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

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***INSIDE THIS ISSUE:***

- Use of Force
- Addressing the COVID-19 Crisis
- Unfair Claims Settlement Practices and Claim Cost Control Measures

**Executive Orders**  
**Financial Reports**

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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 August 23, 2020
- the 45-day period expires on August 8, 2020
- the 30-day period expires on July 24, 2020

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# NEW YORK STATE REGISTER

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## Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* ([www.dos.ny.gov](http://www.dos.ny.gov)) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments 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

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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](http://www.dos.ny.gov))

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Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

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.

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## Division of Criminal Justice Services

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### EMERGENCY RULE MAKING

#### Use of Force

**I.D. No.** CJS-30-19-00010-E

**Filing No.** 374

**Filing Date:** 2020-06-03

**Effective Date:** 2020-06-03

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

**Action taken:** Addition of Part 6058 of Title 9 NYCRR.

**Statutory authority:** Executive Law, sections 837-t and 837(13)

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

**Specific reasons underlying the finding of necessity:** At the forefront of the national discussion involving policing in America is law enforcement's use of force, and the lack of statistical data to analyze use of force incidents.

The proposed rule sets forth reporting and recordkeeping procedures, regarding use of force pursuant to section 837-t of the Executive Law, to be followed by the chief of every police department, each county sheriff, and the Superintendent of State Police which employs police officers or peace officers, and by the Division of Criminal Justice Services (Division). The proposed regulations require such employers of police and peace officers to report, to the Division, any instance or occurrence where a police or peace officer employs use of force. In addition, on an annual basis, the

Commissioner of the Division is required to conspicuously publish on the Division's website a comprehensive report including the use of force information received.

Repeated and highly publicized incidents of police use of force, and lack of data about these incidents, leaves an impression that there is a lack of accountability by police officers in these cases. The proposed rule provides a mechanism to produce a comprehensive view of use of force incidents reported, including the circumstances, subjects, and officers involved in such incidents. This data can subsequently assist with improving policies and procedures regarding use of force, providing better analyses of reported incidents, and increasing public awareness. This is necessary for the preservation of public safety and the general welfare of people of the State of New York, as it will foster better relations between police and the communities they serve.

On the other hand, the failure to promulgate this rule on an emergency basis will undermine public safety, as the use of force by police, especially if excessive and unchecked, is unsafe for the community, and detrimental to its general welfare. For that reason, it would, in this case, be contrary to public interest to adhere to the normal requirements of the regulation and rule proposal process.

**Subject:** Use of Force.

**Purpose:** Set forth use of force reporting and recordkeeping procedures.

**Text of emergency rule:** Part 6058 - Use of Force Data Collection, Analysis and Reporting

*Section 6058.1. Purpose.*

*At the forefront of the national discussion involving policing in America is law enforcement use of force, and the lack of statistical data to analyze use of force incidents.*

*The purpose of this Part is to set forth reporting and recordkeeping procedures, regarding use of force pursuant to section 837-t of the Executive Law, to be followed by the chief of every police department, each county sheriff, and the superintendent of state police which employs police officers or peace officers, and by the Division of Criminal Justice Services.*

*Section 6058.2. Definitions.*

*As used in this Part, the following terms shall have the following meanings:*

*(a) Division means the Division of Criminal Justice Services.*

*(b) Commissioner means the Commissioner of the Division of Criminal Justice Services, or his or her designee.*

*(c) FBI means the Federal Bureau of Investigation.*

*(d) Employer means the chief of every police department, each county sheriff, and the superintendent of state police which employs police officers or peace officers.*

*(e) Police officer means a person designated as such in section 1.20(34) of the Criminal Procedure Law.*

*(f) Peace officer means a person designated as such in section 2.10 of the Criminal Procedure Law.*

*(g) Use of force means when a police officer or peace officer does the following:*

*(1) displays a chemical agent by pointing a chemical agent at a subject; or*

*(2) uses/deployes a chemical agent by operating the chemical agent against a person in a manner capable of causing physical injury; or*

*(3) brandishes/uses/discharges a firearm by operating a firearm against a person in a manner capable of causing physical injury; or*

*(4) brandishes/uses/deployes an impact weapon or electronic control weapon by operating an impact weapon or electronic control weapon against a person in a manner capable of causing physical injury; or*

*(5) uses a chokehold or similar restraint, which is any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air; or*

*(6) engages in conduct which results in the death or serious bodily injury of another person.*

*(h) Serious bodily injury means a bodily injury that creates or causes a*

substantial risk of death, unconsciousness, serious and protracted disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

**Section 6058.3. Employer Reporting Requirements.**

(a) Each employer shall, in the form and manner set forth in section 6058.4 of this Part, submit or cause to be submitted any instance or occurrence where a police or peace officer employed by it employs use of force.

(b) Each employer shall, in the form and manner set forth in section 6058.4 of this Part, with respect to each use of force event reported, submit or cause to be submitted the following:

- (1) the type of use of force;
- (2) the date of the event;
- (3) village, town, or city, and county location of the event;
- (4) the law enforcement agencies involved;
- (5) a description of the circumstances of the event;
- (6) the race, sex, ethnicity, and age (or, if unknown, approximate age) of all persons engaging in the use of force; and
- (7) the race, sex, ethnicity, and age (or, if unknown, approximate age) of all persons suffering an injury from the use of force.

(c) Each employer shall, in the form and manner set forth in section 6058.4 of this Part, submit or cause to be submitted any additional information the commissioner may require the employer to report, including, but not limited to, use of force events and incident information, subject information, and officer information related to each event as required by the FBI in coordination with the FBI's Uniform Crime Reporting ("UCR") Program.

**Section 6058.4. Employer Reporting Form.**

Each employer shall submit all information required to be reported in accordance with section 6058.3 of this Part to the division in the form and manner as prescribed by the division.

**Section 6058.5. Division Reporting Requirements**

(a) On an annual basis, the commissioner shall conspicuously publish on the division's website a comprehensive report including the use of force information received under section 6058.3 of this Part during the preceding year.

(b) Such reports shall not identify the names of the individuals involved, but for each use of force event reported, shall list the following in accordance with section 837-t of the executive law:

- (1) the type of use of force;
- (2) the date of the event;
- (3) the location of the event disaggregated by county and law enforcement agencies involved;
- (4) the town or city where the event occurred;
- (5) any additional relevant location information;
- (6) a description of the circumstances of the event;
- (7) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons engaging in the use of force; and
- (8) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons suffering an injury from the use of force.

**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. CJS-30-19-00010-EP, Issue of July 24, 2019. The emergency rule will expire August 1, 2020.

**Text of rule and any required statements and analyses may be obtained from:** Natasha Harvin-Locklear, Esq., New York State Division of Criminal Justice Services, 80 S. Swan St., Albany, NY 12210, (518) 457-8413, email: dcjslegalrulemaking@dcjs.ny.gov

**Regulatory Impact Statement**

1. Statutory authority: The authority for the promulgation of these regulations is contained in Executive Law § 837-t and Executive Law § 837(13).

Executive Law § 837-t sets forth use of force reporting procedures to be followed by the chief of every police department, each county sheriff, and the Superintendent of State Police which employs police officers or peace officers, and by the Division of Criminal Justice Services (Division).

Executive Law § 837(13) authorizes the Division to adopt, amend or rescind regulations "as may be necessary or convenient to the performance of the functions, powers and duties of the [D]ivision."

2. Legislative objectives: Chapter 55 of the Laws of 2019 added Executive Law § 837-t. Pursuant to that section, the chief of every police department, each county sheriff, and the Superintendent of State Police is required to report, to the Division, any instance or occurrence in which one of its police officers or peace officers employs use of force. The regulations clarify the statute by defining use of force as when a police officer or peace officer does the following:

- (1) displays a chemical agent by pointing a chemical agent at a subject; or
- (2) uses/deploys a chemical agent by operating the chemical agent against a person in a manner capable of causing physical injury; or

(3) brandishes/uses/discharges a firearm by operating a firearm against a person in a manner capable of causing physical injury; or

(4) brandishes/uses/deploys an impact weapon or electronic control weapon by operating an impact weapon or electronic control weapon against a person in a manner capable of causing physical injury; or

(5) uses a chokehold or similar restraint, which is any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air; or

(6) engages in conduct which results in the death or serious bodily injury of another person. Serious bodily injury means a bodily injury that creates or causes a substantial risk of death, unconsciousness, serious and protracted disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

In addition, on an annual basis, the Commissioner of the Division is required to conspicuously publish on the Division's website a comprehensive report including the use of force information received, such as:

- (a) the type of use of force;
- (b) the date of the event;
- (c) the location of the event disaggregated by county and law enforcement agencies involved;
- (d) the town or city where the event occurred;
- (e) any additional relevant location information;
- (f) a description of the circumstances of the event;
- (g) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons engaging in the use of force; and
- (h) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons suffering an injury from such use of force.

3. Needs and benefits: At the forefront of the national discussion involving policing in America is law enforcement's use of force, and the lack of statistical data to analyze use of force incidents.

The proposed rule sets forth reporting and recordkeeping procedures, regarding use of force pursuant to section 837-t of the Executive Law, to be followed by the chief of every police department, each county sheriff, and the Superintendent of State Police which employs police officers or peace officers, and by the Division. The proposed regulations require such employers of police and peace officers to report, to the Division, any instance or occurrence where a police or peace officer employs use of force. In addition, on an annual basis, the Commissioner of the Division is required to conspicuously publish on the Division's website a comprehensive report including the use of force information received.

Repeated and highly publicized incidents of police use of force, and lack of data about these incidents, leaves an impression that there is a lack of accountability by police officers in these cases. The proposed rule provides a mechanism to produce a comprehensive view of use of force incidents reported, including the circumstances, subjects, and officers involved in such incidents. This data can subsequently assist with improving policies and procedures regarding use of force, providing better analyses of reported incidents, and increasing public awareness. This is necessary for the preservation of public safety and the general welfare of people of the State of New York, as it will foster better relations between police and the communities they serve.

4. Costs: No funds were appropriated in the Budget to offset any costs to regulated parties, the agency, or State and local governments for the implementation of and continuing compliance with the rule. However, the costs (and potential savings) are undetermined, but are expected to include:

- The training of police officers and peace officers on the new use of force reporting requirements;
- the creation/modification of use of force reporting forms and/or systems;
- professional services to create/update use of force forms and/or systems;
- professional services to update websites, and website hosting and maintenance fees;
- the use of existing resources; and
- the fact that most, if not all, of the information that must be reported is already gathered or reported for other purposes.

5. Local government mandates: The proposed regulations will require employers of police and peace officers to report, to the Division, any instance or occurrence where a police or peace officer employed by it employs use of force.

6. Paperwork: The employers may have paperwork within its agency. However, each employer shall submit all information required to be reported to the Division electronically.

7. Duplication: The FBI established the National Use of Force Data Collection. However, participation by law enforcement is voluntary.

8. Alternatives: There are no alternatives. The proposed rule is pursuant to legislation.

9. Federal standards: The National Use of Force Data Collection includes three types of events:

- (a) when use of force by a law enforcement officer causes a fatality;

(b) when use of force by a law enforcement officer causes serious bodily injury; and

(c) in the absence of either death or serious bodily injury, when a law enforcement officer discharges a firearm at or in the direction of a person.

The National Use of Force Data Collection also includes extensive incident information, subject information, and officer information related to each event.

10. Compliance schedule: Regulated parties are expected to be able to achieve compliance with the proposed rule as soon as it is adopted.

#### **Regulatory Flexibility Analysis**

1. Effect of rule: The proposed rule applies to every police department and sheriff's office in New York State, and the New York State Police. The proposal does not apply to small businesses.

2. Compliance requirements: The proposed rule implements Executive Law § 837-t, which requires the chief of every police department, each county sheriff, and the Superintendent of State Police to report, to the Division of Criminal Justice Services (Division), any instance or occurrence in which one of its police officers or peace officers employs use of force. The regulations clarify the statute by defining use of force as when a police officer or peace officer does the following:

(1) displays a chemical agent by pointing a chemical agent at a subject; or

(2) uses/deployes a chemical agent by operating the chemical agent against a person in a manner capable of causing physical injury; or

(3) brandishes/uses/discharges a firearm by operating a firearm against a person in a manner capable of causing physical injury; or

(4) brandishes/uses/deployes an impact weapon or electronic control weapon by operating an impact weapon or electronic control weapon against a person in a manner capable of causing physical injury; or

(5) uses a chokehold or similar restraint, which is any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air; or

(6) engages in conduct which results in the death or serious bodily injury of another person. Serious bodily injury means a bodily injury that creates or causes a substantial risk of death, unconsciousness, serious and protracted disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

In addition, on an annual basis, the Commissioner of the Division is required to conspicuously publish on the Division's website a comprehensive report including the use of force information received, such as:

- (a) the type of use of force;
- (b) the date of the event;
- (c) the location of the event disaggregated by county and law enforcement agencies involved;
- (d) the town or city where the event occurred;
- (e) any additional relevant location information;
- (f) a description of the circumstances of the event;
- (g) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons engaging in the use of force; and
- (h) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons suffering an injury from the use of force.

3. Professional services: Professional printing and/or IT services will be needed to comply with the proposed rule.

4. Compliance costs: No funds were appropriated in the Budget to offset any costs to regulated parties, the agency, or State and local governments for the implementation of and continuing compliance with the rule. However, the costs (and potential savings) are undetermined, but are expected to include:

- the training of police officers and peace officers on the new use of force reporting requirements;
- the creation/modification of use of force reporting forms and/or systems;
- professional services to create/update use of force forms and/or systems;
- professional services to update websites, and website hosting and maintenance fees;
- the use of existing resources; and
- the fact that most, if not all, of the information that must be reported is already gathered or reported for other purposes.

5. Economic and technological feasibility: No economic or technological impediments to compliance have been identified.

6. Minimizing adverse impact: The mandates on local governments are minimal as law enforcement agencies already submit crime reports to the Division. Each employer is required to submit all information to the Division electronically.

7. Small business and local government participation: Use of force has long been a topic of discussion. A Use of Force Model Policy that references the new reporting requirements of Executive Law § 837-t, which are codified in the proposed regulations, was discussed and approved by the Municipal Police Training Council (Council), which consists of members

who are sheriffs, chiefs of police or commissioners of police, and the Commissioner of New York City. In addition, input regarding the use of force definitions was provided by a panel of law enforcement representatives. Such definitions were subsequently endorsed by the Council. The proposal does not apply to small businesses.

#### **Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas: The rule applies to every police department and sheriff's office in New York State, and the New York State Police. Many law enforcement agencies are located in rural areas.

2. Reporting, recordkeeping and other compliance requirements; and professional services: The proposed rule implements Executive Law § 837-t, which requires the chief of every police department, each county sheriff, and the Superintendent of State Police to report, to the Division of Criminal Justice Services (Division), any instance or occurrence in which one of its police officers or peace officers employs use of force. The regulations clarify the statute by defining use of force as when a police officer or peace officer does the following:

(1) displays a chemical agent by pointing a chemical agent at a subject; or

(2) uses/deployes a chemical agent by operating the chemical agent against a person in a manner capable of causing physical injury; or

(3) brandishes/uses/discharges a firearm by operating a firearm against a person in a manner capable of causing physical injury; or

(4) brandishes/uses/deployes an impact weapon or electronic control weapon by operating an impact weapon or electronic control weapon against a person in a manner capable of causing physical injury; or

(5) uses a chokehold or similar restraint, which is any application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air; or

(6) engages in conduct which results in the death or serious bodily injury of another person. Serious bodily injury means a bodily injury that creates or causes a substantial risk of death, unconsciousness, serious and protracted disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

In addition, on an annual basis, the Commissioner of the Division is required to conspicuously publish on the Division's website a comprehensive report including the use of force information received, such as:

- (a) the type of use of force;
- (b) the date of the event;
- (c) the location of the event disaggregated by county and law enforcement agencies involved;
- (d) the town or city where the event occurred;
- (e) any additional relevant location information;
- (f) a description of the circumstances of the event;
- (g) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons engaging in the use of force; and
- (h) the race, sex, ethnicity, age (or, if unknown, approximate age) of all persons suffering an injury from the use of force.

Each employer is required to submit all information as part of the employer's monthly crime reports to the Division. Thus, the mandates on local governments are minimal as law enforcement agencies already report incident data to the Division.

Professional printing and/or IT services will be needed to comply with the proposed rule.

3. Costs: No funds were appropriated in the Budget to offset any costs to regulated parties, the agency, or State and local governments for the implementation of and continuing compliance with the rule. However, the costs (and potential savings) are undetermined, but are expected to include:

- the training of police officers and peace officers on the new use of force reporting requirements;
- the creation/modification of use of force reporting forms and/or systems;
- professional services to create/update use of force forms and/or systems;
- professional services to update websites, and website hosting and maintenance fees;
- the use of existing resources; and
- the fact that most, if not all, of the information that must be reported is already gathered or reported for other purposes.

4. Minimizing adverse impact: The mandates on local governments are minimal as law enforcement agencies already submit crime reports to the Division. Each employer is required to submit all information to the Division electronically.

5. Rural area participation: Use of force has long been a topic of discussion. A Use of Force Model Policy that references the new reporting requirements of Executive Law § 837-t, which are codified in the proposed regulations, was discussed and approved by the Municipal Police Training Council (Council), which consists of members who are sheriffs, chiefs of police or commissioners of police, and the Commissioner of New York

City. In addition, input regarding the use of force definitions was provided by a panel of law enforcement representatives. Such definitions were subsequently endorsed by the Council.

#### **Job Impact Statement**

A Job Impact Statement is not being submitted with this Notice of Emergency Adoption because it is evident from the subject matter of the regulation that it will have no adverse impact on jobs or employment opportunities.

The proposed rule merely sets forth use of force reporting procedures to be followed by the chief of every police department, each county sheriff, and the Superintendent of State Police which employs police officers or peace officers, and by the Division of Criminal Justice Services.

#### **Assessment of Public Comment**

The 45-day public comment period, which commenced on January 15, 2020, expired on Saturday, February 29, 2020. However, the Division of Criminal Justice Services accepted comments until Monday, March 2, 2020. The comment(s) received are still under review and consideration. Once complete, the Division will determine if it will modify the rule or adopt the rule on a permanent basis without modification.

## Education Department

### EMERGENCY RULE MAKING

#### **Update Provisions Relating to Pupil Transportation and Provide Flexibility in Response to the COVID-19 Crisis**

**I.D. No.** EDU-52-19-00007-E

**Filing No.** 388

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-09

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

**Action taken:** Amendment of sections 156.1, 156.2, 156.3, 156.4, 156.5 and 156.12 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 305(14)(d), 1604(23), 1709, 3602(7)(a)-(b), (d), 3624, 3625, 3635(4), 3637; Vehicle and Traffic Law, sections 509-g and 1229-d

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

**Specific reasons underlying the finding of necessity:** The Department initially proposed to amend sections 156.1, 156.2, 156.3, 156.4, 156.5, and 156.12 of the Commissioner's Regulations Relating to Pupil Transportation at the December 2019 Board of Regents Meeting. Since that time, the Governor of New York State has declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202 due to the COVID-19 crisis. 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.

As a result, the proposed amendment was revised to provide regulatory flexibility for:

- required instruction in school bus safety and refresher training instruction;
- attendance at the required annual Professional Development Seminar by school bus driver instructors;
- master instructor training programs and attendance of master instructors at the annual master instructor strategy meeting or the Professional Development Seminar; and
- required timeliness for school bus drills.

The proposed revised amendment was presented to the Full Board for adoption as an emergency action at the April 2020 meeting of the Board of Regents, effective April 7, 2020. Since 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 45-day public comment period required in the State Administrative Procedure Act (SAPA) Section 202(4-a), is the July 2020 Regents meeting. However, the emergency rule will expire on July 5, 2020.

Therefore, emergency action is necessary at the June 2020 meeting for the preservation of public health and the general welfare in order to im-

mediately provide flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis and to ensure that the emergency action taken at the April 2020 meeting remains in effect until the proposed rule can be permanently adopted.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the July 2020 Regents meeting, which is the first scheduled meeting after the 45-day public comment period prescribed in SAPA for State agency revised rule makings.

**Subject:** Update Provisions Relating to Pupil Transportation and Provide Flexibility in response to the COVID-19 crisis.

**Purpose:** To update provisions relating to pupil transportation and to provide flexibility in response to the COVID-19 crisis.

**Substance of emergency rule (Full text is posted at the following State website: <http://www.counsel.nysed.gov/rules/full-text-indices>):** The Department proposes updating the regulations pertaining to pupil transportation, as set forth in Part 156 of the Commissioner's regulations to align to current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation relating to pupil transportation. In addition to technical amendments, the proposed amendments make the following changes:

- Allows transportation contracts to be filed with the Commissioner within 120 days of approval of the contract by the board to align with the current practice (regulations were outdated and required 30 days). Contracts which cannot be awarded by August 1, shall be filed with the Commissioner within 5 days after approval with a written explanation for the delay.
- Elimination of installation of stop arms from the list of demonstrable enhancements in pupil safety since this is now mandatory equipment.
- Clarifies that standing passengers shall be not be permitted on a school bus unless it is during the first 10 days of school or due to a breakdown, crash or other unforeseen occurrence to be consistent with Education Law § 3635-c.
- Clarifies the definition of school bus driver means any person who drives a school bus to or from school or school activities.
- Clarifies the definition of a school bus attendant to mean any person who is employed for the purpose of attending to the special needs of a child based on his or her IEP to safely embark and disembark from a school bus which is owned, leased or contracted for by a public school district or BOCES, and for the purpose of assisting the school bus driver.
- Adds a new definition for regular route to mean any trip that occurs on a regular schedule, for the purpose of transporting students from a starting point to a destination and may include pick up and drop off of students enroute (home to school).
- Adds physician assistants to the list of licensed professions that can perform an examination of school bus drivers. Requires school bus drivers to be examined within eight weeks prior to the beginning of service (was previously four weeks).
- Requires the school bus driver physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and aligns the proposed amendment with current practice relating to the test. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department. Removes old provisions which allowed additional time for districts to acquire a school bus driver instructor to perform the physical performance test.
- Clarifies the three types of school bus driver training: pre-service safety training, basic course safety training, and refresher safety training. Requires school bus drivers to have at least four hours (was previously two) of instruction on school bus safety practices which shall include at least one hour of training for the transport of children with disabilities prior to service. Requires school bus drivers to take 30 hours of basic course safety training and requires the required two-hour refresher training to contain at least one hour of instruction relating to the special needs of a pupil with a disability.
- Provides that a certified school bus driver instructor's physical presence is not required during the pre-service training of school bus drivers, monitors, or attendants, provided that such training is conducted under the general supervision of such an approved school bus driver instructor.
- Provides that the school bus driver instructor advisory committee members are to be appointed for a three-year term (was previously annually) and requires them to be of good moral character.
- Provides for when a certified school bus driver instructor's certification can be suspended or revoked by the Department.
- Includes what master instructors must do to maintain certification as a master instructor and provides for when a master instructor's certification can be suspended or revoked by the Department.

- Adds physician assistants to the list of licensed professions that can perform an examination of school bus monitors and attendants and requires school bus monitors and attendants to be examined within eight weeks prior to the beginning of service (was previously two weeks).

- Requires the school bus monitor and attendant physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and makes amendments to such test to conform with current practice. Removes the temporary waiver provision for the physical performance test for monitors and attendants. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department.

- Adds nonpublic schools to the list of employers whose employees serving pupils with a disabling condition must maintain CPR certification where such skills are required as part of the student's IEP.

- Clarifies the three types of school bus monitor and attendant training: pre-service safety training, basic course safety training, and refresher safety training. Requires at least four hours of pre-service training (was previously three hours). Requires a minimum of two hours of refresher training at least two times a year and requires that such refresher training include at least one hour of instruction relating to the special needs of a pupil with a disability.

- Requires school bus drivers to instruct pupils to cross the highway at a distance of at least 15 feet in front of the vehicle (was previously 10 feet) and to keep the school bus halted until they have reached the opposite side of the highway, street or private road and until such passengers are at least fifteen feet from the bus and either off the highway, street or private road or on a sidewalk.

- Adds the regulations of the Commissioner of the Department of Transportation to the list of regulations school bus drivers shall be familiar with.

- Includes "exempt tracks" to the list of exceptions to when school bus drivers are required to make full stops.

- Clarifies that the operation of a wheelchair lift shall not be considered as leaving a bus unattended.

- Prohibits the use of electronic cigarettes by drivers, monitors and attendants while on a school bus.

- Provides that the administration of drills on school buses shall be in accordance with the Department's Bus Safety Drill Guide and Compliance Form and provides that verbal bus mini safety drills should be conducted by a school bus driver prior to the beginning of every sports or activity trip.

- Requires school districts, which procure transportation through contracted vendors using an RFP, to set a minimum passing score threshold prior to evaluating RFPs, much as the State does in its grant applications, to ensure that winning bidders meet certain safety and responsibility standards.

In response to public comment the Department has revised the proposed amendment. Specifically, section 156.3(g) of the Commissioner's regulations was amended to require that school bus drills include specific instructions for pupils to advance at least 15 feet in front of the school bus before crossing a highway, rather than 10 feet, consistent with the amendment made to section 156.3(e)(4).

Additionally, in order to provide flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis, the Department revised the proposed amendment as follows:

- The basic course of instruction in school bus safety required by section 156.3(b)(5)(ii) and 156.3(d)(5)(ii) and the refresher training instruction required in section 156.3(b)(5)(iii) and 156.3(d)(5)(iii) may be postponed where a school bus driver, monitor, or attendant is unable to complete such instruction due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis. Such instruction shall be rescheduled and completed as soon as practicable.

- Section 156.3(c)(2)(i) is amended to permit school bus driver instructors to attend the annual professional development seminar (PDS) by teleconference or videoconference for the 2019-2020 school year due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

- Section 156.3(c)(3)(i) is amended to permit master instructor training programs to be provided by teleconference or videoconference for the 2019-2020 school year and to permit master instructors to attend the annual master instructor strategy meeting or PDS by teleconference or videoconference for the 2019-2020 school year due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

- Section 156.3(g)(2) is amended to permit school bus drills to be postponed where such drills are unable to be conducted between March 1

and April 30 due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

**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-52-19-00007-P, Issue of December 24, 2019. The emergency rule will expire August 7, 2020.

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

**Summary of Regulatory Impact Statement (Full text is posted at the following State website:** <http://www.counsel.nysed.gov/rules/full-text-indices>):

The purpose of the proposed amendments to the Regulations of the Commissioner of Education is to update such regulations to align to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation. Additionally, the proposed amendments are intended to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. In addition to the technical amendments, the proposed amendments make the following changes:

- Allows transportation contracts to be filed with the Commissioner within 120 days of approval of the contract by the board to align with the current practice (regulations were outdated and required 30 days). Contracts which cannot be awarded by August 1 shall be filed with the Commissioner within 5 days after approval with a written explanation for the delay.

- Elimination of installation of stop arms from the list of demonstrable enhancements in pupil safety since this is now mandatory equipment.

- Clarifies that standing passengers shall not be permitted on a school bus unless it is during the first 10 days of school or due to a breakdown, crash or other unforeseen occurrence to be consistent with Education Law § 3635-c.

- Clarifies the definition of school bus driver to mean any person who drives a school bus to or from school or school activities.

- Clarifies the definition of a school bus attendant to mean any person who is employed for the purpose of attending to the special needs of a child based on his or her IEP to safely embark and disembark from a school bus which is owned, leased or contracted for by a public school district or BOCES, and for the purpose of assisting the school bus driver.

- Adds a new definition for regular route to mean any trip that occurs on a regular schedule for the purpose of transporting students from a starting point to a destination and may include pick up and drop off of students enroute (home to school).

- Adds physician assistants to the list of licensed professions that can perform an examination of school bus drivers. Requires school bus drivers to be examined within eight weeks prior to the beginning of service (was previously four weeks).

- Requires the school bus driver physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and aligns the proposed amendment with current practice relating to the test. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department. Removes old provisions which allowed additional time for districts to acquire a school bus driver instructor to perform the physical performance test.

- Clarifies the three types of school bus driver training: pre-service safety training, basic course safety training, and refresher safety training. Requires school bus drivers to have at least four hours (was previously two) of instruction on school bus safety practices which shall include at least one hour of training for the transport of children with disabilities prior to service. Requires school bus drivers to take 30 hours of basic course safety training and necessitates the required two-hour refresher training to contain at least one hour of instruction relating to the special needs of a pupil with a disability.

- Provides that a certified school bus driver instructor's physical presence is not required during the pre-service training of school bus drivers, monitors, or attendants, provided that such training is conducted under the general supervision of such an approved school bus driver instructor.

- Provides that the school bus driver instructor advisory committee members are to be appointed for a three-year term (was previously annually) and requires them to be of good moral character.

- Provides for when a certified school bus driver instructor's certification can be suspended or revoked by the Department.

- Includes what master instructors must do to maintain certification as a master instructor and provides for when a master instructor's certification can be suspended or revoked by the Department.

- Adds physician assistants to the list of licensed professions that can perform an examination of school bus monitors and attendants and requires school bus monitors and attendants to be examined within eight weeks prior to the beginning of service (was previously two weeks).

- Requires the school bus monitor and attendant physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and makes amendments to such test to conform with current practice. Removes the temporary waiver provision for the physical performance test for monitors and attendants. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department.

- Adds nonpublic schools to the list of employers whose employees serving pupils with a disabling condition must maintain CPR certification where such skills are required as part of the student's IEP.

- Clarifies the three types of school bus monitor and attendant training: pre-service safety training, basic course safety training, and refresher safety training. Requires at least four hours of pre-service training (was previously three hours). Requires a minimum of two hours of refresher training at least two times a year and requires that such refresher training include at least one hour of instruction relating to the special needs of a pupil with a disability.

- Requires school bus drivers, when discharging pupils, to instruct pupils to cross the highway at a distance of at least 15 feet in front of the vehicle (was previously 10 feet) and to keep the school bus halted until they have reached the opposite side of the highway, street or private road and until such passengers are at least 15 feet from the bus and either off the highway, street or private road or on a sidewalk. Additionally, such instruction shall also be given during school bus drills.

- Adds the regulations of the Commissioner of the Department of Transportation to the list of regulations with which school bus drivers shall be familiar.

- Includes "exempt tracks" to the list of exceptions to when school bus drivers are required to make full stops.

- Clarifies that the operation of a wheelchair lift shall not be considered as leaving a bus unattended.

- Prohibits the use of electronic cigarettes by drivers, monitors and attendants while on a school bus.

- Provides that the administration of drills on school buses shall be in accordance with the Department's Bus Safety Drill Guide and Compliance Form and provides that verbal bus mini safety drills should be conducted by a school bus driver prior to the beginning of every sports or activity trip.

- Requires school districts, which procure transportation through contracted vendors using an RFP, to set a minimum passing score threshold prior to evaluating RFPs, much as the State does in its grant applications, to ensure that winning bidders meet certain safety and responsibility standards.

- Provides that due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

- o the basic course of instruction in school bus safety and refresher training instruction may be postponed;

- o school bus driver instructors may attend the annual professional development seminar (PDS) by teleconference or videoconference for the 2019-2020 school year;

- o Master instructor training programs may be provided by teleconference or videoconference for the 2019-2020 school year

- o Master instructors may attend the annual master instructor strategy meeting or PDS by teleconference or videoconference for the 2019-2020 school year; and

- o School bus drills may be postponed where such drills are unable to be conducted between March 1st and April 30th.

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:

##### **1. EFFECT OF RULE:**

The proposed rule updates the Regulations of the Commissioner of Education pertaining to pupil transportation, to align to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation, as well as with current practice. Additionally, the proposed rule provides flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis. The proposed amendment applies to all school bus driv-

ers, monitors and attendants including those employed by school transportation service companies.

##### **2. COMPLIANCE REQUIREMENTS:**

Certain requirements in the proposed rule apply to small businesses that contract with school districts to provide student transportation. Compliance requirements are summarized as follows:

- Allows transportation contracts to be filed with the Commissioner within 120 days of approval of the contract by the board to align with the current practice (regulations were outdated and required 30 days). Contracts which cannot be awarded by August 1 shall be filed with the Commissioner within 5 days after approval with a written explanation for the delay.

- Clarifies that standing passengers shall not be permitted on a school bus unless it is during the first 10 days of school or due to a breakdown, crash or other unforeseen occurrence to be consistent with Education Law § 3635-c.

- Adds physician assistants to the list of licensed professions that can perform an examination of school bus drivers. Requires school bus drivers to be examined within eight weeks prior to the beginning of service (was previously four weeks).

- Requires the school bus driver physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and aligns the proposed amendment with current practice relating to the test. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department. Removes old provisions which allowed additional time for districts to acquire a school bus driver instructor to perform the physical performance test.

- Clarifies the three types of school bus driver training: pre-service safety training, basic course safety training, and refresher safety training. Requires school bus drivers to have at least four hours (was previously two) of instruction on school bus safety practices which shall include at least one hour of training for the transport of children with disabilities prior to service. Requires school bus drivers to take 30 hours of basic course safety training and necessitates the required two-hour refresher training to contain at least one hour of instruction relating to the special needs of a pupil with a disability.

- Provides that a certified school bus driver instructor's physical presence is not required during the pre-service training of school bus drivers, monitors, or attendants, provided that such training is conducted under the general supervision of such an approved school bus driver instructor.

- Provides that the school bus driver instructor advisory committee members are to be appointed for a three-year term (was previously annually) and requires them to be of good moral character.

- Provides for when a certified school bus driver instructor's certification can be suspended or revoked by the Department.

- Includes what master instructors must do to maintain certification as a master instructor and provides for when a master instructor's certification can be suspended or revoked by the Department.

- Adds physician assistants to the list of licensed professions that can perform an examination of school bus monitors and attendants and requires school bus monitors and attendants to be examined within eight weeks prior to the beginning of service (was previously two weeks).

- Requires the school bus monitor and attendant physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and makes amendments to such test to conform with current practice. Removes the temporary waiver provision for the physical performance test for monitors and attendants. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department.

- Adds nonpublic schools to the list of employers whose employees serving pupils with a disabling condition must maintain CPR certification where such skills are required as part of the student's IEP.

- Clarifies the three types of school bus monitor and attendant training: pre-service safety training, basic course safety training, and refresher safety training. Requires at least four hours of pre-service training (was previously three hours). Requires a minimum of two hours of refresher training at least two times a year and requires that such refresher training include at least one hour of instruction relating to the special needs of a pupil with a disability.

- Requires school bus drivers to instruct pupils to cross the highway at a distance of at least 15 feet in front of the vehicle (was previously 10 feet)

and to keep the school bus halted until they have reached the opposite side of the highway, street or private road and until such passengers are at least 15 feet from the bus and either off the highway, street or private road or on a sidewalk. Additionally, such instruction shall also be given during school bus drills.

- Adds the regulations of the Commissioner of the Department of Transportation to the list of regulations with which school bus drivers shall be familiar.

- Includes "exempt tracks" to the list of exceptions to when school bus drivers are required to make full stops.

- Clarifies that the operation of a wheelchair lift shall not be considered as leaving a bus unattended.

- Prohibits the use of electronic cigarettes by drivers, monitors and attendants while on a school bus.

- Provides that the administration of drills on school buses shall be in accordance with the Department's Bus Safety Drill Guide and Compliance Form and provides that verbal bus mini safety drills should be conducted by a school bus driver prior to the beginning of every sports or activity trip.

- Requires school districts, which procure transportation through contracted vendors using an RFP, to set a minimum passing score threshold prior to evaluating RFPs, much as the State does in its grant applications, to ensure that winning bidders meet certain safety and responsibility standards.

- Provides that due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

- o the basic course of instruction in school bus safety and refresher training instruction may be postponed;

- o school bus driver instructors may attend the annual professional development seminar (PDS) by teleconference or videoconference for the 2019-2020 school year;

- o Master instructor training programs may be provided by teleconference or videoconference for the 2019-2020 school year;

- o Master instructors may attend the annual master instructor strategy meeting or PDS by teleconference or videoconference for the 2019-2020 school year; and

- o School bus drills may be postponed where such drills are unable to be conducted between March 1st and April 30th.

### 3. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional services requirements on small businesses.

### 4. COMPLIANCE COSTS:

See the Costs section of the Regulatory Impact Statement that is published in the State Register on this publication date for an analysis of the costs of the proposed rule.

### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on small businesses.

### 6. MINIMIZING ADVERSE IMPACT:

The proposed amendment aligns the Regulations of the Commissioner of Education to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation, as well as with current practice. Additionally, the proposed amendment provides flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis. Therefore, no alternatives were considered for those located in rural areas of the State.

### 7. SMALL BUSINESS PARTICIPATION:

The Department has shared the proposed amendment with the New York State School Bus Contractors Association; which have members who work in small business.

(b) Local governments:

#### 1. EFFECT OF RULE:

The proposed rule updates the Regulations of the Commissioner of Education pertaining to pupil transportation, to align to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation, as well as with current practice. Additionally, the proposed rule provides flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis. The proposed amendment applies to each of the 695 public school districts in the State.

#### 2. COMPLIANCE REQUIREMENTS:

The proposed amendment is necessary to align the Regulations of the Commissioner of Education to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation, as well as with current practice. See the summary of compliance requirements under (a)(2) above.

#### 3. PROFESSIONAL SERVICES:

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

#### 4. COMPLIANCE COSTS:

See the Costs section of the Regulatory Impact Statement that is published in the State Register on this publication date for an analysis of the costs of the proposed rule.

### 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 amendment aligns the Regulations of the Commissioner of Education to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation, as well as with current practice. Additionally, the proposed amendment provides flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis. Therefore, no alternatives were considered for those located in rural areas of the State.

### 7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule have been 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 NUMBER OF RURAL AREAS:

The proposed rule applies to all 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:

The purpose of the proposed amendments to the Regulations of the Commissioner of Education is to update such regulations to align to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation. Additionally, the proposed amendments provide flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis. In addition to the technical amendments, the proposed amendments make the following changes:

- Allows transportation contracts to be filed with the Commissioner within 120 days of approval of the contract by the board to align with the current practice (regulations were outdated and required 30 days). Contracts which cannot be awarded by August 1 shall be filed with the Commissioner within 5 days after approval with a written explanation for the delay.

- Elimination of installation of stop arms from the list of demonstrable enhancements in pupil safety since this is now mandatory equipment.

- Clarifies that standing passengers shall not be permitted on a school bus unless it is during the first 10 days of school or due to a breakdown, crash or other unforeseen occurrence to be consistent with Education Law § 3635-c.

- Clarifies the definition of school bus driver to mean any person who drives a school bus to or from school or school activities.

- Clarifies the definition of a school bus attendant to mean any person who is employed for the purpose of attending to the special needs of a child based on his or her IEP to safely embark and disembark from a school bus which is owned, leased or contracted for by a public school district or BOCES, and for the purpose of assisting the school bus driver.

- Adds a new definition for regular route to mean any trip that occurs on a regular schedule for the purpose of transporting students from a starting point to a destination and may include pick up and drop off of students enroute (home to school).

- Adds physician assistants to the list of licensed professions that can perform an examination of school bus drivers. Requires school bus drivers to be examined within eight weeks prior to the beginning of service (was previously four weeks).

- Requires the school bus driver physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and aligns the proposed amendment with current practice relating to the test. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department. Removes old provisions which allowed additional time for districts to acquire a school bus driver instructor to perform the physical performance test.

- Clarifies the three types of school bus driver training: pre-service safety training, basic course safety training, and refresher safety training. Requires school bus drivers to have at least four hours (was previously two) of instruction on school bus safety practices which shall include at least one hour of training for the transport of children with disabilities prior to service. Requires school bus drivers to take 30 hours of basic

course safety training and necessitates the required two-hour refresher training to contain at least one hour of instruction relating to the special needs of a pupil with a disability.

- Provides that a certified school bus driver instructor's physical presence is not required during the pre-service training of school bus drivers, monitors, or attendants, provided that such training is conducted under the general supervision of such an approved school bus driver instructor.
- Provides that the school bus driver instructor advisory committee members are to be appointed for a three-year term (was previously annually) and requires them to be of good moral character.
- Provides for when a certified school bus driver instructor's certification can be suspended or revoked by the Department.
- Includes what master instructors must do to maintain certification as a master instructor and provides for when a master instructor's certification can be suspended or revoked by the Department.
- Adds physician assistants to the list of licensed professions that can perform an examination of school bus monitors and attendants and requires school bus monitors and attendants to be examined within eight weeks prior to the beginning of service (was previously two weeks).
- Requires the school bus monitor and attendant physical performance test form to be submitted electronically to the pupil transportation unit. Prohibits the interval between physical performance tests to exceed 25 months (was previously 24 months). Clarifies that the physical performance test shall be conducted by a currently certified school bus driver instructor and makes amendments to such test to conform with current practice. Removes the temporary waiver provision for the physical performance test for monitors and attendants. Provides that no more than one re-examination per driver may be administered on the same day and that the administration of the test and the pass/fail determination shall be in accordance with the guidance from the Department.
- Adds nonpublic schools to the list of employers whose employees serving pupils with a disabling condition must maintain CPR certification where such skills are required as part of the student's IEP.
- Clarifies the three types of school bus monitor and attendant training: pre-service safety training, basic course safety training, and refresher safety training. Requires at least four hours of pre-service training (was previously three hours). Requires a minimum of two hours of refresher training at least two times a year and requires that such refresher training include at least one hour of instruction relating to the special needs of a pupil with a disability.
- Requires school bus drivers to instruct pupils to cross the highway at a distance of at least 15 feet in front of the vehicle (was previously 10 feet) and to keep the school bus halted until they have reached the opposite side of the highway, street or private road and until such passengers are at least 15 feet from the bus and either off the highway, street or private road or on a sidewalk. Additionally, such instruction shall also be given during school bus drills.
- Adds the regulations of the Commissioner of the Department of Transportation to the list of regulations with which school bus drivers shall be familiar.
- Includes "exempt tracks" to the list of exceptions to when school bus drivers are required to make full stops.
- Clarifies that the operation of a wheelchair lift shall not be considered as leaving a bus unattended.
- Prohibits the use of electronic cigarettes by drivers, monitors and attendants while on a school bus.
- Provides that the administration of drills on school buses shall be in accordance with the Department's Bus Safety Drill Guide and Compliance Form and provides that verbal bus mini safety drills should be conducted by a school bus driver prior to the beginning of every sports or activity trip.
- Requires school districts, which procure transportation through contracted vendors using an RFP, to set a minimum passing score threshold prior to evaluating RFPs, much as the State does in its grant applications, to ensure that winning bidders meet certain safety and responsibility standards.
- Provides that due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
  - o the basic course of instruction in school bus safety and refresher training instruction may be postponed;
  - o school bus driver instructors may attend the annual professional development seminar (PDS) by teleconference or videoconference for the 2019-2020 school year;
  - o master instructor training programs may be provided by teleconference or videoconference for the 2019-2020 school year;
  - o master instructors may attend the annual master instructor strategy meeting or PDS by teleconference or videoconference for the 2019-2020 school year; and
  - o school bus drills may be postponed where such drills are unable to be conducted between March 1st and April 30th.

### 3. COSTS:

The proposed amendment would be a cost to school districts to cover costs associated with receiving school bus driver, monitor and/or attendant training, however, a percentage of such cost would be reimbursable through state transportation aid.

### 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment aligns the Regulations of the Commissioner of Education to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation, as well as with current practice. Additionally, the proposed amendments provide flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis. Therefore, no alternatives were considered for those located in rural areas of the State.

### 5. RURAL AREA PARTICIPATION:

The Department has shared the proposed amendment with the New York State School Bus Contractors Association; which has members who live in rural areas.

### Job Impact Statement

It is not anticipated that the proposed amendment will impact jobs or employment opportunities. This is because the proposed amendment to sections 156.1, 156.2, 156.3, 156.4, 156.5, and 156.12 of the Regulations of the Commissioner of Education merely updates such regulations to align to the current policies and procedures of the New York State Department of Motor Vehicles and the New York State Department of Transportation and to current practice.

The proposed 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 have no impact on jobs or employment opportunities attributable to its adoption or only a positive impact, no affirmative steps were needed to ascertain these facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

## EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Addressing the COVID-19 Crisis

**I.D. No.** EDU-25-20-00005-EP

**Filing No.** 383

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-09

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

**Proposed Action:** Amendment of sections 60.10, 80-1.2, 80-4.3, 80-4.4, 80-5.6, 100.2, 100.5, 100.7, 110.4, 100.10, 119.4, 121.5, 135.4 and 145-2.15 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 2-d, 101 206, 207, 208, 209, 210, 214, 215, 305, 308, 309, 661, 803, 804-c, 911, 1125, 1126, 1128, 1132, 3004, 3009, 3028-b, 3204, 3205, 3210, 3212, 3602, 6504, 6506, 6507, 6601 and 6605-a

**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 non-essential work personnel to work from home. In response the Department adopted emergency regulations at the April 2020 and May 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, it is necessary for the Department to adopt further regulatory amendments. The proposed amendments provide flexibility related to the following:

- Adoption and publishing of data security and privacy policy deadline by educational agencies;
- Home instruction program unit of study requirements and instructional day and hour requirements;
- Live patient experience for dental anesthesia certification;
- Administration and proctoring of the Ability-to-Benefit Test;

- Certificate expiration dates;
- Teaching assistant experience;
- Coaching evaluations;
- Sub-test requirement for the High School Equivalency Diploma;
- Hands only CPR instruction;
- Regents exams requirement for online blended learning and make up incomplete or failed course credit;
- Declination of exemption to graduation assessment requirements;
- Summer school instructional hours; and
- Charter school public hearings.

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 September 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.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the September 2020 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 September meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2020 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/proposed 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 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 2020 and May 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:

- Data Privacy
  - o Section 121.5(b) is amended to extend the date required for the adoption and publishing of data security and privacy policies by educational agencies from July 1, 2020 until October 1, 2020 to provide educational agencies with additional time to develop their policies during the COVID-19 crisis.
- Home Instruction
  - o Section 100.10(e) is amended to provide flexibility for the unit of study requirements for home instruction programs during the COVID-19 crisis, provided students meet the learning outcomes for the portion of the unit of study completed.
  - o Section 100.10(f) is amended to provide flexibility from the instructional day and/or hour requirements provided the home instruction program provides continuity of learning to students.
- Professions
  - o Section 61.10(c)(1) is amended to provide that the Department, in its discretion, may accept a lower number of live patient experience for dentist and dental school residents seeking dental anesthesia certification during the COVID-19 crisis.
- Higher Education
  - o Ability-to-Benefit (ATB) test:
    - [] Section 145-2.15(e)(1)(iii)(j) is amended to provide that where testing centers and institutions are unable to administer and proctor the ATB during the COVID-19 crisis the test may be administered and proctored remotely in accordance with federal requirements.
    - o Teaching Assistant Certificate Extension:
      - [] Section 80-1.
    - o Teaching Assistant Experience:
      - [] Section 80-5.6 is amended to allow teaching assistant experience that is gained while a candidate holds the Emergency COVID-19 Teaching Assistant certificate to satisfy the experience requirement for the Teaching Assistant Level II, Level III, and Pre-Professional certificates.
    - o Certificate Extensions:

[] Sections 80-4.3 and 80-4.4 are amended to allow the Emergency COVID-19 certificate to serve as a base certificate for certain certificate extensions and the severe or multiple disabilities annotation.

o Coaching evaluations:

[] Section 135.4 is amended to not require temporary coaching candidates of extracurricular interscholastic sports, who held a temporary coaching certificate for the Winter 2019-20 and/or Spring 2020 sports season, to have received an evaluation by the principal or athletic director for such sports seasons for professional coaching certification due to the COVID-19 crisis. Currently, these candidates are required to receive a satisfactory evaluation by the principal or athletic director for each of the preceding three years that they coached in the sport for which a professional coaching certificate is sought.

• Curriculum and Instruction

o High School Equivalency Diploma

[] Section 100.7(2)(a) is amended providing that for the duration of time that general comprehensive examination testing centers are closed due to the COVID-19 crisis, a candidate for a high school equivalency diploma shall not be required to take a sub-test of such examination where the candidate has been exempted from or passed five corresponding Regents examinations or other examinations approved by the Commissioner for such sub-tests.

o Hands only CPR instruction:

[] Section 100.2(c)(11) is amended to provide an exemption to the requirement that senior high schools provide an opportunity to students to demonstrate the psychomotor skills necessary to perform hands-only compression CPR for the 2019-20 school year due to schools being closed in response to the COVID-19 crisis.

o Regents exam requirement for online blended learning and make up incomplete or failed course credit:

[] Section 100.5(d)(10)(ii)(a) is amended to provide that a student shall not be required to pass a Regents examination and/or other assessment to receive credit for online blended learning where a student has been exempted from such examination and/or assessment.

[] Section 100.5(d)(8)(i) is amended to provide that a student shall not be required to pass a Regents examination and/or other assessment to receive credit for make up incomplete or failed course credit where a student has been exempted from such examination and/or assessment.

o Declination

[] Section 100.5(d) is amended to provide that parents or persons in parental relation of students scheduled to graduate in June or August of 2020 who have been exempted from a graduation assessment requirement shall be given the opportunity to decline such exemption.

o Summer school

[] Section 110.4(b) is amended to provide that a summer school session which provides the equivalent of 45 hours of instruction shall be considered the equivalent of one semester of work for each subject to provide flexibility for summer school instruction during the COVID-19 crisis.

• Child Abuse in an educational setting training deadline

o Section 100.2(hh) is amended to extend the deadline for completion of the child abused in an educational setting training from July 1, 2020 until September 30, 2020.

• Charter School Public Hearings

o Section 119.4 is amended to provide an extension to the 30-day timeline for school districts to conduct public hearings after receipt of an application for the formation of a new charter school, renewal of an existing charter school, or a charter school's request to revise its existing charter until September 30, 2020. Additionally, the Department proposes to permit such hearings to be held remotely and public comment to be solicited and accepted either electronically or by mail.

**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 September 6, 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 148EB, Albany, NY 12234, (518) 474-6400, email: [legal@nysed.gov](mailto: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](mailto:REGCOMMENTS@nysed.gov)

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

#### Regulatory Impact Statement

##### 1. STATUTORY AUTHORITY:

Education Law § 2-d authorizes the Commissioner to enforce law relating to the privacy and security of personally identifiable information (PII) of students, and certain annual professional performance review (APPR) data of teachers and principals.

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 § 206 authorizes the Regents and Commissioner to take testimony relating to their official duties, or in any matter which they may lawfully investigate.

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 § 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 § 210 empowers the Regents to register domestic and foreign institutions in terms of New York standards, and fix the value of degrees, diplomas and certificates issued by institutions of other states or countries and presented to entrance to schools, colleges and the professions in New York.

Education Law § 214 provides that the institutions of the University of the State of New York includes all secondary and higher educational institutions incorporated in this State. Confers the Regents the power to exclude from such membership any institution failing to comply with law or rule of the University.

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 § 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 Commissioner with general supervision of boards of education and their management and conduct of all departments of instruction.

Education Law § 661 prescribed the eligibility requirements and conditions governing general awards, academic performance awards and student loans.

Education Law § 803 requires all pupils over 8 in all elementary and secondary schools to receive physical education under the direction of the Commissioner as the Regents may determine.

Education Law § 804-c(2) permits the Commissioner to prescribe regulations governing health education course which shall include instruction in CPR.

Education Law § 911 requires the Commissioner to enforce the provisions of law relating to medical and health services to be provided by schools.

Education Law § 1125 establish the applicable definitions within Article 23-B relating to the reporting of child abuse in an educational setting.

Education Law § 1126 establish the duties of employees specifically enumerated in section 1126 upon receipt of an allegation of child abuse in an educational setting.

Education Law § 1128 establishes the duties of school administrators and superintendents upon receipt of a written report alleging child abuse in an educational setting.

Education Law § 1132 directs the commissioner to promulgate rules and regulations for training necessary to implement Article 23-B, relating to the reporting of child abuse in an educational setting, and establishes the training requirements for implementation of the article.

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

Education Law § 3028-b requires each school to annually provide to each teacher and other school officials a written explanation concerning the reporting of pupil drug abuse, child abuse, and child abuse in an educational setting including immunity provisions.

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.

Education Law § 3210(2) provides the amount and character of required attendance for nonpublic school students, with the exception that a child may be permitted to attend for a shorter school day and/or year if the instruction received has been approved by the local school authorities as being substantially equivalent in amount and quality to that required by the Compulsory Education Law.

Education Law § 3212 defines a person in parental relation and their duties.

Education Law § 3602 provides for the apportionment of public moneys to school districts employing eight or more teachers.

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

Education Law § 6506 requires the Board of Regents to supervise the admission to the practice of the professions.

Education Law § 6507 requires the Commissioner and the Department to administer the admission to and the practice of the professions.

Education Law § 6601 defines the practice of the profession on dentistry.

Education Law § 6605-a(2) empowers the Commissioner to prescribe regulations establishing standards and procedures for the issuance of dental anesthesia certificates.

## 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. The purpose of the proposed amendment is to provide flexibility for certain regulatory requirements in response to 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 and directing non-essential work personnel to work from home. In response the Department adopted emergency regulations at the April and May 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:

- Adoption and publishing of data security and privacy policy deadline by educational agencies;
- Home instruction program unit of study requirements and instructional day and hour requirements;
- Live patient experience for dental anesthesia certification;
- Administration and proctoring of the Ability-to-Benefit Test;
- Certificate expiration dates;
- Teaching assistant experience;
- Coaching evaluations;
- Sub-test requirement for the High School Equivalency Diploma;
- Hands only CPR instruction;
- Regents exams requirement for online blended learning and make up incomplete or failed course credit;
- Declination of exemption to graduation assessment requirements;
- Summer school instructional hours; and
- Charter school public hearings.

## 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. 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 June 2020 Regents meeting, the emergency rule will become effective June 9, 2020. It is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its September 2020 meeting. If adopted at the September 2020 meeting, the proposed amendment will become effective on September 30, 2020. 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. 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. 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 and directing non-essential work personnel to work from home. In response the Department adopted emergency regulations at the April and May 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:

- Adoption and publishing of data security and privacy policy deadline by educational agencies;
- Home instruction program unit of study requirements and instructional day and hour requirements;
- Live patient experience for dental anesthesia certification;
- Administration and proctoring of the Ability-to-Benefit Test;
- Certificate expiration dates;
- Teaching assistant experience;
- Coaching evaluations;
- Sub-test requirement for the High School Equivalency Diploma;
- Hands only CPR instruction;
- Regents exams requirement for online blended learning and make up incomplete or failed course credit;
- Declination of exemption to graduation assessment requirements;
- Summer school instructional hours; and
- Charter school public hearings.

#### 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. 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

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 and directing non-essential work personnel to work from home. In response the Department adopted emergency regulations at the April and May 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:

- Adoption and publishing of data security and privacy policy deadline by educational agencies;
- Home instruction program unit of study requirements and instructional day and hour requirements;
- Live patient experience for dental anesthesia certification;
- Administration and proctoring of the Ability-to-Benefit Test;
- Certificate expiration dates;
- Teaching assistant experience;
- Coaching evaluations;
- Sub-test requirement for the High School Equivalency Diploma;
- Hands only CPR instruction;
- Regents exams requirement for online blended learning and make up incomplete or failed course credit;
- Declination of exemption to graduation assessment requirements;
- Summer school instructional hours; and
- Charter school public hearings.

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.

#### Job Impact Statement

The proposed amendment provides flexibility related to the following:

- Adoption and publishing of data security and privacy policy deadline by educational agencies;
- Home instruction program unit of study requirements and instructional day and hour requirements;
- Live patient experience for dental anesthesia certification;
- Administration and proctoring of the Ability-to-Benefit Test;
- Certificate expiration dates;
- Teaching assistant experience;
- Coaching evaluations;
- Sub-test requirement for the High School Equivalency Diploma;
- Hands only CPR instruction;
- Regents exams requirement for online blended learning and make up incomplete or failed course credit;
- Declination of exemption to graduation assessment requirements;
- Summer school instructional hours; and
- Charter school public hearings.

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

#### Licensing Examinations in the Profession of Public Accountancy

**I.D. No.** EDU-25-20-00006-EP

**Filing No.** 384

**Filing Date:** 2020-06-09

**Effective Date:** 2020-07-01

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

**Proposed Action:** Amendment of section 70.4 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 6504, 6507, 7401 and 7404

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

**Specific reasons underlying the finding of necessity:** The proposed

amendment to section 70.4 of the Regulations of the Commissioner of Education is necessary to conform the regulation to new national licensing standards, which are effective July 1, 2020, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for Uniform CPA Examination (CPA exam) scores to properly calculate the time frame for passing all parts of it.

The American Institute of Certified Public Accountants (AICPA) and the National Association of State Boards of Accountancy (NASBA) have adopted the model law of the Uniform Accountancy Act to provide candidates for CPA licensure with the opportunity to test year-round under a continuous testing model. The CPA exam currently consists of four sections: (1) Auditing and Attestation; (2) Business Environment and Concepts; (3) Financial Accounting and Reporting; (4) and Regulation. The four sections are four hours each and may be taken in any order. Under the new continuous testing model, after candidates receive their scores from a previous exam attempt, they will have the opportunity to retake the section without restriction. This change eliminates the concept of a testing window, the three-month period of a quarter, that limited the candidates to take the CPA exam only one time during a testing window. The AICPA and NASBA notified the State Boards of Accountancy that this national CPA exam change will take effect on July 1, 2020.

The proposed amendment to 70.4 of the Regulations of the Commissioner of Education is necessary to conform the regulation to the national CPA licensing exam standards, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for CPA exam scores to properly calculate the time frame for passing all parts of it.

Additionally, the Certified Public Accountant (CPA) Evolution, a joint effort, by the AICPA and NASBA is currently in the process of transforming the CPA licensure model, including revising the sections of the CPA exam and the content tested in those sections. In anticipation of those changes, which are expected to be effective sometime in the fall of 2020, the proposed amendment to section 70.4 eliminates the content provisions that specifically describe the subject matter content that must be included in the CPA exam. The proposed amendment replaces these provisions with language stating that the examination shall consist of a written examination that tests the knowledge and skills required for licensure as a CPA that as determined by the Department, and the Department may accept an examination as recommended by the State Board for Public Accountancy. This proposed amendment language will give the Department the flexibility it needs to implement the impending CPA Evolution changes without having to amend the regulation again.

Currently, all candidates must pass the four sections of the CPA exam within an 18-month, rolling condition period. However, there may be extenuating circumstances that could prohibit a candidate from passing the CPA exam within the 18-month condition period, including, but not limited to, testing centers being closed for extended periods of time due to the COVID-19 health crisis. The candidates who have an extenuating circumstance must go through a formal, three level review process that takes several months to complete before a determination is made as to whether to approve their requests for an extension of the 18-month condition requirement. However, by the time candidates find out that their extension requests have not been approved, they have lost several months of testing ability, as well as possibly losing credit for another section or sections of the exam that they have already passed. To address these issues, the proposed amendment will permit candidates' extenuating circumstance extension requests to be processed by the Department, which will minimize the length of time applicants are waiting for determinations on their requests. The proposed amendment will further decrease the number of formal Committee on the Professions proceedings regarding the 18-month condition requirement.

The proposed amendment also eliminates a now obsolete December 2003 provision relating to a transitional period for going from paper-based testing to computer-based testing.

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 September 2020 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the September meeting would be September 30, 2020, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the June 2020 meeting for the preservation of the general welfare in order to immediately conform the Regulations of the Commissioner of Education to the national CPA exam standards, which become effective July 1, 2020.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the September 2020 Regents meeting, which is the first scheduled meeting after the 60-day public comment period prescribed in SAPA for State agency rule makings. It is anticipated that an additional emergency action will be presented for adoption at the July meeting.

**Subject:** Licensing Examinations in the Profession of Public Accountancy.

**Purpose:** Conform the Commissioner's Regulations to the national licensing examination standards in public accountancy.

**Text of emergency/proposed rule:** Section 70.4 of the Regulations of the Commissioner of Education is amended, as follows:

Section 70.4 Licensing examinations

(a) Content. The *licensing examination* shall consist of *an examination designed to test the knowledge and skills required for licensure as a certified public accountant as determined by the Department. The Department may accept an examination to become a licensed certified public accountant as recommended by the State Board for Public Accountancy.* [the following sections:

- (1) financial accounting and reporting;
- (2) business environment and concepts;
- (3) regulation; and
- (4) auditing and attestation.]

(b) Passing score. [The passing score in each section shall be 75.0] *The Department shall determine a passing score, in consultation with the State Board for Public Accountancy, on an examination accepted pursuant to subdivision (a) of this section.*

(c) Retention of credit. [A candidate shall be subject to the retention of credit requirements of paragraph (1) of this subdivision, unless the candidate passed two or more sections of the paper-and-pencil version of the examination administered prior to December 4, 2003 in which case the candidate shall be subject to the retention of credit requirements of paragraph (2) of this subdivision.

(1) For purposes of this paragraph, examination window means a three-month period in which the examination is available within a quarter of the year, the beginning and ending of which shall be established by the examination provider. A candidate may take the required sections of the examination individually and in any order. Credit for any section passed shall not be valid for more than 18 months, calculated from the last day of the examination window in which the candidate sat for such section of the examination. A candidate must pass all four sections of the examination within a rolling 18-month period, which begins on the last day of the examination window in which the candidate sat for any section of the examination that the candidate passed. A candidate may not retake a failed section of the examination in the same examination window.

(2) Transitional retention period. A candidate who has acquired credit for passing two or more sections of the paper-and-pencil version of the examination administered prior to December 4, 2003 shall be allowed a transitional retention period to obtain a passing score on the remaining sections of the computer-based format of the examination. The transitional retention period shall consist of the three-year period in which the candidate was required to pass all sections of the paper-and-pencil examination, extended to the last day of the month in which the three-year period ends, provided that such period shall terminate before the end of such three-year period as extended, if the candidate has exhausted six opportunities to pass the remaining sections of the licensing examination in whatever format before the end of that period. In that case, the transitional retention period shall terminate on the date the candidate has exhausted the six opportunities. A candidate may not retake a failed section of the examination in the same examination window, meaning a two-month period in which the examination is available within a quarter of the year.

(3) A candidate who has been awarded credit for passing a section of the licensing examination administered prior to December 4, 2003 shall receive credit for the corresponding section of the licensing examination administered after that date, as follows, provided that the candidate has met the retention of credit requirements of this subdivision:

(i) a candidate who has been awarded credit for financial accounting and reporting shall be awarded credit for financial accounting and reporting;

(ii) a candidate who has been awarded credit for business law and professional responsibilities shall be awarded credit for business environment and concepts;

(iii) a candidate who has been awarded credit for accounting and reporting shall be awarded credit for regulation; and

(iv) a candidate who has been awarded credit for auditing shall be awarded credit for auditing and attestation.]

*The retention period on an examination approved pursuant to subdivision (a) of this section shall be for a period of 18-months. Such 18-month period shall be computed in a manner determined by the Department.*

(1) *Extension requests. The Department may in its discretion provide an applicant with an extension to the retention period prescribed in paragraph (c) of this subdivision. An extension may be granted upon a finding by the Department of extenuating circumstances outside the applicant's control. The length of an extension shall be determined by the Department as it relates to the length of the extenuating circumstances experienced by the applicant. The Department may consult with the State*

*Board for Public Accountancy on the appropriateness of granting extension requests.*

(d) *Admission to the examination.* [The Department shall accept passing scores on the uniform certified public accountant examination, or on an examination determined to be comparable in content, as meeting the requirement of the licensing examination, except where the Department determines that the administration, scoring, content or other comparable factors concerning such examination have affected the validity and/or integrity of such examination so as to render acceptance of such scores inappropriate.] *For admission to the licensing examination as a New York State candidate, the candidate shall meet all education requirements including, but not limited to, [Candidates shall complete] completion of a minimum of 120 semester hours of study in an acceptable [a regionally] accredited college or university which shall include at least one course in each of the mandatory professional accounting content areas defined in subparagraph (i) of paragraph (1) of subdivision (b) of section 52.13 of the Regulations of the Commissioner of Education, or its equivalent as determined by the Department[, for admission to the licensing examination as a New York candidate].*

(e) *Transfer of examination credit.* Candidates who have passed, in another state, [sections of] the licensing examination used by New York State may have their grades transferred upon application, if the requirements of this Part concerning education, and retention of credit [for sections passed] have been met. [A score of 75.0 or higher shall be considered passing for the purposes of transferring grades from another jurisdiction.]

(f) *Competency.* *If it has been more than ten years since the applicant passed the certified public accountant licensing examination, a license shall not be issued until the applicant completes a satisfactory amount of continuing professional education, acceptable to the Department. The State Board for Public Accountancy shall recommend to the Department the appropriateness of the continuing professional education that is to be completed to satisfy this requirement.*

**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 September 6, 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 112 EB, 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.

#### **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 practice of the professions.

Paragraph (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 7401 of the Education Law defines the practice of the profession of public accountancy.

Section 7404 of the Education Law establishes the requirements for licensure as a certified public accountant, including, but not limited to, the licensing examination requirements.

##### **2. LEGISLATIVE OBJECTIVES:**

The proposed amendment carries out the legislative intent of the statutes that the Board of Regents and the Department to regulate the practice of the professions, including establishing the licensing examination requirements for licensure as a certified public accountant.

Section 70.4 of the Regulations of the Commissioner of Education was last amended in 2009 to conform it to then recent amendments to the Education Law. Currently, Section 70.4 of the Regulations of the Commissioner of Education is quite restrictive in setting forth the rules for the licensure examination requirements for the profession of public accountancy, which include provisions on a passing score, retention of credit, and transfer of licensure examination credit from another jurisdiction. As the national licensing examination standards continue to evolve, these provisions do not provide the Board of Regents and/or the Department with sufficient flexibility to easily implement changes that occur with the Uniform CPA Examination (CPA exam) on a national level without having to amend the regulation each time any such changes occur. As discussed below, the proposed amendment to section 70.4 of the Regulations of the Commissioner of Education is designed, in part, to provide the Depart-

ment with more flexibility in adapting to and implementing changes in national standards relating to the CPA exam, which is the licensure examination for the profession of public accountancy.

The American Institute of Certified Public Accountants (AICPA) and the National Association of State Boards of Accountancy (NASBA) have adopted the model Uniform Accountancy Act to provide candidates for CPA licensure with the opportunity to test year-round under a continuous testing model. The CPA exam currently consists of four sections: (1) Auditing and Attestation; (2) Business Environment and Concepts; (3) Financial Accounting and Reporting; (4) and Regulation. The four sections are four hours each and may be taken in any order. Under the new continuous testing model, after candidates receive their scores from a previous exam attempt, they will have the opportunity to retake the section without restriction. This change eliminates the concept of a testing window, the three-month period of a quarter, that limited the candidates to take the CPA exam only one time during a testing window. The AICPA and NASBA notified the State Boards of Accountancy that this national CPA exam change will take effect on July 1, 2020.

