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**NEW YORK STATE**

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**REGISTER**

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- Licensure of Licensed Behavior Analysts and Certification of Behavior Analyst Assistants
- Temporary Practice by Certain U.S. Servicemembers and Servicemembers' Spouses Licensed or Certified in Another State
- Requiring Concussion Management Protocols in Nonpublic Schools

**Notice of Availability of State and Federal Funds**

**Executive Orders**

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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 27, 2023
- the 45-day period expires on August 12, 2023
- the 30-day period expires on July 28, 2023

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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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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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- 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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## Education Department

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### EMERGENCY RULE MAKING

#### Licensure of Licensed Behavior Analysts and Certification of Behavior Analyst Assistants

**I.D. No.** EDU-09-23-00029-E

**Filing No.** 523

**Filing Date:** 2023-06-13

**Effective Date:** 2023-06-13 for sections 79-17.5, 79-17.6, 79-18.5, 79-18.6; 2023-06-30 for sections 29.20, 52.44, 52.45, 79-17.1, 79-17.2, 79-17.3, 79-18.1, 79-18.2, 79-18.3

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

**Action taken:** Repeal of sections 52.44, 52.45, 79-17.1, 79-17.2, 79-18.1, 79-18.2; addition of sections 29.20, 79-17.1, 79-17.2, 79-18.1, 79-18.2, 79-17.6, 79-18.6; amendment of sections 79-17.3, 79-17.5, 79-18.3 and 79-18.5 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 6504, 6507, 8802, 8804, 8805, 8807; L. 2021, ch. 818; L. 2022, ch. 641

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

**Specific reasons underlying the finding of necessity:** The proposed rule is necessary to implement Chapter 641 of the Laws of 2022 (Chapter 641), which became effective November 22, 2022, and Chapter 818 of the Laws of 2021 (818), which become effective June 30, 2023. The proposed rule conforms the Regents Rules and the Commissioner's regulation to Chapters 641 and 818, which amend the Education Law by, among other things, by reducing the differences that once existed between New York and national standards regarding the applied behavior analysis profession.

Chapter 641 allows the Department to license an applicant who is of good moral character, submits an application and fee for licensure, and verification of national certification from a credentialing body acceptable to the Department, without meeting additional requirements as to examination, experience, and education. Chapter 641 also permits a graduate of a qualifying education program to work under an licensed behavior analyst's (LBA) supervision to meet the experience requirements for national certification and entry to the examination. The LBA must notify the Department that they are supervising such a graduate and are responsible for all services provided under supervision, while conforming to standards that are used in almost every other state that licenses LBAs and certified behavior analyst assistants (CBAA).

Chapter 818 expands the scope of practice for LBAs by removing the limitation that behavioral health treatment may only be provided to persons with autism and autism spectrum and related disorders. Chapter 818 authorizes licensees to provide ABA services pursuant to a diagnosis and prescription from authorized licensed professionals to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. Chapter 818 requires licensees to report at least once per year to the prescribing licensed professional.

Combined, Chapters 641 and 818 will reduce barriers for applicants authorized to practice in other states and assist New York candidates seeking to sit for the national certification examination, which should increase the number of New York LBA and CBAA licensees and improve New Yorkers' access to applied behavior analysis services.

Because the Department received substantial comment on the proposed rule, the Department needs additional time to consider whether revisions are needed before presenting the proposed rule to the Board of Regents for permanent adoption.

Therefore, emergency action is necessary at the June 2023 Regents meeting for the preservation of the public health and general welfare in order to enable the State Education Department to timely implement the requirements of Chapter 641, which became effective November 22, 2022, and Chapter 818, which becomes effective June 30, 2023.

It is anticipated that the Department will bring this item back before the Board of Regents again in September 2023 and at that time will either propose permanent adoption of the proposed rule or substantial revisions with necessary additional emergency action and an additional 45-day public comment period required for revised rule makings under the Stat Administrative Procedure Act.

**Subject:** Licensure of licensed behavior analysts and certification of behavior analyst assistants.

**Purpose:** To implement chapter 818 of the Laws of 2021 and chapter 641 of the Laws of 2022 and align provisions with national standards.

**Substance of emergency rule (Full text is posted at the following State website: <https://www.counsel.nysed.gov/rules/full-text-indices>):** The proposed amendment implements the provisions of Chapters 818 and 641, and makes additional amendments to LBA and ABA provisions to align such provisions more closely with national standards, as follows:

Program Registration Requirements. The education requirements for licensure as an LBA or CBAA under sections 52.44 and 52.45 of the Commissioner's regulations are not consistent with the current BACB standards, which are continually revised as these new professions develop. Therefore, the Department proposes to repeal these sections to allow our education standards to align with the evolving national certification requirements, ensure that graduates are prepared to practice under the newly amended scope, and to prepare graduates for the national examination. The New York program will have to meet the general professional education program requirements prescribed in sections 52.1, 52.2 and 52.3 of the Commissioner's regulations to ensure the quality of the program.

Education. The proposed rule repeals the existing text of sections 79-17.1 and 79-18.1 and adds new text that outlines the education requirements for LBAs and CBAAAs, respectively.

LBA applicants must submit satisfactory evidence of the completion of a program in ABA leading to a masters or higher degree of at least 30 semester hours that includes a supervised internship of sufficient duration in the practice of ABA that is: (1) registered by the department as leading to licensure as an LBA; (2) accredited by an acceptable accrediting organization; or (3) determined to be the equivalent of a registered or accredited program. In the alternative, LBA applicants can satisfy the education requirements for licensure by: (1) holding a master's or higher degree upon successful completion of a program in a related field acceptable to the department and registered by the department, or its substantial equivalent; and (2) completing a credit bearing graduate-level program in ABA that is registered as leading to licensure or recognized or verified by an acceptable accrediting organization, or the substantial equivalent of such a recognized or verified program.

CBAA applicants must submit satisfactory evidence of the completion of a program in ABA leading to a bachelor's or higher degree that includes a supervised internship of sufficient duration in the practice of ABA that is either: (1) registered by the department as leading to certification as a CBAA; (2) accredited by an acceptable accrediting organization; or (3) determined to be the equivalent of a registered or accredited program. In the alternative, CBAA applicants can satisfy the education requirements for certification by: (1) holding a bachelor's or higher degree upon successful completion of a program in a related field acceptable to the department and registered by the department, or the substantial equivalent of a department registered program; and (2) completing a credit bearing certificate program in ABA that is registered by the department as leading to certification or recognized or verified by an accrediting organization acceptable to the department, or the substantial equivalent of such a recognized or verified program.

Experience. The proposed rule repeals the existing text of sections 79-17.2 and 79-18.2 and adds new text that outlines the experience requirements for LBAs and CBAA's, respectively. For licensure, LBA and CBAA applicants must present evidence of supervised experience in the practice of ABA acceptable to the Department. Full-time experience must consist of at least 20 hours and a maximum of 32.5 hours per week, while part-time experience must consist of at least 10 hours and a maximum of 19 hours per week. Experience must be completed in a setting that is legally authorized to provide services that constitute the practice of ABA and such experience must be completed under the supervision of a LBA registered to practice in New York State. These sections also contain additional requirements for qualified supervisors.

Examination. Sections 79-17.3 and 79-18.3 of the Commissioner's regulations are amended to remove references to the State Board for Applied Behavior Analysis and to remove the specific examination score requirement. These amendments are consistent with recent statutory changes and provide flexibility to utilize BACB's examination. The regulations continue to require that an applicant pass an examination acceptable to the Department that tests knowledge related to all areas of behavior analysis practice. Although the certification board will not accept candidates based solely on New York's approval, BACB may individually evaluate and admit those New York graduates who meet the BACB education and experience requirements for entry to the examination. There is no other examination in ABA available at this time, and BACB's examination is used for certification and licensure in every other jurisdiction.

Exemptions. To implement Chapter 641, sections 79-17.5 and 79-18.5 of the Commissioner's regulations are amended to provide an exemption to allow graduates of an educational program acceptable to the department to work to meet the experience requirements for national certification and entry to the examination. These graduates must work under the supervision of a LBA who is licensed and registered in New York State and employed in a setting authorized to provide ABA services therein. Additionally, such sections set forth additional requirements for the supervising LBA, consistent with Chapter 641.

Special Provisions. To implement Chapter 641, new sections 79-17.6 and 79-18.6 are added to allow individuals who meet the requirements for licensure as a LBA or the requirements for certification as a CBAA, respectively, except for examination, experience, and education requirements, and who are certified or registered by a national certifying body having standards acceptable to the commissioner, to be licensed or certified without meeting additional requirements as to examination, experience, and education. Such individuals, however, must be of good moral character and must submit an application and the required fee for licensure or certification (as applicable) and registration.

