192.7	158.2	260.1	248.4	221.3					1,847.3	1,829.0	18.3	1.0%
General State Charges	52.3	39.8	70.7	52.3	72.2	116.3	48.6	128.7					576.9	648.8	(71.9)	-11.0%
Capital Projects	-	-	-	-	-	-	-	-					-	-	-	0.0%
Total Disbursements	1,530.5	1,201.1	1,045.6	2,221.2	1,434.6	4,263.9	1,586.0	1,824.4					15,110.3	16,581.7	(1,471.4)	-8.9%
Excess (Deficiency) of Receipts over Disbursements	70.1	(32.9)	661.6	(684.4)	(43.8)	(2,004.0)	288.6	(511.0)					(2,254.8)	(1,988.6)	(266.2)	-13.3%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	222.7	41.5	887.4	135.6	118.0	206.1	505.9	131.0					2,256.2	2,309.5	(53.3)	-2.3%
Transfers to Other Funds	2.7	5.6	(23.0)	(17.7)	(3.3)	(147.0)	(6.3)	(2.6)					(150.6)	(349.4)	(198.8)	-56.6%
Total Other Financing Sources (Uses)	225.4	47.1	874.4	117.9	114.7	59.1	500.6	128.4					2,065.6	1,960.1	105.5	5.4%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	295.5	14.2	1,536.0	(566.5)	68.9	(1,944.9)	790.2	(382.6)					(189.2)	(29.5)	(159.7)	-541.4%
Ending Fund Balance	\$ 5,696.2	\$ 5,710.4	\$ 7,246.4	\$ 6,679.9	\$ 6,748.8	\$ 4,803.9	\$ 5,584.1	\$ 5,211.5	\$ -	\$ -	\$ -	\$ -	\$ 5,211.5	\$ 5,061.3	\$ 150.2	3.0%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - FEDERAL
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

EXHIBIT G

	8 Months Ended November 30												% Increase/ Decrease
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Beginning Fund Balance	911.4	5,527.8	5,428.8	7,226.3	6,552.8	6,121.4	4,706.4	6,588.7					
RECEIPTS:													
Miscellaneous Receipts:													
Abandoned Property	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Assessments:													
Business	4.0	40.6	0.2	1.7	7.6	0.1	1.4	5.7		66.3		(5.0)	-7.5%
Medical Care	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Public Utilities	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fees, Licenses and Permits:													
Business/Professional	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Civil	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Criminal	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Motor Vehicle	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Recreational/Consumer	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fines, Penalties and Forfeitures	0.3	0.2	0.2	0.2	0.2	0.3	0.1	0.2		1.7		4.3	-60.5%
Interest Earnings	3.0	3.9	1.4	0.9	1.2	0.8	0.8	0.8		12.8		19.3	-33.7%
Receipts from Public Authorities:													
Public Housing	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Cost Recovery Assessments	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non Bond Related	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Receipts from Municipalities	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rentals	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Revenues of State Departments:													
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Commodities	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Gifts, Grants and Donations	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Patient/Client Care Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rebates	7.7	8.7	7.5	7.5	7.4	7.7	7.5	7.4		61.4		66.2	-7.3%
Restitution and Settlements	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Student Loans	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
All Other	0.3	0.3	-	0.1	0.6	(0.1)	0.1	-		1.3		1.9	-31.8%
Sales	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Tuition	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Miscellaneous Receipts	15.3	53.7	8.3	10.1	17.0	8.8	9.9	14.1	-	138.5		158.0	-12.3%
Federal Receipts	10,777.4	4,104.3	7,348.2	5,218.2	4,402.0	9,909.0	7,428.6	4,066.4		53,274.1		41,727.2	27.7%
Total Receipts	10,792.7	4,158.0	7,357.5	5,228.6	4,419.0	9,917.8	7,438.5	4,100.5	-	53,412.6		41,885.2	27.5%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - FEDERAL
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

EXHIBIT G

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	8 Months Ended November 30 2020	2019	\$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																
Local Assistance Grants:																
Economic Development	382.9	67.6	550.9	224.6	213.3	284.1	130.3	199.2					2,072.9	2,333.7	(260.8)	-11.2%
Environment and Recreation	-	0.2	-	0.1	0.1	(0.1)	0.1	-					0.4	0.7	(0.3)	-42.5%
General Government	2.0	2.2	2.2	11.0	6.4	3,550.0	164.3	85.3					4,119.4	33.7	4,085.7	12,123.7%
Public Health:																
Medicaid	4,852.6	3,341.8	3,585.1	3,313.7	3,436.3	4,899.1	2,899.6	3,308.9					29,377.1	26,666.0	2,711.1	9.0%
Other Public Health	480.0	507.5	642.3	503.9	507.6	614.7	515.3	498.0					4,158.7	4,158.7	-	0.0%
Public Safety	174.4	52.5	153.0	247.4	40.7	115.7	517.1	28.5					1,332.3	935.0	397.3	83.5%
Public Welfare	1,744.8	23.1	253.0	231.1	253.0	950.3	3,044.8	164.5					2,332.3	3,113.6	(781.3)	-24.5%
Support and Regulate Business	0.3	2.1	2.1	20.4	1.9	95.3	1.0	1.0					6.0	1.9	4.1	215.8%
Transportation	3.9	3.0	4.1	7.3	5.0	5.7	5.0	6.3					40.3	34.9	5.4	15.5%
Total Local Assistance Grants	5,730.9	4,000.3	5,195.3	4,519.4	4,485.2	10,705.5	4,676.8	4,291.7	-	-	-	-	43,585.6	37,444.4	6,141.2	16.5%
Departmental Operations:																
Personal Service	74.7	51.0	160.9	164.8	63.9	84.0	131.8	113.7					844.7	435.6	409.1	93.9%
Non-Personal Service	40.8	44.1	168.6	885.3	221.4	228.0	188.6	75.7					1,852.5	832.2	1,020.3	122.6%
Grants and Other Charges	22.7	24.7	36.9	63.7	77.7	23.5	77.7	28.3					317.3	216.3	101.0	46.7%
Capital Projects	-	-	-	-	2.3	-	-	-					2.3	-	2.3	100.0%
Total Disbursements	5,869.1	4,120.6	5,563.7	5,653.2	4,823.4	11,041.0	5,074.9	4,510.4	-	-	-	-	46,656.3	38,928.5	7,727.8	19.9%
Excess (Deficiency) of Receipts over Disbursements	4,923.6	37.4	1,793.6	(424.6)	(404.4)	(1,723.2)	2,363.6	(406.9)	-	-	-	-	6,756.3	2,956.7	3,799.6	128.5%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	-	-	-	-	-	-	-	-					-	-	-	0.0%
Transfers to Other Funds	(307.2)	(135.4)	2.7	(248.9)	(27.0)	(291.8)	(480.3)	(130.4)					(1,170.1)	(1,170.1)	448.2	38.3%
Total Other Financing Sources (Uses)	(307.2)	(135.4)	2.7	(248.9)	(27.0)	(291.8)	(480.3)	(130.4)	-	-	-	-	(1,618.3)	(1,170.1)	448.2	38.3%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	4,616.4	(98.0)	1,796.5	(673.5)	(431.4)	(1,415.0)	1,883.3	(540.3)	-	-	-	-	5,138.0	1,786.6	3,351.4	187.6%
Ending Fund Balance	\$ 5,527.8	\$ 5,429.8	\$ 7,226.3	\$ 6,552.8	\$ 6,121.4	\$ 4,706.4	\$ 6,589.7	\$ 6,048.4	\$ -	\$ -	\$ -	\$ -	\$ 6,049.4	\$ 538.2	\$ 5,511.2	1,024.0%

EXHIBIT H

STATE OF NEW YORK
DEBT SERVICE FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	8 Months Ended November 30												% Increase/ (Decrease)		
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	2021 JANUARY	FEBRUARY	MARCH	2020 \$		2019 \$	
Beginning Fund Balance	\$ 63.4	\$ 392.9	\$ 522.1	\$ 495.2	\$ 1,603.0	\$ 2,144.5	\$ 2,337.3	\$ 3,300.3				\$ 63.4	\$ 64.8	\$ (1.4)	-2.2%
RECEIPTS:															
Taxes:															
Personal Income Tax	1,033.1	1,099.6	2,184.2	5,115.4	1,361.5	2,635.7	1,265.8	1,287.4				15,982.7	16,514.6	(531.9)	-3.2%
Consumption/Use Taxes:															
Sales and Use	394.2	369.7	572.0	529.7	536.3	708.9	549.9	544.9				4,205.6	4,917.0	(711.4)	-14.5%
Total Consumption/Use Taxes	394.2	369.7	572.0	529.7	536.3	708.9	549.9	544.9				4,205.6	4,917.0	(711.4)	-14.5%
Other Taxes:															
Real Estate Transfer	57.2	48.4	37.9	53.0	56.4	70.3	65.8	78.9				467.9	699.6	(231.7)	-33.1%
Employer Compensation Expense Tax	0.1	(0.1)	0.1	0.1	0.1	0.1	0.2	0.1				0.7	0.5	0.2	40.0%
Total Other Taxes	57.3	48.3	38.0	53.1	56.5	70.4	66.0	79.0				468.6	700.1	(231.5)	-33.1%
Total Taxes	1,484.6	1,517.6	2,784.2	5,698.2	1,954.3	3,415.0	1,881.7	1,911.3				20,656.9	22,131.7	(1,474.8)	-6.7%
Miscellaneous Receipts:															
Assessments:															
Medical Care	-	-	-	-	-	-	-	-				-	-	-	0.0%
Fees, Licenses and Permits:															
Alcohol Beverage Control Licensing	-	-	-	-	-	-	-	-				-	-	-	0.0%
Business/Professional	-	-	-	-	-	-	-	-				-	-	-	0.0%
Civil	-	-	-	-	-	-	-	-				-	-	-	0.0%
Criminal	-	-	-	-	-	-	-	-				-	-	-	0.0%
Motor Vehicle	-	-	-	-	-	-	-	-				-	-	-	0.0%
Recreational/Consumer	-	-	-	-	-	-	-	-				-	-	-	0.0%
Interest Earnings	0.1	0.1	-	-	-	-	-	0.1				0.3	1.5	(1.2)	-80.0%
Receipts from Municipalities	-	0.3	0.1	0.1	-	-	-	1.9				2.4	1.8	0.6	33.3%
Rentals of State Departments:												-	-	-	0.0%
Revenue/Client Care Reimbursement	47.2	13.4	42.6	45.8	46.2	36.2	20.9	20.0				272.3	319.0	(46.7)	-14.6%
All Other	-	-	-	-	-	-	-	-				-	0.1	(0.1)	-100.0%
Sales	-	-	-	-	-	-	-	-				-	-	-	0.0%
Total Miscellaneous Receipts	47.3	13.8	42.7	45.9	46.2	36.2	20.9	22.0				275.0	322.4	(47.4)	-14.7%
Federal Receipts	-	-	-	-	-	24.4	-	-				24.4	36.8	(12.4)	-33.7%
Total Receipts	1,531.9	1,531.4	2,836.9	5,744.1	2,000.5	3,475.6	1,902.6	1,933.3				20,966.3	22,490.9	(1,524.6)	-6.8%
DISBURSEMENTS:															
Departmental Operations:															
Non-Personal Service	-	0.9	12.1	5.8	2.9	7.9	-	3.2				32.8	25.3	7.5	29.6%
Debt Service, Including Payments on Financing Agreements	36.5	23.5	28.9	10.7	337.6	841.8	39.8	30.4				1,349.2	1,100.0	249.2	22.7%
Total Disbursements	36.5	24.4	41.0	16.5	340.5	849.7	39.8	33.6				1,382.0	1,125.3	256.7	22.8%
Excess (Deficiency) of Receipts over Disbursements	1,495.4	1,507.0	2,795.9	5,727.6	1,660.0	2,625.9	1,862.8	1,899.7				19,574.3	21,365.6	(1,791.3)	-8.4%
OTHER FINANCING SOURCES (USES):															
Transfers from Other Funds	280.2	130.3	39.0	311.2	49.4	247.4	319.1	89.5				1,466.1	1,663.0	(196.9)	-11.8%
Transfers to Other Funds	(1,446.1)	(1,508.1)	(2,861.8)	(4,931.0)	(1,167.9)	(2,660.5)	(1,218.9)	(1,163.2)				(16,977.5)	(22,131.1)	(5,153.6)	-23.3%
Total Other Financing Sources (Uses)	(1,165.9)	(1,377.8)	(2,822.8)	(4,619.8)	(1,118.5)	(2,413.1)	(899.8)	(1,073.7)				(15,511.4)	(20,468.1)	4,956.7	24.2%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	329.5	129.2	(26.9)	1,107.8	541.5	192.8	963.0	826.0				4,062.9	897.5	3,165.4	352.7%
Ending Fund Balance	\$ 392.9	\$ 522.1	\$ 495.2	\$ 1,603.0	\$ 2,144.5	\$ 2,337.3	\$ 3,300.3	\$ 4,126.3	\$ -	\$ -	\$ -	\$ 4,126.3	\$ 982.3	\$ 3,164.0	328.8%