The proposed amendment to 70.4 of the Regulations of the Commissioner of Education is necessary to conform the regulation to the national CPA licensing exam standards, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for CPA exam scores to properly calculate the time frame for passing all parts of it.

Additionally, the Certified Public Accountant (CPA) Evolution, a joint effort, by the AICPA and NASBA is currently in the process of transforming the CPA licensure model, including revising the sections of the CPA exam and the content tested in those sections. In anticipation of those changes, which are expected to be effective sometime in the fall of 2020, the proposed amendment to section 70.4 eliminates the content provisions that specifically describe the subject matter content that must be included in the CPA exam. The proposed amendment replaces these provisions with language stating that the examination shall consist of a written examination that tests the knowledge and skills required for licensure as a CPA as determined by the Department, and the Department may accept an examination as recommended by the State Board for Public Accountancy. This proposed amendment language will give the Department the flexibility it needs to implement the impending CPA Evolution changes without having to amend the regulation again.

Currently, all candidates must pass the four sections of the CPA exam within an 18-month, rolling condition period. However, there may be extenuating circumstances that could prohibit a candidate from passing the CPA exam within the 18-month condition period, including, but not limited to, testing centers being closed for extended periods of time due to the COVID-19 health crisis. The candidates who have an extenuating circumstance must go through a formal, three level review process that takes several months to complete before a determination is made as to whether to approve their requests for an extension of the 18-month condition requirement. However, by the time candidates find out that their extension requests have not been approved, they have lost several months of testing ability, as well as possibly losing credit for another section or sections of the exam that they have already passed. To address these issues, the proposed amendment will permit candidates' extenuating circumstance extension requests to be processed by the Department, which will minimize the length of time applicants are waiting for determinations on their requests. The proposed amendment will further decrease the number of formal Committee on the Professions proceedings regarding the 18-month condition requirement.

Finally, the proposed amendment also eliminates a now obsolete December 2003 provision relating to a transitional period for going from paper-based testing to computer-based testing.

##### **3. NEEDS AND BENEFITS:**

The purpose of the proposed amendment to 70.4 of the Regulations of the Commissioner of Education is to conform the regulation to the national CPA licensing exam standards, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for CPA exam scores to properly calculate the time frame for passing all parts of it.

Additionally, in anticipation of the CPA Evolution's fall 2020 changes to the CPA licensure model, including revising the sections of the CPA exam and the content tested in those sections, the proposed amendment to section 70.4 eliminates the content provisions that specifically describe the subject matter content that must be included in the CPA exam. The proposed amendment replaces these provisions with language stating that the examination shall consist of a written examination that tests the knowledge and skills required for licensure as a CPA as determined by the Department, and the Department may accept an examination as recommended by the State Board for Public Accountancy.

The proposed amendment also eliminates a now obsolete December 2003 provision relating to a transitional period for going from paper-based testing to computer-based testing.

**4. COSTS:**

It imposes no costs on the State or any local governments or the regulatory agency.

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

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

(c) Costs to private regulated parties. The proposed rule does not impose any additional costs to regulated parties.

(d) Costs 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 program, service, duty, or responsibility upon local governments.

**6. PAPERWORK:**

The proposed rule imposes no reporting requirement or other paperwork requirements.

**7. DUPLICATION:**

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

**8. ALTERNATIVES:**

The proposed amendment arose out of changes to the CPA licensure model, including, but not limited to, changes to the CPA exam, on the national level. The proposed amendment is needed to conform the Regulations of the Commissioner of Education to the national CPA standards. There are no significant alternatives to the proposed amendment and none were considered.

**9. FEDERAL STANDARDS:**

No Federal standards apply to the subject matter of this rule making. The Federal government does not regulate the requirements for licensure as a CPA.

**10. COMPLIANCE SCHEDULE:**

If adopted at the June 2020 Regents meeting, the proposed amendment will become effective July 1, 2020. It is anticipated that the regulated parties will be able to comply with the proposed amendments by the effective date.

**Regulatory Flexibility Analysis**

The purpose of the proposed amendment to 70.4 of the Regulations of the Commissioner of Education is to conform the regulation to the national certified public accountant licensing examination (CPA exam) standards, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for CPA exam scores to properly calculate the time frame for passing all parts of it. The national changes to the CPA exam are effective July 1, 2020.

Additionally, in anticipation of the national changes, in the fall of 2020, to the CPA licensure model, including revising the sections of the CPA exam and the content tested in those sections, the proposed amendment to section 70.4 eliminates the content provisions that specifically describe the subject matter content that must be included in the CPA exam. The proposed amendment replaces these provisions with language stating that the examination shall consist of a written examination that tests the knowledge and skills required for licensure as a CPA as determined by the Department, and the Department may accept an examination as recommended by the State Board for Public Accountancy.

The proposed amendment also eliminates a now obsolete December 2003 provision relating to a transitional period for going from paper-based testing to computer-based testing.

The proposed amendment will not impose any reporting, recordkeeping, or other compliance requirements or costs, or have an adverse impact, on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not 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 purpose of the proposed amendment to 70.4 of the Regulations of the Commissioner of Education is to conform the regulation to the national certified public accountant licensing examination (CPA exam) standards, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for CPA exam scores to properly calculate the time frame for passing all parts of it. The national changes to the CPA exam are effective July 1, 2020.

Additionally, in anticipation of the national changes, in the fall of 2020, to the CPA licensure model, including revising the sections of the CPA exam and the content tested in those sections, the proposed amendment to section 70.4 eliminates the content provisions that specifically describe the subject matter content that must be included in the CPA exam. The proposed amendment replaces these provisions with language stating that

the examination shall consist of a written examination that tests the knowledge and skills required for licensure as a CPA as determined by the Department, and the Department may accept an examination as recommended by the State Board for Public Accountancy.

The proposed amendment also eliminates a now obsolete December 2003 provision relating to a transitional period for going from paper-based testing to computer-based testing.

The proposed amendment conforms the Regulations of the Commissioner of Education to the national CPA exam standards and it will apply to all applicants for licensure as CPAs in New York State. 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**

It is not anticipated that the proposed amendment will impact jobs or employment opportunities. This is because the proposed amendment conforms Section 70.4 of the Regulations of the Commissioner of Education to the national certified public accountant licensing examination (CPA) examination standards, by, inter alia, eliminating the quarterly testing window provisions and revising the retention of credit provisions for CPA exam scores to properly calculate the time frame for passing all parts of it. The national changes to the CPA exam are effective July 1, 2020.

Additionally, in anticipation of the national changes, in the fall of 2020, to the CPA licensure model, including revising the sections of the CPA exam and the content tested in those sections, the proposed amendment to section 70.4 eliminates the content provisions that specifically describe the subject matter content that must be included in the CPA exam. The proposed amendment replaces these provisions with language stating that the examination shall consist of a written examination that tests the knowledge and skills required for licensure as a CPA as determined by the Department, and the Department may accept an examination as recommended by the State Board for Public Accountancy.

The proposed amendment also eliminates a now obsolete December 2003 provision relating to a transitional period for going from paper-based testing to computer-based testing.

The proposed 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 have no impact on jobs or employment opportunities attributable to its adoption or only a positive impact, no affirmative steps were needed to ascertain these facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

## EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

**Professional Student of Nursing**

**I.D. No.** EDU-25-20-00007-EP

**Filing No.** 386

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-18

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

**Proposed Action:** Amendment of section 64.1 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 6504, 6506, 6507, 6905; L. 2017, ch. 502; L. 2018, ch. 380

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

**Specific reasons underlying the finding of necessity:** The proposed amendment to section 64.1 of the Regulations of the Commissioner of Education is necessary to implement Chapter 502 of the Laws of 2017 (Chapter 502), which amended the Education Law, effective December 18, 2017, and Chapter 380 of the Laws of 2018 (Chapter 380), effective December 7, 2018, which made technical and substantive amendments to Chapter 502. Chapter 502 requires that licensed registered professional nurses obtain a baccalaureate degree in nursing ten years after initial licensure in order to continue to practice in New York State, unless otherwise exempted. Chapter 380, inter alia, extended the date for implementation of such requirement until June 18, 2020.

The proposed amendment to section 64.1 of the Regulations of the Commissioner of Education implements Chapter 502 and Chapter 380 by adding a new subdivision (c) requiring registered professional nurses to

attain a baccalaureate or higher degree in nursing within ten years of being issued a New York State license, in order to register to practice nursing in New York State beyond the ten years and establishes which degree programs are acceptable to the department. The proposed amendment also provides for exemptions for certain categories of individuals from the requirement for registered professional nurses to attain a baccalaureate degree or higher in nursing within ten years after being issued a registered professional nurse license by the department as codified in Chapters 502 and 380. Further, the proposed amendment establishes the requirements for the Department to issue conditional registrations and temporary exemptions to registered professional nurses who cannot meet the requirements and need additional time to complete a baccalaureate or higher degree in nursing.

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 September 2020 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the September meeting would be September 30, 2020, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the June 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 Chapters 502 of the Laws of 2017 and Chapter 380 of the Laws of 2018, which require that licensed registered professional nurses obtain a baccalaureate degree in nursing ten years after initial licensure in order to continue to practice in New York State unless otherwise exempted, effective June 18, 2020 and to ensure that procedures and standards are in place relating to such requirement.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the September 2020 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 September Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2020 Regents meeting.

**Subject:** Professional Student of Nursing.

**Purpose:** To implement chapter 502 of the Laws of 2017 and chapter 380 of the Laws of 2018.

**Text of emergency/proposed rule:** Section 64.1 of the Regulations of the Commissioner of Education is amended to read as follows:

§ 64.1 Professional study of nursing.

(a) Registered professional nursing. To meet the professional education requirement for licensure, the applicant shall have graduated from:

- (1) ...
- (2) ...
- (3) ...

(b) Licensed practical nursing. To meet the education requirements for licensure, the applicant shall have graduated from high school or its equivalent, and shall have:

1. ...
2. ...
3. ...
4. ...

(c) Baccalaureate or higher degree requirement for registered professional nurses.

(1) In order to maintain registration as a registered professional nurse in New York State, a registered professional nurse shall attain a baccalaureate or higher degree in nursing within ten years after being issued a registered professional nurse license by the department in accordance with this subdivision. A baccalaureate or higher degree in nursing is an academic degree in the principles of nursing practice, nursing science, nursing education, nursing administration or nursing leadership, issued by a college or university that is registered by the department or accredited by an accreditation organization acceptable to the department, which may include, but is not limited to:

- (i) a Bachelor of Science Degree (BS) with a major in Nursing;
- (ii) a Bachelor of Nursing (BN) Degree;
- (iii) a Bachelor of Science in Nursing Degree (BSN BScN);
- (iv) a Master of Science in Nursing (MSN) Degree;
- (v) a Master's Degree in Nursing;
- (vi) a Doctor of Nursing Practice Degree (DNP);
- (vii) a Doctor of Philosophy Degree (PhD) in Nursing; and
- (viii) a Doctor of Nursing Science Degree (DNS, DSN, DNSc).

(2) The following registered professional nurses are exempt from the requirement to attain a baccalaureate or higher degree in nursing within ten years after being issued a registered professional nurse license by the department as set forth in this subdivision:

(i) any individual who was issued an unrestricted license as a registered professional nurse in New York State, another state or United States Territory on or before December 18, 2017;

(ii) any unlicensed graduate professional nurse who was eligible and applied to take the National Council Licensure Examination in New York State, another state or United States Territory on or before December 18, 2017, provided such unlicensed graduate professional nurse has submitted documentation acceptable to the department demonstrating eligibility to take the National Council Licensure Examination on or before such date;

(iii) any student who entered a baccalaureate or higher degree program registered by the department preparing registered professional nurses on or before June 18, 2020, provided such student was enrolled in such program on a continuous basis until completion of such program;

(iv) any student who entered a program preparing registered professional nurses registered by the department on or before December 18, 2017, provided such student was enrolled in such program on a continuous basis until completion of such program; and

(v) any student who had an application pending in a program preparing registered professional nurses registered by the department on or before December 18, 2017, provided such student can submit corroborating documentation acceptable to the department, which shall be certified by the higher education institution or institutions at issue, that demonstrates that the student had an application pending with such registered program or programs.

(3) (i) Conditional registration. The department, in its discretion, may issue a conditional registration to a registered professional nurse who fails to complete a baccalaureate or higher degree in nursing as set forth in this subdivision, but who agrees to meet such requirement within one year. The fee for such a conditional registration shall be the same as, and in addition to, the fee for the triennial registration as set forth in section 6905 of the Education Law. The duration of such conditional registration shall be for one year and may be extended, with the payment of a fee as determined by the department, for no more than one additional year. Provided, however, that the duration of such conditional registration may be extended for more than one additional year, with the payment of a fee as determined by the department, where the applicant can show good cause acceptable to the department for the failure to meet the requirements of this subdivision.

(ii) Temporary educational exemption. The department, in its discretion, may issue a temporary educational exemption to a registered professional nurse who is unable to complete the baccalaureate or higher degree in nursing requirement set forth in this subdivision due to a lack of access to educational programs. Registered professional nurses seeking a temporary educational exemption shall provide evidence satisfactory to the department of applying on at least two occasions to a baccalaureate degree program or programs and subsequently being denied access to such program or programs on at least two occasions due to there being a limited number of seats in such program or programs. Temporary educational exemptions issued pursuant to this subdivision shall be for a single two-year period. The fee for a temporary educational exemption shall be the same as, and in addition to, the fee for the triennial registration as set forth in section 6905 of the Education Law.

(iii) Additional provisions regarding conditional registration and temporary educational exemption. A registered professional nurse shall only be eligible for either a conditional registration or a temporary educational exemption as set forth in subparagraphs (i) and (ii) of this paragraph.

(4) Any registered professional nurse who is notified of the denial of a registration for failure to complete the educational requirements set forth in this subdivision and who practices as a registered professional nurse without such registration may be subject to disciplinary proceedings pursuant to section 6510 of the Education law.

**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 September 6, 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

**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.

#### 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 practice of the professions.

Section 6506 of the Education Law authorizes the Board of Regents to supervise the admission to and the practice of the professions.

Paragraph (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 6905 of the Education Law, as amended by Chapter 502 (Chapter 502) of the Laws of 2017, and Chapter 380 (Chapter 380) of the Laws of 2018, defines education requirements for New York State registered and licensed registered professional nurses and authorizes these education requirements to be included in regulations promulgated by the Commissioner of Education.

## 2. LEGISLATIVE OBJECTIVES:

The proposed amendment to section 64.1 of the Regulations of the Commissioner of Education is consistent with the above statutory authority and implements Chapter 502 and Chapter 380 by adding a new paragraph (c) which establishes the requirements for registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years and provides for exemption in accordance with Chapter 502 and Chapter 380 for certain registered professional nurses from the requirement of attaining a baccalaureate or higher degree in nursing within ten years of being issued a New York license, including: (1) individuals who were issued a license as a registered professional nurse in New York, another state or United States (US) Territory on or before December 18, 2017; (2) any unlicensed graduate professional nurse who was eligible to take the National Council Licensure Examination in New York, another state or US Territory on or before December 18, 2017; (3) any student who entered a baccalaureate or higher degree program preparing registered professional nurses on or before June 18, 2020; (4) any student who entered a program preparing registered professional nurses on or before December 18, 2017; and (5) any student who had an application pending in a program preparing registered professional nurses on or before December 18, 2017. The proposed amendments also outline the requirements for "conditional registration" or "temporary exemption" if a registered professional nurse needs additional time (beyond the ten years) to complete a baccalaureate or higher degree in nursing as provided by Chapter 502 and 380 and further clarifies the requirements for exemptions and conditional registrations, including the necessity to provide corroborating documentation so the department can accurately ascertain an individual's eligibility for such exemptions and conditional registrations.

## 3. NEEDS AND BENEFITS:

The purpose of the proposed amendment conforms section 64.1 of the Regulations of the Commissioner of to the amendment made to Education Law § 6905 by Chapter 502 (Chapter 502) of the Laws of 2017 and Chapter 380 (Chapter 380) of the laws of 2018. Chapter 502, also referred to as New York's "BS in 10 Law," amended Education Law § 6905 to require registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years, effective June 18, 2019. This law was amended by Chapter 380, which, *inter alia*, extended the effective date of certain provisions in Chapter 502 until June 18, 2020.

According to the sponsor's memorandum, the purpose of New York's "BS in 10 Law" is to improve registered professional nurse practice in an increasingly complex healthcare system by requiring additional education for licensure. The law is grounded in evidence demonstrating better outcomes when patients receive care from registered professional nurses with baccalaureate degrees or higher in nursing. In addition, the National Advisory Council on Nursing Education and Practice, policy advisors to Congress and the U.S. Secretary of Health and Education, recommended in 2003, that by 2010, two-thirds of nurses should hold a baccalaureate or higher degree. This position was based on their analysis of evolving needs associated with patient care and public protection. Shorter lengths of stays, higher patient acuity, and more sophisticated technologies and procedures are increasing the complexity of patient care, which in turn places greater demands on nursing competencies. The New York State Board for Nursing, recognizing the evolving needs associated with patient care had unanimously passed a motion in December 2003, recommending that statutory change be sought requiring future licensed registered professional nurses to attain a baccalaureate degree in nursing ten years after initial licensure in order to continue to practice in New York.

## 4. COSTS:

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

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

(c) Cost to private regulated parties: The proposed rule does not impose any additional costs on regulated parties beyond those imposed by statute. As required by Chapter 502 and Chapter 380, many registered professional nurses will have to obtain a bachelors or higher degree in nursing within ten years of being licensed in New York State to continue to practice in New York State after the ten-year period has expired. Many registered professional nurses who qualified for an RN licensed with an associate degree or a diploma will incur costs associated with obtaining a bachelors or higher degree in nursing from an accredited higher education institution. Higher education institutions that seek to register bachelor's or higher degree in nursing education programs with the Department, including those in rural areas, may incur costs related to the development and maintenance of such education programs and their registration. It is anticipated that such costs will be minimal because many higher education institutions are already offering courses that would or could, with slight adjustments, meet the registration requirements for a clinical nurse specialist education program, and that higher education institutions should be able to use their existing staffs and resources to revise their courses and curricula to meet the clinical nurse specialist certification requirements.

(d) Cost to the regulatory agency: The proposed rule does not impose any additional costs on the Department beyond those imposed by statute. Chapter 502 and Chapter 380 impose administrative costs to the Department related to tracking and monitoring the education of registered nurses after they are licensed, as well as costs related to reviewing and issuing conditional registrations or waivers to registered professional nurses. These services will be partially offset by the fees charged to applicants who apply for conditional registrations and temporary exemptions.

## 5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any program, service, duty, or responsibility on local governments.

## 6. PAPERWORK:

There are no new forms, reporting requirements, or other recordkeeping associated with the proposed amendment.

## 7. DUPLICATION:

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

## 8. ALTERNATIVES:

The proposed amendment conforms section 64.1 of the Regulations of the Commissioner of Education to the amendment made to Education Law § 6905 of the Education Law by Chapter 502 and 380. There are no significant alternatives to the proposed amendment and none were considered.

## 9. FEDERAL STANDARDS:

No Federal standards apply to the subject matter of this rule making. Since there are no applicable federal standards, the proposed amendment does not exceed any minimum federal standards for the same or similar subject areas.

## 10. COMPLIANCE SCHEDULE:

If adopted at the June 2020 Regents meeting, the proposed amendment will become effective on June 18, 2020. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

## Regulatory Flexibility Analysis

The purpose of the proposed amendment conforms section 64.1 of the Regulations of the Commissioner of to the amendment made to Education Law § 6905 by Chapter 502 (Chapter 502) of the Laws of 2017 and Chapter 380 (Chapter 380) of the laws of 2018. Chapter 502, also referred to as New York's "BS in 10 Law," amended Education Law § 6905 to require registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years, effective June 18, 2019. This law was amended by Chapter 380, which, *inter alia*, extended the effective date of certain provisions in Chapter 502 until June 18, 2020.

According to the sponsor's memorandum, the purpose of New York's "BS in 10 Law" is to improve registered professional nurse practice in an increasingly complex healthcare system by requiring additional education for licensure. The law is grounded in evidence demonstrating better outcomes when patients receive care from registered professional nurses with baccalaureate degrees or higher in nursing. In addition, the National Advisory Council on Nursing Education and Practice, policy advisors to Congress and the U.S. Secretary of Health and Education, recommended in 2003, that by 2010, two-thirds of nurses should hold a baccalaureate or higher degree. This position was based on their analysis of evolving needs associated with patient care and public protection. Shorter lengths of stays, higher patient acuity, and more sophisticated technologies and procedures are increasing the complexity of patient care, which in turn places greater demands on nursing competencies. The New York State Board for Nursing, recognizing the evolving needs associated with patient care had unanimously passed a motion in December 2003, recommending that statutory change be sought requiring future licensed registered profes-

sional nurses to attain a baccalaureate degree in nursing ten years after initial licensure in order to continue to practice in New York.

The proposed amendment to section 64.1 of the Regulations of the Commissioner of Education implements Chapter 502 and Chapter 380 by amending 64.1 to add a new paragraph (c) which establishes the requirements for registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years and provides for exemption in accordance with Chapter 502 and Chapter 380 for certain registered professional nurses from the requirement of attaining a baccalaureate or higher degree in nursing within ten years of being issued a New York license, including: (1) individuals who were issued a license as a registered professional nurse in New York, another state or United States (US) Territory on or before December 18, 2017; (2) any unlicensed graduate professional nurse who was eligible to take the National Council Licensure Examination in New York, another state or US Territory on or before December 18, 2017; (3) any student who entered a baccalaureate or higher degree program preparing registered professional nurses on or before June 18, 2020; (4) any student who entered a program preparing registered professional nurses on or before December 18, 2017; and (5) any student who had an application pending in a program preparing registered professional nurses on or before December 18, 2017. The proposed amendments also outline the requirements for “conditional registration” or “temporary exemption” if a registered professional nurse needs additional time (beyond the ten years) to complete a baccalaureate or higher degree in nursing as provided by Chapter 502 and 380 and further clarifies the requirements for exemptions and conditional registrations, including the necessity to provide corroborating documentation so the department can accurately ascertain an individual’s eligibility for such exemptions and conditional registrations.

The proposed amendment will not impose any reporting, recordkeeping, or other compliance requirements or costs, or have an adverse impact, on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not 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 purpose of the proposed amendment conforms section 64.1 of the Regulations of the Commissioner of to the amendment made to Education Law § 6905 by Chapter 502 (Chapter 502) of the Laws of 2017 and Chapter 380 (Chapter 380) of the laws of 2018. Chapter 502, also referred to as New York’s “BS in 10 Law,” amended Education Law § 6905 to require registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years, effective June 18, 2019. This law was amended by Chapter 380, which, *inter alia*, extended the effective date of certain provisions in Chapter 502 until June 18, 2020.

According to the sponsor’s memorandum, the purpose of New York’s “BS in 10 Law” is to improve registered professional nurse practice in an increasingly complex healthcare system by requiring additional education for licensure. The law is grounded in evidence demonstrating better outcomes when patients receive care from registered professional nurses with baccalaureate degrees or higher in nursing. In addition, the National Advisory Council on Nursing Education and Practice, policy advisors to Congress and the U.S. Secretary of Health and Education, recommended in 2003, that by 2010, two-thirds of nurses should hold a baccalaureate or higher degree. This position was based on their analysis of evolving needs associated with patient care and public protection. Shorter lengths of stays, higher patient acuity, and more sophisticated technologies and procedures are increasing the complexity of patient care, which in turn places greater demands on nursing competencies. The New York State Board for Nursing, recognizing the evolving needs associated with patient care had unanimously passed a motion in December 2003, recommending that statutory change be sought requiring future licensed registered professional nurses to attain a baccalaureate degree in nursing ten years after initial licensure in order to continue to practice in New York.

The proposed amendment to section 64.1 of the Regulations of the Commissioner of Education implements Chapter 502 and Chapter 380 by amending 64.1 to add a new paragraph (c) which establishes the requirements for registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years and provides for exemption in accordance with Chapter 502 and Chapter 380 for certain registered professional nurses from the requirement of attaining a baccalaureate or higher degree in nursing within ten years of being issued a New York license, including: (1) individuals who were issued a license as a registered professional nurse in New York, another state or

United States (US) Territory on or before December 18, 2017; (2) any unlicensed graduate professional nurse who was eligible to take the National Council Licensure Examination in New York, another state or US Territory on or before December 18, 2017; (3) any student who entered a baccalaureate or higher degree program preparing registered professional nurses on or before June 18, 2020; (4) any student who entered a program preparing registered professional nurses on or before December 18, 2017; and (5) any student who had an application pending in a program preparing registered professional nurses on or before December 18, 2017. The proposed amendments also outline the requirements for “conditional registration” or “temporary exemption” if a registered professional nurse needs additional time (beyond the ten years) to complete a baccalaureate or higher degree in nursing as provided by Chapter 502 and 380 and further clarifies the requirements for exemptions and conditional registrations, including the necessity to provide corroborating documentation so the department can accurately ascertain an individual’s eligibility for such exemptions and conditional registrations.

The proposed amendment applies to all New York State licensed registered professional nurses who are required by Chapter 502 and Chapter 380 to attain a baccalaureate or higher degree in nursing, including registered professional nurses who practice nursing 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. Of the approximately 247,000 registered professional nurses who are licensed and registered practice in New York State, approximately 33,000 reported that their permanent address of record is in a rural county of New York State. 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**

It is not anticipated that the proposed amendment will impact jobs or employment opportunities. This is because the proposed amendment conforms section 64.1 of the Regulations of the Commissioner of to the amendment made to Education Law § 6905 by Chapter 502 (Chapter 502) of the Laws of 2017 and Chapter 380 (Chapter 380) of the laws of 2018. Chapter 502, also referred to as New York’s “BS in 10 Law,” amended Education Law § 6905 to require registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years, effective June 18, 2019. This law was amended by Chapter 380, which, *inter alia*, extended the effective date of certain provisions in Chapter 502 until June 18, 2020.

According to the sponsor’s memorandum, the purpose of New York’s “BS in 10 Law” is to improve registered professional nurse practice in an increasingly complex healthcare system by requiring additional education for licensure. The law is grounded in evidence demonstrating better outcomes when patients receive care from registered professional nurses with baccalaureate degrees or higher in nursing. In addition, the National Advisory Council on Nursing Education and Practice, policy advisors to Congress and the U.S. Secretary of Health and Education, recommended in 2003, that by 2010, two-thirds of nurses should hold a baccalaureate or higher degree. This position was based on their analysis of evolving needs associated with patient care and public protection. Shorter lengths of stays, higher patient acuity, and more sophisticated technologies and procedures are increasing the complexity of patient care, which in turn places greater demands on nursing competencies. The New York State Board for Nursing, recognizing the evolving needs associated with patient care had unanimously passed a motion in December 2003, recommending that statutory change be sought requiring future licensed registered professional nurses to attain a baccalaureate degree in nursing ten years after initial licensure in order to continue to practice in New York.

The proposed amendment to section 64.1 of the Regulations of the Commissioner of Education implements Chapter 502 and Chapter 380 by amending 64.1 to add a new paragraph (c) which establishes the requirements for registered professional nurses to attain a baccalaureate or higher degree in nursing within ten years of being issued a New York license, in order to register to practice nursing in New York beyond the ten years and provides for exemption in accordance with Chapter 502 and Chapter 380 for certain registered professional nurses from the requirement of attaining a baccalaureate or higher degree in nursing within ten years of being issued a New York license, including: (1) individuals who were issued a license as a registered professional nurse in New York, another state or United States (US) Territory on or before December 18, 2017; (2) any unlicensed graduate professional nurse who was eligible to take the National Council Licensure Examination in New York, another state or US Territory on or before December 18, 2017; (3) any student who entered a baccalaureate or higher degree program preparing registered professional nurses on or before June 18, 2020; (4) any student who entered a

program preparing registered professional nurses on or before December 18, 2017; and (5) any student who had an application pending in a program preparing registered professional nurses on or before December 18, 2017. The proposed amendments also outline the requirements for “conditional registration” or “temporary exemption” if a registered professional nurse needs additional time (beyond the ten years) to complete a baccalaureate or higher degree in nursing as provided by Chapter 502 and 380 and further clarifies the requirements for exemptions and conditional registrations, including the necessity to provide corroborating documentation so the department can accurately ascertain an individual’s eligibility for such exemptions and conditional registrations.

Any impact on jobs and employment opportunities by establishing a baccalaureate degree or higher in nursing education requirement is attributable to the statutory requirement, not the proposed rule, which simply establishes consistent standards as directed by statute. Because it is evident from the nature of the proposed rule, which implements specific statutory requirements and directives, that the proposed rule will have no impact on jobs or employment opportunities attributable to its adoption, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one was not prepared.

### EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

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

**I.D. No.** EDU-25-20-00008-EP

**Filing No.** 387

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-09

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

**Proposed Action:** Amendment of section 135.4 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 305, 803, 3204; Rehabilitation Act of 1973, section 504; 29 U.S.C., section 794; Americans with Disabilities Act, 42 U.S.C., section 12101

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

**Specific reasons underlying the finding of necessity:** The proposed amendment to section 135.4 of the Regulations of the Commissioner of Education is necessary to immediately clarify that schools and associations, etc., are not precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved 504 or ADA plan, are not registered in the equivalent of three regular courses.

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 September 2020 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the September meeting would be September 30, 2020, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the June 2020 meeting for the preservation of the public health and general welfare in order to immediately clarify that schools and associations, etc., are not precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved 504 or ADA plan, are not registered in the equivalent of three regular courses.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the September 2020 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 September Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2020 Regents meeting.

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

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

**Text of emergency/proposed rule:** Subclause (2) of clause (b) of subpara-

graph (ii) of paragraph (7) of subdivision (c) of section 135.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(2) Registration. A pupil shall be eligible for interschool competition or inclusive athletic activities in a sport during a semester, provided that he is a bona fide student, enrolled during the first 15 school days of such semester, is registered in the equivalent of three regular courses, is meeting the physical education requirement, and has been in regular attendance 80 percent of the school time, bona fide absence caused by personal illness excepted. *Nothing in this clause shall be construed to preclude a chief school officer, athletic association, league or section from duly considering a request for an accommodation on behalf of an otherwise qualified student with a disability who is not registered in the equivalent of three regular courses as a result of his or her education plan approved under section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.*

**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 September 6, 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 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

**Data, views or arguments may be submitted to:** Marybeth Casey, NYS Education Department, Office of Curriculum and Instruction, 89 Washington Avenue, 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 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.

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

Section 803 of the Education Law requires all pupils over 8 in all elementary and secondary schools to receive physical education under the direction of the Commissioner as the Regents may determine.

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

Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794 (Section 504) prohibits discrimination against people with disabilities in programs that receive federal financial assistance.

Americans with Disabilities Act 42 U.S.C. § 12101 (ADA) prohibits discrimination against individuals with disabilities in all areas of public life including, jobs, schools, transportation, and all public and private places that are open to the general public.

##### 2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

##### 3. NEEDS AND BENEFITS:

The purpose of the proposed amendment to section 135.4 of the Regulations of the Commissioner of Education is to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

The current regulation provides that a pupil shall be eligible for interschool competition or inclusive athletic activities in a sport during a semester, provided that he or she:

- is a bona fide student, enrolled during the first 15 school days of such semester;
- is registered in the equivalent of three regular courses;
- is meeting the physical education requirement; and
- has been in regular attendance 80 percent of the school time, bona fide absence caused by personal illness excepted.

The current regulation, as written, has been interpreted by schools and

athletic associations, etc., as precluding consideration of a request for an accommodation on behalf of an otherwise qualified student with a disability who is not registered in the equivalent of three regular courses as a result of his or her education plan approved under section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). The amendment makes it clear that the regulation should not be interpreted as barring consideration of such accommodation requests in accordance with federal law.

#### 4. COSTS:

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

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

(c) Costs to private regulated parties. The proposed rule does not impose any additional costs to regulated parties.

(d) Costs 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 program, service, duty, or responsibility upon local governments.

#### 6. PAPERWORK:

The proposed rule imposes no reporting requirement or other paperwork requirements.

#### 7. DUPLICATION:

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

#### 8. ALTERNATIVES:

The proposed amendment is necessary to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses. There are no significant alternatives to the proposed amendment and none were considered.

#### 9. FEDERAL STANDARDS:

Section 504 and the ADA both prohibit discrimination against individuals with disabilities. The proposed amendment ensures compliance with Section 504 and the ADA by clarifying that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

#### 10. COMPLIANCE SCHEDULE:

The emergency rule will become effective June 8, 2020. It is anticipated that the proposed amendment will be permanently adopted at the September 2020 Board of Regents Meeting. If adopted at the September meeting the proposed amendment will become effective on September 30, 2020. It is anticipated that regulated parties will be able to comply with the proposed amendments by the effective date.

### **Regulatory Flexibility Analysis**

#### (a) Small Businesses:

The purpose of the proposed amendment to section 135.4 of the Regulations of the Commissioner of Education is to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

The current regulation provides that a pupil shall be eligible for interschool competition or inclusive athletic activities in a sport during a semester, provided that he or she:

- is a bona fide student, enrolled during the first 15 school days of such semester;
- is registered in the equivalent of three regular courses;
- is meeting the physical education requirement; and
- has been in regular attendance 80 percent of the school time, bona fide absence caused by personal illness excepted.

The current regulation, as written, has been interpreted by schools and athletic associations, etc., as precluding consideration of a request for an accommodation on behalf of an otherwise qualified student with a disability who is not registered in the equivalent of three regular courses as a result of his or her education plan approved under section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). The amendment makes it clear that the regulation should not be interpreted as barring consideration of such accommodation requests in accordance with federal law.

The proposed rule does not impose any adverse economic impact, reporting, record keeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amend-

ment 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 of the 695 public school districts in the State.

##### 2. COMPLIANCE REQUIREMENTS:

The purpose of the proposed amendment to section 135.4 of the Regulations of the Commissioner of Education is to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

The current regulation provides that a pupil shall be eligible for interschool competition or inclusive athletic activities in a sport during a semester, provided that he or she:

- is a bona fide student, enrolled during the first 15 school days of such semester;
- is registered in the equivalent of three regular courses;
- is meeting the physical education requirement; and
- has been in regular attendance 80 percent of the school time, bona fide absence caused by personal illness excepted.

The current regulation, as written, has been interpreted by schools and athletic associations, etc., as precluding consideration of a request for an accommodation on behalf of an otherwise qualified student with a disability who is not registered in the equivalent of three regular courses as a result of his or her education plan approved under section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). The amendment makes it clear that the regulation should not be interpreted as barring consideration of such accommodation requests in accordance with federal law.

##### 3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional service requirements on charter schools.

##### 4. COMPLIANCE COSTS:

The proposed rule clarifies that that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses. The proposed rule does not impose any additional costs on local governments.

##### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

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

##### 6. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses. There were no significant 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 all 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:

The proposed amendment is necessary to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

The current regulation provides that a pupil shall be eligible for interschool competition or inclusive athletic activities in a sport during a semester, provided that he or she:

- is a bona fide student, enrolled during the first 15 school days of such semester;

- is registered in the equivalent of three regular courses;
- is meeting the physical education requirement; and
- has been in regular attendance 80 percent of the school time, bona fide absence caused by personal illness excepted.

The current regulation, as written, has been interpreted by schools and athletic associations, etc., as precluding consideration of a request for an accommodation on behalf of an otherwise qualified student with a disability who is not registered in the equivalent of three regular courses as a result of his or her education plan approved under section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). The amendment makes it clear that the regulation should not be interpreted as barring consideration of such accommodation requests in accordance with federal law.

### 3. COMPLIANCE COSTS:

The proposed amendment does not impose any additional costs on the State, regulated parties, or the State Education Department.

### 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment clarifies that that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses. Because the statutory requirement upon which the proposed amendment is based applies to all schools 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 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 and from the chief school officers of the five big city school districts, including those in rural areas.

### Job Impact Statement

The purpose of the proposed amendment to section 135.4 of the Regulations of the Commissioner of Education is to clarify that schools and associations, etc., shall not be precluded from considering accommodation requests from otherwise qualified students with disabilities for participation in interschool competition or inclusive athletic activities who, pursuant to an approved section 504 or ADA plan, are not registered in the equivalent of three regular courses.

The current regulation provides that a pupil shall be eligible for interschool competition or inclusive athletic activities in a sport during a semester, provided that he or she:

- is a bona fide student, enrolled during the first 15 school days of such semester;
- is registered in the equivalent of three regular courses;
- is meeting the physical education requirement; and
- has been in regular attendance 80 percent of the school time, bona fide absence caused by personal illness excepted.

The current regulation, as written, has been interpreted by schools and athletic associations, etc., as precluding consideration of a request for an accommodation on behalf of an otherwise qualified student with a disability who is not registered in the equivalent of three regular courses as a result of his or her education plan approved under section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA). The amendment makes it clear that the regulation should not be interpreted as barring consideration of such accommodation requests in accordance with federal law.

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.

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

### Addressing the COVID-19 Crisis

**I.D. No.** EDU-16-20-00002-ERP

**Filing No.** 385

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-09

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

**Action Taken:** Amendment of sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-1.5, 80-1.13, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20; addition of section 275.8 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 112, 207, 208, 215, 301, 305, 310, 311, 1704, 1709, 2117, 2651, 2852, 2854, 2856, 3001, 3001-d, 3003, 3004, 3004-c, 3009, 3035, 3204, 3205, 3210, 3212, 3214, 3602, 3602-c, 3602-e, 3604, 3713, 4402, 4403, 4404, 4410, 6501, 6504, 6506, 6507, 7404, 7904, 7904-a and 8206

**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 non-essential work personnel to work from home. In response the Department presented the proposed amendment to the Full Board for adoption as an emergency action at the April 2020 meeting of the Board of Regents, effective April 7, to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. At the May 2020 Board of Regents Meeting the Department revised the proposed emergency regulation to provide clarification and additional flexibility for regulatory requirements in response to the COVID-19 crisis. The Department has made additional revisions the proposed emergency regulation relating to home instruction annual assessments to provide further flexibility for regulatory requirements in response to the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Instructional day and hour requirements;
- The service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310;
- Charter school lotteries, reporting requirements, and payments by public school districts to Charter schools;
- Annual visits to nonpublic nursery schools and kindergartens by Department staff;
- Annual assessments for homeschool students;
- Continuous experience requirements for certain professions;
- Examination timeframe requirements for Public Accounting applicants;
- Educational program requirements for licensure in a profession under Title VII of the Education Law;
- In person supervision experience requirements for certain professions;
- Filing and submission timelines for Part 83 and Part 87 appeals to the Commissioner;
- The definition of the term “prospective school employee”;
- Certain procedures and timeframes for special education due process hearings;
- Timeframes related to special education programs and services;
- Filings with the Office of State Review;
- Certain timelines relating to Bilingual education;
- English language learners’ annual assessment;
- Unit of study requirements;
- Required Dignity for All Students Act (DASA) training;
- Teacher performance assessments (edTPA);
- Statement of continued eligibility (SOCE) and limited extension application deadline, and special education full-time teaching experience deadline; and
- School and district accountability.

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 45-day public comment period required in the State Administrative Procedure Act (SAPA) section 201(4-a), is the September 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.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the September 2020 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 regulation will expire before the September meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2020 Regents meetings.

**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 non-essential work personnel to work from home. Therefore, it is necessary for the Department to adopt emergency regulations to address numerous issues resulting from the interruptions caused by the COVID-19 crisis. The proposed revisions are summarized as follows:

- State Aid
  - o Permits public school districts, public schools and charter schools to operate for less than 180 days during the 10 month school year for any school day that is closed pursuant to an Executive Order for the COVID-19 crisis and waived from the 180-day requirement pursuant to the terms of such Executive Order(s).
  - o Permits missed instructional hours for any day that a school is closed and the 180-day requirement is waived pursuant to the terms Executive Order(s) of the Governor pursuant to the state of emergency for the COVID-19 crisis to count towards the minimum annual instructional hour requirements set forth in such section.
- 310 Appeals to the Commissioner
  - o Permits service of pleadings and supporting papers for appeals to the Commissioner pursuant to Education Law § 310 by alternative means during the time period of any movement restrictions or school closures directed by the Governor pursuant to an Executive Order during the COVID-19 crisis.
- Charter Schools
  - o Permits the Commissioner to excuse delays in required reporting by charter schools to public schools for the length of time of a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis, provided such delay does not exceed 30 days. When there is a delay in reporting by a charter school, the amendments also permit the Commissioner to excuse any delay in payment by a public school to a charter school, provided such delay does not exceed 30 days.
  - o Requires charter schools to provide notice on their website of the date, time and place of lotteries for the random selection process for charter school student applicants if such lottery is provided during a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis. Additionally, the amendments permit such lotteries to be held remotely, provided that the public has the opportunity to view or listen and such lottery is recorded and later transcribed.
- Early Learning
  - o Permits prekindergarten programs to operate for less than the 180-day and 90-day requirements where such programs were scheduled to operate, but the school where such program operates is closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis.
  - o Permits Department staff who are unable to conduct their annual visit of nonpublic nursery schools and kindergartens as required by paragraph(c) of such section because they are closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis, to conduct such annual visit as soon as practicable when they reopen.
- Home Instruction
  - o Provides that home instruction programs shall be exempt from the annual assessment and alternative evaluation requirements for the 2019-20 school year where a student otherwise achieves the learning outcomes in accordance with their individualized home instruction plan (IHIP).
- Professions
  - o Allows the Department to excuse the continuous experience requirements for speech language pathology, audiology, and occupational therapy where such continuous experience cannot be completed due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
  - o Allows the Department to accept passing examination scores from Public Accounting applicants that are outside the required 18 month examination window where such examinations cannot be completed within 18 months due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
  - o Allows the Department to modify professional educational program

requirements for licensure, to the extent authorized by law, if such requirements cannot be successfully completed due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

- o Grants an exemption for in person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis if such in person supervision cannot be completed due to the State of Emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
- Part 83 and Part 87 Appeals
  - o Permits the Commissioner to excuse the filing timeframes prescribed in such section relating to appeals to the Commissioner of a hearing officer's determination of good moral character where such late filings are due to the State of emergency declared by the Governor pursuant to the an Executive Order for the COVID-19 crisis.
  - o Permits: (i) the Department to excuse late submissions relating to due process procedures for prospective employees' clearance for employment; and (ii) the Commissioner's designee to excuse late submissions relating to appeals of the Department's determination to deny prospective school employees' clearance for employment where such submissions are late due to the State of emergency declared by the Governor pursuant to the an Executive Order for the COVID-19 crisis.
  - o Adds to the definition of "prospective school employee" any individual who will reasonably be expected to provide services which involve online communication or interaction directly to students under the age of 21 during the period of a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis.
- Special Education
  - o Ensures that State approved private schools, State operated schools, Special Act School Districts, State supported schools and preschools to operate for less than 180 days during the 10 month school year for any school day that is closed pursuant to an Executive Order for the COVID-19 crisis and waived from the 180-day requirement pursuant to the terms of such Executive Order(s).
  - o Allows impartial hearing officers to conduct special education due process hearings by video conference during the COVID-19 crisis.
  - o Allows hearing officers to extend cases up to 60 days rather than 30 days while schools are closed pursuant to an Executive order issued by the Governor pursuant to a State of Emergency for COVID-19. This allows Impartial Hearing Officers better flexibility while school witnesses, administrators and parents are unavailable to partake in due process hearings.
  - o Requires preschool providers to make-up missed services within 30 days of the missed session. The proposed amendment will not include days that the school is closed pursuant to an Executive Order of the Governor issued pursuant to a State of emergency for the COVID-19 crisis.
  - o Extends the time period to arrange for special education programs and services to be provided to a student with a disability from 60 school days of receipt of consent to evaluate so that the 60 days will not include any days(s) that such school is closed pursuant to an Executive order issued by the Governor pursuant to a State of emergency for COVID-19. As well, 30 school days will be extended for arranging an approved non-public school placement.
- Office of State Review
  - o Provides that a State Review Officer may authorize certain filings through electronic means during the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.
- Bilingual Education
  - o Provides that any day(s) where a school is closed pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis does not count towards the following timelines: English language learner identification process timeline; parental notification and information timeline, and the English as a New Language/Bilingual Education placement timeline.
  - o Provides an exemption to students from the unit of study requirements where a student is unable to meet such requirements due to schools being closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis and where such student otherwise achieves the learning outcomes for such course of study.
  - o Provides that for the 2019-2020 school year, there will be no English language learner annual assessment due to such assessment being suspended as result of the COVID-19 crisis.
- Curriculum and Instruction
  - o Provides an exemption to students from the unit of study requirements where a student is unable to meet such requirements due to schools being closed pursuant to an Executive Order of the Governor pursuant to the State of emergency for the COVID-19 crisis and where such student otherwise achieves the learning outcomes of such portion of unity of study completed.

- Higher Education

- o Permits the Dignity for All Students Act (DASA) training to be conducted entirely online during the time period of the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

- o Creates an edTPA safety net for candidates in registered educator preparation programs (EPPs) in the Spring 2020 or Summer 2020 terms, who completed a student teaching or similar clinical experience during the Spring 2020 or Summer 2020 terms and could not complete their teacher performance assessment as a result of the COVID-19 crisis. These candidates would be able to take and pass either the ATS-W or edTPA. Eligible candidates who choose to take the edTPA but do not pass it, could take and pass the ATS-W, or pursue the edTPA Multiple Measures Review Process (MMRP), if they qualify.

- o Extends the SOCE application deadline from June 30, 2020 to June 30, 2021 so that school districts have time to identify staff who are eligible for the SOCE, inform them about the application process and any supports provided, and submit the materials needed for applications since school districts are losing time during the COVID-19 crisis as the SOCE deadline approaches.

- o For the SOCE and limited extension, special education teachers must complete their satisfactory full-time teaching experience, while being considered Highly Qualified through passing a HOUSS rubric in the subject area, prior to June 30, 2020. The Department is proposing to extend the time period by which the experience must be completed to June 30, 2021, giving teachers the opportunity to gain more full-time satisfactory teaching experience for the SOCE or limited extension as they are losing time to do so during the COVID-19 crisis.

- Accountability

- o The federal government has approved the Department's application for a one-year waiver from provisions of the Every Student Succeeds Act (ESSA) pertaining to State assessments and school and district accountability determinations due to the unique circumstances that have arisen as a result of the COVID-19 crisis. Therefore, the Department is proposing to provide that the Commissioner shall not conduct a review of school and district performance using 2019-2020 school year result, the accountability status of public schools and districts for the 2020-2021 school year shall be the same as for the 2019-2020 school year, and the 2018-2019 school year results shall be used in any instance for which 2019-2020 school year results would have been used as part of the process of making 2021-2022 school year accountability determinations. Additionally, the Commissioner may, upon a finding of good cause, modify for the 2019-2020 through 2021-2022 school years any timelines pertaining to notifications, plans, reports, or implementation of activities required by such section.

**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 April 22, 2020, I.D. No. EDU-16-20-00002-EP. The emergency rule will expire August 7, 2020.

**Revised rule making(s) were previously published in the State Register** on May 20, 2020.

**Emergency rule compared with proposed rule:** Substantial revisions were made in section 100.10(h).

**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, (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 May 20, 2020, substantial revisions were made to the amendment of section 100.10(h) in the proposed regulation relating to the annual assessment requirement for home instruction programs.

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 May 20, 2020, substantial revisions were made to the amendment of section 100.10(h) in the proposed regulation relating to the annual assessment requirement for home instruction programs.

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**

Since the publication of a Notice of Emergency Adoption and Revised Rule Making in the State Register on May 20, 2020, substantial revisions were made to the amendment of section 100.10(h) in the proposed regulation relating to the annual assessment requirement for home instruction programs.

These substantial revisions do not require any changes to the previously published Statement in Lieu of a Regulatory Area Flexibility Analysis.

**Revised Job Impact Statement**

Since the publication of a Notice of Emergency Adoption and Revised Rule Making in the State Register on May 20, 2020, substantial revisions were made to the amendment of section 100.10(h) in the proposed regulation relating to the annual assessment requirement for home instruction programs.

These substantial revisions do not require any changes to the previously published Statement in Lieu of Job Impact Statement.

**Assessment of Public Comment**

The agency received no public comment.

## 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.** 381

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-09

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, 60.6, 61.9, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19, 151-1.3; addition of section 80-5.27 to 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), (d)(2); U.S.C. section 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:** 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 non-essential work personnel to work from home. In response the Department adopted emergency regulations at the April and May 2020 Board of Regents Meeting to address numerous issues resulting from the interruptions caused by 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 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 Department has made revisions to the proposed emergency regulation to provide clarification and additional flexibility relating to the Emergency COVID-19 certificate. 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 45-day public comment period required in the State Administrative Procedure Act (SAPA) section 201(4-a), is the September 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.

It is anticipated that the proposed rule will be presented for adoption as a permanent rule at the September 2020 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 regulation will expire before the September meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2020 Regents meetings.

**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>):** The proposed amendment to section 100.7(h) of the Regulations of the Commissioner of Education provides expanded access to Alternative High School Equivalency Preparation Programs (AHSEP) and Alternative Transition Programs (ATP) by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP programs to their populations of students who are eligible for such programs. Currently, entities that are eligible to run ASHEP and ATP programs are school districts, Boards of Cooperative Educational Services (BOCES), and facilities run by the OCFs. The proposed amendment expands eligibility to run such programs to the Department of Corrections and Community Services (DOCCS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS). This amendment will expand access for New York's students who are experiencing circumstances that may hinder their ability to achieve high school completion. Additionally, the proposed amendments clarify and update the regulatory language regarding the requirements and process for program approval. Specifically, the proposed amendments clarify that:

- AHSEP and ATP program applications must assure that they will provide intensive instruction in reading, and/or mathematics, as necessary, designed to assist the student in attaining a minimum 9.0 mathematics and/or reading grade equivalent, and in social emotional competency development [emphasis added];
- All AHSEP and ATP programs must maintain documentation of student eligibility rather than requiring the local school district to maintain such documentation and requiring such documentation to include a transcript of academic record at the time of enrollment or placement into the AHSEP or ATP program;
  - Regarding tests and assessments:
    - Students enrolled or placed in AHSEP or ATP programs shall be given academic achievement tests or assessments approved by the Commissioner in reading and mathematics to determine each student's approximate skill level;
    - Students preparing for the high school equivalency examination shall be given academic achievement tests or assessments in each subtest subject area of the high school equivalency examination;
    - Students who have taken and passed one or more Regents examination(s) shall be assisted in completing and sending the application for the NYS High School Equivalency Credit for Regents Examination Scores; and
    - Students who have received credit for having taken and passed one or more NYS Regents examination(s) shall not be given additional test assessments or instruction in the corresponding subtest area of the high school equivalency examination.
  - In addition to the requirements pertaining to all students, English Language Learners (ELLs) and other students with language acquisition needs shall be given academic achievement tests or assessments specifically designed for such students or other test or assessments as approved by the Commissioner and shall be provided English as a New Language instruction.

**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-20-00008-EP. The emergency rule will expire August 7, 2020.

**Emergency rule compared with proposed rule:** Substantial revisions were made in section 80-5.27.

**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 11234, (518) 474-6400, email: [legal@nysed.gov](mailto: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](mailto: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 Proposed Rule Making in the State Register on May 20, 2020, substantial revisions were made to the addition of section 80-5.27 in the proposed regulation relating to the Emergency COVID-19 certificate.

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 Proposed Rule Making in the State Register on May 20, 2020, substantial revisions were made to the addition of section 80-5.27 in the proposed regulation relating to the Emergency COVID-19 certificate.

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**

Since the publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on May 20, 2020, substantial revisions were made to the addition of section 80-5.27 in the proposed regulation relating to the Emergency COVID-19 certificate.

These substantial revisions do not require any changes to the previously published Statement in Lieu of a Regulatory Area Flexibility Analysis.

#### **Revised Job Impact Statement**

Since the publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on May 20, 2020, substantial revisions were made to the addition of section 80-5.27 in the proposed regulation relating to the Emergency COVID-19 certificate.

These substantial revisions do not require any changes to the previously published Statement in Lieu of Job Impact Statement.

#### **Assessment of Public Comment**

1. COMMENT: Commenter expressed concern with the proposed Section 80-5.27 that creates the Emergency COVID-19 certificate, and the proposed edTPA safety net for eligible candidates who are enrolled in New York State registered programs in the Spring and/or Summer 2020 terms, enabling them to take the Assessment of Teaching Skills-Written (ATS-W) in lieu of the edTPA. Commenter noted that there are limited testing centers and it is unfair and unsafe for candidates to take certification exams now or for the next 12 months due to COVID-19. It is unfair because candidates who took certification exams prior to COVID-19 did not take them with masks and gloves on, while candidates now will be taking them with masks and gloves on in stressful conditions. It is unsafe due to hazardous travel, protests, and no assurance that testing centers will comply with physical distancing and provide clean environments. Commenter worries about possible litigation for the Department and Pearson in the instance that a candidate falls ill with COVID-19 as a result of taking a test.

Commenter described that candidates are fearing that they may be forced to accept a "second class" Emergency COVID-19 certificate and are seeking certification from neighboring states. Commenter requests that the Department honor its original commitment in its guidance dated March 30, 2020 to exempt Spring 2020 student teachers and candidates in similar clinical experiences from all certification exams and recommends that the Department exempt all New York State teacher candidates from all certification exams until all testing centers can be safely accessed.

DEPARTMENT RESPONSE: The proposed Emergency COVID-19 certificate would give candidates an opportunity to work in New York State public schools or districts for one year while taking and passing the required exam(s) for the certificate or extension sought. With this one-year emergency certificate, candidates would not need to take certification exams immediately and could take them at a later date. Eligible candidates can also apply for a one-time, one-year renewal of the emergency certificate.

The Department recognizes that the COVID-19 crisis is a very stressful time for candidates. The emergency certificate was designed to reduce stress by shifting the timetable for taking and passing certification exams. However, the candidates would continue to be held to the same standards for becoming an educator, similar to candidates who were not adversely

impacted, or will not be adversely impacted, by COVID-19. This certificate also honors the work by many candidates who have already passed one or more exams and/or completed a substantial portion of the edTPA this spring, allowing this work to satisfy the exam requirement(s) for the certificate or extension sought.

The emergency certificate also enables candidates other than those enrolled in New York State registered educator preparation programs to earn New York State certification, such as out-of-state candidates and candidates who apply for certification through the Individual Evaluation pathway. As such, this certificate provides an equitable option for certification for all candidates who were adversely impacted by COVID-19. The Emergency COVID-19 certificate is also consistent with emergency or temporary certificates that are being offered in other states in response to the COVID-19 crisis.

2. COMMENT: Commenter writes regarding the testing situation for teacher candidates in the New York City area where testing centers are not open and notes that the proposed Section 80-5.27 that creates the Emergency COVID-19 certificate seems to conflict with Governor Cuomo's "New York on Pause" directive. Commenter is concerned for the health and safety of candidates who will be taking tests with gloves and masks on in test centers that do not lend themselves to physical distancing or an anxiety-free mindset, and questions if the test results will be fair, valid, or reliable. Commenter wonders if the Department has considered potential lawsuits should candidates become sick with COVID-19 due to testing requirements. Commenter indicates that many candidates are looking at certification in other states where there are more considerate accommodations, which is a loss for New York State. Commenter requests that the Department honor its original commitment in its guidance dated March 30, 2020 to exempt Spring 2020 student teachers and candidates in similar clinical experiences from all certification exams as school building candidates have been exempted.

DEPARTMENT RESPONSE: Please see the Department Response to Comment #1. In addition, for clarification, school building leader candidates are not exempted from certification exams for the Initial or Professional School Building Leader certificate or for the School Building Leader Initial Reissuance. However, certain school building leader candidates who have not taken and passed their certification exams may be eligible for the Emergency COVID-19 School Building Leader certificate.

## NOTICE OF ADOPTION

### Practice of Psychology, Social Work and Mental Health Practitioner Professions

**I.D. No.** EDU-08-20-00007-A

**Filing No.** 379

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-24

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

**Action taken:** Amendment of sections 59.14, 72.2, 74.5, 74.6, 79-9.3, 79-10.3, 79-10.9, 79-11.3, 79-12.3; addition of sections 72.6, 79-9.9, 79-11.9 and 79-12.9 to Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 212, 6501, 6503, 6503-a, 6504, 6506, 6507, 6508, 7601, 7605, 7704, 7705, 7706, 8402, 8410; Insurance Law, sections 3221, 4303; L. 2018, ch. 57, part Y

**Subject:** Practice of Psychology, Social Work and Mental Health Practitioner Professions.

**Purpose:** To implement part Y of chapter 57 of the Laws of 2018.

**Text or summary was published** in the February 26, 2020 issue of the Register, I.D. No. EDU-08-20-00007-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

### Composition of the Professional Standards and Practices Board for Teaching (PSPB)

**I.D. No.** EDU-08-20-00008-A

**Filing No.** 380

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-24

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

**Action taken:** Amendment of section 3.14 of Title 8 NYCRR.

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

**Subject:** Composition of the Professional Standards and Practices Board for Teaching (PSPB).

**Purpose:** To require the PSPB to have at least four members who are practicing, certified school building or district administrator.

**Text or summary was published** in the February 26, 2020 issue of the Register, I.D. No. EDU-08-20-00008-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 112 EB, 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

### Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships

**I.D. No.** EDU-08-20-00009-A

**Filing No.** 382

**Filing Date:** 2020-06-09

**Effective Date:** 2020-06-24

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

**Action taken:** Amendment of section 60.2 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 605, 6501, 6504, 6506, 6507, 6508, 6524, 6525, 6526, 6541 and 6548

**Subject:** Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships.

**Purpose:** To remove the two term limit for committee members to most effectively advise the Board of Regents and the Department.

**Text or summary was published** in the February 26, 2020 issue of the Register, I.D. No. EDU-08-20-00009-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, New York State 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.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Alternative High School Equivalency Preparation and Alternative Transition Programs

**I.D. No.** EDU-25-20-00004-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 100.7(h) of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 206, 207, 210, 214, 215 and 305

**Subject:** Alternative High School Equivalency Preparation and Alternative Transition Programs.

**Purpose:** To provide expanded access to and update Alternative High School Equivalency Preparation and Alternative Transition Programs.

**Substance of proposed rule (Full text is posted at the following State website: <http://www.counsel.nysed.gov/rulesandregs>):** The proposed amendment to section 100.7(h) of the Regulations of the Commissioner of Education provides expanded access to Alternative High School Equivalency Preparation Programs (AHSEP) and Alternative Transition Programs (ATP) by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP programs to their populations of students who are eligible for such programs. Currently, entities that are eligible to run ASHEP and ATP programs are school districts, Boards of Cooperative Educational Services (BOCES), and facilities run by the OCFS. The proposed amendment expands eligibility to run such programs to the Department of Corrections and Community Services (DOCCS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS). This amendment will expand access for New York's students who are experiencing circumstances that may hinder their ability to achieve high school completion. Additionally, the proposed amendments clarify and update the regulatory language regarding the requirements and process for program approval. Specifically, the proposed amendments clarify that:

- AHSEP and ATP program applications must assure that they will provide intensive instruction in reading, and/or mathematics, as necessary, designed to assist the student in attaining a minimum 9.0 mathematics and/or reading grade equivalent, and in social emotional competency development [emphasis added];
- All AHSEP and ATP programs must maintain documentation of student eligibility rather than requiring the local school district to maintain such documentation and requiring such documentation to include a transcript of academic record at the time of enrollment or placement into the AHSEP or ATP program;
- Regarding tests and assessments:
  - o Students enrolled or placed in AHSEP or ATP programs shall be given academic achievement tests or assessments approved by the Commissioner in reading and mathematics to determine each student's approximate skill level;
  - o Students preparing for the high school equivalency examination shall be given academic achievement tests or assessments in each subtest subject area of the high school equivalency examination;
  - o Students who have taken and passed one or more Regents examination(s) shall be assisted in completing and sending the application for the NYS High School Equivalency Credit for Regents Examination Scores; and
  - o Students who have received credit for having taken and passed one or more NYS Regents examination(s) shall not be given additional test assessments or instruction in the corresponding subtest area of the high school equivalency examination.

• In addition to the requirements pertaining to all students, English Language Learners (ELLs) and other students with language acquisition needs shall be given academic achievement tests or assessments specifically designed for such students or other test or assessments as approved by the Commissioner and shall be provided English as a New Language instruction.

**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](mailto: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](mailto:REGCOMMENTS@nysed.gov)

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

### Regulatory Impact Statement

#### 1. STATUTORY AUTHORITY:

Section 206 of the Education Law authorizes the Regents and Commissioner to take testimony relating to their official duties, or in any matter which they may lawfully investigate.

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 210 of the Education Law empowers the Regents to register domestic and foreign institutions in terms of New York standards, and fix the value of degrees, diplomas and certificates issued by institutions of other states or countries and presented to entrance to schools, colleges and the professions in New York.

Section 214 of the Education Law provides that the institutions of the University of the State of New York includes all secondary and higher educational institutions incorporated in this State. Confers the Regents the power to exclude from such membership any institution failing to comply with law or rule of the University.

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

#### 2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to expand the eligibility to run Alternative High School Education Program (AHSEP) and Alternative Transition (ATP) Programs to additional State agencies to increase students' access to such programs. The proposed amendment is also necessary to update outdated provisions of the regulation.

#### 3. NEEDS AND BENEFITS:

The purpose of the proposed amendment to section 100.7(h) of the Regulations of the Commissioner of Education is to provide expanded access to Alternative High School Equivalency Preparation Programs (AHSEP) and Alternative Transition Programs (ATP) by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP programs to their populations of students who are eligible for such programs. Currently, entities that are eligible to run ASHEP and ATP programs are school districts, Boards of Cooperative Educational Services (BOCES), and facilities run by the OCFS. The proposed amendment expands eligibility to run such programs to the Department of Corrections and Community Services (DOCCS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS). This amendment will expand access for New York's students who are experiencing circumstances that may hinder their ability to achieve high school completion. Additionally, the proposed amendments clarify and update the regulatory language regarding the requirements and process for program approval. Specifically, the proposed amendments clarify that:

- AHSEP and ATP program applications must assure that they will provide intensive instruction in reading, and/or mathematics, as necessary, designed to assist the student in attaining a minimum 9.0 mathematics and/or reading grade equivalent, and in social emotional competency development [emphasis added];
- All AHSEP and ATP programs must maintain documentation of student eligibility rather than requiring the local school district to maintain such documentation and requiring such documentation to include a transcript of academic record at the time of enrollment or placement into the AHSEP or ATP program;
- Regarding tests and assessments:
  - o Students enrolled or placed in AHSEP or ATP programs shall be given academic achievement tests or assessments approved by the Commissioner in reading and mathematics to determine each student's approximate skill level;
  - o Students preparing for the high school equivalency examination shall be given academic achievement tests or assessments in each subtest subject area of the high school equivalency examination;
  - o Students who have taken and passed one or more Regents examination(s) shall be assisted in completing and sending the application for the NYS High School Equivalency Credit for Regents Examination Scores; and
  - o Students who have received credit for having taken and passed one or more NYS Regents examination(s) shall not be given additional test assessments or instruction in the corresponding subtest area of the high school equivalency examination.

• In addition to the requirements pertaining to all students, English Language Learners (ELLs) and other students with language acquisition needs shall be given academic achievement tests or assessments specifically designed for such students or other test or assessments as approved by the Commissioner and shall be provided English as a New Language instruction.

#### 4. COSTS:

The proposed amendment imposes no costs on the State or any local

governments or the regulatory agency. While the proposed amendment expands the list of State agencies that may provide AHSEP and ATP programs, it does not mandate that they do so.

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

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

(c) Costs to private regulated parties. The proposed rule does not impose any additional costs to regulated parties.

(d) Costs 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 program, service, duty, or responsibility upon local governments.

#### 6. PAPERWORK:

The proposed rule imposes no reporting requirement or other paperwork requirements.

#### 7. DUPLICATION:

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

#### 8. ALTERNATIVES:

The proposed amendment is necessary to provide expanded access to the AHSEP and ATP programs by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP programs to their populations of students who are eligible for such programs. There are no significant alternatives to the proposed amendment and none were considered.

#### 9. FEDERAL STANDARDS:

No Federal standards apply to the subject matter of this rule making.

#### 10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed amendment will be adopted at the September 2020 Board of Regents Meeting. If adopted at the September meeting the proposed amendment will become effective on September 30, 2020. It is anticipated that regulated parties will be able to comply with the proposed amendments by the effective date.

### Regulatory Flexibility Analysis

#### (a) Small Businesses:

The purpose of the proposed amendment to section 100.7(h) of the Regulations of the Commissioner of Education is to provide expanded access to Alternative High School Equivalency Preparation Programs (AHSEP) and Alternative Transition Programs (ATP) by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP programs to their populations of students who are eligible for such programs. Currently, entities that are eligible to run ASHEP and ATP programs are school districts, Boards of Cooperative Educational Services (BOCES), and facilities run by the OCFS. The proposed amendment expands eligibility to run such programs to the Department of Corrections and Community Services (DOCCS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS). This amendment will expand access for New York's students who are experiencing circumstances that may hinder their ability to achieve high school completion. Additionally, the proposed amendments clarify and update the regulatory language regarding the requirements and process for program approval. Specifically, the proposed amendments clarify that:

- AHSEP and ATP program applications must assure that they will provide intensive instruction in reading, and/or mathematics, as necessary, designed to assist the student in attaining a minimum 9.0 mathematics and/or reading grade equivalent, and in social emotional competency development [emphasis added];

- All AHSEP and ATP programs must maintain documentation of student eligibility rather than requiring the local school district to maintain such documentation and requiring such documentation to include a transcript of academic record at the time of enrollment or placement into the AHSEP or ATP program;

- Regarding tests and assessments:

- o Students enrolled or placed in AHSEP or ATP programs shall be given academic achievement tests or assessments approved by the Commissioner in reading and mathematics to determine each student's approximate skill level;

- o Students preparing for the high school equivalency examination shall be given academic achievement tests or assessments in each subtest subject area of the high school equivalency examination;

- o Students who have taken and passed one or more Regents examination(s) shall be assisted in completing and sending the application for the NYS High School Equivalency Credit for Regents Examination Scores; and

- o Students who have received credit for having taken and passed one or more NYS Regents examination(s) shall not be given additional test assessments or instruction in the corresponding subtest area of the high school equivalency examination.