Unprofessional Conduct. To implement Chapter 818, and to make the Commissioner's regulations consistent with Education Law § 8802(1), (3), and (4), a new section 29.20 is added to the Rules of the Board of Regents outlining special provisions of unprofessional conduct for the ABA professions. This section provides that it is unprofessional conduct in the practice of LBA and CBAA to: (1) prescribe or administer drugs or as a treatment, therapy, or professional service in the practice of his or her

profession; (2) use invasive procedures as a treatment, therapy, or professional service in the practice of his or her profession; or (3) diagnose a disorder or condition for which ABA may be appropriate or prescribing or ordering ABA for an individual.

Additionally, such section provides that it is unprofessional conduct for an LBA providing services pursuant to a prescription or order to fail to provide a report at least annually regarding the status of the individual served to the licensed person who prescribed or ordered such service, or more frequently, if needed, to report significant changes in the condition of the individual.

**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-09-23-00029-P, Issue of March 1, 2023. The emergency rule will expire September 10, 2023.

**Text of rule and any required statements and analyses may be obtained from:** Kirti Goswami, NYS Education Department, Office of Counsel, 9 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

#### **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.

Subdivision (1) of section 8802 of the Education Law, as amended by Chapter 818 of the Laws of 2021 (Chapter 818), expands the scope of practice for applied behavior analysis (ABA) by authorizing licensees to provide ABA services pursuant to an appropriate diagnosis to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. In addition, it requires licensees to provide a report at least once per year to the prescribing licensed professional. Subdivision (4) of such section prohibits LBAs and CBAA's from prescribing or administering drugs as defined in the Education Law or as a treatment, therapy, or professional service and prohibits LBAs and CBAA's from using invasive procedures as a treatment, therapy, or professional service in

Section 8804 of the Education Law establishes the requirements and procedures for certification as a certified behavior analyst assistant (CBAA) and licensure as a licensed behavior analyst (LBA).

Section 8805 of the Education Law, as amended by Chapter 641 of the Laws of 2022 (Chapter 641), provides that an individual who meets the requirements for licensure as an LBA or certification as a CBAA may be licensed or certified without meeting additional requirements as to examination, experience and education, provided that they are certified or registered by a national certifying body acceptable to the Department and submit an application to the department.

Section 8807(9) of the Education Law, as added by Chapter 641, allows a graduate of a qualifying education program to work under the supervision of a New York licensed behavior analyst (LBA) to meet the experience requirements for national certification and entry to the examination. The LBA attests to the supervision and is responsible for all services provided under that supervision.

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

The proposed amendment is consistent with the above statutory authority and is necessary to conform the Commissioner's Regulations and Regents Rules to Chapter 818 of the Laws of 2021 (Chapter 818) and Chapter 641 of the Laws of 2022 (Chapter 641) and to align regulatory provisions with national standards.

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

The purpose of the proposed amendment is to implement Chapters 818 and 641 and align regulatory provisions with national standards. The proposed rule:

- Repeals Parts 52.44 and 52.45 of Commissioner's Regulations which prescribe program registration requirements for programs leading to licensure as an LBA or CBAA, to support alignment with the standards of the nationally recognized accrediting organization.

- Amends sections 79-17.1 (professional study), 79-17.2 (experience), 79-17.3 (professional examination), and 79-17.5 (special provisions); and 79-18.1 (professional study), 79-18.2 (experience), 79-18.3 (professional examination) and 79-18.5 (special provisions) of the Regulations of the Commissioner of Education, to align those licensure requirements for licensed behavior analysts and certified behavior analyst assistants, respectively, with the national-certification licensure pathway and provisions for program graduates established by Chapter 641.



- Amends 79-17.5 and 79-18.5 to implement Chapter 641 by allowing a graduate of a qualifying education program to work under the supervision of a New York licensed behavior analyst (LBA) to meet the experience requirements for national certification and entry to the examination. The LBA attests to the supervision and is responsible for all services provided under that supervision.

- Adds sections 79-17.6 and 79-18.6 to implement the licensure pathways based on national certification, as established by Chapter 641.

- Adds section 29.20 to the Rules of the Board of Regents outlining special provisions of unprofessional conduct for the ABA professions to implement Chapter 818 and Education Law § 8802(1), (3), and (4).

4. COSTS:

(a) Costs to State government: There are no additional costs to State government beyond those imposed by statute.

(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 to regulated parties beyond those imposed by statute. Chapter 818 expands the scope of practice for applied behavior analysis (ABA) by authorizing licensees to provide ABA services pursuant to an appropriate diagnosis to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. Registered behavior analyst and/or behavior analyst assistant education programs, may incur costs related to aligning their programs with this expanded scope.

(d) Cost to the regulatory agency: There are no additional costs to the Department beyond those imposed by statute.

5. LOCAL GOVERNMENT MANDATES:

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

6. PAPERWORK:

Consistent with statute, the proposed rules require licensed behavior analysts to attest to supervision of program graduates who are working in New York to meet experience and examination requirements for certification. Additionally, Chapter 818 authorizes licensees to provide ABA services pursuant to a diagnosis and prescription from authorized licensed professionals to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. Chapter 818 requires licensees to report at least once per year to the prescribing licensed professional.

7. DUPLICATION:

There are no other state or federal requirements on the subject matter of the proposed rule. Therefore, the amendments do not duplicate other existing state or federal requirements.

8. ALTERNATIVES:

The proposed rules implement statutory requirements. There are no significant alternatives to the proposed rules, and none were considered.

9. FEDERAL STANDARDS:

Since there are no applicable federal standards, the proposed rules do not exceed any minimum federal standards for the same or similar subject areas.

10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the June 2023 Regents meeting. If adopted at the June 2023 Regents meeting, the proposed amendments will become effective June 30, 2023. It is anticipated that the regulated parties will be able to comply with the proposed rules by the effective date.

**Regulatory Flexibility Analysis**

The purpose of the proposed rule is to implement Chapter 818 of the Laws of 2021 (effective June 30, 2023) and Chapter 641 of the Laws of 2022 (effective November 22, 2022), and to align regulatory provisions with national standards

Chapter 818 of the Laws of 2021 expands the scope of practice for applied behavior analysis (ABA) by authorizing licensees to provide ABA services pursuant to an appropriate diagnosis to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. In addition, it requires licensees to provide a report at least once per year to the prescribing licensed professional

Chapter 641 of the Laws of 2022 establishes a licensure pathway for qualified applicants who submit verification of national certification from a credentialing body acceptable to the Department. It also provides a mechanism to allow a graduate of a qualifying education program to work under supervision of a New York licensed behavior analyst (LBA) to meet the experience requirements for national certification and entry to the examination. The LBA attests to the supervision and is responsible for all services provided under that supervision.

The proposed amendment implements Chapters 818 and 641, and aligns regulatory provisions with national standards as follows:

- Repeals Parts 52.44 and 52.45 of Commissioner’s Regulations which prescribe program registration requirements for programs leading to licensure as an LBA or CBAA, to support alignment with the standards of the nationally recognized accrediting organization.

- Amends sections 79-17.1 (professional study), 79-17.2 (experience), 79-17.3 (professional examination), and 79-17.5 (special provisions); and 79-18.1 (professional study), 79-18.2 (experience), 79-18.3 (professional examination) and 79-18.5 (special provisions) of the Regulations of the Commissioner of Education, to align those licensure requirements for licensed behavior analysts and certified behavior analyst assistants, respectively, with the national-certification licensure pathway and provisions for program graduates established by Chapter 641.

- Amends 79-17.5 and 79-18.5 to implement Chapter 641 by allowing a graduate of a qualifying education program to work under the supervision of a New York licensed behavior analyst (LBA) to meet the experience requirements for national certification and entry to the examination. The LBA attests to the supervision and is responsible for all services provided under that supervision.

- Adds sections 79-17.6 and 79-18.6 to implement the licensure pathways based on national certification, as established by Chapter 641.

- Adds section 29.20 to the Rules of the Board of Regents outlining special provisions of unprofessional conduct for the ABA professions to implement Chapter 818 and Education Law § 8802(1), (3), and (4).

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

**Rural Area Flexibility Analysis**

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS

The proposed rules will apply to all licensed behavior analysts (LBAs) and certified behavior analyst assistants (CBAAs) all individuals seeking licensure/certification as a LBA or CBAA, and to higher education institutions that have registered behavior analyst and/or behavior analyst assistant education programs with the Department, including 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. There are approximately 2,078 LBAs and 16 CBAs licensed and registered to practice in New York State; about 141 LBAs (6.7%) and 2 CBAs (12.5%) reported that their permanent address of record is in a rural county of the State.

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

The proposed amendment implements the provisions of Chapters 818 and 641, and makes additional amendments to LBA and CBAA provisions to align such provisions with national standards, as follows:

Program Registration Requirements. The education requirements for licensure as an LBA or CBAA under sections 52.44 and 52.45 of the Commissioner’s regulations are not consistent with the current BACB standards, which are continually revised as these new professions develop. Therefore, the Department proposes to repeal these sections to allow our education standards to align with the evolving national certification requirements, ensure that graduates are prepared to practice under the newly amended scope, and to prepare graduates for the national examination. The New York program will have to meet the general professional education program requirements prescribed in sections 52.1, 52.2 and 52.3 of the Commissioner’s regulations to ensure the quality of the program.