EXHIBIT I

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020		8 Months Ended November 30										% Increase/ (Decrease)	9.1%			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021	JANUARY	FEBRUARY			MARCH	Intra-Fund Transfer Eliminations (*)	2020	2019
	\$ (1,034.9)	\$ (1,155.0)	\$ (1,322.2)	\$ (1,207.9)	\$ (930.7)	\$ (1,080.2)	\$ (1,488.9)	\$ (1,423.1)							\$ (1,034.9)	\$ (1,137.9)	
Beginning Fund Balance																	
RECEIPTS:																	
Taxes:																	
Consumption/Use Taxes:																	
Auto Rental	0.6	0.1	10.1	-	-	15.6	0.1	-	-	-	-	-	-	-	26.5	50.0	
Motor Fuel	23.8	16.7	24.9	31.2	33.4	32.7	31.3	31.1	-	-	-	-	-	-	225.1	280.3	
Highway/Use	11.6	8.8	12.4	12.4	10.2	12.7	10.6	11.4	-	-	-	-	-	-	90.1	96.0	
Total Consumption/Use Taxes	36.0	25.6	47.4	43.6	43.6	61.0	42.0	42.5	-	-	-	-	-	-	341.7	426.3	
Business Taxes:																	
Corporation Franchise	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Corporation and Utilities	0.1	(1.5)	0.6	3.6	0.1	2.2	0.7	-	-	-	-	-	-	-	5.8	8.4	
Petroleum Business	38.0	22.2	48.0	49.1	48.3	55.2	49.9	46.3	-	-	-	-	-	-	357.0	452.2	
Total Business Taxes	38.1	20.7	48.6	52.7	48.4	57.4	50.6	46.3	-	-	-	-	-	-	362.8	460.6	
Other Taxes:																	
Real Estate Transfer	-	-	11.9	11.9	11.9	11.9	11.9	11.9	-	-	-	-	-	-	71.5	71.5	
Total Other Taxes	-	-	11.9	11.9	11.9	11.9	11.9	11.9	-	-	-	-	-	-	71.5	71.5	
Total Taxes	74.1	46.3	107.9	108.2	103.9	130.3	104.6	100.7	-	-	-	-	-	-	776.0	958.1	
Miscellaneous Receipts:																	
Abandoned Property:																	
Bottle Bill	-	-	-	23.0	-	-	-	-	-	-	-	-	-	-	23.0	23.0	
Assessments:																	
Business	7.9	3.6	5.4	7.0	7.6	7.1	7.3	7.3	-	-	-	-	-	-	53.2	69.5	
Fees, Licenses and Permits:																	
Business/Professional	1.8	2.1	1.6	1.3	9.3	3.1	2.5	2.3	-	-	-	-	-	-	24.0	27.8	
Civil	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Motor Vehicle	52.2	33.2	43.1	60.6	63.4	57.4	60.7	60.3	-	-	-	-	-	-	430.9	502.4	
Recreational/Consumer	-	-	0.5	-	11.0	7.7	0.1	-	-	-	-	-	-	-	19.3	14.9	
Fines, Penalties and Forfeitures	2.0	1.9	2.0	1.2	3.2	2.2	1.9	1.4	-	-	-	-	-	-	15.8	19.3	
Interest Earnings	0.7	0.5	0.1	-	0.1	0.1	-	0.1	-	-	-	-	-	-	1.6	8.1	
Receipts from Public Authorities:																	
Bond Proceeds	1,122.1	19.1	342.4	269.9	32.4	384.7	895.8	1.0	-	-	-	-	-	-	3,067.4	2,665.4	
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Non Bond Related	0.1	-	0.5	0.1	0.5	0.1	0.4	-	-	-	-	-	-	-	1.7	49.6	
Receipts from Municipalities	-	-	0.1	-	0.3	-	0.1	-	-	-	-	-	-	-	0.5	1.7	
Rentals	0.5	1.1	2.1	2.2	3.8	1.2	0.8	0.9	-	-	-	-	-	-	12.6	6.6	
Revenues of State Departments:																	
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Grants and Donations	-	0.7	5.8	-	1.3	1.6	0.8	0.4	-	-	-	-	-	-	10.6	17.2	
Interest Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.9	38.6	
Rebates	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.2	
Restoration and Settlements	3.1	0.2	-	0.1	0.9	1.4	3.3	0.4	-	-	-	-	-	-	9.4	4.3	
All Other	0.3	1.8	12.0	0.2	0.7	13.7	4.7	1.3	-	-	-	-	-	-	34.7	44.8	
Sales	-	-	-	-	0.1	0.1	-	-	-	-	-	-	-	-	0.2	4.5	
Total Miscellaneous Receipts	1,190.7	64.2	415.6	365.6	134.6	480.4	978.4	75.4	-	-	-	-	-	-	3,104.9	3,488.1	
Federal Receipts	85.7	102.7	167.9	209.1	186.7	177.2	167.7	221.9	-	-	-	-	-	-	1,318.9	1,347.4	
Total Receipts	1,350.5	213.2	891.4	882.9	425.2	787.9	1,250.7	998.0	-	-	-	-	-	-	5,799.8	5,794.2	

EXHIBIT I

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	8 Months Ended November 30		% Increase/ Decrease
														2020	2019	
DISBURSEMENTS:																
Local Assistance Grants:																
Education	12.0	-	4.9	1.0	1.0	1.4	20.3	45.6	-	-	-	-	-	86.2	120.4	(34.2) -28.4%
Environment and Recreation	4.4	3.2	14.0	12.6	20.6	15.3	6.9	9.8	-	-	-	-	-	86.8	134.0	(47.2) -35.2%
General Government	30.4	10.9	41.5	36.0	69.0	18.7	90.4	55.6	-	-	-	-	-	352.5	565.3	(212.8) -37.6%
Public Health:																
Public Health	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other Public Health	29.0	58.2	30.9	38.7	76.1	25.7	50.9	41.5	-	-	-	-	-	351.0	313.7	37.3 11.9%
Public Safety	-	-	3.8	0.9	1.1	0.7	0.3	34.0	-	-	-	-	-	40.8	37.6	3.2 8.5%
Public Welfare	-	33.8	73.7	71.7	53.1	110.4	24.6	7.8	-	-	-	-	-	375.1	241.2	133.9 55.5%
Support and Regulate Business	43.2	7.7	24.8	20.9	71.6	11.4	53.5	28.0	-	-	-	-	-	281.1	597.1	(316.0) -52.8%
Transportation	24.4	46.2	50.0	81.9	146.7	398.3	483.6	503.9	-	-	-	-	-	1,716.0	1,076.0	640.0 59.5%
Total Local Assistance Grants	133.4	160.0	243.6	273.7	439.2	552.9	739.5	726.2	-	-	-	-	-	3,289.5	3,085.3	204.2 6.6%
Departmental Operations:																
Police	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Fire	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Capital Projects	509.8	406.0	881.8	641.4	665.4	706.7	533.6	609.8	-	-	-	-	-	4,754.5	4,848.0	(93.5) -1.9%
Total Disbursements	653.2	586.0	925.4	915.1	1,104.6	1,259.6	1,264.1	1,336.0	-	-	-	-	-	8,024.0	7,933.3	90.7 1.1%
Excess (Deficiency) of Receipts over Disbursements	697.3	(352.8)	(234.0)	(232.2)	(679.4)	(471.7)	(13.4)	(938.0)	-	-	-	-	-	(2,224.2)	(2,135.1)	(89.1) -4.0%
OTHER FINANCING SOURCES (USES):																
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	(805.1)	198.0	368.6	523.4	566.3	250.0	91.3	908.3	-	-	-	-	-	2,840.5	2,840.5	(747.7) -26.3%
Transfers to Other Funds	(12.5)	(12.4)	(12.3)	(14.0)	(36.4)	(167.0)	(12.1)	(12.1)	-	-	-	-	-	(286.6)	(655.8)	(307.2) -50.7%
Total Other Financing Sources (Uses)	(817.4)	185.6	346.3	509.4	529.9	63.0	79.2	896.2	-	-	-	-	-	1,794.2	2,234.7	(440.5) -19.7%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(120.1)	(167.2)	114.3	277.2	(148.5)	(408.7)	65.8	(41.8)	-	-	-	-	-	(430.0)	95.6	(525.6) -548.8%
Ending Fund Balance	\$ (1,155.0)	\$ (1,322.2)	\$ (1,207.9)	\$ (930.7)	\$ (1,080.2)	\$ (1,488.9)	\$ (1,423.1)	\$ (1,464.9)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (1,464.9)	\$ (1,042.3)	\$ (422.6) -40.5%

(*) Intra-Fund transfer eliminations represent transfers from Capital Projects-State and Federal Funds.

EXHIBIT I

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	8 Months Ended November 30												% Increase/ (Decrease)	25.4%	
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH			
Beginning Fund Balance	\$ (472.2)	\$ (598.4)	\$ (754.3)	\$ (629.3)	\$ (389.5)	\$ (564.6)	\$ (935.6)	\$ (883.5)							
RECEIPTS:															
Taxes:															
Consumption/Use Taxes															
Auto Rental	0.6	0.1	10.1	-	-	15.6	0.1	-	-	-	-	-	-	50.0	(23.5)
Motor Fuel	23.8	13.9	24.9	31.2	33.4	32.7	31.3	31.1	31.1	-	-	-	-	29.3	(53.2)
Highway Use	11.6	8.8	12.4	12.4	10.2	12.7	10.6	11.4	11.7	-	-	-	-	16.8	(17.4%)
Total Consumption/Use Taxes	36.0	25.6	47.4	43.6	43.6	61.0	42.0	42.5	-	-	-	-	-	426.3	(64.6)
Business Taxes															
Corporation Franchise	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Corporation and Utilities	0.1	(1.5)	0.6	3.6	0.1	2.2	0.7	-	-	-	-	-	-	8.4	(2.6)
Petroleum Business	38.0	22.2	48.0	49.1	48.3	55.2	49.9	46.3	-	-	-	-	-	452.2	(95.2)
Total Business Taxes	38.1	20.7	48.6	52.7	48.4	57.4	50.6	46.3	-	-	-	-	-	460.6	(97.8)
Other Taxes															
Real Estate Transfer	-	-	11.9	11.9	11.9	11.9	12.0	11.9	-	-	-	-	-	71.5	-
Total Other Taxes	-	-	11.9	11.9	11.9	11.9	12.0	11.9	-	-	-	-	-	71.5	-
Total Taxes	74.1	46.3	107.9	108.2	103.9	130.3	104.6	100.7	-	-	-	-	-	958.4	(182.4)
Miscellaneous Receipts:															
Abandoned Property:															
Bottle Bill	-	-	-	23.0	-	-	-	-	-	-	-	-	-	23.0	-
Assessments:															
Business:	7.9	3.6	5.4	7.0	7.6	7.1	7.3	7.3	-	-	-	-	-	69.5	(16.3)
Fees, Licenses and Permits:															
Business/Professional	1.8	2.1	1.6	1.3	9.3	3.1	2.5	2.3	-	-	-	-	-	27.8	(3.8)
Civil	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle	52.2	33.2	43.1	60.6	63.4	57.4	60.7	60.3	-	-	-	-	-	502.4	(71.5)
Recreational/Consumer	-	-	0.5	-	11.0	7.7	0.1	-	-	-	-	-	-	14.9	4.4
Fines, Penalties and Forfeitures	2.0	1.9	2.0	1.2	3.2	2.2	1.9	1.4	-	-	-	-	-	19.3	(3.5)
Interest Earnings	0.7	0.5	0.1	-	0.1	0.1	-	0.1	-	-	-	-	-	8.1	(6.5)
Receipts from Public Authorities:															
Bond Proceeds	1,122.1	19.1	342.4	269.9	32.4	384.7	895.8	1.0	-	-	-	-	-	2,695.4	372.0
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Non Bond Related	0.1	-	0.5	0.1	0.5	0.1	0.4	-	-	-	-	-	-	49.6	(47.9)
Receipts from Municipalities	-	-	0.1	-	0.3	-	0.1	-	-	-	-	-	-	0.5	1.7
Rentals	0.4	1.1	2.0	2.2	3.7	1.1	0.7	0.8	-	-	-	-	-	6.0	6.0
Revenues of State Departments:															
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gifts, Grants and Donations	-	0.7	5.8	-	1.3	1.6	0.8	0.4	-	-	-	-	-	17.2	(6.6)
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	100.0%	0.0%
Rebates	-	-	-	-	-	-	-	-	-	-	-	-	-	0.7	(0.7)
Restitution and Settlements	3.1	0.2	-	0.1	0.9	1.4	3.3	0.4	-	-	-	-	-	9.4	5.1
All Other	0.3	1.8	12.0	0.2	0.7	13.7	4.7	1.3	-	-	-	-	-	44.8	(10.1)
Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	4.5	(4.4)
Total Miscellaneous Receipts	1,190.6	64.2	415.5	365.6	134.5	480.2	978.3	75.3	-	-	-	-	-	3,487.8	216.4
Federal Receipts															
						2.1	-	-	-	-	-	-	-	2.3	(0.2)
Total Receipts	1,264.7	110.5	523.4	473.8	238.4	612.6	1,092.9	176.0	-	-	-	-	-	4,488.5	33.8
															0.8%

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

EXHIBIT I

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	8 Months Ended November 30		
													2020	2019	\$ Increase/ (Decrease)
DISBURSEMENTS:															
Local Assistance Grants:															
Education	12.0	-	4.9	1.0	1.0	1.4	20.3	45.6	86.2	86.8	134.0	(34.2)	86.2	120.4	-28.4%
Environment and Recreation	4.4	3.2	14.0	12.6	20.6	15.3	6.9	9.8	86.8	86.8	134.0	(47.2)	86.8	134.0	-35.2%
General Government	30.4	10.9	41.5	36.0	69.0	18.7	90.4	55.6	352.5	352.5	565.3	(212.8)	352.5	565.3	-37.6%
Public Health:															
Medicaid	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other Public Health	29.0	56.2	30.9	37.5	76.1	25.1	50.9	41.5	349.2	349.2	274.6	74.6	349.2	274.6	27.2%
Public Safety	-	-	0.7	0.9	1.1	0.3	0.3	34.0	37.3	37.3	9.0	28.3	37.3	9.0	314.4%
Public Welfare	-	33.8	73.3	53.3	53.3	110.4	53.3	78.0	26.1	26.1	597.2	(571.1)	26.1	597.2	-95.5%
Support and Regulate Business	43.2	32.7	20.9	20.9	70.6	11.4	53.6	45.5	1,381.9	1,381.9	758.8	623.1	1,381.9	758.8	82.1%
Transportation	2.4	4.7	14.4	50.4	104.0	316.6	432.9	456.5	2,930.1	2,930.1	2,700.4	229.7	2,930.1	2,700.4	8.5%
Total Local Assistance Grants	121.4	118.5	204.3	231.0	386.5	499.2	679.8	678.8	2,930.1	2,930.1	2,700.4	229.7	2,930.1	2,700.4	8.5%
Departmental Operations:															
Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Capital Projects	452.1	333.5	541.8	512.4	546.9	547.4	430.2	515.8	3,880.1	3,880.1	4,016.5	(136.4)	3,880.1	4,016.5	-3.4%
Total Disbursements	573.5	452.0	746.7	743.4	943.4	1,046.6	1,110.0	1,194.6	6,810.2	6,810.2	6,716.9	93.3	6,810.2	6,716.9	1.4%
Excess (Deficiency) of Receipts over Disbursements	691.2	(341.5)	(223.3)	(269.6)	(705.0)	(434.0)	(27.1)	(1,018.6)	(2,327.9)	(2,327.9)	(2,268.4)	(59.5)	(2,327.9)	(2,268.4)	-2.6%
OTHER FINANCING SOURCES (USES):															
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	(895.1)	193.0	360.6	523.4	586.3	250.0	81.3	908.3	2,092.8	2,092.8	3,016.4	(823.6)	2,092.8	3,016.4	-30.9%
Transfers to Other Funds	(12.5)	(12.4)	(12.5)	(14.0)	(36.4)	(187.0)	(12.1)	(12.1)	(286.6)	(286.6)	(655.8)	(369.2)	(286.6)	(655.8)	-50.7%
Total Other Financing Sources (Uses)	(817.4)	185.6	348.3	509.4	529.9	63.0	79.2	896.2	1,794.2	1,794.2	2,410.6	(616.4)	1,794.2	2,410.6	-25.6%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(126.2)	(155.9)	125.0	238.8	(175.1)	(371.0)	52.1	(122.4)	(533.7)	(533.7)	142.2	(675.9)	(533.7)	142.2	-475.3%
Ending Fund Balance	\$ (588.4)	\$ (754.3)	\$ (629.3)	\$ (389.5)	\$ (564.6)	\$ (935.6)	\$ (883.5)	\$ (1,005.9)	\$ (1,005.9)	\$ (1,005.9)	\$ (491.0)	\$ (514.9)	\$ (1,005.9)	\$ (491.0)	-104.5%