In addition to the requirements pertaining to all students, English Language Learners (ELLs) and other students with language acquisition needs shall be given academic achievement tests or assessments specifically designed for such students or other test or assessments as approved by the Commissioner and shall be provided English as a New Language instruction.

The proposed rule does not impose any adverse economic impact, reporting, record keeping or any other compliance requirements on small businesses. 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 of the 695 public school districts in the State.

##### 2. COMPLIANCE REQUIREMENTS:

See the response to Question #3, Needs and Benefits in the full Regulatory Impact Statement.

##### 3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional service requirements on charter schools.

##### 4. COMPLIANCE COSTS:

The proposed rule does not impose any costs on local governments. The proposed rule expands the list of State agencies that may provide AHSEP and ATP programs, however, it does not mandate that they do so.

##### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

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

##### 6. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to provide expanded access to the AHSEP and ATP programs by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP to their populations of students who are eligible for such programs. There were no significant 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 all 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:

The proposed amendment is necessary to provide expanded access to the AHSEP and ATP programs by allowing State agencies responsible for providing daily instruction to residential students the ability to provide Alternative High School Equivalency Preparation Programs (AHSEP) and Alternative Transition Programs (ATP) to their populations of students who are eligible for such programs. Currently, entities that are eligible to run ASHEP and ATP programs are school districts, Boards of Cooperative Educational Services (BOCES), and facilities run by the OCFS. The proposed amendment expands eligibility to run such programs to the Department of Corrections and Community Services (DOCCS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS). This amendment will expand access for New York's students who are experiencing circumstances that may hinder their ability to achieve high school completion. Additionally, the proposed amendments clarify and update the regulatory language regarding the requirements and process for program approval. Specifically, the proposed amendments clarify that:

- AHSEP and ATP program applications must assure that they will provide intensive instruction in reading, and/or mathematics, as necessary, designed to assist the student in attaining a minimum 9.0 mathematics and/or reading grade equivalent, and in social emotional competency development [emphasis added];

- All AHSEP and ATP programs must maintain documentation of student eligibility rather than requiring the local school district to maintain such documentation and requiring such documentation to include a transcript of academic record at the time of enrollment or placement into the AHSEP or ATP program;

- Regarding tests and assessments:

- o Students enrolled or placed in AHSEP or ATP programs shall be given academic achievement tests or assessments approved by the Commis-

sioner in reading and mathematics to determine each student's approximate skill level;

o Students preparing for the high school equivalency examination shall be given academic achievement tests or assessments in each subtest subject area of the high school equivalency examination;

o Students who have taken and passed one or more Regents examination(s) shall be assisted in completing and sending the application for the NYS High School Equivalency Credit for Regents Examination Scores; and

o Students who have received credit for having taken and passed one or more NYS Regents examination(s) shall not be given additional test assessments or instruction in the corresponding subtest area of the high school equivalency examination.

In addition to the requirements pertaining to all students, English Language Learners (ELLs) and other students with language acquisition needs shall be given academic achievement tests or assessments specifically designed for such students or other test or assessments as approved by the Commissioner and shall be provided English as a New Language instruction.

#### 3. COMPLIANCE COSTS:

The proposed amendment does not impose any additional costs on the State, regulated parties, or the State Education Department.

#### 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment provides expanded access to the AHSEP and ATP programs and clarifies and updates regulatory language regarding the requirements and process for program approval. Because the statutory requirement upon which the proposed amendment is based applies to all schools 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 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 and from the chief school officers of the five big city school districts, including those in rural areas.

#### Job Impact Statement

The purpose of the proposed amendment to section 100.7(h) of the Regulations of the Commissioner of Education is to provide expanded access to Alternative High School Equivalency Preparation Programs (AHSEP) and Alternative Transition Programs (ATP) by allowing State agencies responsible for providing daily instruction to residential students the ability to provide AHSEP and ATP programs to their populations of students who are eligible for such programs. Currently, entities that are eligible to run ASHEP and ATP programs are school districts, Boards of Cooperative Educational Services (BOCES), and facilities run by the OCFS. The proposed amendment expands eligibility to run such programs to the Department of Corrections and Community Services (DOCCS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS). This amendment will expand access for New York's students who are experiencing circumstances that may hinder their ability to achieve high school completion. Additionally, the proposed amendments clarify and update the regulatory language regarding the requirements and process for program approval. 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.

## Department of Financial Services

### EMERGENCY RULE MAKING

#### Reverse Mortgage Loans

**I.D. No.** DFS-12-20-00002-E

**Filing No.** 375

**Filing Date:** 2020-06-03

**Effective Date:** 2020-06-03

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

**Action taken:** Repeal and addition of new Part 79 to Title 3 NYCRR.

**Statutory authority:** Banking Law, sections 6-h, 14; Real Property Law, sections 280, 280-a, 280-b; Financial Services Law, sections 202 and 302

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

**Specific reasons underlying the finding of necessity:** Chapter 581 of the Laws of 2019 amended the Real Property Law by adding a new section 280-b. As of March 5, 2020, Real Property Law Section 280-b, as amended, regulates reverse mortgages issued under the federal home equity conversion mortgages ("HECM") program. The existing version of Part 79 must be repealed and replaced with a new comprehensive regulation that covers both loans done pursuant to Real Property Law Sections 280 and 280-a and future loans subject to Real Property Law Section 280-b.

Accordingly, it is imperative that the new version of Part 79 of the General Regulations of the Superintendent be promulgated on an emergency basis for the public's general welfare.

**Subject:** Reverse Mortgage Loans.

**Purpose:** To implement newly enacted Real Property Law section 280-b.

**Substance of emergency rule (Full text is posted at the following State website: [https://www.dfs.ny.gov/industry\\_guidance/regulations](https://www.dfs.ny.gov/industry_guidance/regulations)):** Section 79.1 provides the scope of the regulation.

Section 79.2 contains definitions of terms that are used in Part 79.

Section 79.3 provides that only licensed or exempt entities may make reverse mortgage loans and describes the financial responsibility requirements that must be met by licensees and information that must be provided by exempt organization before the department will grant them authority to do reverse mortgage loans.

Section 79.4 sets forth new requirements and restrictions concerning the advertising of reverse mortgage loans.

Section 79.5 sets forth various requirements and limitations on lenders. This sub-section covers loan-to-value ratio limitations and financial fitness assessments of applicants and related "set aside account" provisions for certain loans. It also grants consumers a right to cancel for three (3) business days after the issuance of a commitment.

Section 79.6 sets forth a mortgagor's obligations to maintain the structural integrity of the real property securing the reverse mortgage loan and the creditor's remedies if the mortgagor fails to maintain the property.

Section 79.7 specifies the events that permit the mortgagee to terminate the mortgage, notice and disclosure requirements required to terminate the mortgage, and the homeowner's rights to cure any events of default.

Section 79.8 outlines the fees, costs and payments that lenders and brokers may charge applicants or borrowers at or before closing and upon termination of the mortgage.

Section 79.9 specifies enhanced disclosures that must be provided to applicants. It also sets forth counselling requirements for prospective borrowers.

Section 79.10 sets forth the circumstances when a lender would be exempt from the requirement of making as many Real Property Law section 280-a loans as Real Property Law section 280 loans.

Section 79.11 sets forth a list of prohibited conduct that could subject lenders and brokers to administrative penalties if violated.

Section 79.12 sets forth provisions concerning the payment of real estate taxes and insurance for a mortgaged property and the respective rights and obligations of mortgagors and mortgagees.

Section 79.13 obligates the directors, trustees, and officers of lending institutions to adopt proper policies and procedures to implement the requirements of this regulation.

**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. DFS-12-20-00002-EP, Issue of March 25, 2020. The emergency rule will expire August 1, 2020.

**Text of rule and any required statements and analyses may be obtained from:** Elizabeth Butler, Department of Financial Services, One State Street, New York, NY 10004-1417, (212) 709-3598, email: [Elizabeth.Butler@dfs.ny.gov](mailto:Elizabeth.Butler@dfs.ny.gov)

#### Regulatory Impact Statement

1. Statutory Authority: Sections 280, 280-a and 280-b of the Real Property Law ("RPL") provide for the regulation of reverse mortgage loans.

2. Legislative Objectives: By enacting Sections 280 and 280-a, the Legislature created a reverse mortgage product in the State of New York to ensure that seniors could stay in their homes and utilize their equity to safeguard their financial stability. In doing so, the legislature recognized the potential for consumer abuses and entrusted the Superintendent with the authority to write regulations governing the origination and servicing of reverse mortgage loans in New York. The Department responded by promulgating the existing version of Part 79.

Now, by enacting a new RPL Section 280-b, the Legislature has determined that additional consumer protections are also needed for federal home equity conversion ("HECM") loans insured by the federal Department of Housing and Urban Development ("HUD"). Section 280-b

(2) prohibits unfair or deceptive practices in the connection with the marketing of reverse mortgage loans. Section 280-b (3) provides that lenders must provide supplemental consumer protection materials to consumers in a form or manner specified by the Superintendent. Section 280-b (4)(b) provides for special notices and warnings concerning set aside accounts.

Accordingly, the new version of Part 79 increases and clarifies disclosure requirements, requires counseling as a prerequisite to origination of a reverse mortgage, creates new advertising standards and incorporates a new financial fitness test as part of the underwriting process to evaluate the need for a set aside account.

The following is a summary of the major changes from the previous regulation:

(a) **Enhanced Disclosures.** The proposed regulation lays out specific notice language to be given to applicants warning of the potential risks of a reverse mortgage loan and the benefits of speaking with a housing counselor. Additional notice requirements would also include, among other things, a list of termination and acceleration events, information on the applicant's 3-day cooling off and recession period, a listing of all fees and costs associated with the reverse mortgage, and a schedule of estimated payments.

(b) **Housing Counselor Checklist and Counseling Requirement.** Housing counseling will become mandatory for applicants considering loans under RPL 280 or 280-a. For applicants considering HECM loans, this new requirement is consistent with HUD regulations governing counseling. The new provisions also require the delivery of a housing counselor checklist to all reverse mortgage applicants. Such checklist lays out the items to be discussed with a housing counselor prior to moving forward with the reverse mortgage. The checklist will ensure that applicants are fully informed of the potential risks and benefits of a reverse mortgage.

(c) **Creation of Advertising Restrictions.** The current Part 79 does not include any restrictions or requirements for the advertising of reverse mortgage loans to potential consumers. The new version creates such restrictions and requirements. Specifically, certain disclosures are required if an advertisement references any material loan terms. Moreover, false or misleading statements in an advertisement are explicitly prohibited and samples of all advertisements are to be maintained for a period of three years from the date of last publication. Further, the new regulation no longer excludes reverse mortgage loans from the requirements of Part 38 of the General Regulations of the Superintendent. The advertising and disclosure requirements of Part 38 will also become applicable to supplement the new requirements of Part 79.

(d) **Financial Assessment Form/Set Aside Account.** The proposed amendments remove the unconditional requirement for a set-aside account for the payment of property taxes and insurance and instead replace it with a requirement for a financial fitness assessment of each applicant to determine their need for a set-aside. Borrowers who do reverse mortgage loans pursuant to RPL 280 or 280-a will be evaluated based upon the new test in Part 79.5 (l) (4). Borrowers who do HECM loans will be evaluated under a substantially similar test required by HUD regulations. This new financial fitness test in Part 79 is intended to be substantially similar to the HUD test.

(e) **Special Authorization by the Department to do Reverse Mortgage Loans.** The new Part 79.3(a) provides that only licensed or exempt entities may make reverse mortgage loans. Section 79.3(c) (1) sets forth an application procedure and the financial responsibility requirements that must be met by a licensee. Section 79.3(c)(2) sets forth the application provision for exempt organizations and the information they must provide before the department will grant them authority to do reverse mortgage loans. Section 79.3(d) provides for filing deadlines.

3. **Needs and Benefits:** Based on industry and consumer concerns, the Department has identified the need to increase consumer protections for seniors taking out a reverse mortgage loan. The new version of Part 79 increases and clarifies disclosure requirements, requires counseling as a prerequisite to origination of a reverse mortgage, creates advertising standards and incorporates a financial fitness test as part of the underwriting process. These changes are consistent with the goals of RPL sections 280, 280-a and 280-b. The new regulation should provide a systematic and consistent way to regulate both HECM and non-HECM reverse mortgage loans for the benefit of senior citizens.

4. **Costs:** Although reverse mortgage lenders may incur some additional costs as a result of this regulatory change, the vast majority of reverse mortgage lenders are large businesses with the experience, resources and systems to comply with these requirements. Any additional costs created by new notices and disclosures will not be significant.

These proposed amendments will not result in any negative fiscal implications to the State.

5. **Local Government Mandates:** The proposed amendments do not impose any new programs, services, duties, or responsibilities upon any

county, city, town, village, school district, fire district or other special district.

6. **Paperwork:** Additional disclosures and notice requirements will slightly increase the paperwork burden on the industry. The burden of this increase is outweighed by the consumer benefits expected to be received by potential customers and borrowers.

7. **Duplication:** The proposed amendments do not duplicate, overlap, or conflict with any other regulations.

8. **Alternatives:** The Department could choose not to amend the current regulation, however, without the proposed amendments the current regulation is impractical and insufficient.

9. **Federal Standards:** Section 255 of the National Housing Act governs HECM loans administered and insured by HUD. Public Law 73-479, 48 Stat. 1246. The enabling legislation is codified at 12 USC section 1715z-20. HUD has issued regulations to implement the HECM program. 24 C.F.R. Part 206.

The existing version of Part 79 did not regulate HECM loans. Such loans were excluded from the scope of our regulations. Newly enacted RPL 280-b changes that. In preparing the new Part 79, the Department tried to devise standards that are consistent with the HUD regulation wherever possible. For example, our new financial fitness requirements were derived from HUD standards in 24 C.F.R. 206.205. The Department also used the HUD definition of "Eligible Survivor Non-Mortgagor Spouse" and HUD's eligibility criteria for the protection of these non-borrowing spouses.

To the extent the Department deviated from HUD standards in minor respects, it did so to provide incrementally greater consumer protections.

10. **Compliance Schedule:** As an emergency adoption, the new version of Part 79 will be effective upon filing with the Secretary of State. The Department will consider revisions of the regulation based upon comments it receives during a public comment period. Such revisions might include a transition period for compliance.

#### **Regulatory Flexibility Analysis**

1. **Effect of Rule:** The new version of Part 79 removes a pre-existing regulatory exclusion for federal home equity conversion ("HECM") loans insured by the federal Department of Housing and Urban Development ("HUD"), as compared to New York State proprietary reverse mortgage loans originated in accordance with New York's Real Property Law Section 280 or 280-a. The newly enacted Section 280-b of the Real Property Law requires state regulation of HECM loans. Therefore, Part 79 must also be made applicable to HECM loans. In addition, the new version of Part 79 increases and clarifies disclosure requirements, requires counseling as a prerequisite to origination of a reverse mortgage, creates advertising standards and incorporates a financial fitness test as part of the underwriting process.

The proposed regulation will not have any impact whatsoever on local governments. No local government makes reverse mortgage loans.

To the extent any lender is a small business, they are operating in a highly regulated environment and should be adequately prepared to comply with the proposed rule. HECM loans have always been subject to HUD regulations, and the new version of Part 79 has provisions that are comparable to HUD requirements. Loans made pursuant to Real Property Law sections 280 and 280-a were already governed by the prior version of the regulation.

2. **Compliance Requirements:** The new regulation does not impose any new or heightened requirements on small businesses than the regulation currently in place.

3. **Professional Services:** It is not anticipated that any additional professional services will be required by small businesses to comply with the requirements of this regulation.

4. **Compliance Costs:** Although reverse mortgage lenders may incur some additional costs as a result of this regulatory change, the vast majority of reverse mortgage lenders are large businesses with the experience, resources and systems to comply with these requirements.

5. **Economic and Technological Feasibility:** The rulemaking should impose no adverse economic or technological burden on small businesses.

6. **Minimizing Adverse Impact:** The proposed amendments should not impose significant adverse impacts on small businesses.

7. **Small Business and Local Government Participation:** The Department has received and responded to numerous industry and consumer inquiries regarding reverse mortgage loans over the years and has tailored its new regulation to address the concerns of the residential lending industry without compromising any consumer protections.

#### **Rural Area Flexibility Analysis**

1. **Types and Estimated Numbers of Rural Areas:** The overwhelming majority of these businesses are banks, credit unions, mortgage banks and exempt institutions that are already regulated under various federal and state laws. Lenders that make reverse mortgage loans are already familiar with applicable regulations issued by the federal Department of Housing

and Urban Development (“HUD”) to do federal home equity conversion (“HECM”) loans. Lenders who originate loans in accordance with Real Property Law sections 280 and 280-a are already familiar with similar requirements under the existing version of Part 79. These firms already have the experience, resources and systems to comply with these requirements. Lenders located in rural areas should not be affected differently from other lenders.

2. Reporting, Recordkeeping and Other Compliance Requirements; and Professional Services: Compliance with the new Part 79 will apply uniformly for all lenders. It is not anticipated that lenders located in rural areas will need additional professional services other than those used in the normal course of their business to comply with existing regulations.

3. Costs: The requirements of Part 79 do not impose any direct costs on lenders. Although lenders may incur some additional costs as a result of complying with Part 79, the vast majority of these businesses are banks, credit unions, mortgage banks and exempt institutions that already have the experience, resources and systems to comply with these requirements. The requirements of Part 79 will apply uniformly across all lenders and it is not anticipated that lenders located in rural areas will have any different costs to those located in urban or suburban areas.

4. Minimizing Adverse Impact: The requirements of Part 79 will apply uniformly across all geographic regions. The Department has determined that uniform regulatory requirements are appropriate.

5. Rural Area Participation: The Department has received and responded to numerous industry and consumer inquiries regarding reverse mortgage loans over the years and has tailored the new version of Part 79 to address the concerns of the residential lending industry without compromising any consumer protections.

#### **Job Impact Statement**

This rule making should not adversely impact job or employment opportunities in New York. The overwhelming majority of these businesses are banks, credit unions, mortgage banks and exempt institutions that are already regulated under various federal and state laws. Lenders that make reverse mortgage loans are already familiar with applicable regulations issued by the federal Department of Housing and Urban Development (“HUD”) to do federal home equity conversion (“HECM”) loans. Lenders who originate loans in accordance with Real Property Law sections 280 and 280-a are already familiar with similar requirements under the existing version of Part 79. These firms already have the experience, resources and systems to comply with these requirements.

Compliance with the new version of Part 79 is not expected to have any significant adverse effects on jobs or employment activities within the banking industry.

#### **Assessment of Public Comment**

The agency received no public comment.

## **EMERGENCY RULE MAKING**

### **Unfair Claims Settlement Practices and Claim Cost Control Measures**

**I.D. No.** DFS-25-20-00001-E

**Filing No.** 376

**Filing Date:** 2020-06-04

**Effective Date:** 2020-06-04

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

**Action taken:** Amendment of Part 216 (Regulation 64) of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 2601, 3404(e) and 3420

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

**Specific reasons underlying the finding of necessity:** Insurance Law Section 2601 prohibits an insurer doing business in New York State from engaging in unfair claims settlement practices and sets forth a list of acts that, if committed without just cause and performed with such frequency as to indicate a general business practice, will constitute unfair claims settlement practices. Insurance Regulation 64 sets forth the standards insurers are expected to observe to settle claims promptly and fairly. Properties in New York State have recently been looted and vandalized by individuals that have infiltrated and used the peaceful protests against police brutality and racial discrimination to commit these destructive and damaging acts across New York State. In order to help consumers and businesses thus affected, this emergency rulemaking requires insurers to

promptly process and investigate insurance claims made by claimants; allows claimants to make immediate repairs to certain parts of damaged real property, if necessary, to protect health and safety; and to submit proof of loss by photographs or video recordings. This emergency regulation also offers individual and small business claimants the option to resolve disputes through an impartial mediation process, paid for by the applicable insurer. Many of the businesses in the areas affected by the looting and vandalism have been closed for several weeks in compliance with the Governor’s Executive Orders to help contain the spread of COVID-19. They have been looking forward to re-opening their businesses to sustain their operability, provide employment, and resuscitate the local economy. It is therefore of the utmost importance that these insureds be able to start rebuilding their businesses right away. Given the nature and extent of the damage caused by the looters and vandals, and the need for businesses to be able to reopen as soon as possible upon their region meeting the COVID-19-related reopening requirements, the existing regulation’s time frames are inadequate to protect affected consumers and businesses and to ensure the public’s safety and welfare. For the reasons stated above, the promulgation of this regulation on an emergency basis is necessary for the public health, public safety, and general welfare.

**Subject:** Unfair Claims Settlement Practices and Claim Cost Control Measures.

**Purpose:** To timely investigate claims, permit immediate repairs of certain real property, and allow mediation for claims due to riot.

**Substance of emergency rule (Full text is posted at the following State website:** [https://www.dfs.ny.gov/industry\\_guidance/regulations/emergency\\_insurance](https://www.dfs.ny.gov/industry_guidance/regulations/emergency_insurance)):

Section 216.5(a) is amended to provide that notwithstanding Sections 216.5(a)(1) and 216.2(d), the provisions of Section 216.5(a)(2) apply to any claim filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent of Financial Services (“Superintendent”) has determined that it is in the best interests of the people of this State for such provisions to apply.

This section also provides that every insurer must commence an investigation of any claim filed by a claimant, or by a claimant’s authorized representative, within six business days of the later of receiving notice of the claim and June 5, 2020.

An insurer must furnish to every claimant, or claimant’s authorized representative, a written notification detailing all items, statements and forms, if any, that the insurer reasonably believes will be required of the claimant, within six business days of the later of receiving notice of the claim and June 5, 2020.

A claim filed with an agent of an insurer will be deemed to have been filed with the insurer unless, consistent with law or contract, the agent notifies the person filing the claim that the agent is not authorized to receive notices of claim.

Where necessary to protect health or safety, a claimant may commence immediate repairs to the exterior windows, exterior doors, and, for minor permanent repairs, exterior walls of real property. Any policy requirement that the claimant exhibit the remains of the real or personal property may be satisfied by the claimant submitting reasonable proof of loss documentation of the damaged or destroyed property, including photographs or video recordings (without the need for a physical inspection); material samples, if applicable; and inventories, as well as receipts for any repairs to or replacement of property.

Section 216.6(c) is amended to provide that notwithstanding Section 216.6(c)(2), the provisions of Section 216.6(c)(3) apply to any claim filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent has determined that it is in the best interests of the people of this State for such provisions to apply.

If the insurer needs more time to determine whether the claim should be accepted or rejected, it must so notify the claimant, or the claimant’s authorized representative, in writing, within 15 business days after the later of receipt of such proof of loss or requested information and June 5, 2020. Such notification must include the reasons additional time is needed for investigation and the anticipated date a determination on the claim will be provided, including, where the insurer requires a physical inspection, the reason for that inspection. If the claim remains unsettled, unless the matter is in litigation or arbitration, the insurer must, 30 days from the date of the initial letter setting forth the need for further time to investigate, and every 30 days thereafter, send to the claimant, or the claimant’s authorized representative, a letter setting forth the reasons additional time is needed for investigation and the anticipated date a determination on the claim will be provided. If the claim is accepted, in whole or in part, the claimant, or the claimant’s authorized representative, must be advised in writing of the

amount offered. If the insurer rejects a claim, the insurer must notify promptly the claimant, or the claimant's authorized representative, in writing, of any applicable policy provision limiting the claimant's right to sue the insurer.

If an insurer has any claim subject Section 216.6(c)(3) under which the claimant, or the claimant's authorized representative, has not been advised in writing of the insurer's acceptance or rejection of the claim within the time frames specified in Section 216.6(c)(1), the insurer must submit a report to the Superintendent in a form acceptable to the Superintendent. The insurer must submit the report each week that the insurer has any such claims. The insurer must submit the report on the Tuesday of the week, except if that day is a holiday, then the report must be submitted on the next business day. For each such claim, the report must specify: (a) the alleged date the loss occurred; (b) the date the claim was filed with the insurer; (c) the date a properly executed proof of loss and receipt of all items, statements and forms required by the insurer were received by the insurer; (d) the alleged estimated amount of the loss; (e) the reason given for the extension; (f) the anticipated date a determination will be made on the claim provided to the claimant; (g) how many extensions have been requested on that claim; and (h) the zip code where the loss occurred.

A new section 216.13 is added to allow for mediation by an individual or small business claimant when there is a disputed claim or denial of a claim.

**This notice is intended** to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires September 1, 2020.

**Text of rule and any required statements and analyses may be obtained from:** Joana Lucashuk, Department of Financial Services, One State Street, New York, NY 10004, (212) 480-2125, email: Joana.Lucashuk@dfs.ny.gov

#### **Regulatory Impact Statement**

1. Statutory authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 2601, 3404(e), and 3420.

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 authorize the Superintendent to prescribe regulations interpreting the provisions of the Insurance Law and to effectuate any power granted to the Superintendent in the Insurance Law, Financial Services Law, or any other law.

Insurance Law Section 2601 prohibits an insurer doing business in New York State from engaging in unfair claims settlement practices; sets forth certain acts that, if committed without just cause and performed with such frequency as to indicate a general business practice, constitute unfair claims settlement practices; and imposes penalties if an insurer engages in these acts.

Insurance Law Section 3404(e) sets forth the form of the standard fire insurance policy.

Insurance Law Section 3420 sets forth requirements for liability insurance policies.

2. Legislative objectives: Insurance Law Section 2601 prohibits an insurer doing business in New York State from engaging in unfair claims settlement practices and sets forth a list of acts that, if committed without just cause and performed with such frequency as to indicate a general business practice, will constitute unfair claims settlement practices. Insurance Regulation 64 sets forth the standards insurers are expected to observe to settle claims promptly and fairly.

The emergency regulation accords with the public policy objectives the Legislature sought to advance in Insurance Law Section 2601 by requiring insurers to promptly process and investigate insurance claims made by claimants whose properties have been recently looted and vandalized due to riot or civil commotion; allowing such claimants to make immediate repairs to certain parts of damaged real property, if necessary, to protect health and safety; and to submit proof of loss by photographs or video recordings, without the need for a physical inspection. This emergency regulation also offers individual and small business claimants the option to resolve disputes through an impartial mediation process, paid for by the applicable insurer.

3. Needs and benefits: Properties in New York State have recently been looted and vandalized by individuals that have infiltrated and used the peaceful protests against police brutality and racial discrimination to commit these destructive and damaging acts across New York State. In order to help the individuals and businesses whose properties have been thus affected, this emergency rulemaking requires insurers to promptly process and investigate insurance claims made by claimants; allows claimants to make immediate repairs to certain parts of damaged real property, if necessary, to protect health and safety; and allows claimants to submit reasonable proof of loss by photographs or video recordings, without the need for a physical inspection. This emergency regulation also offers individual and small business claimants the option to resolve disputed or denied

claims through an impartial mediation process, paid for by the applicable insurer.

4. Costs: The regulation may result in additional costs to insurers because they will need to pay for the cost of mediation with individual and small business claimants. However, any increase in costs should be minimal because the regulation only applies to claims filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent has determined that it is in the best interests of the people of this State for the regulation to apply. In addition, because the regulation provides an alternative to litigation in the form of mediation of an individual or small business claimant's disputed claim, an insurer may realize savings.

This rule does not impose compliance costs on the Department of Financial Services or any other state or local governments.

5. Local government mandates: This rule does not impose any program, service, duty, or responsibility upon any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: Insurers may incur additional paperwork to comply with this regulation. If a claim remains unsettled, unless the matter is in litigation or arbitration, this regulation requires an insurer to send a claimant a letter every 30 days instead of every 90 days, as is currently the case. In addition, if the insurer rejects the claim, the insurer must notify the claimant of any applicable policy provision limiting the claimant's right to sue the insurer. Further, the regulation requires an insurer to submit a weekly report to the Superintendent whenever the insurer has not advised a claimant of the insurer's acceptance or rejection of the claimant's claim within the prescribed time frames.

7. Duplication: This rule does not duplicate or conflict with any existing state or federal rules or other legal requirements.

8. Alternatives: There were no significant alternatives to consider.

9. Federal standards: The rulemaking does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: Insurers must comply with this rule upon the filing of the Notice of Emergency Adoption with the Secretary of State.

#### **Regulatory Flexibility Analysis**

1. Effect of 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 regulation affects all insurers subject to it equally, including an insurer that may be a small business, if any. The regulation requires insurers to promptly process and investigate insurance claims made by claimants; allows claimants to make immediate repairs to certain parts of damaged real property, if necessary, to protect health and safety; and to submit reasonable proof of loss by photographs or video recordings without the need for a physical inspection. The regulation also offers individual and small business claimants the option to resolve disputes through an impartial mediation process, paid for by the applicable insurer.

The regulation does not affect local governments.

2. Compliance requirements: The regulation imposes reporting and other compliance requirements on insurers subject to it, including an insurer that may be a small business, if any, for any claim filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent of Financial Services ("Superintendent") has determined that it is in the best interests of the people of this State for the regulation to apply. The regulation reduces the number of days within which an insurer, including any insurer that is a small business, must commence an investigation of a claim. In addition, if a claim remains unsettled, unless the matter is in litigation or arbitration, this regulation requires an insurer to send to a claimant a letter every 30 days instead of every 90 days, as is currently the case. In addition, if the insurer rejects the claim, the insurer must notify the claimant of any applicable policy provision limiting the claimant's right to sue the insurer. Further, the regulation requires an insurer to submit a weekly report to the Superintendent whenever the insurer has not advised a claimant of the insurer's acceptance or rejection of the claimant's claim within the prescribed time frames. Additionally, the regulation would impose other compliance requirements on insurers, including any that may be a small business, by requiring insurers to participate in mediation sessions when requested by an individual or small business claimant with a claim dispute.

It is unlikely that any insurer subject to the regulation, including an insurer that is a small business, if any, would need to retain professional services to comply with this regulation.

No local government will be subject to any compliance requirements as a result of this regulation because the regulation does not apply to any local government.

3. Professional services: No insurer subject to this regulation, including

an insurer that is a small business, if any, will need to retain professional services, such as lawyers or auditors, to comply with this regulation.

No local government will need professional services to comply with this regulation because the regulation does not apply to any local government.

4. Compliance costs: The regulation may result in additional costs to insurers, including insurers that are small businesses, if any, because they will need to pay for the cost of mediation with individual and small business claimants. However, any increase in costs should be minimal because the regulation only applies to claims filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent has determined that it is in the best interests of the people of this State for the regulation to apply. In addition, because the regulation provides an alternative to litigation in the form of mediation of a disputed claim made by an individual or small business claimant, an insurer, including an insurer in a rural area, may realize savings.

This regulation does not impose compliance costs on any local government because this regulation does not apply to any local government.

5. Economic and technological feasibility: An insurer subject to the regulation, including an insurer that is a small business, if any, should not incur any economic or technological impact as a result of the regulation.

This regulation does not apply to any local government; therefore, no local government will experience any economic or technological impact as a result of the regulation.

6. Minimizing adverse impact: The Department of Financial Services ("Department") considered the approaches suggested in SAPA Section 202-b(1) for minimizing adverse economic impacts. Since the public health, safety, and general welfare has been endangered due to riots and civil commotion, establishment of differing compliance or reporting requirements or timetables based upon whether an insurer is a small business is not appropriate. Moreover, the amendment uniformly affects all insurers subject to it, including an insurer that is a small business, if any, and thus there is no disparate treatment of insurers regardless of whether any insurer is a small business.

No local government will be adversely impacted by this regulation because this regulation does not apply to any local government.

7. Small business and local government participation: Insurers subject to this regulation, including any insurer that is a small business, if any, will have an opportunity to participate in the rule making process when the regulation is published in the State Register and posted on the Department's website.

#### **Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas: Insurers affected by this amendment 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: The regulation will not impose any additional recordkeeping requirements in rural areas. However, the regulation may impose reporting and other compliance requirements on insurers that may be located in rural areas for any claim filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent of Financial Services ("Superintendent") has determined that it is in the best interests of the people of this State for the regulation to apply. The regulation reduces the number of days within which an insurer, including an insurer in a rural area, must commence an investigation of a claim. In addition, if a claim remains unsettled, unless the matter is in litigation or arbitration, this regulation requires an insurer to send a claimant a letter every 30 days instead of every 90 days, as is currently the case. In addition, if the insurer rejects the claim, the insurer must notify the claimant of any applicable policy provision limiting the claimant's right to sue the insurer. Further, the regulation requires an insurer to submit a weekly report to the Superintendent whenever the insurer has not advised a claimant of the insurer's acceptance or rejection of the claimant's claim within the prescribed time frames. Additionally, the regulation may impose other compliance requirements on insurers that may be located in rural areas because it requires insurers to participate in mediation sessions when requested by an individual or small business claimant with a claim dispute or claim denial.

It is unlikely that an insurer, including an insurer in a rural area, would need to retain professional services to comply with this regulation.

3. Costs: The regulation may result in additional costs to insurers, including insurers located in rural areas, because they may need to hire additional staff to comply with the reduced time period within which they must commence an investigation and will need to pay for the cost of mediation. However, any increase in costs should be minimal because the regulation only applies to claims filed on or after May 30, 2020 for loss of

or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent has determined that it is in the best interests of the people of this State for the regulation to apply. In addition, because the regulation provides an alternative to litigation in the form of mediation of a disputed or denied claim made by an individual or small business claimant, an insurer, including an insurer in a rural area, may realize savings.

4. Minimizing adverse impact: The Department of Financial Services ("Department") considered the approaches suggested in SAPA Section 202-bb(2) for minimizing adverse economic impacts. Since the public health, safety, and general welfare has been endangered due to riots and civil commotion, establishment of differing compliance or reporting requirements or timetables based upon whether an insurer is located in a rural area is not appropriate. Moreover, the amendment uniformly affects insurers that are located in both rural and non-rural areas of New York State, and thus there is no disparate treatment of insurers located in rural areas.

5. Rural area participation: Any insurer in a rural area affected by this regulation will have an opportunity to participate in the rule making process when the emergency regulation is published in the State Register and posted on the Department's website.

#### **Job Impact Statement**

The Department of Financial Services ("Department") finds that this regulation will not have any substantial adverse impact on jobs and employment opportunities. This regulation applies to any claim filed on or after May 30, 2020 for loss of or damage to real property, loss of or damage to personal property, or other liabilities for loss of, damage to, or injury to persons or property resulting from a riot or civil commotion in New York State, where the Superintendent of Financial Services has determined that it is in the best interests of the people of this State for the regulation to apply. The regulation requires insurers to promptly process and investigate insurance claims made by claimants; allows claimants to make immediate repairs to certain parts of damaged real property, if necessary, to protect health and safety; and permits claimants to submit reasonable proof of loss by photographs or video recordings, without the need for a physical inspection. This emergency regulation also offers individual and small business claimants the option to resolve claim disputes through an impartial mediation process, paid for by the applicable insurer.

The Department does not believe that this regulation will have any substantial adverse impact on jobs and employment opportunities, including self-employment opportunities.

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## Department of Health

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### EMERGENCY RULE MAKING

#### **Investigation of Communicable Disease; Isolation and Quarantine**

**I.D. No.** HLT-25-20-00002-E

**Filing No.** 377

**Filing Date:** 2020-06-05

**Effective Date:** 2020-06-05

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

**Action taken:** Amendment of Part 2, section 405.3 and addition of section 58-1.14 to Title 10 NYCRR.

**Statutory authority:** Public Health Law, sections 225, 576 and 2803

**Finding of necessity for emergency rule:** Preservation of public health.

**Specific reasons underlying the finding of necessity:** Where compliance with routine administrative procedures would be contrary to public interest, the State Administrative Procedure Act (SAPA) § 202(6) empowers state agencies to adopt emergency regulations necessary for the preservation of public health, safety, or general welfare. In this case, compliance with SAPA for filing of this regulation on a non-emergency basis, including the requirement for a period of time for public comment, cannot be met because to do so would be detrimental to the health and safety of the general public.

The 2019 Coronavirus (COVID-19) is a disease that has caused mild to severe respiratory symptoms, including fever, cough, and difficulty

breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a hospital and can be fatal.

COVID-19 was found to be the cause of an outbreak of illness in Wuhan, Hubei Province, China in December 2019. A short time later, on January 30, 2020, the World Health Organization (WHO) designated the COVID-19 outbreak as a Public Health Emergency of International Concern. On January 31, 2020, the Secretary of Health and Human Services determined that as a result of confirmed cases of COVID-19 in the United States, a public health emergency exists and has existed since January 27, 2020, nationwide.

The situation continues to rapidly evolve throughout the world and the United States. In particular, the United States has quickly progressed from identifying travel-associated cases and person-to-person transmission of COVID-19 among close contacts of travel-associated cases, to the identification of community spread of the disease in certain parts of California, Oregon, and Washington states.

Additionally, as of March 1, 2020 New York State has reported cases of COVID-19. Given the spread so far, the Centers for Disease Control and Prevention (CDC) expects that it is likely widespread transmission of COVID-19 will occur in the United States.

Given the emergent nature of the COVID-19 outbreak, these emergency regulations are necessary to clarify and strengthen the Department's authority and that of the local health departments to take specific actions to control the spread of disease, including actions related to investigation and response to a disease outbreak, as well as the issuance of isolation and quarantine orders.

**Subject:** Investigation of Communicable Disease; Isolation and Quarantine.

**Purpose:** Control of communicable disease.

**Substance of emergency rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/emergency>):** These regulations clarify the authority and duty of the New York State Department of Health ("Department") and local health departments to protect the public in the event of an outbreak of communicable disease, through appropriate public health orders issued to persons diagnosed with or exposed to a communicable disease. These regulations also require hospitals to report syndromic surveillance data to the Department upon direction from the Commissioner and clarify reporting requirements for clinical laboratories with respect to communicable diseases.

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt this emergency rule as a permanent rule and will publish a notice of proposed rule making in the *State Register* at some future date. The emergency rule will expire September 2, 2020.

**Text of rule and any required statements and analyses may be obtained from:** Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: [regsqa@health.ny.gov](mailto:regsqa@health.ny.gov)

#### Regulatory Impact Statement

##### Statutory Authority:

The statutory authority for the regulatory amendments to Part 2 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York is Section 225 of the Public Health Law (PHL), which authorizes the Public Health and Health Planning Council (PHHPC), subject to the approval of the Commissioner of Health (Commissioner), to establish and amend the State Sanitary Code (SSC) provisions related to any matters affecting the security of life or health or the preservation and improvement of public health in the State of New York. Additionally, Section 2103 of the PHL requires all local health officers to report cases of communicable disease to the New York State Department of Health (Department).

The statutory authority for the proposed new section 58-1.14 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York is section 576 of the PHL, which authorizes the Department to adopt regulations prescribing the requirements for the proper operation of a clinical laboratory, including the methods and the manner in which testing or analyses of samples shall be performed and reports submitted.

The statutory authority for the proposed amendments to section 405.3 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York is section 2803 of the PHL, which authorizes PHHPC to adopt and amend rules and regulations, subject to the approval of the Commissioner, to implement the purposes and provisions of PHL Article 28, and to establish minimum standards governing the operation of health care facilities.

##### Legislative Objectives:

The legislative objective of PHL § 225 is, in part, to protect the public health by authorizing PHHPC, with the approval of the Commissioner, to amend the SSC to address public health issues related to communicable disease.

The legislative objective of PHL § 576 is, in part, to promote public health by establishing minimum standards for clinical laboratory testing and reporting of test results, including to the Department for purposes of taking prompt action to address outbreaks of disease.

The legislative objective of PHL § 2803 includes among other objectives authorizing PHHPC, with the approval of the Commissioner, to adopt regulations concerning the operation of facilities licensed pursuant to Article 28 of the PHL, including general hospitals.

##### Needs and Benefits:

The 2019 Coronavirus (COVID-19) is a disease that has caused mild to severe respiratory symptoms, including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a hospital and can be fatal.

COVID-19 was found to be the cause of an outbreak of illness in Wuhan, Hubei Province, China in December 2019. A short time later, on January 30, 2020, the World Health Organization (WHO) designated the COVID-19 outbreak as a Public Health Emergency of International Concern. On January 31, 2020, the Secretary of Health and Human Services determined that as a result of confirmed cases of COVID-19 in the United States, a public health emergency exists and has existed since January 27, 2020, nationwide.

The situation continues to rapidly evolve throughout the world and the United States. In particular, the United States has quickly progressed from identifying travel-associated cases and person-to-person transmission of COVID-19 among close contacts of travel-associated cases, to the identification of community spread of the disease in certain parts of California, Oregon, and Washington states.

As of March 1, 2020, New York State has reported cases of COVID-19. Given the rate spread to date, the Centers for Disease Control and Prevention (CDC) expects that it is likely widespread transmission of COVID-19 will occur in the United States.

In light of this situation, these regulations update, clarify and strengthen the Department's authority as well as that of local health departments to take specific actions to control the spread of disease, including actions related to investigation and response to a disease outbreak, as well as the issuance of isolation and quarantine orders.

The following is a summary of the amendments to the Department's regulations:

##### Part 2 Amendments:

- Relocate and update definitions, and add new definitions.
- Repeal and replace current section 2.6, related to investigations, to make existing clarify local health department authority.
- Sets forth specific actions that local health departments must take to investigate a case, suspect case, outbreak, or unusual disease.
- Requires individuals and entities subject to a public health investigation to cooperate with the Department and local health departments.
- Clarifies authority for the Commissioner to lead investigation activities.
- Codifies in regulation the requirement that local health departments send reports the Department during an outbreak.
- New section 2.13 added to clarify isolation and quarantine procedures.
- Clarify that the State Department of Health has the authority to issue isolation and quarantine orders, as do local departments of health.
- Clarifies locations where isolation or quarantine may be appropriate.
- Sets forth requirements for the content of isolation and quarantine orders.

- Specifies other procedures that apply when a person is isolated or quarantined.
- Explicitly states that violation of an order constitutes grounds for civil and/or criminal penalties.
- Relocates and updates existing regulatory requirements that require the attending physician to report cases and suspected cases to the local health authority, and to requires physicians to provide instructions concerning how to protect others.

The attending physician to report cases and suspected cases to the local health authority, and to requires physicians to provide instructions concerning how to protect others.

##### Part 58 Amendments:

- New section 58-1.14 added clarifying reporting requirements for certain communicable diseases.
- Requires the Commissioner to designate those communicable disease that require prompt action, and to make available a list of such disease on the State Department of Health website.
- Requires clinical laboratories to immediately report positive test results for communicable diseases identified as requiring prompt attention, in a manner and format identified by the Commissioner.
- Requires clinical laboratories to report all test result, including negative and indeterminate results, for communicable diseases identified as requiring prompt attention, via the Electronic Clinical Laboratory Reporting System (ECLRS).

##### Part 405 Amendments:

- Mandates hospitals to report syndromic surveillance data during an outbreak of a highly contagious communicable disease.

- Permits the Commissioner to direct hospitals to take patients during an outbreak of a highly contagious communicable disease, which is consistent with the federal Emergency Medical Treatment and Labor Act (EMTALA).

#### Costs:

##### Costs to Regulated Parties:

The requirement that hospital submit syndromic surveillance reports when request during an outbreak is not expected to result in any substantial costs. Hospitals are already regularly and voluntarily submitting data to the Department, and nearly all of them submit such reports electronically. With regard to the Commissioner directing general hospitals to accept patients during an outbreak of a highly contagious communicable disease, hospitals are already required to adhere to the federal Emergency Medical Treatment and Labor Act (EMTALA). Accordingly, both of these proposed amendments will not impose any substantial additional cost to hospitals.

Clinical laboratories must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102. The regulation simply clarifies existing requirements and is not anticipated to impose any substantial additional costs beyond those costs that laboratories would incur in the absence of these regulations.

Although there are costs associated with disease investigation and response for any outbreak, these regulations clarify and strengthen the existing authorities and responsibilities of local governments. As such, these regulations do not impose any substantial additional costs beyond what local health departments would incur in the absence of these regulations.

##### Costs to Local and State Governments:

Although there are costs associated with disease investigation and response for any outbreak, these regulations clarify and strengthen the existing authorities and responsibilities of local governments. As such, these regulations do not impose any substantial additional costs beyond what local health departments would incur in the absence of these regulations. Further, making explicit the Department's authority to lead investigation activities will result in increased coordination of resources, likely resulting in a cost-savings for State and local governments.

Any clinical laboratories operated by a local government must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102. The regulation simply clarifies existing requirements and is not anticipated to impose any substantial additional costs beyond those costs that laboratories would incur in the absence of these regulations.

To the extent that the State Department of Health and local health departments issue isolation and quarantine orders in response to COVID-19, such actions will impose costs upon the state. As the scope of any outbreak is difficult to predict, the cost to the State of issuing such orders cannot be predicted at this time.

#### Paperwork:

Some hospitals may be required to make additional syndromic surveillance reports that they are not already making. Otherwise, these regulations do not require any additional paperwork.

#### Local Government Mandates:

Under existing regulation, local health departments already have the authority and responsibility to take actions to control the spread of disease within their jurisdictions. The proposed amendments clarify these existing authorities and duties.

#### Duplication:

There is no duplication in existing State or federal law.

#### Alternatives:

The alternative would be to leave in place the current regulations on disease investigation and isolation and quarantine. However, many of these regulatory provisions have not been updated in fifty years and should be modernized to ensure appropriate response to a disease outbreak, such as COVID-19.

#### Federal Standards:

States and local governments have primary authority for controlling disease within their respective jurisdictions. Accordingly, there are no federal statutes or regulations that apply to disease control within NYS.

#### Compliance Schedule:

The regulations will become effective upon filing with the Department of State.

### Regulatory Flexibility Analysis

#### Effect on Small Business and Local Government:

Under existing regulation, local health departments already have the authority and responsibility to take actions to control the spread of disease within their jurisdictions. The proposed amendments clarify these existing authorities and duties.

#### Compliance Requirements:

Under existing regulation, local health departments already have the authority and responsibility to take actions to control the spread of disease within their jurisdictions. The proposed amendments clarify these existing

authorities and duties. With respect to mandating syndromic surveillance reporting during an outbreak of a highly infectious communicable disease, hospitals are already reporting syndromic surveillance data regularly and voluntarily.

With respect to clinical laboratories, they must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102. The regulation simply clarifies existing requirements and is not anticipated to impose any substantial additional costs beyond those costs that laboratories would incur in the absence of these regulations.

#### Professional Services:

It is not expected that any professional services will be needed to comply with this rule.

#### Compliance Costs:

Although there are costs associated with disease investigation and response for any outbreak, these regulations clarify and strengthen the existing authorities and responsibilities of local governments. As such, these regulations do not impose any substantial additional costs beyond what local health departments would incur in the absence of these regulations.

Further, making explicit the Department's authority to lead investigation activities will result in increased coordination of resources, likely resulting in a cost-savings for State and local governments.

#### Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes.

#### Minimizing Adverse Impact:

As the proposed regulations largely clarify existing responsibility and duties among regulated entities and individuals, any adverse impacts are expected to be minimal. The Department, however, will work with regulated entities to ensure they are aware of the new regulations and have the information necessary to comply.

#### Small Business and Local Government Participation:

Due to the emergent nature of COVID-19, small business and local governments were not consulted. If these regulations are proposed for permanent adoption, all parties will have an opportunity provided comments during the notice and comment period.

### Rural Area Flexibility Analysis

#### Type and Estimated Numbers of Rural Areas:

While this rule applies uniformly throughout the state, including rural areas, for the purposes of this Rural Area Flexibility Analysis (RAFA), "rural area" means areas of the state defined by Exec. Law § 481(7) (SAPA § 102(10)). Per Exec. Law § 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, and programs and such other entities or resources found therein. In counties of two hundred thousand or greater population 'rural areas' means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein."

The following 43 counties have a population of less than 200,000 based upon the United States Census estimated county populations for 2010:

Allegany County	Greene County	Schoharie County
Cattaraugus County	Hamilton County	Schuyler County
Cayuga County	Herkimer County	Seneca County
Chautauqua County	Jefferson County	St. Lawrence County
Chemung County	Lewis County	Steuben County
Chenango County	Livingston County	Sullivan County
Clinton County	Madison County	Tioga County
Columbia County	Montgomery County	Tompkins County
Cortland County	Ontario County	Ulster County
Delaware County	Orleans County	Warren County
Essex County	Oswego County	Washington County
Franklin County	Otsego County	Wayne County
Fulton County	Putnam County	Wyoming County
Genesee County	Rensselaer County	Yates County
	Schenectady County	

The following counties have population of 200,000 or greater, and towns with population densities of 150 person or fewer per square mile, based upon the United States Census estimated county populations for 2010:

Albany County	Monroe County	Orange County
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Broome County	Niagara County	Saratoga County
Dutchess County	Oneida County	Suffolk County
Erie County	Onondaga County	

Reporting, recordkeeping, and other compliance requirements; and professional services:

As the proposed regulations largely clarify existing responsibilities and duties among regulated entities and individuals, no additional recordkeeping, compliance requirements, or professional services are expected. With respect to mandating syndromic surveillance reporting during an outbreak of a highly infectious communicable disease, hospitals are already reporting syndromic surveillance data regularly and voluntarily. Additionally, the requirement for local health departments to continually report to the Department during an outbreak is historically a practice that already occurs. With respect to clinical laboratories, they must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102.

#### Compliance Costs:

As the proposed regulations largely clarify existing responsibility and duties among regulated entities and individuals, no initial or annual capital costs of compliance are expected above and beyond the cost of compliance for the requirements currently in Parts 2, 58 and 405.

#### Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes.

#### Minimizing Adverse Impact:

As the proposed regulations largely clarify existing responsibility and duties among regulated entities and individuals, any adverse impacts are expected to be minimal. The Department, however, will work with local health departments to ensure they are aware of the new regulations and have the information necessary to comply.

#### Rural Area Participation:

Due to the emergent nature of COVID-19, parties representing rural areas were not consulted. If these regulations are proposed for permanent adoption, all parties will have an opportunity provided comments during the notice and comment period.

#### Job Impact Statement

The Department of Health has determined that this regulatory change will not have a substantial adverse impact on jobs and employment, based upon its nature and purpose.

## Division of Human Rights

### NOTICE OF ADOPTION

#### Gender Identity or Expression Discrimination

**I.D. No.** HRT-27-19-00002-A

**Filing No.** 373

**Filing Date:** 2020-06-03

**Effective Date:** 2020-06-24

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

**Action taken:** Amendment of section 466.13 of Title 9 NYCRR.

**Statutory authority:** Executive Law, section 295.5

**Subject:** Gender Identity or Expression Discrimination.

**Purpose:** To conform the Division's regulations with Executive Law as amended by chapter 8 of the Laws of New York 2019.

**Text or summary was published** in the July 3, 2019 issue of the Register, I.D. No. HRT-27-19-00002-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Edith Allen, Administrative Aide, Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8398, email: edith.allen@dhr.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 Division of Human Rights (DHR or Division) received comments associated with the rule making during the public comment period. All of

the comments were supportive of the proposed amendment, however, some were supportive but suggested changes. The major issues and concerns raised in the comments are summarized below. DHR's response is provided for each issue or concern.

**Comment:** The regulation should provide more specific guidance on what types of actions would be considered gender identity or expression discrimination.

**Response:** The purpose of the proposed amendment is to conform the Division's regulations with the Executive Law, Article 15, as amended by Chapter 8 of the Laws of New York 2019 which defines gender identity or expression and adds it as a protected class.

After consideration, the Division is not making changes to the proposed amendment to include more specific information on what types of actions would be considered gender identity or expression discrimination. Whether conduct constitutes discrimination or harassment is a fact-intensive inquiry that depends on the circumstances of a case and the applicable legal standards. Pursuant to the statutory language of the HRL, in the area of employment, individuals are entitled to equal treatment with regard to hiring, firing, compensation, or in terms, conditions or privileges of employment. Exec. L. § 296.1. In the area of housing, individuals are entitled to equal access to buy, rent, lease, or otherwise access housing, and to equal terms, conditions or privileges of the sale, rental or lease of housing. Exec. L. § 296.2-a and § 296.5. In places of public accommodation, individuals may not be denied an accommodation, or the advantages, facilities or privileges thereof, or be subject to statements or other behavior indicating that any protected characteristic of an individual is unwelcome, objectionable or not acceptable, desired or solicited. Exec. L. § 296.2. In educational institutions, students or applicants cannot be denied the use of facilities or be harassed. Exec. L. § 296.4. In addition, the HRL provides that reasonable accommodation for persons with disabilities is specifically required in all of these areas. Exec. L. §§ 296.2(c)-(e), 296.2-a(d); 296.3, 296.18.

However, to ensure that all New Yorkers understand what types of conduct would constitute gender identity discrimination, on January 29, 2020, DHR issued a comprehensive guidance document entitled "Guidance on Protections From Gender Identity Discrimination Under the New York State Human Rights Law." This Guidance includes examples of what gender identity discrimination might look like across areas of jurisdiction covered by the Human Rights Law, including employment, housing, places of public accommodation, and education.

**Comment:** The regulation should provide specific guidance on what types of accommodations are needed by persons with gender dysphoria.

**Response:** As noted above, the purpose of the proposed regulation is to conform the Division's regulations with Executive Law, Article 15, as amended by Chapter 8 of the Laws of New York 2019 which defines gender identity or expression and adds it as a protected class.

After consideration, the Division is not making changes to the proposed regulation to include more specific information on what types of accommodations are needed by persons with gender dysphoria. Whether a particular accommodation is reasonable is a fact-intensive inquiry that depends on the circumstances in a case, including the medical needs of the individual as documented by the person's medical professional(s), and applicable legal standards. However, in an effort to ensure that all New Yorkers understand what types of conduct would constitute gender identity discrimination, on January 29, 2020, DHR issued a comprehensive guidance document entitled "Guidance on Protections From Gender Identity Discrimination Under the New York State Human Rights Law." In addition, information on determining what is a reasonable accommodation in the employment context is provided by 9 NYCRR 466.11.

**Comment:** The commenter supports non-discrimination protections for gender identity or expression but opposes the Hate Crimes provision of GENDA.

**Response:** The Division only enforces the Human Rights Law and the non-discrimination provisions therein. The purpose of the proposed regulation is solely to conform the text of the Division's regulations with Executive Law, Article 15, as amended by Chapter 8 of the Laws of New York 2019 which defines gender identity or expression and adds it as a protected class.

## Department of Labor

### NOTICE OF ADOPTION

#### Minimum Wage Tip Allowances

**I.D. No.** LAB-03-20-00012-A

**Filing No.** 401

**Filing Date:** 2020-06-17

**Effective Date:** 2020-06-24

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

**Action taken:** Amendment of section 142-2.21 of Title 12 NYCRR.

**Statutory authority:** Labor Law, sections 21(11) and 659

**Subject:** Minimum Wage Tip Allowances.

**Purpose:** Amendment of regulations governing tip allowances in the Miscellaneous Industries Wage Order.

**Text of final rule:** Section 142-2.21 of Title 12 of the New York Code of Rules and Regulations is amended to read as follows:

§ 142-2.21 Tips. Tips or gratuities shall mean voluntary contributions received by the employee from a guest, patron, customer, or other person for services rendered. No gratuities or tips shall be deemed received for the purpose of this Part if their acceptance is prohibited by the employer or prohibited by law. *Notwithstanding any other provision contained in this part, tips or gratuities shall not be considered a part of the minimum wage on or after December 31, 2020, provided, however, that no employer shall claim a tip allowance in excess of fifty percent of the applicable allowances listed in this part and rounded to the nearest five cents on or after June 30, 2020.*

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 142-2.21.

**Text of rule and any required statements and analyses may be obtained from:** Michael Paglialonga, NYS Department of Labor, State Office Campus Building 12, Room 509, Albany, NY 12240, (518) 485-2191, email: comments@labor.ny.gov

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

A revised Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement are not required because the changes made to the last published rule do not affect the meaning of any statements in the document, as such changes simply eliminate unnecessary punctuation.

#### **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 Labor (Department) received approximately 1,600 comments on the proposed rulemaking that was published in the January 22, 2020 edition of the New York State Register. A summary and analysis of the comments, and the reasons why any significant alternatives were not incorporated into the rulemaking, appear below. Most comments argued in favor or against the adoption of the rulemaking. Several comments, which were entirely outside of the scope of the present rule, are not addressed.

#### **Impact of the Rulemaking on Tipping**

A number of commenters appeared to assume that the proposed rule would either prohibit tipping or would result in a reduction in the dollar amount of tips or overall compensation received by employees. Other commenters submitted that employees at nail salons that prohibit tipping are less satisfied than those that do.

The Department, through a series of public hearings on subminimum wages involving approximately 40 hours of testimony, found widespread confusion over subminimum or tipped wages in industries covered by the Minimum Wage Order for Miscellaneous Industries and Occupations.

The proposed rule does not prohibit tipping or otherwise regulate tipping practices of customers. The proposed rule will reduce the credit towards the minimum wage that employers may take as part of the minimum wage and, in doing so, increases, rather than decrease, the base compensation received by tipped employees. Employers are prohibited from demanding or accepting, directly or indirectly, any tip left for an em-

ployee, or retaining any part of a charge purported to be a tip. Employers are not encouraged or required, in any way, to inform customers that tipping is not expected or permitted.

#### **Impact of the Rulemaking on Labor Costs and Profits**

Commenters expressed concerns with the impact of the proposed rule on labor costs, the number of jobs and job opportunities, and the particular impact on certain industries, such as nail salons, hair salons, and massage parlors. The Department does not anticipate that the present proposal will have an adverse impact on jobs and job opportunities within New York State, and employers are encouraged to make operational changes to adjust to the proposed rule.

Commenters further noted that customer tips are often used as the primary metric for employee performance in nail salons and that inexperienced nail salon employees are not as profitable when they first begin working and lack the experience of other workers. The proposed rule does not limit or otherwise restrict an employee's ability to receive tips or the employer's ability to record tips. Employers may develop ways to incentivize employee performance, including commissions and bonuses. Furthermore, all employees are entitled to the protection of minimum wage standards that ensure adequate maintenance for the workers and their families.

Commenters pointed out that nail salons generally operate in a "wait staff" environment, where employees wait for customers and do not perform other tasks while not servicing customers. Employees that are engaged by an employer to wait for customers or work assignments are generally working during such times and must be paid for those hours, and that is not unique to nail salons. See examples at 29 CFR § 781.15.

#### **Changes in the Nail Salon Industry**

Commenters submitted that changes in the nail salon industry, including increased regulation, increased expenses (requirements to purchase respirators, minimum wage increases, industry pricing standards, increased taxes, and increased rent) and changes in customer preferences in favor of at-home or DIY nails, make operating a nail salon difficult. While the Department recognizes the difficulties raised by stakeholders, ensuring that all employees are afforded adequate wage standards upon which to receive adequate compensation to support themselves and their families is of paramount concern, as expressed in Section 650 of the Labor Law.

While many of the increases to expenses are not specific to nail salons, the requirement that nail salons have proper ventilation is. However, the ventilation standard was effective October 3, 2016 and provided existing nail salons with five years, until October 3, 2021, to obtain this crucial equipment to help ensure that employees and customer are not exposed to harmful contaminants, fumes, and particles while in the nail salon. The Department disagrees that more time is needed with the proposed rule due to the upcoming deadline for compliance with the ventilation standard as ample time was provided to nail salons to comply.

Commenters further noted that no protections have been provided for nail salon owners who are struggling with the changes in the industry noted above. The purpose of the proposed rule and its underlying authority is to protect employees. The industry has had over two years since hearings were announced on this issue to prepare for the possibility that employees would, once again, be required to be paid the full statutory minimum wage rate, with no reductions for tips received from customers. After that, when the Department issued its report, and the Commissioner issued her order, in December 2019, the industry was given a phase-in period that would allow the full tip credit to continue for an additional six months, followed by another six months with a reduced tip credit, before the tip credit is eliminated on December 31, 2020. Beyond those accommodations to the industry, the Department provides services and support for business through its Division of Employment and Workforce Solutions. The Department's staff can assist businesses with today's business environment, including recruitment assistance, career fairs, help with certain hiring incentives/tax credits, establishing apprenticeship programs, human resource consulting, and layoff aversion. More information is available at: <https://labor.ny.gov/businessservices/landing.shtm>

Some commenters suggested that increased enforcement was needed in the nail salon industry, including regulating the materials that are used in some salons. The proposed rule will simplify compliance requirements and eliminate significant amounts of confusion within the Wage Order for Miscellaneous Industries and occupations, thereby allowing the streamlining of enforcement activities. Furthermore, the Department continues to work with its partners on the Nail Salon Industry Enforcement Task force to ensure that protections for employees are being provided and that the reforms are put into action. The Task Force maintains a hotline to report violations at: 888-469-7365.

## Nail Salon Industry and Other Industries

Commenters from the nail salon industry wrote that they should not be singled out for the elimination of the tip credit, while allowing other industries to continue to claim tip credits, and that the impact on the nail salon industry will negatively impact a large number immigrant and minority groups that work within the industry. The proposed rule impacts the entire Minimum Wage Order for Miscellaneous Industries and Occupation and no single industry or industries were singled out. The fact that the hospitality industry, which is not subject to the miscellaneous industry wage order, allows food service workers to be paid at a reduced minimum wage established by the legislature, does not support a conclusion that the Department has singled out any industry, let alone the nail salon industry, by amending the miscellaneous industry wage order to phase-out the tip credit for all industries and occupations covered by that wage order.

A commenter asserted that the Asian American community was not engaged in the present rulemaking process. The Department held seven hearings across the state that were attended by over 3,000 individuals, with testimony from more than 700 speakers. Specific attention was paid to ensure attendees were afforded a reasonable opportunity to speak and an opportunity to hear from those testifying. This included hiring dozens of interpreters throughout the hearing process and providing real-time translation in all languages requested, including Korean, Chinese, Nepalese, and Spanish. In addition, during this notice and comment period, the Department received, translated, and has assessed almost 1,000 comments submitted in languages other than English, the overwhelming majority of comments submitted in Korean and Chinese.

## Requests to Delay or Withdraw Rule

Various commenters urged the Department to abandon or postpone the proposed rule, with some noting that the COVID-19 pandemic has had a significant impact on revenues and created uncertainty as to future business prospects. While the Department recognizes that the pandemic has created uncertainty in many industries, elimination of the tip credit will provide workers with a significant and much needed protection. Delaying or otherwise reducing worker protections in the wake of such an unprecedented pandemic only serves to exacerbate the impact to workers by permitting them to continue working at insufficient wages and without sufficient wage protections. The proposed implementation schedule is believed to be sufficient for industry to adjust to the changes in the proposed rule.

## Public Service Commission

PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED

## Petition for the Use of Electric Metering Equipment

I.D. No. PSC-25-20-00009-P

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

**Proposed Action:** The Public Service Commission is considering a petition filed by Aclara Meters for the use of the Aclara kV2c Generation 5 Commercial Meter with Itron NIC 511 Prion 2 Network Interface Card in electric metering applications.

**Statutory authority:** Public Service Law, section 67(1)

**Subject:** Petition for the use of electric metering equipment.

**Purpose:** To ensure that consumer bills are based on accurate measurements of electric usage.

**Substance of proposed rule:** The Public Service Commission is considering a petition, filed on May 19, 2020, by Aclara Meters, LLC seeking approval to use the Aclara kV2c Gen 5 Commercial Meter with Itron NIC 511 Prion 2 Network Interface Card in electric metering applications in New York State.

The Commission requires new types of electric meters used to measure electric service supplied to customers to conform to the requirements of 16 NYCRR § 93 and be approved by the Commission before they may be used for the purposes 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](http://www.dps.ny.gov). The Commission may adopt, modify or reject, 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](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: [secretary@dps.ny.gov](mailto: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-0239SP1)

PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED

## Whitepaper Regarding Energy Service Company Financial Assurance Requirements

I.D. No. PSC-25-20-00010-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 whitepaper filed on May 29, 2020 by Department of Public Service Staff regarding the form and amount of financial assurance requirements for energy service companies operating in New York.

**Statutory authority:** Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

**Subject:** Whitepaper regarding energy service company financial assurance requirements.

**Purpose:** To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a whitepaper filed on May 29, 2020 by Department of Public Service Staff (Staff) regarding the form and amount of financial assurance requirements for energy service companies (ESCOs) operating in New York. Staff proposes that these requirements be incorporated into the eligibility criteria of Section 2 of the Uniform Business Practices (UBP).

Staff proposes that, as a condition of obtaining and maintaining eligibility, ESCOs be required to post a financial assurance to address any customer harm resulting from failure on behalf of an ESCO to honor the terms of the customer agreement, from violations of the UBP, or from violation of other Commission orders, rules, and regulations. Staff proposes that before any financial instrument could be drawn upon to provide refunds to customers, the Commission would first have to issue an order describing the potential violation(s) by the ESCO and directing such refunds. Then, in the event that the ESCO is unable or unwilling to provide refunds to customers, the Commission would draw upon a portion of or all of the financial assurance instrument to provide those refunds due to customers. Staff further proposes that any financial assurance that may be required be used only as a last resort after the traditional enforcement processes have failed to supply a suitable remedy.

Regarding the form of such financial assurance, Staff proposes an irrevocable letter of credit obtained through a New York financial institution with an investment grade credit rating as the most attractive option. Staff also proposes for consideration additional financial assurance options including a parental guarantee when the parent company providing the guarantee has an investment grade credit rating, as well as cash held in an escrow account. An additional option presented by Staff, the use of surety bonds, was disfavored by Staff due to the potential difficulty of collecting on these bonds.

Regarding the amount of any financial assurance requirement, Staff proposes to utilize a base amount applicable to all ESCOs, with an alternative amount based on the size of an individual ESCO. Specifically, Staff proposes that ESCOs be required to obtain a financial assurance instrument in the amount of \$500,000 or an amount equal to 10% of an ESCO's revenues, whichever is higher. Staff proposes that the amount of the financial assurance would need to be reviewed and potentially adjusted every three years during the ESCO's triennial review or, alternatively, adjusted more frequently if a significant change to the ESCO's annual revenues occurs. To support this proposal, Staff also recommends instituting a new ESCO reporting obligation whereby ESCOs would be required to file their revenues annually with the Commission.

Staff further proposes an additional financial assurance requirement for ESCOs utilizing door-to-door marketing and seeks input from interested stakeholders as to the amount of such requirement. Finally, Staff also considered imposing an additional financial assurance requirement for ESCOs offering gas commodity in light of the seasonality of gas usage and the possibility that an ESCO offering gas service could incur significant overcharges during the winter heating season.

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](http://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](mailto: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](mailto: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-M-0127SP22)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Notice of Intent to Submeter Electricity

**I.D. No.** PSC-25-20-00011-P

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

**Proposed Action:** The Commission is considering the notice of intent QPP LLC to submeter electricity at 29-59 Northern Boulevard, Queens, 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 QPP LLC on April 13, 2020, to submeter electricity at 29-59 Northern Boulevard, Queens, New York, located in the Territory of Consolidated Edison Company of New York, Inc.