Education. The proposed rule repeals the existing text of sections 79-17.1 and 79-18.1 and adds new text that outlines the education requirements for LBAs and CBAs, respectively.

LBA applicants must submit satisfactory evidence of the completion of a program in ABA leading to a masters or higher degree of at least 30 semester hours that includes a supervised internship of sufficient duration in the practice of ABA that is: (1) registered by the department as leading to licensure as an LBA; (2) accredited by an acceptable accrediting organization; or (3) determined to be the equivalent of a registered or accredited program. In the alternative, LBA applicants can satisfy the education requirements for licensure by: (1) holding a master’s or higher degree upon successful completion of a program in a related field acceptable to the department and registered by the department, or its substantial equivalent; and (2) completing a credit bearing graduate-level program in ABA that is registered as leading to licensure or recognized or verified by an acceptable accrediting organization, or the substantial equivalent of such a recognized or verified program.

CBAA applicants must submit satisfactory evidence of the completion of a program in ABA leading to a bachelor's or higher degree that includes a supervised internship of sufficient duration in the practice of ABA that is either: (1) registered by the department as leading to certification as a CBAA; (2) accredited by an acceptable accrediting organization; or (3) determined to be the equivalent of a registered or accredited program. In the alternative, CBAA applicants can satisfy the education requirements for certification by: (1) holding a bachelor's or higher degree upon successful completion of a program in a related field acceptable to the department and registered by the department, or the substantial equivalent of a department registered program; and (2) completing a credit bearing certificate program in ABA that is registered by the department as leading to certification or recognized or verified by an accrediting organization acceptable to the department, or the substantial equivalent of such a recognized or verified program.

Experience. The proposed rule repeals the existing text of sections 79-17.2 and 79-18.2 and adds new text that outlines the experience requirements for LBAs and CBAs, respectively. For licensure, LBA and CBAA applicants must present evidence of supervised experience in the practice of ABA acceptable to the Department. Full-time experience must consist of at least 20 hours and a maximum of 32.5 hours per week, while part-time experience must consist of at least 10 hours and a maximum of 19 hours per week. Experience must be completed in a setting that is legally authorized to provide services that constitute the practice of ABA and such experience must be completed under the supervision of a LBA registered to practice in New York State. These sections also contain additional requirements for qualified supervisors.

Examination. Sections 79-17.3 and 79-18.3 of the Commissioner's regulations are amended to remove references to the State Board for Applied Behavior Analysis and to remove the specific examination score requirement. These amendments are consistent with recent statutory changes and provide flexibility to utilize BACB's examination. The regulations continue to require that an applicant pass an examination acceptable to the Department that tests knowledge related to all areas of behavior analysis practice. Although the certification board will not accept candidates based solely on New York's approval, BACB may individually evaluate and admit those New York graduates who meet the BACB education and experience requirements for entry to the examination. There is no other examination in ABA available at this time, and BACB's examination is used for certification and licensure in every other jurisdiction.

Exemptions. To implement Chapter 641, sections 79-17.5 and 79-18.5 of the Commissioner's regulations are amended to provide an exemption to allow graduates of an educational program acceptable to the department to work to meet the experience requirements for national certification and entry to the examination. These graduates must work under the supervision of a LBA who is licensed and registered in New York State and employed in a setting authorized to provide ABA services therein. Additionally, such sections set forth additional requirements for the supervising LBA, consistent with Chapter 641.

Special Provisions. To implement Chapter 641, new sections 79-17.6 and 79-18.6 are added to allow individuals who meet the requirements for licensure as a LBA or the requirements for certification as a CBAA, respectively, except for examination, experience, and education requirements, and who are certified or registered by a national certifying body having standards acceptable to the commissioner, to be licensed or certified without meeting additional requirements as to examination, experience, and education. Such individuals, however, must be of good moral character and must submit an application and the required fee for licensure or certification (as applicable) and registration.

Unprofessional Conduct. To implement Chapter 818, and to make the Commissioner's regulations consistent with Education Law § 8802(1), (3), and (4), a new section 29.20 is added to the Rules of the Board of Regents outlining special provisions of unprofessional conduct for the ABA professions. This section provides that it is unprofessional conduct in the practice of LBA and CBAA to: (1) prescribe or administer drugs or as a treatment, therapy, or professional service in the practice of his or her profession; (2) use invasive procedures as a treatment, therapy, or professional service in the practice of his or her profession; or (3) diagnose a disorder or condition for which ABA may be appropriate or prescribing or ordering ABA for an individual.

Additionally, such section provides that it is unprofessional conduct for an LBA providing services pursuant to a prescription or order to fail to provide a report at least annually regarding the status of the individual served to the licensed person who prescribed or ordered such service, or more frequently, if needed, to report significant changes in the condition of the individual.

The proposed rule does not impose any record keeping requirements or professional service requirements on regulated parties located in rural areas.

### 3. COSTS:

The proposed rule does not impose any additional costs to regulated parties, including those located in rural areas, beyond those imposed by statute. Chapter 818 expands the scope of practice for applied behavior analysis (ABA) by authorizing licensees to provide ABA services pursuant to an appropriate diagnosis to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. Registered behavior analyst and/or behavior analyst assistant education programs, may incur costs related to aligning their programs with this expanded scope.

### 4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Chapter 818 of the Laws of 2021, and Chapter 641 of the Laws of 2022, and to more closely aligns regulatory provision with national standards. Chapters 818 and 641 do not provide any exceptions for programs, licensees or applicants located in rural areas and the Department has determined that the proposed rule should apply to all programs, licensees and applicants regardless of their geographic location to help ensure a uniform standard of licensure and practice across the State. Because of the nature of the proposed rule, alternative approaches for regulated parties located rural areas were not considered.

### 5. RURAL AREA PARTICIPATION:

The proposed rule was developed to implement Chapter 818 of the Laws of 2021 (effective June 30, 2023) and Chapter 641 of the Laws of 2022 (effective November 22, 2022) and to align regulatory provisions more closely with national standards. The proposed rule reflects discussions with organizations, including statewide organizations, representing all parties having an interest in the practice of applied behavior analysis. These organizations included the state board for applied behavior analysis and professional associations representing the profession. These groups have members who live or work in rural areas.

### Job Impact Statement

The purpose of the proposed rule is to implement Chapter 818 of the Laws of 2021 (effective June 30, 2023) and Chapter 641 of the Laws of 2022 (effective November 22, 2022), and to align regulatory provisions with national standards.

Chapter 818 of the Laws of 2021 expands the scope of practice for applied behavior analysis (ABA) by authorizing licensees to provide ABA services pursuant to an appropriate diagnosis to treat individuals with behavioral health conditions that appear in the most recent edition of the diagnostic and statistical manual of mental disorders, published by the American Psychiatric Association. In addition, it requires licensees to provide a report at least once per year to the prescribing licensed professional.

Chapter 641 of the Laws of 2022 establishes a licensure pathway for qualified applicants who submit verification of national certification from a credentialing body acceptable to the Department. It also provides a mechanism to allow a graduate of a qualifying education program to work under supervision of a New York licensed behavior analyst (LBA) to meet the experience requirements for national certification and entry to the examination. The LBA attests to the supervision and is responsible for all services provided under that supervision.

The proposed amendment implements Chapters 818 and 641, and aligns regulatory provisions with national standards as follows:

- Repeals Parts 52.44 and 52.45 of Commissioner's Regulations which prescribe program registration requirements for programs leading to licensure as an LBA or CBAA, to support alignment with the standards of the nationally recognized accrediting organization.
- Amends sections 79-17.1 (professional study), 79-17.2 (experience), 79-17.3 (professional examination), and 79-17.5 (special provisions); and 79-18.1 (professional study), 79-18.2 (experience), 79-18.3 (professional examination) and 79-18.5 (special provisions) of the Regulations of the Commissioner of Education, to align those licensure requirements for licensed behavior analysts and certified behavior analyst assistants, respectively, with the national-certification licensure pathway and provisions for program graduates established by Chapter 641.
- Amends 79-17.5 and 79-18.5 to implement Chapter 641 by allowing a graduate of a qualifying education program to work under the supervision of a New York licensed behavior analyst (LBA) to meet the experience requirements for national certification and entry to the examination. The LBA attests to the supervision and is responsible for all services provided under that supervision.
- Adds sections 79-17.6 and 79-18.6 to implement the licensure pathways based on national certification, as established by Chapter 641.
- Adds section 29.20 to the Rules of the Board of Regents outlining special provisions of unprofessional conduct for the ABA professions to implement Chapter 818 and Education Law § 8802(1), (3), and (4).