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - FEDERAL
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

EXHIBIT I

	2020																	8 Months Ended November 30	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH		2020	2019	\$ (Decrease)	% Increase/Decrease		
Beginning Fund Balance	\$ (562.7)	\$ (556.6)	\$ (567.9)	\$ (578.6)	\$ (541.2)	\$ (515.6)	\$ (553.3)	\$ (539.6)						\$ (562.7)	\$ (504.7)	\$ (58.0)	-11.5%		
RECEIPTS:																			
Miscellaneous Receipts:																			
Abandoned Property:																			
Bottle Bill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Assessments:																			
Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Fees, Licenses and Permits:																			
Business/Professional	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Civil	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Motor Vehicle	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Recreational/Consumer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Fines, Penalties and Forfeitures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Interest Earnings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Receipts from Public Authorities:																			
Receipts from Public Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Insurance Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Other Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Non Bond Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Receipts from Municipalities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Rentals	0.1	-	0.1	-	0.1	0.1	0.1	0.1	0.1	-	-	-	-	0.6	0.6	-	0.0%		
Revenues of State Departments:																			
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Gifts, Grants and Donations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Restitution and Settlements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
All Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	0.1	-	0.1	100.0%		
Total Miscellaneous Receipts	0.1	-	0.1	-	0.1	0.2	0.1	0.1	0.1	-	-	-	-	0.7	0.6	0.1	16.7%		
Federal Receipts	85.7	102.7	167.9	209.1	186.7	175.1	167.7	221.9						1,316.8	1,345.1	(28.3)	-2.1%		
Total Receipts	85.8	102.7	168.0	209.1	186.8	175.3	167.8	222.0	-	-	-	-	-	1,317.5	1,345.7	(28.2)	-2.1%		
DISBURSEMENTS:																			
Local Assistance Grants:																			
Education	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Environment and Recreation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
General Government	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Public Health:																			
Medicaid	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Other Public Health	-	-	-	1.2	-	0.6	-	-	-	-	-	-	-	1.8	39.1	(37.3)	-95.4%		
Public Safety	-	-	3.1	-	-	0.4	-	-	-	-	-	-	-	3.5	28.6	(25.1)	-87.8%		
Public Welfare	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Support and Regulate Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Transportation	22.0	41.5	35.6	41.5	42.7	52.7	50.7	47.4						334.1	317.2	16.9	5.3%		
Total Local Assistance Grants	22.0	41.5	38.7	42.7	42.7	53.7	50.7	47.4	-	-	-	-	-	339.4	384.3	(44.5)	-11.8%		
Departmental Operations:																			
Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
General State Charges	-	72.5	140.0	129.0	118.5	159.3	103.4	94.0						874.4	831.5	42.9	5.2%		
Capital Projects	57.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Total Disbursements	79.7	114.0	178.7	171.7	161.2	213.0	154.1	141.4	-	-	-	-	-	1,213.8	1,216.4	(2.6)	-0.2%		
Excess (Deficiency) of Receipts over Disbursements	6.1	(11.3)	(10.7)	37.4	25.6	(37.7)	13.7	80.6	-	-	-	-	-	103.7	129.3	(25.6)	-19.8%		
OTHER FINANCING SOURCES (USES):																			
Transfers from Other Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(175.9)	0.0%		
Transfers to Other Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(175.9)	-100.0%		
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(175.9)	(175.9)	-100.0%		
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	6.1	(11.3)	(10.7)	37.4	25.6	(37.7)	13.7	80.6	-	-	-	-	-	103.7	(46.6)	150.3	322.5%		
Ending Fund Balance	\$ (556.6)	\$ (557.9)	\$ (578.6)	\$ (541.2)	\$ (515.6)	\$ (553.3)	\$ (539.6)	\$ (459.0)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (459.0)	\$ (551.3)	\$ 92.3	16.7%		

EXHIBIT J

STATE OF NEW YORK
ENTERPRISE FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		
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EXHIBIT K

STATE OF NEW YORK
INTERNAL SERVICE FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	2021			8 Months Ended November 30		% Increase/ (Decrease)		
									DECEMBER	JANUARY	FEBRUARY	MARCH	2020 \$ (297.5)			2019 \$ (302.7)
Beginning Fund Balance	\$ (297.5)	\$ (281.0)	\$ (299.2)	\$ (315.2)	\$ (342.3)	\$ (355.2)	\$ (372.7)	\$ (389.1)						\$ 5.2	1.7%	
RECEIPTS:																
Miscellaneous Receipts	25.2	22.3	34.9	19.8	32.4	34.1	53.0	29.0					250.7	364.6	(113.9)	-31.2%
Total Receipts	25.2	22.3	34.9	19.8	32.4	34.1	53.0	29.0	-	-	-	-	250.7	364.6	(113.9)	-31.2%
DISBURSEMENTS:																
Departmental Operations:																
Personal Service	14.5	11.1	11.0	12.3	9.9	14.6	10.2	9.9					93.5	86.1	7.4	8.6%
Non-Personal Service	(9.3)	26.6	83.3	31.7	41.6	35.2	61.3	44.8					313.2	281.7	33.5	11.9%
General State Charges	4.8	5.3	8.6	4.6	5.7	4.6	4.6	4.6					43.2	36.3	6.9	19.0%
Total Disbursements	10.0	43.0	102.9	48.6	57.2	54.6	76.3	59.3	-	-	-	-	451.9	404.1	47.8	11.8%
Excess (Deficiency) of Receipts over Disbursements	15.2	(20.7)	(68.0)	(28.8)	(24.8)	(20.5)	(23.3)	(30.3)	-	-	-	-	(201.2)	(39.5)	(161.7)	-409.4%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	1.3	2.5	52.0	1.7	12.1	3.1	6.9	3.1					82.7	52.6	30.1	57.2%
Transfers to Other Funds	-	-	-	-	(0.2)	(0.1)	-	(0.1)					(0.4)	(1.1)	(0.7)	-63.6%
Total Other Financing Sources (Uses)	1.3	2.5	52.0	1.7	11.9	3.0	6.9	3.0	-	-	-	-	82.3	51.5	30.8	59.8%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	16.5	(18.2)	(16.0)	(27.1)	(12.9)	(17.5)	(16.4)	(27.3)	-	-	-	-	(118.9)	12.0	(130.9)	-1,090.8%
Ending Fund Balance	\$ (281.0)	\$ (299.2)	\$ (315.2)	\$ (342.3)	\$ (355.2)	\$ (372.7)	\$ (389.1)	\$ (416.4)	\$ -	\$ -	\$ -	\$ -	\$ (416.4)	\$ (290.7)	\$ (125.7)	-43.2%

EXHIBIT L

8 Months Ended November 30		\$ Increase/ (Decrease)	% Increase/ (Decrease)
2020	2019		
\$ (1.1)	\$ (3.0)	\$ 1.9	63.3%
79.2	76.5	2.7	3.5%
79.2	76.5	2.7	3.5%
49.8	46.8	3.0	6.4%
6.0	9.8	(3.8)	-38.8%
25.9	24.9	1.0	4.0%
81.7	81.5	0.2	0.2%
(2.5)	(5.0)	2.5	50.0%
-	-	-	0.0%
-	-	-	0.0%
-	-	-	0.0%
(2.5)	(5.0)	2.5	50.0%
\$ (3.6)	\$ (8.0)	\$ 4.4	55.0%

STATE OF NEW YORK
PRIVATE PURPOSE TRUST FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2020-2021
(amounts in millions)

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SCHEDULE 1

STATE OF NEW YORK
GOVERNMENTAL FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND
CHANGES IN FUND BALANCES
FISCAL YEAR 2020-2021
FOR THE MONTH OF NOVEMBER 2020
(amounts in millions)

	BALANCE NOVEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE NOVEMBER 30, 2020
GENERAL FUND					
10000-10049-Local Assistance Account	-	\$ 0.032	\$ 2,890.889	\$ 2,890.857	-
10050-10099-State Operations Account	14,900.935	2,536.448	1,150.155	(2,714.310)	13,572.918
10100-10149-Tax Stabilization Reserve	-	-	-	-	-
10150-10199-Contingency Reserve	-	-	-	-	-
10200-10249-Universal Pre-K Reserve	-	-	-	-	-
10250-10299-Community Projects	29.879	-	0.072	-	29.807
10300-10349-Rainy Day Reserve Fund	-	-	-	-	-
10400-10449-Refund Reserve Account	-	-	-	-	-
10500-10549-Fringe Benefits Escrow	-	-	-	-	-
10550-10599-Tobacco Revenue Guarantee	-	-	-	-	-
TOTAL GENERAL FUND	14,930.814	2,536.480	4,041.116	176.547	13,602.725
SPECIAL REVENUE FUNDS-STATE					
20000-20099-Mental Health Gifts and Donations	0.838	-	0.001	-	0.837
20100-20299-Combined Expendable Trust	70.339	0.312	0.187	-	70.464
20300-20349-New York Interest on Lawyer Account	112.550	2.182	1.472	-	113.260
20350-20399-NYS Archives Partnership Trust	0.041	-	0.031	(0.010)	-
20400-20449-Child Performer's Protection	0.426	0.003	0.041	-	0.388
20450-20499-Tuition Reimbursement	8.236	0.001	0.245	(0.062)	7.930
20500-20549-New York State Local Government Records Management Improvement	5.139	0.703	0.239	(0.068)	5.535
20550-20599-School Tax Relief	0.109	1.400	1.368	-	0.141
20600-20649-Charter Schools Stimulus	0.578	-	-	-	0.578
20650-20699-Not-For-Profit Short Term Revolving Loan	-	-	-	-	-
20800-20849-HCRA Resources	181.581	466.366	446.996	(0.209)	200.742
20850-20899-Dedicated Mass Transportation Trust	75.123	47.893	54.259	-	68.757
20900-20949-State Lottery	(1,336.665)	225.210	148.889	-	(1,260.344)
20950-20999-Combined Student Loan	30.402	1.625	0.042	-	31.985
21000-21049-Sewage Treatment Program Mgmt. & Administration	(3.799)	-	0.052	-	(3.851)
21050-21149-Encon Special Revenue	4.830	4.055	6.507	-	2.378
21150-21199-Conservation	101.359	3.782	2.783	-	102.358
21200-21249-Environmental Protection and Oil Spill Compensation	19.636	3.352	1.500	(1.531)	19.957
21250-21299-Training and Education Program on OSHA	8.707	-	2.251	-	6.456
21300-21349-Lawyers' Fund for Client Protection	10.922	0.470	1.909	-	9.483
21350-21399-Equipment Loan for the Disabled	0.532	0.001	-	-	0.533
21400-21449-Mass Transportation Operating Assistance	443.848	110.776	329.224	(0.091)	225.309
21450-21499-Clean Air	(31.284)	3.389	2.545	-	(30.440)
21500-21549-New York State Infrastructure Trust	0.071	-	-	-	0.071
21550-21599-Legislative Computer Services	12.349	0.086	0.066	-	12.369
21600-21649-Biodiversity Stewardship and Research	-	-	-	-	-
21650-21699-Combined Non-Expendable Trust	0.469	-	-	-	0.469
21700-21749-Winter Sports Education Trust	-	-	-	-	-
21750-21799-Musical Instrument Revolving	-	-	-	-	-
21850-21899-Arts Capital Grants	0.834	0.001	-	-	0.835
21900-22499-Miscellaneous State Special Revenue	1,767.516	135.186	196.438	21.053	1,727.317
22500-22549-Court Facilities Incentive Aid	18.522	0.003	1.741	-	16.784

SCHEDULE 1

STATE OF NEW YORK
GOVERNMENTAL FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND
CHANGES IN FUND BALANCES
FISCAL YEAR 2020-2021
FOR THE MONTH OF NOVEMBER 2020
(amounts in millions)

	BALANCE NOVEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE NOVEMBER 30, 2020
SPECIAL REVENUE FUNDS-STATE (CONTINUED)					
22550-22599-Employment Training	0.053	-	-	-	0.053
22650-22699-State University Income	2,269,823	276,707	557,700	75,728	2,064,558
22700-22749-Chemical Dependence Service	10,765	0,829	0,010	-	11,584
22750-22799-Lake George Park Trust	0.146	-	0.105	-	0.041
22800-22849-State Police Motor Vehicle Law Enforcement and Motor Vehicle Theft and Insurance Fraud Prevention	76,758	18,909	0,715	-	94,952
22850-22899-New York Great Lakes Protection	0.471	-	0,011	-	0.460
22900-22949-Federal Revenue Maximization	0.024	-	-	-	0.024
22950-22999-Housing Development	10,646	0,001	-	-	10,647
23000-23049-NYS/DOT Highway Safety Program	(16,041)	0,025	0,303	-	(16,319)
23050-23099-Vocational Rehabilitation	0.075	-	0,001	-	0.074
23100-23149-Drinking Water Program Management and Administration	(5,351)	-	-	-	(5,351)
23150-23199-NYC County Clerks' Operations Offset	(46,094)	-	2,296	-	(48,390)
23200-23249-Judiciary Data Processing Offset	56,868	3,566	2,491	-	57,763
23250-23449-IFR/CUTRA	151,416	2,153	4,597	-	148,972
23500-23549-USOC Lake Placid Training	0.348	0,001	-	-	0.349
23550-23599-Indigent Legal Services	516,979	14,949	7,662	-	524,266
23600-23649-Unemployment Insurance Interest and Penalty	21,779	0,290	0,111	-	21,958
23650-23699-MTA Financial Assistance Fund	377,850	0,034	49,080	12,500	341,304
23700-23749-New York State Commercial Gaming Fund	21,855	11,530	0,298	-	33,087
23750-23799-Medical Marihuana Trust Fund	12,678	0,709	0,289	-	13,098
23800-23899-Dedicated Miscellaneous State Special Revenue	3,945	0,140	0,032	-	4,053
24850-24899-Health Care Transformation	316,453	0,033	-	-	316,486
24900-24949-Charitable Gifts Trust Fund	95,908	0,010	-	-	95,918
24950-24999-Interactive Fantasy Sports	21,543	0,779	-	-	22,322
40350-40399-State University Dormitory Income	192,157	(23,975)	-	21,079	189,261
TOTAL SPECIAL REVENUE FUNDS-STATE	5,594,083	1,313,486	1,824,487	128,389	5,211,471
SPECIAL REVENUE FUNDS-FEDERAL					
25000-25099-Federal USDA/Food and Consumer Services	1,993	80,704	111,946	(0,110)	(29,359)
25100-25199-Federal Health and Human Services	3,024,271	3,583,359	3,982,725	(94,163)	2,530,742
25200-25249-Federal Education	(32,175)	171,636	144,107	(36,123)	(40,769)
25300-25899-Federal Miscellaneous Operating Grants	3,506,592	215,689	204,256	(0,002)	3,518,023
25900-25949-Unemployment Insurance Administration	95,674	38,784	62,195	-	72,263
25950-25999-Unemployment Insurance Occupational Training	(0,362)	0,035	0,064	-	(0,391)
26000-26049-Federal Employment and Training Grants	(6,284)	10,269	5,038	-	(1,053)
TOTAL SPECIAL REVENUE FUNDS-FEDERAL	6,589,709	4,100,476	4,510,331	(130,398)	6,049,456
TOTAL SPECIAL REVENUE FUNDS	12,183,792	5,413,962	6,334,818	(2,009)	11,260,927
DEBT SERVICE FUNDS					
40000-40049-Debt Reduction Reserve	-	-	-	-	-
40100-40149-Mental Health Services	278,007	6,666	-	(48,694)	235,979
40150-40199-General Debt Service	2,985,283	1,559,912	18,601	(672,121)	3,854,473
40250-40299-State Housing Debt Service	-	1,885	-	(1,885)	-
40300-40349-Department of Health Income	28,080	13,360	14,983	(3,657)	22,800
40400-40449-Clean Water/Clean Air	8,952	78,914	-	(74,826)	13,040
40450-40499-Local Government Assistance Tax	-	272,479	-	(272,479)	-
TOTAL DEBT SERVICE FUNDS	3,300,322	1,933,216	33,684	(1,073,662)	4,126,292