In the notice of intent, QPP LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Submetering of electricity to residential tenants 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](http://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](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto: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-0190SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Petition to Submeter Electricity

**I.D. No.** PSC-25-20-00012-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 the petition of Liberty For All LLC to Submeter Electricity at 975 Liberty Avenue, Brooklyn, 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:** Petition to submeter electricity.

**Purpose:** To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.

**Substance of proposed rule:** The Commission is considering the petition, filed by Liberty For All LLC on September 18, 2019 to submeter electricity at 975 Liberty Avenue, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, Liberty For All LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Submetering of electricity to residential tenants 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 petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://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](mailto: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](mailto: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.

(19-E-0595SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Changes to PSL Section 66-p Relating to Billing Information for Residential Rental Premises

**I.D. No.** PSC-25-20-00013-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 Pennsylvania Electric Company to modify its electric 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 filed by Pennsylvania Electric Company (Penelec or the Company) on May 29, 2020, to amend its electric tariff schedule, P.S.C. No. 7. Penelec 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.

Penelec proposes to include language in its electric tariff specifying that the Company shall provide the prospective tenant and landlord or other

authorized person of prospective residential premises the total electric 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 October 1, 2020.

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](http://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](mailto: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](mailto: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-0029SP15)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Partial Waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process**

**I.D. No.** PSC-25-20-00014-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 on May 29, 2020 by South Bay Energy Corp. for a partial waiver of the Commission's December 12, 2019 Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

**Statutory authority:** Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

**Subject:** Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

**Purpose:** To consider whether South Bay Energy Corp. should be permitted to offer Green Gas Products to mass market customers in New York.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on May 29, 2020 by South Bay Energy Corp. (South Bay) for a partial waiver of the Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process, issued on December 12, 2019 in Case 15-M-0127, et al. (December 2019 Order).

The December 2019 Order, among other things, limited the types of products that energy service companies (ESCOs) can offer to New York mass market customers to those products that: (1) include a guaranteed savings over the utility price, as reconciled on an annual basis; (2) are for a fixed-rate commodity product that is priced at no more than 5% greater than the trailing 12-month average utility supply rate; and, (3) are for a renewably sourced electric commodity product that (a) has a renewable mix that is at least 50% greater than the ESCO's current Renewable Energy Standard (RES) obligation, and (b) the ESCO complies with the RES locational and delivery requirements when procuring Renewable Energy Credits (RECs) or entering into bilateral contracts for renewable commodity supply. Additionally, the December 2019 Order allowed for an additional product to be offered by Agway Energy Services, LLC (Agway) who provides customers with its EnergyGuard service. The December 2019 Order provided a limited opportunity for other ESCOs to petition the Commission for the opportunity to sell a product/service similar to EnergyGuard.

South Bay requests that the Commission waive portions of the December 2019 Order and permit South Bay to offer its "Green Gas Products" as energy-related value added services that may be offered to mass market customers without an additional requirement of being paired with a guaranteed savings or fixed-rate product. According to South Bay, its three Green Gas Products provide demonstrable benefits to customers, and their costs are reasonably related to those benefits. South Bay asserts that the

same policy considerations that the Commission relied upon to permit ESCOs to offer Renewable Electricity Products also apply to Green Gas Products, and thus its products should be permitted as in the public interest.

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](http://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](mailto: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](mailto: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-M-0127SP23)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Staff Whitepaper on a Data Access Framework**

**I.D. No.** PSC-25-20-00015-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 whitepaper filed on May 29, 2020 by Department of Public Service Staff regarding the development of a Data Access Framework for access to energy-related data.

**Statutory authority:** Public Service Law, sections 5(1), (2), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

**Subject:** Staff whitepaper on a Data Access Framework.

**Purpose:** To standardize the necessary privacy and cybersecurity requirements for access to energy-related data.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a whitepaper filed on May 29, 2020 by Department of Public Service Staff (Staff) regarding the development of a Data Access Framework for access to energy-related data. The Data Access Framework proposed by Staff would standardize the necessary privacy, cybersecurity, and quality requirements for access to energy-related data.

The proposed Data Access Framework would apply to any entity seeking access to energy-related data, regardless of where the data are housed. Additionally, as a condition of obtaining access to energy-related data, energy service entities (ESEs) would need to agree to abide by the terms of the proposed Data Access Framework.

A key component of Staff's Data Access Framework is the proposed Data Ready Certification process that incorporates into one process all of the Commission's and utilities' existing cybersecurity and privacy requirements, and establishes a universal approach for any ESE seeking access to energy-related data that would apply statewide, regardless of utility territory. The Data Ready Certification process would be based on risk management principles and be managed by a risk management solution provider (Provider). The proposed Data Ready Certification would require confirmation/testing that necessary cybersecurity and privacy requirements are in place, which may be done directly with the Provider or as part of an audit. The necessary cybersecurity and privacy requirements would be detailed in a matrix that applies the necessary requirements to the specific purpose for the data request, the mechanism by which that data is communicated, and the type of data being accessed. The Provider, utilizing the matrix, would determine if the ESE has the cybersecurity and privacy protections necessary for the ESE's specific data purpose, transmittal mechanism, as well as for the specific data requested. Once certified, the ESE would be assigned an access role through which it can access energy related data from any data custodian consistent with that access role.

As part of the Data Access Framework, Staff also proposes to develop data quality and integrity standards that would be intended to ensure that data custodians are providing data that are accurate and reliable. Additionally, while Staff recognizes that access to customer data requires the

consent of the customer in most instances, Staff seeks input as to the development of an opt-out program whereby customers are provided with an opportunity to decline participation in a particular program, rather than proactively seek it. According to Staff, such strategies have been successfully deployed to increase the participation rates for various programs and could be a means to advance New York's ambitious clean energy policy objectives. Finally, Staff proposes a set of definitions for key data related terms for adoption by the Commission.

The full text of the whitepaper and the full record of the proceeding may be read in its entirety on the Department of Public Service's website at [www.dps.ny.gov](http://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](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto: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-0082SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Modifications to the Low-Income Affordability Program

**I.D. No.** PSC-25-20-00016-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 on May 15, 2020 by the Public Utility Law Project of New York requesting modifications to the statewide low-income affordability program to address the economic impacts of the COVID-19 pandemic.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), 65(1), (2), (3), 66(1), (2), (3), (5), (8), (9) and (12)

**Subject:** Modifications to the Low-Income Affordability program.

**Purpose:** To address the economic impacts of the COVID-19 pandemic.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on May 15, 2020 by the Public Utility Law Project of New York (PULP) requesting modifications to the statewide low-income affordability program (Affordability Program) to address the economic impacts of the COVID-19 pandemic. PULP requests the Commission to require all utilities to enroll all income-eligible customers into the Affordability Program and other energy assistance programs whenever customers provide documentation showing denial of Home Energy Assistance Program (HEAP) benefits for some reason other than ineligibility, or whenever customers provide evidence of participation in at least one of the following programs: Temporary Assistance for Needy Families; Safety Net Assistance - Public Assistance; Supplemental Security Income; Medicaid; Supplemental Nutrition Assistance Program; Veteran's Disability Pension; Veteran's Surviving Spouse Pension; or Child Health Plus.

Additionally, PULP requests that the Commission waive the Affordability Program's budget cap of 2% of an energy utility's electric revenues and gas revenues.

PULP further requests that the Commission direct all utilities to apply an alternative methodology for calculating energy affordability program discounts and to promptly file requests for Commission approval of the new discount levels. This methodology would be based on current or approved rates rather than on historical two- or three-year averages and would use the U.S. Census' American Community Survey (ACS) Public Use Microdata Area (PUMA) data.

The full text of the petition and the full record of the proceeding may be read in its entirety on the Department of Public Service's website at [www.dps.ny.gov](http://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](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto: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-M-0565SP14)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Partial Waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process

**I.D. No.** PSC-25-20-00017-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 on June 1, 2020 by Marathon Energy LLC d/b/a Marathon Energy for a waiver of the Commission's December 12, 2019 Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

**Statutory authority:** Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

**Subject:** Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

**Purpose:** To consider whether Marathon Energy should be permitted to offer Green Gas Products to mass market customers in New York.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on June 1, 2020 by Marathon Energy LLC d/b/a Marathon Energy (Marathon) for a partial waiver of the Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process, issued on December 12, 2019 in Case 15-M-0127, et al. (December 2019 Order).

The December 2019 Order, among other things, limited the types of products that energy service companies (ESCOs) can offer to New York mass market customers to those products that: (1) include a guaranteed savings over the utility price, as reconciled on an annual basis; (2) are for a fixed-rate commodity product that is priced at no more than 5% greater than the trailing 12-month average utility supply rate; and, (3) are for a renewably sourced electric commodity product that (a) has a renewable mix that is at least 50% greater than the ESCO's current Renewable Energy Standard (RES) obligation, and (b) the ESCO complies with the RES locational and delivery requirements when procuring Renewable Energy Credits (RECs) or entering into bilateral contracts for renewable commodity supply. Additionally, the December 2019 Order allowed for an additional product to be offered by Agway Energy Services, LLC (Agway) who provides customers with its EnergyGuard service. The December 2019 Order provided a limited opportunity for other ESCOs to petition the Commission for the opportunity to sell a product/service similar to EnergyGuard.

Marathon requests that the Commission waive portions of the December 2019 Order and permit Marathon to offer two green gas products to mass market customers. According to Marathon, the proposed green gas products would advance New York State's clean energy goals by reducing the carbon footprint of New York State's gas networks.

With respect to the first of these products, the "Carbon Offset" product, Marathon proposes to offset 50% of customers' gas usage by purchasing carbon allowances from the Regional Greenhouse Gas Initiative (RGGI). Specifically, Marathon proposes to multiply a customer's natural gas consumption by 117 to identify the pounds of carbon dioxide (CO<sub>2</sub>) being produced by the customer. Marathon proposes to take the resulting number and divide it by two to determine the CO<sub>2</sub> allowances needed to offset 50% of the customer's usage.

The Second proposed product, the "Clean Gas" product, would offset 50% of a customer's natural gas usage by purchasing and retiring Renewable Energy Certificates (RECs) or making Alternative Compliance Payments (ACPs) to the New York State Energy Research and Development Authority. Specifically, Marathon proposes to multiply the total dekath-erms of natural gas supplied to the customer by "roughly" 69% to account for the average amount of natural gas used in residential home heating, and then multiply that number by approximately 293 to convert the customer's gas usage into megawatt hours of electricity. Marathon would

then divide the resulting number by two to determine the number of RECs or ACPs needed to offset 50% of the customers natural gas usage.

According to Marathon, green gas products allow individuals and businesses to invest in the development of clean-energy resources, offset their own carbon emissions, and offset the emissions of others. Marathon asserts that its proposed green gas products will encourage further development of renewable resources, increasing the State's available renewable fuel supply and replacing the need to rely on less environmentally friendly sources for energy.

Additionally, Marathon asserts that there is no meaningful distinction between the benefits provided by renewable electric products and those provided by green gas products, and that the Commission should allow ESCOs to offer both types of products. Finally, Marathon also expresses support for the petition filed by Direct Energy, LLC requesting permission to offer two similar green gas products; the RGGI Gas and Cleaner Heat products.

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](http://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](mailto: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](mailto: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-M-0127SP24)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Staff's Whitepaper Proposing an IEDR

**I.D. No.** PSC-25-20-00018-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 Department of Public Service Staff (Staff) whitepaper recommending that the Commission establish one statewide Integrated Energy Data Resource (IEDR).

**Statutory authority:** Public Service Law, sections 5, 65, 66 and 74

**Subject:** Staff's whitepaper proposing an IEDR.

**Purpose:** To collect and integrate a large and diverse set of energy-related information and data on one statewide platform.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a whitepaper filed on May 29, 2020 by Department of Public Service Staff (Staff) regarding the development of an Integrated Energy Data Resource (IEDR) that would enable and provide useful access to useful energy data. The IEDR proposed by Staff would collect and integrate a large and diverse set of energy-related information on one statewide data platform. Staff proposed an IEDR that would include information already available, in a more useful format. Staff suggested that the current fragmented structure and governance of the existing framework prevents any possibility of achieving satisfactory usefulness at an affordable cost and within an acceptable timeframe. Accordingly, the whitepapers also propose specific governance for the Commission to consider.

Staff also recommended that the IEDR include information that is inadequately available today, including: (1) detailed consumption data for more than half of the State's electricity and natural gas consumers that's missing today; (2) market and consumption data for other combustible fuels such as heating oil, propane, kerosene, gasoline, diesel fuel, wood pellets, and firewood; (3) load and performance data for many of the distribution systems that serve the State's rural areas; (4) available hosting capacity data applies only to solar sources, lacks adequate temporal and locational granularity, is updated too slowly, and does not forecast future conditions; and (5) little or no load, performance, and forecast data for EVs and charging resources.

In addition to collecting and housing the data, Staff's whitepaper sug-

gests that the IEDR should provide a collection of analytic tools that would enable users to design and run useful queries and calculations that operate across all the data types in the system. Over time, the IEDR should evolve to include useful information and functions related to weather, demographics, zoning, building attributes, land attributes, property taxes, real estate values, locations of environmental justice areas, EV registrations, EV charger types and locations, EV charger loads, localized grid load-serving capacity, DER aggregations by operator, DER aggregations by grid service, and power quality measurements.

As for a new IEDR governance, Staff's whitepaper recommends having the New York State Energy Research and Development Authority (NYSERDA) act as a Program Sponsor and proposes that NYSERDA appoint a Program Manager as needed to help ensure program success. Additionally, Staff's IEDR whitepaper recommends two groups, a "Steering Committee" and an "Advisory Group." Staff proposes that NYSERDA, acting as the Program Sponsor, convene and work with a Steering Committee made up of five members of DPS Staff and four members of NYSERDA staff, to timely review and when necessary act on: program issues that require Steering Committee awareness and possible actions or decisions; significant program risks that require management and mitigation; planned and unplanned deviations from the program scope, schedule, or budget; and, upcoming program milestones. The Steering Committee should also timely review all Advisory Group inputs and ensure that those inputs are appropriately incorporated into the program's various workstreams.

Staff proposes that NYSERDA, acting as the Program Sponsor, convene and work with the Advisory Group to enable stakeholder groups to timely provide informed commentary and guidance to the Steering Committee. Staff suggests that the Steering Committee select members of the Advisory Group, which should represent all relevant stakeholder groups and have a sufficient number of members to ensure adequate representation across stakeholder groups while remaining manageable. The scope of Advisory Group activities should include timely reviews and guidance related to: IEDR use cases and their respective requirements; priorities and schedules for enabling use cases; planned IEDR capabilities; required stakeholder capabilities; user interfaces and experience; IEDR development and testing; program governance; and upcoming program milestones.

Staff also proposes a "Solution Architect" to employ an approach structured around identifying, understanding, and prioritizing potential IEDR use cases to ensure realization of the IEDR's potential value.

The full text of the whitepaper and the full record of the proceeding may be read in its entirety on the Department of Public Service's website at [www.dps.ny.gov](http://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](mailto: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](mailto: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-0082SP2)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### A Clean Energy Resources Development and Incentives Program

**I.D. No.** PSC-25-20-00019-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 the New York State Energy Research and Development Authority to implement a Clean Energy Resources Development and Incentives Program to facilitate the development of renewable generation.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), (2), 66(2); Energy Law, section 6-104(5)(b)

**Subject:** A Clean Energy Resources Development and Incentives Program.

**Purpose:** To identify and develop renewable energy project sites for competitive auction to private developers.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on June 5, 2020 by the New York State Energy Research and Development Authority (NYSERDA) to implement a proposed Clean Energy Resources Development and Incentives Program (Build-Ready Program) to facilitate the development of renewable generation in New York (Petition). As part of the Build-Ready Program, NYSERDA also proposes new initiatives to foster and encourage local understanding of the importance of renewable energy and the value that it can bring to local communities, including environmental justice as a key consideration of such initiatives.

NYSERDA proposes to focus on incentivizing the re-use of previously developed and otherwise underutilized sites for renewable facilities, giving priority to existing or abandoned commercial sites, brownfields, landfills, former commercial or industrial sites, dormant electric generating sites, and otherwise underutilized sites. As part of the proposed Build-Ready Program, NYSERDA would survey the State for potentially suitable sites, acquire interests in real property for sites that appear promising, and then conduct site-by-site reviews of siting feasibility, including environmental review and interconnection options. NYSERDA would seek the permits necessary for authorization to construct a renewable energy facility. NYSERDA proposes to then competitively offer these sites to renewable energy developers, bundled with a long-term Renewable Energy Credit contract akin to those offered through NYSERDA's annual Tier 1 solicitations. The sites would be offered to private developers, according to NYSERDA, via a request for proposals that utilizes evaluation criteria similar to those used in Tier 1 solicitations.

**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](mailto: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](mailto: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-0302SP43)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Transfer of Street Lighting Facilities

**I.D. No.** PSC-25-20-00020-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 to transfer certain street lighting facilities in the Village of Homer to the Village of Homer.

**Statutory authority:** Public Service Law, sections 5, 65, 66 and 70(1)

**Subject:** Transfer of street lighting facilities.

**Purpose:** To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on May 22, 2020 by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), requesting authorization to transfer certain street lighting facilities located in the Village of Homer (Village) to the Village.

The original cost of the facilities was approximately \$281,009 and the net book value of the assets is \$147,860, as of February 29, 2020. National Grid proposes to transfer the street lighting facilities to the Village for approximately \$155,455, which includes the net book value of the assets as well as transition and transaction costs. National Grid explains that the agreement between it and the Village provides that the purchase price will be adjusted (up or down) to reflect the actual net book value at the date of the closing.

The full text of the petition and the full record of the proceeding may be viewed online at the Department of Public Service web page:

[www.dps.ny.gov](http://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](mailto:john.pitucci@dps.ny.gov)

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**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-0242SP1)

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
PSC-23-20-00008-P .....	Disposition of sales tax refund and other related matters	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—August 11, 2020 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* *On occasion, it is necessary or appropriate to reschedule or postpone hearing dates. In such an event, notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 20-M-0134.

## 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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>00001</b>	<b>P</b>

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
<b>AGING, OFFICE FOR THE</b>			
AGE-34-19-00014-P	08/20/20	Limits on Administrative Expenses and Executive Compensation	To bring this rule into compliance with current law in New York State
<b>AGRICULTURE AND MARKETS, DEPARTMENT OF</b>			
AAM-12-20-00006-P	03/25/21	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.
AAM-21-20-00002-P	05/27/21	Milk and Milk Products	To incorporate federal requirements applicable to the processing and manufacture of milk and milk products
<b>ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF</b>			
ASA-10-20-00002-P	03/11/21	Credentialing of addiction professionals	Outlines the regulatory requirements for persons seeking credentialing as an addiction professional
ASA-19-20-00001-P	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.
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-46-19-00002-P	11/12/20	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-49-19-00001-P	12/03/20	Limits on executive compensation	To remove the soft cap limit on executive compensation
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
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-24-20-00001-EP	06/17/21	Medical reviews for child placement	To modernize the requirements for medical reviews so that required standards not act as a barrier for child placement
CFS-24-20-00014-EP	06/17/21	To implement and enforce emergency health guidance as put forward by the Executive Chamber and DOH.	To implement and enforce emergency health guidance as put forward by the Executive Chamber and DOH.
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-25-19-00006-P	06/18/20	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-34-19-00011-P	08/20/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-42-19-00010-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-42-19-00014-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-42-19-00020-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00021-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00023-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00024-P	10/15/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-45-19-00003-P	11/05/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-45-19-00004-P	11/05/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-45-19-00005-P	11/05/20	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class
CVS-45-19-00006-P	11/05/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-45-19-00007-P	11/05/20	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-45-19-00009-P	11/05/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00002-P	12/17/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-51-19-00003-P	12/17/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-51-19-00004-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00005-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-51-19-00006-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00007-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00008-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00009-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00010-P	..... 12/17/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-51-19-00011-P	..... 12/17/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00012-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00013-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00014-P	..... 12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00003-P	..... 01/21/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00004-P	..... 01/21/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-03-20-00005-P	..... 01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-03-20-00006-P	..... 01/21/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-03-20-00007-P	..... 01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-06-20-00001-P	..... 02/11/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-20-00002-P	..... 02/11/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-06-20-00003-P	..... 02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00004-P	..... 02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00005-P	..... 02/11/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-06-20-00006-P	..... 02/11/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-20-00007-P	..... 02/11/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class

**Action Pending Index****NYS Register/June 24, 2020**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-06-20-00008-P	02/11/21	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-18-20-00008-P	05/06/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
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
<b>CORRECTION, STATE COMMISSION OF</b>			
CMC-35-19-00002-P	08/27/20	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.
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
*CCS-21-19-00014-P	09/05/20	Adolescent Offender Facilities	To reclassify two existing correctional facilities to adolescent offender facilities.
CCS-35-19-00001-P	08/27/20	Special Housing Units	Revisions have been made in order to be in compliance with new laws regarding special housing units and solitary confinement use
CCS-50-19-00002-P	12/10/20	Raise the Age	To update each correctional facility's regulation as a direct result of the Raise the Age legislation
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
CJS-30-19-00010-ERP	07/23/20	Use of Force	Set forth use of force reporting and recordkeeping procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
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".
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-09-20-00007-P	03/04/21	Minority and Women-Owned Business Enterprise Program	Update the regulations of the Division of Minority and Women's Business Development
EDV-10-20-00001-P	03/11/21	Empire state entertainment diversity job training development program	To implement the administrative processes for the entertainment diversity job training development program
<b>EDUCATION DEPARTMENT</b>			
*EDU-17-19-00008-P	08/07/20	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	09/05/20	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-52-19-00007-ERP	12/23/20	Update Provisions Relating to Pupil Transportation	To update provisions of the Commissioner's Regulations relating to pupil transportation
EDU-04-20-00006-P	01/28/21	Financial Transparency and Data Reporting Requirements for Charter Schools	To establish criteria and procedures relating to charter financial transparency reporting to ensure compliance with ESSA.
EDU-11-20-00013-P	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-11-20-00014-P	03/18/21	Local Government Records Management	To issue a new records retention and disposition schedule LGS-1
EDU-11-20-00015-EP	03/18/21	Military Ballots for School District and School District Public Library Elections, Budget, and Referenda	To implement chapter 489 of the Laws of 2019 which added section 2018-d to the Education Law
EDU-11-20-00016-P	03/18/21	Eligibility Requirements for Loan Forgiveness and Grant Programs	Conforms Commissioner's regulations to the DREAM Act relating to student's eligibility for loan forgiveness and grant programs
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-25-20-00004-P	06/24/21	Alternative High School Equivalency Preparation and Alternative Transition Programs	To provide expanded access to and update Alternative High School Equivalency Preparation and Alternative Transition Programs
EDU-25-20-00005-EP	06/24/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-25-20-00006-EP	06/24/21	Licensing Examinations in the Profession of Public Accountancy	Conform the Commissioner's Regulations to the national licensing examination standards in public accountancy
EDU-25-20-00007-EP	06/24/21	Professional Student of Nursing	To implement Chapter 502 of the Laws of 2017 and Chapter 380 of the Laws of 2018
EDU-25-20-00008-EP	06/24/21	Eligibility for Participation of Students With Section 504 or ADA Plans in Interschool Competition and Inclusive Athletics	To clarify the eligibility requirements for participation of students with section 504 or ADA plans in interschool competition
<b>ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE</b>			
ERD-19-20-00012-P	05/13/21	CO2 Allowance Auction Program	Continued administration and implementation of the CO2 allowance auctions and programs under Part 507
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-36-19-00003-P	11/07/20	Stationary Combustion Installations	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.
ENV-37-19-00003-P	09/10/20	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-43-19-00010-P	01/06/21	Repeal and replace 6 NYCRR Part 622 and amend 6 NYCRR Part 624, Part 621 and Part 620	To incorporate procedural and legal developments, develop consistency & reflect current practice in DEC hearings
ENV-53-19-00016-P	03/09/21	Certain substances that contain hydrofluorocarbons, highly-potent greenhouse gases	Remove greenhouse gas emission sources that endanger public health and the environment
ENV-04-20-00004-EP	01/28/21	Regulations governing commercial fishing of quota managed species.	To improve efficiency, reduce waste, and increase safety in marine commercial fisheries.
ENV-05-20-00001-P	04/10/21	Use of Ultra Low Sulfur Diesel Fuel and Best Available Retrofit Technology for Heavy Duty Vehicles	Updating to meet with statutory deadline
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-11-20-00002-P	03/18/21	Brookfield Trail System	To protect public safety and natural resources on the Brookfield Trail System

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-11-20-00004-EP	03/18/21	Management of sharks, squid and Atlantic cod	To revise regulations concerning size, trip, and possession limits for sharks, squid and Atlantic cod
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-14-20-00005-P	04/08/21	Chronic wasting disease.	Rectify an errant subdivision reference and reinstate sections of Part 189 that were inadvertently removed by a clerical error.
ENV-15-20-00015-EP	04/15/21	Regulations governing commercial and recreational fishing for striped bass.	To amend 6 NYCRR Parts 10 and 40 pertaining to commercial and recreational regulations for striped bass.
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-17-20-00006-P	04/29/21	Emission Statements	The purpose of this rule making is to require electronic submittal of annual emission statements beginning in 2022.
ENV-17-20-00007-P	04/29/21	CO2 Budget trading program	To lower the emissions cap established under Part 242.
ENV-21-20-00003-EP	05/27/21	Regulations governing the recreational harvest of bluefish	To revise regulations concerning the recreational harvest of bluefish in New York State
ENV-22-20-00003-P	06/03/21	Amendments to New York State migratory game bird hunting regulations	To bring New York State migratory game bird hunting regulations into compliance with Federal Code of Regulations
ENV-22-20-00004-P	06/03/21	Amendments to New York State mink, muskrat, and beaver trapping season dates	To align existing mink, muskrat and beaver trapping season start dates and adjust the seasons to trapper-preferred dates
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*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
*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-33-19-00004-P	08/13/20	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure	To set forth minimum standards for the content of health insurance identification cards.
DFS-43-19-00017-P	10/22/20	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-11-20-00001-P	03/18/21	Corporate Governance	To require an authorized insurer to adopt a corporate governance framework and file an annual disclosure

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-12-20-00002-EP	03/25/21	Reverse Mortgage Loans	To implement newly enacted Real Property Law section 280-b as soon as it goes into effect.
DFS-24-20-00015-EP	06/17/21	Paid Family Leave COVID-19 Risk Adjustment Mechanism	Establishment of a risk adjustment mechanism as required by Chapter 25 of the Laws of 2020
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-22-20-00008-P	06/03/21	Permit harness horses to race without qualifying in extraordinary circumstances	To enhance harness racing in New York and promote a reasonable return for government
SGC-22-20-00009-P	06/03/21	Technical changes to correct cross-references in the regulations	To correct cross-references in the regulations
<b>GENERAL SERVICES, OFFICE OF</b>			
GNS-40-19-00005-P	10/01/20	Facility Use	To add “plastic knuckles” and remove “gravity knife” from the definition of “deadly weapon”
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-30-19-00006-RP	07/23/20	Maximum Contaminant Levels (MCLs)	Incorporating MCLs for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and 1,4-dioxane.
HLT-36-19-00006-P	09/03/20	Limits on Executive Compensation	Removes “Soft Cap” prohibition on covered executive salaries.
HLT-40-19-00004-P	10/01/20	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	11/12/20	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
HLT-47-19-00008-P	11/19/20	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-47-19-00009-P	11/19/20	Empire Clinical Research Investigator Program (ECRIP)	To expand the types of & change the time frames for past research grants that qualify staff to supervise the ECRIP project.
HLT-51-19-00001-P	12/17/20	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	12/30/20	Prohibition on the Sale of Electronic Liquids with Characterizing Flavors	To prohibit the sale of electronic liquids with characterizing flavors
HLT-53-19-00011-P	12/30/20	Cardiac Services	To amend existing Certificate of Need requirements for approval of adult cardiac surgery centers.
HLT-53-19-00012-P	12/30/20	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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
HLT-04-20-00002-P	01/28/21	Reducing Annual Tuberculosis Testing of Health Care Workers	To replace annual tuberculosis testing of health care workers.
HLT-04-20-00003-P	01/28/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
HLT-04-20-00011-P	01/28/21	Nursing Home Case Mix Rationalization	To authorize the Department of Health to change the case mix acuity process for all nursing homes.
HLT-04-20-00012-P	01/28/21	State Aid for Public Health Services: Counties and Cities	Clarifying State Aid payments for maintaining a cooling tower program.
HLT-08-20-00001-EP	02/25/21	Communicable Diseases Reporting and Control - Adding Severe or Novel Coronavirus	To require physicians, hospitals, nursing homes, D&TCs and clinical laboratories to report instances of severe or novel coronavirus
HLT-11-20-00003-P	03/18/21	Adult Day Health Care (ADHC)	To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program
<b>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</b>			
*HCR-21-19-00019-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation o flow-income housing tax credits.
<b>HOUSING FINANCE AGENCY</b>			
*HFA-21-19-00020-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
<b>HUDSON RIVER PARK TRUST</b>			
HPT-19-20-00011-P	05/13/21	Amendment of rules and regulations for Hudson River Park	To create a new penalty schedule for the enforcement of violations of Park rules
<b>LABOR, DEPARTMENT OF</b>			
LAB-46-19-00004-P	11/12/20	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
<b>LAW, DEPARTMENT OF</b>			
LAW-15-20-00017-P	04/15/21	investment advisers defined under GBL § 359-eee	Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.
LAW-15-20-00018-P	04/15/21	Brokers, dealers and salespersons defined under GBL § 359-e	Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.
LAW-18-20-00002-P	05/06/21	Designation of a Privacy Officer	Removal of a named Privacy Officer., along with their contact information

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*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
*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.
<b>LONG ISLAND RAILROAD COMPANY</b>			
LIR-20-20-00005-EP	..... 05/20/21	The conduct and safety of the public in the use of terminals, stations, and trains operated by The Long Island Railroad Company	To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminals and stations
<b>MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY</b>			
MBA-20-20-00002-EP	..... 05/20/21	The conduct and safety of the public in the use of facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of the transit system
<b>MENTAL HEALTH, OFFICE OF</b>			
OMH-47-19-00001-P	..... 11/19/20	Limits on Executive Compensation	To eliminate "soft cap" restrictions on compensation.
OMH-12-20-00003-P	..... 03/25/21	Uncompensated care funds issued pursuant to the Indigent Care Program.	To ensure the appropriate allocation of uncompensated care funds.
OMH-18-20-00003-P	..... 05/06/21	Clinic Treatment Plans	To provide more flexibility in the development and execution of an individual's treatment plan
<b>METRO-NORTH COMMUTER RAILROAD</b>			
MCR-20-20-00004-EP	..... 05/20/21	The conduct and safety of the public in the use of terminal, stations, and trains operated by Metro-North Commuter Railroad	To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminal and stations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>METROPOLITAN TRANSPORTATION AGENCY</b>			
*MTA-23-19-00006-ERP	09/02/20	Debarment of contractors	To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
MTV-07-20-00005-P	02/18/21	Electronic transmission of data by dismantlers and scrap processors	To establish procedures for the electronic transmission of data by dismantlers and scrap processors
<b>NEW YORK CITY TRANSIT AUTHORITY</b>			
NTA-20-20-00001-EP	05/20/21	The conduct and safety of the public in the use of facilities and conveyances operated by New York City Transit Authority	To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of the transit system
<b>NIAGARA FALLS WATER BOARD</b>			
*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
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*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
<b>PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF</b>			
PKR-23-20-00005-EP	06/10/21	face coverings, social distancing and dispersal of groups not from the same household or family unit	To encourage patrons to wear face coverings or stay six feet away from other patrons and not congregate in groups at parks
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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 receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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 it's 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 it's 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.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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.

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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.

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<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*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.

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*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-01-19-00004-P	..... exempt	Advanced Metering Infrastructure.	To determine whether Niagara Mohawk Power Corporation d/b/a National Grid should implement advanced metering infrastructure.
*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.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-23-19-00005-P	..... exempt	Proposed major rate increase in SWNY's annual base revenues of approximately \$31.5 million (or 19.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-19-00011-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
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-32-19-00008-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
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-34-19-00015-P	..... exempt	Major electric rate filing.	To consider a proposed increase in RG&E's electric delivery revenues of approximately \$31.7 million (or 4.1% in total revenues).
PSC-34-19-00016-P	..... exempt	Major gas rate filing.	To consider a proposed increase in RG&E's gas delivery revenues of approximately \$5.8 million (or 1.4% in total revenues).
PSC-34-19-00018-P	..... exempt	Major electric rate filing.	To consider a proposed increase in NYSEG's electric delivery revenues of approximately \$156.7 million (10.4% in total revenues).

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-34-19-00020-P	..... exempt	Major gas rate filing.	To consider a proposed increase in NYSEG's gas delivery revenues of approximately \$6.3 million (or 1.4% in total revenues).
PSC-36-19-00009-P	..... exempt	Minor rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-36-19-00011-P	..... exempt	Minor electric rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
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-39-19-00020-P	..... exempt	Initial Tariff Schedule, P.S.C. No. 1 - Water.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
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-43-19-00014-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-43-19-00015-P	..... exempt	Modifications to the Gas Cost Factor and Daily Delivery Service Programs.	To consider a rehearing petition filed by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.
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.
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-45-19-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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

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<b>PUBLIC SERVICE COMMISSION</b>			
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-52-19-00003-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-52-19-00005-P	..... exempt	Compensation of and rates for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
PSC-53-19-00006-P	..... exempt	To amend the terms to which the customer must abide when discontinuing gas service.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-53-19-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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-05-20-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-05-20-00004-P	..... exempt	A statewide Make-Ready Program that that would provide incentives to deploy EVSE&I to charge light duty electric vehicles (EV).	To deploy the infrastructure needed to meet the State's goals of 850,000 EVs by 2025 and recommend appropriate utility roles.
PSC-05-20-00006-P	..... exempt	Waiver of pipeline reassessment completion deadline while adequate tools to conduct inspection are found.	To ensure the safety of the Clove Lake Segment Pipeline with the use of adequate reassessment tools.
PSC-05-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00014-P	..... exempt	A program for the procurement of Renewable Energy Certificates from existing renewable resources.	To purchase Renewable Energy Certificates and maintain the State's baseline of existing renewable resources.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-06-20-00016-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-06-20-00017-P	..... exempt	Petitions for rehearing, reconsideration, clarification and stay of the December 12, 2019 Order.	To determine whether the Commission should grant, deny, or modify the relief sought and actions proposed by Petitioners
PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-20-00010-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-08-20-00004-P	..... exempt	Waiver of provisions and service agreement.	To consider if the waiver and the proposed terms of a service agreement are in the public interest.
PSC-08-20-00005-P	..... exempt	The use funding for certain pipeline safety programs.	To ensure appropriate use of funds reserved for gas safety programs.
PSC-08-20-00006-P	..... exempt	To establish procedures and modify terminology for Underground Residential Distribution Systems.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-20-00002-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-09-20-00003-P	..... exempt	Proposed transfer of the Company's assets to the Town and dissolution of the Company.	To determine if transfer of the water system to the Town of North Greenbush is in the public interest.
PSC-09-20-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-09-20-00005-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-09-20-00006-P	..... exempt	Petition for the use of an electric meter in submetering applications.	Whether to permit the use of the GG electric meter in submetering applications in New York State.
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-10-20-00004-P	..... exempt	Recovery of extraordinary repair expenses and establishment of an escrow account.	To consider if the proposed escrow account is in the public interest.
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-10-20-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-11-20-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-20-00007-P	..... exempt	Deferral and recovery of incremental costs and establishment of an extraordinary repair escrow account.	To consider deferring costs related to water main leak repairs for subsequent recovery and establishment of an escrow account.
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.
PSC-11-20-00009-P	..... exempt	Proposed transfer of water supply assets.	To determine whether the transfer of assets from Whitlock to NYAW is in the public interest.
PSC-11-20-00010-P	..... exempt	The proposed transfer of ownership interests in an existing transmission line.	Consideration of whether the proposed transfer is in the public interest.
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-12-20-00007-P	..... exempt	Request for waiver of tariff provision.	Consideration of a request for waiver of tariff provision.
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-12-20-00009-P	..... exempt	Clarify language regarding treatment of multi-unit buildings in CDG projects.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
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-12-20-00011-P	..... exempt	Sale of facilities.	To consider whether the sale of facilities is in the public interest.
PSC-12-20-00012-P	..... exempt	Transfer of street lighting facilities.	Consideration of petition by NYSEG for transfer of assets to the City of Ithaca.
PSC-12-20-00013-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-12-20-00014-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-12-20-00015-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-12-20-00016-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-12-20-00017-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.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-12-20-00018-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-12-20-00019-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-12-20-00020-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-12-20-00021-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-12-20-00022-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-13-20-00006-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-13-20-00007-P	..... exempt	Request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate energy efficiency protections are in place.
PSC-13-20-00008-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Village of Lancaster.
PSC-15-20-00001-EP	..... exempt	Suspension of tariff fees associated with certain suspended activities and services.	To assist customers in a time of hardship.
PSC-15-20-00002-EP	..... exempt	Postponement of a rate increase.	To assist customers in a time of hardship.
PSC-15-20-00003-EP	..... exempt	Postponement of a rate increase.	To assist customers in a time of hardship.
PSC-15-20-00004-EP	..... exempt	Postponement of the annual update of the low income discount credits.	To assist customers in a time of hardship.
PSC-15-20-00005-EP	..... exempt	Postponement of delivery rate and System Improvement Charge (SIC) increases and implementation of a make whole surcharge.	To assist customers in a time of hardship.
PSC-15-20-00006-EP	..... exempt	Suspension of tariff fees associated with certain suspended activities and services.	To assist customers in a time of hardship.
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-15-20-00012-P	..... exempt	Tariff filing.	To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.
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.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-15-20-00014-P	..... exempt	Tariff filing.	To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.
PSC-15-20-00016-EP	..... exempt	Amendment of tariff modifying cash-out rules and potential penalties.	To ensure gas system reliability and safety.
PSC-16-20-00001-EP	..... exempt	Suspension of deadline in Standard Interconnection Requirements (SIR).	To prevent unnecessary cancellation of distributed generation and energy storage system projects based on the State of Emergency
PSC-16-20-00003-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
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-16-20-00005-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00006-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00007-P	..... exempt	Proposed plan to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00008-P	..... exempt	Extension of the ESA between New York State Electric & Gas Corporation and Nucor Steel Auburn, Inc.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preference.
PSC-16-20-00009-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
PSC-16-20-00010-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Clifton Park.
PSC-16-20-00011-P	..... exempt	Proposal to implement a competitive procurement process for participation in multi-year DLM and auto-DLM programs.	To establish a multi-year and auto-DLM programs that will improve demand response program offerings.
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-17-20-00009-P	..... exempt	Proposed filing to provide credits for AMI non-residential customer sided meters.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-17-20-00010-P	..... exempt	Tariff provisions for Non-Firm Demand Response service classes.	To consider appropriate tariff provisions for non-compliant Non-Firm Demand Response service customers.
PSC-17-20-00011-P	..... exempt	Tariff provisions for Non-Firm Demand Response service classes.	To consider appropriate tariff provisions for non-compliant Non-Firm Demand Response service customers.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-17-20-00012-P	..... exempt	Tariff provisions for Interruptible and Off-Peak Firm Service Gas Customers.	To consider appropriate tariff provisions for non-compliant Interruptible and Off-Peak Firm Gas Customers.
PSC-18-20-00001-EP	..... exempt	Extension of time for gas companies to complete baseline atmospheric corrosion inspections and leakage surveys.	To protect utility workers and customers from virus exposure during the COVID-19 pandemic.
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-18-20-00013-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Village of Clyde.
PSC-18-20-00014-P	..... exempt	Tariff modifications to reduce customer costs related to relocating customer owned equipment for back-lot service relocations.	To facilitate the relocation of service lines owned by customers from the back of their lots to the front.
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-19-20-00003-P	..... exempt	Continued implementation of the Clean Energy Standard.	To promote and maintain renewable and zero-emission electric energy resources.
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-19-20-00006-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-19-20-00007-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-19-20-00008-P	..... exempt	Review of CECPN ownership transfer and related assets among CHPE, Inc., CHPE Properties, Inc., and CHPE, LLC	To consider the transfer of the CECPN and assets related to the Champlain Hudson Power Express Project.
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-21-20-00006-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Village of Dryden.
PSC-21-20-00007-P	..... exempt	The methodology for the calculation of reactive power demand.	To revise the methodology for the calculation of reactive power demand.

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<b>PUBLIC SERVICE COMMISSION</b>			
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-21-20-00009-P	..... exempt	Consideration of the NFG petition to modify Audit Implementation Plans.	To consider if modifying the Audit Implementation Plans are in the public interest.
PSC-21-20-00010-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Thompson.
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.
PSC-22-20-00001-EP	..... exempt	Modifications to electric utility dynamic load management (DLM) demand reduction programs.	To encourage DLM participation in summer 2020 capability period despite uncertainty due to the State Disaster Emergency.
PSC-22-20-00005-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To reduce unnecessary waste and disposal of directory listings.
PSC-22-20-00006-P	..... exempt	Proposed tariff amendment regarding the billing of customers participating in the Preservation Power Program.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-22-20-00007-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-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-23-20-00009-P	..... exempt	Adjustments to the Non-Firm Revenue Sharing Mechanism.	To adjust the Non-Firm Revenue Sharing mechanism to increase firm customer sharing
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-24-20-00011-EP	..... exempt	Postponement of a rate increase.	To assist customers in a time of hardship.
PSC-24-20-00012-EP	..... exempt	Further postponement of a rate increase and waiver of a tariff rule.	To assist customers in a time of hardship.
PSC-24-20-00013-EP	..... exempt	Further postponement of the annual update of the low income discount credits.	To assist customers in a time of hardship.
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.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-24-20-00017-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-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-24-20-00019-P	..... exempt	Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC's operation and maintenance of the SUSS and muni agreements.	To review a contract to operate, maintain and modernize the SUSS and three municipal road use agreements.
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-25-20-00013-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-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.
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-25-20-00019-P	..... exempt	A Clean Energy Resources Development and Incentives Program.	To identify and develop renewable energy project sites for competitive auction to private developers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-25-20-00020-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
<b>STATE UNIVERSITY OF NEW YORK</b>			
SUN-53-19-00002-P	..... 12/30/20	Proposed amendments to the traffic and parking regulations at State University of New York College at Old Westbury	Amend existing regulations to update traffic and parking regulations
SUN-53-19-00005-P	..... 12/30/20	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-14-20-00001-P	..... 04/08/21	Proposed amendments to the traffic and parking regulations at State University of New York System Administration.	Amend existing regulations to update traffic and parking regulations.
<b>STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY</b>			
SIR-20-20-00003-EP	..... 05/20/21	The conduct and safety of the public in the use of terminals, stations and trains operated by Staten Island Rapid Transit Auth	To safeguard the public health and safety by amending rules concerning appropriate and safe use of terminals and stations.
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
TAF-02-20-00001-EP	..... 01/14/21	Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures	To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts
TAF-21-20-00004-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 July 1, 2020 through September 30, 2020.
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
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
<b>THRUWAY AUTHORITY, NEW YORK STATE</b>			
THR-01-20-00003-P	..... 01/07/21	Toll rate adjustments on the New York State Thruway system.	To provide for toll rate adjustments necessary to support the Authority's financial obligations.
<b>WORKERS' COMPENSATION BOARD</b>			
WCB-37-19-00002-P	..... 09/10/20	Applications for Reopenings	Clarify the process for reopening a case that has been previously closed
WCB-23-20-00001-P	..... 06/10/21	Submission of medical bills and reports	To allows the single mailing address and format prescribed by the chair for submission of bills and medical reports

**Action Pending Index****NYS Register/June 24, 2020**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>WORKERS' COMPENSATION BOARD</b>			
WCB-23-20-00002-P	..... 06/10/21	Medical Treatment Guidelines	Repeal carpal tunnel syndrome MTG and replace with hand,wrist, and forearm, and add asthma
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

# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### REPLACE ROOF MOUNTED COOLING TOWERS Broadway State Office Building Albany, Albany County

Sealed bids for Project Nos. 46079-E and 46079-H, comprising separate contracts for Electrical Work and HVAC Work, Replace Two Roof Mounted Cooling Towers, Broadway State Office Building, 625 Broadway, Albany (Albany County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, June 24, 2020, 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 bid security (i.e. certified check, bank check, or bid bond in the amount of \$6,400 for E and \$43,400 for H).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$50,000 and \$100,000 for E and between \$1,000,000 and \$2,000,000 for H.

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 four-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 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.

  X   Project commenced design before January 1, 2020. Not subject to provision.

       Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be within 255 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

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) for HVAC Work. 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. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. 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://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to [DCPlans@ogs.ny.gov](mailto: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. Lewyckyj, Deputy Director*  
OGS - Design & Construction Group

# MISCELLANEOUS NOTICES/HEARINGS

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## 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](http://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 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 institutional services. The following changes are proposed:

### Institutional Services

Effective on or after July 1, 2020 this provision proposes to revise Residential Treatment Facility (RTF) language to clarify (1) reimbursement methodologies, particularly with regards to facilities who experience changes in capacity, open a new RTF; and (2) methods for smooth transition of services or closure of facilities.

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](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, New York 12210, e-mail: [spa\\_inquiries@health.ny.gov](mailto: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 Chapter 57 of the Laws of 2018. The following changes are proposed: Non-Institutional Services

Effective on or after July 1, 2020, this proposes to clarify existing State Plan language related to targeted Medicaid support for personal care in rural areas of the State.

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](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, e-mail: [spa\\_inquiries@health.ny.gov](mailto: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 enacted statutory provisions. The following changes are proposed:

### Non-Institutional Services

Effective on or after July 1, 2020 in accordance with Sections 368-d and 368-e of the Social Services Law, the Department of Health proposes to request federal CMS approval to extend utilization of certified public expenditures (CPEs) reimbursement methodology for School Supportive Health Services through June 30, 2023.

There is no additional estimated annual change to gross Medicaid expenditures as a result of the 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](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, e-mail: [spa\\_inquiries@health.ny.gov](mailto:spa_inquiries@health.ny.gov)

## PUBLIC NOTICE

Department of State

F-2020-0007

Date of Issuance – June 24, 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-2020-0007.pdf>

In F-2020-0007, or the "West Meadow Creek Shoreline Stabilization Project", the applicants – Chuni-Lal Ruder and Usha C. Ruder – propose to replace a failed living shoreline with a hybrid living shoreline incorporating a stone revetment toe with maritime plantings above Spring High Water. In addition, the applicants propose to repair/replace in kind and in place of the existing timber stairs and footings to restore beach access. The purpose is to reduce severe bank erosion and restore native plantings in and adjacent to the coastal zone along West Meadow Creek Proposed repair replacement in kind and in place of damaged timber stairs and footings to restore beach access.

The project is located at 24 Night Heron Drive in the Town of Brookhaven, Suffolk County on West Meadow 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., 15 days from the date of publication of this notice, or, July 9, 2020.

Comments should be addressed to Department of State, Planning, Development and Community Infrastructure, Consistency Review Unit, 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](mailto: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-2020-0158

Date of Issuance – June 24, 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-2020-0158 the applicant, Shannon Harris, is proposing to remove an existing 210-foot long seawall and replace it with a precast concrete block seawall that is approximately 208 linear feet, 1.5-3' taller than the existing, and is placed a maximum of 10' in front of the existing. This new seawall will have tie backs, geogrid, and earthwork to secure it. This project is located at the 123 River Road, Town of Esopus, Ulster County, Hudson River.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0158.pdf>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Town of Esopus Local Waterfront Revitalization Program: <https://www.dos.ny.gov/opd/programs/lwrp.html>
- Estates District Scenic Area of Statewide Significance: <https://www.dos.ny.gov/opd/programs/HudsonSASS/Hudson%20River%20Valley%20SASS.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 July 24, 2020.

Comments should be addressed to Department of State, Office of Planning, 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-2020-0303

Date of Issuance – June 24, 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-2020-0303 the applicant, Alvi and Brenda Abuaf, are proposing to install a 4'x110' woodchip path in Right of Way, connected to a 4'x160' open grate catwalk supported by 4"x4" posts and elevated 4' over grade, a 4'x58' open grate catwalk supported by (14) 8" diameter piles elevated 4' over grade, and a 3'x15' seasonal ramp leading to a 6'x20' seasonal float supported by (4) 12" piles, chocked off 24" above grade. This project is located at the 16 Fanning Drive, Village of Westhampton Beach, Suffolk County, Moneybogue Bay.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0303.pdf>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Moriches Bay Significant Coastal and Fish Wildlife Habitat: <https://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html>

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 July 24, 2020.

Comments should be addressed to Department of State, Office of Planning, 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-2020-0333 (DA)

Date of Issuance – June 24, 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-2020-0333 (DA), The U.S. Army Corps of Engineers (USACE) proposes the Hudson River Habitat Restoration Project. This project consists of three recommended plans at Schodack Island, Henry Hudson Park, and Moodna Creek. The projects include tidal wetland restoration, shoreline stabilization and Aquatic Organism Passage barriers to be removed to improve passage.

The applicant's consistency certification and supporting information are available for review at: [http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0333\(DA\)HudsonRiverHabitatRestoration.pdf](http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0333(DA)HudsonRiverHabitatRestoration.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 July 9, 2020.

Comments should be addressed to Department of State, Office of Planning, 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

### 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.

2020-0263 Matter of Brookhaven Expeditors, Nicholas Marks, 713 Main Street, Port Jefferson, NY 11777, for a variance concerning safety requirements, including the ceiling height and the height under a girder/soffit. Involved is an existing one family dwelling located at 457 Wellwood Drive, Town of Brookhaven, NY 11777, County of Suffolk, State of New York.

## PUBLIC NOTICE

### 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.

2020-0264 Matter of John Cuniffe, RA, 17 Hillside Road, Stony Brook, NY 11790, for a variance concerning safety requirements, including the required flood zone elevation. Involved is a one-family dwelling located at 75 Shore Road, Setauket, Town of Brookhaven, NY 11733 County of Suffolk, State of New York.



# EXECUTIVE ORDERS

## **Executive Order No. 202.32: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law, do hereby continue the suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Order 202.23 and each successor Executive Order up to and including Executive Order 202.27, for thirty days until June 20, 2020.

IN ADDITION, I hereby temporarily suspend or modify the following for the period from the date of this Executive Order through June 20, 2020, the following:

- Subdivision (1) of section 576-b of the Public Health Law and section 58-1.7 and 58-1.8 of Title 10 of the NYCRR, to the extent necessary to, in furtherance of Executive Order 202.30 and any extensions thereof, allow clinical laboratories to accept and examine specimens for COVID-19 testing, from personnel of nursing homes and adult care facilities, as such personnel are defined in Executive Order 202.30, without a prescription or order from an authorized ordering source, and to report the results of such tests to the appropriate operators and administrators of the nursing home or adult care facility for which the person for whom the test was performed provides services; provided that, to ensure appropriate follow-up with patients who test positive for COVID-19, the facility administrator shall contact the local health department to ensure all facility personnel who test positive are provided appropriate clinical guidance as well as appropriate isolation orders; and
- Section 6530 of the Education Law, to the extent necessary to allow physicians to order COVID-19 tests, authorized by the U.S. Food and Drug Administration (FDA) for self-collection, without otherwise having an initial physician-patient relationship with the patient.

IN ADDITION, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law to extend during a State disaster emergency the period for paying property taxes without interest or penalties upon request of the chief executive officer of an affected county, city, town, village or school district, I do hereby extend by twenty-one days the period for paying, without interest or penalty, property taxes that are due in the following localities that have requested such an extension: Village of Antwerp, Jefferson County; Village of Asharoken, Suffolk County; Village of Bainbridge, Chenango County; Village of Bayville, Nassau County; Village of Bronxville, Westchester County; Village of Canastota, Madison County; Village of Cedarhurst, Nassau County; Village of Chester, Orange County; Village of Chittenango, Madison County; City of Corning, Steuben County; Village of Cossackie, Greene County; Village of Croton-on-Hudson, Westchester County; Village of Delhi, Delaware County; Village of Deposit, Broome-Delaware County; Village of Dexter, Jefferson County; Village of Dryden, Tompkins County; Town/Village of East Rochester, Monroe County; Village of East

Rockaway, Nassau County; Village of Flower Hill, Nassau County; Grand-View-on-Hudson, Rockland County; Village of Granville, Washington County; Village of Great Neck, Nassau County; Village of Great Neck Estates, Nassau County; Village of Haverstraw, Rockland County; Village of Herkimer, Herkimer County; Village of Holland Patent, Oneida County; Village of Holley, Orleans County; Village of Huntington Bay, Suffolk County; Village of Kings Point, Nassau County; Village of Irvington, Westchester County; Village of Lynbrook, Nassau County; Village of Massapequa Park, Nassau County; Village of Massena, St. Lawrence County; Village of Menands, Albany County; Village of Mexico, Oswego County; Village of Mill Neck, Nassau County; Village of Millport, Chemung County; Village of Naples, Ontario County; Village of Nassau, Rensselaer County; Village of New Hartford, Oneida County; Village of New York Mills, Oneida County; Village of Old Westbury, Nassau County; Village of Orchard Park, Erie County; Village of Oyster Bay Cove, Nassau County; Village of Pawling, Dutchess County; Village of Poland, Herkimer County; Village of Pulaski, Oswego County; Village of Quogue, Suffolk County; Village of Roslyn, Nassau County; Village of Roslyn Harbor, Nassau County; Village of Saranac Lake, Franklin-Essex Counties; Village of Saugerties, Ulster County; Village of Scottsville, Monroe County; Village of Sea Cliff, Nassau County; Village of Sidney, Delaware County; Village of Spencerport, Monroe County; Village of Sodus, Wayne County; Village of South Glens Falls, Saratoga County; Village of Trumansburg, Tompkins County; Village of Tuckahoe, Westchester County; Village of Upper Nyack, Rockland County; Village of Warwick, Orange County; Village of Wesley Hills, Rockland County; Village of West Haverstraw, Rockland County; Village of Westbury, Nassau County; Village of Whitehall, Washington County; Village of Whitesboro, Oneida County; Village of Williston Park, Nassau County; Village of Valley Stream, Nassau County; Village of Floral Park, Nassau County; Village of Schoharie, Schoharie County; and the County of Suffolk..

IN ADDITION, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law, I do hereby retroactively extend by twenty-one days the period for paying without interest or penalty the property taxes that were due by April 1, 2020, in the Village of Head of the Harbor, Suffolk County, and the Village of Russell Gardens, Nassau County.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives for the period from the date of this Executive Order through June 20, 2020:

- Any licensee or franchisee of a racetrack in the State is hereby permitted to operate such racetrack as of June 1, 2020, provided such racetrack does not permit any visitor or fan into the facility, and allows on site only essential personnel; and provided further that such licensee or franchisee of a racetrack, and all essential personnel adhere to any directive or guidance issued by the Department of Health and/or by the Gaming Commission.
- Executive Order 202.10 (as later extended by Executive Order 202.18 and Executive Order 202.29) which prohibited all non-essential gatherings of any size for any reason, is hereby modified to permit a gathering of ten or fewer individuals for any religious service or ceremony, or for the purposes of any Memorial Day service or commemoration, provided that social distancing protocols and cleaning and disinfection protocols required by

the Department of Health are adhered to, and provided further, that any drive-in or remote religious service may continue in excess of the ten person limit so long as there is no in-person contact between participants. Vehicle caravans are permitted.

- The authority of the Commissioner of Taxation and Finance to abate late filing and payment penalties pursuant to section 1145 of the Tax Law is hereby expanded to authorize abatement of interest and penalties for a period of up to 100 days for taxpayers who were required to file returns and remit sales and use taxes by March 20, 2020, for the sales tax quarterly period that ended February 29, 2020.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law, I hereby suspend or modify the following provisions included in Executive Order 202.22, for the period from the date of this Executive Order through June 20, 2020, unless an earlier date is specified below:

- Article 5 of the Real Property Tax Law, and analogous provisions of any other general or special laws that require a tentative assessment roll to be filed on or before June 1, 2020, to allow the tentative and final assessment rolls to be filed, at local option, up to 30 days later than otherwise allowable, to allow an assessing unit to set a date for hearing assessment complaints that is at least 21 days after the filing of the tentative roll, to allow notice of the filing of the tentative roll to be published solely online so long as the date for hearing complaints is prominently displayed, to suspend in-person inspection of the tentative roll, and to allow local Boards of Assessment Review to hear complaints remotely by conference call or similar service, provided that complainants can present their complaints through such service and the public has the ability to view or listen to such proceeding;
- Section 1212 of the Real Property Tax Law, to the extent necessary to allow the commissioner of taxation and finance to certify final state equalization rate, class ratios, and class equalization rates, if required, no later than ten days prior to the last date set by law for levy of taxes of any municipal corporation to which such equalization rate, class ratios, and class equalization rates are applicable;
- Section 1512(1) of the Real Property Tax Law and Sections 283.291 and 283.221 of the Laws of Westchester County, are suspended to allow the County Executive to negotiate with any town supervisor or mayor of any city, to accept a lesser percentage of taxes, special ad valorem levies or special assessments which are otherwise due on May 25, provided that in no event shall any town or city be required to pay more than sixty percent. The County Executive is empowered to determine whether or not penalties for late payment or interest are able to be waived dependent on whether or not such town or city applies the County Executive's criteria for determining hardship due to COVID-19;
- Section 283.221 of the Laws of Westchester County is further suspended to the extent necessary to require the supervisor of a town, to waive payment of penalties for late payment of county and county district taxes under section 283.221 up to July 15, 2020, and waive payment of penalties for late payment of town and town district taxes and assessments in the same manner, provided such town applies the County Executive's criteria for the determination of hardship due to COVID-19;
- Section 1512(1) of the Real Property Tax Law and any penalty provision of the tax code of a city within Westchester County is further suspended to the extent necessary to allow the mayor of that City to waive the payment of penalties for late payment of county and county district taxes and to further waive payment of penalties for late payment of city and city district taxes and assessments in the same manner, provided such city applies the County Executive's criteria for the determination of hardship due to COVID-19;
- Section 5-18.0(2) of the Nassau County Administrative Code, to the extent necessary to allow the Nassau County Executive to extend until June 1, 2020, the deadline to pay without interest or penalty the final one-half of school taxes upon real estate in such county.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-first day of May in the year two thousand twenty.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

#### **Executive Order No. 202.33: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives for the period from the date of this Executive Order through June 21, 2020:

- Executive Order 202.10, as later extended by Executive Order 202.18, Executive Order 202.29 and as extended and amended by Executive Order 202.32, which prohibited all non-essential gatherings of any size for any reason, except for any religious service or ceremony, or for the purposes of any Memorial Day service or commemoration, which allowed ten or fewer individuals to gather, provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to is hereby modified to permit any non-essential gathering of ten or fewer individuals, for any lawful purpose or reason, provided that social distancing protocols and cleaning and disinfection protocols required by the Department of Health are adhered to.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-second day of May in the year two thousand twenty.