The proposed amendments will not have a substantial impact on jobs and employment opportunities. Because it is evident from the nature of the proposed rule that it will have no impact on jobs or employment op-

opportunities attributable to its adoption or only potentially a positive impact, 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**

**Temporary Practice by Certain U.S. Servicemembers and Servicemembers' Spouses Licensed or Certified in Another State**

**I.D. No.** EDU-26-23-00011-EP

**Filing No.** 524

**Filing Date:** 2023-06-13

**Effective Date:** 2023-06-28

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

**Proposed Action:** Addition of sections 29.21, 59.16; amendment of section 80-5.6 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 208, 305, 308, 3001, 3004, 3009, 6504, 6506, 6507; Public Law, sections 117-333

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

**Specific reasons underlying the finding of necessity:** Servicemembers or their spouses who hold a professional license or an educator certificate and relocate because of service orders to another jurisdiction often must meet different standards than those of the jurisdiction in which they were originally licensed. The proposed rule is necessary to conform State law to implement provisions of federal law P.L. 117-333, which, effective January 5, 2023, require receiving states to consider a servicemember of their spouse's professional license valid in the new jurisdiction for the duration of such military order or orders.

The proposed rule conforms the Regent's Rules to P.L. 117-333 by adding a new section 29.21 to affirm the Board of Regents role in public protection by subjecting temporary practice certificate holders to the same laws, rules and regulations that define unprofessional conduct in that licensed profession. The out-of-state licensee's temporary practice certificate would be subject to suspension, revocation or annulment for cause and disciplinary proceedings and penalties to the same extent, and for the same reasons, as individuals practicing the same profession as provided in Title VIII of the Education Law.

The proposed rule also conforms the Commissioner's regulations to P.L. 117-333 by adding a new section 59.16 that allows the Department to issue a temporary practice certificate and amending section 80-5.6 to allow the Department to issue an educator permit to an eligible servicemember or spouse. The temporary practice certificate and educator permit would provide evidence that the individual is authorized to practice in New York State under the out-of-state license or educator certificate for the duration of the military orders.

Since the Board of Regents meets at fixed intervals, the earliest the proposed rule can be presented for adoption, after expiration of the required 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 202(1) and (5), would be the October 2023 Regents meeting. Furthermore, pursuant to SAPA section 203(1), the earliest effective date of the proposed amendment, if adopted at the October 2023 meeting, would be November 1, 2023, the date a Notice of Adoption would be published in the State Register.

Therefore, since federal law P.L. 117-333 is already effective, emergency action is necessary at the June 2023 meeting, effective June 13, 2023, for the preservation of the public health and the general welfare in order timely implement the provisions of federal law P.L. 117-333, which will increase the number of licensed professionals and practicing educators in New York State.

It is anticipated that the proposed amendment will be presented for permanent adoption at the October 2023 Regents meeting, which is the first scheduled meeting after the expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the October 2023 Regents meeting, it is anticipated that additional an emergency action will be presented for adoption at the July 2023 Regents meetings.

**Subject:** Temporary practice by certain U.S. servicemembers and servicemembers' spouses licensed or certified in another state.

**Purpose:** To implement section 19 of Public Law, sections 117-333.

**Substance of emergency/proposed rule (Full text is posted at the following State website:** <https://www.counsel.nysed.gov/rules/full-text-indices>):

The proposed amendments implement provisions of a federal law, Public Law (P.L.) 117-333, that require a receiving state to

consider the professional license or educator certificate of a servicemember or their spouse to be valid in the new jurisdiction for the duration of military order or orders. The purpose of this law is to eliminate barriers to professional practice for servicemembers or their spouses who relocate because of military order(s). Prior to the enactment of this federal law, differing education, experience, and/or examination requirements between the states may have prevented servicemembers and their spouses from securing professional employment during deployment to another jurisdiction.

P.L. 117-333, provides that where a servicemember or their spouse relocate because of a military order or orders for military service to a location that is outside of the jurisdiction of the licensing authority that issued the covered license, such covered license shall be considered valid by the jurisdiction where they reside at a similar scope of practice and in the discipline applied for in the jurisdiction of such new residency for the duration of such military orders if such servicemember or spouse:

- provides a copy of the military order or orders to the licensing authority in the jurisdiction in which the new residence is located;
- remains in good standing with the licensing authority that issued the covered license and with any other licensing authority that has issued a license to the servicemember or spouse at a similar scope of practice and in the discipline applied in the jurisdiction of the licensing authority; and
- submits to the authority of the licensing authority in the new jurisdiction for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.

P.L. 117-333 defines a "covered license" as a professional license or certificate that:

- is in good standing with the licensing authority and with any other licensing authority that issued such professional license or certificate;
- the servicemember or servicemember's spouse has actively used such license during the two years immediately preceding the relocation; and
- is not a license to practice law.

The 50-plus professions licensed in New York State and educator certificate titles are comparable, but often not identical, to professional licenses/educator certificates issued by other U.S. states and jurisdictions; licenses, certificate titles, and scopes of practice may differ. The federal law requires only that a license or certificate be "comparable" to one offered in the jurisdictions receiving servicemembers and servicemembers' spouses.

Compliance with the standards of practice includes the practice of a profession as defined in the Education Law. An out-of-state licensee authorized pursuant to this law who engages in activities outside the scope of practice as defined in New York law could be charged with unprofessional conduct under Education Law § 6509.

**Proposed Amendment**

The Department proposes to add a new section 59.16 to the Commissioner's regulations. This will allow the Department to issue a temporary practice certificate to eligible servicemembers or their spouses who hold an out-of-state license for a profession authorized or recognized in New York State. The proposed amendment also allows the Department to issue an educator permit to eligible servicemembers or their spouses who hold an out-of-state educator certificate comparable to a New York State certificate. The temporary practice certificate/educator permit would provide evidence that the individual is authorized to practice in New York State under the out-of-state license or certificate for the duration of the military order or orders.

**Application:**

Title VIII Professions. For the temporary practice certificate, a servicemember or servicemember's spouse must submit an application that includes:

- (1) a copy of the military order or orders that relocates the servicemember to New York State;
- (2) a copy of their current license and registration from another U.S. state or jurisdiction that authorizes the applicant to practice in the same profession in which the servicemember/spouse seeks to practice in New York State;
- (3) an attestation that the servicemember/spouse submits to the full disciplinary and regulatory authority of the Board of Regents and the Department, and fulfillment of any continuing education requirements for such profession;
- (4) verification of good standing in the U.S. state or jurisdiction where the servicemember or their spouse is currently licensed or certified to practice the profession; and
- (5) an attestation that the servicemember/spouse has actively used the license during the two years (i.e., 24 months) immediately preceding the relocation.

Educators. For the educator permit, a servicemember or servicemember's spouse must submit an application that includes:

- (1) a copy of their military order that relocates the servicemember to New York State;
- (2) a copy of their valid educator certificate or license from another

U.S. state or jurisdiction that authorizes the applicant to practice in the same educator area in which the servicemember or their spouse seeks to practice in New York State;

(3) an attestation that the servicemember/spouse submits to the full disciplinary and regulatory authority of the Board of Regents and the Department, and fulfillment of any continuing education requirements for such educator area;

(4) verification of good standing in the U.S. state or jurisdiction where the servicemember or their spouse is currently certified as an educator; and

(5) verification of two years<sup>1</sup> of satisfactory work experience in a position requiring the certificate or license issued by such other state or jurisdiction authorizing such service, provided that such experience was completed during the two years (i.e., 24 months) immediately preceding the relocation. The experience in the other U.S. state or jurisdiction must have been in a position that would have required the equivalent of an Initial, Provisional, Professional, or Permanent certificate in the area of the permit sought as an educator for employment in New York State.

If the application is approved, the Department will issue a temporary practice certificate or educator permit, as appropriate, to the servicemember or their spouse.

#### Time Validity:

The temporary practice certificate and educator permit are valid for the duration of the military order or orders for service in New York State or for the time period during which the out-of-state certificate or license is valid, whichever length of time ends first. If disciplinary action is taken against the temporary practice certificate holder or educator permit holder by any other state or jurisdiction in which they hold a certificate or license, the temporary practice certificate and educator permit shall no longer be valid.

If such order or orders do not include an expiration date, the temporary practice certificate shall have an expiration date of the professional license or registration in the jurisdiction that qualifies the servicemember or spouse for practice in New York. Upon receipt of revised or updated military order which includes an expiration date, the temporary practice certificate holder must notify the Department and provide the revised or updated military order or orders showing the updated expiration date of such order or orders. For educator permits, if such order or orders do not include an expiration date and the out-of-state certificate or license does not include an expiration date, the permit shall not have an expiration date until such order or orders are revised or updated or the out-of-state certificate or license is updated to include an expiration date.