SCHEDULE 1

STATE OF NEW YORK
GOVERNMENTAL FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND
CHANGES IN FUND BALANCES
FISCAL YEAR 2020-2021
FOR THE MONTH OF NOVEMBER 2020
(amounts in millions)

	BALANCE NOVEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE NOVEMBER 30, 2020
CAPITAL PROJECTS FUNDS					
30000-30049-State Capital Projects	-	0.216	860.236	860.020	-
30050-30099-Dedicated Highway and Bridge Trust	(197.414)	158.871	174.591	(10.650)	(223.784)
30100-30299-SUNY Residence Halls Rehabilitation and Repair	115.083	0.012	3.315	-	111.780
30300-30349-New York State Canal System Development	14.097	0.002	-	-	14.099
30350-30399-Parks Infrastructure	(34.854)	0.004	13.802	-	(48.652)
30400-30449-Passenger Facility Charge	0.015	-	-	-	0.015
30450-30499-Environmental Protection	101.736	13.322	13.738	5.815	107.135
30500-30549-Clean Water/Clean Air Implementation	-	-	-	-	-
30600-30609-Energy Conservation Thru Improved Transportation Bond	0.164	-	-	-	0.164
30610-30619-Park and Recreation Land Acquisition Bond	-	-	-	-	-
30620-30629-Pure Waters Bond	0.668	-	-	-	0.668
30630-30639-Transportation Capital Facilities Bond	3.328	-	-	-	3.328
30640-30649-Environmental Quality Protection Bond	1.419	-	-	-	1.419
30650-30659-Rebuild and Renew New York Transportation Bond	17.200	-	-	-	17.200
30660-30669-Transportation Infrastructure Renewal Bond	4.255	-	-	-	4.255
30670-30679-1986 Environmental Quality Bond Act	5.551	-	-	-	5.551
30680-30689-Accelerated Capacity and Transportation Improvement Bond	2.778	-	-	-	2.778
30690-30699-Clean Water/Clean Air Bond	1.428	-	-	-	1.428
30700-30709-State Housing Bond	-	-	-	-	-
30710-30719-Smart Schools Bond	-	-	-	-	-
30750-30799-Outdoor Recreation Development Bond	-	-	-	-	-
30900-30949-Rail Preservation and Development Bond	-	-	-	-	-
31350-31449-Federal Capital Projects	(539.580)	221.964	141.379	-	(458.995)
31450-31499-Forest Preserve Expansion	1.082	-	-	-	1.082
31500-31549-Hazardous Waste Remedial	(49.729)	2.059	9.889	(0.759)	(58.318)
31650-31699-Suburban Transportation	0.540	-	-	-	0.540
31700-31749-Division for Youth Facilities Improvement	(17.191)	-	0.475	-	(17.666)
31800-31849-Housing Assistance	(12.942)	-	-	-	(12.942)
31850-31899-Housing Program	(448.399)	-	7.661	-	(456.060)
31900-31949-Natural Resource Damage	17.712	0.002	0.486	-	17.228
31950-31999-DOT Engineering Services	(11.956)	-	-	-	(11.956)
32200-32249-Miscellaneous Capital Projects	102.405	0.497	2.266	0.794	101.430
32250-32299-CUNY Capital Projects	0.036	0.001	-	-	0.037
32300-32349-Mental Hygiene Facilities Capital Improvement	(394.843)	1.003	43.468	-	(437.308)
32350-32399-Correction Facilities Capital Improvement	(232.977)	-	18.968	-	(251.945)
32400-32999-State University Capital Projects	147.765	0.016	5.970	0.950	142.761
33000-33049-NYS Storm Recovery Fund	(53.598)	-	0.897	-	(54.495)
33050-33099-Dedicated Infrastructure Investment Fund	33.132	-	38.821	40.000	34.311
TOTAL CAPITAL PROJECTS FUNDS	(1,423.089)	397.969	1,335.962	896.170	(1,464.912)
TOTAL GOVERNMENTAL FUNDS	\$ 28,991.839	\$ 10,281.627	\$ 11,745.480	\$ (2.954)	\$ 27,525.032

STATE OF NEW YORK
PROPRIETARY FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND
CHANGES IN FUND BALANCES
FISCAL YEAR 2020-2021
FOR THE MONTH OF NOVEMBER 2020
(amounts in millions)

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SCHEDULE 3

STATE OF NEW YORK
FIDUCIARY FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
FISCAL YEAR 2020-2021
FOR THE MONTH OF NOVEMBER 2020
(amounts in millions)

<u>FUND TYPE</u>	BALANCE NOVEMBER 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE NOVEMBER 30, 2020
<u>PENSION TRUST FUNDS</u>					
65000-65049-Common Retirement Administration	\$ (2,867)	\$ 5,584	\$ 6,279	\$ -	\$ (3,562)
TOTAL PENSION TRUST FUNDS	(2,867)	5,584	6,279	-	(3,562)
<u>PRIVATE PURPOSE TRUST FUNDS</u>					
66000-66049-Agriculture Producers' Security	3,043	-	0,017	-	3,026
66050-66099-Milk Producers' Security	11,158	0,063	0,012	-	11,209
TOTAL PRIVATE PURPOSE TRUST FUNDS	14,201	0,063	0,029	-	14,235
<u>AGENCY FUNDS</u>					
60050-60149-School Capital Facilities Financing Reserve	18,086	0,146	1,563	-	16,669
60150-60199-Child Performer's Holding	0,538	-	-	-	0,538
60200-60249-Employees Health Insurance	1,038,527	978,804	939,415	-	1,077,916
60250-60299-Social Security Contribution	14,438	91,281	91,338	-	14,381
60300-60399-Employee Payroll Withholding	34,125	344,845	343,795	-	35,175
60400-60449-Employees Dental Insurance	18,857	5,048	5,743	-	18,162
60450-60499-Management Confidential Group Insurance	0,813	0,778	0,757	-	0,834
60500-60549-Lottery Prize	637,035	204,057	162,551	-	678,541
60550-60599-Health Insurance Reserve Receipts	0,146	-	-	-	0,146
60600-60799-Miscellaneous New York State Agency	930,356	401,796	439,474	-	892,678
60800-60849-Elderly Pharmaceutical Insurance Coverage (EPIC) Escrow	28,401	7,112	-	-	35,513
60850-60899-CUNY Senior College Operating	2,732	240,509	189,421	-	53,820
60900-60949-Medicaid Management Information System (MMIS) Escrow	198,121	5,352,476	5,352,622	-	197,975
60950-60999-Special Education	-	-	-	-	-
61000-61099-State University of New York Revenue Collection	100,004	(31,752)	-	-	68,252
61100-61999-State University Federal Direct Lending Program	(3,199)	19,817	18,651	-	(2,033)
62000-62049-SSI SSP Payment Escrow	-	-	-	-	-
TOTAL AGENCY FUNDS	3,018,980	7,614,917	7,545,330	-	3,088,567
TOTAL FIDUCIARY FUNDS	\$ 3,030,314	\$ 7,620,564	\$ 7,551,638	\$ -	\$ 3,099,240

SCHEDULE 4

STATE OF NEW YORK
 SOLE CUSTODY AND INVESTMENT ACCOUNTS
 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
 FISCAL YEAR 2020-2021
 FOR THE MONTH OF NOVEMBER 2020
 (amounts in millions)

ACCOUNTS	FUND TYPE	BALANCE		RECEIPTS	DISBURSEMENTS	BALANCE
		NOVEMBER 1, 2020				
70000-70049-Tobacco Settlement		\$	2,888	\$	-	\$ 2,888
70093, 70095, 70300-70301-MTA State Assistance			173,289		142,012	180,322
70050-70149-Sole Custody Investment (*)			2,420,745		2,193,720	2,521,117
70200-Comptroller's Refund Account			-		171,525	-
TOTAL ACCOUNTS		\$	2,596,922	\$	2,514,290	\$ 2,704,327

(*) Includes Public Asset Fund resources:

Chapter 1 of the Laws of 2002 authorized the conversion of Empire Health Choice, d/b/a Empire Blue Cross and Blue Shield from a not-for-profit corporation to a for-profit corporation. Chapter 1 requires, in part, that upon such conversion, assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to a fund designated as the "Public Asset Fund" and 5 percent transferred to a Charitable Foundation - as set forth in Section 7317 of the Insurance Law. On December 28, 2005, WellChoice, Inc. (previously known as Empire Blue Cross, Blue Shield) approved a takeover by WellPoint, Inc. This conversion was also subject to the same Chapter 1 requirements of assigning assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to the "Public Asset Fund".

As of November 30, 2020, \$9,542,078.43 (representing the remaining balance of the State's 95 percent share of the fair market value of the not-for-profit corporation plus interest) is on deposit in the sole custody account titled Public Asset Fund. In accordance with Section 4301(j)(4)(F) and (O) of the Insurance Law and at the direction of the Director of the Budget, these funds are available for transfer to HCRA Resources Fund (20800-20849).

SCHEDULE 5

STATE OF NEW YORK
DEBT SERVICE FUNDS
STATEMENT OF DIRECT STATE DEBT ACTIVITY
FISCAL YEAR 2020-2021

PURPOSE	DEBT OUTSTANDING APRIL 1, 2020		DEBT ISSUED		DEBT MATURED		DEBT OUTSTANDING NOVEMBER 30, 2020		INTEREST DISBURSED	
			MONTH OF NOVEMBER	8 MONTHS ENDED NOVEMBER 30, 2020	MONTH OF NOVEMBER	8 MONTHS ENDED NOVEMBER 30, 2020	MONTH OF NOVEMBER	8 MONTHS ENDED NOVEMBER 30, 2020	MONTH OF NOVEMBER	8 MONTHS ENDED NOVEMBER 30, 2020
GENERAL OBLIGATION BONDED DEBT:										
Accelerated Capacity and Transportation Improvements	\$	11,445,463	\$	-	\$	-	\$	720,219	\$	10,725,244
Clean Water/Clean Air:										
Air Quality		1,795,354		-		-		-		1,795,354
Safe Drinking Water		298,595,491		-		-		-		-
Clean Water		16,287,590		-		-		10,184,660		288,410,831
Solid Waste		40,070,447		-		-		1,659,267		14,628,323
Environmental Restoration				-		-		160,000		39,910,447
Energy Conservation Through Improved Transportation:										
Rapid Transit and Rail Freight		1,198,754		-		-		176,298		1,022,456
Environmental Quality (1972):										
Air		3,184		-		-		-		3,184
Land and Wetlands		4,939,861		-		-		25,000		4,914,861
Water		6,370,803		-		-		715,000		5,655,803
Environmental Quality (1986):										
Land Acquisition/Development/Restoration/Forests		5,309,545		-		-		486,025		4,823,520
Solid Waste Management		91,992,747		-		-		7,260,923		84,731,824
Housing:										
Low Income		5,840,000		-		-		1,060,000		4,780,000
Middle Income		4,035,000		-		-		2,240,000		1,795,000
Park and Recreation Land Acquisition		-		-		-		-		-
Pure Waters		15,498,329		-		-		1,846,959		13,651,370
Rail Preservation Development		-		-		-		-		-
Rebuild and Renew New York Transportation:										
Highway Facilities		600,658,226		-		-		-		600,658,226
Canals and Waterways		9,419,680		-		-		-		9,419,680
Aviation		41,089,448		-		-		-		41,089,448
Rail and Port		92,824,245		-		-		-		92,824,245
Mass Transit - Dept. of Transportation		12,168,734		-		-		-		12,168,734
Mass Transit - Metropolitan Transportation Authority		705,163,311		-		-		-		705,163,311
Rebuild New York Transportation Infrastructure Renewal:										
Highways, Parkways, and Bridges		553,992		-		-		-		553,992
Rapid Transit, Rail and Aviation		2,042,563		-		-		479,171		1,563,392
Smart Schools Bond Act		161,307,133		-		-		-		161,307,133
Transportation Capital Facilities:										
Aviation		2,090,099		-		-		441,478		1,648,621
Mass Transportation		-		-		-		-		-
Total General Obligation Bonded Debt	\$	2,130,699,999	\$	-	\$	-	\$	27,455,000	\$	2,103,244,999
									\$	40,854,886