*BY THE GOVERNOR*

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

*Secretary to the Governor*

# FINANCIAL REPORTS

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**Department of  
Taxation and Finance**

**Depositories for the Funds of the State of New York**

**Month End: May 31, 2020**

Prepared by the Division of the Treasury  
Investments, Cash Management and Accounting Operations

Michael R Schmidt  
Commissioner

ACCOUNT DESCRIPTION	DEPOSITORY	BALANCE AS OF 05/31/2020
<b>ACCOUNTS HELD IN JOINT CUSTODY BY THE COMMISSIONER OF TAXATION FINANCE AND THE NEW YORK STATE COMPTROLLER</b>		
Unemployment Insurance Funding Account	Key Bank	10,194,623.06
Occupational Training Act Funding Account	Key Bank	83,742.00
Unemployment Insurance Exchange Account	Key Bank	0.00
PIT Special Refund Account	JPMorgan Chase Bank, N.A.	(205,715,055.61)
General Checking	Key Bank	(646,246,876.87)
Direct Deposit Account	Wells Fargo	59,160.86
<b>TOTAL</b>		<b>(225,048,975.05)</b>
<b>01000 - EXECUTIVE CHAMBER</b>		
Executive Chamber Advance Account	Key Bank	No report received
<b>01010 - DIVISION OF BUDGET</b>		
Advance Account	Bank of America, N.A.	5,000.00
<b>01030 - DIVISION OF ALCOHOLIC BEVERAGE CONTROL</b>		
Albany		
SLA Investigations Account	Key Bank	1,741.45
<b>01050 - OFFICE OF GENERAL SERVICES</b>		
Exec Mansion Official Function	Key Bank	34,875.28
NY ISO Account	Key Bank	8,707,902.20
OGS Binghamton Office Bldg	Key Bank	0.00
SNY Office of General Services	JPMorgan Chase Bank, N.A.	537.12
State of New York OGS Escrow II	Key Bank	2,817,894.73
State of New York OGS Petty Cash	Key Bank	202,347.45
State of New York OGS Escrow	Key Bank	91,760.36
State of NY Office Of General Services	Key Bank	0.00
<b>01060 - DIVISION OF STATE POLICE</b>		
CNET Confidential Account	Key Bank	0.00
Div Headquarters - Petty Cash	Key Bank	2,031.75
Key Advantage Account	Key Bank	89,188.03
Manhattan Office-confidential	JPMorgan Chase Bank, N.A.	500.00
NYS Police Special Account	Key Bank	1,227,430.57
NYSP CTIU Confidential Fund	Key Bank	4,000.00
SIU Confidential Fund Account	Key Bank	8,992.05
Special Fund	Key Bank	186,628.48
State Police Receipts Account	Bank of America, N.A.	165,597.53
Troop A Batavia - Petty Cash	Bank of America, N.A.	940.00
Troop A Batavia-Confidential	Bank of America, N.A.	3,244.77
Troop B Confidential	Key Bank	6,300.00
Troop B Petty Cash	Community Bank	1,000.00
Troop C Confidential Fund	NBT Bank	2,300.00
Troop C Petty Cash	NBT Bank	1,000.00
Troop D Oneida - Confidential	Alliance Bank	3,000.00
Troop D Oneida Petty Cash	Alliance Bank	500.00
Troop E Canandaigua Confidential	Canandaigua National Bank	1,900.00
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.	7,167.78
Troop G Petty Cash	Bank of America, N.A.	1,000.00
Troop K Petty Cash	Bank of Millbrook	644.75
Troop K Poughkeepsie-Confidential	Bank of Millbrook	1,485.88
Troop L Confidential Fund	Bank of America, N.A.	7,127.84
<b>01070 - DIVISION OF MILITARY &amp; NAVAL AFFAIRS</b>		
Advance For Travel	Key Bank	5,949.29
SNY Camp Smith Billeting Fund	JPMorgan Chase Bank, N.A.	5,811.12
<b>01077 - OFFICE OF HOMELAND SECURITY</b>		
Academy Of Fire Science	Chemung Canal Trust	22,770.17
<b>01080 - DIVISION OF HOUSING &amp; COMMUNITY RENEWAL</b>		
Albany Office Of Financial Administration		
Maximum Base Rent Fee Account	JPMorgan Chase Bank, N.A.	12,554.53
Revenue Account	JPMorgan Chase Bank, N.A.	119,794.82
<b>01090 - DIVISION OF HUMAN RIGHTS</b>		
Petty Cash Fund Account	JPMorgan Chase Bank, N.A.	No report received
<b>01150 - OFFICE OF EMPLOYEE RELATIONS</b>		
GOER Panel Administration Escrow Account	Key Bank	3,830.07
NYS Flex Spending	Key Bank	81,073.99
State of New York LMC Petty Cash Account	Key Bank	2,000.00
<b>01160 - JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS</b>		
Agency Advance Account	Key Bank	2,000.00
<b>01300 - ADIRONDACK PARK AGENCY</b>		

General Fund	Community Bank	2.00
Petty Cash	Community Bank	4,000.00
<b>01400 - CRIME VICTIMS COMPENSATION BOARD</b>		
Crime Victims	JPMorgan Chase Bank, N.A.	130,546.46
Emergency Award Account	M&T Bank	0.00
Emergency Claims	Key Bank	7,678.50
Petty Cash Account	Key Bank	1,550.00
REST/SUBROG Escrow Account	Key Bank	389.66
<b>01490 - DIVISION OF CRIMINAL JUSTICE SERVICES</b>		
Advance Account	Bank of America, N.A.	2,897.00
FBI Fee Account	Bank of America, N.A.	109,284.46
Fingerprint Fee Account	Bank of America, N.A.	1,118,306.25
<b>01530 - STATE COMMISSION OF CORRECTION</b>		
Advance Account	Bank of America, N.A.	2,000.00
<b>01540 - STATE BOARD OF ELECTIONS</b>		
Revenue Account	Key Bank	No report received
<b>01620 - OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE</b>		
NYS Prevention Domestic Violence	Bank of America, N.A.	No report received
<b>02000 - OFFICE OF THE STATE COMPTROLLER</b>		
Admissions	Bank of America, N.A.	2,002.91
Advance for Travel Account	Key Bank	No report received
Alcohol Beverage	Bank of America, N.A.	139,043.30
Alcoholic Bev Control License	Wells Fargo Bank	158,432.91
Alcoholic Beverage Control License	M&T Bank	211,814.64
Assessments Bulk	JPMorgan Chase Bank, N.A.	343,769.75
Assessments Receivable	JPMorgan Chase Bank, N.A.	1,945,999.63
Assessments Receivable (EFT)	Wells Fargo Bank	74,835.42
Boxing And Wrestling Tax	Bank of America, N.A.	64,522.09
Check 21 Corporation Tax	JPMorgan Chase Bank, N.A.	1,573,969.61
Check 21 Estate Tax	JPMorgan Chase Bank, N.A.	3,669,886.21
Check 21 Highway Use	JPMorgan Chase Bank, N.A.	206,727.14
Check 21 PIT	JPMorgan Chase Bank, N.A.	634,633.75
Check 21 Real Estate Transfer	JPMorgan Chase Bank, N.A.	320,706.59
Check Sales Tax	JPMorgan Chase Bank, N.A.	446,160.25
Cigarette Stamp Tax	JPMorgan Chase Bank, N.A.	1,700.00
Cigarette Stamp Tax (EFT)	Wells Fargo Bank	2,251,928.59
Cigarette Stamp Tax Split	JPMorgan Chase Bank, N.A.	166,179.07
Cigarette Tax Tobacco Products	Bank of America, N.A.	20,846.59
Congestion Surcharge	Wells Fargo Bank	105,723.95
Corporation Tax	Wells Fargo Bank	117.20
Corporation Tax - Coupon Acct.	JPMorgan Chase Bank, N.A.	174,988.13
Educational Charitable Account	Wells Fargo Bank	0.00
Employer Compensation Expense	Wells Fargo Bank	7,548.51
Encon Beverage Container Deposit/Bottle Bill (EFT)	Wells Fargo Bank	266,067.38
ERS Petty Cash Acct	Key Bank	No report received
Estate Tax	Bank of America, N.A.	0.00
Estimated Tax	JPMorgan Chase Bank, N.A.	7,492,393.84
Gift Tax	Bank of America, N.A.	0.00
Hazardous Waste	Key Bank	4,503.76
Highway Use - Permits & Reg.	Bank of America, N.A.	5,044.00
Highway Use Truck Mileage Tax (EFT)	Wells Fargo Bank	274,318.96
Hudson River-Black River	Bank of America, N.A.	585,456.23
Hudson River-Black River	Community Bank	16,027.36
Hut/Oscar Registrations & Renewals (EFT)	Wells Fargo Bank	13,660.50
IFTA Fuel Use Tax (EFT)	Wells Fargo Bank	20,035.08
IFTA/Oscar Renewals (EFT)	Wells Fargo Bank	0.00
IFTA-Decal/Permit Fee Acct.	Bank of America, N.A.	11,108.00
IFTA-Fuel Use	Bank of America, N.A.	23,925.27
Income Tax - LLC	JPMorgan Chase Bank, N.A.	54,557.54
Justice Court	Key Bank	179,705.86
Mac #847 NYS T&F Pari Mutuel	Key Bank	241.89
Mac #848 NYS T&F Off Track	Key Bank	120,993.80
MCTD Medallion Taxicab Trip	JPMorgan Chase Bank, N.A.	875.00
Medallion Taxicab Trip Tax (EFT)	Wells Fargo Bank	260,274.50
Medical Marijuana Tax Collections	Bank of America, N.A.	98,595.34
Metro Commuter Trans. Mobility	JPMorgan Chase Bank, N.A.	21,345.60
Ogdensburg Bridge & Port	Community Bank	43,483.34
Opioid Excise Tax	Wells Fargo Bank	54,277.63
Personal Income Tax	Wells Fargo Bank	54,349.00
Petroleum Business Tax (EFT)	Wells Fargo Bank	304,388.15
Petroleum Products Tax	Bank of America, N.A.	2,401,378.44
Petty Cash Account	Key Bank	No report received
PIT Bulk	JPMorgan Chase Bank, N.A.	552,239.00
Port Of Oswego	Key Bank	102,336.15

Promptax - MCTMT	Wells Fargo Bank	851,226.90
Promptax - Petroleum Business Tax	Wells Fargo Bank	314.66
Promptax - Sales Tax/Sales Tax Prepaid Fuel	Wells Fargo Bank	212.08
Promptax - Withholding	Wells Fargo Bank	2,657,783.76
Promptax - Withholding Checks	JPMorgan Chase Bank, N.A.	28,081.03
Real Estate Transfer Tax	Key Bank	387,076.66
Revenue Holding	First Niagara Bank	1,661,000.00
Sales Tax	JPMorgan Chase Bank, N.A.	0.00
Sales Tax	Wells Fargo Bank	397,699.78
SUNY Concentration	First Niagara Bank	5,129,000.00
TNC Assessment (EFT)	Wells Fargo Bank	1,937.12
Troy Debt Service Reserve Fund	Bank of America, N.A.	233,267.17
Uncashed Winning Tickets	Bank of America, N.A.	25,873.39
Unclaimed Funds	JPMorgan Chase Bank, N.A.	53,706.85
Unclaimed Funds - 2	JPMorgan Chase Bank, N.A.	12,678.79
Withholding	Wells Fargo Bank	672.26
Withholding Tax	JPMorgan Chase Bank, N.A.	18,981,042.80
Cash Advance Accounts		
Advance For Travel Account	Key Bank	800.00
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.	1,137.67
NYS Common Retirement Fund	JPMorgan Chase Bank, N.A.	122,643.24
Employees Retirement System		
Employees Retirement System - EFT	JPMorgan Chase Bank, N.A.	16.47
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.	0.00
Police and Fire		
Retirement Police & Firemen's - EFT	JPMorgan Chase Bank, N.A.	0.77
Retirement Police & Firemen's - General	JPMorgan Chase Bank, N.A.	0.00
Retirement Police & Firemen's - Pension	JPMorgan Chase Bank, N.A.	0.00
<b>03000 - DEPARTMENT OF LAW</b>		
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
<b>03010 - OFFICE OF THE ATTORNEY GENERAL</b>		
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
<b>03020 - MEDICAID FRAUD CONTROL</b>		
dept atty gen vs john doe	Key Bank	9,195,091.39
National Global Settlement	JPMorgan Chase Bank, N.A.	3,339,783.61
NYS Department Of Law Confidential Account	JPMorgan Chase Bank, N.A.	29,119.76
NYS Department of Law Petty Cash Account	JPMorgan Chase Bank, N.A.	5,193.88
<b>04020 - NYS ASSEMBLY</b>		
Advance For Travel	Bank of America, N.A.	4,000.00
Petty Cash Account Dist Off	Bank of America, N.A.	19,821.95
Petty Cash New York City	JPMorgan Chase Bank, N.A.	722.56
Public Information Office	Key Bank	0.25
<b>04030 - ASSEMBLY WAYS &amp; MEANS COMMITTEE</b>		
Advance For Travel	Key Bank	No report received
Petty Cash	Key Bank	No report received
<b>04040 - LEGISLATIVE BILL DRAFTING COMMISSION</b>		
NY LBDC - Legislative Computer Services Fund	Key Bank	26,099.85
NYS Leg Bill Drafting Comm-Petty Cash Acct	Key Bank	2,000.00
<b>04250 - REAPPORTIONMENT</b>		
NYS Taskforce On Demo Res & Reapp	JPMorgan Chase Bank, N.A.	125.00
<b>05000 - OFFICE OF COURT ADMINISTRATION</b>		

Attorney Registration Fees - Revenue	JPMorgan Chase Bank, N.A.	1,654,475.00
Criminal Records Search Acct - Revenue	JPMorgan Chase Bank, N.A.	2,159,445.00
Finger Print Account	JPMorgan Chase Bank, N.A.	2,425.00
Petty Cash Acct	JPMorgan Chase Bank, N.A.	500.00
<b>05005 - OCA OFFICE OF BUDGET &amp; FINANCE</b>		
Petty Cash Account	Key Bank	2,500.00
<b>05008 - LAWYERS FUND FOR CLIENT PROTECTION</b>		
Client Security Fund - Bail	Key Bank	1,365,691.99
Lawyers Fund For Client Protection - Bail	Key Bank	700.80
Petty Cash	Key Bank	2,005.69
<b>05071 - COURT OF APPEALS</b>		
Chief Judge Advance	Key Bank	No report received
Clerk Of The Court Of Appeals	Key Bank	No report received
<b>05072 - STATE BOARD OF LAW EXAMINERS</b>		
State Board Of Law Examiners Fee	Key Bank	1,248,900.00
<b>05081 - APPELLATE DIVISION - 1ST JUDICIAL DEPARTMENT</b>		
1st Appellate Division Supreme Ct	JPMorgan Chase Bank, N.A.	95,438.00
<b>05082 - APPELLATE DIVISION - 2ND JUDICIAL DEPARTMENT</b>		
Appellate Div 2nd Dept Revenue	JPMorgan Chase Bank, N.A.	No report received
<b>05083 - APPELLATE DIVISION - 3RD JUDICIAL DEPARTMENT</b>		
Third Dept Civil Fees Acct - Revenue	Key Bank	35,750.50
<b>05084 - APPELLATE DIVISION - 4TH JUDICIAL DEPARTMENT</b>		
4th Dept Appellate Div Civil Fees - Revenue	JPMorgan Chase Bank, N.A.	32,643.50
<b>05090 - COURT OF CLAIMS</b>		
Court Of Claims Revenue Account	Key Bank	No report received
<b>05111 - 10TH JUDICIAL DISTRICT NASSAU COUNTY ADMINISTRATION</b>		
Glen Cove City Court		
Glen Cove City Court Bail	Wells Fargo Bank	3,000.56
Glen Cove City Court Revenue	Wells Fargo Bank	8,870.00
Long Beach City Court		
Long Beach City Court Revenue	Wells Fargo Bank	14,019.00
Long Beach Court Bail	Wells Fargo Bank	30,642.37
Nassau County Court		
Nassau County Assessment	Wells Fargo Bank	95,844.55
Nassau District Court - Criminal		
Nassau Dist Ct Criminal Revenue	Wells Fargo Bank	11,366.00
Nassau District Court-Civil		
Nassau County Dist Ct- Civil Revenue	Wells Fargo Bank	1,017.25
Nassau Surrogate		
Nassau County Surrogate Court-Revenue	Wells Fargo Bank	232,184.25
<b>05112 - 10TH JUDICIAL DISTRICT SUFFOLK COUNTY ADMINISTRATION</b>		
10th Judicial District Suffolk County Admin		
Suffolk County Court -Court Fund	People's United Bank	2,513.00
Suffolk County Surrogate		
Surrogate Court Of Suffolk County	People's United Bank	120,599.00
Suffolk District Court Civil Fees		
Suffolk County District Court Civil Fees	Citibank	33,896.51
Suffolk District Court Criminal Fines		
Suffolk County District Court Criminal Fines	Citibank	156,856.58
Suffolk District Court Trust Acct		
Suffolk County District Court Trust Account	Citibank	1,001.00
<b>05210 - NYC-CIVIL COURT</b>		
Bronx Civil Court - Civil		
Bronx Civil Court - Revenue	JPMorgan Chase Bank, N.A.	143,089.00
Harlem Community Justice Court		
Harlem Community Justice - Revenue Account	JPMorgan Chase Bank, N.A.	1,106.25
Kings Civil Court- Civil		
Kings Civil Court- Civil Revenue	JPMorgan Chase Bank, N.A.	197,000.75
New York Civil Court - Civil		
New York Civil Court Revenue Acct	JPMorgan Chase Bank, N.A.	93,026.00
Queens Civil Court - Civil		
Queens Civil - Revenue	JPMorgan Chase Bank, N.A.	84,894.25
Richmond Civil Court - Civil		
Richmond Civil Ct Revenue Acct	JPMorgan Chase Bank, N.A.	32,152.75
<b>05215 - NYC-CRIMINAL COURT</b>		
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Bail	JPMorgan Chase Bank, N.A.	191,597.00
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Revenue	JPMorgan Chase Bank, N.A.	42,945.00
Kings County Criminal Court		
Kings Criminal Court	Citibank	2,140.00
New York County Criminal Court		
New York Criminal Court	JPMorgan Chase Bank, N.A.	44,430.00
New York Criminal Court- State Funds	JPMorgan Chase Bank, N.A.	58,179.00

Queens County Criminal Court		
Queens Criminal Court	JPMorgan Chase Bank, N.A.	43,228.00
Queens Criminal Court - State Funds	JPMorgan Chase Bank, N.A.	57,160.00
Richmond County Criminal Court		
Richard Criminal Court-City Funds	JPMorgan Chase Bank, N.A.	188,693.00
Richmond Criminal Court-State Funds	JPMorgan Chase Bank, N.A.	3,515.00
<b>05231 - SUPREME COURT - BRONX COUNTY</b>		
Bronx County Supreme - NYS OCA	JPMorgan Chase Bank, N.A.	8,885.00
<b>05235 - SUPREME COURT - KINGS COUNTY</b>		
Kings Co Supreme		
Supreme Court Kings County-Revenue	JPMorgan Chase Bank, N.A.	8,671.00
<b>05240 - SUPREME COURT - QUEENS COUNTY</b>		
Queens Co Supreme		
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	730.00
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	0.00
<b>05250 - NEW YORK COUNTY CLERK</b>		
New York Co Clerk Revenue Account	JPMorgan Chase Bank, N.A.	1,495,897.75
<b>05255 - BRONX COUNTY CLERK</b>		
Bronx County Clerk		
Bronx Cnty Clerk Revenue Acct	JPMorgan Chase Bank, N.A.	865,980.95
<b>05260 - KINGS COUNTY CLERK</b>		
Kings County Clerk		
Kings County Clerk Revenue Account	Flushing Commercial Bank	725,398.65
<b>05265 - QUEENS COUNTY CLERK</b>		
Queens County Clerk-Revenue Acct	Sterling Bank	1,210,170.78
<b>05270 - RICHMOND COUNTY CLERK</b>		
Richmond Co Clerk State Fees Account	JPMorgan Chase Bank, N.A.	3,579,441.13
Richmond County Clerk DEC	JPMorgan Chase Bank, N.A.	88.37
<b>05275 - NEW YORK COUNTY SURROGATES COURT</b>		
New York Surrogate		
New York Surrogate Court	JPMorgan Chase Bank, N.A.	226,567.63
<b>05280 - BRONX COUNTY SURROGATES COURT</b>		
Bronx Surrogate		
Bronx Surrogate Court Revenue Acct	JPMorgan Chase Bank, N.A.	3,739.00
<b>05285 - KINGS COUNTY SURROGATES COURT</b>		
Kings County Surrogate		
Kings Co. Surrogate Revenue Acct	Bank of America, N.A.	10,564.00
<b>05290 - QUEENS COUNTY SURROGATES COURT</b>		
Queens surrogate		
Queens Co Revenue Acct Surrogate	Signature Bank	91,533.00
<b>05295 - RICHMOND COUNTY SURROGATES COURT</b>		
Richmond County Surrogate Court Revenue Account	Victory State Bank	1.00
<b>05360 - 3RD JUDICIAL DISTRICT ADMINISTRATION</b>		
Albany City Court - (Civil)		
Albany City Civil - Revenue	Wells Fargo Bank	21,711.80
Albany City Court - (Crim-Bail)		
Albany City Criminal - Bail	Wells Fargo Bank	12,033.00
Albany City Court - (Traffic)		
Albany City Traffic-Revenue	Wells Fargo Bank	47,481.00
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	12,236.00
Albany City Court - Traffic-Bail		
Albany City Traffic - Bail	Wells Fargo Bank	1,300.16
Albany County Surrogate		
Albany Cty Surrogates Court - Revenue	Bank of America, N.A.	3,399.00
Albany Police Court		
Albany Police Court Bail Account	Key Bank	0.00
Cohoes City Court		
Cohoes City Court Bail	Key Bank	5,996.10
Cohoes City Court Fees/Fines Account	Key Bank	1,986.00
Columbia County Surrogate		
Columbia Co Surrogate Ct Fees - Revenue	Key Bank	12,782.00
Greene Surrogate		
Greene Surrogate-Revenue	Wells Fargo Bank	6,238.50
Hudson City Court		
Hudson City Bail	Wells Fargo Bank	29,139.67
Hudson City Revenue	Wells Fargo Bank	12,508.00
Kingston City Court		
Kingston City Court Bail	Wells Fargo Bank	2,007.00
Kingston City Court Revenue	Wells Fargo Bank	6,725.81
Rensselaer City Court		

Rensselaer City Court - Bail	Wells Fargo Bank	0.00
Rensselaer City Court - Revenue	Wells Fargo Bank	441.00
Rensselaer City Court Bail Acct	Key Bank	3,110.00
Rensselaer County Surrogate		
Rensselaer Co Surrogate Ct Fees - Revenue	Key Bank	9,661.00
Schoharie County Surrogate		
Schoharie Co Surrogates Court - Revenue	Bank of America, N.A.	0.00
Sullivan Surrogate		
Sullivan Surrogate-Revenue	Wells Fargo Bank	75.00
Troy City Court		
Troy City Court- Revenue Acct - Revenue	Bank of America, N.A.	8,460.00
Troy Police Court Bail Account	Bank of America, N.A.	12,628.91
Ulster County Surrogate		
Ulster County Surrogate Court - Revenue	Key Bank	17,089.25
Watervliet City Court		
Watervliet City Court - Bail	Wells Fargo Bank	47,665.79
Watervliet City Court - Revenue	Wells Fargo Bank	9,411.49
<b>05460 - 4TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Amsterdam City Court		
Amsterdam City Court - Bail	Key Bank	54,713.46
Amsterdam City Court - Revenue	Key Bank	3,698.00
Clinton County Surrogates		
Clinton County Surrogates - Revenue	Key Bank	1,423.00
Essex County Surrogate		
Essex Co Surrogate Clerk - Revenue	Champlain National	2,247.00
Franklin County Surrogate		
Franklin Co Surrogate Court - Revenue	Key Bank	660.00
Fulton County Surrogate		
Fulton County Surrogate's Court	Key Bank	693.00
Glens Falls City Court		
Glens Falls City Court Account - Revenue	Glens Falls National	4,143.00
Glens Falls City Court Bail Acct	Glens Falls National	20,710.89
Gloversville City Court		
Gloversville City Court Bail	NBT Bank	27,426.91
Gloversville City Court Revenue	NBT Bank	1,005.00
Hamilton Surrogate		
Hamilton Surrogate - Revenue	Community Bank	30.00
Johnstown City Court		
City Of Johnstown Bail Account - Bail	Key Bank	6,176.56
Johnstown City Court Fines/Fees - Revenue	Key Bank	1,710.00
Mechanicville City Court		
Mechanicville City Court Bail	TD Bank	1,500.14
Mechanicville City Ct Revenue Acct	TD Bank	5,943.36
Montgomery County Surrogate		
Montgomery County Surrogates Court - Revenue	NBT Bank	4,641.00
Ogdensburg City Court		
Ogdensburg City Court Int Bail	Community Bank	1,017.00
Ogdensburg City Court Revenue	Community Bank	518.02
Plattsburgh City Court		
Plattsburgh City Court - Bail	Glens Falls National	17,555.92
State Of NY Plattsburgh City Court - Revenue	Glens Falls National	27,036.36
Saratoga County Surrogate		
Saratoga County Surrogate - Revenue	Ballston Spa National Bank	7,446.00
Saratoga Springs City Court		
Saratoga Springs Bail Account	The Adirondack Trust Company	21,882.05
Saratoga Springs City Revenue Acct	The Adirondack Trust Company	11,860.31
Schenectady City Court		
Schenectady City Court- Bail	Bank of America, N.A.	24,132.85
Schenectady City Court Revenue	Bank of America, N.A.	12,521.00
Schenectady Surrogate		
Schenectady Surrogate Court - Revenue	Key Bank	5,869.50
St. Lawrence Co Surrogate		
St. Lawrence County Surrogate - Revenue	Community Bank	4,749.25
Warren County Surrogate		
Warren County Surrogate Court - Revenue	TD Bank	1,723.00
Washington Surrogates		
Washington Surrogate Revenue	TD Bank	4,299.00
<b>05560 - 5TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Fulton City Court		
Fulton City Court Bail Acct	Key Bank	No report received
Fulton City Court Revenue	Key Bank	No report received
Herkimer Surrogate		
Herkimer Surrogate - Revenue	Partners Trust	No report received
Jefferson Surrogates		

Jefferson Co Surrogate Revenue	Key Bank	No report received
Lewis County		
Lewis County Clerk	Community Bank	No report received
Lewis County Surrogates		
Lewis County Surrogate Court - Revenue	Key Bank	No report received
Little Falls City Court		
Little Falls City Court Bail	Bank of America, N.A.	No report received
Little Falls City Court Revenue	M&T Bank	No report received
Oneida County Combined		
Oneida County Combined Court	Adirondack Bank	No report received
Oneida County Surrogates		
Oneida County Surrogate Court Revenue	The Adirondack Trust Company	No report received
Onondaga County Surrogates		
Onondaga Surrogate Court - Revenue	Alliance Bank	No report received
Oswego City Court		
Oswego City Court Bail Acct	JPMorgan Chase Bank, N.A.	No report received
Oswego City Court Revenue	JPMorgan Chase Bank, N.A.	No report received
Oswego Surrogate Court		
Oswego County Surrogate Court - Revenue	Key Bank	No report received
Rome City Court		
City Court Of Rome Bail Account - Bail	Bank of America, N.A.	No report received
Rome City Court - Revenue	Bank of America, N.A.	No report received
Sherrill City Court		
Sherrill City Court 5th Jud Dist - Bail	Alliance Bank	No report received
Sherrill City Court Fees - Revenue	Alliance Bank	No report received
Syracuse City Court		
Syracuse City Court - Bail	Alliance Bank	No report received
Syracuse City Court - Fees - Revenue	Alliance Bank	No report received
Utica City Court		
Utica City Court Criminal Bail	Bank of Utica	No report received
Utica City Court Revenue Account	Key Bank	No report received
Watertown City Court		
Watertown City Court Bail	Key Bank	No report received
Watertown City Court Fees & Fines - Revenue	Key Bank	No report received
<b>05661 - 6TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Binghamton City Court		
Binghamton City Court Bail	M&T Bank	47,460.00
Binghamton City Court Revenue	M&T Bank	34,785.80
Broome Surrogates		
SNY UCS Broome County Surrogates Court	Wells Fargo Bank	7,192.00
Chemung County Surrogates		
SNY UCS Chemung County Surrogates Court	Wells Fargo Bank	5,931.00
Chenango County Surrogates		
SNY UCS Chenango County Surrogates Court	Wells Fargo Bank	1,452.00
Cortland City Court		
Court City Court Bail	NBT Bank	13,339.22
Court City Court- Revenue	NBT Bank	3,748.00
Cortland County Surrogates		
SNY UCS Cortland County Surrogates Court	Wells Fargo Bank	657.00
Delaware County Surrogates		
Delaware County Surrogate - Revenue	Delaware National Bank	1,357.00
Elmira City Court		
Elmira City Court - Revenue Account	Chemung Canal Trust	13,773.00
Elmira City Court Bail	Chemung Canal Trust	10,222.85
Ithaca City Court		
Ithaca City Court	Tompkins County Trust	6,078.00
Ithaca City Court Revenue	Tompkins County Trust	3,294.00
Madison County Surrogates		
SNY UCS Madison County Surrogates Court	Wells Fargo Bank	992.00
Norwich City Court		
Norwich City Court Bail Acct	NBT Bank	2,201.00
Norwich City Court Revenue Acct	NBT Bank	734.00
Oneida City Court		
Oneida City Court Bail Account	JPMorgan Chase Bank, N.A.	4,174.00
Oneida City Court Fee & Fine - Revenue	JPMorgan Chase Bank, N.A.	13,207.00
Oneonta City Court		
Oneonta City Court - Revenue	Community Bank	2,601.00
Oneonta City Court Bail Account	Community Bank	5,454.50
Otsego County Surrogates		
Otsego County Surrogates Court - Revenue	Key Bank	52.25
Schuyler County Surrogates		
Schuyler County Surrogates Court	Community Bank	1,262.00
Tioga County Surrogates		
Tioga Surrogates Court - Revenue	M&T Bank	1,222.00

Tompkins County Surrogates		
SNY UCS Tompkins County Surrogates Court	Wells Fargo Bank	1,440.00
<b>05761 - 7TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Auburn City Court		
Auburn City Court Bail Acct	Key Bank	13,116.55
Auburn City Court Fees & Fines - Revenue	Key Bank	4,043.00
Canandaigua City Court		
Canandaigua City Court Bail Acct	Canandaigua National Bank	17,173.41
Canandaigua City Court Revenue	Canandaigua National Bank	3,569.00
Cayuga County Surrogates		
Cayuga Surrogate Court	Wells Fargo Bank	4,519.75
Corning City Court		
Corning City Court - Bail	Wells Fargo Bank	7,560.94
Corning City Court - Revenue	Wells Fargo Bank	5,483.00
Geneva City Court		
Geneva City Court Bail Account	Wells Fargo Bank	23,914.38
Geneva City Court Revenue Account	Wells Fargo Bank	3,478.50
Hornell City Court		
Hornell City Court Bail Account	Steuben Trust Co.	3,750.16
Hornell City Court Revenue	Steuben Trust Co.	1,834.00
Livingston County Surrogates		
Livingston Surrogate Court	Wells Fargo Bank	1,945.00
Monroe County Surrogates		
7th District Monroe Surrogate	Wells Fargo Bank	17,449.00
Ontario County Surrogates		
Ontario Surrogate Court	Wells Fargo Bank	2,450.00
Rochester City Court		
Rochester City Court Bail Account	M&T Bank	284,578.60
Rochester City Revenue	M&T Bank	5,806.50
Seneca County Surrogates		
Seneca Surrogate Court	Wells Fargo Bank	661.00
Steuben County Surrogates		
7th District Steuben Surrogate	Wells Fargo Bank	3,715.00
Wayne County Surrogates		
Wayne Surrogate Court	Wells Fargo Bank	2,472.00
Yates County Surrogates		
Yates Surrogate Court	Wells Fargo Bank	0.00
<b>05860 - 8TH JUDICIAL DISTRICT ADMINISTRATION</b>		
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 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		
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
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
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
<b>05960 - 9TH JUDICIAL DISTRICT ADMINISTRATION</b>		
Beacon City Court		
Beacon City Court Bail Account - Bail	JPMorgan Chase Bank, N.A.	32,667.31
Beacon City Fines Account - Revenue	JPMorgan Chase Bank, N.A.	200.00
Dutchess County Surrogates Court		
Dutchess County Surrogate Court - Revenue	JPMorgan Chase Bank, N.A.	13,058.00
Middletown City Court		
Middletown City Bail Escrow - Bail	JPMorgan Chase Bank, N.A.	43,801.44
Middletown City Bail Escrow - Bail	Wells Fargo Bank	43,545.12
Middletown City Court Revenue	JPMorgan Chase Bank, N.A.	23,158.60
Middletown City Court Revenue	Wells Fargo Bank	0.00
Mt Vernon City Court		
Mt Vernon City Court State Bail	Wells Fargo Bank	110,024.05
Mt Vernon City Court State Revenue	Wells Fargo Bank	52,202.85
New Rochelle City Court		
New Rochelle City Court Bail	JPMorgan Chase Bank, N.A.	228,749.73
New Rochelle City Court Revenue	JPMorgan Chase Bank, N.A.	32,562.48
Newburgh City Court		
Newburgh Bail Account	Wells Fargo Bank	22,587.25
Newburgh City Court Revenue	Wells Fargo Bank	2,175.25
Orange County Surrogates Court		
Orange Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	15,881.25
Peekskill City Court		
Peekskill City Court Revenue	JPMorgan Chase Bank, N.A.	750.00
Peekskill City Court		
Peekskill City Court - Bail	JPMorgan Chase Bank, N.A.	32,697.74
Port Jervis City Court		
Port Jervis Bail Account - Bail	JPMorgan Chase Bank, N.A.	3,253.74
Port Jervis Revenue Account - Revenue	JPMorgan Chase Bank, N.A.	1,053.00
Poughkeepsie		
Poughkeepsie City Court -Bail	Wells Fargo Bank	107,846.81
Poughkeepsie City Court -Revenue	Wells Fargo Bank	7,079.20
Putnam Co Surrogate's Court		
Putnam Co Surrogates Court	Putnam County National Bank	3,451.50
Rockland County Surrogates Court		
Rockland Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	17,572.25
Rye City Court		
City Of Rye Bail Account	JPMorgan Chase Bank, N.A.	2,150.24
City Of Rye Fines And Fees - Revenue	JPMorgan Chase Bank, N.A.	10,064.03
Westchester County Surrogates Court		
Westchester Co Surrogates Fees - Revenue	Wells Fargo Bank	224,422.50
White Plains City Court		
White Plains City Court Bail Account	Sterling Bank	2,758.15
White Plains City Court Bail Account	Wells Fargo Bank	65,156.71
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	56,309.08
Yonkers City Court		
Yonkers City Bail Account - Bail	Wells Fargo Bank	149,080.17
Yonkers City Revenue Account - Revenue	Wells Fargo Bank	49,515.00
<b>06000 - AGRICULTURE &amp; MARKETS</b>		
Administration Account	Key Bank	31,405.65
Agency Advance Account	Key Bank	10,000.00
Agriculture Producers Sec Fund	Key Bank	26,087.68
Animal Population Control Account	Key Bank	28,286.62
Apple Marketing Order Fund	Key Bank	0.00
Consumer Food Industry Account	Key Bank	9,945.00
Dairy Industry Services Account	Key Bank	11,790.80
Dairy Promotion Order Fund	Key Bank	0.00

Milk Producers Security Fund	Key Bank	1,368.38
NYS Farmers Market Program	Key Bank	432,736.24
NYS WNY Milk Mktg Area Administration Fund	M&T Bank	135.38
NYS WNY Milk Mktg Area Equalization Fund	M&T Bank	18,107.12
NYS WNY Milk Mktg Area Equalization Fund Savings	M&T Bank	319.27
Onion Marketing Order	Key Bank	0.00
Plants Industry Account	Key Bank	14,855.41
Pride of NY	Key Bank	6,266.98
Sour Cherry Marketing Fund	Key Bank	0.00
Weights & Measures Account	Key Bank	5,032.43
NYS Dept Agriculture & Markets		
Apple Marketing Order Fund	Key Bank	0.00
Dairy Promotion Order Fund	Key Bank	0.00
Farm Products	Key Bank	18,754.02
State Fair		
NYS Fair Operating Account	Solvay Bank	239,533.88
NYS Fair Special Account	Solvay Bank	231.20
<b>08000 - DEPARTMENT OF CIVIL SERVICE</b>		
Agency Advance Account	Bank of America, N.A.	3,000.00
Examination Application Fees Account	Bank of America, N.A.	5,468.00
Examination Application Fees Account	Key Bank	5,987.00
NYS Affirmative Action Advisory Account	Bank of America, N.A.	5,141.90
NYS Department of Civil Service	US Bank	5,503,602.17
<b>08010 - PUBLIC EMPLOYEE RELATIONS BOARD</b>		
Petty Cash And Travel Advance Account	Key Bank	783.90
<b>09000 - DEPARTMENT OF ENVIRONMENTAL CONSERVATION</b>		
Albany		
Asharoken Feasibility Study	JPMorgan Chase Bank, N.A.	0.00
Bayville Feasibility Study	JPMorgan Chase Bank, N.A.	493,936.54
Conservation Petty Cash Account	M&T Bank	24,150.00
DEC/Exchange Account	M&T Bank	18,483.53
ENCON License Issuing Office	M&T Bank	20.50
ENCON/Montauk Point Feasibility Study	JPMorgan Chase Bank, N.A.	7,204.96
ENCON/South Shore Of Staten Island	JPMorgan Chase Bank, N.A.	22,919.51
Hunting Trapping & Fishing Account	M&T Bank	6,147.76
Lake Montauk Harbor	JPMorgan Chase Bank, N.A.	156,213.02
Lockbox Account	Wells Fargo Bank	47,045.22
Mattituck Inlet	JPMorgan Chase Bank, N.A.	1,329.07
NY Conservationist	Bank of America, N.A.	9,839.54
Program Fee	JPMorgan Chase Bank, N.A.	12,072.48
Revenue Account	Bank of America, N.A.	1,311,788.68
Rockaway Beach Study & Project	JPMorgan Chase Bank, N.A.	1,265,508.13
State of New York	Key Bank	144,014.35
US Army Coe - Moriches Project	JPMorgan Chase Bank, N.A.	0.00
Region 1		
Marine Permit Account	Bank of Smithtown	30,297.75
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	National Bank of Delaware	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	11.65
Land & Forest Region 5W	TD Bank	17,815.93
NYS Conservation	Glens Falls National	1.00
Recreation (Warrensburg)	City National Bank & Trust	313.91
Region 5	Citizens Bank	38.03
Region 5	NBT Bank	8,385.70
Tree Nursery	Bank of America, N.A.	23,203.10
Region 6		
Fish & Wildlife Watertown	Key Bank	121.92
Lands & Forest District #7	Community Bank	0.00
Lands & Forests District #6	Community Bank	50.00
Lands And Forests District 10	M&T Bank	21.20
SNY Dept Of Environmental Conserv	Community Bank	14.04
<b>10000 - ATTICA CORRECTIONAL FACILITY</b>		
Agency Advance Account	Five Star Bank	1,642.42
CD Spendable	Five Star Bank	220,000.00
Employee Benefit Fund	Five Star Bank	6,553.65
General Cash Fund	Five Star Bank	11,660.18
Inmate Occupational Therapy Fund	Five Star Bank	57,761.27
Inmate Savings Account	Five Star Bank	254,947.92

Spendable Fund	Five Star Bank	396,922.63
<b>10010 - AUBURN CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	4,202.24
Certificate of Deposit	Bank of America, N.A.	15,000.00
Certificate of Deposit	Bank of America, N.A.	90,000.00
Inmate Occupational Therapy Fund	Key Bank	19,172.87
Inmate Spendable Account	Key Bank	147,648.31
Inmate Spendable Savings CD	Key Bank	252,640.95
Misc Revenue	Key Bank	40,697.48
<b>10020 - CLINTON CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	12,837.38
Employee Benefit Fund	Key Bank	13,170.53
General Fund	Key Bank	663.39
Inmate Funds	Key Bank	201,952.34
Inmate Funds Money Market Account	Key Bank	784,383.75
Inmate Occupational Therapy Acct	Key Bank	63,366.01
<b>10030 - WATERTOWN CORRECTIONAL FACILITY</b>		
Agency Advance Account	Key Bank	2,022.76
Inmate Occupational Therapy Fund	Key Bank	18,844.92
Inmate Spendable Funds	Key Bank	54,439.04
Inmate Spendable Savings Account	Key Bank	60,671.20
Miscellaneous Receipts	Key Bank	15,677.83
<b>10040 - GREAT MEADOW CORRECTIONAL FACILITY</b>		
Certificate of Deposit	Glens Falls National	100,000.00
Certificate of Deposit	Glens Falls National	150,000.00
Certificate of Deposit	Glens Falls National	25,000.00
Facility Advance	Key Bank	6,225.03
General Fund	Key Bank	0.00
Inmate Fund	Key Bank	165,616.50
Inmate Fund Savings Account	Glens Falls National	52,500.00
Miscellaneous Account	Key Bank	10,049.05
Occupational Therapy	Key Bank	20,979.49
<b>10050 - FISHKILL CORRECTIONAL FACILITY</b>		
Agency Advance	M&T Bank	No report received
Employee Benefits	M&T Bank	No report received
Inmate Spending Account	M&T Bank	No report received
Inmates Account	M&T Bank	No report received
Inmates Benefit	M&T Bank	No report received
Misc Receipts	M&T Bank	No report received
Occupational Therapy Account	M&T Bank	No report received
<b>10060 - WALLKILL CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	1,348.36
Employee Benefit	Key Bank	1,613.01
Inmate Occupational Therapy Fund	Key Bank	39,329.61
Inmate Savings Account	Key Bank	88,186.13
Inmates Fund Account	Key Bank	129,226.65
Misc. Receipts	Key Bank	15,848.07
<b>10070 - SING SING CORRECTIONAL FACILITY</b>		
Cash Advance	JPMorgan Chase Bank, N.A.	9,129.21
Inmate Funds	JPMorgan Chase Bank, N.A.	396,133.46
Inmate Interest Funds	JPMorgan Chase Bank, N.A.	455,359.68
Misc Receipts	JPMorgan Chase Bank, N.A.	93,067.20
Occupational Therapy	JPMorgan Chase Bank, N.A.	103,914.48
Quality Work Life	JPMorgan Chase Bank, N.A.	28,591.66
<b>10080 - GREEN HAVEN CORRECTIONAL FACILITY</b>		
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
<b>10090 - ALBION CORRECTIONAL FACILITY</b>		
Albion Advance Account	Bank of America, N.A.	4,493.32
Employee Benefit Fund	Bank of America, N.A.	10,642.13
Inmate Funds	Bank of America, N.A.	97,229.65
Inmate Funds Savings	Bank of America, N.A.	154,148.07
Misc Receipts	Bank of America, N.A.	5,418.41
Occupational Therapy	Bank of America, N.A.	22,256.95
<b>10100 - EASTERN NEW YORK CORRECTIONAL FACILITY</b>		
Agency Advance Account	Sterling Bank	2,037.62
Employee Benefit Fund	Sterling Bank	15,129.29
ID Now 3 Month CD	M&T Bank	50,102.55
Inmate Deposit Now Account	Sterling Bank	465,341.66
Inmate Occupational Therapy Account	Sterling Bank	40,156.79
Misc. Receipts	Sterling Bank	2,834.81

**10110 - ELMIRA CORRECTIONAL & RECEPTION CENTER**

Agency Advance Account  
Employee Benefit Fund  
Inmate CD Account  
Inmates Fund  
Miscellaneous Receipts  
Occupational Therapy Fund

Chemung Canal Trust 2,102.27  
Chemung Canal Trust 27,376.06  
M&T Bank 213,801.62  
Chemung Canal Trust 457,174.32  
Chemung Canal Trust 737.04  
Chemung Canal Trust 29,881.69

**10120 - BEDFORD HILLS CORRECTIONAL FACILITY**

Advance Account  
Employee Benefit Fund  
Inmate Funds  
Inmate Funds CD  
Inmate Funds Money Market  
Misc. Receipts  
Occupational Therapy

JPMorgan Chase Bank, N.A. 5,037.21  
JPMorgan Chase Bank, N.A. 7,802.82  
JPMorgan Chase Bank, N.A. 123,605.26  
JPMorgan Chase Bank, N.A. 90,000.00  
JPMorgan Chase Bank, N.A. 23,025.02  
JPMorgan Chase Bank, N.A. 949.25  
JPMorgan Chase Bank, N.A. 62,567.18

**10130 - COXSACKIE CORRECTIONAL FACILITY**

Agency Advance Account  
Employee Benefits Fund  
Inmates Fund  
Inmates Fund Savings Acct  
Misc. Revenue  
Money Market Acct  
Occupational Therapy Acct

National Bank of Cocksackie 2,092.68  
National Bank of Cocksackie 12,040.62  
National Bank of Cocksackie 109,784.84  
National Bank of Cocksackie 185,796.97  
National Bank of Cocksackie 64.95  
National Bank of Cocksackie 49,464.59  
National Bank of Cocksackie No report received

**10140 - WOODBOURNE CORRECTIONAL FACILITY**

CD - Inmate Funds  
CD - Inmate Funds  
WCF Agency Advance  
WCF General Fund  
WCF Inmate Fund  
WCF Occupational Therapy Fund

First National Bank of Jeffersonville No report received  
First National Bank of Jeffersonville No report received  
Jeff Bank No report received  
Jeff Bank No report received  
Jeff Bank No report received  
Jeff Bank No report received

**10160 - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION**

Agency Advance Account  
Employee Benefit Fund  
Inmate Escrow Account  
Misc. Receipts Account  
Special Account

Key Bank No report received  
Key Bank No report received  
Key Bank No report received  
Key Bank No report received  
Key Bank No report received

**10170 - QUEENSBORO CORRECTIONAL FACILITY**

Agency Advance Account  
Employee Benefit Fund  
Inmate Funds Account  
Miscellaneous Receipts Account  
Occupational Therapy Fund  
Savings Account

JPMorgan Chase Bank, N.A. 7,852.61  
JPMorgan Chase Bank, N.A. 7,627.81  
JPMorgan Chase Bank, N.A. 226,386.23  
JPMorgan Chase Bank, N.A. 2,303.24  
JPMorgan Chase Bank, N.A. 2,800.04  
JPMorgan Chase Bank, N.A. 15,643.68

**10230 - ADIRONDACK CORRECTIONAL FACILITY**

ADK QWL  
Agency Advance  
Diversity Management  
Employee Benefit Fund  
General Fund  
Inmate Funds  
Inmate Occupational Therapy Fund  
Inmate Savings Money Market  
Make A Difference Day

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  
Community Bank No report received  
Community Bank No report received  
Community Bank No report received  
Community Bank No report received

**10240 - DOWNSTATE CORRECTIONAL FACILITY**

Agency Advance  
Employee Recreational Funds  
Inmate Fund  
Inmates Funds Savings  
Misc. Receipts  
Occupational Therapy

JPMorgan Chase Bank, N.A. 1,492.89  
JPMorgan Chase Bank, N.A. 15,700.17  
JPMorgan Chase Bank, N.A. 591,744.33  
JPMorgan Chase Bank, N.A. 80,449.92  
JPMorgan Chase Bank, N.A. 14,171.24  
JPMorgan Chase Bank, N.A. 101,789.01

**10250 - TACONIC CORRECTIONAL FACILITY**

Employee Benefit Fund  
Inmate Funds  
Misc. Revenue  
Money Market  
Occupational Therapy Fund  
Taconic Advance Account

JPMorgan Chase Bank, N.A. 2,958.51  
JPMorgan Chase Bank, N.A. 85,703.62  
JPMorgan Chase Bank, N.A. 1,035.43  
JPMorgan Chase Bank, N.A. 30,982.75  
JPMorgan Chase Bank, N.A. 17,736.97  
JPMorgan Chase Bank, N.A. 3,077.72

**10270 - HUDSON CORRECTIONAL FACILITY**

Advance Account  
Employee Benefit Fund Account  
Inmate Funds Account  
Inmate Key Advantage Account  
Inmate Occupational Therapy Account  
Miscellaneous Receipts Account

Key Bank 6,265.95  
Key Bank 5,616.40  
Key Bank 32,931.12  
Key Bank 50,356.67  
Key Bank 7,819.79  
Key Bank 2,094.75

**10290 - OTISVILLE CORRECTIONAL FACILITY**

Cash Advance	Jeff Bank	790.98
General Fund	Jeff Bank	2,571.77
Inmate Funds	Jeff Bank	221,677.83
Inmate Occupational Therapy	Jeff Bank	34,400.40
Inmate Savings	Jeff Bank	51,343.96
Inmate Savings CD	Hometown Bank	78,038.26

**10300 - ROCHESTER CORRECTIONAL FACILITY**

Consolidated Advance Account	M&T Bank	No report received
Employee Recreation Fund	M&T Bank	No report received
Inmate Deposit Account	M&T Bank	No report received
Inmate Occupational Therapy	M&T Bank	No report received
Misc Fees	M&T Bank	No report received
Work Release Advance Account	M&T Bank	No report received

**10320 - EDGEcombe CORRECTIONAL FACILITY**

Agency Advance	JPMorgan Chase Bank, N.A.	601.98
Employee Benefit Account	JPMorgan Chase Bank, N.A.	2,457.06
Inmate Cash Account	JPMorgan Chase Bank, N.A.	7,002.59
Misc. Receipts Account	JPMorgan Chase Bank, N.A.	0.00
Occupational Therapy Acct	JPMorgan Chase Bank, N.A.	1,679.02
Work Release Account	JPMorgan Chase Bank, N.A.	0.00

**10350 - OGDENSBURG CORRECTIONAL FACILITY**

Agency Advance Account	Community Bank	2,932.33
EBF	Community Bank	6,145.73
Inmate Fund	Community Bank	100,699.14
Inmate Savings	Community Bank	45,235.97
Misc. Receipts	Community Bank	324.27
Occupational Therapy	Community Bank	14,401.50

**10370 - FIVE POINTS CORRECTIONAL FACILITY**

Consolidated Advance	Five Star Bank	1,014.23
EBF Checking	Five Star Bank	36,161.41
EBF Savings	Five Star Bank	31,760.74
Inmate Savings	Five Star Bank	257,918.28
Inmate Spendable	Five Star Bank	194,661.30
Misc Receipts	Five Star Bank	952.25
Occupational Therapy	Five Star Bank	30,664.21

**10390 - MOHAWK CORRECTIONAL FACILITY**

Agency Advance	Key Bank	2,782.59
Employee Benefit Fund Checking	Bank of America, N.A.	30,690.83
Inmate Funds Checking	Key Bank	269,557.44
Inmate Funds Savings	Key Bank	314,470.10
Miscellaneous Revenue	Key Bank	2,649.22
Occupational Therapy	Key Bank	25,249.13

**10430 - WENDE CORRECTIONAL FACILITY**

Consolidated Advance	Alden State Bank	2,959.34
Employee Benefit Account	Alden State Bank	20,953.99
Inmate Savings	Alden State Bank	197,076.85
Inmates Funds	Alden State Bank	175,330.46
Misc. Receipts	Alden State Bank	9,311.24
Occupational Therapy	Alden State Bank	45,826.46

**10441 - DEPARTMENT OF CORRECTIONAL SERVICES-FOOD PRODUCTION CENTER**

Office of Nutritional Services		
Miscellaneous Receipts	Key Bank	2,347.47

**10450 - GOWANDA CORRECTIONAL FACILITY**

Advance Account	Community Bank	2,181.14
Employee Benefit Fund	Community Bank	12,200.10
Inmate Funds	Community Bank	164,213.16
Inmate Funds Savings	Community Bank	259,761.05
Miscellaneous Revenue	Community Bank	2,164.14
Occupational Therapy	Community Bank	18,347.56

**10460 - GROVELAND CORRECTIONAL FACILITY**

Agency Advance Account	Five Star Bank	1,970.51
Employee Commission Account	Five Star Bank	14,092.76
Inmate Funds Account	Five Star Bank	195,712.10
Inmate Funds Account - Savings	Five Star Bank	108,049.07
Miscellaneous Receipts Account	Five Star Bank	1,308.22
Occupational Therapy Account	Five Star Bank	16,633.14

**10470 - COLLINS CORRECTIONAL FACILITY**

Agency Advance	Community Bank	4,809.46
Employee Activities	Community Bank	45,844.39
Inmate Fund Checking	Community Bank	201,158.76
Inmate Savings	Community Bank	130,547.71
Miscellaneous Revenue	Community Bank	4,545.87
Occupational Therapy	Community Bank	12,412.66

**10480 - MID-STATE CORRECTIONAL FACILITY**

Agency Advance	Key Bank	1,405.29
Employee Benefit Fund	Bank of America, N.A.	31,246.91
Inmate Funds	Key Bank	300,873.46
Inmate Savings	Key Bank	198,744.81
Misc. Revenue	Key Bank	438.52
Occupational Therapy	Key Bank	40,039.57

**10490 - MARCY CORRECTIONAL FACILITY**

Agency Advance Account	Key Bank	3,853.50
Employee Benefit Fund Account	Bank of America, N.A.	11,107.30
Inmate Fund Account	Key Bank	222,987.66
Misc receipts Acct	Key Bank	152.00
NYS DOCS Marcy CORR Facility	Key Bank	206,808.71
Occupational Therapy fund Acct	Key Bank	42,999.67

**10500 - NYC CENTRAL ADMINISTRATION**

Agency Advance Acct	JPMorgan Chase Bank, N.A.	0.00
Misc Receipts	JPMorgan Chase Bank, N.A.	459.17

**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	No report received
Moriah Shock Incarceration Employee Benefit Fund	Glens Falls National	No report received
Moriah Shock Incarceration Occ Therapy	Glens Falls National	No report received
Moriah Shock Misc Receipts	Glens Falls National	No report received
NYS Moriah Shock Incarceration Inmate Checking	Glens Falls National	No report received

**10530 - FRANKLIN CORRECTIONAL FACILITY**

Advance Account	Key Bank	5,088.20
Employee Benefit Account	Key Bank	15,359.23
Inmate Funds	Key Bank	95,641.56
Inmate Occupational Therapy	Key Bank	12,544.86
Inmate Savings	Key Bank	217,711.00
Misc. Receipts	Key Bank	3,158.56

**10540 - ALTONA CORRECTIONAL FACILITY**

Cons Adv Travel Petty Cash	NBT Bank	3,292.55
Employees Vending Benefit	NBT Bank	10,601.33
Inmates Funds	NBT Bank	107,539.20
Misc Revenues General Fund	NBT Bank	710.72
Occupational Therapy	NBT Bank	4,168.14

**10550 - CAYUGA CORRECTIONAL FACILITY**

Agency Advance	First National Bank of Groton	537.14
Cert Of Deposit	First National Bank of Groton	87,297.90
Employee Benefit Fund	First National Bank of Groton	4,991.78
Inmate Occupational Therapy Account	First National Bank of Groton	35,340.25
Inmate Spendable	First National Bank of Groton	205,330.00
Misc Receipts	First National Bank of Groton	691.92

**10560 - BARE HILL CORRECTIONAL FACILITY**

Agency Advance	Key Bank	1,829.05
Employee Benefit Fund	Key Bank	7,836.13
Inmate Spendable Funds	Key Bank	111,588.10
Key Public Money Market Checking	Key Bank	268,996.96
Miscellaneous Receipts	Key Bank	1,367.25
Occupational Therapy	Key Bank	16,264.46

**10570 - RIVERVIEW CORRECTIONAL FACILITY**

Agency Advance Account	Key Bank	1,500.00
Inmate Accounts	Key Bank	80,806.63
Inmate Savings Account	Key Bank	105,641.28
Miscellaneous Receipts Account	Key Bank	0.00
Miscellaneous Receipts Account	Key Bank	7,918.41
Occupational Therapy	Key Bank	13,985.04

**10580 - CAPE VINCENT CORRECTIONAL FACILITY**

Advance Account	Community Bank	No report received
Employee Benefit Fund	Community Bank	No report received
Inmate Occupation Therapy Acct	Community Bank	No report received
Inmate Savings	Community Bank	No report received
Inmate Spendable Account	Community Bank	No report received
Miscellaneous Receipts Account	Community Bank	No report received

**10600 - LAKEVIEW SHOCK INCARCERATION CORRECTIONAL FACILITY**

Agency Advance	Community Bank	3,700.00
Employee Benefit Fund	Community Bank	9,036.06
Inmate Funds	Community Bank	89,089.35
Inmate Funds - Sav	Community Bank	94,658.85
Miscellaneous Revenue	Community Bank	2,145.96
Occupational Therapy	Community Bank	801.56

**10610 - ULSTER CORRECTIONAL FACILITY**

Agency Advance	Bank of America, N.A.	0.00
Agency Advance	M&T Bank	1,842.13
Employee Benefit Fund	Bank of America, N.A.	0.00
Employee Benefit Fund	M&T Bank	7,373.64
Inmate Fund	Bank of America, N.A.	0.00
Inmate Fund	M&T Bank	238,451.14
Inmate Funds Savings	Bank of America, N.A.	0.00
Inmate Funds Savings	M&T Bank	12,303.11
Misc Receipts	M&T Bank	993.01
Misc. Receipts	Bank of America, N.A.	0.00
Occupational Therapy	Bank of America, N.A.	0.00
Occupational Therapy	M&T Bank	3,835.70
<b>10630 - SOUTHPORT CORRECTIONAL FACILITY</b>		
Advance Account	Chemung Canal Trust	712.19
Employee Benefit Fund	Chemung Canal Trust	16,426.68
Inmate Funds	Chemung Canal Trust	81,735.67
Inmate Funds Account	Chemung Canal Trust	66,087.20
Misc. Receipts Account	Chemung Canal Trust	710.40
Occupational Therapy Account	Chemung Canal Trust	25,176.16
<b>10640 - ORLEANS CORRECTIONAL FACILITY</b>		
Agency Advance	Bank of America, N.A.	2,006.18
Employee Benefit Fund	Bank of America, N.A.	9,059.79
Inmate Funds	Bank of America, N.A.	106,796.86
Inmate Savings	Bank of America, N.A.	108,144.21
Miscellaneous Receipts	Bank of America, N.A.	12,649.51
Occupational Therapy	Bank of America, N.A.	21,019.51
<b>10650 - WASHINGTON CORRECTIONAL FACILITY</b>		
Advance Account	Key Bank	2,464.03
EBF Account	Key Bank	8,177.35
General Account	Key Bank	0.00
Inmate Account	Key Bank	130,000.56
Inmate Funds Account Certificate Of Deposit	Glens Falls National	78,991.11
Inmate Savings Account	Key Bank	14,368.78
Occupational Therapy Account	Key Bank	21,027.70
<b>10660 - WYOMING CORRECTIONAL FACILITY</b>		
Agency Advance	Five Star Bank	6,288.12
Employee Benefit Fund	Five Star Bank	10,616.19
Inmate Occupational Therapy	Five Star Bank	40,494.33
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	51,857.56
Inmate Savings-Certificate of Deposit	Five Star Bank	25,000.00
Inmate Spendable	Five Star Bank	199,588.09
Misc. Receipts Account	Five Star Bank	7,852.98
<b>10670 - GREENE CORRECTIONAL FACILITY</b>		
Consolidated Advance	National Bank of Coxsackie	1,544.53
Inmate Accounts	National Bank of Coxsackie	188,128.32
Inmate Savings	National Bank of Coxsackie	248,743.39
Misc. Receipts	National Bank of Coxsackie	886.54
Occupational Therapy	National Bank of Coxsackie	62,698.76
<b>10680 - SHAWANGUNK CORRECTIONAL FACILITY</b>		
Consolidated Advance Account	Key Bank	1,300.00
Inmate Funds	Key Bank	150,379.01
Inmates Funds Account	Key Bank	81,112.05
Misc. Receipts Account	Key Bank	4,017.32
Occupational Therapy Acct	Key Bank	23,518.96
<b>10690 - SULLIVAN CORRECTIONAL FACILITY</b>		
Consolidated Advance	Key Bank	2,359.01
Inmate Checking	Key Bank	126,386.17
Inmate Savings	Key Bank	100,496.82
Miscellaneous	Key Bank	6,859.52
Occupational Therapy	Key Bank	26,704.60
<b>10810 - GOUVERNEUR CORRECTIONAL FACILITY</b>		
Agency Advance	Community Bank	2,230.00
Inmate Occupational Therapy	Community Bank	21,295.51
Inmate Savings	Community Bank	224,984.42
Inmate Spendable Fund	Community Bank	108,632.77
Misc Receipts	Community Bank	10,900.98
<b>10820 - WILLARD DRUG TREATMENT CENTER</b>		
Consolidated Advance	Community Bank	998.58
Employee Benefit Fund	Community Bank	12,751.36
Inmate Funds	Community Bank	49,362.99
Inmate Occupational Therapy	Community Bank	11,572.87
Misc Receipts	Community Bank	16.75

**10840 - UPSTATE CORRECTIONAL FACILITY-AUDIT 1**

Advance Account	Key Bank	1,780.00
Facility Committees	Key Bank	18,304.58
Inmate Fund	Key Bank	161,352.38
Inmate Fund Savings	Key Bank	0.00
Inmate Occupational Therapy Fund	Key Bank	4,681.34
Miscellaneous Account	Key Bank	135.50

**10850 - HALE CREEK ASACTC**

Consolidated Advance	Key Bank	675.00
Employee Benefit Fund	Bank of America, N.A.	9,661.88
Inmate Funds	Key Bank	69,377.94
Inmate Interest Bearing Account	Key Bank	15,000.25
Misc Receipts	Key Bank	0.00
Occupational Therapy	Key Bank	30,390.32

**10890 - CORRECTIONS AND COMMUNITY SUPERVISION**

Asset Forfeiture Special Rev Acct	Bank of America, N.A.	307,462.76
Parole Supervision Fee	Wells Fargo Bank	20,259.40

**10916 - CENTRAL OFFICE - INDUSTRIES**

Div of Ind Petty Cash Acct	Key Bank	5,748.00
Div of Ind Revenue Acct	Key Bank	175,577.50

**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	122,302.81
Operating	Key Bank	7,224,618.30
Retail Lockbox	US Bank	156,628.79
TAP	Key Bank	47,471.08
Wholesale Lockbox	US Bank	1,637,823.47

**11260 - BATAVIA SCHOOL FOR THE BLIND**

Misc. Receipts	M&T Bank	2,723.92
Petty Cash	M&T Bank	3,800.00
Student Spending Account	Bank of America, N.A.	11,832.50

**11270 - ROME SCHOOL FOR THE DEAF**

Miscellaneous Receipts	NBT Bank	1,716.78
Petty Cash	NBT Bank	2,055.00
Student Activity Fund	NBT Bank	15,736.32

**11280 - ARCHIVES PARTNERSHIP TRUST**

Endowment	Janney Montgomery Scott LLC	4,599,786.69
Endowment - Special Account	Janney Montgomery Scott LLC	No report received
Trust's Board Project Account	Key Bank	245,410.42

**12000 - DEPARTMENT OF HEALTH CENTRAL ADMINISTRATION**

Conf Narcotic Investigation	M&T Bank	4,794.01
Consolidated Advance Acct	M&T Bank	10,222.29
CSA Rebate Account	Bank of America, N.A.	400,227.88
DOH EPIC Lockbox Acct	Wells Fargo Bank	18,807.56
Early Intervention - Municipal Deposits for Provider Pymts	Key Bank	0.00
Early Intervention - Provider Payments Escrow	Key Bank	1,038,563.86
Early Intervention - State Funds	Key Bank	16,542.13
EPIC Co Pay Account	Bank of America, N.A.	0.00
Epic Drug Manufacturer Rebate Account	Bank of America, N.A.	4,978.23
EPIC EFT Acct	Bank of America, N.A.	0.00
EPIC Master Funding Acct	Bank of America, N.A.	1,297,104.17
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	19,984.75
General Account	M&T Bank	45,159.16
ICR Audit Fees Account	Bank of America, N.A.	63,496.08
Indian Health Disbursement Account	Bank of America, N.A.	0.00
Indian Health-Master Acct	Bank of America, N.A.	7,121.49
Medicaid	Key Bank	112,546.66
Medicaid Audit Recoveries Acct	Key Bank	0.00
Medicaid Insurance Recoveries Acct	Bank of America, N.A.	344,356.36
Nurses Aide Fees (Prometric)	Bank of America, N.A.	529.04
Nursing Home Fees Account	Bank of America, N.A.	50,827.20
NYS DOH CLEP Revenue	Key Bank	44,943.88
OBRA Drug Rebate Program Acct	Bank of America, N.A.	38.53
SPARCS	Key Bank	29,716.87

**12010 - ROSWELL PARK MEMORIAL INSTITUTE**

Office Of Patient Accounts	M&T Bank	2,828,582.95
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**12030 - HELEN HAYES HOSPITAL**

Misc. Receipts	JPMorgan Chase Bank, N.A.	675,260.42
Petty Cash Account	JPMorgan Chase Bank, N.A.	12,167.43

Rental Deposit Acct	JPMorgan Chase Bank, N.A.	6,065.22
<b>12120 - NYS VETERANS HOME-OXFORD</b>		
Agency Advance	NBT Bank	7,088.17
Exchange Account	NBT Bank	17,679.63
Maintenance Fund	NBT Bank	54,020.76
NYS Veterans Home-Oxford (Resident Account, Custodial Account)	NBT Bank	281,811.41
Resident Custodial Account	NBT Bank	10,116.59
Resident Custodial Account	NBT Bank	1,679.62
Resident Custodial Account	NBT Bank	1,760.36
Resident Custodial Account	NBT Bank	7,020.05
Resident Custodial Account	NBT Bank	3,603.21
Resident Custodial Account	NBT Bank	5,071.62
Resident Custodial Account	NBT Bank	3,869.22
Resident Custodial Account	NBT Bank	2,420.30
Resident Custodial Account	NBT Bank	44,849.91
Resident Custodial Account	NBT Bank	119.80
Resident Custodial Account	NBT Bank	10,429.40
<b>12150 - NYS VETERANS HOME-ST ALBANS</b>		
NYC Veteran Home Agency Advance	JPMorgan Chase Bank, N.A.	19,802.68
St Albans NYC Vet Home Resid Funds	JPMorgan Chase Bank, N.A.	840,253.73
St Albans Vet Home Maintenance Acct	NBT Bank	60,583.32
<b>12180 - WESTERN NEW YORK VETERANS HOME</b>		
Advance Account	Bank of America, N.A.	4,447.02
Exchange Account	Bank of America, N.A.	3,542.25
Maintenance Account	NBT Bank	70,260.26
Resident Funds	Bank of America, N.A.	48,238.18
<b>12190 - VETERANS HOME AT MONTROSE</b>		
Agency Advance Account	Bank of America, N.A.	No report received
Maintenance Acct	NBT Bank	1,223,847.39
Residence Account	Bank of America, N.A.	No report received
<b>12200 - OFFICE OF MEDICAID INSPECTOR GENERAL</b>		
Albany Confidential Account	Key Bank	254.59
Albany Petty Cash Account	Key Bank	467.00
NYC Confidential Account	JPMorgan Chase Bank, N.A.	166.00
<b>14000 - DEPARTMENT OF LABOR</b>		
Agency Advance Account	Key Bank	27,375.00
Exchange Account	Bank of America, N.A.	5,690.07
Fee And Permit Account	Key Bank	455,044.39
Min Wage & Claim Funding Acct	Key Bank	134,779.42
Minimum Wage & Wage Claim Acct	Key Bank	833,552.98
Misc Receipts	Bank of America, N.A.	310,337.85
U.I. Fund Clearing Account	JPMorgan Chase Bank, N.A.	3,642,345.23
UI Fund ACH Transactions	Wells Fargo Bank	1,000,000.00
<b>14010 - WORKERS COMPENSATION BOARD</b>		
DTF/WCB MAC 14	JPMorgan Chase Bank, N.A.	710,716,475.53
<b>16000 - PUBLIC SERVICE COMMISSION</b>		
Cable Account	Key Bank	15,257.47
Petty Cash Account	Key Bank	3,735.00
Special Fee Account	Key Bank	10,440.94
<b>17000 - NYS DEPARTMENT OF TRANSPORTATION</b>		
Contractors Bid And Guarantee	Key Bank	258,144.90
Driver Improvement Program (DIP)	Key Bank	17,064.31
Main Office Advance For Travel	Key Bank	52,901.30
PARTNERS DOT -HOOCs	Key Bank	4,001,705.33
Revenue Unit	Key Bank	213,703.01
Republic Airport, Long Island		
Republic Airport Revenue Acct	JPMorgan Chase Bank, N.A.	70,327.52
<b>19000 - DEPARTMENT OF STATE</b>		
Athletic	M&T Bank	No report received
Licensing Revenue Account	JPMorgan Chase Bank, N.A.	No report received
Main	M&T Bank	No report received
Petty Cash Account	Key Bank	No report received
Summons	M&T Bank	No report received
<b>19001 - TUG HILL COMMISSION</b>		
Agency Advance Account	Key Bank	No report received
<b>19002 - LAKE GEORGE PARK COMMISSION</b>		
Petty Cash Account	Glens Falls National	No report received
Revenue Transfer Account	Glens Falls National	No report received
<b>19005 - COMMISSION ON PUBLIC INTEGRITY</b>		
JCOPE Petty Cash Account	Bank of America, N.A.	No report received
JCOPE Revenue Account	Bank of America, N.A.	No report received
<b>20000 - DEPARTMENT OF TAXATION &amp; FINANCE</b>		
IFTA Funding	JPMorgan Chase Bank, N.A.	66,583.58
Misc Tax Account - Exchange	Bank of America, N.A.	73,402.80

Off Track Betting Tax (MAC 848)	Key Bank	120,993.80
Pari Mutuel Betting Tax (MAC 847)	Key Bank	241.89
Petty Cash	Bank of America, N.A.	11,288.26
Tax Preparer Registration Fee (EFT)	Wells Fargo Bank	11,200.00
Waste Tire Fee (EFT)	Wells Fargo Bank	56,496.40
Waste Tire Tax	JPMorgan Chase Bank, N.A.	47,659.27
<b>20020 - DEPARTMENT OF TAXATION &amp; FINANCE</b>		
Commercial Gaming Revenue Account	Key Bank	No report received
Commercial Gaming Revenue Account	Key Bank	No report received
<b>20050 - NEW YORK STATE GAMING COMMISSION</b>		
Charitable Gaming Account	Key Bank	145,228.89
Commercial Gaming Revenue Account	Key Bank	0.00
Custody Account	US Bank	12,694.62
Fingerprint Concentration Account	Key Bank	17,368.06
License Revenue Account	Bank of America, N.A.	50,684.31
Lottery Concentration Account	Key Bank	55.90
Lottery Prize Payment Account	Key Bank	0.00
Lottery Subscriptions Account	Key Bank	670,755.90
Petty Cash Account	Key Bank	921.17
Racing Refund Account	Key Bank	2,122,822.66
Video Gaming Revenue Account	Key Bank	672,484.30
<b>21012 - WELFARE INSPECTOR GENERAL</b>		
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
<b>21110 - OFFICE OF REGULATORY REFORM</b>		
Petty Cash	Key Bank	No report received
<b>21290 - HUDSON RIVER-BLACK RIVER REGULATING DISTRICT</b>		
Checking- General Fund Acct.	Community Bank	14,716.34
Checking- Petty Cash Fund	Community Bank	5,000.00
Hudson River General Acct	Bank of America, N.A.	363,751.46
Money Market	Bank of America, N.A.	0.30
Petty Cash Fund	Bank of America, N.A.	6,500.00
<b>21700 - OFFICE OF THE STATE INSPECTOR GENERAL</b>		
Office Of The State Inspector General Pass Thru Account	Key Bank	56,204.23
OSIG Petty Cash Account	Key Bank	1,545.13
Albany		
Office of the Inspector General Confidential	Bank of America, N.A.	27,700.00
<b>21820 - STATE COMMISSION ON JUDICIAL CONDUCT</b>		
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.	1,374.91
<b>21940 - NYS FINANCIAL CONTROL BOARD</b>		
Agency Advance Acct	JPMorgan Chase Bank, N.A.	No report received
<b>23000 - DEPARTMENT OF MOTOR VEHICLES</b>		
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
Andirondack 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)	Key Bank	No report received
Concentration (CTY)(OSC)		
Concentration (DO)(OSC)	Key Bank	No report received
Concentration (DO)(OSC)		
Confidential Fund (Albany Central Office)	Bank of America, N.A.	No report received
Confidential Fund		
CTY Credit Card (Albany Central Office)	JPMorgan Chase Bank, N.A.	No report received
County Office Credit Card Account	Wells Fargo Bank	No report received
Customer Service Counter (Albany)	JPMorgan Chase Bank, N.A.	No report received
NYS DMV CSC	M&T Bank	No report received
D.O. Credit Card (Albany Central Office)	Wells Fargo Bank	No report received
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	JPMorgan Chase Bank, N.A.	No report received
County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Finger Lakes First	JPMorgan Chase Bank, N.A.	No report received
County Fee Acct	JPMorgan Chase Bank, N.A.	No report received
Finger Lakes Second	JPMorgan Chase Bank, N.A.	No report received
County Fee Acct	Bank of Castile	No report received
Genesee County	Greene County Commercial Bank	No report received
Genesee County Clerk - DMV	JPMorgan Chase Bank, N.A.	No report received
Greene County		
Fee Account - Greene	M&T Bank	No report received
Hudson Valley	Wells Fargo Bank	No report received
County Fee Acct		
IRP (Albany Central Office)	M&T Bank	No report received
International Registration	Wells Fargo Bank	No report received
International Registration		
IRP Exchange (Albany Central Office)	M&T Bank	No report received
Irp Internet Office - Dept. MV		
Kiosk	JPMorgan Chase Bank, N.A.	No report received
Kiosk Account	Wells Fargo Bank	No report received
Long Island/Staten Island DO		
Long Island/Staten Island DO	JPMorgan Chase Bank, N.A.	No report received
Long Island/Staten Island JP		
Long Island/Staten Island (Mass/Med)	Citibank	No report received
Nassau Region 1	JPMorgan Chase Bank, N.A.	No report received
Div. of Vehicle Safety		
Niagara Frontier	Bank of Utica	No report received
County Fee Acct	NBT Bank	No report received
Oneida County	Bank of America, N.A.	No report received
DMV Oneida County Fee Account	JPMorgan Chase Bank, N.A.	No report received
Oneida County Fee Account	Wells Fargo Bank	No report received
Petty Cash (Albany Central Office)	Key Bank	No report received
Petty Cash	Wells Fargo Bank	No report received
Queens-Region 6	Key Bank	No report received
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)	Wells Fargo Bank	No report received
MV Search		
Syracuse-Region 4	JPMorgan Chase Bank, N.A.	No report received
Confidential - Syracuse	JPMorgan Chase Bank, N.A.	No report received
Thousand Island Seaway	Bank of America, N.A.	No report received
County Fee Acct	Wells Fargo Bank	No report received
TLC/DOCCS	JPMorgan Chase Bank, N.A.	No report received
TLC/DOCCS		
Travel Advance (Albany Central Office)	Bank of America, N.A.	No report received
Travel Advance		
TVB Acct	Wells Fargo Bank	No report received
TVB Acct		
TVB Credit Card (Albany Central Office)	JPMorgan Chase Bank, N.A.	No report received
TVB Credit Card Receipts		
Upstate DO	Wells Fargo Bank	No report received
Upstate District Offices (ALB, SYD, SYS, UTD)		
Utica D.O.	Bank of Utica	No report received
Exchange Account	Bank of Utica	No report received
Revenue Utica		
Yonkers-Region 2		