If the duration of such order or orders change, in order to extend the authorization to continue to practice under the temporary practice certificate or educator permit, the temporary practice certificate or educator permit holder must notify the Department and provide the revised or updated military order showing the updated expiration date of such order or orders. Additionally, if the time period during which the out-of-state certificate or license is valid changes, the certificate or permit holder must notify the Department and provide documentation showing the updated license or educator certificate expiration date, if any. If the temporary practice certificate holder or educator permit holder does not renew the out-of-state license or certificate, they must apply for licensure or educator certification in New York State and meet all requirements under Education Law and/or the Commissioner's regulations to practice in the State.

#### Verification:

Individuals holding temporary practice certification in New York State would be verified on the Department's website like any other New York State licensee or limited permit-holder. The temporary practice certificate holder must display the certificate where they are practicing in New York State and they must notify the Department within 60 days of any change in the certificate holder's name, address, or contact information. Individuals holding an educator permit will be listed on the Department's website through the certification lookup database.

#### Educator Permit Holders Tenure and CTLE:

Individuals who hold a valid educator permit in the classroom teaching service, pupil personnel service, or as a school building leader and are employed as a full-time educator will be considered a professional educator appointed to tenure or to a probationary period in a tenure area and subject to any evaluation requirements pursuant to Part 30 of the Rules of the Board of Regents. Where an educator permit holder is appointed as a classroom teacher or building principal, such educator shall be subject to the same requirements prescribed in the Education Law related to satisfactory service and annual evaluations as any other classroom teacher or building principal.

Additionally, individuals who hold an educator permit in the classroom teaching service or educational leadership service for five or more years must complete the continuing teacher and leader education (CTLE) requirements pursuant to Part 80-6 of the Commissioner's regulations.

Department's Good Moral Character Determinations and Disciplinary Authority:

Consistent with requirements across existing licenses/permits issued pursuant to Education Law, to be granted an educator permit, or a temporary practice certificate, the Department must determine that the servicemember/spouse is of good moral character. Additionally, to obtain an educator permit, the servicemember/spouse must be fingerprinted and receive clearance from the Department after a criminal background check.

Once individuals are granted an educator permit, they will be subsequently subject to the moral character review process pursuant to Part 83 of the Commissioner's regulations. Failure to provide a revised or updated military order or orders for service in New York State and/or documentation showing an updated certificate or license expiration date may constitute grounds for a moral character review.

The proposed rule also adds a new section 29.21 to the Regents Rules to affirm the Board of Regents' role in public protection by subjecting temporary practice certificate holders to the same laws, rules and regulations that define unprofessional conduct in that licensed profession. The out-of-state licensee's temporary practice certificate would be subject to suspension, revocation or annulment for cause and disciplinary proceedings and penalties to the same extent, and for the same reasons, as individuals practicing the same profession, as provided in Title VIII of the Education Law.

<sup>1</sup> Servicemember's spouses who hold a valid out-of-state educator certificate but are not eligible for an educator permit because they do not have two years of acceptable experience immediately preceding the relocation may be eligible for the Transitional J certificate. If the servicemember or their spouse holds a valid out-of-state educator certificate and has completed three years of acceptable experience, they may be eligible for the Initial certificate through the "Endorsement of a Certificate" pathway and choose to pursue this certificate type instead of the permit.

**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 10, 2023.

**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, Deputy Commissioner, NYS Education Department, Office of the Professions, 89 Washington Avenue, 2nd Floor EB, West Wing, Albany, NY 12234, (518) 486-1727, email: REGCOMMENTS@nysed.gov

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

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

#### Regulatory Impact Statement

##### 1. STATUTORY AUTHORITY:

Education Law 101 (not subdivided) charges the Department with the general management and supervision of all public schools and all of the educational work of the state.

Education Law 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law 208 grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

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

Education Law 308 authorizes the Commissioner to enforce any rule or direction of the Regents pertaining to the school system or any part thereof.

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

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

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

##### 2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

##### 3. NEEDS AND BENEFITS:

The Department proposes regulatory amendments to align the pathways

for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway):

- **Endorsement Pathway.** Candidates would be required to hold a valid certificate from another U.S. state(s) or territory/territories or the District of Columbia, hold a master's degree or higher, have a minimum 3.0 GPA, and have acceptable experience, similar to the current endorsement of certificate requirements. They would not be required to take and pass a New York State school counselor exam. This proposed pathway would lead only to Initial School Counselor certification. Completion of a comparable program in lieu of completing acceptable experience would no longer be an option.

- **Comparable Program Pathway.** Candidates would be required to hold a master's degree or higher, have a minimum 3.0 GPA, and complete a comparable school counselor education program, similar to the current endorsement of certificate requirements. They would not need to hold a valid certificate from another state or territory, and instead, would need to take and pass the New York State School Counselor exam, if available. This pathway would only lead to Initial School Counselor certification.

Candidates under these pathways would need to meet the Professional School Counselor certificate requirements, including the education and experience requirements, to progress from the Initial to Professional certificate.

The proposed amendment also includes a technical revision to associate the study in school violence prevention and intervention with section 80-1.4 of the Commissioner's regulations, correcting an erroneous reference to section 80-1.13.

#### 4. COSTS:

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

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

#### 5. LOCAL GOVERNMENT MANDATES:

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

#### 6. PAPERWORK:

The proposed amendments do not impose any additional paperwork requirements.

#### 7. DUPLICATION:

The proposed amendments do not duplicate existing State or Federal requirements.

#### 8. ALTERNATIVES:

The proposed amendment is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia. Therefore, no alternatives were considered.

#### 9. FEDERAL STANDARDS:

There are no applicable Federal standards.

#### 10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at its October 2023 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for State agency rulemaking. If adopted at the October 2023 meeting, the proposed amendment will become effective as a permanent rule on November 1, 2023.

#### *Regulatory Flexibility Analysis*

The proposed amendment is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway).

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

#### *Rural Area Flexibility Analysis*

##### 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to all candidates who are seeking school counselor certification and either hold a valid, comparable school counselor certificate from other U.S. state(s) or territory/territories or the District of Columbia or completed a comparable, out-of-state school counselor education program, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

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

The Department proposes regulatory amendments to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway):

- **Endorsement Pathway.** Candidates would be required to hold a valid certificate from another U.S. state(s) or territory/territories or the District of Columbia, hold a master's degree or higher, have a minimum 3.0 GPA, and have acceptable experience, similar to the current endorsement of certificate requirements. They would not be required to take and pass a New York State school counselor exam. This proposed pathway would lead only to Initial School Counselor certification. Completion of a comparable program in lieu of completing acceptable experience would no longer be an option.

- **Comparable Program Pathway.** Candidates would be required to hold a master's degree or higher, have a minimum 3.0 GPA, and complete a comparable school counselor education program, similar to the current endorsement of certificate requirements. They would not need to hold a valid certificate from another state or territory, and instead, would need to take and pass the New York State School Counselor exam, if available. This pathway would only lead to Initial School Counselor certification.

Candidates under these pathways would need to meet the Professional School Counselor certificate requirements, including the education and experience requirements, to progress from the Initial to Professional certificate.

The proposed amendment also includes a technical revision to associate the study in school violence prevention and intervention with section 80-1.4 of the Commissioner's regulations, correcting an erroneous reference to section 80-1.13.

#### 3. COSTS:

The proposed amendment does not impose any additional costs on regulated parties, beyond costs currently required by regulation, including regulated parties located in rural areas.

#### 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia and will have no adverse economic impact on regulated parties, including those located in rural areas of the state. Therefore, no alternatives were considered.

#### 5. RURAL AREA PARTICIPATION:

A Copy of the proposed amendment has been provided to the New York State United Teachers for review and comment, which has members located in rural areas.

#### *Job Impact Statement*

The purpose of the proposed amendment is to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway).

Because it is evident from the nature of the proposed amendment that it will have no impact on the existing 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**

**Requiring Concussion Management Protocols in Nonpublic Schools**

**I.D. No.** EDU-26-23-00012-EP

**Filing No.** 525

**Filing Date:** 2023-06-13

**Effective Date:** 2023-07-01

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

**Proposed Action:** Amendment of section 136.5 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 305, 2854; L. 2022, ch. 617

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

**Specific reasons underlying the finding of necessity:** The Concussion Management Awareness Act, as added by Chapter 496 of the Laws of 2011, authorizes the Commissioner of Education, in conjunction with the Commissioner of Health, to promulgate and review as necessary rules and regulations relating to pupils who suffer mild traumatic brain injuries, also referred to as concussions, while receiving instruction or engaging in any school-sponsored or related activity. The statute's provisions took effect July 1, 2012. Chapter 617 of the Laws of 2022, effective July 1, 2023, requires nonpublic schools to follow the same requirements as public schools when a student suffers a concussion.