STATE OF NEW YORK
DEBT SERVICE FUNDS
FINANCING AGREEMENTS
FOR THE EIGHT MONTHS ENDED NOVEMBER 30, 2020

SCHEDULE 5a

Special Contractual Financing Obligations: Payable to Public Authorities:	DEBT REDUCTION RESERVE (40000-40049)	GENERAL DEBT SERVICE (40151)	DEPARTMENT OF HEALTH INCOME TAX (40300-40349)	LOCAL GOVERNMENT ASSISTANCE INCOME TAX (40450-40499)	MENTAL HEALTH SERVICES (40100-40149)	REVENUE BOND INCOME TAX (40152)	SALES TAX REVENUE BOND INCOME TAX (40154)	COMBINED TOTALS		\$ INCREASE/ (DECREASE)
								8 MONTHS ENDED NOVEMBER 30	2019	
								2020		
City University Construction	\$ -	\$ 7,115,904	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,115,904	\$ 71,889,337	\$ (64,773,433)
Dominion Authority:										
Consolidated Service Contract Refunding	-	-	-	-	-	-	-	-	54,430,525	(54,430,525)
DASNY Revenue Bond	-	-	-	-	-	573,824,449	223,441,555	797,266,004	375,408,510	421,857,484
Department of Health Facilities	-	-	25,467,940	-	-	-	-	25,467,940	26,157,903	(689,963)
Mental Health Facilities	-	-	-	-	8,615,353	-	-	8,615,353	7,064,797	1,550,556
Secured Hospital Program	-	2,495,165	-	-	-	-	-	2,495,165	3,639,093	(1,133,928)
SUNY Community Colleges	-	8,347,200	-	-	-	-	-	8,347,200	5,928,700	2,418,500
SUNY Educational Facilities	-	25,819,812	-	-	-	-	-	25,819,812	18,022,938	7,796,874
Environmental Facilities Corporation	-	-	-	-	-	430,631	-	430,631	839,859	(409,228)
Housing Finance Agency	-	15,828,552	-	-	-	-	-	15,828,552	17,642,733	(1,814,181)
Local Government Assistance Corporation	-	-	-	-	-	-	-	-	21,302,971	(21,302,971)
Metropolitan Transportation Authority:										
Transit and Commuter Rail Projects	-	-	-	-	-	-	-	-	-	-
Thruway Authority:										
Dedicated Highway and Bridge	-	80,878,520	-	-	-	-	-	80,878,520	353,106,261	(272,227,741)
Local Highway and Bridge	-	-	-	-	-	-	-	-	21,772,000	(21,772,000)
Transportation	-	-	-	-	-	17,821,175	-	17,821,175	27,320,113	(9,498,938)
Urban Development Corporation:										
Clarkson University	-	-	-	-	-	-	-	-	26,675	(26,675)
Columbia University: Telecommunications Center	-	-	-	-	-	-	-	-	-	-
Consolidated Service Contract Refunding	-	4,237,108	-	-	-	-	-	4,237,108	4,100,254	196,854
Cornell University: Supercomputer Center	-	-	-	-	-	-	-	-	-	-
Correctional Facilities	-	-	-	-	-	-	-	-	555,750	(555,750)
Debt Reduction Reserve	-	-	-	-	-	-	-	-	-	-
UDC Revenue Bond	-	-	-	-	-	286,525,473	-	286,525,473	5,105,575	281,419,898
University Facilities Grant 95 Refunding	-	11,603	-	-	-	-	-	11,603	60,072	(48,469)
Total Disbursements for Special Contractual Financing Obligations	\$ -	\$ 144,793,864	\$ 25,467,940	\$ -	\$ 8,615,353	\$ 878,801,728	\$ 223,441,555	\$ 1,280,920,440	\$ 1,014,564,086	\$ 266,356,374

STATE OF NEW YORK
SUMMARY OF THE OPERATING FUND INVESTMENTS
FOR THE MONTH OF NOVEMBER 2020
AS REQUIRED OF THE STATE COMPTROLLER
(amounts in millions)

SCHEDULE 6

	MONTH OF NOVEMBER 2020	FISCAL YEAR TO DATE	PRIOR FISCAL YEAR TO DATE
AVERAGE DAILY INVESTMENT BALANCE (**)	\$ 32,362.5	\$ 28,546.7	\$ 18,905.0
AVERAGE YIELD (**)	0.124%	0.224%	2.262%
TOTAL INVESTMENT EARNINGS	\$ 3,367	\$ 44,261	\$ 294,102

SHORT TERM INVESTMENT POOL (*)

Month-End Portfolio Balances

DESCRIPTION	NOVEMBER 2020 PAR AMOUNT	NOVEMBER 2019 PAR AMOUNT
GOVT. AGENCY BILLS/NOTES	\$ 14,652.2	\$ 3,040.1
REPURCHASE AGREEMENTS	20.4	76.0
GOVT. SPONSORED AGENCIES	609.5	-
COMMERCIAL PAPER	15,242.0	12,144.8
CERTIFICATES OF DEPOSIT/SAVINGS	2,325.3	2,950.3
0% COMPENSATING BALANCE CDs	648.0	8.0
	\$ 33,497.4	\$ 18,219.2

(*) Pursuant to §98 of the State Finance Law, the State Comptroller is authorized to invest and keep invested all moneys, in any fund, held by the State. The Short Term Investment Pool (STIP) represents an accounting mechanism that allows for the separate accounting of individual funds (on deposit in the State's General Checking account) for the purpose of making short term investments. Pursuant to State Finance Law §4(5) the STIP is authorized to temporarily loan to the General Fund-State Operations Account (10050) funds for a period not to exceed the end of the fiscal year. However, it must be noted that certain funds are invested as part of STIP, but are held by the State Comptroller in a fiduciary capacity. Fiduciary fund balances are restricted and may not be used for any State purposes since moneys in such funds are held by the State in a trustee (or fiduciary) capacity or as an agent for individuals, private organizations, or non-State governmental units (e.g. local governments and public authorities). Therefore, Fiduciary fund balances are not available to be temporarily loaned to the General Fund-State Operations Account. Fiduciary fund balances are presented in Schedules 3 and 4 of this report.

(**) Does not include 0% Compensating Balance CDs.

STATE OF NEW YORK
HCRA RESOURCES FUND
STATEMENT OF RECEIPTS AND DISBURSEMENTS BY ACCOUNT
FISCAL YEAR 2020-2021

APPENDIX A

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	8 Months Ended November 30, 2020
OPENING CASH BALANCE	\$ 15,704,540	\$ 95,764,658	\$ 80,082,748	\$ 480,512,199	\$ 488,132,188	\$ 217,721,195	\$ 104,334,501	\$ 181,581,146					\$ 15,704,540
RECEIPTS:													
Cigarette Tax	68,786,104	51,352,065	60,187,824	68,708,897	60,405,723	70,952,125	55,756,250	59,085,187					465,304,275
State Share of NYC Cigarette Tax	2,160,000	1,133,000	1,346,000	1,945,000	1,308,000	2,075,000	1,685,000	1,555,000					13,187,000
State Share of NYC Lottery Tax	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000					8,000,000
State Share of NYC Lottery Tax	362,848	298,771	119,362,825	(345,842)	(173,362,825)	7,332,825	6,952,825	6,952,825					18,952,825
STP Interest	-	-	58,113	43,864	53,717	52,889	41,598	38,448					839,618
Public Asset Transfers	-	-	-	-	-	-	-	-					-
Assessments	478,443,658	390,720,867	437,012,587	376,078,217	388,691,001	454,153,792	435,070,365	401,657,632					3,382,827,919
Fees	327,000	46,000	561,000	930,000	776,000	1,404,000	189,000	390,000					4,633,000
Rebates	12,000	4,545,140	5,975,918	9,916,208	2,000,386	4,881,029	2,789,602	3,632,553					33,752,516
Residuals and Settlements	-	-	-	-	-	-	-	-					-
Miscellaneous	-	-	297,248	-	1,148	-	483	-					298,879
Total Receipts	550,137,287	448,125,819	517,109,215	457,384,004	454,112,033	540,875,952	465,520,063	466,386,393					3,929,620,065
DISBURSEMENTS:													
Grants	486,021,724	482,778,011	97,733,246	796,144,082	414,416,738	642,214,484	404,418,743	442,807,097					3,886,334,125
Grants - Late Payments	1,509,162	534,882	1,260,441	270,886	1,523,644	750,654	1,609,108	883,288					8,471,275
Personal Service	55,956	(291,887)	5,284,009	4,077,923	3,349,084	7,839,793	3,878,285	2,812,150					27,005,533
Non-Personal Service	612,447	299,051	1,164,130	638,546	588,684	194,538	881,073	593,884					4,962,661
Employee Benefits/Indirect Costs	-	-	-	-	-	-	-	-					-
Total Disbursements	488,199,325	483,320,009	105,489,150	761,142,689	419,851,726	650,995,364	410,797,810	446,396,672					3,776,802,904
OPERATING TRANSFERS:													
Transfers to Capital Projects Fund	-	-	-	-	-	-	-	-					-
Transfers to General Fund	-	-	297,248	-	1,147	-	484	-					298,879
Transfers to Revenue Bond Tax Fund	-	-	-	-	2,276,000	2,650,324	-	-					4,926,324
Transfers to Miscellaneous Special Revenue Fund:													
Administration Program Account	989,254	-	-	-	-	222,807	(1)	1					1,212,061
Administration Program Account - Account	-	-	-	-	-	-	(1)	-					7,155,000
Transfers to SUNY Income Fund	888,590	487,522	863,664	601,328	384,151	384,151	384,116	208,610					4,242,132
Total Operating Transfers	1,877,844	487,522	1,180,412	601,328	2,671,388	3,267,382	7,484,590	208,611					17,775,396
Total Disbursements and Transfers:	470,077,169	463,807,731	106,680,682	761,744,017	422,523,024	654,262,646	418,282,418	447,205,233					3,744,582,300
CLOSING CASH BALANCE	\$ 95,764,658	\$ 80,082,748	\$ 480,512,199	\$ 188,132,188	\$ 217,721,195	\$ 104,334,501	\$ 181,581,146	\$ 200,742,306	\$ -	\$ -	\$ -	\$ -	\$ 200,742,306

APPENDIX B

*) Includes amounts appropriated in SFY 2020-21, as well as prior year appropriations that were reappropriated.
 **) Disbursements from the HCRA Resources Fund includes direct grant payments to program beneficiaries, services and expenses for administration of grant programs, and transfers to the Public Goods Pool to finance payments made by the State's fiscal agent.
 ***) Full title is: NYC Personal Care Workforce Recruitment and Retention Rates Grants.
 ****) Full title is: Personal Care Workforce Recruitment and Retention Rates Grants.

APPENDIX C

STATE OF NEW YORK
STATEMENT OF CASH FLOW - PUBLIC GOODS POOL
FISCAL YEAR 2020-21

	1st Quarter APRIL - JUNE	2nd Quarter JULY - SEPTEMBER	2020 OCTOBER	2020 NOVEMBER	2020-21
OPENING CASH BALANCE	\$ 350,947,309.06	\$ 126,897,506.61	\$ 318,804,091.76	\$ 300,230,777.72	\$ 350,947,309.06
RECEIPTS:					
Patient Services	722,415,689.44	975,374,899.18	285,489,035.07	290,610,212.04	2,273,889,835.73
Covered Lives	224,564,987.99	294,913,084.03	84,288,479.43	84,757,009.78	688,523,571.23
Provider Assessments	19,621,242.87	22,021,897.80	7,247,462.61	7,562,420.86	56,453,024.14
1% Assessments	103,739,180.00	107,280,064.00	34,082,840.00	36,624,068.00	281,726,152.00
DASNY - MOE/Recast receivables	-	-	-	-	-
Interest Income	13,893.95	16,145.63	2,835.45	2,611.67	35,486.70
Unassigned	(1,563,049.32)	(978,886.85)	1,100,696.29	1,562,265.76	121,025.88
Total Receipts	1,068,791,954.93	1,398,627,203.79	412,211,348.85	421,118,588.11	3,300,749,095.68
PROGRAM DISBURSEMENTS:					
Poison Control Centers	-	-	-	-	-
School Based Health Center Grants	-	-	-	-	-
ECRIP Distributions	-	-	-	-	-
Total Program Disbursements	-	-	-	-	-
Excess (Deficiency) of Receipts over Disbursements	1,068,791,954.93	1,398,627,203.79	412,211,348.85	421,118,588.11	3,300,749,095.68
OTHER FINANCING SOURCES (USES):					
Transfers From Other Pools:					
Medicaid Disproportionate Share	-	-	-	-	-
Health Facility Assessment Fund - Hospital Quality Contribution	13,334,232.00	13,201,960.00	4,284,504.00	4,442,958.00	35,263,654.00
Transfers From State Funds:					
HCRA Resources Fund	-	-	-	-	-
Total Other Financing Sources	13,334,232.00	13,201,960.00	4,284,504.00	4,442,958.00	35,263,654.00
Transfers To Other Pools:					
Medicaid Disproportionate Share	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-
Transfers To State Funds:					
HCRA Resources Fund	(1,306,175,989.38)	(1,219,922,578.64)	(435,069,166.89)	(401,657,468.95)	(3,362,825,203.86)
Indigent Care Fund - Matched	-	-	-	-	-
Indigent Care Fund - Unmatched	-	-	-	-	-
Total Other Financing Uses	(1,306,175,989.38)	(1,219,922,578.64)	(435,069,166.89)	(401,657,468.95)	(3,362,825,203.86)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(224,049,802.45)	191,906,585.15	(18,573,314.04)	23,904,077.16	(26,812,454.18)
CLOSING CASH BALANCE	\$ 126,897,506.61	\$ 318,804,091.76	\$ 300,230,777.72	\$ 324,134,854.88	\$ 324,134,854.88