Safety Sup Automotive FAC INSP	JPMorgan Chase Bank, N.A.	No report received
<b>25000 - OFFICE OF CHILDREN &amp; FAMILY SERVICES</b>		
Brentwood Resid Center Cash Advance	JPMorgan Chase Bank, N.A.	950.00
Brentwood Residents' Account	JPMorgan Chase Bank, N.A.	720.65
Brookwood Cash Advance	Key Bank	1,702.58
Brookwood Resid Residential Cash	Key Bank	7,603.49
Check Exchange	Bank of America, N.A.	64.95
CO Independent Living Acct	Bank of America, N.A.	2,000.00
Co. Training Employment Dev (Youth Stipend)	Bank of America, N.A.	25,000.00
Columbia Girls Secure Center-Advance Acct	Key Bank	700.00
Columbia Girls Secure Center-Youth Savings	Key Bank	960.99
Finger Lakes Res Ctr Residents Cash	Tompkins County Trust	2,473.35
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.	5,793.70
Harriet Tubman Advance Account	Key Bank	500.00
Harriet Tubman Residents' Account	Key Bank	784.38
Highland Res Ctr Petty Cash Account	Bank of America, N.A.	2,590.76
Highland Res Ctr Residents Acct	Bank of America, N.A.	3,457.42
Home Office Care & Maintenance Account	Bank of America, N.A.	0.00
Industry Advance Account	JPMorgan Chase Bank, N.A.	1,954.00
Industry Res Account	JPMorgan Chase Bank, N.A.	7,767.60
Industry School Dug-Out	JPMorgan Chase Bank, N.A.	362.00
MacCormick Cash Advance	Tompkins County Trust	1,911.68
MacCormick Residents' Account	Tompkins County Trust	5,038.74
Medicaid Reimbursement Exchange	Bank of America, N.A.	97,177.60
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.	12,321.83
Queens-Long Island Aftercare	JPMorgan Chase Bank, N.A.	600.00
Red Hook Res Ctr Resident Cash	Key Bank	132.80
Red Hook Resid Ctr Cash Advance	Key Bank	300.00
SCR Credit Card Revenue Account	Bank of America, N.A.	11,850.00
State Central Register	Bank of America, N.A.	65,792.60
Taberg Cash Advance	NBT Bank	758.85
Taberg Residents Account	NBT Bank	1,089.79
Youth Leadership Academy	NBT Bank	272.87
Youth Leadership Cash Advance	NBT Bank	705.00
<b>27000 - OFFICE OF TEMPORARY &amp; DISABILITY ASSISTANCE</b>		
Exchange Account	Key Bank	20.70
Title IV D Of Social Security	Key Bank	33,996,505.34
Travel Advance	Key Bank	10,001.14
<b>28010 - SUNY ALBANY</b>		
Fee Account	Key Bank	21,797,304.68
Loan Services Center Account	Key Bank	204,303.48
Petty Cash/Travel Advance	Key Bank	0.00
<b>28020 - SUNY BINGHAMTON</b>		
SUNY Binghamton	M&T Bank	399,061.65
SUNY Binghamton - Controlled Disb	M&T Bank	0.00
<b>28030 - SUNY BUFFALO</b>		
Controlled Disbursement Account	Bank of America, N.A.	0.00
General Revenue Account	Bank of America, N.A.	0.00
General Revenue Account	Key Bank	1,082,613.42
Imprest Account	Key Bank	0.00
<b>28050 - SUNY STONY BROOK</b>		
Central Funding	JPMorgan Chase Bank, N.A.	6,375,314.79
Controlled Disbursement	JPMorgan Chase Bank, N.A.	0.00
Fees Depository	JPMorgan Chase Bank, N.A.	10,752,878.92
LISVH Fees Depository	JPMorgan Chase Bank, N.A.	352,193.15
LISVH Fees Depository	Sterling Bank	269,850.49
LISVH Residence Fund	Sterling Bank	373,912.07
Payroll Advance	JPMorgan Chase Bank, N.A.	7,547.35
SBU Student Refunds Cont Disb Acct	JPMorgan Chase Bank, N.A.	0.00
Student ACH Refunds Account	JPMorgan Chase Bank, N.A.	475,868.40
SUNY Eastern Long Island Hospital Depository	JPMorgan Chase Bank, N.A.	754,224.21
SUNY Southampton Depository	JPMorgan Chase Bank, N.A.	894,904.59
University Hosp Fees Depository	JPMorgan Chase Bank, N.A.	3,305,073.44
University Hospital Petty Cash	JPMorgan Chase Bank, N.A.	1,909.35
<b>28100 - SUNY HEALTH SCIENCE CENTER AT BROOKLYN</b>		
Center Revenue	JPMorgan Chase Bank, N.A.	259,691.67
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.	1,623,711.51
LICH Controlled Disbursement	JPMorgan Chase Bank, N.A.	0.00
LICH Depository	JPMorgan Chase Bank, N.A.	134,855.18

Petty Cash	JPMorgan Chase Bank, N.A.	0.00
Student Refunds	JPMorgan Chase Bank, N.A.	0.00
<b>28110 - SUNY HEALTH SCIENCE CENTER AT SYRACUSE</b>		
College Revenue	Key Bank	369,404.60
Controlled Disbursement	Key Bank	0.00
Hospital Revenue	Key Bank	1,822,242.16
Parking	Key Bank	158,072.91
<b>28150 - SUNY BROCKPORT</b>		
Brockport-REOC Account	Key Bank	1,088.86
Concentration Acct	M&T Bank	245,290.67
Controlled Disb	M&T Bank	0.00
<b>28160 - SUNY BUFFALO STATE COLLEGE</b>		
Controlled Disb	M&T Bank	0.00
Dept Public Safety	M&T Bank	0.00
Special Grant Account	M&T Bank	3,773.14
Students Acct Office	M&T Bank	85,027.36
<b>28170 - SUNY CORTLAND</b>		
General Checking Account	Key Bank	31,947.46
<b>28180 - SUNY FREDONIA</b>		
Controlled Disb	M&T Bank	0.00
Depository Account	M&T Bank	134,380.33
<b>28190 - SUNY GENESEO</b>		
Controlled Disbursement Account	Key Bank	0.00
State Fees	Key Bank	72,459.38
<b>28200 - SUNY OLD WESTBURY</b>		
Local Depository	JPMorgan Chase Bank, N.A.	43,018.87
<b>28210 - SUNY NEW PALTZ</b>		
Disbursement Account	Key Bank	0.00
State Revenue	Key Bank	384,837.61
<b>28220 - SUNY ONEONTA</b>		
Petty Cash Advance Account	NBT Bank	0.00
Revenue Account	NBT Bank	4,947,053.62
<b>28230 - SUNY OSWEGO</b>		
Controlled Disbursement	Key Bank	0.00
General Revenue	Key Bank	414,425.22
Imprest Account	Key Bank	0.00
<b>28240 - SUNY PLATTSBURGH</b>		
General Revenue	TD Bank	1,652,143.88
<b>28250 - SUNY POTSDAM</b>		
Control Disbursement Account	Key Bank	0.00
State Fee Reconciliation Account	Key Bank	282,638.65
<b>28260 - SUNY PURCHASE</b>		
General Income Fund	Key Bank	5,709,357.55
<b>28270 - SUNY INSTITUTE OF TECHNOLOGY UTICA/ROME</b>		
Advance Account	Bank of America, N.A.	0.00
Controlled Disbursement Account	Bank of America, N.A.	0.00
Revenue	Bank of America, N.A.	216,359.98
<b>28280 - SUNY EMPIRE STATE COLLEGE</b>		
Concentration Account	Key Bank	297,288.60
Distribution Center Account	Key Bank	76,055.68
Zero Balance Controlled Disbursement Account	Key Bank	0.00
<b>28350 - SUNY COLLEGE OF TECHNOLOGY AT ALFRED</b>		
Fees Account	Community Bank	8,811,472.47
<b>28360 - SUNY COLLEGE OF TECHNOLOGY AT CANTON</b>		
Community Cash Deposits	NBT Bank	263,335.26
Income Fund	Key Bank	265,592.42
International Program Account	Key Bank	37,521.36
<b>28370 - SUNY AGRICULTURAL &amp; TECHNICAL COLLEGE AT COBLESKILL</b>		
Income Fund	Key Bank	8,043.20
<b>28380 - SUNY COLLEGE OF TECHNOLOGY AT DELHI</b>		
General Revenue	Delaware National Bank	1,848,706.27
Petty Cash Fund	Delaware National Bank	0.00
<b>28390 - SUNY COLLEGE OF TECHNOLOGY AT FARMINGDALE</b>		
Income Fund	Citibank	522,802.72
<b>28400 - SUNY AGRICULTURAL &amp; TECHNICAL COLLEGE AT MORRISVILLE</b>		
Income Fund	Key Bank	950,178.52
Revenue Account	NBT Bank	11,007.67
<b>28550 - SUNY COLLEGE OF ENVIRONMENTAL SCIENCE &amp; FORESTRY</b>		
Agency Advance	Key Bank	0.00
Controlled Disb	Key Bank	0.00
ESF/GSA	Key Bank	0.00
Forestry	Community Bank	180.78
Regular Account	Key Bank	41,120.13
Student Government	Key Bank	0.00

<b>28570 - SUNY MARITIME COLLEGE</b>		
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.	59,551.74
Revenue EFT Account	JPMorgan Chase Bank, N.A.	10,884.01
<b>28580 - SUNY COLLEGE OF OPTOMETRY</b>		
General Revenue	JPMorgan Chase Bank, N.A.	106,093.31
Medical Transportation	JPMorgan Chase Bank, N.A.	1,393.38
<b>28650 - SUNY CENTRAL SYSTEM ADMINISTRATION</b>		
ASC	Key Bank	10,000.00
NYS Iso	Key Bank	4,405,203.64
Revenue	Key Bank	74,123.57
<b>37000 - DEPARTMENT OF FINANCIAL SERVICES</b>		
Confidential Investigations	JPMorgan Chase Bank, N.A.	11,202.85
Confidential Investigations	JPMorgan Chase Bank, N.A.	9,967.00
Fire Tax Account (Main)	Key Bank	86,321.00
Fire Tax Payment	Key Bank	0.00
General Assessment Account	JPMorgan Chase Bank, N.A.	332,884.42
General Fund	Key Bank	76,396.00
Market Stabilization Pool Account	JPMorgan Chase Bank, N.A.	6,095,506.07
Miscellaneous Account	JPMorgan Chase Bank, N.A.	11,561,387.73
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.	100,003.70
<b>49010 - SARATOGA-CAPITAL DISTRICT STATE PARK COMMISSION</b>		
Revenue (SA)	Glens Falls National	45,490.91
SARATOGA REGION CONTRACTORS BID ACCOUNT	Key Bank	87,643.68
<b>49020 - LONG ISLAND STATE PARK COMMISSION</b>		
Contractors Bid (LI)	JPMorgan Chase Bank, N.A.	67,405.93
Regional Account (LI)	Bank of America, N.A.	1.00
Regional Account 2 (LI)	JPMorgan Chase Bank, N.A.	135,121.77
Revenue (LI)	People's United Bank	30,987.48
<b>49030 - GENESEE STATE PARK COMMISSION</b>		
Contractors Bid (GE)	Bank of Castile	43,911.50
Revenue (GE)	Bank of Castile	54,320.14
<b>49040 - NIAGARA FRONTIER STATE PARK COMMISSION</b>		
Contractors Bid (NIA)	Key Bank	3,762.89
Revenue (NIA)	Evans National Bank	31,834.85
<b>49050 - PALISADES INTERSTATE STATE PARK COMMISSION</b>		
Contractors Bid (PA)	JPMorgan Chase Bank, N.A.	3,959.17
<b>49070 - OFFICE OF PARKS &amp; RECREATION</b>		
Main Office - Change Fund	Key Bank	61,960.00
Main Office Account (ALB)	Key Bank	1,500.00
OPRHP Concentration Account	Key Bank	148,827.21
Petty Cash (ALB)	Key Bank	29,843.20
Revenue (NI, GE, AL, CE, TA)	M&T Bank	40,704.57
Revenue (NYC, CE, LI, PA, TA)	JPMorgan Chase Bank, N.A.	25,597.16
Revenue (SA, LI, GE, NI, CE, TA)	Bank of America, N.A.	36,157.62
Revenue (SA, NI, PA, CE, TA, TI)	Key Bank	31,156.84
Revenue (various)	Wells Fargo Bank	51,323.13
Statewide Campsite/Cabin Revenue	JPMorgan Chase Bank, N.A.	32,426.19
Statewide Credit Card Revenue, Revenue (ALB, FL, LI, PA, TI)	Key Bank	336,515.64
Statewide Housing Security Deposits	Key Bank	129,304.55
<b>49090 - FINGER LAKES STATE PARK COMMISSION</b>		
Contractors Bid (FL)	Tompkins County Trust	20,357.78
Revenue (FL)	Savannah Bank	40,495.87
Revenue (FL-Multi)	Community Bank	488.41
Revenue (FL-Multi-Facilities)	Tompkins County Trust	182,608.57
<b>49100 - ALLEGANY STATE PARK COMMISSION</b>		
Contractors Bid (AL)	Five Star Bank	868.00
Regional Account (AL)	Five Star Bank	130,748.78
Revenue (AL)	Five Star Bank	64,140.27
<b>49120 - CENTRAL NEW YORK STATE PARK COMMISSION</b>		
Contractors Bid (CE)	JPMorgan Chase Bank, N.A.	21,065.27
Revenue (CE, SA, TI)	NBT Bank	43,651.01
<b>49130 - TACONIC STATE PARK COMMISSION</b>		
Contractors Bid (TA)	M&T Bank	959.08
<b>49140 - THOUSAND ISLANDS STATE PARK COMMISSION</b>		
Revenue (TI)	Citizens Bank	23,764.56
Revenue (TI-Multi)	Community Bank	11,343.61
<b>50000 - OFFICE OF MENTAL HEALTH</b>		
Consolidated Advance	Bank of America, N.A.	18,836.58
Iterim Assistance Agreement	Bank of America, N.A.	0.00
OMH Medication Grant Program Acct	Bank of America, N.A.	8,172.92

Reimbursement Account	Bank of America, N.A.	6,755,639.97
<b>50010 - GREATER BINGHAMTON HEALTH CENTER</b>		
Agency Advance Account	JPMorgan Chase Bank, N.A.	9,427.02
Facility Holding Account	JPMorgan Chase Bank, N.A.	10,972.26
Patient Cash Funds	JPMorgan Chase Bank, N.A.	450,832.76
Patients Cash Account	JPMorgan Chase Bank, N.A.	333,046.35
Security Deposit	JPMorgan Chase Bank, N.A.	2,680.52
<b>50020 - KINGSBORO PSYCHIATRIC CENTER</b>		
Advance Account	Banco Popular	15,394.56
Family Care	Banco Popular	14,290.87
Holding Account	Banco Popular	213,947.35
Medicaid Outpatient Travel	Banco Popular	802.81
Patient Cash Acct (MM)	Banco Popular	204,013.15
Patient Checking Account	Citibank	9,574.01
Patient Savings Account	Banco Popular	334,728.82
Security Deposit	Banco Popular	2,489.14
Urban Oasis/EBT	Banco Popular	52,232.32
<b>50030 - BUFFALO PSYCHIATRIC CENTER</b>		
Advance Account	Key Bank	32,168.98
Facility Holding	Key Bank	17,422.38
Patient Cash Checking	Key Bank	145,168.90
<b>50080 - MANHATTAN PSYCHIATRIC CENTER</b>		
Advance Account	Sterling Bank	10,335.71
CD	Hudson Valley National Bank	425,038.94
General Fund Checking	Hudson Valley National Bank	7,605.95
Patient Cash Checking	Hudson Valley National Bank	792,449.51
Patients Money Market	Hudson Valley National Bank	72,858.94
Social Service Tokens	Hudson Valley National Bank	33,953.54
<b>50110 - ROCHESTER PSYCHIATRIC CENTER</b>		
Agency Advance	Key Bank	21,186.67
Facility Holding	Key Bank	56,973.13
Patients Cash Account	Key Bank	160,499.71
Patients Fund Savings	Key Bank	202,684.21
<b>50120 - ST LAWRENCE PSYCHIATRIC CENTER</b>		
Facility Advance Account	Community Bank	17,070.37
Facility Holding Account	Community Bank	17,521.92
Patients Cash Account	Community Bank	39,413.54
Patients Cash Savings	Community Bank	226,991.29
<b>50150 - CREEDMOOR PSYCHIATRIC CENTER</b>		
Advance Account	HSBC	42,982.16
Certificate Of Deposit	HSBC	250,000.00
Certificate Of Deposit	HSBC	150,000.00
Holding Account	HSBC	16,814.09
Medicaid Travel Account	HSBC	0.00
Money Management Account	HSBC	501,076.91
Patient Cash Account	HSBC	135,789.15
Rent Holding Account	HSBC	2,149.00
<b>50170 - ROCKLAND PSYCHIATRIC CENTER</b>		
Exchange	JPMorgan Chase Bank, N.A.	No report received
Holding Account	JPMorgan Chase Bank, N.A.	No report received
INVESTMENT CD A	Sterling Bank	No report received
INVESTMENT CD B	Sterling Bank	No report received
INVESTMENT CD C	Sterling Bank	No report received
INVESTMENT CD D	Sterling Bank	No report received
INVESTMENT CD G	Sterling Bank	No report received
INVESTMENT CD I	Sterling Bank	No report received
Patient Cash Account	JPMorgan Chase Bank, N.A.	No report received
Patient Cash Checking Account	JPMorgan Chase Bank, N.A.	No report received
Patient Cash Savings Account	JPMorgan Chase Bank, N.A.	No report received
<b>50180 - NYS PSYCHIATRIC INSTITUTE</b>		
Donation & Gift Acct/Patient Fund Acct	JPMorgan Chase Bank, N.A.	4,559.21
General	JPMorgan Chase Bank, N.A.	35,375.38
Petty Cash	JPMorgan Chase Bank, N.A.	1,463.24
<b>50190 - RICHARD H HUTCHINGS PSYCHIATRIC CENTER</b>		
Advance Account	Key Bank	16,335.43
Clients Count	Key Bank	156,054.00
Holding Account	Key Bank	17,696.49
<b>50200 - PILGRIM PSYCHIATRIC CENTER</b>		
Facility Advance Account	JPMorgan Chase Bank, N.A.	63,935.70
Facility Holding Acct	JPMorgan Chase Bank, N.A.	229,705.34
Patient Cash	JPMorgan Chase Bank, N.A.	893,007.64
<b>50210 - MOHAWK VALLEY PSYCHIATRIC CENTER</b>		
Advance Fund	Key Bank	11,264.01
Facility Holding	Key Bank	1,961.33

Patient Cash Checking	Key Bank	32,117.95
Patient Cash Savings	Key Bank	28,929.37
Security Deposit	Key Bank	8,522.74
<b>50310 - BRONX PSYCHIATRIC CENTER</b>		
CD	JPMorgan Chase Bank, N.A.	250,000.00
Consolidated Advance	JPMorgan Chase Bank, N.A.	17,845.99
Misc. Receipts	JPMorgan Chase Bank, N.A.	27,716.38
Patients Cash MM	JPMorgan Chase Bank, N.A.	88,192.74
Patients Checking Acct	JPMorgan Chase Bank, N.A.	387,279.77
<b>50340 - NATHAN KLINE INSTITUTE</b>		
Petty Cash Account	JPMorgan Chase Bank, N.A.	1,300.00
<b>50350 - KIRBY FORENSIC PSYCHIATRIC CENTER</b>		
Consolidated Advance Account	Hudson Valley National Bank	No report received
Holding Account	Hudson Valley National Bank	No report received
Patient Cash Account	Hudson Valley National Bank	No report received
<b>50390 - CENTRAL NY PSYCHIATRIC CENTER</b>		
Agency Advance Account	Key Bank	968.75
General Fund	Key Bank	7,764.02
Patient Checking	Key Bank	136,681.93
Patient Savings	Key Bank	251,492.34
Security Deposit	Key Bank	3,820.56
<b>50440 - MID-HUDSON FORENSIC PSYCHIATRIC CENTER</b>		
Facility Advance Account	Key Bank	16,025.00
Facility Holding Account	Key Bank	810.50
Patients Account	Key Bank	194,075.83
<b>50520 - BROOKLYN CHILDRENS PSYCHIATRIC CENTER</b>		
Petty Cash Advance Account	Banco Popular	4,930.00
<b>50790 - SOUTH BEACH PSYCHIATRIC CENTER</b>		
Agency Advance Checking	JPMorgan Chase Bank, N.A.	26,110.92
Facility Holding Checking	JPMorgan Chase Bank, N.A.	13,021.36
Family Care Checking	JPMorgan Chase Bank, N.A.	0.00
Patients Cash Checking	JPMorgan Chase Bank, N.A.	593,844.53
<b>50800 - BRONX CHILDRENS PSYCHIATRIC CENTER</b>		
General Fund	JPMorgan Chase Bank, N.A.	14,079.74
<b>50810 - WESTERN NY CHILDRENS PSYCHIATRIC CENTER</b>		
Agency Advance	Key Bank	745.45
Exchange Account	Key Bank	0.00
Patient Cash	Key Bank	35.00
<b>50850 - SAGAMORE CHILDRENS PSYCHIATRIC CENTER</b>		
Sagamore Patient Personal Acct	JPMorgan Chase Bank, N.A.	50,899.23
Sagamore Petty Cash Account	JPMorgan Chase Bank, N.A.	5,157.01
<b>50860 - ROCKLAND CHILDRENS PSYCHIATRIC CENTER</b>		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
<b>50870 - QUEENS CHILDRENS PSYCHIATRIC CENTER</b>		
Money Management Account	HSBC	3,573.89
Queens Adv Acct	HSBC	8,027.31
Queens Childrens Account	HSBC	6,115.69
<b>50920 - ELMIRA PSYCHIATRIC CENTER</b>		
Certificate of Deposit	Chemung Canal Trust	100,000.00
Certificate of Deposit	Chemung Canal Trust	100,000.00
Facility Advance Account	Chemung Canal Trust	13,315.00
General Fund Account	Chemung Canal Trust	3,889.95
IMMA	Chemung Canal Trust	46,272.37
Patients Fund Account	Chemung Canal Trust	360,191.34
<b>50980 - CAPITAL DISTRICT PSYCHIATRIC CENTER</b>		
Facility Advance Account	Key Bank	16,362.19
Facility Holding Account	Key Bank	144,190.49
Parking Garage Account	Key Bank	159,908.35
Patients Cash Checking Account	Key Bank	286,087.18
Patients Cash Savings Account	Key Bank	397,189.53
<b>51000 - NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES</b>		
Petty Cash Acct	Bank of America, N.A.	No report received
Revenue Account	Bank of America, N.A.	2,433,172.81
<b>51210 - HUDSON VALLEY DDSO</b>		
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
<b>51240 - CENTRAL NY DDSO</b>		
Advance Accounts	Key Bank	34,547.63
Clients Account	Key Bank	192,902.95
Consumer Cash - Savings	Adirondack Bank	1,110,985.15

Consumer Cash - Savings	Key Bank	3,416,480.65
<b>51250 - TACONIC DDSO</b>		
Agency Advance Account	M&T Bank	63,480.55
General Fund	M&T Bank	3,563.27
Patients Cash Checking	M&T Bank	2,392,046.58
500 Balltown Rd Schenectady, NY		
TDDSO Representative Payee Savings Acct	The Adirondack Trust Company	523,677.61
<b>51270 - STATEN ISLAND DDSO</b>		
Clients Cash Account	JPMorgan Chase Bank, N.A.	No report received
General Fund Account	JPMorgan Chase Bank, N.A.	No report received
Money Market Account	JPMorgan Chase Bank, N.A.	No report received
Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
<b>51290 - CAPITAL DISTRICT DDSO</b>		
Agency Advance Account	Key Bank	No report received
Agency Advance Account	The Adirondack Trust Company	No report received
Consumer EBT Fund / Fiduciary Account	Key Bank	No report received
Consumers Fund / Fiduciary Account	Key Bank	No report received
Patients Account Direct Deposit / Fiduciary Acct	The Adirondack Trust Company	No report received
Patients Fund Operating Acct / Fiduciary Acct	The Adirondack Trust Company	No report received
Summer Camp - Fiduciary Acct	The Adirondack Trust Company	No report received
<b>51330 - WESTERN NY DDSO</b>		
Agency Advance Account	M&T Bank	No report received
CD-Patient Property Funds	Key Bank	No report received
Exchange Account	M&T Bank	No report received
General Account	Community Bank	No report received
Patient Property Funds	Adirondack Bank	No report received
Patient Property Funds	M&T Bank	No report received
<b>51350 - LONG ISLAND DDSO</b>		
Consolidated Advance	JPMorgan Chase Bank, N.A.	No report received
EBT Checking Account	JPMorgan Chase Bank, N.A.	No report received
General Fund	JPMorgan Chase Bank, N.A.	No report received
Patient Cash	JPMorgan Chase Bank, N.A.	No report received
<b>51380 - BROOKLYN DDSO</b>		
CD	Banco Popular	No report received
Consumers Fund	JPMorgan Chase Bank, N.A.	366,682.37
Consumers Money Management	JPMorgan Chase Bank, N.A.	687,112.42
Miscellaneous Receipts	JPMorgan Chase Bank, N.A.	218,236.67
Petty Cash - Mental Hygiene Brooklyn	JPMorgan Chase Bank, N.A.	22,307.11
Thomas Shirtz Community Service	JPMorgan Chase Bank, N.A.	6,007.37
<b>51420 - SUNMOUNT DDSO</b>		
Certificate of Deposit	Community Bank	No report received
Community Store Fund	Community Bank	No report received
Exchange Fund	Community Bank	No report received
Residents Fund	Community Bank	No report received
Sunmount Advance Account	Community Bank	No report received
Sunmount EBT Checking Account	Community Bank	No report received
<b>51430 - INSTITUTE FOR BASIC RESEARCH IN DEVELOPMENTAL DISABILITIES</b>		
Petty Cash	JPMorgan Chase Bank, N.A.	3,000.00
<b>51450 - METRO NY DDSO</b>		
Consolidated Acct	JPMorgan Chase Bank, N.A.	28,746.74
Manhattan DDSO Client Cash	JPMorgan Chase Bank, N.A.	33,785.60
Metro NY DDSO Food Stamp Acct	JPMorgan Chase Bank, N.A.	0.00
Metro NY DDSO REP PAYEE ACCOUNT	JPMorgan Chase Bank, N.A.	424,550.16
Patients Cash Account	JPMorgan Chase Bank, N.A.	18,798.32
Patients Money Market Account	JPMorgan Chase Bank, N.A.	0.10
Petty Cash	JPMorgan Chase Bank, N.A.	0.00
<b>51470 - BERNARD M FINESON DDSO</b>		
Money Market Account	JPMorgan Chase Bank, N.A.	307,020.54
Patient Fund Account	JPMorgan Chase Bank, N.A.	241,975.54
Petty Cash Fund	JPMorgan Chase Bank, N.A.	14,486.20
<b>51780 - FINGER LAKES DDSO</b>		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
F.L. Newark Resident Checking	Community Bank	No report received
Finger Lakes Resident Checking	JPMorgan Chase Bank, N.A.	No report received
FL Vending Machine Account	Community Bank	No report received
General Account	JPMorgan Chase Bank, N.A.	No report received
Geneseo Client Cash	Bank of America, N.A.	No report received
Kelsey Trust Fund	Bank of America, N.A.	No report received
Mary Moore Trust Fund	Bank of America, N.A.	No report received
Monroe Resident Checking	JPMorgan Chase Bank, N.A.	No report received
Monroe Resident Savings	JPMorgan Chase Bank, N.A.	No report received
Patient Food Stamp Account	JPMorgan Chase Bank, N.A.	No report received
<b>51940 - BROOME DDSO</b>		
Broome DDSO	M&T Bank	No report received

Broome DDSO - Advance Account	M&T Bank	No report received
Broome DDSO - General Fund	M&T Bank	No report received
Disabled Individuals Savings	Key Bank	No report received
Disabled Individuals Savings	M&T Bank	No report received
OMRDD Broome DDSO EBT Checking	M&T Bank	No report received
<b>53000 - OFFICE OF ALCOHOLISM &amp; SUBSTANCE ABUSE SERVICES</b>		
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
<b>53020 - KINGSBORO ALCOHOLISM TREATMENT CENTER</b>		
Petty Cash Advance Account	Bank of America, N.A.	388.13
<b>70000 - CUNY UNIVERSITY MANAGEMENT &amp; PROGRAM BOARD OF HIGHER EDUCATION</b>		
CUNY Admin Imprest Cash Account	Citibank	10,242.81
<b>70030 - CUNY HUNTER COLLEGE</b>		
Travel Petty Cash Account	Citibank	45,199.67
<b>70060 - CUNY JOHN JAY COLLEGE</b>		
CUNY JOHN JAY COLLEGE IMPREST FUND	Citibank	16,500.00
<b>70070 - CUNY LEHMAN COLLEGE</b>		
Lehman College	Citibank	4,326.78
<b>70080 - CUNY YORK COLLEGE</b>		
York College Imprest Funds	Citibank	11,288.64
York College Travel Advance Fund	Citibank	817.00
<b>70100 - CUNY COLLEGE OF STATEN ISLAND</b>		
CSI Imprest Cash	TD Bank	4,911.51
<b>70120 - CUNY NYC COLLEGE OF TECHNOLOGY</b>		
NY City College Of Technology Technical College Imprest Fund	Popular Community Bank	5,000.00
<b>70150 - CUNY SCHOOL OF LAW</b>		
CUNY School Of Law	TD Bank	27,041.54

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 05/31/2020**

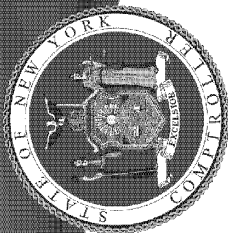
ACCOUNT DESCRIPTION	DEPOSITORY	BALANCE AS OF 05/31/2020
<b>COMMUNITY COLLEGE TUITION AND INSTRUCTIONAL INCOME FUND</b>		
0231 Upstate Community Colleges, Series 2005A	Key Bank	0.00
0232 Upstate Community Colleges, Series 2005B	Key Bank	4,966,220.87
<b>DORMITORY AUTHORITY OF THE STATE OF NEW YORK</b>		
0039 Mental Hygiene Facilities Improvement Fund Income Account	Bank of America, N.A.	21,263,369.20
0070 Hospital and Nursing Home Project Operating Fund	Key Bank	0.00
0104 Lincoln Medical and Mental Health Center Project Construction Account	Key Bank	14,267.06
0105 Greenpoint Medical and Mental Health Center Project Construction Account	Key Bank	300,835.88
0149 State Advances Repayment Account	Bank of America, N.A.	0.00
1202 DA DFRF MAC #1202 Binghamton	Key Bank	603.06
1203 DA DFRF MAC #1203 Oneonta	Key Bank	1,022.58
1205 DA DFRF MAC #1205 Delhi	Key Bank	240.91
1206 DA DFRF MAC #1206 Buffalo Univ	Key Bank	561.64
1207 DA DFRF MAC #1207 Buffalo College	Key Bank	790.97
1208 DA DFRF MAC #1208 Alfred	Key Bank	(582,084.76)
1209 DA DFRF Mac #1209 Fredonia	Key Bank	609.28
1211 DA DFRF Mac #1211 Upstate Medical	Key Bank	541.00
1212 DA DFRF Mac #1212 Oswego	Key Bank	151.32
1214 DA DFRF Mac #1214 Cortland	Key Bank	114.45
1215 DA DFRF MAC #1215 Stony Brook	Key Bank	(482,100.63)
1216 DA DFRF MAC #1216 Old Westbury	Key Bank	87.05
1217 DA DFRF MAC #1217 Farmingdale	Key Bank	254.96
1218 DA DFRF MAC #1218 Downstate Med	Key Bank	237.10
1219 DA DFRF MAC #1219 Maritime	Key Bank	769.96
1221 DA DFRF MAC #1221 Brockport	Key Bank	347.85
1222 DA DFRF MAC #1222 Geneseo	Key Bank	928.42
1223 DA DFRF MAC #1223 Purchase	Key Bank	1,070.89
1224 DA DFRF MAC #1224 New Paltz	Key Bank	570.06
1225 DA DFRF MAC #1225 Canton	Key Bank	29.17
1226 DA DFRF MAC #1226 Plattsburgh	Key Bank	824.99
1227 DA DFRF MAC #1227 Potsdam	Key Bank	643.84
1228 DA DFRF MAC #1228 Morrisville	Key Bank	822.27
1229 DA DFRF MAC #1229 SUNYIT	Key Bank	287.48
1230 DA DFRF MAC #1230 Cobleskill	Key Bank	948.07
1239 DA DFRF MAC #1239 Albany	Key Bank	778.04
1240 Dormitory Authority Collection Account - Mac 1240	Key Bank	0.00
2202 DA OMRR MAC #2202 Binghamton	Key Bank	1,000.57
2203 DA OMRR MAC #2203 Oneonta	Key Bank	3,447.04
2205 DA OMRR MAC #2205 Delhi	Key Bank	1,000.55
2206 DA OMRR MAC #2206 Buffalo Univ	Key Bank	1,000.55
2207 DA OMRR MAC #2207 Buffalo College	Key Bank	1,000.30
2208 DA OMRR MAC #2208 Alfred	Key Bank	1,224.78
2209 DA OMRR MAC #2209 Fredonia	Key Bank	1,000.56
2211 DA OMRR MAC #2211 Upstate Medical	Key Bank	1,000.54
2212 DA OMRR MAC #2212 Oswego	Key Bank	1,000.51
2214 DA OMRR MAC #2214 Cortland	Key Bank	1,000.62
2215 DA OMRR MAC #2215 Stony Brook	Key Bank	1,000.42
2216 DA OMRR MAC #2216 Old Westbury	Key Bank	1,236.60
2217 DA OMRR MAC #2217 Farmingdale	Key Bank	1,020.20
2218 DA OMRR MAC #2218 Downstate Med	Key Bank	1,000.11
2219 DA OMRR MAC #2219 Maritime	Key Bank	1,220.57
2221 DA OMRR MAC #2221 Brockport	Key Bank	1,154.40
2222 DA OMRR MAC #2222 Geneseo	Key Bank	1,145.40
2223 DA OMRR MAC #2223 Purchase	Key Bank	1,000.43
2224 DA OMRR MAC #2224 New Paltz	Key Bank	1,000.44
2225 DA OMRR MAC #2225 Canton	Key Bank	1,019.88
2226 DA OMRR MAC #2226 Plattsburgh	Key Bank	1,009.64
2227 DA OMRR MAC #2227 Potsdam	Key Bank	1,215.47
2228 DA OMRR MAC #2228 Morrisville	Key Bank	1,000.05
2229 DA OMRR MAC #2229 SUNYIT	Key Bank	1,000.37
2230 DA OMRR MAC #2230 Cobleskill	Key Bank	1,199.36
2239 DA OMRR MAC #2239 Albany	Key Bank	1,605.27
2240 DA UNALLOCATED FD MAC #2240 System Admin	Key Bank	1,014.66
<b>HOMELESS HOUSING ASSISTANCE CORPORATION</b>		
0320 Social Services Homeless Housing and Assistance Corporation Operating Account	Key Bank	7,622,618.30
<b>NELSON A. ROCKEFELLER EMPIRE STATE PLAZA PERFORMING ARTS CENTER CORPORATION</b>		

0315	The Egg	Key Bank	82,317.27
<b>NEW YORK CONVENTION CENTER</b>			
0300	Operating Fund	JPMorgan Chase Bank, N.A.	19,565,154.80
<b>NEW YORK JOB DEVELOPMENT AUTHORITY</b>			
0036	Special Purpose Fund	Bank of America, N.A.	1,407,308.57
0371	Series H Commercial Paper	Bank of America, N.A.	1,401,870.84
0389	Daily Demand Special Purpose Bonds Series 1992A-B	JPMorgan Chase Bank, N.A.	337,983.93
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	28,731.51
<b>NYS AFFORDABLE HOUSING CORPORATION</b>			
0491	Disbursement Account	JPMorgan Chase Bank, N.A.	371,087.52
0520	Development Account	Key Bank	2,055,221.80
0521	Development Account II	Key Bank	0.00
0522	Repayment Account	Key Bank	1,210,636.21
0523	Recapture Account	Key Bank	119,036.77
0880	Payroll Account	JPMorgan Chase Bank, N.A.	5.03
<b>NYS DEPARTMENT OF HEALTH</b>			
0004	Medical Indemnity Fund	JPMorgan Chase Bank, N.A.	(680,384.72)
<b>NYS DEPARTMENT OF TAXATION AND FINANCE</b>			
0510	Excelsior Linked Deposit Fund	Key Bank	0.00
0600	World Trade Center Memorial Foundation Fund Account	Bank of America, N.A.	119,439.40
0625	Advance Acct/Imprest Confidential Fund	Bank of America, N.A.	27,553.21
0626	Criminal Investigation Division	Key Bank	344,431.25
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	1,120,862.52
0847	Pari-Mutuel Revenue Transfer Account	Key Bank	0.00
0848	Off-Track Bet Tax Revenue Transfer Account	Key Bank	0.00
<b>NYS ENERGY RESEARCH &amp; DEVELOPMENT AUTHORITY</b>			
0028	Green Jobs - Green New York Fund	Bank of America, N.A.	0.00
0030	NYS Energy Research and Development Authority	Bank of America, N.A.	(16,680,917.58)
<b>NYS HOUSING FINANCE AGENCY</b>			
0032	Operating Fund	Key Bank	0.00
0252	Energy Conservation/Tenant Health & Safety Improvement Account	JPMorgan Chase Bank, N.A.	205,007.68
0254	Agency Assisted Housing Operation Fund	JPMorgan Chase Bank, N.A.	2,466,730.14
0255	Residual Indebtedness Program Operating Fund	JPMorgan Chase Bank, N.A.	0.00
0266	Community Related Programs Operating Account	Key Bank	0.00
0267	Neighborhood Stabilization Program - Round 1	JPMorgan Chase Bank, N.A.	62,646.12
0270	Claims Repayment Account	Key Bank	0.00
0271	Pre-Bond Revenue Account	Key Bank	0.00
0274	NYSHFA Special Reserve Fund	JPMorgan Chase Bank, N.A.	1,053,378.52
0277	Amalgamated Warbasse Houses Construction Defect Repair Fund	JPMorgan Chase Bank, N.A.	0.00
0283	Small Owner's Assistance Program Account	Key Bank	74,031.52
0285	Public Purpose Account	Key Bank	891,877.95
0286	Disbursement Account	Key Bank	3,970,011.51
0287	Infrastructure Development Fund	Key Bank	197,817.52
0288	Mobile Home Cooperative Fund	Key Bank	23,302.18
0290	Low Rent Lease Account	Key Bank	0.00
0292	Homeless Housing Initiatives	Key Bank	198,761.96
0294	Housing Plan Fund	Key Bank	25,501,259.39
0301	HFA - Subsidy Repayment Account	Key Bank	176,152.12
0305	HPD Disbursement Fund	Key Bank	2,071,568.92
0879	Payroll Account	JPMorgan Chase Bank, N.A.	125,999.24
<b>NYS HOUSING TRUST FUND CORPORATION</b>			
0458	Section 8 Housing Assistance Payment Account	JPMorgan Chase Bank, N.A.	811,632.60
0460	Escrow Account	M&T Bank	6,545,929.05
0461	Housing Modernization Account	M&T Bank	1,046,246.15
0462	General Custodial Account	M&T Bank	40,681,173.20
0463	General Administrative Account	M&T Bank	0.00
0464	Turnkey Account	M&T Bank	0.00
0465	Home Program Account	M&T Bank	9,122,062.67
0466	Homes for Working Families Account	M&T Bank	3,163,451.92
0467	Section 8 Administrative Account	M&T Bank	20,298,718.79
0468	Small Cities Administrative Account	M&T Bank	0.00
0469	OCR Community Miscellaneous Programs Account	M&T Bank	4,239,299.74
0470	HCV Main Account	Bank of America, N.A.	25,466,845.26
0471	Empire State Relief Fund	M&T Bank	528,708.60
0472	Master Escrow Account	Bank of America, N.A.	0.00

0473	Family Self-Sufficiency Account	Bank of America, N.A.	4,094,417.63
0474	Moderate Rehabilitation Account	Bank of America, N.A.	0.00
0475	Reserve Account	Bank of America, N.A.	1,549,022.21
0476	Voucher Fee Account	Bank of America, N.A.	0.00
0477	Five-Year Mainstream Account	Bank of America, N.A.	0.00
0480	OHP Miscellaneous Programs Account	Bank of America, N.A.	599,188.51
0891	Small Cities Community Development Block Grant Program	M&T Bank	401,710.34
0892	Disaster Recovery Initiative Account	M&T Bank	299,887.12
0893	Payroll Account for Small Cities CDBG Program	M&T Bank	158.69
0895	HTFC Storm Recovery Payment	M&T Bank	2,173,630.23
0899	HTFC Storm Recovery Lockbox	US Bank	44,011.65
<b>NYS INSURANCE DEPARTMENT</b>			
0001	Property/Casualty Insurance Security Fund	Key Bank	164,581.45
0002	Public Motor Vehicle Security Fund	JPMorgan Chase Bank, N.A.	433,292.29
0003	Workers' Compensation Security Fund	JPMorgan Chase Bank, N.A.	578,985.51
<b>NYS TEACHERS RETIREMENT SYSTEM</b>			
0052	Master Funding Account	State Street Bank & Trust Co.	0.00
0052	Main Account	JPMorgan Chase Bank, N.A.	2,513,161.00
0853	Excess Benefit Fund	JPMorgan Chase Bank, N.A.	3,211,751.00
<b>STATE INSURANCE FUND</b>			
0053	State Insurance Fund	Bank of America, N.A.	88,633,370.62
0054	State Insurance Fund	Bank of America, N.A.	13,008,756.46
0055	State Insurance Fund	Bank of America, N.A.	15,529,485.89
0861	Disability Benefits Fund Tax Escrow Account	Bank of America, N.A.	26,063.39
<b>STATE UNIVERSITY CONSTRUCTION FUND</b>			
0034	Income Fund	Key Bank	1,063,637.15
0075	Educational Facilities Revenue Bonds Debt Service Account	Key Bank	31,768.50
0870	Deductions Account	Key Bank	95,344.74
0871	Bio-Tech Incubator at Farmingdale	Key Bank	0.00
<b>WORKERS COMPENSATION BOARD</b>			
0006	Fund for Reopened Cases	Bank of America, N.A.	0.00
0012	WCB Asset Transfer Account	Bank of America, N.A.	0.00
0013	WCB Assessment Revenue Clearing	Bank of America, N.A.	0.00
008K	Special Fund for Disability Benefits	Key Bank	42,429.43

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

MAY 2020

Office of Operations  
Division of Payroll, Accounting and Revenue Services  
Bureau of Financial Reporting and Oil Spill Remediation

NYS Comptroller  
THOMAS P. DINAPOLI



**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**

May 31, 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	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	2 MOS. ENDED	% Increase/Decrease
	MAY 2020	MAY 31, 2020	MAY 2020	MAY 31, 2020	MAY 2020	MAY 31, 2020	MAY 2020	MAY 31, 2020	MAY 2020	MAY 31, 2020	MAY 2020	MAY 31, 2020	MAY 2019	MAY 31, 2019	MAY 2019	MAY 31, 2019	MAY 31, 2019	
<b>RECEIPTS:</b>																		
Personal Income Tax	\$ 1,089.6	\$ 2,132.7	\$ -	\$ -	\$ 1,089.6	\$ 2,132.7	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,484.7	\$ 11,700.0	\$ -	\$ (7,434.6)	\$ -	-63.5%
Consumption/Use Taxes	414.0	872.8	106.5	262.5	369.7	783.9	-	-	25.6	61.6	915.8	1,960.8	1,340.5	2,715.5	1,340.5	2,715.5	(754.7)	-27.8%
Business Taxes	(125.2)	134.6	7.7	105.7	-	-	-	-	20.7	58.8	(96.8)	319.1	1,340.5	723.0	1,340.5	723.0	(403.9)	-55.9%
Other Taxes	52.1	125.7	-	-	48.3	105.6	-	-	-	-	100.4	231.3	144.5	308.4	144.5	308.4	(77.1)	-25.0%
Miscellaneous Receipts	1,254.0	1,291.3	1,107.7	2,469.6	13.8	61.1	64.2	1,254.9	64.2	188.4	2,439.7	5,076.9	1,871.3	4,531.0	1,871.3	4,531.0	545.9	12.0%
Federal Receipts	-	-	4,104.3	14,881.7	-	-	-	-	102.7	1,563.7	4,207.0	15,070.1	4,959.2	11,201.2	4,959.2	11,201.2	3,868.9	34.5%
<b>Total Receipts</b>	<b>2,694.5</b>	<b>4,577.1</b>	<b>5,326.2</b>	<b>17,719.5</b>	<b>1,531.4</b>	<b>3,063.3</b>	<b>1,531.4</b>	<b>3,063.3</b>	<b>213.2</b>	<b>1,563.7</b>	<b>9,765.3</b>	<b>26,923.6</b>	<b>10,716.0</b>	<b>31,179.1</b>	<b>10,716.0</b>	<b>31,179.1</b>	<b>(4,255.5)</b>	<b>-13.5%</b>
<b>DISBURSEMENTS:</b>																		
Local Assistance Grants:																		
Education	4,030.1	4,784.3	102.6	485.6	-	-	-	-	-	12.0	4,132.7	5,281.9	4,574.0	5,837.9	4,574.0	5,837.9	(556.0)	-9.5%
Environment and Recreation	-	0.1	0.5	0.5	-	-	-	-	3.2	7.6	3.7	8.2	33.7	59.1	33.7	59.1	(60.9)	-86.1%
General Government	0.7	7.5	6.1	17.4	-	-	-	-	10.9	41.3	17.7	66.2	199.7	220.0	199.7	220.0	(153.8)	-69.9%
Public Health:																		
Medicaid	1,283.6	1,513.0	3,816.0	8,996.9	-	-	-	-	-	-	5,099.6	10,509.9	6,151.7	12,563.7	6,151.7	12,563.7	(2,053.8)	-16.3%
Other Public Health	47.3	111.2	533.0	1,042.6	-	-	-	-	58.2	87.2	638.5	1,241.0	682.4	1,406.8	682.4	1,406.8	(165.8)	-11.8%
Public Safety	1.4	4.3	62.2	154.6	-	-	-	-	-	-	63.6	158.9	178.2	335.1	178.2	335.1	(176.2)	-52.6%
Public Welfare	158.0	234.9	25.9	160.8	-	-	-	-	33.8	33.8	217.7	429.5	215.8	455.9	215.8	455.9	(26.4)	-5.8%
Support and Regulate Business	6.7	11.3	0.7	1.0	-	-	-	-	7.7	50.9	15.1	63.2	164.8	198.9	164.8	198.9	(135.7)	-68.2%
Transportation	-	0.1	44.7	110.2	-	-	-	-	46.2	70.6	90.9	180.9	477.1	782.1	477.1	782.1	(601.2)	-76.8%
<b>Total Local Assistance Grants</b>	<b>5,527.8</b>	<b>6,686.7</b>	<b>4,591.7</b>	<b>10,969.6</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>160.0</b>	<b>303.4</b>	<b>10,279.5</b>	<b>17,939.7</b>	<b>12,837.4</b>	<b>21,859.5</b>	<b>12,837.4</b>	<b>21,859.5</b>	<b>(3,919.8)</b>	<b>-17.9%</b>
Departmental Operations:																		
Personal Service	691.3	1,585.0	444.6	1,120.4	-	-	-	-	-	-	1,135.9	2,705.4	1,717.6	2,857.4	1,717.6	2,857.4	(152.0)	-5.3%
Non-Personal Service	195.2	508.4	220.9	491.8	0.9	0.9	-	-	-	-	417.0	1,001.1	576.3	1,050.4	576.3	1,050.4	(47.3)	-4.7%
General State Charges	330.5	790.7	64.5	139.5	-	-	-	-	-	-	395.0	930.2	2,460.6	3,274.2	2,460.6	3,274.2	(2,344.0)	-71.6%
Debt Service, Including Payments on Financing Agreements	-	-	-	-	23.5	60.0	-	-	-	-	23.5	60.0	121.1	193.5	121.1	193.5	(133.5)	-69.0%
Capital Projects	-	-	-	-	-	-	-	-	406.0	915.8	406.0	915.8	528.1	962.2	528.1	962.2	(46.4)	-4.6%
<b>Total Disbursements</b>	<b>6,744.8</b>	<b>9,550.8</b>	<b>5,321.7</b>	<b>12,721.3</b>	<b>24.4</b>	<b>60.9</b>	<b>24.4</b>	<b>60.9</b>	<b>566.0</b>	<b>1,219.2</b>	<b>12,556.9</b>	<b>23,552.2</b>	<b>18,041.1</b>	<b>30,197.2</b>	<b>18,041.1</b>	<b>30,197.2</b>	<b>(6,645.0)</b>	<b>-22.0%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>(4,050.3)</b>	<b>(4,973.7)</b>	<b>4.5</b>	<b>4,998.2</b>	<b>1,507.0</b>	<b>3,002.4</b>	<b>1,507.0</b>	<b>3,002.4</b>	<b>(352.8)</b>	<b>344.5</b>	<b>(2,891.6)</b>	<b>3,371.4</b>	<b>(7,325.1)</b>	<b>987.9</b>	<b>(7,325.1)</b>	<b>987.9</b>	<b>2,389.5</b>	<b>243.0%</b>
<b>OTHER FINANCING SOURCES (USES):</b>																		
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	1,503.1	2,939.3	27.0	178.8	130.3	410.5	198.0	198.0	198.0	(607.1)	1,858.4	2,921.5	2,881.3	8,884.9	2,881.3	8,884.9	(5,963.4)	-67.1%
Transfers to Other Funds	(225.1)	400.4	(115.3)	(348.9)	(1,508.1)	(2,954.2)	(12.4)	(24.7)	(12.4)	(24.7)	(1,860.9)	(2,927.4)	(2,889.8)	(8,916.7)	(2,889.8)	(8,916.7)	(5,989.3)	-67.2%
<b>Total Other Financing Sources (Uses)</b>	<b>1,278.0</b>	<b>3,339.7</b>	<b>(88.3)</b>	<b>(170.1)</b>	<b>(1,377.8)</b>	<b>(2,543.7)</b>	<b>185.6</b>	<b>(2,543.7)</b>	<b>185.6</b>	<b>(631.8)</b>	<b>(2.5)</b>	<b>(5.9)</b>	<b>(17.5)</b>	<b>(31.8)</b>	<b>(17.5)</b>	<b>(31.8)</b>	<b>25.9</b>	<b>81.4%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(2,772.3)</b>	<b>(1,634.0)</b>	<b>(83.8)</b>	<b>4,828.1</b>	<b>128.2</b>	<b>458.7</b>	<b>(167.2)</b>	<b>458.7</b>	<b>(167.2)</b>	<b>(287.3)</b>	<b>(2,894.1)</b>	<b>3,365.5</b>	<b>(7,342.6)</b>	<b>950.1</b>	<b>(7,342.6)</b>	<b>950.1</b>	<b>2,415.4</b>	<b>254.2%</b>
<b>Beginning Fund Balances (Deficits)</b>	<b>10,082.5</b>	<b>8,944.2</b>	<b>11,224.0</b>	<b>6,312.1</b>	<b>392.9</b>	<b>63.4</b>	<b>63.4</b>	<b>63.4</b>	<b>(1,155.0)</b>	<b>(1,034.9)</b>	<b>20,544.4</b>	<b>14,284.8</b>	<b>18,267.7</b>	<b>9,975.0</b>	<b>18,267.7</b>	<b>9,975.0</b>	<b>4,309.8</b>	<b>43.2%</b>
<b>Ending Fund Balances (Deficits)</b>	<b>\$ 7,310.2</b>	<b>\$ 7,310.2</b>	<b>\$ 11,140.2</b>	<b>\$ 11,140.2</b>	<b>\$ 522.1</b>	<b>\$ 522.1</b>	<b>\$ 522.1</b>	<b>\$ 522.1</b>	<b>\$ (1,322.2)</b>	<b>\$ (1,322.2)</b>	<b>\$ 17,650.3</b>	<b>\$ 17,650.3</b>	<b>\$ 10,925.1</b>	<b>\$ 10,925.1</b>	<b>\$ 10,925.1</b>	<b>\$ 10,925.1</b>	<b>\$ 6,725.2</b>	<b>61.6%</b>

## 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 FUND				% Increase/ Decrease
	MONTH OF MAY 2020	2 MOS. ENDED MAY 31, 2020	MONTH OF MAY 2020	2 MOS. ENDED MAY 31, 2020	MONTH OF MAY 2020	2 MOS. ENDED MAY 31, 2020	MONTH OF MAY 2020	2 MOS. ENDED MAY 31, 2020	MONTH OF MAY 2019	2 MOS. ENDED MAY 31, 2019	\$ Increase/ (Decrease)			
RECEIPTS:														
Personal Income Tax	\$ 1,099.6	\$ 2,132.7	\$ -	\$ -	\$ 1,099.6	\$ 2,132.7	\$ 2,199.2	\$ 4,265.4	\$ 2,484.7	\$ 11,700.0	\$ (7,434.6)	-63.5%		
Consumption/Use Taxes	414.0	872.8	106.5	262.5	369.7	763.9	890.2	1,899.2	1,294.8	2,615.7	(716.5)	-27.4%		
Business Taxes	(125.2)	154.6	7.7	105.7	-	-	(117.5)	260.3	(139.9)	607.7	(347.4)	-57.2%		
Other Taxes	52.1	125.7	-	-	48.3	105.6	125.7	100.4	144.5	308.4	(77.1)	-25.0%		
Miscellaneous Receipts	1,254.0	1,291.3	1,054.0	2,400.6	13.8	61.1	2,321.8	3,753.0	1,727.0	4,067.8	(314.8)	-7.7%		
Federal Receipts	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Total Receipts	2,694.5	4,577.1	1,168.2	2,768.8	1,531.4	3,063.3	5,394.1	10,408.2	5,511.1	19,298.6	(8,890.4)	-46.1%		
DISBURSEMENTS:														
Local Assistance Grants:														
Education	4,030.1	4,784.3	35.0	35.1	-	-	4,065.1	4,819.4	3,980.2	4,897.4	(78.0)	-1.6%		
Environment and Recreation	-	0.1	0.3	0.3	-	-	0.3	0.4	0.1	0.3	0.1	33.3%		
General Government	0.7	7.5	3.9	13.2	-	-	4.6	20.7	34.4	61.5	(40.8)	-66.3%		
Public Health:														
Medicaid	1,283.6	1,513.0	474.2	1,002.5	-	-	1,757.8	2,515.5	2,470.5	5,766.0	(3,250.5)	-56.4%		
Other Public Health	47.3	111.2	25.5	55.1	-	-	72.8	166.3	153.0	363.3	(197.0)	-54.2%		
Public Safety	1.4	4.3	9.7	27.7	-	-	11.1	32.0	27.8	58.5	(26.5)	-45.3%		
Public Welfare	158.0	234.9	0.2	0.3	-	-	158.2	235.2	85.7	174.4	60.8	34.9%		
Support and Regulate Business	6.7	11.3	0.4	0.4	-	-	7.1	11.7	14.4	21.5	(9.8)	-45.6%		
Transportation	-	0.1	41.7	103.3	-	-	41.7	103.4	426.6	494.9	(391.5)	-79.1%		
Total Local Assistance Grants	5,527.8	6,666.7	590.9	1,237.9	-	-	6,118.7	7,904.6	7,192.7	11,837.8	(3,933.2)	-33.2%		
Departmental Operations:														
Personal Service	691.3	1,585.0	393.6	994.7	-	-	1,084.9	2,579.7	1,651.8	2,742.3	(162.6)	-5.9%		
Non-Personal Service	195.2	508.4	176.8	406.9	0.9	0.9	372.9	916.2	500.0	904.0	12.2	1.3%		
General State Charges	330.5	790.7	39.8	92.1	-	-	370.3	882.8	2,436.5	3,228.7	(2,345.9)	-72.7%		
Debt Service, Including Payments on Financing Agreements	-	-	-	-	23.5	60.0	23.5	60.0	121.1	193.5	(133.5)	-69.0%		
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	0.0%		
Total Disbursements	6,744.8	9,550.8	1,201.1	2,731.6	24.4	80.9	7,970.3	12,343.3	11,902.1	18,906.3	(6,563.0)	-34.7%		
Excess (Deficiency) of Receipts over Disbursements	(4,050.3)	(4,973.7)	(32.9)	37.2	1,507.0	3,002.4	(2,576.2)	(1,934.1)	(6,391.0)	393.3	(2,327.4)	-591.8%		
OTHER FINANCING SOURCES (USES):														
Transfers from Other Funds	1,503.1	2,939.3	41.5	264.2	130.3	410.5	1,674.9	3,614.0	2,417.0	8,123.6	(4,509.6)	-55.5%		
Transfers to Other Funds	(225.1)	400.4	5.6	8.3	(1,506.1)	(2,954.2)	(1,727.6)	(2,545.5)	(2,500.7)	(8,634.7)	(6,089.2)	-70.5%		
Total Other Financing Sources (Uses)	1,278.0	3,339.7	47.1	272.5	(1,377.8)	(2,543.7)	(52.7)	1,068.5	(83.7)	(511.1)	1,579.6	309.1%		
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(2,772.3)	(1,634.0)	14.2	309.7	129.2	458.7	(2,628.9)	(865.6)	(6,474.7)	(117.8)	(747.8)	634.8%		
Beginning Fund Balances (Deficits)	10,082.5	8,944.2	5,696.2	5,400.7	392.9	63.4	16,171.6	14,408.3	18,718.2	12,361.3	2,047.0	16.6%		
Ending Fund Balances (Deficits)	\$ 7,310.2	\$ 7,310.2	\$ 5,710.4	\$ 5,710.4	\$ 522.1	\$ 522.1	\$ 13,542.7	\$ 13,542.7	\$ 12,243.5	\$ 12,243.5	\$ 1,299.2	10.6%		

(\*) 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****EXHIBIT A NOTES  
MAY 2020**

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)	\$382.3 million
Urban Development Corporation (Youth Facilities)	22.9
Housing Finance Agency (HFA)	250.1
Housing Assistance Fund	12.9
Dormitory Authority (Mental Hygiene)	341.2
Dormitory Authority and State University Income Fund	100.9
Federal Capital Projects	567.9
State bond and note proceeds	161.5

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	(\$596.5) million
General Debt Service Fund	30.3
Banking Services Account	3.8
Court Facilities Incentive Aid Fund	62.6
Mass Transportation Operating Assistance Fund	4.7
New York Central Business District Trust Fund	25.0
New York City County Clerks' Operations Offset	2.8

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 (\$2.0m), and the State University Income Fund (\$65.1m).

\$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 May 31, 2020 - pursuant to a certification of the Budget Director - the reserve amount is (\$17.8m), which was funded by a transfer from the General Fund.

**Special Revenue Funds** "Transfers To Other Funds" includes transfers to Mental Health Services Fund and Department of Health Income Fund (\$357.1m) representing the federal share of Medicaid payments for patients residing in State-operated Health and Mental Hygiene facilities, to Medicaid Medicaid Management Information System Escrow Fund (\$2.1m), SUNY Capital Projects Fund (-\$5.3) and All Other Capital Projects (-\$5.3).

**Debt Service Funds** "Transfers To Other Funds" includes transfers to the General Fund from the following:

Revenue Bond Tax Fund	\$2,131.8 million
Local Government Assistance Tax Fund	284.0
Sales Tax Revenue Bond Tax Fund	162.8
Clean Water/Clean Air Fund	92.2
Mental Health Services Fund	264.9

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 (\$18.5m).

**Capital Projects Funds** "Transfers To Other Funds" includes transfers to the General Fund (\$3.2m) and the General Debt Service Fund - Lease Purchase (\$21.4m).