The proposed amendment to section 136.5 requires nonpublic schools' coaches, physical education teachers school nurses, and athletic trainers to biennially complete a course approved by the Department, related to recognizing the symptoms of mild traumatic brain injuries. It also requires that nonpublic schools include information on concussions and/or reference how to obtain information on concussions from the New York State Education Department and New York State Department of Health websites on their permission or consent forms for students to participate in interscholastic sports.

During school athletic activities, nonpublic schools would be required to remove from activity any student suspected of having sustained a mild traumatic brain injury. The student would not be permitted to return to athletic activity until they have been symptom-free for not less than 24 hours and have been evaluated by and received written signed authorization from a licensed physician. Such authorization is required to be kept in the student's permanent health record. Nonpublic schools are also required to follow any guidance from the student's treating physician in regard to limitations on school attendance and activities.

Additionally, the proposed amendment would permit nonpublic schools to choose to establish a concussion management team to oversee the implementation of these requirements and which may establish a program that provides information on mild traumatic brain injuries to parent(s)/guardian(s).

Finally, the proposed rule adds a definition for "athletic activities" consistent with the definition in section of the Commissioner's regulations and makes a technical amendment to change the term "medical director" to the correct title of that position used in the Education Law: "director of school health services".

Chapter 617 of the Laws of 2022 provides that any rules or regulations necessary for the timely implementation of the amendment to the Concussion Management Awareness Act shall be promulgated on or before July 1, 2023; thus the amendment is proposed for emergency adoption at the June 2023 Board of Regents meeting.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2023 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the October meeting, would be November 1, 2023, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the June 2023 meeting, effective July 1, 2023, for the preservation of public health, safety, and gen-

eral welfare in order to timely implement Chapter 617 of the Laws of 2022, which effective July 1, 2023, requires nonpublic schools to follow the procedures of the Concussion Management Act.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 2023 Regents meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking. However, since the emergency action will expire before the October Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2023 Regents meeting.

**Subject:** Requiring concussion management protocols in nonpublic schools.

**Purpose:** To implement chapter 617 of the Laws of 2022.

**Text of emergency/proposed rule:** Section 136.5 of the Regulations of the Commissioner of Education is amended to read as follows:

Section 136.5. Concussion management and awareness

(a) Applicability.

(1) The provisions of this section relate to pupils who have sustained, or are believed to have sustained, mild traumatic brain injuries (also referred to as a "concussion" while receiving instruction or engaging in any school sponsored or related activity.

(2) The provisions of this section:

(i) shall apply to [each] all school [district and] districts, charter [school] schools, and nonpublic schools; and

(ii) [may be implemented by nonpublic schools if they so authorize; and

(iii)] shall be deemed to be the minimum standards that must be complied with; provided that nothing in this section shall prohibit any public school or nonpublic school from adopting and implementing more stringent standards.

(b) ...

(c) ...

(d) Removal from athletic activities.

(1) For purposes of this section the term "athletic activities" means participation in sessions for instruction and practice in skills, attitudes, and knowledge through participation in individual, group and team activities organized on an intramural, extramural, interschool athletic, or inclusive athletic basis to supplement regular physical education class instruction, otherwise known as extraclass periods in physical education or extraclass activities.

(2) A school shall require the immediate removal from athletic activities of any pupil who has sustained, or who is believed to have sustained, a mild traumatic brain injury. In the event that there is any doubt as to whether a pupil has sustained a concussion, it shall be presumed that the pupil has been so injured until proven otherwise.

(3) No such pupil shall resume athletic activity until the pupil has been symptom free for not less than 24 hours, and has been evaluated by and received written and signed authorization from a licensed physician; and for extra class athletic activities in public schools, has received clearance from the [medical director] director of school health services to participate in such activity.

(i) Such authorization shall be kept on file in the pupil's permanent health record.

(ii) The school shall follow any directives issued by the pupil's treating physician with regard to limitations and restrictions on school attendance and activities for the pupil.

(e) Concussion management team.

(1) Each school or school district, in its discretion, may establish a concussion management team.

(2) The concussion management team may be composed of:

(i) the athletic director;

(ii) a school nurse;

(iii) [the school physician] a district's director of school health services;

(iv) a coach of an interscholastic team;

(v) a certified athletic trainer; or

(vi) such other appropriate personnel as designated by the school or school district.

(3) The concussion management team shall oversee the implementation of subdivision (42) of Education Law section 305 and the provisions of this section as it pertains to their associated school and may establish and implement a program which provides information on mild traumatic brain injuries to parents and persons in parental relation throughout each school year.

**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 10, 2023.

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

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

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

#### **Regulatory Impact Statement**

##### **1. STATUTORY AUTHORITY:**

Education Law § 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law § 305(42)(b), as amended by chapter 617 of the Laws of 2022 (Chapter 617), revises the Concussion Management Awareness Act, to require nonpublic schools to follow the rules and regulations relating to students who suffer mild traumatic brain injuries, also referred to as concussions, while receiving instruction or engaging in any school sponsored or related activities.

Education Law § 2854(1)(b), among other things, requires charter schools to meet the same health and safety requirements applicable to other public schools.

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

The proposed rule is consistent with the above statutory authority and is necessary to conform Commissioner's regulations to, and implement, Chapter 617, which amended section 305(42)(b) of the Education Law, effective July 1, to require nonpublic schools to follow the same requirements as public schools when a student suffers a concussion.

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

The Concussion Management Awareness Act, as added by Chapter 496 of the Laws of 2011, authorizes the Commissioner of Education, in conjunction with the Commissioner of Health, to promulgate and review as necessary rules and regulations relating to pupils who suffer mild traumatic brain injuries, also referred to as concussions, while receiving instruction or engaging in any school-sponsored or related activity. The statute's provisions took effect July 1, 2012. Chapter 617 of the Laws of 2022, effective July 1, 2023, requires nonpublic schools to follow the same requirements as public schools when a student suffers a concussion.

The proposed amendment to section 136.5 requires nonpublic schools' coaches, physical education teachers school nurses, and athletic trainers to biennially complete a course approved by the Department, related to recognizing the symptoms of mild traumatic brain injuries. It also requires that nonpublic schools include information on concussions and/or reference how to obtain information on concussions from the New York State Education Department and New York State Department of Health websites on their permission or consent forms for students to participate in interscholastic sports.

During school athletic activities, nonpublic schools would be required to remove from activity any student suspected of having sustained a mild traumatic brain injury. The student would not be permitted to return to athletic activity until they have been symptom-free for not less than 24 hours and have been evaluated by and received written signed authorization from a licensed physician. Such authorization is required to be kept in the student's permanent health record. Nonpublic schools are also required to follow any guidance from the student's treating physician in regard to limitations on school attendance and activities.

Additionally, the proposed amendment would permit nonpublic schools to choose to establish a concussion management team to oversee the implementation of these requirements and which may establish a program that provides information on mild traumatic brain injuries to parent(s)/guardian(s).

Finally, the proposed rule adds a definition for "athletic activities" consistent with the definition in section of the Commissioner's regulations and makes a technical amendment to change the term "medical director" to the correct title of that position used in the Education Law: "director of school health services".

##### **4. COSTS:**

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

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 upon nonpublic schools beyond those imposed by the statute.

d. Costs to regulating agency for implementation and continued administration: None.

##### **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 reporting or paperwork requirements beyond those imposed by Chapter 617.

Consistent with the statute, the proposed rule requires schools to:

(1) include in any permission form or consent form or similar document that may be required from a parent or person in parental relation for a pupil's participation in interscholastic sports, information relating to mild traumatic brain injury including the definition of mild traumatic brain injury, signs and symptoms of mild traumatic brain injuries, how such injuries may occur, and guidelines for return to school and school activities of a pupil who has suffered such injury;

(2) include such information, or reference how to obtain such information from the websites of the State Education Department and the Department of Health, on the school's internet website, if one exists; and

(3) maintain in the pupil's permanent health records, the written, signed authorization of a licensed physician permitting a pupil who has sustained, or is believed to have sustained, a mild traumatic brain injury, to resume athletic activity.

##### **7. DUPLICATION:**

The proposed amendments do not duplicate existing State or Federal requirements.

##### **8. ALTERNATIVES:**

The proposed amendment is necessary to conform the Commissioners regulations to revision to the Concussion Management Act to require nonpublic schools to follow the rules and regulations relating to students who suffer mild traumatic brain injuries, also referred to as concussions, while receiving instruction or engaging in any school sponsored or related activities. Therefore, no alternatives were considered.

##### **9. FEDERAL STANDARDS:**

There are no applicable Federal standards.

##### **10. COMPLIANCE SCHEDULE:**

The emergency rule will become effective July 1, 2023. It is anticipated that the proposed amendment will be presented for permanent adoption at the October 2023 Regents meeting, after publication of a Notice of Proposed Rule Making in the State Register and expiration of the 60 day public comment period as prescribed in the State Administrative Procedure Act. Because the emergency action will expire before the October 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2023 meeting. If adopted at the October 2023 meeting, the proposed amendment will become effective as a permanent rule on November 1, 2023.