Source: HCRA - Office of Pool Administration

APPENDIX D

STATE OF NEW YORK
STATEMENT OF CASH FLOW - MEDICAID DISPROPORTIONATE SHARE
FISCAL YEAR 2020-21

	1st Quarter APRIL - JUNE	2nd Quarter JULY - SEPTEMBER	2020 OCTOBER	2020 NOVEMBER	2020-21
OPENING CASH BALANCE	\$ 688.63	\$ 169.31	\$ 333,127.45	\$ 163.10	\$ 688.63
RECEIPTS:					
Interest Income	422.98	1,460.78	163.10	122.39	2,169.25
Total Receipts	422.98	1,460.78	163.10	122.39	2,169.25
PROGRAM DISBURSEMENTS:					
Indigent Care	(188,629,665.12)	(150,799,778.96)	(52,705,108.77)	(52,445,619.79)	(444,580,172.64)
High Need Indigent Care	-	-	-	-	-
Other	506,867.55	(90,700,038.60)	2,479,580.40	2,194,060.46	(85,519,530.19)
Total Program Disbursements	(188,122,797.57)	(241,499,817.56)	(60,225,528.37)	(60,251,559.33)	(630,099,702.93)
Excess (Deficiency) of Receipts over Disbursements	(188,122,374.59)	(241,498,356.78)	(60,225,365.27)	(60,251,436.94)	(630,097,533.58)
OTHER FINANCING SOURCES (USES):					
Transfers From Other Pools:					
Public Goods Pool	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-
Transfers From State Funds:					
HCRA Resources Indigent Care - Matched	94,314,832.56	113,950,116.17	23,029,709.38	22,971,181.47	254,265,839.58
HCRA Resources Indigent Care - Unmatched	(506,129.55)	16,528,236.56	(2,685,283.60)	(2,194,060.46)	11,142,762.95
HCRA Resources Indigent Care - ATB	-	-	-	-	-
Federal DHHS Fund	94,314,832.56	113,950,116.15	29,549,535.77	29,474,488.32	267,288,922.80
Other	-	-	-	-	-
Total Other Financing Sources	188,123,535.57	244,428,468.88	49,893,961.55	50,251,559.33	532,697,525.33
Transfers To Other Pools:					
Public Goods Pool	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-
Transfers To State Funds:					
HCRA Resources Fund Indigent Care Acct	(922.30)	(431.55)	(1,198.54)	(163.10)	(2,715.49)
CSRA Inc (eMedNY) General Fund	(738.00)	(2,596,722.41)	(362.09)	-	(2,597,822.50)
Total Other Financing Uses	(1,660.30)	(2,597,153.96)	(1,560.63)	(163.10)	(2,600,537.99)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(499.32)	332,958.14	(332,964.36)	(40.71)	(646.24)
CLOSING CASH BALANCE	\$ 169.31	\$ 333,127.45	\$ 163.10	\$ 122.39	\$ 122.39

Source: HCRA - Office of Pool Administration

APPENDIX E

STATE OF NEW YORK
SUMMARY OF OFF-BUDGET SPENDING REPORT
FISCAL YEAR 2020-2021
(amounts in thousands)

	2020 APRIL	2020 MAY	2020 JUNE	2020 JULY	2020 AUGUST	2020 SEPTEMBER	2020 OCTOBER	2020 NOVEMBER	2020 DECEMBER	2021 JANUARY	2021 FEBRUARY	2021 MARCH	2020-2021 TOTAL
DORMITORY AUTHORITY:													
Education - All Other	\$ -	\$ -	\$ -	\$ -	\$ 15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15
Education - EXCEL	427	2,157	1,567	17	-	649	-	829	-	-	-	-	5,646
Department of Health - All Other	(1)	-	59	-	-	-	-	-	-	-	-	-	58
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
Regional Development:													
Community Capital Assistance Program (CCAP)/RESTORE	525	-	454	444	323	148	14	383	-	-	-	-	2,291
Multi-modal	-	-	24	-	-	20	-	-	-	-	-	-	44
GenNYsis	-	-	-	-	-	-	-	-	-	-	-	-	-
CUNY Senior Colleges	24,128	11,443	24,631	18,581	19,061	18,031	10,339	32,044	-	-	-	-	153,258
CUNY Community Colleges	4,766	1,358	5,403	2,217	1,052	2,084	83	4,094	-	-	-	-	21,067
Brooklyn Court Officer Training Academy	26	-	-	1,153	-	-	-	-	-	-	-	-	1,179
TOTAL DORMITORY AUTHORITY	29,871	14,958	32,138	22,412	20,451	20,942	10,436	37,350	-	-	-	-	188,558
EMPIRE STATE DEVELOPMENT CORP:													
Regional Development:													
Centers of Excellence	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Capital Assistance Program (CCAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
Empire Opportunity	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
State Facilities and Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL EMPIRE STATE DEVELOPMENT CORP	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL OFF-BUDGET	\$ 29,871	\$ 14,958	\$ 32,138	\$ 22,412	\$ 20,451	\$ 20,942	\$ 10,436	\$ 37,350	\$ -	\$ -	\$ -	\$ -	\$ 188,558

The Division of the Budget (DOB) is responsible for organizing and presenting the above schedule of 'Off Budget Spending'. Such reported disbursements are drawn from unaudited financial data provided by public authorities. Although the Office of the State Comptroller (OSC) has no reason to believe this information to be unreliable, it is important to note that these program disbursements are financed with public authority bond proceeds deposited directly into public authority accounts and all disbursements are made without any oversight by the OSC. Therefore, and pursuant to the provisions of Chapter 60, §16, of the Laws of 2006, this schedule is provided for information only.

APPENDIX F

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	August 31, 2020	September 30, 2020	October 31, 2020	Change	November 30, 2020
	GENERAL FUND					
10050	STATE OPERATIONS AND LOCAL ASSISTANCE					
	TOTAL GENERAL FUND					
30051	CAPITAL PROJECT AND BOND REIMBURSABLE FUNDS					
30051	AVIATION PURPOSE CAPITAL	184,652,658.88	362,853,243.13	229,640,331.67	21,479,726.66	251,120,260.33
30100	AVIATION PURPOSE ACCOUNT	-	-	-	-	-
30101	REHAB/REPAIR MARITIME	-	-	-	-	-
30102	D21RVE- MARITIME	-	-	-	-	-
30103	D38RVE- CENTRAL ADMIN	-	-	-	-	-
30104	RESIDENCE HALL CAMPUS LET BOND PROCEEDS	-	-	-	-	-
30105	REHAB/REPAIR ALBANY	-	-	-	-	-
30106	D01RVE- ALBANY	-	-	-	-	-
30107	REHAB/REPAIR BINGHAMTON	-	-	-	-	-
30108	D07RVE- BINGHAMTON	-	-	-	-	-
30109	REHAB/REPAIR BUFFALO UNIVERSITY	-	-	-	-	-
30110	D28RVE- SUNY BUFFALO	-	-	-	-	-
30111	REHAB/REPAIR STONTBROOK	-	-	-	-	-
30112	D31RVE- STONTBROOK	-	-	-	-	-
30113	REHAB/REPAIR BROOKLYN	-	-	-	-	-
30114	D14RVE- HSC BROOKLYN	-	-	-	-	-
30115	REHAB/REPAIR SYRACUSE	-	-	-	-	-
30116	D15RVE- HSC SYRACUSE	-	-	-	-	-
30117	REHAB/REPAIR BROCKPORT	-	-	-	-	-
30118	D02RVE- BROCKPORT	-	-	-	-	-
30119	REHAB/REPAIR BUFFALO COLLEGE	-	-	-	-	-
30120	D03RVE- SUB BUFFALO	-	-	-	-	-
30121	REHAB/REPAIR CORTLAND	-	-	-	-	-
30122	D04RVE- CORTLAND	-	-	-	-	-
30123	REHAB/REPAIR FREDONIA	-	-	-	-	-
30124	D05RVE- FREDONIA	-	-	-	-	-
30125	REHAB/REPAIR GENESOO	-	-	-	-	-
30126	D06RVE- GENESOO	-	-	-	-	-
30127	REHAB/REPAIR OLD WESTBURY	-	-	-	-	-
30128	D31RVE- OLD WESTBURY	-	-	-	-	-
30129	REHAB/REPAIR NEW PALTZ	-	-	-	-	-
30130	D08RVE- NEW PALTZ	-	-	-	-	-
30131	REHAB/REPAIR ONEONTA	-	-	-	-	-
30132	D09RVE- ONEONTA	-	-	-	-	-
30133	REHAB/REPAIR OSWEGO	-	-	-	-	-
30134	D10RVE- OSWEGO	-	-	-	-	-
30135	REHAB/REPAIR PLATTSBURGH	-	-	-	-	-
30136	D11RVE- PLATTSBURGH	-	-	-	-	-
30137	REHAB/REPAIR POTSDAM	-	-	-	-	-
30138	D12RVE- POTSDAM	-	-	-	-	-
30139	REHAB/REPAIR PURCHASE	-	-	-	-	-
30140	D09RVE- PURCHASE	-	-	-	-	-
30141	REHAB/REPAIR FOR UTICA/ROME	-	-	-	-	-
30142	D27RVE- CAMPUS RESERVE	-	-	-	-	-
30143	REHAB/REPAIR ALFRED	-	-	-	-	-
30144	D22RVE- ALFRED	-	-	-	-	-
30145	REHAB/REPAIR CANTON	-	-	-	-	-
30146	D23RVE- CANTON	-	-	-	-	-
30147	REHAB/REPAIR COBLESKILL	-	-	-	-	-
30148	D24RVE- COBLESKILL	-	-	-	-	-
30149	REHAB/REPAIR DELHI	-	-	-	-	-
30150	D25RVE- DELHI	-	-	-	-	-
30151	REHAB/REPAIR FARMINGDALE	-	-	-	-	-
30152	D26RVE- FARMINGDALE	-	-	-	-	-
30153	REHAB/REPAIR MORRISVILLE	-	-	-	-	-
30154	D27RVE- MORRISVILLE	-	-	-	-	-
30351	STATE PARK INFRASTRUCTURE	64,402,407.96	70,449,887.42	34,853,989.61	13,797,856.73	48,651,826.34
30501	CWICA IMPLEMENTATION DEC	-	-	-	-	-
30502	CWICA IMPLEMENTATION STATE	-	-	-	-	-
30503	CWICA IMPLEMENTATION ERDA	-	-	-	-	-
30504	CWICA IMPLEMENTATION EFC	-	-	-	-	-
31506	HAZARDOUS WASTE CLEAN UP	98,228,303.32	103,476,661.09	90,789,823.06	8,660,563.27	99,450,386.33
31701	YOUTH FACILITIES IMPROVEMENT	14,936,253.28	15,758,588.97	17,191,103.28	474,813.25	17,665,916.53
31801	HOUSING ASSISTANCE	12,941,967.06	12,941,967.06	12,941,967.06	-	12,941,967.06
31851	HOUSING PROG FD-HSG TR FD CORP	182,373,910.06	285,485,442.82	299,615,002.96	3,261,000.00	302,876,002.96
31852	HOUSING PROG FD AFFORD HSG CORP	39,558,058.81	42,074,022.81	44,736,668.81	-	44,736,668.81
31853	HOUSING PROG FD-DEPT OF SOCIAL SERVICES	92,239,684.37	97,039,684.37	104,339,684.37	4,400,000.00	108,739,684.37
31854	HOUSING PROG FD-DEPT OF SOCIAL SERVICES	-	-	-	-	-
31851	HIGHWAY FAC PURPOSE	11,966,463.99	11,966,463.99	11,966,479.77	-	11,966,479.77

APPENDIX F

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	August 31, 2020	September 30, 2020	October 31, 2020	Change	November 30, 2020
32213	NY RACING ACCOUNT	153,750.00	153,750.00	153,750.00	-	153,750.00
32214	CAPITAL PROJECT MISC GIFTS	-	-	-	-	-
32215	IT CAPITAL FINANCING ACCT	2,883,076.92	2,883,686.80	3,384,250.29	431,516.67	3,825,788.96
32219	NY ENVIRONMENTAL PROTECTION & SPILL REMEDIATION	-	-	-	-	-
32291	OPWDD-STATE FACILITIES REPAIRS	-	-	-	-	-
32301	OSAS-COMMUNITY FACILITIES	70,136,289.13	69,237,204.51	70,034,608.01	336,665.01	70,371,273.02
32303	OSAS-COMMUNITY FACILITIES	180,739,076.13	182,240,076.13	181,628,539.69	988,750.00	182,617,289.69
32304	OPWDD-COMMUNITY FACILITIES	-	-	-	-	-
32305	DASNY - OMH ADMIN	7,828,273.39	7,828,273.39	7,828,273.39	-	7,828,273.39
32306	DASNY - OPWDD ADMIN	1,732,406.20	1,732,406.20	2,581,221.20	-	2,581,221.20
32308	DASNY - OSAS ADMIN	105,079,828.74	116,382,293.79	125,053,038.62	30,223,354.61	155,276,393.23
32309	OMH-STATE FACILITIES	19,107,109.86	18,171,024.28	19,371,024.28	10,006,364.07	29,377,388.35
32310	OPWDD-STATE FACILITIES	2,404,768.40	2,105,820.18	2,494,096.85	916,305.59	3,400,392.44
32311	OSAS-STATE FACILITIES	-	-	-	-	-
32351	CORR. FACILITIES CAPITAL IMPROVEMENT	185,043,986.73	212,506,047.90	232,977,446.82	19,967,594.46	251,945,041.28
32352	DOCS-REHABILITATION PROJECTS	-	0.55	-	(0.55)	-
32353	CORR. FACILITIES CAPITAL CLOSURE	54,159,323.63	54,411,469.09	53,587,768.11	897,362.70	54,485,130.81
33001	STORM RECOVERY ACCOUNT	1,330,789,614.86	1,670,283,058.02	1,543,970,238.11	114,880,228.70	1,658,850,466.81
TOTAL CAPITAL AND BOND REIMBURSABLE FUNDS						
STATE SPECIAL REVENUE FUNDS						
20401	DOL-CHILD PERFORMER PROTECTION ACCOUNT	-	-	-	-	-
20452	VOCATIONAL SCHOOL SUPERVISION	-	-	-	-	-
20501	LOCAL GOVERNMENT RECORDS MGMT	-	-	-	-	-
20810	CHILD HEALTH INSURANCE	84,283,757.87	69,887,137.16	-	23,122,890.06	23,122,890.06
20818	EPIC PREMIUM ACCOUNT	-	277,647.70	10,282,047.95	5,340,710.08	15,622,758.03
20901	LOTTERY-EDUCATION	-	1,562,212,831.94	1,412,399,107.33	(151,760,413.32)	1,260,608,694.01
20904	VLT EDUCATION	-	79,973,683.25	156,105,093.55	96,605,217.38	252,710,310.93
21001	ENVR FAC CORP ADM ACCT	-	-	-	-	-
21002	ENCON ADMIN ACCT	3,679,618.69	3,747,659.65	3,799,431.43	51,771.78	3,851,203.21
21061	HAZARDOUS BULK STORAGE	-	-	-	-	-
21064	UTILITY ENVIRONMENTAL REGULATORY ACCOUNT	1,672,089.99	1,672,089.99	1,672,089.99	-	1,672,089.99
21065	FEDERAL GRANTS INDIRECT COST RECOVERY ACCOUNT	3,211,820.14	4,193,289.47	1,689,175.96	687,658.88	2,337,334.66
21067	ENCON-RECREATION	4,256,939.81	3,776,420.46	3,943,400.59	175,346.03	4,110,797.02
21077	PUBLIC SAFETY RECOVERY ACCOUNT	-	-	-	-	-
21081	ENVIRONMENTAL REGULATORY	65,386,948.81	66,000,252.83	60,286,707.17	(1,124,332.31)	59,172,374.86
21082	NATURAL RESOURCES ACCOUNT	14,551,154.81	14,524,726.57	14,265,932.36	71,334.59	14,337,266.95
21084	MINED LAND RECLAMATION ACCT	-	-	-	-	-
21087	GREAT LAKES RESTORATION INITIATIVE	-	-	-	-	-
21201	HEALTH AND CONTROL OIL SPILL	-	-	-	-	-
21202	HEALTH DEPT OIL SPILL	-	17,340.72	-	-	-
21203	DEPT OF ENVIRONMENTAL CONSERVATION OIL SPILL	-	3,555.33	-	-	-
21204	OIL SPILL COMPENSATION	-	451,031.84	-	-	-
21205	LICENSE FEE SURCHARGES	-	-	-	-	-
21401	PUBLIC TRANSPORTATION SYSTEMS	-	-	-	-	-
21402	NY STATE THRUWAY AUTHORITY	34,006,513.90	33,983,508.33	31,987,548.53	219,264.42	32,206,812.95
21451	OPERATING PERMIT PROGRAM	946,982.11	221,275.54	-	-	-
21452	MOBILE SOURCE	-	-	-	-	-
21902	HEALTH-SPARC'S	-	-	-	-	-
21905	THRUWAY AUTHORITY ACCT	6,067,878.28	11,541,462.39	6,628,040.93	(2,242,427.43)	4,385,613.50
21907	MENTAL HYGIENE PROGRAM	-	-	-	-	-
21909	FINANCIAL HYGIENE PATIENT INCOME ACCOUNT	-	-	-	-	-
21911	FINANCIAL CONTROL BOARD	368,167.98	609,859.59	227,316.04	165,231.98	392,548.02
21912	RACING REGULATION ACCOUNT	1,885,102.73	1,992,255.27	2,327,842.19	348,800.01	2,676,642.20
21937	SU DORM INCOME REIMBURSE	90,178.97	5,713,145.53	841,883.38	(684,904.94)	176,978.44
21945	CRIMINAL JUSTICE IMPROVEMENT	-	-	-	-	-
21959	ENV LAB REF FEE	-	-	-	-	-
21961	TRAINING, MANAGEMENT AND EVALUATION ACCOUNT	859,525.08	885,911.18	587,224.51	40,813.84	828,138.35
21962	INDIRECT COST RECOVERY	11,653,640.37	14,016,024.78	12,262,592.03	(1,172,965.57)	11,089,563.46
21978	HIGH SCHOOL EQUIVALENCY PROGRAM	-	-	-	-	-
21989	MULTI- AGENCY TRAINING ACCOUNT	-	-	-	-	-
22003	BELL JAR COLLECTION ACCOUNT	-	-	-	-	-
22004	INDUSTRY AND UTILITY SERVICE	-	-	-	-	-
22006	REAL PROPERTY DISPOSITION	-	-	-	-	-
22007	PARKING ACCOUNT	-	-	-	-	-
22008	COURTS SPECIAL GRANTS	-	-	-	-	-
22009	ASBESTOS SAFETY TRAINING	43,090.63	47,455.78	38,751.38	(16,026.86)	22,724.52
22017	CAMP SMITH BILLETING ACCOUNT	-	-	-	-	-
22032	BATAVIA SCHOOL FOR THE BLIND	10,053,270.59	7,895,881.47	8,588,731.83	945,900.34	9,514,632.17
22034	INVESTMENT SERVICES	-	-	-	-	-
22036	SURPLUS PROPERTY ACCOUNT	-	-	-	-	-