STATE OF NEW YORK  
PROPRIETARY FUNDS  
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES  
(amounts in millions)

EXHIBIT B

	ENTERPRISE			INTERNAL SERVICE			TOTAL PROPRIETARY FUNDS				YEAR OVER YEAR	
	MONTH OF	2 MOS. ENDED	MONTH OF	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	MONTH OF	2 MOS. ENDED	\$ Increase/ (Decrease)	% Increase/ Decrease	
	MAY 2020	MAY 31, 2020		MAY 2020	MAY 31, 2020		MAY 2020		MAY 31, 2020			
RECEIPTS:												
Miscellaneous Receipts	\$ 4.8	\$ 9.0	\$ 22.3	\$ 47.5	\$ 27.1	\$ 56.5	\$ 38.6	\$ 76.6	\$ (20.1)	-26.2%		
Federal Receipts	5,993.3	8,577.3	-	-	5,993.3	8,577.3	1.0	2.1	8,575.2	408,342.9%		
Unemployment Taxes	2,261.7	4,085.6	-	-	2,261.7	4,085.6	139.2	326.7	3,758.9	1,150.6%		
Total Receipts	8,259.8	12,671.9	22.3	47.5	8,282.1	12,719.4	178.8	405.4	12,314.0	3,037.5%		
DISBURSEMENTS:												
Departmental Operations:												
Personal Service	0.9	2.3	11.1	25.6	12.0	27.9	14.6	24.6	3.3	13.4%		
Non-Personal Service	4.9	8.5	26.6	17.3	31.5	25.8	61.4	89.4	(63.6)	-71.1%		
General State Charges	0.1	0.3	5.3	10.1	5.4	10.4	4.9	9.1	1.3	14.3%		
Unemployment Benefits	8,263.9	12,654.6	-	-	8,263.9	12,654.6	140.3	329.7	12,324.9	3,738.2%		
Total Disbursements	8,269.8	12,665.7	43.0	53.0	8,312.8	12,718.7	221.2	452.8	12,265.9	2,708.9%		
Excess (Deficiency) of Receipts Over Disbursements	(10.0)	6.2	(20.7)	(5.5)	(30.7)	0.7	(42.4)	(47.4)	48.1	101.5%		
OTHER FINANCING SOURCES (USES):												
Transfers from Other Funds	-	-	2.5	3.8	2.5	3.8	17.5	31.8	(28.0)	-88.1%		
Transfers to Other Funds	-	-	-	-	-	-	-	-	-	0.0%		
Total Other Financing Sources (Uses)	-	-	2.5	3.8	2.5	3.8	17.5	31.8	(28.0)	-88.1%		
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(10.0)	6.2	(18.2)	(1.7)	(28.2)	4.5	(24.9)	(15.6)	20.1	-128.8%		
Beginning Fund Balances (Deficits)	45.9	29.7	(281.0)	(297.5)	(235.1)	(267.8)	(266.8)	(276.1)	8.3	3.0%		
Ending Fund Balances (Deficits)	\$ 35.9	\$ 35.9	\$ (299.2)	\$ (299.2)	\$ (263.3)	\$ (263.3)	\$ (291.7)	\$ (291.7)	\$ 28.4	9.7%		

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 MAY 2020	2 MOS. ENDED MAY 31, 2020		MONTH OF MAY 2020	2 MOS. ENDED MAY 31, 2020		MONTH OF MAY 2020	2 MOS. ENDED MAY 31, 2020	MONTH OF MAY 2019	2 MOS. ENDED MAY 31, 2019	\$ Increase/ (Decrease)	% Increase/ Decrease
<b>RECEIPTS:</b>												
Miscellaneous Receipts	\$ 5.5	\$ 13.8		\$ 0.1	\$ 0.3		\$ 5.6	\$ 14.1	\$ 7.9	\$ 13.4	\$ 0.7	5.2%
Total Receipts	<u>5.5</u>	<u>13.8</u>		<u>0.1</u>	<u>0.3</u>		<u>5.6</u>	<u>14.1</u>	<u>7.9</u>	<u>13.4</u>	<u>0.7</u>	<u>5.2%</u>
<b>DISBURSEMENTS:</b>												
Departmental Operations:												
Personal Service	5.5	13.8		-	-		5.5	13.8	7.7	13.0	0.8	6.2%
Non-Personal Service	0.6	1.3		-	-		0.6	1.3	1.1	2.2	(0.9)	-40.9%
General State Charges	3.4	6.9		-	0.1		3.4	7.0	3.4	6.7	0.3	4.5%
Total Disbursements	<u>9.5</u>	<u>22.0</u>		<u>-</u>	<u>0.1</u>		<u>9.5</u>	<u>22.1</u>	<u>12.2</u>	<u>21.9</u>	<u>0.2</u>	<u>0.9%</u>
Excess (Deficiency) of Receipts Over Disbursements	<u>(4.0)</u>	<u>(8.2)</u>		<u>0.1</u>	<u>0.2</u>		<u>(3.9)</u>	<u>(8.0)</u>	<u>(4.3)</u>	<u>(8.5)</u>	<u>0.5</u>	<u>5.9%</u>
<b>OTHER FINANCING SOURCES (USES):</b>												
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>0.0%</u>
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	<u>(4.0)</u>	<u>(8.2)</u>		<u>0.1</u>	<u>0.2</u>		<u>(3.9)</u>	<u>(8.0)</u>	<u>(4.3)</u>	<u>(8.5)</u>	<u>0.5</u>	<u>5.9%</u>
Beginning Fund Balances (Deficits)	<u>(5.3)</u>	<u>(1.1)</u>		<u>14.4</u>	<u>14.3</u>		<u>9.1</u>	<u>13.2</u>	<u>6.0</u>	<u>10.2</u>	<u>3.0</u>	<u>29.4%</u>
Ending Fund Balances (Deficits)	<u>\$ (9.3)</u>	<u>\$ (9.3)</u>		<u>\$ 14.5</u>	<u>\$ 14.5</u>		<u>\$ 5.2</u>	<u>\$ 5.2</u>	<u>\$ 1.7</u>	<u>\$ 1.7</u>	<u>\$ 3.5</u>	<u>205.9%</u>

## EXHIBIT D

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)

	ALL GOVERNMENTAL FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
<b>RECEIPTS:</b>					
Taxes:					
Personal Income	\$ 2,382.0	\$ -	\$ 4,265.4	\$ 1,883.4	\$ -
Consumption/Use	2,345.0	-	1,960.8	(384.2)	-
Business	551.0	-	319.1	(231.9)	-
Other	281.0	-	231.3	(49.7)	-
Miscellaneous Receipts	7,050.0	-	5,076.9	(1,973.1)	-
Federal Receipts	13,738.0	-	15,070.1	1,332.1	-
<b>Total Receipts</b>	<b>26,347.0</b>	<b>-</b>	<b>26,923.6</b>	<b>576.6</b>	<b>-</b>
<b>DISBURSEMENTS:</b>					
Local Assistance Grants	19,349.0	-	17,939.7	(1,409.3)	-
Departmental Operations	3,808.0	-	3,706.5	(101.5)	-
General State Charges	1,003.0	-	930.2	(72.8)	-
Debt Service	58.0	-	60.0	2.0	-
Capital Projects	1,328.0	-	915.8	(412.2)	-
<b>Total Disbursements</b>	<b>25,546.0</b>	<b>-</b>	<b>23,552.2</b>	<b>(1,993.8)</b>	<b>-</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>801.0</b>	<b>-</b>	<b>3,371.4</b>	<b>2,570.4</b>	<b>-</b>
<b>OTHER FINANCING SOURCES (USES):</b>					
Bond and Note Proceeds, net	-	-	-	-	-
Transfers from Other Funds	2,801.0	-	2,921.5	120.5	-
Transfers to Other Funds	(2,857.0)	-	(2,927.4)	70.4	-
<b>Total Other Financing Sources (Uses)</b>	<b>(56.0)</b>	<b>-</b>	<b>(5.9)</b>	<b>50.1</b>	<b>-</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>745.0</b>	<b>-</b>	<b>3,365.5</b>	<b>2,620.5</b>	<b>-</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>14,284.0</b>	<b>-</b>	<b>14,284.8</b>	<b>0.8</b>	<b>-</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>\$ 15,029.0</b>	<b>\$ -</b>	<b>\$ 17,650.3</b>	<b>\$ 2,621.3</b>	<b>\$ -</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

## EXHIBIT D

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)

	STATE OPERATING FUNDS (**)			
	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
<b>RECEIPTS:</b>				
Taxes:				
Personal Income	\$ 2,382.0	\$ -	\$ 4,265.4	\$ 1,883.4
Consumption/Use	2,289.0	-	1,899.2	(389.8)
Business	491.0	-	260.3	(230.7)
Other	281.0	-	231.3	(49.7)
Miscellaneous Receipts	5,803.0	-	3,753.0	(2,050.0)
Federal Receipts	-	-	-	-
<b>Total Receipts</b>	<b>11,246.0</b>	<b>-</b>	<b>10,409.2</b>	<b>(836.8)</b>
<b>DISBURSEMENTS:</b>				
Local Assistance Grants	9,249.0	-	7,904.6	(1,344.4)
Departmental Operations	3,446.0	-	3,495.9	49.9
General State Charges	941.0	-	882.8	(58.2)
Debt Service	58.0	-	60.0	2.0
Capital Projects	-	-	-	-
<b>Total Disbursements</b>	<b>13,694.0</b>	<b>-</b>	<b>12,343.3</b>	<b>(1,350.7)</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>(2,448.0)</b>	<b>-</b>	<b>(1,934.1)</b>	<b>513.9</b>
<b>OTHER FINANCING SOURCES (USES):</b>				
Transfers from Other Funds	2,755.0	-	3,614.0 (**)	859.0
Transfers to Other Funds	(2,603.0)	-	(2,545.5) (**)	(57.5)
<b>Total Other Financing Sources (Uses)</b>	<b>152.0</b>	<b>-</b>	<b>1,068.5</b>	<b>916.5</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(2,296.0)</b>	<b>-</b>	<b>(865.6)</b>	<b>1,430.4</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>14,408.0</b>	<b>-</b>	<b>14,408.3</b>	<b>0.3</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>\$ 12,112.0</b>	<b>\$ -</b>	<b>\$ 13,542.7</b>	<b>\$ 1,430.7</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 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 TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)**

EXHIBIT D

	GENERAL FUND				
	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
<b>RECEIPTS:</b>					
Taxes:					
Personal Income	\$ 1,191.0	\$ -	\$ 2,132.7	\$ 941.7	\$ -
Consumption/Use	1,056.0	-	872.8	(183.2)	-
Business	367.0	-	154.6	(212.4)	-
Other	197.0	-	125.7	(71.3)	-
Miscellaneous Receipts	3,201.0	-	1,291.3	(1,909.7)	-
Federal Receipts	-	-	-	-	-
Transfers From:					
PIT / ECET in excess of Revenue Bond Debt Service	1,191.0	-	2,131.8	940.8	-
Sales Tax in excess of LGAC / STRBF Debt Service	556.0	-	446.8	(109.2)	-
Real Estate Taxes in excess of CW/CA Debt Service	76.0	-	92.2	16.2	-
All Other	202.0	-	268.5	66.5	-
<b>Total Receipts and Other Financing Sources</b>	<b>8,037.0</b>	<b>-</b>	<b>7,516.4</b>	<b>(520.6)</b>	<b>-</b>
<b>DISBURSEMENTS:</b>					
Local Assistance Grants	7,492.0	-	6,666.7	(825.3)	-
Departmental Operations	1,975.0	-	2,093.4	118.4	-
General State Charges	760.0	-	790.7	30.7	-
Transfers To:					
Debt Service	32.0	-	30.3	(1.7)	-
Capital Projects	28.0	-	(596.5)	(624.5)	-
State Share Medicaid	-	-	67.1	67.1	-
SUNY Operations	234.0	-	-	(234.0)	-
Other Purposes	241.0	-	98.7	(142.3)	-
<b>Total Disbursements and Other Financing Uses</b>	<b>10,762.0</b>	<b>-</b>	<b>9,150.4</b>	<b>(1,611.6)</b>	<b>-</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(2,725.0)</b>	<b>-</b>	<b>(1,634.0)</b>	<b>1,091.0</b>	<b>-</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>8,944.0</b>	<b>-</b>	<b>8,944.2</b>	<b>0.2</b>	<b>-</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>\$ 6,219.0</b>	<b>\$ -</b>	<b>\$ 7,310.2</b>	<b>\$ 1,091.2</b>	<b>\$ -</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 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.

**STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)**

EXHIBIT D

	SPECIAL REVENUE FUNDS					
	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Eliminations	Total	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
<b>RECEIPTS:</b>						
Taxes:						
Personal Income	-	\$ -	-	\$ -	-	\$ -
Consumption/Use	287.0	-	262.5	-	262.5	(24.5)
Business	124.0	-	105.7	-	105.7	(18.3)
Miscellaneous Receipts	2,601.0	-	2,469.6	-	2,469.6	(131.4)
Federal Receipts	13,411.0	-	14,881.7	-	14,881.7	1,470.7
Transfers from Other Funds (**)	519.0	-	264.2	(85.4)	178.8	(340.2)
<b>Total Receipts and Other Financing Sources</b>	<b>16,942.0</b>	<b>-</b>	<b>17,983.7</b>	<b>(85.4)</b>	<b>17,898.3</b>	<b>956.3</b>
<b>DISBURSEMENTS:</b>						
Local Assistance Grants	10,982.0	-	10,969.6	-	10,969.6	(12.4)
Departmental Operations	1,827.0	-	1,612.2	-	1,612.2	(214.8)
General State Charges	243.0	-	139.5	-	139.5	(103.5)
Capital Projects	-	-	-	-	-	-
Transfers to Other Funds (**)	261.0	-	434.3	(85.4)	348.9	87.9
<b>Total Disbursements and Other Financing Uses</b>	<b>13,313.0</b>	<b>-</b>	<b>13,155.6</b>	<b>(85.4)</b>	<b>13,070.2</b>	<b>(242.8)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>3,629.0</b>	<b>-</b>	<b>4,828.1</b>	<b>-</b>	<b>4,828.1</b>	<b>1,199.1</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>6,312.0</b>	<b>-</b>	<b>6,312.1</b>	<b>-</b>	<b>6,312.1</b>	<b>0.1</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>\$ 9,941.0</b>	<b>\$ -</b>	<b>\$ 11,140.2</b>	<b>\$ -</b>	<b>\$ 11,140.2</b>	<b>\$ -</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 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 TWO MONTHS ENDED MAY 31, 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	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Actual Over/ (Under) Enacted Financial Plan
<b>RECEIPTS:</b>								
Taxes:								
Personal Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Consumption/Use	287.0	-	282.5	(24.5)	-	-	-	-
Business	124.0	-	105.7	(18.3)	-	-	-	-
Miscellaneous Receipts	2,551.0	-	2,400.6	(150.4)	50.0	-	69.0	19.0
Federal Receipts	-	-	-	-	13,411.0	-	14,881.7	1,470.7
Transfers from Other Funds	519.0	-	284.2	(234.8)	-	-	-	-
<b>Total Receipts and Other Financing Sources</b>	<b>3,481.0</b>	<b>-</b>	<b>3,033.0</b>	<b>(448.0)</b>	<b>13,461.0</b>	<b>-</b>	<b>14,950.7</b>	<b>1,489.7</b>
<b>DISBURSEMENTS:</b>								
Local Assistance Grants	1,757.0	-	1,237.9	(519.1)	9,225.0	-	9,731.7	506.7
Departmental Operations	1,465.0	-	1,401.6	(63.4)	362.0	-	210.6	(151.4)
General State Charges	181.0	-	92.1	(88.9)	62.0	-	47.4	(14.6)
Capital Projects	-	-	-	-	-	-	-	-
Transfers to Other Funds	29.0	-	(8.3)	(37.3)	232.0	-	442.6	210.6
<b>Total Disbursements and Other Financing Uses</b>	<b>3,432.0</b>	<b>-</b>	<b>2,723.3</b>	<b>(708.7)</b>	<b>9,881.0</b>	<b>-</b>	<b>10,432.3</b>	<b>551.3</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>49.0</b>	<b>-</b>	<b>309.7</b>	<b>260.7</b>	<b>3,580.0</b>	<b>-</b>	<b>4,518.4</b>	<b>938.4</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>5,401.0</b>	<b>-</b>	<b>5,400.7</b>	<b>(0.3)</b>	<b>911.0</b>	<b>-</b>	<b>911.4</b>	<b>0.4</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>\$ 5,450.0</b>	<b>\$ -</b>	<b>\$ 5,710.4</b>	<b>\$ 260.4</b>	<b>\$ 4,491.0</b>	<b>\$ -</b>	<b>\$ 5,429.8</b>	<b>\$ 938.8</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020

**STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)**

**EXHIBIT D**

	DEBT SERVICE FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
<b>RECEIPTS:</b>					
Taxes:					
Personal Income	\$ 1,191.0	\$ -	\$ 2,132.7	\$ 941.7	\$ -
Consumption/Use	946.0	-	763.9	(182.1)	-
Other	84.0	-	105.6	21.6	-
Miscellaneous Receipts	51.0	-	61.1	10.1	-
Federal Receipts	-	-	-	-	-
Transfers from Other Funds	211.0	-	410.5	199.5	-
<b>Total Receipts and Other Financing Sources</b>	<b>2,483.0</b>	<b>-</b>	<b>3,473.8</b>	<b>990.8</b>	<b>-</b>
<b>DISBURSEMENTS:</b>					
Departmental Operations	6.0	-	0.9	(5.1)	-
Debt Service	58.0	-	60.0	2.0	-
Transfers to Other Funds	2,039.0	-	2,954.2	915.2	-
<b>Total Disbursements and Other Financing Uses</b>	<b>2,103.0</b>	<b>-</b>	<b>3,015.1</b>	<b>912.1</b>	<b>-</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>380.0</b>	<b>-</b>	<b>458.7</b>	<b>78.7</b>	<b>-</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>63.0</b>	<b>-</b>	<b>63.4</b>	<b>0.4</b>	<b>-</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>\$ 443.0</b>	<b>\$ -</b>	<b>\$ 522.1</b>	<b>\$ 79.1</b>	<b>\$ -</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)

EXHIBIT D

CAPITAL PROJECTS FUNDS						
	Enacted Financial Plan (*)	Updated Financial Plan	Actual	Eliminations	Total	Actual Over/ (Under) Enacted Financial Plan Updated Financial Plan
<b>RECEIPTS:</b>						
Taxes:						
Consumption/Use	\$ 56.0	\$ -	\$ 61.6	\$ -	\$ 61.6	\$ 5.6
Business	60.0	-	58.8	-	58.8	(1.2)
Other	-	-	-	-	-	-
Miscellaneous Receipts	1,197.0	-	1,254.9	-	1,254.9	57.9
Federal Receipts	327.0	-	188.4	-	188.4	(138.6)
Bond and Note Proceeds, net	-	-	-	-	-	-
Transfers from Other Funds	46.0	-	(607.1)	-	(607.1)	(653.1)
<b>Total Receipts and Other Financing Sources</b>	<b>1,686.0</b>	<b>-</b>	<b>956.6</b>	<b>-</b>	<b>956.6</b>	<b>(729.4)</b>
<b>DISBURSEMENTS:</b>						
Local Assistance Grants	875.0	-	303.4	-	303.4	(571.6)
Capital Projects	1,328.0	-	915.8	-	915.8	(412.2)
Transfers to Other Funds	22.0	-	24.7	-	24.7	2.7
<b>Total Disbursements and Other Financing Uses</b>	<b>2,225.0</b>	<b>-</b>	<b>1,243.9</b>	<b>-</b>	<b>1,243.9</b>	<b>(981.1)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(539.0)</b>	<b>-</b>	<b>(287.3)</b>	<b>-</b>	<b>(287.3)</b>	<b>251.7</b>
<b>Fund Balances (Deficits) at April 1</b>	<b>(1,035.0)</b>	<b>-</b>	<b>(1,034.9)</b>	<b>-</b>	<b>(1,034.9)</b>	<b>0.1</b>
<b>Fund Balances (Deficits) at May 31, 2020</b>	<b>(1,574.0)</b>	<b>\$ -</b>	<b>(1,322.2)</b>	<b>\$ -</b>	<b>(1,322.2)</b>	<b>\$ 251.8</b>

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

STATE OF NEW YORK  
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
FISCAL YEAR 2020-2021  
FOR TWO MONTHS ENDED MAY 31, 2020  
(amounts in millions)

EXHIBIT D

	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	\$ 56.0	\$ -	\$ 61.6	\$ 5.6	\$ -	\$ -	\$ -	\$ -
Business	60.0	-	58.6	(1.2)	-	-	-	-
Other	-	-	-	-	-	-	-	-
Miscellaneous Receipts	1,197.0	-	1,254.8	57.8	-	-	0.1	0.1
Federal Receipts	-	-	-	-	327.0	-	188.4	(138.6)
Bond and Note Proceeds, net	-	-	-	-	-	-	-	-
Transfers from Other Funds	45.0	-	(607.1)	(652.1)	1.0	-	-	(1.0)
Total Receipts and Other Financing Sources	1,358.0	-	768.1	(589.9)	328.0	-	188.5	(139.5)
DISBURSEMENTS:								
Local Assistance Grants	769.0	-	239.9	(529.1)	106.0	-	63.5	(42.5)
Capital Projects	1,173.0	-	785.6	(387.4)	155.0	-	130.2	(24.8)
Transfers to Other Funds	22.0	-	24.7	2.7	-	-	-	-
Total Disbursements and Other Financing Uses	1,964.0	-	1,050.2	(913.8)	261.0	-	193.7	(67.3)
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses								
	(606.0)	-	(282.1)	323.9	67.0	-	(5.2)	(72.2)
Fund Balances (Deficits) at April 1								
Fund Balances (Deficits) at May 31, 2020	(471.0)	-	(472.2)	(1.2)	(564.0)	-	(562.7)	1.3
	\$ (1,077.0)	\$ -	\$ (754.3)	\$ 322.7	\$ (497.0)	\$ -	\$ (567.9)	\$ (70.9)

(\*) Source: 2020-21 Enacted Financial Plan dated April 25, 2020.

## EXHIBIT E

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**STATE OF NEW YORK  
GOVERNMENTAL FUNDS (\*)  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)**

	2 Months Ended May 31												
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	
Beginning Fund Balance	\$ 14,284.8	\$ 20,544.4											
<b>RECEIPTS:</b>													
Taxes:													
Personal Income Tax:													
Withholdings	3,187.3	2,928.3											
Estimated Payments	211.6	70.9											
Returns	338.1	124.7											
State City Offsets	(89.6)	(38.6)											
State City Offsets (Net)	3,776.0	3,144.2											
Gross Receipts	-	-											
Transfers to School Tax Relief Fund	-	-											
Transfers to Revenue Bond Tax Fund	(1,709.4)	(945.0)											
Refunds Issued	2,066.2	2,199.2											
<b>Total Personal Income Tax</b>													
Consumption/Use Taxes:													
Sales and Use	889.4	790.8											
Auto Rental	0.5	(1.4)											
Cigarette/Tobacco Products	98.8	74.0											
Medical Marijuana	0.5	0.6											
Motor Fuel	30.3	21.4											
Alcoholic Beverage	28.7	28.4											
Hemp/Cannabis	11.6	8.9											
Vapor Excise	7.2	0.1											
Opiod Excise	-	-											
Metropolitan Commuter Trans. Taxicab Trip	1,045.0	915.8											
<b>Total Consumption/Use Taxes</b>													
Business Taxes:													
Corporation Franchise	254.4	(134.7)											
Corporation and Utilities	15.6	(11.0)											
Insurance	70.2	6.5											
Bank	7.4	2.6											
Petroleum Business	83.0	38.8											
<b>Total Business Taxes</b>	419.9	868.9											
Other Taxes:													
Real Property Gains	-	-											
Estate and Gift	72.7	52.0											
Parl-Mutuel	0.7	0.2											
Real Estate Transfer	57.2	48.4											
Racing and Exhibitions	0.1	-											
Metropolitan Commuter Trans. Mobility	-	-											
Employer Compensation Expense Tax	0.2	(0.2)											
<b>Total Other Taxes</b>	130.9	100.4											
<b>Total Taxes</b>	3,688.0	3,118.6											
<b>Miscellaneous Receipts:</b>													
Abandoned Property	1.6	0.7											
Bottle Bill	0.7	0.3											
Assessments:													
Business	54.6	66.0											
Medical Care	571.2	466.8											
Public Utilities	0.1	-											
Other	-	0.1											
Fees, Licenses and Permits:													
Alcohol Beverage Control Licensing	2.2	2.9											
Adult Fees	69.0	71.9											
Business/Professional:	4.3	3.3											
Civil	0.6	0.4											
Criminal	(29.8)	-											
Motor Vehicle	43.0	-											
Recreational/Consumer	100.9	233.7											
Fines, Penalties and Forfeitures	-	-											
Gaming:	-	-											
Casino	157.0	142.1											
Lottery	-	0.6											
Interest Earnings	32.9	18.2											
Revenues from Public Authorities:													
Bond Redemption	1,122.1	1,019.1											
Bond Recovery Assessments	-	-											
Insurance Fees	0.5	1.4											
Non Bond Related	9.0	0.3											

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(\*) Governmental Funds includes General, Special Revenue, Debt Service and Capital Projects Funds combined.

[illegible]

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
STATEMENT OF CASH FLOW - STATE OPERATING (\*)  
FISCAL YEAR 2020-2021  
(amounts in millions)

	2020	2021	2 Months Ended May 31												% Increase/Decrease	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2020	2019	\$ (Increase/Decrease)	% Increase/Decrease
<b>Revenues:</b>																
Bond Proceeds	-	1,000.0	-	-	-	-	-	-	-	-	-	-	1,000.0	-	1,000.0	100.0%
Cost Recovery Assessments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Insurance Fees	0.5	1.4	-	-	-	-	-	-	-	-	-	-	3.0	1.9	1.1	-38.7%
Interest Received	0.5	0.5	-	-	-	-	-	-	-	-	-	-	0.5	0.5	0.0	0.0%
Receipts from Municipalities	9.3	2.5	-	-	-	-	-	-	-	-	-	-	29.3	29.3	(17.8)	-59.7%
Rentals	(5.1)	(42.8)	-	-	-	-	-	-	-	-	-	-	(47.9)	67.6	(115.5)	-170.9%
Revenues of State Departments:																
Administrative Recoveries	25.0	8.8	-	-	-	-	-	-	-	-	-	-	-	29.1	29.1	619.1%
Commissions	0.6	(0.3)	-	-	-	-	-	-	-	-	-	-	33.8	4.7	29.1	619.1%
Commissions - Asset Conversion	-	-	-	-	-	-	-	-	-	-	-	-	1.2	1.2	(0.9)	-75.0%
Grants	0.6	1.5	-	-	-	-	-	-	-	-	-	-	0.3	0.3	0.0	0.0%
Indirect Cost Recoveries	5.5	5.4	-	-	-	-	-	-	-	-	-	-	10.9	11.7	0.8	6.8%
Patient/Client Care Reimbursement	526.5	372.8	-	-	-	-	-	-	-	-	-	-	899.3	434.3	465.0	107.1%
Rebates	0.1	6.6	-	-	-	-	-	-	-	-	-	-	6.7	7.3	(0.6)	-8.2%
Restitution and Settlements	3.9	0.4	-	-	-	-	-	-	-	-	-	-	4.3	8.8	(4.5)	-51.1%
Student Loans	6.1	1.4	-	-	-	-	-	-	-	-	-	-	7.5	10.6	(3.1)	-29.2%
All Other	(20.1)	0.6	-	-	-	-	-	-	-	-	-	-	(11.5)	104.2	(115.7)	-111.0%
State Grants	6.5	0.6	-	-	-	-	-	-	-	-	-	-	7.1	10.6	(3.5)	-33.0%
Tuition	(67.5)	33.6	-	-	-	-	-	-	-	-	-	-	(33.9)	100.1	(134.0)	-133.9%
<b>Total Miscellaneous Receipts</b>	<b>1,431.2</b>	<b>2,221.8</b>	-	-	-	-	-	-	-	-	-	-	<b>3,733.0</b>	<b>4,067.8</b>	<b>(334.8)</b>	<b>-7.7%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>4,373.0</b>	<b>7,976.3</b>	-	-	-	-	-	-	-	-	-	-	<b>18,906.3</b>	<b>18,906.3</b>	<b>(8,563.0)</b>	<b>-34.7%</b>
<b>Other Financing Sources (Uses):</b>																
Transfers from Other Funds (*)	1,939.1	1,674.9	-	-	-	-	-	-	-	-	-	-	3,614.0	8,123.6	(4,509.6)	-55.5%
Transfers to Other Funds (*)	(817.9)	(1,727.6)	-	-	-	-	-	-	-	-	-	-	(2,545.5)	(6,634.7)	(6,099.2)	-70.5%
<b>Total Other Financing Sources (Uses)</b>	<b>1,121.2</b>	<b>(52.7)</b>	-	-	-	-	-	-	-	-	-	-	<b>1,068.5</b>	<b>(511.1)</b>	<b>1,579.6</b>	<b>309.1%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>1,763.3</b>	<b>(2,628.9)</b>	-	-	-	-	-	-	-	-	-	-	<b>(865.6)</b>	<b>(117.8)</b>	<b>(747.8)</b>	<b>-84.8%</b>
<b>Ending Fund Balance</b>	<b>\$ 16,171.6</b>	<b>\$ 13,542.7</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 13,542.7</b>	<b>\$ 12,243.5</b>	<b>\$ 1,299.2</b>	<b>10.6%</b>

(\*) 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

	2020		2021										2 Months Ended May 31		% Increase/ Decrease
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2020	2021	
Beginning Fund Balance	\$ 3,344.2	\$ 10,082.5											\$ 3,944.2	\$ 7,205.7	
RECEIPTS:															
Taxes:															
Personal Income Tax:															
Withholdings	3,187.3	2,928.3											6,115.6	6,457.2	-5.3%
Estimated Payments	211.6	70.9											282.5	6,955.8	-85.9%
Returns	339.1	124.7											463.8	2,362.0	-80.4%
State/City Offsets	(69.8)	(39.8)											(109.6)	(328.0)	-86.8%
Other (Assessments/LLO)	197.4	60.1											275.5	15,725.3	-98.2%
	3,730.0	3,149.2											6,939.0	(8,302.7)	0.0%
Transfers to Revenue Bond Tax Fund	(1,033.1)	(1,098.6)											(2,132.7)	(5,850.0)	-63.5%
Transfers to School Tax Relief Fund	(1,033.1)	(945.0)											(2,654.4)	(4,022.5)	-34.0%
Refunds Issued	(1,033.1)	1,098.6											2,132.7	5,850.0	-43.5%
Total Personal Income Tax															
Consumption/Use Taxes:															
Sales and Use	394.9	369.9											764.8	1,090.7	-29.9%
Auto Rental	-	-											52.7	51.8	0.0%
Regulated Tobacco Products	30.0	22.7											-	0.9	17.1%
Miscellaneous	26.7	21.4											48.1	40.9	17.6%
Alcoholic Beverage	-	-											-	-	0.0%
Highway Use	-	-											-	-	0.0%
Vapor Excise	7.2	-											-	7.2	100.0%
Opoid Excise	-	-											-	-	0.0%
Metropolitan Commuter Trans. Taxicab Trip	-	-											-	-	0.0%
Total Consumption/Use Taxes	458.8	444.0											872.8	1,183.4	-26.2%
Business Taxes:															
Corporate Franchise	197.4	(131.5)											65.9	199.1	-66.9%
Real Estate Transfer	13.3	(2.6)											10.7	18.1	-40.9%
Corporation and Utilities	63.0	6.9											69.9	123.8	-43.5%
Insurance	6.1	2.0											8.1	20.7	-60.9%
Bank	-	-											-	-	0.0%
Petroleum Business	279.8	(125.2)											154.6	361.7	-57.3%
Total Business Taxes															
Other Taxes:															
Real Property Gains	72.7	52.0											124.7	137.0	0.0%
Parish/City	0.7	0.2											0.9	2.0	-55.0%
Real Estate Transfer	-	-											-	-	0.0%
Racing and Exhibitions	0.1	-											0.1	0.3	-66.7%
Metropolitan Commuter Trans. Mobility	0.1	(0.1)											-	0.1	0.0%
Employer Compensation Expense Tax	73.8	52.1											125.7	138.4	-10.0%
Total Other Taxes															
	1,845.3	1,440.5											3,295.8	7,534.5	-56.4%
Total Taxes															
Miscellaneous Receipts:															
Abandoned Property:															
Bottle Bill	0.4	-											0.4	1.0	-60.0%
Assessments:	0.7	0.3											1.0	0.5	100.0%
Business:	-	-											-	-	0.0%
Medical Care	1.9	2.1											4.0	4.2	-4.8%
Public Utilities	-	-											-	-	0.0%
Other	-	0.1											0.1	0.1	0.0%
Fees, Licenses and Permits:															
Alcohol Beverage Control Licensing	2.2	2.9											5.1	11.7	-56.4%
Audit Fees	19.0	(0.6)											18.4	28.2	0.0%
Charities/Professional	1.1	0.9											2.0	38.4	-93.2%
Criminal	0.1	0.1											0.2	0.3	-34.8%
Motor Vehicle	(100.4)	(49.0)											(149.4)	68.1	-33.3%
Recreational/Consumer	-	-											-	2.7	-319.4%
Fines, Penalties and Forfeitures	88.9	228.0											314.9	772.7	-100.0%
Interest Earnings	15.6	5.9											21.5	38.6	-59.2%
Receipts from Public Authorities:															
Bond Proceeds	-	1,000.0											1,000.0	-	-44.3%
Gift Receipts/Assessments	-	-											-	-	100.0%
Insurance Fees	-	-											-	-	0.0%
Non Bond Related	-	-											-	0.1	0.0%
Receipts from Municipalities	0.2	0.1											0.3	0.4	-100.0%
Rentals	-	-											-	-	-25.0%
Revenues of State Departments:															
Administrative Recoveries	0.4	0.3											0.7	1.5	-53.3%
Commissions	0.4	(0.4)											-	0.3	-100.0%
Gifts and Donations	-	-											-	-	0.0%
Indirect Cost Recoveries	5.5	5.4											10.9	10.8	0.9%
Patient/Client Care Reimbursement	(3.7)	53.7											50.0	(4.6)	1,187.0%

STATE OF NEW YORK  
GENERAL FUND  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

STATE OF NEW YORK GENERAL FUND STATEMENT OF CASH FLOW FISCAL YEAR 2020-2021 (amounts in millions)														EXHIBIT F
	2 Months Ended May 31												% Increase/ Decrease	
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH		
Rebates	-	1.7	-	-	-	-	-	-	-	-	1.7	1.1	0.6	54.3%
Restitution and Settlements	0.2	-	-	-	-	-	-	-	-	-	0.2	-	0.2	100.0%
Student Loans	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
All Other	4.8	4.5	-	-	-	-	-	-	-	-	9.3	26.4	(17.1)	-64.8%
Sales	37.3	1,254.0	-	-	-	-	-	-	-	-	1,291.3	0.1	(0.1)	-100.0%
Total Miscellaneous Receipts	-	-	-	-	-	-	-	-	-	-	-	-	271.0	26.6%
Federal Receipts	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Receipts	1,882.6	2,694.5	-	-	-	-	-	-	-	-	4,577.1	8,554.8	(3,977.7)	-46.5%
DISBURSEMENTS:														
Local Assistance Grants:														
Education	754.2	4,030.1	-	-	-	-	-	-	-	-	4,784.3	4,896.7	(112.4)	-2.3%
Environment and Recreation	0.1	0.1	-	-	-	-	-	-	-	-	0.1	0.2	(0.1)	-50.0%
General Government	6.8	0.7	-	-	-	-	-	-	-	-	7.5	17.4	(9.9)	-56.8%
Public Health:														
Medicaid	229.4	1,263.6	-	-	-	-	-	-	-	-	1,513.0	4,885.2	(3,372.2)	-69.0%
Other Public Health	63.9	47.3	-	-	-	-	-	-	-	-	111.2	270.5	(159.3)	-58.9%
Public Safety	2.9	1.4	-	-	-	-	-	-	-	-	4.3	24.0	(19.7)	-82.1%
Public Welfare	76.9	158.0	-	-	-	-	-	-	-	-	234.9	172.7	62.2	36.0%
Support and Regulate Business	4.6	6.7	-	-	-	-	-	-	-	-	11.3	13.7	(2.4)	-17.5%
Transfers to Other State Funds	1,138.9	5,527.8	-	-	-	-	-	-	-	-	6,666.7	10,304.3	(3,637.6)	-35.3%
Total Local Assistance Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Departmental Operations:														
Personal Service	893.7	691.3	-	-	-	-	-	-	-	-	1,565.0	1,760.6	(175.6)	-10.0%
Non-Personal Service	313.2	195.2	-	-	-	-	-	-	-	-	508.4	408.2	100.2	24.5%
General State Charges	460.2	330.5	-	-	-	-	-	-	-	-	790.7	3,077.5	(2,286.8)	-74.3%
Total Disbursements	2,806.0	6,744.8	-	-	-	-	-	-	-	-	9,550.8	15,550.6	(5,998.8)	-38.6%
Excess (Deficiency) of Receipts over Disbursements	(923.4)	(4,050.3)	-	-	-	-	-	-	-	-	(4,973.7)	(6,995.8)	2,022.1	28.9%
OTHER FINANCING SOURCES (USES):														
Transfers from Revenue Bond Tax Fund	1,032.9	1,098.9	-	-	-	-	-	-	-	-	2,131.8	5,733.5	(3,601.7)	-62.8%
Transfers from LGAC / STRBTF	284.6	162.2	-	-	-	-	-	-	-	-	446.8	754.7	(307.9)	-40.8%
Transfers from CWICA Fund	43.8	48.4	-	-	-	-	-	-	-	-	92.2	156.3	(64.1)	-41.0%
Transfers from Other Funds	74.9	193.6	-	-	-	-	-	-	-	-	268.5	159.6	108.9	68.2%
Transfers to State Capital Projects	800.3	(203.8)	-	-	-	-	-	-	-	-	596.5	(655.1)	(1,251.6)	-191.1%
Transfers to All Other Capital Projects	-	-	-	-	-	-	-	-	-	-	-	(250.0)	(250.0)	-100.0%
Transfers to General Debt Service	(32.0)	1.7	-	-	-	-	-	-	-	-	(30.3)	(145.4)	(115.1)	-79.2%
Transfers to All Other State Funds	(142.6)	(23.0)	-	-	-	-	-	-	-	-	(165.6)	(741.9)	(576.3)	-77.7%
Total Other Financing Sources (Uses)	2,061.7	1,278.0	-	-	-	-	-	-	-	-	3,398.7	5,011.7	(1,672.0)	-33.4%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	1,138.3	(2,772.3)	-	-	-	-	-	-	-	-	(1,634.0)	(1,984.1)	350.1	-47.6%
Ending Fund Balance	\$ 10,082.5	\$ 7,310.2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,310.2	\$ 5,221.6	\$ 2,088.6	40.0%

## EXHIBIT G

	2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2020		2	
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STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - COMBINED  
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	Intra-Fund Transfer Eliminations (*)	2020	2019	2 Months Ended May 31 \$ Increase/ (Decrease)	% Increase/ Decrease
<b>DISBURSEMENTS:</b>																	
Local Assistance Grants:																	
Education	383.0	102.6	-	-	-	-	-	-	-	-	-	-	-	485.6	928.8	(443.2)	-47.7%
Environment and Recreation	-	0.5	-	-	-	-	-	-	-	-	-	-	-	0.5	0.3	0.2	66.7%
Health and Human Services	11.3	6.1	-	-	-	-	-	-	-	-	-	-	-	17.4	49.6	(32.2)	-64.9%
Public Health:																	
Medicaid	5,180.9	3,816.0	-	-	-	-	-	-	-	-	-	-	-	8,996.9	7,678.5	1,318.4	17.2%
Other Public Health	509.6	533.0	-	-	-	-	-	-	-	-	-	-	-	1,042.6	1,063.9	(21.3)	-2.0%
Public Safety	92.4	62.2	-	-	-	-	-	-	-	-	-	-	-	154.6	301.2	(146.6)	-48.7%
Public Welfare	133.6	20.9	-	-	-	-	-	-	-	-	-	-	-	160.8	273.3	(118.5)	-43.3%
Statewide Programs	53.3	20.9	-	-	-	-	-	-	-	-	-	-	-	63.3	103.3	(40.0)	-38.7%
Statewide Regulatory Business	65.5	44.7	-	-	-	-	-	-	-	-	-	-	-	110.2	480.8	(370.6)	-89.2%
Transportation	6,377.9	4,581.7	-	-	-	-	-	-	-	-	-	-	-	10,969.6	10,784.7	184.9	1.7%
<b>Total Local Assistance Grants</b>																	
Departmental Operations:																	
Personal Services	675.8	444.6	-	-	-	-	-	-	-	-	-	-	-	1,120.4	1,066.9	53.5	5.0%
Public Safety	77.5	22.6	-	-	-	-	-	-	-	-	-	-	-	100.1	100.1	-	0.0%
General State Charges	75.0	64.5	-	-	-	-	-	-	-	-	-	-	-	139.5	196.7	(57.2)	-29.1%
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
<b>Total Disbursements</b>	<b>7,399.6</b>	<b>5,321.7</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12,721.3</b>	<b>12,717.4</b>	<b>3.9</b>	<b>0.0%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>4,963.7</b>	<b>4.5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,968.2</b>	<b>1,926.2</b>	<b>3,042.0</b>	<b>156.5%</b>
<b>OTHER FINANCING SOURCES (USES):</b>																	
Transfers from Other Funds	222.7	41.5	-	-	-	-	-	-	-	-	-	-	(85.4)	178.8	733.3	(554.5)	-75.6%
Transfers to Other Funds	(322.5)	(123.9)	-	-	-	-	-	-	-	-	-	-	89.4	(326.9)	(233.9)	115.3	-45.7%
<b>Total Other Financing Sources (Uses)</b>	<b>(81.8)</b>	<b>(88.3)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(170.1)</b>	<b>500.3</b>	<b>(670.4)</b>	<b>-134.0%</b>
<b>Excess (Deficiency) of Receipts and Disbursements and Other Financing Uses</b>	<b>4,911.9</b>	<b>(83.8)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,828.1</b>	<b>2,426.5</b>	<b>2,401.6</b>	<b>96.0%</b>
<b>Ending Fund Balance</b>	<b>\$ 11,224.0</b>	<b>\$ 11,140.2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 11,140.2</b>	<b>\$ 6,266.9</b>	<b>\$ 4,873.3</b>	<b>77.7%</b>

(\*) Intra-Fund transfer eliminations represent transfers between Special Revenue-State and Federal Funds.

**EXHIBIT G**

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STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT G

	2 Months Ended May 31												% Increase/ Decrease			
	2020	2020	2019													
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH				
Beginning Fund Balance	\$ 911.4	\$ 5,527.8											\$ 911.4	\$ (1,248.4)	\$ 2,159.8	173.0%
RECEIPTS:																
Miscellaneous Receipts:																
Abandoned Property	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Assessments:																
Business	4.0	40.6											44.6	43.6	1.0	23%
Medical Care	-	-											-	-	-	0.0%
Public Utilities	-	-											-	-	-	0.0%
Other	-	-											-	-	-	0.0%
Fees, Licenses and Permits:													-	-	-	0.0%
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											0.5	1.5	(1.0)	-66.7%
Interest Earnings	3.0	3.9											6.9	4.3	2.6	60.5%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Cost Recovery Assessments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Issuance Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non Bond Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Receipts from Municipalities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Revenues of State Departments:																
Administrative Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Commissions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Gifts, Grants and Donations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Indirect Cost Recoveries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Patient/Client Care Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Rebates	7.7	8.7											16.4	16.4	-	0.0%
Restitution and Settlements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Student Loans	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100.0%
All Other	0.3	0.3											0.6	0.3	-	0.0%
Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Tuition	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Miscellaneous Receipts	15.3	53.7	-	-	-	-	-	-	-	-	-	-	69.0	66.1	2.9	4.4%
Federal Receipts	10,777.4	4,104.3											14,881.7	11,020.0	3,861.7	35.0%
Total Receipts	10,792.7	4,158.0	-	-	-	-	-	-	-	-	-	-	14,950.7	11,086.1	3,864.6	34.9%

## EXHIBIT G

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**EXHIBIT H**

	2020		2021										2 months ended May 31, 2022		% Increase/Decrease	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2020	2019		
	\$	\$											\$	\$		
Beginning Fund Balance	63.4	392.9											63.4	64.8	(1.4)	-2.2%
RECEIPTS:																
Taxes:																
Personal Income Tax	1,033.1	1,099.6											2,132.7	5,850.0	(3,717.3)	-63.5%
Consumption/Use Taxes:		-											763.9	1,089.2	(325.3)	-39.9%
Sales and Use	394.2	369.7											763.9	1,089.2	(325.3)	-39.9%
Total Consumption/Use Taxes	394.2	369.7											763.9	1,089.2	(325.3)	-39.9%
Other Taxes:																
Real Estate Transfer	57.2	48.4											105.6	168.9	(63.3)	-37.5%
Employer Compensation Expense Tax	0	(0.1)											0.1	0.1	(0.1)	-100.0%
Total Other Taxes	57.3	48.3											105.6	169.0	(63.4)	-37.5%
Total Taxes	1,484.6	1,517.6											3,002.2	7,108.2	(4,106.0)	-57.8%
Miscellaneous Receipts:																
Assessments:																
Medical Care	-	-											-	-	-	0.0%
Fees, Licenses and Permits:													-	-	-	0.0%
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											0.2	0.2	-	0.0%
Receipts from Municipalities	-	0.3											0.3	0.5	(0.2)	-40.0%
Rentals	-	-											-	-	-	0.0%
Revenues of State Departments:	47.2	13.4											60.6	78.4	(17.8)	-22.7%
Patient/Client Care Reimbursement	-	-											-	-	-	0.0%
All Other	-	-											-	-	-	0.0%
Sales	-	-											-	-	-	0.0%
Total Miscellaneous Receipts	47.3	13.8											61.1	79.1	(18.0)	-22.8%
Federal Receipts	-	-											-	-	-	0.0%
Total Receipts	1,531.9	1,531.4											3,063.3	7,187.3	(4,124.0)	-57.4%
DISBURSEMENTS:																
Departmental Operations:																
Non-Personal Service	-	0.9											0.9	3.0	(2.1)	-70.0%
Debt Service, Including Payments on Financing Agreements	36.5	23.5											60.0	193.5	(133.5)	-69.0%
Total Disbursements	36.5	24.4											60.9	196.5	(135.6)	-69.0%
Excess (Deficiency) of Receipts over Disbursements	1,495.4	1,507.0											3,002.4	6,990.8	(3,988.4)	-57.1%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	280.2	130.3											410.5	425.9	(15.4)	-3.6%
Transfers to Other Funds	(1,446.1)	(1,508.1)											(2,954.2)	(6,797.7)	(3,843.5)	-56.5%
Total Other Financing Sources (Uses)	(1,165.9)	(1,377.8)											(2,543.7)	(6,371.8)	(3,828.1)	60.1%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses																
	329.5	129.2											458.7	619.0	(160.3)	-25.9%
Ending Fund Balance	392.9	522.1											\$ 522.1	\$ 693.8	\$ (161.7)	-23.6%

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT I

	2 Month Ended May 31												% Increase/ Decrease				
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH					
Beginning Fund Balance	\$ (1,034.9)	\$ (1,155.0)												\$ (1,034.9)	\$ (1,137.9)	\$ 103.0	9.1%
RECEIPTS:																	
Taxes:																	
Consumption/Use Taxes:																	
Auto Rental	0.6	0.1												0.7	3.8	(3.1)	-81.6%
Motor Fuel	23.8	16.7												40.5	71.2	(30.7)	-43.1%
Highway Use	11.6	8.8												20.4	24.8	(4.4)	-17.7%
Total Consumption/Use Taxes	36.0	25.6												61.6	99.8	(38.2)	-38.3%
Business Taxes:																	
Corporation Franchise	-	-												-	-	-	0.0%
Corporate and Utilities	0.1	(1.5)												(1.4)	3.2	(4.6)	-14.8%
Petroleum Business	38.0	22.2												60.2	112.1	(51.9)	-48.3%
Total Business Taxes	38.1	20.7												58.8	115.3	(56.5)	-48.0%
Other Taxes:																	
Real Estate Transfer	-	-												-	-	-	0.0%
Total Other Taxes	-	-												-	-	-	0.0%
Total Taxes	74.1	46.3												120.4	215.1	(94.7)	-44.0%
Miscellaneous Receipts:																	
Abandoned Property:																	
Bottle Bill	-	-												-	-	-	0.0%
Assessments:																	
Business	7.9	3.6												11.5	19.4	(7.9)	-40.7%
Fees, Licenses and Permits:																	
Business/Professional	1.8	2.1												3.9	6.4	(2.5)	-39.1%
Civil	-	-												-	-	-	0.0%
Motor Vehicle	52.2	33.2												85.4	136.3	(50.9)	-37.3%
Recreational/Consumer	-	-												0.3	0.3	(0.3)	-100.0%
Fines, Penalties and Forfeitures	2.0	1.9												3.9	4.3	(0.4)	-9.3%
Interest Earnings	0.7	0.5												1.2	2.1	(0.9)	-42.9%
Receipts from Public Authorities:																	
Bond Proceeds	1,122.1	19.1												1,141.2	203.6	(937.6)	-460.5%
Insurance Fees	-	-												-	-	-	0.0%
Non Bond Related	0.1	-												0.1	3.6	(3.5)	-97.2%
Receipts from Municipalities	-	-												-	0.3	(0.3)	-100.0%
Rentals	0.5	1.1												1.6	1.7	(0.1)	-5.9%
Revenues of State Departments:																	
Administrative Recoveries	-	-												-	-	-	0.0%
Gifts, Grants and Donations	-	0.7												0.7	10.6	(9.9)	-93.4%
Indirect Cost Recoveries	-	-												-	(0.9)	0.9	100.0%
Rentals	-	-												-	0.1	(0.1)	-100.0%
Reimbursements	3.1	0.2												3.3	0.7	(2.6)	-81.9%
Refunds and Settlements	0.3	1.8												2.1	4.4	(2.3)	-52.3%
All Other	-	-												-	4.2	(4.2)	-100.0%
Sales	1,190.7	64.2												1,254.9	397.1	(857.8)	-216.0%
Total Miscellaneous Receipts																	
Federal Receipts	85.7	102.7												188.4	181.2	7.2	4.0%
Total Receipts	1,550.5	213.2												1,583.7	793.4	770.3	97.1%

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT I

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY 2021	FEBRUARY	MARCH	2 Month Ended May 31			% Increase/ Decrease
													2019	2020	\$ Increase/ (Decrease)	
<b>DISBURSEMENTS:</b>																
Local Assistance Grants:																
Education	12.0	-	-	-	-	-	-	-	-	-	-	-	12.0	12.4	(0.4)	-3.2%
Environment and Recreation	4.4	3.2	-	-	-	-	-	-	-	-	-	-	7.6	58.6	(51.0)	-87.0%
General Government	30.4	10.9	-	-	-	-	-	-	-	-	-	-	41.3	153.0	(111.7)	-73.0%
Public Health:																
Medicaid	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Other Public Health	29.0	58.2	-	-	-	-	-	-	-	-	-	-	72.4	-	14.8	20.4%
Public Safety	-	-	-	-	-	-	-	-	-	-	-	-	9.9	-	(9.9)	-100.0%
Public Welfare	-	33.8	-	-	-	-	-	-	-	-	-	-	10.9	33.8	(22.9)	-210.1%
Support and Regulate Business	43.2	7.7	-	-	-	-	-	-	-	-	-	-	175.9	50.9	(125.0)	-71.1%
Transportation	24.4	46.2	-	-	-	-	-	-	-	-	-	-	70.6	70.6	-	0.0%
Total Local Assistance Grants	143.4	189.0	-	-	-	-	-	-	-	-	-	-	778.5	393.4	(407.1)	-49.0%
Departmental Operations:																
Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	508.8	406.0	-	-	-	-	-	-	-	-	-	-	962.2	915.8	(46.4)	-4.8%
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Disbursements	653.2	566.0	-	-	-	-	-	-	-	-	-	-	1,732.7	1,219.2	(513.5)	-29.6%
Excess (Deficiency) of Receipts over Disbursements	697.3	(352.8)	-	-	-	-	-	-	-	-	-	-	(839.3)	344.5	1,283.8	136.7%
<b>OTHER FINANCING SOURCES (USES):</b>																
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	(805.1)	198.0	-	-	-	-	-	-	-	-	-	-	921.6	(607.1)	(1,528.7)	-165.9%
Transfers to Other Funds	(12.3)	(12.4)	-	-	-	-	-	-	-	-	-	-	(63.6)	(24.7)	(68.9)	-73.8%
Total Other Financing Sources (Uses)	(817.4)	185.6	-	-	-	-	-	-	-	-	-	-	828.0	(631.8)	(1,459.8)	-176.3%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(120.1)	(167.2)	-	-	-	-	-	-	-	-	-	-	(111.3)	(287.3)	(176.0)	-158.1%
Ending Fund Balance	\$ (1,155.0)	\$ (1,322.2)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (1,249.2)	\$ (1,322.2)	\$ (73.0)	-5.8%

(\*) Intra-Fund transfer eliminations represent transfers from Capital Projects-State and Federal Funds.

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - STATE  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT I

	2 Months Ended May '21											
	2020		2021		2020		2019		\$ Increase/Decrease		% Increase/Decrease	
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH
Beginning Fund Balance	\$ (472.2)	\$ (598.4)										
<b>RECEIPTS:</b>												
<b>Taxes:</b>												
Consumption/Use Taxes	0.6	0.1										
Auto Rental	23.8	16.7										
Motor Fuel	11.6	8.8										
Highway Use	36.0	25.6										
<b>Total Consumption/Use Taxes</b>												
Business Taxes												
Corporation Franchise	-	-										
Corporation and Utilities	0.1	(1.5)										
Petroleum Business	38.0	22.2										
<b>Total Business Taxes</b>	38.1	20.7										
Other Taxes												
Real Estate Transfer	-	-										
<b>Total Other Taxes</b>	-	-										
<b>Total Taxes</b>	74.1	46.3										
<b>Miscellaneous Receipts:</b>												
Abandoned Property:												
Bottle Bill	-	-										
Assessments:												
Business	7.9	3.6										
Fees, Licenses and Permits:												
Business/Professional	1.8	2.1										
Civil	52.2	33.2										
Motor Vehicle	-	-										
Recreational/Consumer	2.0	1.9										
Fines, Penalties and Forfeitures	0.7	0.5										
Interest Earnings	1,122.1	19.1										
Receipts from Public Authorities:												
Bond Proceeds	-	-										
Issuance Fees	0.1	-										
Non Bond Related	-	-										
Receipts from Municipalities	0.4	1.1										
Rentals	-	-										
Revenues of State Departments:												
Administrative Recoveries:	-	-										
Gifts, Grants and Donations	-	0.7										
Indirect Cost Recoveries	-	-										
Refunds	3.1	0.2										
Restitution and Settlements	0.3	1.8										
All Other	1,190.6	64.2										
<b>Total Miscellaneous Receipts</b>												
Sales	-	-										
Federal Receipts	-	-										
<b>Total Receipts</b>	1,284.7	110.5										
<b>2020</b>	<b>\$ (472.2)</b>	<b>\$ (598.4)</b>										
<b>2021</b>												
<b>2020</b>	<b>\$ (472.2)</b>											
<b>2019</b>	<b>\$ (633.2)</b>											
<b>\$ Increase/Decrease</b>												
<b>\$</b>												
<b>% Increase/Decrease</b>												
<b>%</b>												

## EXHIBIT I

	2020				2021								2 Months Ended May 31			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2020	2019	\$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																
Local Assistance Grants:																
Education	12.0	-	-	-	-	-	-	-	-	-	-	-	12.0	12.4	(0.4)	-3.2%
Environment and Recreation	4.4	3.2	4.4	-	-	-	-	-	-	-	-	-	7.6	58.6	(51.0)	-87.0%
General Government	30.4	10.9	-	-	-	-	-	-	-	-	-	-	41.3	153.0	(111.7)	-73.0%
Public Health:	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Medicaid	-	58.2	-	-	-	-	-	-	-	-	-	-	87.2	72.4	14.8	20.4%
Other Public Health	29.0	-	-	-	-	-	-	-	-	-	-	-	-	9.9	(9.9)	-100.0%
Public Safety	-	-	-	-	-	-	-	-	-	-	-	-	-	10.9	22.9	21.0%
Public Welfare	-	33.8	-	-	-	-	-	-	-	-	-	-	33.8	10.9	22.9	210.1%
Support and Regulate Business	43.2	7.7	-	-	-	-	-	-	-	-	-	-	50.9	175.9	(125.0)	-71.1%
Transportation	2.4	4.7	-	-	-	-	-	-	-	-	-	-	7.1	199.8	(192.7)	-96.4%
Total Local Assistance Grants	121.4	118.5	-	-	-	-	-	-	-	-	-	-	239.0	692.9	(453.0)	-65.4%
Departmental Operations:																
Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
General State Charges	452.1	333.5	-	-	-	-	-	-	-	-	-	-	785.6	813.4	(27.8)	-3.4%
Capital Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements	573.5	452.0	-	-	-	-	-	-	-	-	-	-	1,025.5	1,506.3	(480.8)	-31.9%
Excess (Deficiency) of Receipts over Disbursements	691.2	(341.5)	-	-	-	-	-	-	-	-	-	-	349.7	(894.2)	1,243.9	139.1%
OTHER FINANCING SOURCES (USES):																
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds	(805.1)	198.0	-	-	-	-	-	-	-	-	-	-	(607.1)	921.6	(1,528.7)	-165.9%
Transfers to Other Funds	(12.3)	(12.4)	-	-	-	-	-	-	-	-	-	-	(24.7)	(93.6)	(68.9)	-73.6%
Total Other Financing Sources (Uses)	(817.4)	185.6	-	-	-	-	-	-	-	-	-	-	(631.8)	828.0	(1,459.8)	-176.3%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses																
Ending Fund Balance	\$ (598.4)	\$ (754.3)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (754.3)	\$ (699.4)	\$ (54.9)	-7.5%

## EXHIBIT I

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

	2 Months Ended May 31												% Increase/ Decrease
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	
Beginning Fund Balance	\$ (562.7)	\$ (556.6)											
<b>RECEIPTS:</b>													
Miscellaneous Receipts:													
Abandoned Property:													
Bottle Bill	-	-											0.0%
Assessments:													
Fees, Licenses and Permits:													0.0%
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:	-	-											0.0%
Bond Proceeds	-	-											0.0%
Insurance Fees	-	-											0.0%
Non Bond Related	-	-											0.0%
Receipts from Municipalities	-	-											0.0%
Rentals	0.1	-								0.1			0.0%
Revenues of State Departments:													0.0%
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	-	-											0.0%
<b>Total Miscellaneous Receipts</b>	<b>0.1</b>									<b>0.1</b>			<b>0.0%</b>
Federal Receipts	85.7	102.7								181.2			7.2
<b>Total Receipts</b>	<b>85.8</b>	<b>102.7</b>								<b>181.3</b>			<b>7.2</b>
<b>DISBURSEMENTS:</b>													
Local Assistance Grants:													
Education	-	-											0.0%
Environment and Recreation	-	-											0.0%
General Government	-	-											0.0%
Public Health:													
Medicaid	-	-											0.0%
Other Public Health	-	-											0.0%
Public Safety	-	-											0.0%
Public Welfare	-	-											0.0%
Support and Regulate Business	-	-											0.0%
Transportation	22.0	41.5								77.6			(14.1)
<b>Total Local Assistance Grants</b>	<b>22.0</b>	<b>41.5</b>								<b>77.6</b>			<b>-18.2%</b>
Departmental Operations:													
Personal Service	-	-											0.0%
Non-Personal Service	-	-											0.0%
General State Charges	57.7	72.5								148.8			(18.6)
Capital Projects													-12.5%
<b>Total Disbursements</b>	<b>79.7</b>	<b>114.0</b>								<b>226.4</b>			<b>(32.7)</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>6.1</b>	<b>(11.3)</b>								<b>(45.1)</b>			<b>39.9</b>
<b>OTHER FINANCING SOURCES (USES):</b>													
Transfers from Other Funds	-	-											0.0%
Transfers to Other Funds	-	-											0.0%
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>								<b>-</b>			<b>-</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>6.1</b>	<b>(11.3)</b>								<b>(45.1)</b>			<b>39.9</b>
<b>Ending Fund Balance</b>	<b>\$ (556.6)</b>	<b>\$ (567.9)</b>								<b>\$ (549.8)</b>			<b>\$ (18.1)</b>

STATE OF NEW YORK  
ENTERPRISE FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT J

	2 Months Ended May 31												% Increase/ Decrease				
	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH					
Beginning Fund Balance	\$ 29.7	\$ 45.9											\$ 29.7	2019	\$ 26.6	\$ 3.1	11.7%
<b>RECEIPTS:</b>																	
Miscellaneous Receipts	4.2	4.8											9.0	10.9		(1.9)	-17.4%
Federal Receipts	2,584.0	5,993.3											8,577.3	2.1		8,575.2	408,342.9%
Unemployment Taxes	1,823.9	2,261.7											4,085.6	326.7		3,758.9	1,150.6%
<b>Total Receipts</b>	<b>4,412.1</b>	<b>8,259.8</b>											<b>12,671.9</b>	<b>339.7</b>		<b>12,332.2</b>	<b>3,630.3%</b>
<b>DISBURSEMENTS:</b>																	
Departmental Operations:																	
Personal Service	1.4	0.9											2.3	0.9		1.4	155.6%
Non-Personal Service	3.6	4.9											8.5	8.7		(0.2)	-2.3%
General State Charges	0.2	0.1											0.3	0.1		0.2	200.0%
Unemployment Benefits	4,390.7	8,263.9											12,654.6	329.7		12,324.9	3,738.2%
<b>Total Disbursements</b>	<b>4,395.9</b>	<b>8,269.8</b>											<b>12,665.7</b>	<b>339.4</b>		<b>12,326.3</b>	<b>3,631.8%</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>16.2</b>	<b>(10.0)</b>											<b>6.2</b>	<b>0.3</b>		<b>5.9</b>	<b>1,966.7%</b>
<b>OTHER FINANCING SOURCES (USES):</b>																	
Transfers from Other Funds	-	-											-	-		-	0.0%
Transfers to Other Funds	-	-											-	-		-	0.0%
<b>Total Other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>											<b>-</b>	<b>-</b>		<b>-</b>	<b>0.0%</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses:</b>	<b>16.2</b>	<b>(10.0)</b>											<b>6.2</b>	<b>0.3</b>		<b>5.9</b>	<b>1,966.7%</b>
<b>Ending Fund Balance</b>	<b>\$ 45.9</b>	<b>\$ 35.9</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 35.9</b>	<b>\$ 26.9</b>	<b>\$ -</b>	<b>\$ 9.0</b>	<b>33.5%</b>

STATE OF NEW YORK  
INTERNAL SERVICE FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT K

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	2 Months Ended May 31			% Increase (Decrease)	% Decrease
	\$ (297.5)	\$ (281.0)											2020 \$ (297.5)	2019 \$ (302.7)	\$ 5.2		
Beginning Fund Balance																	
RECEIPTS:																	
Miscellaneous Receipts	25.2	22.3	-	-	-	-	-	-	-	-	-	-	47.5	65.7	(18.2)	-27.7%	
Total Receipts	25.2	22.3	-	-	-	-	-	-	-	-	-	-	47.5	65.7	(18.2)	-27.7%	
DISBURSEMENTS:																	
Departmental Operations:																	
Personal Service	14.5	11.1	-	-	-	-	-	-	-	-	-	-	25.6	23.7	1.9	8.0%	
Non-Personal Service	(9.3)	26.6	-	-	-	-	-	-	-	-	-	-	17.3	80.7	(63.4)	-78.0%	
General State Charges	4.8	5.3	-	-	-	-	-	-	-	-	-	-	10.1	9.0	1.1	12.2%	
Total Disbursements	10.0	43.0	-	-	-	-	-	-	-	-	-	-	53.0	113.4	(60.4)	-53.3%	
Excess (Deficiency) of Receipts over Disbursements	15.2	(20.7)	-	-	-	-	-	-	-	-	-	-	(5.5)	(47.7)	42.2	88.5%	
OTHER FINANCING SOURCES (USES):																	
Transfers from Other Funds	1.3	2.5	-	-	-	-	-	-	-	-	-	-	3.8	31.8	(28.0)	-88.1%	
Transfers to Other Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%	
Total Other Financing Sources (Uses)	1.3	2.5	-	-	-	-	-	-	-	-	-	-	3.8	31.8	(28.0)	-88.1%	
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	16.5	(18.2)	-	-	-	-	-	-	-	-	-	-	(1.7)	(15.9)	14.2	89.3%	
Ending Fund Balance	\$ (281.0)	\$ (299.2)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (299.2)	\$ (318.6)	\$ 19.4	6.1%	

STATE OF NEW YORK  
PENSION TRUST FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2020-2021  
(amounts in millions)

EXHIBIT L

	2 Months Ended May 31												\$ Increase/ (Decrease)	% Increase Decrease		
	2020 APRIL \$ (1.1)	MAY \$ (5.3)	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH				
Beginning Fund Balance																
RECEIPTS:																
Miscellaneous Receipts	8.3	5.5											13.8	13.1	0.7	5.3%
Total Receipts	8.3	5.5	-	-	-	-	-	-	-	-	-	-	13.8	13.1	0.7	5.3%
DISBURSEMENTS:																
Departmental Operations:																
Personal Service	8.3	5.5											13.8	13.0	0.8	6.2%
Non-Personal Service	0.7	0.6											1.3	2.2	(0.9)	-40.9%
General State Charges	3.5	3.4											6.9	6.7	0.2	3.0%
Total Disbursements	12.5	9.5	-	-	-	-	-	-	-	-	-	-	22.0	21.9	0.1	0.5%
Excess (Deficiency) of Receipts over Disbursements	(4.2)	(4.0)	-	-	-	-	-	-	-	-	-	-	(8.2)	(8.8)	0.6	6.8%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	-	-											-	-	-	0.0%
Transfers to Other Funds	-	-											-	-	-	0.0%
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	(4.2)	(4.0)	-	-	-	-	-	-	-	-	-	-	(8.2)	(8.8)	0.6	6.8%
Ending Fund Balance	\$ (5.3)	\$ (9.3)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (9.3)	\$ (11.8)	\$ 2.5	21.2%

## EXHIBIT M

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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 MAY 2020  
(amounts in millions)

	BALANCE MAY 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE MAY 31, 2020
<b>GENERAL FUND</b>					
10000-10049-Local Assistance Account	\$ -	\$ 0.010	\$ 5,527.736	\$ 5,527.726	\$ -
10050-10099-State Operations Account	10,052.258	2,694.553	1,216.987	(4,249.766)	7,280.058
10100-10149-Tax Stabilization Reserve	-	-	-	-	-
10150-10199-Contingency Reserve	-	-	-	-	-
10200-10249-Universal Pre-K Reserve	-	-	-	-	-
10250-10299-Community Projects	-	-	-	-	-
10300-10349-Rainy Day Reserve Fund	30.216	-	0.050	-	30.166
10400-10449-Refund Reserve Account	-	-	-	-	-
10500-10549-Fringe Benefits Escrow	-	-	-	-	-
10550-10599-Tobacco Revenue Guarantee	-	-	-	-	-
<b>TOTAL GENERAL FUND</b>	<b>10,082.474</b>	<b>2,694.563</b>	<b>6,744.773</b>	<b>1,277.960</b>	<b>7,310.224</b>
<b>SPECIAL REVENUE FUNDS-STATE</b>					
20000-20099-Mental Health Gifts and Donations	0.824	0.001	-	-	0.825
20100-20299-Combined Expendable Trust	70.067	0.516	0.149	-	70.434
20300-20349-New York Interest on Lawyer Account	107.584	2.859	0.108	-	110.335
20350-20399-NYS Archives Partnership Trust	(0.036)	-	0.031	-	(0.067)
20400-20449-Child Performer's Protection	0.026	0.002	0.035	0.600	0.593
20450-20499-Tuition Reimbursement	8.115	0.021	0.232	-	7.904
20500-20549-New York State Local Government Records Management Improvement	3.710	0.424	0.218	-	3.916
20550-20599-School Tax Relief	0.002	-	(0.002)	-	0.004
20600-20649-Charter Schools Stimulus	6.092	0.005	-	-	6.097
20650-20699-Not-For-Profit Short Term Revolving Loan	-	-	-	-	-
20800-20849-HCRA Resources	95.765	448.126	463.320	(0.488)	80.083
20850-20899-Dedicated Mass Transportation Trust	63.579	23.407	41.700	-	45.286
20900-20949-State Lottery	271.976	142.828	37.225	-	377.579
20950-20999-Combined Student Loan	20.537	1.418	0.276	-	21.679
21000-21049-Sewage Treatment Program Mgmt. & Administration	(3.403)	-	0.064	-	(3.467)
21050-21149-Encon Special Revenue	2.583	2.233	6.156	-	(1.340)
21150-21199-Conservation	82.749	3.027	2.404	-	83.372
21200-21249-Environmental Protection and Oil Spill Compensation	26.063	1.825	1.516	(1.959)	24.413
21250-21299-Training and Education Program on OSHA	16.177	0.014	2.490	-	13.701
21300-21349-Lawyers' Fund for Client Protection	11.755	1.046	2.989	-	9.812
21350-21399-Equipment Loan for the Disabled	0.544	0.001	-	-	0.545
21400-21449-Mass Transportation Operating Assistance	578.085	44.928	0.188	(0.163)	622.662
21450-21499-Clean Air	(34.545)	1.283	2.743	-	(36.005)
21500-21549-New York State Infrastructure Trust	0.071	-	-	-	0.071
21550-21599-Legislative Computer Services	12.323	0.104	0.145	-	12.282
21600-21649-Biodiversity Stewardship and Research	-	-	-	-	-
21650-21699-Combined Non-Expendable Trust	0.467	0.002	-	-	0.469
21700-21749-Winter Sports Education Trust	-	-	-	-	-
21750-21799-Musical Instrument Revolving	-	-	-	-	-
21850-21899-Arts Capital Grants	-	-	-	-	-
21900-22499-Miscellaneous State Special Revenue	0.984	0.002	-	-	0.986
22500-22549-Court Facilities Incentive Aid	1,350.646	167.556	169.114	22.928	1,372.016
	69.465	0.023	4.084	-	65.404