#### **Regulatory Flexibility Analysis**

The purpose of the proposed amendment of section 136.5 of the Regulations of the Commissioner of Education is to conform Commissioner's regulations to, and implement, Chapter 617, which amended section 305(42)(b) of the Education Law, effective July 1, to require nonpublic schools to follow the same requirements as public schools when a student suffers a concussion.

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

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

The purpose of the proposed amendment of section 136.5 of the Regulations of the Commissioner of Education is to conform Commissioner's regulations to, and implement, Chapter 617, which amended section 305(42)(b) of the Education Law, effective July 1, to require nonpublic schools to follow the same requirements as public schools when a student suffers a concussion. Chapter 617 applies to all nonpublic schools located in the state, including those in rural area.

The amendments do not impose any new recordkeeping or other compliance requirements and will not have an adverse economic impact on entities in rural areas, beyond those imposed by the statutory amendment. Because it is evident from the nature of the proposed amendment that it will not have any affect entities in rural areas, beyond the effects of the statutory amendment, no further steps were needed to ascertain that fact and none were taken. Accordingly, a rural area flexibility analysis is not required and one has not been prepared.

#### **Job Impact Statement**

The purpose of the proposed amendment of section 136.5 of the Regulations of the Commissioner of Education is to conform Commissioner's regulations to, and implement, Chapter 617, which amended section 305(42)(b) of the Education Law, effective July 1, to require nonpublic schools to follow the same requirements as public schools when a student suffers a concussion.

Because it is evident from the nature of the proposed amendments that they will have no negative impact on the existing 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**

**Universal Prekindergarten Program (UPK) Staffing Qualifications**

**I.D. No.** EDU-26-23-00013-EP

**Filing No.** 526

**Filing Date:** 2023-06-13

**Effective Date:** 2023-06-16

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

**Proposed Action:** Amendment of section 151-1.3 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 305, 3602; L. 2022, ch. 56, Part A

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

**Specific reasons underlying the finding of necessity:** This year's Enacted State Budget (L.2022, C. 56, Part A or "Chapter 56") amended section 3602-e(12)(d) of the Education Law in relation to staffing qualifications for the Universal Prekindergarten Program (UPK), effective April 1, 2023. Prior to this amendment, Education Law 3602-e(12)(d), as amended by last year's Enacted State Budget (L. 2022, C. 56, Part A), allowed school districts to apply by August of the current school year for a waiver allowing personnel employed by an eligible agency collaborating with that school district to provide prekindergarten services and to meet staff qualifications prescribed by the licensing or registering agency. The Department adopted regulations at its January 2023 amendment to implement those amendments.

The recent amendment made to Education Law § 3602-e by Chapter 56 allows for school districts to apply by September first of the current school year, rather than by August first, as many school districts do not know their enrollment for the current school year until September first. Therefore, the Department proposes to amend section 151-1.3(e)(1)(iv) of the Commissioner's regulations to conform with this amendment.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2023 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the October 2023 meeting, would be November 1, 2023, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the June 2023 meeting, effective June 16, 2023, for the preservation of the general welfare in order to immediately conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2022.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 2023 Regents meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rulemaking. However, since the emergency action will expire before the October 2023 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the July 2023 Regents meeting.

**Subject:** Universal Prekindergarten Program (UPK) Staffing Qualifications.

**Purpose:** To implement Part A of Chapter 56 of the Laws of 2022.

**Text of emergency/proposed rule:** Pursuant to sections 101, 207, 305, and 3602 of the Education Law and Part A of Chapter 56 of the Laws of 2022.

Subparagraph (iv) of Paragraph (1) of Subdivision (e) of section 151-1.3 of the Regulations of the Commissioner of Education is amended to read as follows:

(iv) a school district may annually apply to the Commissioner by [August] September first of the current school year, on a form and format prescribed by the Commissioner, for a waiver that would allow personnel employed by an eligible agency that is collaborating with such school district to provide prekindergarten services, and licensed by an agency other than the department, to meet the staff qualifications prescribed by the licensing or registering agency.

**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 10, 2023.

**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:** Erik Sweet, Director Office of Early Learning, NYS Education Department, 89 Washington Avenue, Room 5W, Albany, NY 12234, (518) 473-0650, email: REGCOMMENTS@nysed.gov

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

**Regulatory Impact Statement**

**1. STATUTORY AUTHORITY:**

Education Law § 101 (not subdivided) charges the Department with the general management and supervision of all public schools and of all the educational work of the state.

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

Education Law § 305(1) authorizes the Commissioner to enforce laws relating to the State educational system and execute Regents educational policies. Section 305(2) provides the Commissioner with general supervision over schools and authority to advise and guide school district officers in their duties and the general management of their schools.

Education Law § 3602-e authorizes and directs the Commissioner to award grants for the establishment and implementation of a prekindergarten program.

Part A of Chapter 56 of the Laws of 2023 amends Education Law § 3602-e to require that districts apply by September first of the current school year, rather than by August first, for a waiver allowing personnel employed by an eligible agency collaborating with that school district to provide prekindergarten services and to meet staff qualifications prescribed by the licensing or registering agency.

**2. LEGISLATIVE OBJECTIVES:**

Consistent with the above statutory authority, the proposed rule is necessary to implement Part A of Chapter 56 of the Laws of 2023 which requires that districts apply by September first of the current school year, rather than by August first, for a waiver allowing personnel employed by an eligible agency collaborating with that school district to provide prekindergarten services and to meet staff qualifications prescribed by the licensing or registering agency.

**3. NEEDS AND BENEFITS:**

This year's Enacted State Budget (L.2023, C. 56, Part A or "Chapter 56") amended section 3602-e(12)(d) of the Education Law in relation to staffing qualifications for the Universal Prekindergarten Program (UPK), effective April 1, 2023. These recent amendments allow for school districts to apply for a waiver allowing personnel employed by an eligible agency collaborating with that school district to provide prekindergarten services and to meet staff qualifications prescribed by the licensing or registering agency by September first of the current school year, rather than by August first. Therefore, it is necessary to update the Commissioner's regulations to reflect these changes.

**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: There are no additional costs to 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 rule does not impose any program service, duty, responsibility, or other mandate on local governments beyond those imposed by statute. Consistent with Chapter 56, the proposed rule requires school districts to apply for the above mentioned waiver by September first of the current school year, rather than by August first.

**6. PAPERWORK:**

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

**7. DUPLICATION:**

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

**8. ALTERNATIVES:**

The proposed amendment is necessary to update the regulations to allow for school districts to apply by September first of the current school year, rather than by August first, as required by State law. There are no significant alternatives to the proposed rule available and none were considered.

**9. FEDERAL STANDARDS:**

There are no applicable Federal standards.

**10. COMPLIANCE SCHEDULE:**

The emergency rule will become effective June 28, 2023. It is anticipated that the proposed amendment will be presented for permanent adop-



tion at the October 2023 Regents meeting. If adopted at the October 2023 meeting, the proposed amendment will become effective as a permanent rule on November 1, 2023. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

**Regulatory Flexibility Analysis**

(a) Small businesses:

An amendment made to Education Law § 3602-e by Part A of Chapter 56 of the Laws of 2023 (“Chapter 56”) allows for school districts to apply by September first of the current school year, rather than by August first, as many school districts do not know their enrollment for the current school year until September first. Therefore, the purpose of the proposed amendment is to update the regulations to conform with this statutory amendment.

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.

**1. EFFECT OF RULE:**

An amendment made to Education Law § 3602-e by Chapter 56 allows for school districts to apply by September first of the current school year, rather than by August first, as many school districts do not know their enrollment for the current school year until September first. Therefore, the purpose of the proposed amendment is to update the regulations to conform with this statutory amendment. The proposed amendment applies to all universal prekindergarten programs operated by public school districts collaborating with eligible agencies to operate universal prekindergarten programs.

**2. COMPLIANCE REQUIREMENTS:**

The proposed amendment merely updates the Commissioner’s regulations to reflect an amendment made to Education Law § 3602-e by Chapter 56. Therefore, the proposed amendment does not impose any new compliance requirements on school districts, beyond those imposed by statute.

**3. PROFESSIONAL SERVICES:**

The proposed amendment does not require any additional professional service requirement on local governments.

**4. COMPLIANCE COSTS:**

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

**5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:**

The proposed rule does not impose any technological requirements on local governments. See compliance costs section above regarding economic feasibility.

**6. MINIMIZING ADVERSE IMPACT:**

An amendment made to Education Law § 3602-e by Chapter 56 allows for school districts to apply by September first of the current school year, rather than by August first, as many school districts do not know their enrollment for the current school year until September first. Therefore, the purpose of the proposed amendment is to update the regulations to conform with this statutory amendment. Because of the nature of the proposed rule, the Department does not anticipate that the proposed rule will have any adverse economic impact on local governments. Therefore, no alternatives were considered.