APPENDIX F

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	August 31, 2020	September 30, 2020	October 31, 2020	Change	November 30, 2020
22039	FINANCIAL OVERSIGHT	555,728.17	532,254.63	259,686.11	257,623.38	517,309.49
22046	REGULATION INDIAN GAMING	92,999,998.99	93,807,558.71	94,761,447.78	1,060,033.14	95,821,480.92
22053	HOME SCHOOL FOR THE DEAF	4,357,350.11	3,307,030.74	3,717,597.37	711,631.93	4,428,589.30
22064	DSP-SEIZED ASSETS	1,016,972.60	951,946.65	902,838.61	43,630.04	858,008.57
22065	ADMINISTRATIVE JUDICIAL	23,886,361.03	27,486,671.52	31,076,774.92	3,223,123.02	34,235,869.94
22066	FEDERAL SALVAGE GAMING	854,151.69	1,004,479.65	1,120,854.74	222,417.84	1,343,372.36
22068	FYU ASSESSMENT ACCT.	-	-	-	-	-
22082	CULTURAL EDUCATION ACCOUNT	6,506,966.31	5,954,486.22	5,490,643.04	(58,120.62)	5,432,522.42
22083	LOCAL SERVICE ACCOUNT	-	-	-	-	-
22078	DHCR MORTGAGE SERVICES	16,430,444.22	16,644,492.31	1,581,265.97	141,730.46	1,722,996.43
22085	HOUSING INDIRECT COST RECOVERY	-	-	-	-	-
22090	DHCR-HOUSING CREDIT AGENCY APPLY FEE	9,852,893.52	9,759,624.08	10,474,355.28	681,556.78	11,155,914.06
22100	LOW INCOME HOUSING CREDIT MONITORING	-	-	-	-	-
22135	EFC-CORPORATION ADMINISTRATION	-	-	-	-	-
22144	MONROSE VETERANS HOME	238,166.66	-	-	-	-
22151	DEFERRED COMPENSATION ADMIN	-	124,151.33	176,103.57	(284,654.68)	56,057.79
22156	RENT REVENUE OTHER - NYC	-	591,253.80	4,253,279.07	3,717,027.44	7,970,306.51
22158	RENT REVENUE	-	-	-	-	-
22160	TXS REPAIRS/REARAGE ACCOUNT	-	-	-	-	-
22161	NYC MEDICAL INDEMNITY FUND ACCOUNT	1,083,976.25	1,185,080.73	1,269,835.22	101,211.14	1,371,046.36
22640	SUJ NON-RESIDENT REV. OFFSET	20,662,290.36	20,664,899.17	20,667,047.29	2,124.10	20,669,171.39
22654	LAKE GEORGE PARK TRUST FUND	-	-	-	-	-
22802	STATE POLICE MV ENFORCE	-	-	-	-	-
23001	DOT - HIGHWAY SAFETY PRGM	15,631,992.02	15,895,636.27	16,041,242.69	278,022.93	16,319,265.62
23102	DOH DRINKING WATER PROGRAM	5,350,949.70	5,350,949.70	5,350,949.70	-	5,350,949.70
23151	NYCCC OPERATING OFFSET	40,779,914.98	43,872,916.00	48,094,220.01	2,296,414.21	48,390,644.22
23701	COMMERCIAL GAMING REVENUE	-	-	-	-	-
23702	COMMERCIAL GAMING REGULATION	19,727,468.18	20,189,828.45	20,509,123.97	298,223.00	20,807,346.97
23801	HIGHWAY USE TAX ADMIN	-	-	-	-	-
23806	NY SECURE CHOICE ADMIN	-	-	-	-	-
24951	FANTASY SPORTS ADMINISTRATION	34,946.58	59,169.33	80,094.79	(65,736.00)	4,356.79
	TOTAL STATE SPECIAL REVENUE FUNDS	502,639,457.15	2,151,221,898.44	1,891,683,922.09	(16,771,261.81)	1,975,106,620.28
25000-25099	FEDERAL FUNDS					
25100-25199	FEDERAL USDA/FOOD AND NUTRITION SERVICES FUND	118,710,736.93	4,451,739.48	4,118,961.38	31,028,395.00	35,147,356.38
25200-25249	FEDERAL HEALTH AND HUMAN SERVICES FUND	185,715,291.63	2,748,340,824.81	231,401,978.90	149,091,105.62	380,493,084.52
25250-25299	FEDERAL EDUCATION GRANTS FUND	101,592,275.68	18,968,465.01	35,344,170.68	8,369,237.26	43,743,707.94
25300-25399	FEDERAL DHHS BLOCK GRANTS	-	-	-	-	-
31351	FEDERAL OPERATING GRANTS FUND	467,888,759.37	483,311,461.02	552,028,917.32	(78,390,506.42)	473,639,410.90
31354	MILITARY AND NAVAL AFFAIRS	8,753,932.66	8,753,932.66	8,753,932.66	-	8,753,932.66
31350-31449	DEPARTMENT OF TRANSPORTATION	418,881,740.11	441,892,716.97	432,424,880.01	(63,372,783.49)	389,051,296.52
31350-31449	FEDERAL CAPITAL PROJECTS FUND (ALL OTHER)	117,669,446.07	132,492,097.37	127,990,063.01	(17,231,396.26)	110,756,666.75
25900-25949	UNEMPLOYMENT INSURANCE ADMINISTRATION	31,769,946.69	59,955,005.26	76,343,337.67	19,022,279.68	95,365,817.35
25950	FEDERAL UNEMPLOYMENT INS OCCUPATIONAL TRAINING	450,110.00	517,598.00	377,692.00	12,144.50	389,236.50
26000-26049	FEDERAL EMPLOYMENT AND TRAINING GRANTS	234,476.17	925,035.18	6,283,786.45	(6,231,258.53)	1,052,527.92
	TOTAL FEDERAL FUNDS	1,451,886,716.31	3,899,608,895.76	1,475,067,420.08	43,327,247.36	1,518,395,067.44
60201	AGENCY FUNDS	-	-	-	-	-
60801	EMPLOYEES HEALTH INSURANCE ACCT	-	-	-	-	-
	IMIS - STATE AND FEDERAL	-	-	-	-	-
	TOTAL AGENCY FUNDS	-	-	-	-	-
50318	ENTERPRISE FUND	648,917.48	713,220.32	754,811.15	41,514.14	796,325.29
50327	OGS CONVENTION CENTER ACCOUNT	240,989.79	254,229.78	256,470.11	15,523.89	271,994.00
	EMPIRE PLAZA GIFT SHOP	889,907.27	967,430.10	1,011,281.26	57,038.03	1,068,319.29
55001	INTERNAL SERVICE FUNDS	-	-	-	-	-
55002	CENTRALIZED SERVICES-FLEET MGMT	-	-	-	-	-
55003	CENTRALIZED SERVICES-DATA PROCESSING	1,442,837.96	1,394,497.72	1,310,719.52	35,189.02	1,345,908.54
55004	CENTRALIZED SERVICES-PRINTING	-	-	-	-	-
55005	CENTRALIZED SERVICES-REAL PROPERTY-LABOR	-	-	-	-	-
55006	CENTRALIZED SERVICES-DONATED FOODS	-	-	-	-	-
55007	CENTRALIZED SERVICES-PROPERTY	2,314,098.70	2,368,688.72	2,426,477.80	29,843.57	2,456,121.37
55008	CENTRALIZED SERVICES-CONSTRUCTION SERVICES	15,387,079.38	16,165,549.76	15,954,413.12	2,518,569.70	18,472,982.82
55009	CENTRALIZED SERVICES-PASNY	-	-	-	-	-
55010	CENTRALIZED SERVICES-ADMIN SUPPORT	-	-	-	-	-
55011	CENTRALIZED SERVICES-DESIGN AND CONSTR	15,127,023.47	15,655,355.27	16,660,902.08	1,916,594.56	18,577,486.64
55012	CENTRALIZED SERVICES-INSURANCE	7,450,357.34	7,450,496.64	6,350,431.78	(6,350,431.78)	-
55013	CENTRALIZED SERVICES-SECURITY CARD ACCESS	188,661.30	180,435.30	168,839.30	(4,885.00)	163,954.30
55014	CENTRALIZED SERVICES-COP'S	-	-	-	-	-
55015	CENTRALIZED SERVICES-FOOD SERVICES	-	-	-	-	-
55016	CENTRALIZED SERVICES-HOMER FOLKS	-	-	-	-	-

APPENDIX F

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING^(*)

SFS Fund	ACCOUNT TITLE	August 31, 2020	September 30, 2020	October 31, 2020	Change	November 30, 2020
55016	CENTRALIZED SERVICES-MIMICS	1,321,357.13	1,588,350.50	1,511,168.30	(63,601.78)	1,447,566.51
55017	DOWNSIDE WAREHOUSE	-	502,274.59	483,425.53	(126,757.50)	356,668.03
55018	BUILDING ADMINISTRATION	-	-	-	-	-
55019	LEGISLATIVE ADMINISTRATION	-	-	-	-	-
55020	OCS ENTERPRISE CONTRACTING ACCT	76,569,652.79	81,282,388.64	82,067,941.28	5,757,910.06	87,825,851.34
55021	NYS MEDIA CENTER	9,439,789.85	9,953,930.37	10,348,039.37	304,292.26	10,652,731.63
55022	BUSINESS SERVICES CENTER	14,919,494.12	18,026,847.72	20,014,612.54	2,184,669.33	22,199,281.87
55052	ARCHIVES RECORD MGMT. I.S.	-	-	-	-	-
55053	FEDERAL SINGLE AUDIT	-	-	-	-	-
55056	CIVIL SERVICE EHS OCCUP HEALTH PROG	-	-	-	-	-
55057	BANKING SERVICES ACCOUNT	-	475,146.08	133,693.35	(25,069.84)	108,593.51
55058	CULTURAL RESOURCE SURVEY	2,087,246.37	2,433,275.59	2,612,513.96	319,757.23	2,932,271.19
55059	NEIGHBOR WORK PROJECT	11,251,663.72	11,338,641.98	11,074,396.76	527,987.13	11,602,383.89
55060	AUTOMATIC PRINT CHARGEBACKS	7,165,342.64	4,903,094.05	4,535,498.04	(82,197.90)	4,453,300.14
55061	OFT NYT ACCT	1,445,238.44	1,246,980.34	1,246,980.34	-	1,246,980.34
55062	DATA CENTER ACCOUNT	49,321,855.09	49,321,855.09	48,830,817.34	(490,037.75)	48,330,817.34
55063	DOCS TECHNOLOGY GRANT	1,168,309.61	1,168,309.61	1,168,309.61	-	1,168,309.61
55067	DOCS TECHNOLOGY GRANT	69,365,378.43	66,381,781.96	207,112.87	(6,156.56)	66,381,781.96
55069	CENTRALIZED TECHNOLOGY SERVICES	4,169,821.77	5,190,551.33	89,155,482.60	10,308,252.24	99,463,734.84
55071	LABOR CONTACT CENTER ACCT	-	5,701,252.80	765,013.90	6,466,266.70	7,231,270.60
55072	HUMAN SERVICES CONTACT CNTR ACCT	2,628,593.18	4,195,382.43	2,651,094.45	742,637.96	3,393,732.41
55073	TAX CONTACT CENTER ACCT	-	-	-	-	-
55074	CIVIL RECOVERIES ACCT	1,167,591.84	1,500,691.21	1,937,226.53	901,565.25	2,838,791.78
55251	EXECUTIVE DIRECTION INTERNAL AUDIT	10,004,846.93	10,301,952.13	10,531,322.97	235,417.92	10,766,740.89
55252	CIO INFORMATION TECHNOLOGY CENTRALIZED SERVICES	43,315,717.18	46,913,337.30	50,042,467.44	2,171,956.22	52,214,425.66
55300	HEALTH INSURANCE INTERNAL SERVICE	4,178,409.64	5,653,025.89	-	-	-
55301	CIVIL SERVICE EMPLOYEE BENEFITS DIV ADM	4,599,865.62	4,723,682.87	4,818,733.51	97,372.85	4,916,106.36
55301	CORR INDUSTRIES INTERNAL SERVICE	41,443,662.37	44,085,388.15	46,624,440.17	1,600,979.77	48,225,119.94
55350	TOTAL INTERNAL SERVICE FUNDS	388,514,642.94	414,675,327.03	438,661,988.12	27,949,316.10	461,210,964.92
GRAND TOTAL - TEMPORARY LOANS OUTSTANDING		\$ 3,684,800,337.51	\$ 8,136,743,515.35	\$ 5,452,586,749.66	\$ 164,036,688.98	\$ 5,616,633,438.64