## 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 MAY 2020  
(amounts in millions)

	BALANCE MAY 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE MAY 31, 2020
<b>SPECIAL REVENUE FUNDS-STATE (CONTINUED)</b>					
22550-22599-Employment Training	0.052	-	-	-	0.052
22650-22699-State University Income	1,401.998	336.331	452.205	-	1,308.666
22700-22749-Chemical Dependence Service	10.146	0.008	0.010	22.542	10.144
22750-22799-Lake George Park Trust	0.061	-	0.090	-	(0.029)
22800-22849-State Police Motor Vehicle Law Enforcement and Motor Vehicle Theft and Insurance Fraud Prevention	26.096	8.815	0.023	-	34.888
22850-22899-New York Great Lakes Protection	0.545	-	0.011	-	0.534
22900-22949-Federal Revenue Maximization	0.024	-	-	-	0.024
22950-22999-Housing Development	10.631	0.008	-	-	10.639
23000-23049-NYS/DOT Highway Safety Program	(14.732)	0.044	0.263	-	(14.951)
23050-23099-Vocational Rehabilitation	0.059	-	-	-	0.059
23100-23149-Drinking Water Program Management and Administration	(5.351)	-	-	-	(5.351)
23150-23199-NYC County Clerks' Operations Offset	(28.447)	-	1.698	-	(30.145)
23200-23249-Judiciary Data Processing Offset	52.236	4.224	2.113	-	54.347
23250-23449-IFR/CUTRA	202.986	0.997	0.406	-	203.577
23500-23549-USOC Lake Placid Training	0.308	0.005	-	-	0.313
23550-23599-Indigent Legal Services	444.704	18.853	8.121	-	455.436
23600-23649-Unemployment Insurance Interest and Penalty	31.879	0.387	0.332	-	31.934
23650-23699-MTA Financial Assistance Fund	127.433	0.092	-	12.500	140.025
23700-23749-New York State Commercial Gaming Fund	7.666	0.001	0.296	-	7.371
23750-23799-Medical Marijuana Trust Fund	11.862	0.587	0.232	-	12.217
23800-23899-Dedicated Miscellaneous State Special Revenue	2.997	0.205	0.032	-	3.170
24850-24899-Health Care Transformation	315.995	0.251	-	-	316.246
24900-24949-Charitable Gifts Trust Fund	95.770	0.075	-	-	95.845
24950-24999-Interactive Fantasy Sports	19.760	0.043	-	-	19.803
40350-40399-State University Dormitory Income	219.300	(44.364)	-	(8.905)	166.031
<b>TOTAL SPECIAL REVENUE FUNDS-STATE</b>	<b>5,696.183</b>	<b>1,168.213</b>	<b>1,201.017</b>	<b>47.055</b>	<b>5,710.434</b>
<b>SPECIAL REVENUE FUNDS-FEDERAL</b>					
25000-25099-Federal USDA/Food and Consumer Services	(92.428)	157.505	91.938	-	(26.861)
25100-25199-Federal Health and Human Services	674.267	3,766.144	3,855.557	(135.412)	449.442
25200-25249-Federal Education	(32.487)	66.490	51.425	-	(17.422)
25300-25899-Federal Miscellaneous Operating Grants	4,861.499	102.685	85.150	-	4,879.034
25900-25949-Unemployment Insurance Administration	117.939	60.670	26.047	-	152.562
25950-25999-Unemployment Insurance Occupational Training	(0.370)	0.141	0.194	-	(0.423)
26000-26049-Federal Employment and Training Grants	(0.654)	4.365	10.240	-	(6.529)
<b>TOTAL SPECIAL REVENUE FUNDS-FEDERAL</b>	<b>5,627.766</b>	<b>4,168.000</b>	<b>4,120.551</b>	<b>(135.412)</b>	<b>5,429.803</b>
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>11,223.949</b>	<b>5,326.213</b>	<b>5,321.568</b>	<b>(88.357)</b>	<b>11,140.237</b>
<b>DEBT SERVICE FUNDS</b>					
40000-40049-Debt Reduction Reserve	-	-	-	-	-
40100-40149-Mental Health Services	217.912	18.055	-	(71.943)	164.024
40150-40199-General Debt Service	129.537	1,284.408	11.280	(1,165.168)	237.497
40250-40299-State Housing Debt Service	-	0.305	-	(0.305)	-
40300-40349-Department of Health Income	45.478	(4.642)	13.165	(5.072)	22.599
40400-40449-Clean Water/Clean Air	-	48.376	-	(48.376)	-
40450-40499-Local Government Assistance Tax	-	184.863	-	(86.938)	97.925
<b>TOTAL DEBT SERVICE FUNDS</b>	<b>392.927</b>	<b>1,531.365</b>	<b>24.445</b>	<b>(1,377.802)</b>	<b>522.045</b>

## 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 MAY 2020  
(amounts in millions)

	BALANCE MAY 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE MAY 31, 2020
<b>CAPITAL PROJECTS FUNDS</b>					
30000-30049-State Capital Projects	-	0.183	204.145	203.962	-
30050-30099-Dedicated Highway and Bridge Trust	(51.461)	87.392	134.589	(10.722)	(109.380)
30100-30299-SUNY Residence Halls Rehabilitation and Repair	146.739	0.117	9.693	(7.800)	129.363
30300-30349-New York State Canal System Development	14.077	0.011	-	-	14.088
30350-30399-Parks Infrastructure	(57.815)	-	17.303	-	(75.118)
30400-30449-Passenger Facility Charge	0.015	-	-	-	0.015
30450-30499-Environmental Protection	63.853	1.365	5.786	-	59.432
30500-30549-Clean Water/Clean Air Implementation	-	-	-	-	-
30600-30699-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	17.329	-	-	(0.110)	17.219
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	(556.604)	102.690	113.956	-	(567.870)
31450-31499-Forest Preserve Expansion	1.080	0.001	-	-	1.081
31500-31549-Hazardous Waste Remedial	(85.204)	1.114	2.859	(0.833)	(87.782)
31650-31699-Suburban Transportation	0.539	-	-	-	0.539
31700-31749-Division for Youth Facilities Improvement	(22.039)	-	0.885	-	(22.924)
31800-31849-Housing Assistance	(12.942)	-	-	-	(12.942)
31850-31899-Housing Program	(216.259)	-	33.823	-	(250.082)
31900-31949-Natural Resource Damage	17.083	0.014	0.024	-	17.073
31950-31999-DOT Engineering Services	(11.969)	-	-	-	(11.969)
32200-32249-Miscellaneous Capital Projects	120.516	(6.978)	8.361	1.161	106.338
32250-32299-CUNY Capital Projects	0.021	0.002	-	-	0.023
32300-32349-Mental Hygiene Facilities Capital Improvement	(361.324)	26.650	6.534	-	(341.208)
32350-32399-Correction Facilities Capital Improvement	(347.419)	-	14.853	-	(362.272)
32400-32999-State University Capital Projects	167.719	0.616	5.335	-	163.000
33000-33049-NYS Storm Recovery Fund	(49.698)	-	1.358	-	(51.056)
33050-33099-Dedicated Infrastructure Investment Fund	49.126	-	6.464	-	42.662
<b>TOTAL CAPITAL PROJECTS FUNDS</b>	<b>(1,155.046)</b>	<b>213.177</b>	<b>565.968</b>	<b>185.658</b>	<b>(1,322.179)</b>
<b>TOTAL GOVERNMENTAL FUNDS</b>	<b>\$ 20,544.304</b>	<b>\$ 9,765.318</b>	<b>\$ 12,656.754</b>	<b>\$ (2,541)</b>	<b>\$ 17,650.327</b>

## SCHEDULE 2

STATE OF NEW YORK  
 PROPRIETARY FUNDS  
 SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
 CHANGES IN FUND BALANCES  
 FISCAL YEAR 2020-2021  
 FOR THE MONTH OF MAY 2020  
 (amounts in millions)

<u>FUND TYPE</u>	<u>BALANCE MAY 1, 2020</u>	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	<u>OTHER FINANCING SOURCES (USES)</u>	<u>BALANCE MAY 31, 2020</u>
<b><u>ENTERPRISE FUNDS</u></b>					
50000-50049-Youth Commissary	\$ 0.101	-	-	\$ -	\$ 0.101
50050-50099-State Exposition Special	0.865	0.001	0.463	-	0.403
50100-50299-Correctional Services Commissary	4.423	4.006	4.351	-	4.078
50300-50399-Agencies Enterprise	6.727	0.612	1.017	-	6.322
50400-50449-Sheltered Workshop	2.227	0.020	0.003	-	2.244
50450-50499-Patient Workshop	1.885	0.003	0.004	-	1.884
50500-50599-Mental Hygiene Community Stores	4.965	0.114	0.074	-	5.005
50650-50699-Unemployment Insurance	24.740	8,255.029	8,263.909	-	15.860
<b>TOTAL ENTERPRISE FUNDS</b>	<b>45.933</b>	<b>8,259.785</b>	<b>8,269.821</b>	<b>-</b>	<b>35.897</b>
<b><u>INTERNAL SERVICE FUNDS</u></b>					
55000-55049-Centralized Services	(107.606)	17.892	22.043	0.102	(111.655)
55050-55099-Agency Internal Service	(92.540)	2.447	9.685	2.430	(97.348)
55100-55149-Mental Hygiene Revolving	(0.057)	0.136	0.054	-	0.025
55150-55199-Youth Vocational Education	0.076	-	-	-	0.076
55200-55249-Joint Labor and Management Administration	0.502	-	0.075	(0.001)	0.426
55250-55299-Audit and Control Revolving	(40.035)	-	3.655	(0.024)	(43.714)
55300-55349-Health Insurance Revolving	(15.849)	0.031	1.202	-	(17.020)
55350-55399-Correctional Industries Revolving	(25.500)	1.709	6.274	0.034	(30.031)
<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b>(281.009)</b>	<b>22.215</b>	<b>42.988</b>	<b>2.541</b>	<b>(299.241)</b>
<b>TOTAL PROPRIETARY FUNDS</b>	<b>\$ (235.076)</b>	<b>\$ 8,282.000</b>	<b>\$ 8,312.809</b>	<b>\$ 2.541</b>	<b>\$ (263.344)</b>

## 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 MAY 2020  
(amounts in millions)

FUND TYPE	BALANCE MAY 1, 2020	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE MAY 31, 2020
<b><u>PENSION TRUST FUNDS</u></b>					
65000-65049-Common Retirement Administration	\$ (5,368)	\$ 5,482	\$ 9,374	\$ -	\$ (9,260)
<b>TOTAL PENSION TRUST FUNDS</b>	<b>(5,368)</b>	<b>5,482</b>	<b>9,374</b>	<b>-</b>	<b>(9,260)</b>
<b><u>PRIVATE PURPOSE TRUST FUNDS</u></b>					
66000-66049-Agriculture Producers' Security	3,075	0,003	0,017	-	3,061
66050-66099-Milk Producers' Security	11,364	0,070	0,020	-	11,414
<b>TOTAL PRIVATE PURPOSE TRUST FUNDS</b>	<b>14,439</b>	<b>0,073</b>	<b>0,037</b>	<b>-</b>	<b>14,475</b>
<b><u>AGENCY FUNDS</u></b>					
60050-60149-School Capital Facilities Financing Reserve	18,710	0,397	1,750	-	17,357
60150-60199-Child Performer's Holding	0,535	0,006	0,001	-	0,540
60200-60249-Employees Health Insurance	853,684	708,158	828,395	-	733,447
60250-60299-Social Security Contribution	15,063	99,939	99,956	-	15,046
60300-60399-Employee Payroll Withholding	67,684	362,080	391,270	-	38,494
60400-60449-Employees Dental Insurance	23,968	5,064	5,846	-	23,186
60450-60499-Management Confidential Group Insurance	0,764	0,707	0,716	-	0,755
60500-60549-Lottery Prize	574,026	51,120	41,007	-	584,139
60550-60599-Health Insurance Reserve Receipts	0,145	0,001	-	-	0,146
60600-60799-Miscellaneous New York State Agency	906,713	537,023	554,322	-	889,414
60800-60849-Elderly Pharmaceutical Insurance Coverage (EPIC) Escrow	27,163	5,467	2,615	-	30,015
60850-60899-CUNY Senior College Operating	28,150	180,588	207,061	-	1,677
60900-60949-Medicaid Management Information System (MMIS) Escrow	1,951,603	5,903,993	5,946,891	-	1,908,705
60950-60999-Special Education	-	-	-	-	-
61000-61099-State University of New York Revenue Collector	123,503	(10,705)	-	-	112,798
61100-61999-State University Federal Direct Lending Program	(0,963)	7,929	15,194	-	(8,228)
62000-62049-SSI SSP Payment Escrow	-	-	-	-	-
<b>TOTAL AGENCY FUNDS</b>	<b>4,590,748</b>	<b>7,851,767</b>	<b>8,095,024</b>	<b>-</b>	<b>4,347,491</b>
<b>TOTAL FIDUCIARY FUNDS</b>	<b>\$ 4,599,819</b>	<b>\$ 7,857,322</b>	<b>\$ 8,104,435</b>	<b>\$ -</b>	<b>\$ 4,352,706</b>

## 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 MAY 2020  
 (amounts in millions)

FUND TYPE	BALANCE		RECEIPTS	DISBURSEMENTS	BALANCE MAY 31, 2020	
	MAY 1, 2020					
<b>ACCOUNTS</b>						
70000-70049-Tobacco Settlement	\$	2,884	\$	0.002	\$	2,886
70093, 70095, 70300-70301-MTA State Assistance		177,012		134,501		166,327
70050-70149-Sole Custody Investment (*)		2,040,200		2,240,898		2,000,962
70200-Comptroller's Refund Account		-		285,342		-
<b>TOTAL ACCOUNTS</b>						
	\$	2,220,096	\$	2,660,743	\$	2,170,175

## (\*) 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 May 31, 2020, \$9,534,837.57 (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 MAY 31, 2020	INTEREST DISBURSED	
		MONTH OF MAY	2 MONTHS ENDED MAY 31, 2020	MONTH OF MAY	2 MONTHS ENDED MAY 31, 2020		MONTH OF MAY	2 MONTHS ENDED MAY 31, 2020
GENERAL OBLIGATION BONDED DEBT:								
Accelerated Capacity and Transportation Improvements	\$ 11,445,463	\$ -	\$ -	\$ -	\$ 720,219	\$ 10,725,244	\$ -	\$ 100,151
Clean Water/Clean Air:								
Air Quality	1,795,354	-	-	-	-	1,795,354	-	-
Safe Drinking Water	-	-	-	-	-	-	-	-
Clean Water	298,595,491	-	-	-	10,184,660	288,410,831	-	1,387,889
Solid Waste	16,287,590	-	-	-	1,659,267	14,628,323	-	65,062
Environmental Restoration	40,070,447	-	-	-	160,000	39,910,447	-	12,375
Energy Conservation Through Improved Transportation:								
Rapid Transit and Rail Freight	1,198,754	-	-	-	116,298	1,082,466	-	25,458
Environmental Quality (1972):								
Air	3,184	-	-	-	-	3,184	-	-
Land and Wetlands	4,939,861	-	-	-	25,000	4,914,861	-	1,875
Water	6,370,803	-	-	-	715,000	5,655,803	-	60,750
Environmental Quality (1986):								
Land Acquisition/Development/Restoration/Forests	5,309,545	-	-	-	486,025	4,823,520	-	23,721
Solid Waste Management	91,992,747	-	-	-	7,260,923	84,731,824	-	848,020
Housing:								
Low Income	5,840,000	-	-	-	-	5,840,000	-	-
Middle Income	4,035,000	-	-	-	-	4,035,000	-	-
Park and Recreation Land Acquisition	-	-	-	-	-	-	-	-
Pure Waters	15,498,329	-	-	-	946,959	14,551,370	-	131,202
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	-	49,370
Smart Schools Bond Act	161,307,133	-	-	-	-	161,307,133	-	-
Transportation Capital Facilities:								
Aviation	2,090,099	-	-	-	246,478	1,843,621	-	46,824
Mass Transportation	-	-	-	-	-	-	-	-
Total General Obligation Bonded Debt	\$ 2,130,689,999	\$ -	\$ -	\$ -	\$ 23,000,000	\$ 2,107,689,999	\$ -	\$ 2,752,687

STATE OF NEW YORK DEBT SERVICE FUNDS FINANCING AGREEMENTS FOR THE TWO MONTHS ENDED MAY 31, 2020										SCHEDULE 6a
	DEBT REDUCTION RESERVE (40000-40049)	GENERAL DEBT SERVICE (40151)	DEPARTMENT OF HEALTH INCOME (40300-40349)	LOCAL GOVERNMENT ASSISTANCE TAX (40450-40499)	MENTAL HEALTH SERVICES (40700-40749)	REVENUE BOND TAX (40752)	SALES TAX REVENUE BOND TAX (40754)	COMBINED TOTALS		\$ INCREASE/ (DECREASE)
								2020	2019	
Special Contractual Financing Obligations:										
Payments to Public Authorities:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 54,720,301	\$ (54,720,301)
Domitory Authority:										
Consolidated Service Contract Refunding	-	-	-	-	-	-	-	-	-	-
DASNY Revenue Bond	-	-	-	-	-	-	-	-	-	-
Department of Health Facilities	-	-	12,802,026	-	-	-	-	12,802,026	13,080,876	(278,850)
Mental Health Facilities	-	-	-	-	-	-	-	-	17,996	(17,996)
Secured Hospital Program	-	-	-	-	-	-	-	-	-	-
SUNY Community Colleges	-	-	-	-	-	-	-	-	-	-
SUNY Educational Facilities	-	-	-	-	-	-	-	-	-	-
Environmental Facilities Corporation	-	-	-	-	-	-	-	-	-	-
Housing Finance Agency	-	-	-	-	-	-	-	-	-	-
Local Government Assistance Corporation	-	-	-	-	-	-	-	-	8,402,319	(8,402,319)
Metropolitan Transportation Authority:										
Transit and Commuter Rail Projects	-	-	-	-	-	-	-	-	-	-
Thruway Authority:										
Dedicated Highway and Bridge	-	21,409,271	-	-	-	-	-	21,409,271	90,139,966	(68,730,695)
Local Highway and Bridge	-	-	-	-	-	-	-	-	-	-
Transportation	-	-	-	-	-	-	-	-	-	-
Urban Development Corporation:										
Clarkson University	-	-	-	-	-	-	-	-	-	-
Columbia University Telecommunications Center	-	-	-	-	-	-	-	-	-	-
Consolidated Service Contract Refunding	-	-	-	-	-	-	-	-	-	-
Cornell Univer. Supercomputer Center	-	-	-	-	-	-	-	-	-	-
Correctional Facilities	-	-	-	-	-	-	-	-	-	-
Debt Reduction Reserve	-	-	-	-	-	-	-	-	-	-
UDC Revenue Bond	-	-	-	-	-	-	-	-	-	-
University Facilities Grant 95 Refunding	-	-	-	-	-	-	-	-	-	-
Total Disbursements for Special Contractual Financing Obligations	\$ -	\$ 21,409,271	\$ 12,802,026	\$ -	\$ -	\$ -	\$ -	\$ 34,211,297	\$ 166,361,468	\$ (132,150,161)

## SCHEDULE 6

STATE OF NEW YORK  
SUMMARY OF THE OPERATING FUND INVESTMENTS  
FOR THE MONTH OF MAY 2020  
AS REQUIRED OF THE STATE COMPTROLLER  
(amounts in millions)

	MONTH OF MAY 2020	FISCAL YEAR TO DATE	PRIOR FISCAL YEAR TO DATE
<b>SHORT TERM INVESTMENT POOL (*)</b>			
AVERAGE DAILY INVESTMENT BALANCE (**)	\$ 26,422.2	\$ 24,532.9	\$ 20,311.4
AVERAGE YIELD (**)	0.208%	0.579%	2.491%
TOTAL INVESTMENT EARNINGS	\$ 4,702	\$ 22,490	\$ 82,558

**Month-End Portfolio Balances**

DESCRIPTION	MAY 2020 PAR AMOUNT	MAY 2019 PAR AMOUNT
GOVT. AGENCY BILLS/NOTES	\$ 11,871.1	\$ 782.7
REPURCHASE AGREEMENTS	20.9	28.7
GOVT. SPONSORED AGENCIES	949.0	-
COMMERCIAL PAPER	8,165.2	12,968.7
CERTIFICATES OF DEPOSIT/SAVINGS	2,958.9	2,951.1
0% COMPENSATING BALANCE CDs	48.0	158.0
	<b>\$ 24,013.1</b>	<b>\$ 16,889.2</b>

(\*) 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	2 Months Ended May 31, 2020
<b>OPENING CASH BALANCE</b>	\$ 15,704,540	\$ 95,764,658											\$ 15,704,540
<b>RECEIPTS:</b>													
Cigarette Tax	68,786,104	51,352,065											120,138,169
State Share of NYC Cigarette Tax	2,160,000	1,133,000											3,293,000
Vapor Excise Tax	25,877	68,976											95,853
STIP Interest	382,848	258,771											641,619
Public Asset Transfers	-	-											-
Assessments	478,443,458	390,720,867											869,164,325
Fees	327,000	46,000											373,000
Refunds	12,000	4,545,140											4,557,140
Restitution and Settlements	-	-											-
Miscellaneous	-	-											-
<b>Total Receipts</b>	<b>550,137,287</b>	<b>448,125,819</b>											<b>998,263,106</b>
<b>DISBURSEMENTS:</b>													
Grants	486,021,724	462,778,011											948,799,735
Interest - Late Payments	36	22											58
Non-Personal Services	1,509,825	534,892											2,044,717
Non-Personal Service	55,956	(291,867)											(235,911)
Employee Benefits/Indirect Costs	612,447	299,051											911,498
<b>Total Disbursements</b>	<b>488,199,325</b>	<b>463,320,209</b>											<b>951,519,534</b>
<b>OPERATING TRANSFERS:</b>													
Transfers to Capital Projects Fund	-	-											-
Transfers to General Fund	-	-											-
Transfers to Revenue Bond Tax Fund	-	-											-
Transfers to Statewide Special Revenue Fund:													
Administration Program Account	989,254	-											989,254
Empire State Stem Cell Trust Account	-	-											-
Transfers to SUNY Income Fund	888,590	487,522											1,376,112
<b>Total Operating Transfers</b>	<b>1,877,844</b>	<b>487,522</b>											<b>2,365,366</b>
<b>Total Disbursements and Transfers</b>	<b>470,077,469</b>	<b>463,807,731</b>											<b>933,885,200</b>
<b>CLOSING CASH BALANCE</b>	<b>\$ 95,764,658</b>	<b>\$ 80,082,746</b>											<b>\$ 80,082,746</b>

APPENDIX B

STATE OF NEW YORK  
HCRA RESOURCES FUND  
STATEMENT OF PROGRAM DISBURSEMENTS  
FISCAL YEAR 2020-21

Program/Purpose	Appropriation Amount (*)	May	2 Months Ended May 31, 2020 (**)
<b>CENTER FOR COMMUNITY HEALTH PROGRAM</b>	<b>\$ 8,752,000.00</b>	<b>\$ 229,674.06</b>	<b>\$ 519,290.48</b>
CENTER FOR COMMUNITY HLTH	8,752,000.00	229,674.06	519,290.48
CHILD HEALTH INSURANCE PROGRAM	2,134,768,000.00	17,731,930.42	43,346,183.65
CHILD HEALTH INSURANCE	2,134,768,000.00	17,731,930.42	43,346,183.65
COMMUNITY SUPPORT PROGRAM	120,000.00	-	-
COMMUNITY SUPPORT	120,000.00	-	-
ELDERLY PHARMACEUTICAL INS COVERAGE PRG	384,850,000.00	7,484,622.45	11,176,822.71
ELDERLY PHARMACEUTICAL INS COVERAGE	384,850,000.00	7,484,622.45	11,176,822.71
HEALTH CARE REFORM ACT PROGRAM	1,490,325,059.03	-	84,171.73
AIDS DRUG ASSISTANCE	123,150,000.00	-	-
AMBULATORY CARE TRAINING	3,600,000.00	-	-
AREA HEALTH EDUCATION CENTER	3,324,000.00	-	-
COMMISSIONER EMERGENCY DISTRIBUTIONS	24,700,000.00	-	-
DIAGNOSTIC AND TREATMENT CTR UNCOMPENSATED CARE	163,200,000.00	-	-
DIVERSITY IN MEDICINE	4,732,000.00	-	-
EMPIRE CLINIC RESEARCH INVESTMENT (ECRIP)	10,335,000.00	-	-
HCRA PAYOR / PROVIDER AUDITS	9,440,000.00	-	-
HEALTH FACILITY RESTRUCTURING DASNY	39,200,000.00	-	-
HEALTH WORKFORCE RETRAINING	18,320,000.00	-	-
INFERTILITY SERVICES GRANTS	5,733,000.00	-	-
MEDICAL INDEMNITY FUND	52,000,000.00	-	-
PART 405.4 HOSPITAL AUDITS NYCRR	2,200,000.00	-	-
PHYSICIAN EXCESS MEDICAL MALPRACTICE	359,900,000.00	-	-
PHYSICIAN LOAN REPAYMENT	27,195,000.00	-	-
PHYSICIAN WORKFORCE STUDIES	974,000.00	-	-
POISON CONTROL CENTERS	6,320,000.00	-	-
POOL ADMINISTRATION	5,300,000.00	-	-
ROSWELL PARK CANCER INSTITUTE	89,266,000.00	-	-
ROSWELL PARK COMPREHENSIVE CANCER CENTER	50,000.00	-	-
RURAL HEALTH CARE ACCESS	17,050,000.00	-	-
RURAL HEALTH CARE ACCESS & NETWORK DEVELOPMENT	9,410,000.00	-	-
RURAL HEALTH CARE GRANTS	1,100,000.00	-	-
RURAL HEALTH NETWORK	11,610,000.00	-	61,888.67
SCHOOL BASED HEALTH CLINICS-POOL ADMIN	4,230,000.00	-	-
SCHOOL BASED HEALTH CLINICS-POOL ADMIN	8,460,000.00	-	-
TRANSITION ACCT - PRIOR YEAR ALLOCATION	489,526,059.03	-	-
<b>MEDICAL ASSISTANCE PROGRAM</b>	<b>28,631,301,000.00</b>	<b>437,795,255.71</b>	<b>875,499,971.94</b>
HOME HEALTH RATE INCREASE	300,000,000.00	-	-
MEDICAID INDIGENT CARE	4,999,000,000.00	62,795,255.71	125,499,971.94
MEDICAL ASSISTANCE	22,349,101,000.00	375,000,000.00	750,000,000.00
PSNL CRE WRKR REGR & RETEN NYC (***)	-	-	-
PSNL CRE WRKR REGR & RETEN ROS (****)	-	-	-
<b>NEW YORK STATE OF HEALTH</b>	<b>102,431,000.00</b>	<b>(117,586.61)</b>	<b>952,092.73</b>
NEW YORK STATE OF HEALTH ADMINISTRATION	102,431,000.00	(117,586.61)	952,092.73
<b>OFFICE OF HEALTH INSURANCE PROGRAM</b>	<b>1,834,000.00</b>	<b>-</b>	<b>-</b>
OFFICE OF HEALTH INSURANCE	1,834,000.00	-	-
<b>OFFICE OF HEALTH SYSTEMS MANAGEMENT</b>	<b>68,317,000.00</b>	<b>729,172.17</b>	<b>1,365,689.52</b>
OFFICE OF HEALTH SYSTEMS MANAGEMENT	68,317,000.00	729,172.17	1,365,689.52
<b>OFFICE OF LONG TERM CARE</b>	<b>2,477,800.00</b>	<b>-</b>	<b>-</b>
ADULT HOME INITIATIVE	2,477,800.00	-	-
<b>REVENUE, PROCESSING &amp; RECONCILIATION</b>	<b>8,190,000.00</b>	<b>-</b>	<b>-</b>
REVENUE, PROCESSING & RECONCILIATION	8,190,000.00	-	-
<b>TOTAL</b>	<b>\$ 32,833,365,859.03</b>	<b>\$ 463,853,068.20</b>	<b>\$ 932,944,232.76</b>
Redclass of SUNY Hospital Disprop Share to Transfer	-	(487,522.18)	(1,376,112.30)
Redclass of SUNY Hospital Poison Centers to Transfer	-	-	-
Redclass of SUNY Empire Clinical Research Investigator Program to Transfer	-	-	-
Reconciling Adjustment (P-Card and T-Card)	-	(45,337.03)	(48,586.31)
<b>TOTAL REPORTED AMOUNT</b>	<b>\$ 32,833,365,859.03</b>	<b>\$ 463,320,208.99</b>	<b>\$ 931,519,534.15</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

	2020 APRIL	2020 MAY	2020-21
<b>OPENING CASH BALANCE</b>	<b>\$ 350,947,309.06</b>	<b>\$ 281,288,956.37</b>	<b>\$ 350,947,309.06</b>
<b>RECEIPTS:</b>			
Patient Services	239,677,016.17	215,814,231.82	455,491,247.99
Covered Lives	53,847,873.25	82,062,297.31	135,910,170.56
Provider Assessments	8,662,225.91	4,715,218.20	13,377,444.11
1% Assessments	33,434,667.00	35,313,447.00	68,748,114.00
DASNY - MOE/Recast receivables	-	-	-
Interest Income	4,495.94	4,748.34	9,244.28
Unassigned	68,512,005.99	(71,498,304.35)	(2,986,298.36)
<b>Total Receipts</b>	<b>404,138,284.26</b>	<b>266,411,638.32</b>	<b>670,549,922.58</b>
<b>PROGRAM DISBURSEMENTS:</b>			
Poison Control Centers	-	-	-
School Based Health Center Grants	-	-	-
ECRIP Distributions	-	-	-
<b>Total Program Disbursements</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>404,138,284.26</b>	<b>266,411,638.32</b>	<b>670,549,922.58</b>
<b>OTHER FINANCING SOURCES (USES):</b>			
<b>Transfers From Other Pools:</b>			
Medicaid Disproportionate Share	-	-	-
Health Facility Assessment Fund - Hospital Quality Contribution	4,646,152.00	4,471,658.00	9,117,810.00
<b>Transfers From State Funds:</b>			
HCRA Resources Fund	-	-	-
<b>Total Other Financing Sources</b>	<b>4,646,152.00</b>	<b>4,471,658.00</b>	<b>9,117,810.00</b>
<b>Transfers To Other Pools:</b>			
Medicaid Disproportionate Share	-	-	-
Health Facility Assessment Fund	-	-	-
<b>Transfers To State Funds:</b>			
HCRA Resources Fund	(478,442,788.95)	(390,720,698.34)	(869,163,487.29)
Indigent Care Fund - Matched	-	-	-
Indigent Care Fund - Unmatched	-	-	-
<b>Total Other Financing Uses</b>	<b>(478,442,788.95)</b>	<b>(390,720,698.34)</b>	<b>(869,163,487.29)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(69,658,352.69)</b>	<b>(119,837,402.02)</b>	<b>(189,495,754.71)</b>
<b>CLOSING CASH BALANCE</b>	<b>\$ 281,288,956.37</b>	<b>\$ 161,451,554.35</b>	<b>\$ 161,451,554.35</b>

Source: HCRA - Office of Pool Administration

## APPENDIX D

STATE OF NEW YORK  
STATEMENT OF CASH FLOW - MEDICAID DISPROPORTIONATE SHARE  
FISCAL YEAR 2020-21

	2020 APRIL	2020 MAY	2020-21
<b>OPENING CASH BALANCE</b>	\$ 668.63	\$ 169.03	\$ 668.63
<b>RECEIPTS:</b>			
Interest Income	169.03	84.64	253.67
<b>Total Receipts</b>	<b>169.03</b>	<b>84.64</b>	<b>253.67</b>
<b>PROGRAM DISBURSEMENTS:</b>			
Indigent Care	(62,876,555.04)	(62,876,555.04)	(125,753,110.08)
High Need Indigent Care	-	-	-
Other	234,299.29	143,021.81	377,321.10
<b>Total Program Disbursements</b>	<b>(62,642,255.75)</b>	<b>(62,733,533.23)</b>	<b>(125,375,788.98)</b>
<b>Excess (Deficiency) of Receipts over Disbursements</b>	<b>(62,642,086.72)</b>	<b>(62,733,448.59)</b>	<b>(125,375,535.31)</b>
<b>OTHER FINANCING SOURCES (USES):</b>			
<b>Transfers From Other Pools:</b>			
Public Goods Pool	-	-	-
Health Facility Assessment Fund	-	-	-
<b>Transfers From State Funds:</b>			
HCRA Resources Indigent Care - Matched	31,438,277.52	31,438,277.52	62,876,555.04
HCRA Resources Indigent Care - Unmatched	(233,561.29)	(143,021.81)	(376,583.10)
HCRA Resources Indigent Care - ATB	-	-	-
Federal DHHS Fund	31,438,277.52	31,438,277.52	62,876,555.04
Other	-	-	-
<b>Total Other Financing Sources</b>	<b>62,642,993.75</b>	<b>62,733,533.23</b>	<b>125,376,526.98</b>
<b>Transfers To Other Pools:</b>			
Public Goods Pool	-	-	-
Health Facility Assessment Fund	-	-	-
<b>Transfers To State Funds:</b>			
HCRA Resources Fund Indigent Care Acct	(1,406.63)	(169.03)	(1,575.66)
<b>Total Other Financing Uses</b>	<b>(1,406.63)</b>	<b>(169.03)</b>	<b>(1,575.66)</b>
<b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b>	<b>(499.60)</b>	<b>(84.39)</b>	<b>(583.99)</b>
<b>CLOSING CASH BALANCE</b>	<b>\$ 169.03</b>	<b>\$ 84.64</b>	<b>\$ 84.64</b>

Source: HCRA - Office of Pool Administration

STATE OF NEW YORK  
SUMMARY OF OFF-BUDGET SPENDING REPORT  
FISCAL YEAR 2020-2021  
(amounts in thousands)

## APPENDIX E

	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
<b>DORMITORY AUTHORITY:</b>													
Education - All Other	\$ -	\$ -	-	-	-	-	-	-	-	-	-	-	-
Education - EXCEL	427	2,157	-	-	-	-	-	-	-	-	-	-	2,584
Department of Health - All Other	(1)	-	-	-	-	-	-	-	-	-	-	-	(1)
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
Regional Development	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Capital Assistance Program (CCAP)/RESTORE	525	-	-	-	-	-	-	-	-	-	-	-	525
Multi-modal	-	-	-	-	-	-	-	-	-	-	-	-	-
GenYsis	-	-	-	-	-	-	-	-	-	-	-	-	-
CUNY Senior Colleges	24,128	11,443	-	-	-	-	-	-	-	-	-	-	35,571
CUNY Community Colleges	4,786	1,358	-	-	-	-	-	-	-	-	-	-	6,124
Brooklyn Court Officer Training Academy	26	-	-	-	-	-	-	-	-	-	-	-	26
<b>TOTAL DORMITORY AUTHORITY</b>	<b>29,871</b>	<b>14,958</b>	-	-	-	-	-	-	-	-	-	-	<b>44,829</b>
<b>EMPIRE STATE DEVELOPMENT CORP:</b>													
Regional Development	-	-	-	-	-	-	-	-	-	-	-	-	-
Centers of Excellence	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Capital Assistance Program (CCAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
Empire Opportunity	-	-	-	-	-	-	-	-	-	-	-	-	-
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-	-	-	-	-	-	-	-
State Facilities and Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EMPIRE STATE DEVELOPMENT CORP</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL OFF-BUDGET</b>	<b>\$ 29,871</b>	<b>\$ 14,958</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 44,829</b>

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	February 29, 2020		March 31, 2020		April 30, 2020		Change		May 31, 2020	
		\$	-	\$	-	\$	-	\$	-	\$	-
10050	STATE OPERATIONS AND LOCAL ASSISTANCE										
	TOTAL GENERAL FUND										
	CAPITAL PROJECT AND BOND REIMBURSABLE FUNDS										
30051	HIGHWAY AND BRIDGE CAPITAL	37,142,927.36		65,800,227.45		97,766,859.24		36,666,040.44		134,432,898.68	
30053	AVIATION PURPOSE ACCOUNT										
30101	REHAB/REPAIR MARITIME										
30102	D21RVE- MARITIME										
30103	D36RVE- 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 STONYBROOK										
30112	D13RVE- STONYBROOK										
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 GENESEO										
30126	D06RVE- GENESEO										
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	D23RVE- 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	33,696,298.19		43,951,035.32		57,815,418.01		17,302,961.77		75,118,379.78	
30501	CW/CA IMPLEMENTATION DEC										
30502	CW/CA IMPLEMENTATION STATE										
30503	CW/CA IMPLEMENTATION ERDA										
30504	CW/CA IMPLEMENTATION EFC										
31506	HAZARDOUS WASTE CLEAN UP	109,780,460.28		116,951,090.21		121,469,037.33		2,446,636.55		123,915,673.88	
31701	YOUTH FACILITIES IMPROVEMENT	20,065,381.50		21,234,504.85		22,038,991.82		884,642.34		22,923,634.16	
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	11,601,171.55		35,519,992.10		35,519,992.10		33,822,907.75		69,342,899.85	
31852	HOUSING PROG FD-AFFORD HSG CORP	52,744,957.74		54,496,219.74		54,496,219.74				54,496,219.74	
31853	HOUSING PROG FD-DEPT OF SOCIAL SERVICES	111,678,379.93		126,535,379.93		126,535,379.93				126,535,379.93	
31854	HOUSING PROG FD-HFA										
31951	HIGHWAY FAC PURPOSE	11,969,463.99		11,969,463.99		11,969,463.99				11,969,463.99	

APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	February 29, 2020	March 31, 2020	April 30, 2020	Change	May 31, 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	-	-	-	-	-
32219	NY ENVIRONMENTAL PROTECTION & SPILL REMEDIATION	1,567,485.41	712,729.64	1,085,401.74	225,886.03	1,311,287.77
32301	OPWDD-STATE FACILITIES PRE 12/89	-	-	-	-	-
32302	DSAS-COMMUNITY FACILITIES	-	-	-	-	-
32303	OMH-COMMUNITY FACILITIES	125,826,369.55	114,555,741.54	116,938,407.92	(24,398,106.59)	92,539,301.33
32304	OPWDD-COMMUNITY FACILITIES	-	-	-	-	-
32305	OASAS-COMMUNITY FACILITIES	187,446,381.12	185,174,767.22	176,660,826.46	(733.46)	176,660,093.00
32306	DASNY - OMH ADMIN	-	-	-	-	-
32307	DASNY - OPWDD ADMIN	4,005,576.39	4,005,576.39	4,005,576.39	-	4,005,576.39
32308	DASNY - OASAS ADMIN	883,591.20	883,591.20	883,591.20	-	883,591.20
32309	OMH-STATE FACILITIES	73,421,725.22	54,173,438.31	60,808,680.57	4,283,775.66	65,092,456.23
32310	OPWDD-STATE FACILITIES	-	11,021,897.38	14,521,897.38	-	14,521,897.38
32311	OASAS-STATE FACILITIES	119,787.38	119,787.38	1,619,787.38	-	1,619,787.38
32351	CORR. FACILITIES CAPITAL IMPROVEMENT	-	-	-	-	-
32352	DOCS-REHABILITATION PROJECTS	375,963,356.20	315,985,068.12	347,418,987.52	14,852,829.79	362,271,817.31
32353	CORR. FACILITIES CAPITAL CLOSURE	-	-	-	-	-
33001	STORM RECOVERY ACCOUNT	47,969,080.20	49,661,762.50	49,697,121.10	1,358,496.47	51,055,617.57
	<b>TOTAL CAPITAL AND BOND REIMBURSABLE FUNDS</b>	<b>1,229,999,989.65</b>	<b>1,225,847,992.33</b>	<b>1,314,347,357.88</b>	<b>87,444,336.75</b>	<b>1,401,791,694.63</b>
<b>STATE SPECIAL REVENUE FUNDS</b>						
20401	DOJ-CHILD PERFORMER PROTECTION ACCOUNT	-	-	-	-	-
20452	VOCATIONAL SCHOOL SUPERVISION	-	-	-	-	-
20501	LOCAL GOVERNMENT RECORDS MGMT	-	-	-	-	-
20810	CHILD HEALTH INSURANCE	33,645,568.65	-	23,252,615.40	17,731,930.42	40,984,545.82
20818	EPIC PREMIUM ACCOUNT	-	-	1,091,524.07	2,893,483.04	3,985,007.11
20901	LOTTERY-EDUCATION	507,896,125.07	-	-	-	-
20904	VLT EDUCATION	-	-	-	-	-
21001	ENVR FAC CORP ADM ACCT	-	-	-	-	-
21002	ENCON ADMIN ACCT	4,119,954.43	3,308,151.25	3,403,020.42	63,665.94	3,466,686.36
21061	HAZARDOUS BULK STORAGE	-	-	-	-	-
21064	UTILITY ENVIRONMENTAL REGULATORY ACCOUNT	3,310,799.99	1,672,099.99	1,672,099.99	-	1,672,099.99
21065	FEDERAL GRANTS INDIRECT COST RECOVERY ACCOUNT	-	-	545,960.20	667,676.02	1,213,636.22
21066	ENCON-LOW LEVEL RADIOACTIVE WASTE SITING	4,048,057.01	4,252,701.06	4,488,873.89	170,673.47	4,659,547.36
21067	ENCON-RECREATION	-	-	-	-	-
21077	PUBLIC SAFETY RECOVERY ACCOUNT	-	-	-	-	-
21081	ENVIRONMENTAL REGULATORY	55,561,681.90	55,241,059.13	56,952,437.62	1,750,684.11	58,703,121.73
21082	NATURAL RESOURCES ACCOUNT	13,721,671.85	14,061,571.93	14,468,178.55	73,676.75	14,542,855.30
21084	MINED LAND RECLAMATION ACCT	-	-	-	-	-
21087	GREAT LAKES RESTORATION INITIATIVE	-	-	-	-	-
21201	AUDIT AND CONTROL OIL SPILL	-	-	-	393.00	393.00
21202	HEALTH DEPT OIL SPILL	-	-	-	-	-
21203	DEPT OF ENVIRONMENTAL CONSERVATION OIL SPILL	6,781.28	-	-	-	-
21204	OIL SPILL COMPENSATION	-	-	-	-	-
21205	LICENSE FEE SURCHARGES	-	-	-	-	-
21401	PUBLIC TRANSPORTATION SYSTEMS	4,278,535.34	-	-	-	-
21402	METROPOLITAN MASS TRANSPORTATION	132,616,107.59	-	-	-	-
21451	OPERATING PERMIT PROGRAM	30,389,579.15	31,064,947.07	31,804,676.34	519,424.57	32,324,100.91
21452	MOBILE SOURCE	1,781,901.39	2,235,197.82	2,740,187.81	940,243.32	3,680,431.13
21902	HEALTH-SPARC'S	-	-	-	-	-
21905	THRUWAY AUTHORITY ACCT	6,706,917.23	10,933,659.94	7,891,794.52	3,880,721.84	11,772,516.36
21907	MENTAL-HYGIENE PROGRAM	-	-	-	-	-
21909	FINANCIAL CONTROL BOARD	-	-	-	-	-
21911	RACING REGULATION ACCOUNT	1,148,338.60	1,335,184.38	244,589.09	198,406.90	442,995.99
21912	SU DORM INCOME REIMBURSE	2,624,081.74	2,693,505.28	2,666,191.14	(524,321.13)	2,141,870.01
21937	CRIMINAL JUSTICE IMPROVEMENT	382,157.03	-	676,884.75	(676,884.75)	-
21945	ENV LAB REF FEE	-	-	-	-	-
21959	TRAINING MANAGEMENT AND EVALUATION ACCOUNT	-	-	-	-	-
21981	INDIRECT COST RECOVERY	476,704.53	408,265.90	479,173.93	52,893.76	532,067.69
21982	CLINICAL LAB FEE	10,390,513.57	9,339,666.85	11,306,500.18	(457,377.50)	10,848,122.68
21978	HIGH SCHOOL EQUIVALENCY PROGRAM	324,002.82	-	-	1,619,130.69	1,619,130.69
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	-	-	1,320.60	23,739.76	25,060.36
22017	CAMP SMITH BILLETING ACCOUNT	-	-	-	-	-
22032	BATAVIA SCHOOL FOR THE BLIND	-	8,613,997.26	9,287,377.43	(783,871.09)	8,503,506.34
22034	INVESTMENT SERVICES	16,199,657.39	-	-	-	-
22036	SURPLUS PROPERTY ACCOUNT	-	-	-	-	-

## APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	February 29, 2020	March 31, 2020	April 30, 2020	Change	May 31, 2020
22039	FINANCIAL OVERSIGHT	1,502,379.10	1,783,948.96	361,716.31	277,432.72	639,149.03
22046	REGULATION INDIAN GAMING	88,805,936.35	89,923,974.30	91,390,863.15	1,087,555.68	92,478,418.83
22053	ROME SCHOOL FOR THE DEAF	7,509,287.68	3,364,795.49	3,899,529.89	(528,744.98)	3,370,784.91
22054	DSP-SEIZED ASSETS	1,540,135.32	1,509,970.95	1,452,794.34	(48,351.65)	1,404,442.69
22055	ADMINISTRATIVE ADJUDICATION	22,579,568.61	24,341,032.54	21,194,309.92	(117,255.57)	21,077,054.35
22056	FEDERAL SALARY SHARING	1,843,648.95	-	157,464.11	125,531.71	282,995.82
22062	NYC ASSESSMENT ACCT	-	-	-	-	-
22063	CULTURAL EDUCATION ACCOUNT	4,838,271.78	4,173,497.81	5,463,783.05	767,453.18	6,231,236.23
22078	LOCAL SERVICE ACCOUNT	-	-	-	-	-
22086	DACR MORTGAGE SERVICES	16,217,304.36	15,471,888.02	15,703,370.62	142,585.88	15,845,956.51
22090	HOUSING INDIRECT COST RECOVERY	-	-	-	-	-
22100	DHCR-HOUSING CREDIT AGENCY APPLY FEE	7,788,873.66	6,004,755.07	6,678,995.21	855,458.60	7,534,453.81
22130	LOW INCOME HOUSING CREDIT MONITORING	-	-	-	-	-
22135	EFC-CORPORATION ADMINISTRATION	-	-	-	-	-
22144	MONTRORSE VETERANS HOME	-	-	-	-	-
22151	DEFERRED COMPENSATION ADMIN	68,311.50	120,773.86	188,307.01	(116,668.32)	71,638.69
22156	RENT REVENUE OTHER - NYC	-	-	-	-	-
22158	RENT REVENUE	-	-	-	-	-
22168	TAX REVENUE ARREARAGE ACCOUNT	-	-	-	-	-
22240	NY'S MEDICAL INDEMNITY FUND ACCOUNT	432,650.19	529,329.61	656,853.96	108,942.65	765,796.61
22654	S.U. NON-RESIDENT REV. OFFSET	20,584,135.81	20,610,214.70	20,636,649.34	16,838.80	20,653,488.14
22751	LAKE GEORGE PARK TRUST FUND	-	-	-	29,397.23	29,397.23
22802	STATE POLICE MV ENFORCE	-	-	-	-	-
23001	DOT - HIGHWAY SAFETY PRGM	14,373,503.44	14,330,277.93	14,732,258.42	218,390.03	14,950,648.45
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	58,442,602.32	27,978,018.76	28,447,423.20	1,688,047.67	30,145,470.87
23701	COMMERCIAL GAMING REVENUE	-	-	-	-	-
23702	COMMERCIAL GAMING REGULATION	17,684,647.74	18,017,394.56	18,416,940.79	296,091.00	18,713,031.79
23801	HIGHWAY USE TAX ADMIN	-	-	-	-	-
23806	NY'S SECURE CHOICE ADMIN	-	-	-	-	-
24951	FANTASY SPORTS ADMINISTRATION	-	3,015.01	-	-	-
	<b>TOTAL STATE SPECIAL REVENUE FUNDS</b>	<b>1,098,971,335.07</b>	<b>378,683,666.13</b>	<b>407,712,595.74</b>	<b>32,956,993.76</b>	<b>440,669,389.50</b>
25000-25099	<b>FEDERAL FUNDS</b>					
25100-25199	FEDERAL USDA/FOOD AND NUTRITION SERVICES FUND	15,803,929.59	59,981,547.76	95,333,404.09	(62,627,616.88)	32,705,787.21
25200-25249	FEDERAL HEALTH AND HUMAN SERVICES FUND	138,635,981.76	2,763,923,084.72	2,021,923,896.72	(133,482,943.28)	1,888,440,953.44
25250-25299	FEDERAL EDUCATION GRANTS FUND	41,365,362.44	18,951,886.00	38,115,373.22	(15,804,044.74)	22,311,328.48
25300-25899	FEDERAL DHHS BLOCK GRANTS	-	-	-	-	-
31351	FEDERAL OPERATING GRANTS FUND	448,773,504.79	451,614,036.39	473,547,458.22	(688,610.59)	472,858,847.63
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	482,160,255.04	479,651,782.98	473,545,877.79	7,660,862.38	481,206,740.17
25900-25949	FEDERAL CAPITAL PROJECTS FUND (ALL OTHER)	106,207,733.66	104,148,388.26	104,186,096.82	3,605,584.16	107,771,680.98
25950	UNEMPLOYMENT INSURANCE ADMINISTRATION	10,884,570.87	8,093,858.87	16,391,508.42	2,863,907.90	19,255,414.32
26001-26049	FEDERAL UNEMPLOYMENT INS OCCUPATIONAL TRAINING	394,014.99	594,230.89	356,583.50	135,051.00	491,634.50
	DOL EMPLOYMENT AND TRAINING GRANTS	7,234,548.24	2,405,133.05	654,463.01	5,975,065.40	6,529,498.41
	<b>TOTAL FEDERAL FUNDS</b>	<b>1,260,213,835.04</b>	<b>3,898,120,941.68</b>	<b>3,232,788,592.45</b>	<b>(192,462,824.65)</b>	<b>3,040,325,767.80</b>
60201	<b>AGENCY FUNDS</b>	-	-	-	-	-
60901	EMPLOYEES HEALTH INSURANCE ACCT	-	-	-	-	-
	MMIS - STATE AND FEDERAL	-	-	-	-	-
	<b>TOTAL AGENCY FUNDS</b>	-	-	-	-	-
50318	<b>ENTERPRISE FUND</b>	-	-	-	-	-
50327	OGS CONVENTION CENTER ACCOUNT	381,123.91	221,849.53	416,637.70	47,534.87	464,172.57
	EMPIRE PLAZA GIFT SHOP	297,784.79	193,628.05	186,099.69	11,820.49	197,920.18
	<b>TOTAL ENTERPRISE FUND</b>	<b>678,908.70</b>	<b>415,477.58</b>	<b>602,737.39</b>	<b>59,355.36</b>	<b>662,092.75</b>
55001	<b>INTERNAL SERVICE FUNDS</b>	-	-	-	-	-
55002	CENTRALIZED SERVICES-FLEET MGMT	-	-	-	-	-
55003	CENTRALIZED SERVICES-DATA PROCESSING	-	-	-	-	-
55004	CENTRALIZED SERVICES-PRINTING	1,287,490.42	1,379,068.29	1,443,389.67	136,450.04	1,579,839.71
55005	CENTRALIZED SERVICES-REAL PROPERTY-LABOR	-	-	-	-	-
55006	CENTRALIZED SERVICES-DONATED FOODS	-	132,128.31	-	-	-
55007	CENTRALIZED SERVICES-PERSONAL PROPERTY	3,954,989.22	4,465,004.08	3,991,948.40	(1,010,924.47)	2,981,023.93
55008	CENTRALIZED SERVICES-CONSTRUCTION SERVICES	8,967,706.36	12,143,321.76	13,314,095.96	(748,788.75)	12,565,307.21
55009	CENTRALIZED SERVICES-PASNY	-	-	-	-	-
55010	CENTRALIZED SERVICES-ADMIN SUPPORT	16,734,912.11	21,793,727.51	16,468,905.88	(639,236.63)	15,829,669.25
55011	CENTRALIZED SERVICES-DESIGN AND CONSTR	-	2,841,070.34	3,189,157.47	(719,387.66)	2,469,769.81
55012	CENTRALIZED SERVICES-INSURANCE	235,265.80	233,445.30	231,183.30	(650.00)	230,533.30
55013	CENTRALIZED SERVICES-SECURITY CARD ACCESS	-	-	-	-	-
55014	CENTRALIZED SERVICES-COPS	-	-	-	-	-
55015	CENTRALIZED SERVICES-FOOD SERVICES	-	-	-	-	-
	CENTRALIZED SERVICES-HOMER FOLKS	-	-	-	-	-

## APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

SFS Fund	ACCOUNT TITLE	February 29, 2020	March 31, 2020	April 30, 2020	Change	May 31, 2020
55016	CENTRALIZED SERVICES-IMMICS	1,282,801.41	1,548,891.08	1,604,440.46	56,148.50	1,660,588.96
55017	DOWNSHORE WAREHOUSE	576,428.86	517,219.05	546,194.95	82,675.70	628,870.65
55018	BUILDING ADMINISTRATION	2,743,467.78	4,234,390.95	599,767.75	(522,331.37)	77,436.38
55019	LEASE SPACE INITIATIVE	-	-	-	-	-
55020	OCS ENTERPRISE CONTRACTING ACCT	53,448,438.65	55,515,435.18	57,003,952.89	5,441,157.53	62,445,110.42
55021	NYS MEDIA CENTER	7,746,156.33	7,237,402.82	7,644,944.84	298,489.55	7,943,434.39
55022	BUSINESS SERVICES CENTER	24,357,023.76	26,915,898.76	30,326,931.82	2,538,218.18	32,865,150.00
55052	ARCHIVES RECORD MGMT I.S.	-	103,251.56	-	-	-
55053	FEDERAL SINGLE AUDIT	-	-	-	-	-
55056	CIVIL SERVICE EHS OCCUP HEALTH PROG	-	-	-	-	-
55057	BANKING SERVICES ACCOUNT	207,692.60	-	213,133.60	(181,340.53)	31,793.07
55058	CULTURAL RESOURCE SURVEY	2,012,005.44	2,379,253.82	2,596,909.42	(1,401,169.20)	1,195,740.22
55059	NEIGHBOR WORK PROJECT	11,176,504.94	11,223,387.17	11,703,717.16	(325,067.49)	11,378,649.67
55060	AUTOMATIC/PRINT CHARGEBACKS	-	-	1,523,672.29	1,431,788.67	2,955,460.96
55061	OFT NYT ACCT	2,236,677.51	2,229,110.71	1,630,366.14	-	1,630,366.14
55062	DATA CENTER ACCOUNT	40,374,377.45	41,893,207.51	41,893,207.51	-	41,893,207.51
55066	CYBER SECURITY INTRUSION ACCT	1,261,584.27	1,261,584.27	1,261,584.27	-	1,261,584.27
55067	DOMESTIC VIOLENCE GRANT	103,714.04	49,811.96	93,323.04	25,249.79	118,572.83
55069	CENTRALIZED TECHNOLOGY SERVICES	70,706,182.42	67,479,142.96	43,454,381.48	1,363,678.26	44,818,059.74
55071	LABOR CONTACT CENTER ACCT	-	24,533.09	216,161.90	1,101,049.18	1,317,211.08
55072	HUMAN SERVICES CONTACT CNTR ACCT	-	-	-	223,463.56	223,463.56
55073	TAX CONTACT CENTER ACCT	-	-	-	-	-
55074	CIVIL RECOVERIES ACCT	-	-	-	-	-
55251	EXECUTIVE DIRECTION INTERNAL AUDIT	11,861,156.47	8,769,166.48	9,048,400.98	230,368.43	9,278,769.41
55252	CIO INFORMATION TECHNOLOGY CENTRALIZED SERVICES	24,062,774.37	28,767,480.09	30,986,669.32	3,448,565.15	34,435,234.47
55300	HEALTH INSURANCE INTERNAL SERVICE	9,602,357.74	10,488,312.42	11,648,344.26	1,076,038.42	12,724,382.68
55301	CIVIL SERVICE EMPLOYEE BENEFITS DIV ADM	1,714,421.78	3,775,947.06	4,200,904.35	95,050.64	4,295,954.99
55350	CORR INDUSTRIES INTERNAL SERVICE	39,359,048.73	22,542,328.99	25,500,113.71	4,530,743.60	30,030,857.31
	<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b>336,013,178.46</b>	<b>339,943,521.52</b>	<b>322,333,802.82</b>	<b>16,530,239.10</b>	<b>338,866,041.92</b>
	<b>GRAND TOTAL - TEMPORARY LOANS OUTSTANDING</b>	<b>\$ 3,925,877,244.92</b>	<b>\$ 5,843,011,599.24</b>	<b>\$ 5,277,786,886.28</b>	<b>\$ (55,471,899.68)</b>	<b>\$ 5,222,314,986.60</b>

(\*) 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 funds/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(\*)  
STATEMENT OF RECEIPTS AND DISBURSEMENTS  
FISCAL YEAR 2020-2021

APPENDIX G

	2020 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2021 JANUARY	FEBRUARY	MARCH	2 Months Ended May 31, 2020
<b>OPENING CASH BALANCE</b>	\$ 86,513,214	\$ 48,126,483											\$ 86,513,214
<b>RECEIPTS:</b>													
Transfers from General Fund (**)	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Receipts</b>	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>DISBURSEMENTS:</b>													
Affordable and Homeless Housing	-	-	-	-	-	-	-	-	-	-	-	-	-
Broadband Initiative	1,735,855	1,420,080	-	-	-	-	-	-	-	-	-	-	3,155,935
Downtown Revitalization	-	-	-	-	-	-	-	-	-	-	-	-	-
Empire State Poverty Reduction Initiatives	2,457,343	88,175	-	-	-	-	-	-	-	-	-	-	2,545,518
Health Care / Hospital Initiatives	2,586,638	3,634,367	-	-	-	-	-	-	-	-	-	-	6,221,005
Information Technology/Infrastructure for Behavioral Sciences	-	-	-	-	-	-	-	-	-	-	-	-	-
Infrastructure Improvements	-	-	-	-	-	-	-	-	-	-	-	-	-
Justice Center Expansion	-	-	-	-	-	-	-	-	-	-	-	-	-
Life Sciences Initiative	2,500,000	1,500,000	-	-	-	-	-	-	-	-	-	-	4,000,000
Municipal Restructuring / Consolidation Competition	3,054,840	(2,778,292)	-	-	-	-	-	-	-	-	-	-	276,548
Penn Station Access	-	-	-	-	-	-	-	-	-	-	-	-	-
Resiliency, Mitigation, Security and Emergency Response	-	-	-	-	-	-	-	-	-	-	-	-	-
Southern Tier / Hudson Valley Farm Initiative	-	-	-	-	-	-	-	-	-	-	-	-	-
Thruway Stabilization Program	-	79,325	-	-	-	-	-	-	-	-	-	-	10,520,201
Transformative Economic Development Projects	10,440,876	-	-	-	-	-	-	-	-	-	-	-	-
Transportation Capital Plan	-	-	-	-	-	-	-	-	-	-	-	-	-
Update Revitalization Program	14,611,179	2,520,763	-	-	-	-	-	-	-	-	-	-	17,131,942
<b>Total Disbursements</b>	<b>37,386,731</b>	<b>6,464,418</b>											<b>43,851,149</b>
<b>OPERATING TRANSFERS:</b>													
Transfers to General Fund	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Transfers</b>	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Disbursements and Transfers</b>	<b>37,386,731</b>	<b>6,464,418</b>											<b>43,851,149</b>
<b>CLOSING CASH BALANCE</b>	<b>\$ 49,126,483</b>	<b>\$ 42,662,065</b>											<b>\$ 42,662,065</b>

(\*) Fund created pursuant to Chapter 60, Laws of 2015-16, Part H and SFL § 93-b

(\*\*) Pursuant to Section 93(b) of the State Finance Law

## APPENDIX H

STATE OF NEW YORK  
MEDICAL ASSISTANCE DISBURSEMENTS - STATE FUNDS<sup>(1)</sup>  
FISCAL YEAR 2020-2021

	MAY 2020			2 MONTHS ENDED MAY 31		
	Department of Health	Other State Agencies	May	Department of Health	Other State Agencies	Year to Date
Adult State Share Medicaid	\$ -	\$ -	\$ -	\$ -	\$ 376,607.00	\$ 376,607.00
State Share Medicaid	-	-	-	-	268,110.38	268,110.38
Medical Assistance (OPWDD)	-	-	-	-	-	-
Medical Assistance Administration	-	-	-	-	-	-
Population Health Improvement	36,200.41	-	36,200.41	3,390,293.15	11,415,893.00	14,806,146.15
Traumatic Brain Injury Services	1,611,176.85	-	1,611,176.85	229,813.18	-	229,813.18
Nursing Home Transition & Diversion	-	-	-	1,796,336.38	-	1,796,336.38
Reducing Maternal Mortality	-	-	-	-	-	-
New York Connects	-	71,088.12	71,088.12	-	-	-
Facilitated Enrollment	-	-	-	-	702,310.97	702,310.97
Emergency Medical Transportation	159,356.82	-	159,356.82	159,356.82	-	159,356.82
Managed Long-Term Care Ombudsman	750,000.00	-	750,000.00	750,000.00	-	750,000.00
Major Academic Pool	-	-	-	1,018,708.63	-	1,018,708.63
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	-	35,239,490.00	35,239,490.00	-	35,239,490.00
Rural Transportation	-	-	-	-	-	-
AIDS Epidemic	-	-	-	96,811.04	-	96,811.04
Fluoridation Systems	-	-	-	-	-	-
Expanding Caregiver Support Services	598,857.89	-	598,857.89	3,267,491.99	-	3,267,491.99
Provide Affordable Housing	1,711,998.62	-	1,711,998.62	2,948,534.76	270,415.25	3,218,950.01
Health Homes Establishment	376,446.03	-	376,446.03	376,446.03	-	376,446.03
Community Provider Network	(1,320,927.55)	-	(1,320,927.55)	(1,320,927.55)	-	(1,320,927.55)
Inpatient Services	34,211,353.78	-	34,211,353.78	34,234,446.83	-	34,234,446.83
Patient Centered Medical Homes	46,974,452.85	-	46,974,452.85	46,974,452.85	-	46,974,452.85
Outpatient & Emergency Room Services	35,654,299.04	-	35,654,299.04	37,504,155.53	-	37,504,155.53
Clinic Services	20,989,408.86	-	20,989,408.86	22,451,504.81	-	22,451,504.81
Nursing Home Services	88,939,502.97	-	88,939,502.97	118,143,575.45	-	118,143,575.45
Other Long Term Care Services	536,052,348.45	-	536,052,348.45	756,451,414.76	-	756,451,414.76
Managed Care Services	306,327,428.79	-	306,327,428.79	291,870,867.09	-	291,870,867.09
Pharmacy Services	19,445,737.84	-	19,445,737.84	21,757,898.88	-	21,757,898.88
Transportation Services	9,986,356.32	-	9,986,356.32	6,166,224.36	-	6,166,224.36
Dental Services	268,092.53	-	268,092.53	231,509.53	-	231,509.53
Non-Institutional & Other	155,011,250.97	-	155,011,250.97	190,854,278.35	141,298.00	190,995,576.35
Medical Services State Facilities	72,390,582.78	-	72,390,582.78	312,145,070.70	-	312,145,070.70
CSEA Family Health Plus Buy In	-	-	-	128,097.47	-	128,097.47
DC37 & Teanister Local 858	-	-	-	-	-	-
Medical Assistance (HCRA)	375,000,000.00	-	375,000,000.00	750,000,000.00	-	750,000,000.00
Indigent Care	62,795,255.71	-	62,795,255.71	125,495,971.94	-	125,495,971.94
Provider Assessments	36,933,000.00	-	36,933,000.00	128,433,000.00	-	128,433,000.00
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	-	-	-	-	-	-
<b>TOTAL<sup>(1)</sup></b>	<b>1,840,141,669.96</b>	<b>71,088.12</b>	<b>1,840,212,758.08</b>	<b>2,890,800,792.98</b>	<b>13,174,634.60</b>	<b>2,903,975,417.58</b>
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers.	(82,390,260.82)	-	(82,390,260.82)	(388,433,617.70)	-	(388,433,617.70)
<b>TOTAL REPORTED MEDICAID</b>	<b>\$ 1,757,751,409.14</b>	<b>\$ 71,088.12</b>	<b>\$ 1,757,822,497.26</b>	<b>\$ 2,502,367,165.28</b>	<b>\$ 13,174,634.60</b>	<b>\$ 2,515,541,798.88</b>

<sup>(1)</sup> 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.  
<sup>(2)</sup>Source: Statewide Financial System

STATE OF NEW YORK  
MEDICAL ASSISTANCE DISBURSEMENTS - FEDERAL FUNDS<sup>(\*)</sup>  
FISCAL YEAR 2020-2021

APPENDIX I

	MAY 2020			2 MONTHS ENDED MAY 31		
	Department of Health		Other State Agencies	Department of Health		Other State Agencies
						Year to Date
Medical Assistance & Survey Certification Program	\$	7,325,341.61	\$	12,978,673.77	\$	12,978,673.77
Medical Assistance Administration	-	-	-	-	-	132,774.00
Partnership Plan	7,527,512.52	7,527,512.52	-	16,571,789.27	-	16,571,789.27
Inpatient Services	286,032,565.67	286,032,565.67	-	599,172,339.80	-	599,172,339.80
Outpatient & Emergency Room Services	64,484,063.91	64,484,063.91	-	105,563,334.63	-	105,563,334.63
Clinic Services	41,773,189.33	41,773,189.33	-	99,001,712.01	-	99,001,712.01
Nursing Home Services	96,746,775.53	96,746,775.53	-	223,578,297.44	-	223,578,297.44
Other Long Term Care Services	1,251,746,546.17	1,251,746,546.17	-	2,862,811,962.53	-	2,862,811,962.53
Managed Care Services	1,397,062,058.58	1,397,062,058.58	-	2,987,281,153.89	-	2,987,281,153.89
Pharmacy Services	33,014,271.23	33,014,271.23	-	72,439,336.70	-	72,439,336.70
Transportation Services	30,775,265.75	30,775,265.75	-	83,698,513.92	-	83,698,513.92
Dental Services	480,825.06	480,825.06	-	1,654,987.58	-	1,654,987.58
Non-Institutional & Other	142,303,623.88	142,303,623.88	-	166,355,696.48	-	166,355,696.48
Medical Services State Facilities	120,321,762.78	120,321,762.78	-	371,553,564.98	-	371,553,564.98
Additional DSH Payments SUNY	-	-	-	-	-	-
<b>TOTAL<sup>(*)</sup></b>	<b>3,479,593,802.02</b>	<b>3,479,593,802.02</b>	<b>-</b>	<b>7,602,661,363.00</b>	<b>132,774.00</b>	<b>7,602,794,137.00</b>
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.	(137,791,877.69)	(137,791,877.69)	-	391,563,993.98	-	391,563,993.98
<b>TOTAL REPORTED MEDICAID<sup>(**)</sup></b>	<b>\$ 3,341,801,924.33</b>	<b>\$ 3,341,801,924.33</b>	<b>\$ -</b>	<b>\$ 7,994,225,356.98</b>	<b>\$ 132,774.00</b>	<b>\$ 7,994,358,130.98</b>

<sup>(\*)</sup> 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.  
<sup>(\*\*)</sup> Source: Statewide Financial System  
<sup>(\*\*\*)</sup> Reported Medicaid spending does not include the Basic Health Plan.