(*) Temporary Loans are authorized pursuant to Subdivision 5 of Section 4 of the State Finance Law and Chapter 56, Part JJ, Section 1, of the Laws of 2020-21. The loans represent authorizations made by the Legislature to allow certain fund/accounts to make appropriated payments regardless of the fund (cash) balance. Such loans are made from the State's Short-Term Investment Pool (STIP) and are intended to satisfy temporary cash shortfalls whenever scheduled disbursements exceed available revenues during the fiscal year. Generally, temporary loans are repaid from the first cash receipts of the fund or account; however, in some cases actual revenues are not sufficient to repay all loans made to the fund or account and a transfer from the General Fund "Repayment of Receivables" appropriation is approved by the Budget Director. The balances reported here in Appendix F are the actual fund balances as of the close of business on the last day of the reporting month and do not include post-closing adjustments. Please refer to Schedule 1 for a detailed analysis of the "reported" cash balances of the fund group.

(**) Temporary loans to federal funds are typically reimbursed within 2-3 days. Such loans are made pursuant to federal regulations which require the State to disburse funds prior to making a reimbursement claim from the U.S. Treasury.

(***) Per Section 72 of the State Finance Law, the General Fund includes the Local Assistance Fund (10000) and State Purpose Fund (10050).

STATE OF NEW YORK DEDICATED INFRASTRUCTURE INVESTMENT FUND(*) DISBURSEMENTS BY FUND AND DISBURSEMENTS FISCAL YEAR 2020-2021												APPENDIX G	
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	8 Months Ended November 30, 2020
OPENING CASH BALANCE	\$ 86,513,214	\$ 48,126,483	\$ 42,662,065	\$ 7,636,110	\$ 165,822,096	\$ 101,117,004	\$ 90,519,037	\$ 33,132,009	-	-	-	-	\$ 86,513,214
RECEIPTS:													
Transfers from General Fund (**)	-	-	-	204,000,000	-	-	-	40,000,000	-	-	-	-	244,000,000
Other	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Receipts	-	-	-	204,000,000	-	-	-	40,000,000	-	-	-	-	244,000,000
DISBURSEMENTS:													
Affordable and Homeless Housing	-	-	9,481	533,024	-	415,671	516,927	83,421	-	-	-	-	1,558,524
Broadband Initiative	1,736,955	1,420,080	-	6,989,621	-	47,334	7,598,310	707,298	-	-	-	-	19,486,489
Climate Change	-	-	-	-	-	25,350	1,000,000	1,000,000	-	-	-	-	2,025,350
Empire State Poverty Reduction Initiatives	2,457,343	88,175	-	1,071,138	565,275	2,517,897	1,985,105	329,081	-	-	-	-	6,335,836
Health Care / Hospital Initiatives	2,586,538	3,634,367	1,781,021	288,010	643,795	643,795	488,438	105,191	-	-	-	-	11,793,363
Information Technology/Infrastructure for Behavioral Sciences	-	-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure Improvements	-	-	5,540,794	1,292,017	2,270,353	144,374	4,447,952	782,375	-	-	-	-	14,487,875
Life Sciences Expansion	-	-	-	-	55,700,000	-	-	28,196,254	-	-	-	-	83,896,254
Life Sciences Initiative	-	-	-	-	-	-	5,811,363	-	-	-	-	-	5,811,363
Municipal Restructuring / Consolidation Compellion	2,500,000	1,500,000	-	582,372	-	830,000	2,063,090	1,237,295	-	-	-	-	6,172,657
Penn Station Access	3,054,840	(2,778,292)	-	-	-	-	-	-	-	-	-	-	-
Resiliency, Migration, Security and Emergency Response	-	-	-	-	(6,036)	-	(10,425)	-	-	-	-	-	(16,461)
Statewide Farm Initiative	-	-	-	30,000	55,022	(14,392)	20,642	24,559	-	-	-	-	111,831
Thruway Stabilization Program	-	-	22,597,449	24,055,020	4,284,912	4,284,912	-	-	-	-	-	-	53,871,703
Transformative Economic Development Projects	10,440,976	78,325	4,748,161	282,274	-	1,478,168	5,814,301	4,625,818	-	-	-	-	27,487,020
Transportation Capital Plan	-	-	-	-	-	-	-	-	-	-	-	-	-
Update Revitalization Program	14,611,179	2,520,783	381,049	10,700,536	900,000	-	5,619,275	2,301,620	-	-	-	-	37,014,424
Total Disbursements	37,386,731	6,484,418	35,025,955	45,814,014	64,705,092	10,597,867	57,387,028	38,220,637	-	-	-	-	296,201,842
OPERATING TRANSFERS:													
Transfers to General Fund	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Transfers	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements and Transfers	37,386,731	6,484,418	35,025,955	45,814,014	64,705,092	10,597,867	57,387,028	38,220,637	-	-	-	-	296,201,842
CLOSING CASH BALANCE	\$ 49,126,483	\$ 42,662,065	\$ 7,636,110	\$ 165,822,096	\$ 101,117,004	\$ 90,519,037	\$ 33,132,009	\$ 34,311,372	\$ -	\$ -	\$ -	\$ -	\$ 34,311,372

(*) Fund created pursuant to Chapter 60, Laws of 2015-16, Part H and SFL § 93-b

(**) Pursuant to Section 53(b) of the State Finance Law

APPENDIX H

STATE OF NEW YORK
MEDICAL ASSISTANCE DISBURSEMENTS - STATE FUNDS⁽¹⁾
FISCAL YEAR 2020-2021

	NOVEMBER 2020				8 MONTHS ENDED NOVEMBER 30			
	Department of Health		Other State Agencies		Department of Health		Other State Agencies	
	\$	-	\$	-	\$	-	\$	-
Adult State Share Medicaid								
State Share Medicaid								
Medical Assistance (OPWDD)								
Population Health Improvement	7,440,937.73	-	(77,001.10)	-	71,548,963.00	-	101,752,582.00	-
Traumatic Brain Injury Services	882,810.33	-	-	-	37,218,227.96	-	9,325,764.49	-
Nursing Home Transition & Diversion	166,380.21	-	-	-	2,134,333.54	-	171,294,520.00	-
Reducing Maternal Mortality	22,998.63	-	-	-	6,539,734.62	-	145,062,864.00	-
New York Connects	-	-	-	-	-	-	-	-
Facilitated Enrollment	9,586.75	-	1,111,011.99	-	657,322.04	-	657,322.04	-
Emergency Medical Transportation	-	-	-	-	1,880,515.81	-	8,288,848.11	-
Managed Long-Term Care Ombudsman	-	-	-	-	750,000.00	-	1,880,515.81	-
Major Academic Pool	-	-	-	-	2,851,067.25	-	750,000.00	-
Women's Health & Multiple Births	-	-	-	-	-	-	-	-
Vital Access Program (OASAS)	-	-	-	-	-	-	-	-
Vital Access Program (OMH)	-	-	-	-	-	-	-	-
Vital Access Provider Services	-	-	-	-	-	-	-	-
General Hospitals Safety-Net Providers	-	-	-	-	35,239,490.00	-	-	-
Rural Transportation	-	-	-	-	-	-	-	-
AIDS Epidemic	1,805,368.22	-	-	-	6,142,107.93	-	-	-
Fluoridation Systems	-	-	-	-	750,709.02	-	-	-
Expanding Caregiver Support Services	1,500,190.49	-	-	-	17,178,170.02	-	-	-
Provide Affordable Housing	1,559,994.80	-	1,178,921.00	-	16,052,878.22	-	7,323,594.38	-
Health Homes Establishment	-	-	-	-	376,446.03	-	-	-
Community Provider Network	1,053,394.00	-	-	-	9,131,983.95	-	-	-
Inpatient Services	(5,335,147.33)	-	-	-	202,098,126.30	-	-	-
Patient-Centered Medical Homes	-	-	-	-	46,974,452.85	-	-	-
Outpatient & Emergency Room Services	9,538,524.92	-	-	-	136,536,055.04	-	-	-
Clinic Services	13,122,364.15	-	-	-	109,058,367.77	-	-	-
Nursing Home Services	81,516,509.42	-	-	-	610,587,017.86	-	-	-
Other Long-Term Care Services	556,962,514.39	-	-	-	4,684,623,323.42	-	-	-
Managed Care Services	344,260,830.43	-	-	-	3,302,210,321.69	-	-	-
Pharmacy Services	11,847,978.99	-	-	-	99,296,122.10	-	-	-
Transportation Services	11,130,764.29	-	-	-	68,824,340.97	-	-	-
Dental Services	316,823.86	-	-	-	1,899,545.16	-	-	-
Non-Institutional & Other	13,818,668.65	-	-	-	501,076,113.42	-	-	-
Medical Services State Facilities	79,464,346.65	-	-	-	897,827,481.86	-	-	-
CSEA Family Health Plus Buy In	-	-	-	-	1,163,698.61	-	-	-
DC37 & Transister Local 858	-	-	-	-	-	-	-	-
Medical Assistance (HCRA)	340,000,000.00	-	-	-	2,665,000,000.00	-	-	-
Indigent Care	51,455,121.01	-	-	-	516,699,102.53	-	-	-
Provider Assessments	70,598,000.00	-	-	-	503,162,000.00	-	-	-
NYC Personal Care Workforce Recruitment and Retention Rates (HCRA)	-	-	-	-	-	-	-	-
Personal Care Workforce Recruitment and Retention Rates (HCRA)	-	-	-	-	-	-	-	-
Home Health Rate Increase (HCRA)	-	-	-	-	-	-	-	-
Additional DSH Payments SUNY	-	-	-	-	-	-	-	-
TOTAL ⁽¹⁾	1,551,218,118.59	2,212,931.89	(1,920,822.00)	-	14,724,517,970.19	454,267,633.98	15,178,785,604.17	-
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers.	(89,675,596.96)	-	(89,675,596.96)	-	(1,209,747,080.92)	-	(1,209,747,080.92)	-
TOTAL REPORTED MEDICAID	1,501,542,531.63	2,212,931.89	1,503,755,463.52	-	13,514,770,889.27	454,267,633.98	13,969,038,523.25	-

⁽¹⁾ General Fund and State Special Revenue Funds only.
These amounts do not include Medical Assistance spending for State Operations.
These amounts are not comparable to Medicaid Global Cap spending.
Department of Health regularly reclassifies spending between programs,
and therefore amounts for any individual program may be restated by DOH.
⁽²⁾ Source: Statewide Financial System

APPENDIX I

STATE OF NEW YORK
MEDICAL ASSISTANCE DISBURSEMENTS - FEDERAL FUNDS^(*)
FISCAL YEAR 2020-2021

	NOVEMBER 2020			8 MONTHS ENDED NOVEMBER 30		
	Department of Health	Other State Agencies	November	Department of Health	Other State Agencies	Year to Date
Medical Assistance & Survey Certification Program	\$ 12,762,343.20	\$ -	\$ 12,762,343.20	\$ 86,452,075.30	\$ -	\$ 86,452,075.30
Medical Assistance Administration	-	-	-	75,707,776.50	146,471,607.00	222,179,383.50
Partnership Plan	(300.00)	-	(300.00)	733,712,153.80	-	733,712,153.80
Inpatient Services	374,122,643.75	-	374,122,643.75	2,833,818,257.15	-	2,833,818,257.15
Outpatient & Emergency Room Services	40,652,883.28	-	40,652,883.28	407,007,128.61	-	407,007,128.61
Clinic Services	50,813,822.56	-	50,813,822.56	417,119,235.48	-	417,119,235.48
Nursing Home Services	122,649,310.11	-	122,649,310.11	931,288,692.76	-	931,288,692.76
Other Long Term Care Services	1,335,165,419.89	-	1,335,165,419.89	9,536,246,200.77	-	9,536,246,200.77
Managed Care Services	1,213,616,985.83	-	1,213,616,985.83	13,471,860,296.26	-	13,471,860,296.26
Pharmacy Services	30,812,057.39	-	30,812,057.39	273,000,271.49	-	273,000,271.49
Transportation Services	38,923,076.86	-	38,923,076.86	314,898,197.90	-	314,898,197.90
Dental Services	997,631.18	-	997,631.18	6,822,049.61	-	6,822,049.61
Non-Institutional & Other	120,460,821.57	-	120,460,821.57	94,529,117.91	(562,102.00)	93,947,015.91
Medical Services State Facilities	75,625,000.01	-	75,625,000.01	502,421,474.85	-	502,421,474.85
Additional DSH Payments SUNY	1,920,822.00	-	1,920,822.00	221,268,617.80	-	221,268,617.80
TOTAL ^(*)	3,418,522,517.63	-	3,418,522,517.63	29,906,151,551.19	145,889,505.00	30,052,041,056.19
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers and adjustments for timing of payments at month end.	(109,601,928.32)	-	(109,601,928.32)	(674,936,894.52)	-	(674,936,894.52)
TOTAL REPORTED MEDICAID^(**)	\$ 3,308,920,589.31	\$ -	\$ 3,308,920,589.31	\$ 29,231,214,656.67	\$ 145,889,505.00	\$ 29,377,104,161.67

^(*) Special Revenue Federal Funds only
These amounts do not include Medical Assistance spending for State Operations.
These amounts are not comparable to Medicaid Global Cap spending.
^(*) Source: Statewide Financial System
^(**) Reported Medicaid spending does not include the Basic Health Plan.