**7. LOCAL GOVERNMENT PARTICIPATION:**

Copies of the proposed amendment have been provided to school districts through the offices of the district superintendents of each supervisory district in the State and to the chief school officers of the five big city school districts.

**Rural Area Flexibility Analysis**

An amendment made to Education Law § 3602-e by Part A of Chapter 56 of the Laws of 2023 allows for school districts to apply by September first of the current school year, rather than by August first, as many school districts do not know their enrollment for the current school year until September first. Therefore, the purpose of the proposed amendment is to update the regulations to conform with this statutory amendment.

These amendments will not require any new reporting, record keeping or compliance requirements on school districts located in rural areas, beyond those imposed by statute. It will also not impose any adverse economic impact on school districts located in rural areas. Therefore, a rural area flexibility analysis is not necessary, and one has not been prepared.

**Job Impact Statement**

An amendment made to Education Law § 3602-e by Part A of Chapter 56 of the Laws of 2023 allows for school districts to apply by September first of the current school year, rather than by August first, as many school districts do not know their enrollment for the current school year until September first. Therefore, the purpose of the proposed amendment is to update the regulations to conform with this statutory amendment.

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, 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.

**NOTICE OF ADOPTION**

**Indigenous Culture and Language Studies Certificate**

**I.D. No.** EDU-09-23-00028-A

**Filing No.** 528

**Filing Date:** 2023-06-13

**Effective Date:** 2023-06-28

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

**Action taken:** Amendment of sections 30-1.8, 52.21, 80-3.2, 80-3.3 and 80-3.7 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 208, 210, 305, 308, 3001, 3004 and 3009

**Subject:** Indigenous Culture and Language Studies certificate.

**Purpose:** To establish the Indigenous Culture and Language Studies certificate.

**Text or summary was published** in the March 1, 2023 issue of the Register, I.D. No. EDU-09-23-00028-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 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

**Assessment of Public Comment**

This assessment summarizes the comments received on the proposed rule, published on March 1, 2023, Please refer to the full Assessment of Public Comment (APC) for the Department’s complete assessment of public comment at: <http://www.counsel.nysed.gov/rules/full-text-indices>.

1. COMMENT: More than 90 commenters support the proposed rule to create an Indigenous Culture and Language Studies (All Grades) certificate because they believe that it: will facilitate a sustainable Indigenous teacher pipeline; recognizes the importance of Indigenous culture and language teaching; preserve Indigenous culture and language; improves cross-cultural understanding of Indigenous culture and language instruction; facilitates student attainment in ascertaining the New York State Seal of Biliteracy; furthers the goals of increasing diversity, equity, and inclusion; and creates an environment that supports Native American students’ identity.

DEPARTMENT RESPONSE: These comments are supportive of the proposed rule; therefore, no changes are necessary.

2. COMMENT: Multiple additional commenters support the proposed rule. The supportive comments can generally be sorted into the following categories:

- Promotes Diversity, Equity, and Inclusion.
- Preserves Indigenous Cultures and Languages.
- Supports the Teaching and Learning of Indigenous Cultures and Languages.
- Creates a Teacher Pipeline.

DEPARTMENT RESPONSE: These comments are supportive of the proposed rule; therefore, no changes are necessary.

3. COMMENT: A commenter submitted an official statement of support for the Indigenous Studies Program from a Village.

DEPARTMENT RESPONSE: The comment is supportive of the proposed rule; therefore, no changes are necessary.

4. COMMENT: A comment from the Council of Chiefs from one of the Indigenous Nations in New York State explains that the intent of the proposed rule creates a path through a foreign knowledge system that acknowledges Native student identity, and which will help students to work towards a successful and productive future.

DEPARTMENT RESPONSE: The comment is supportive of the proposed rule; therefore, no changes are necessary.

5. COMMENT: A comment from one of the Indigenous Nations in New York State supports the proposed certificate. However, the commenter believes that the Nation needs additional support to ensure student achievement.

For the certification pathway where an individual demonstrates accept-

able proficiency in an Indigenous language, as determined by a designated official by the Nations who is approved by the Department, the commenter stated that the Nation would like to see more details about the approval process by the State for the designated officials.

The commenter asserts that much of the amendment focuses on “language,” which may not adequately address “culture.”

They also assert that not all candidates are proficient in both language and culture and are therefore unsure if the title of the certificate title “Indigenous Culture and Language Studies (All Grades) Certificate” is correct.

DEPARTMENT RESPONSE: The Department will work closely with federally and state-recognized Nations on the approval process of the designated official in the Nations who will determine language proficiency.

The Department purposefully listed “culture” first in the title of the proposed Indigenous Culture and Language Studies (All Grades) certificate title to emphasize the importance of culture and recognizes that culture and language are inextricably intertwined. However, some of the wording in the proposed amendment focuses on language for specific reasons.

The “Indigenous Culture and Language Studies (All Grades)” certificate title enables teachers to have expertise in one or both areas and provides school districts with the flexibility to assign teachers to courses based on their expertise. No changes to the proposed rule are necessary.

6. COMMENT: A comment from a non-profit organization supports the proposed certificate and states that this new language initiative will have serious implications for schools with significant Indigenous student populations, language teacher preparation, and curriculum resource development.

The commenter encourages New York State to join other states that have placed their certification outside of, or peripheral to, formal higher education.

The commenter also encourages the Department to make funding for this certification available through federal funding.

DEPARTMENT RESPONSE: Currently, individuals who would like to teach an Indigenous language in New York State public schools can obtain a permit by completing a minimal number of requirements. Although a permit authorizes an individual to teach in public schools, it is not equivalent to a teaching certificate. The proposed certificate requirements are consistent with the requirements for other teaching certificates, with additional flexibility to incentivize more candidates to pursue this certificate. Certificate holders may be eligible for tenure in a school district.

The Department will consider the request to use federal funding, consistent with the guidelines, to make the proposed certificate accessible. There are a number of existing state programs that support the costs of tuition for obtaining teacher certification.

7. COMMENT: A commenter supports the proposal but expresses uncertainty as to whether many students will choose to take an Indigenous language course as a world language.

DEPARTMENT RESPONSE: There are eight federal and state recognized sovereign Indigenous Nations New York State, with rich cultures, histories, heritages, and languages. By offering courses in Indigenous cultures and languages, school districts will address—and hopefully create a demand for—these types of courses. Additionally, these courses first need to be offered to determine if there is a demand for them.

8. COMMENT: A commenter would like the word “studies” deleted from the title of the proposed certificate. They explain that teacher certification is not a “Teacher Studies” certification and believe that we are learning to speak the language rather than study the language.

DEPARTMENT RESPONSE: Teachers who hold the proposed certificate would be able to teach courses related to Indigenous cultures in addition to Indigenous languages. The term “studies” captures the variety of areas and courses that may be taught by the certificate holder. No changes to the proposed rule are necessary.

9. COMMENT: A commenter supports the spirit of proposal but expresses concern that creating a stand-alone certificate sends the message that this work is the province of a specialized few and that other teachers do not need these skills. They believe that every teacher should receive formal instruction in students’ home cultures and languages to work with an ever diversifying student population.

DEPARTMENT RESPONSE: The creation of the proposed Indigenous Cultures and Language Studies (All Grades) certificate does not preclude other certificate holders from understanding students’ home cultures and languages. The suggestion that all teachers should receive instruction in students’ home cultures and languages is beyond the scope of the proposed rule; therefore, no changes are necessary.

10. COMMENT: A commenter does not agree with the need to create the proposed certificate because they believe that students need to be stronger in math, science, and literacy; already receive instruction on Indigenous cultures within the elementary social studies program; currently read many books on diversity and culture; and are already becoming socially responsive.

DEPARTMENT RESPONSE: The creation of the proposed certificate does not preclude students from completing courses in other subject areas, such as math, science, and literacy. Teachers who hold the proposed certificate would be able to teach courses related to Indigenous cultures and Indigenous languages, which students could take to meet their social studies or world languages graduation requirements, respectively. No changes to the proposed rule are necessary.

11. COMMENT: A commenter supports the proposed certificate but does not support having a certification pathway that does not require a Content Specialty Test. They state that equity does not mean lowering standards and accountability.

DEPARTMENT RESPONSE: A Content Specialty Test created by a test vendor would not be appropriate for assessing candidates’ understanding of Indigenous cultures and/or languages, which are inextricably intertwined. No changes are necessary.

12. COMMENT: A commenter does not support the proposal and believes that the processes, institutions, and educational systems that attempted to eradicate Indigenous languages should not be allowed to harness them for their own purposes. The commenter predicts that this will reduce the certification process to being supervised by non-native speakers of these complex and endangered languages. The commenter further opines that having unqualified people be the caretakers of languages is not appropriate.

DEPARTMENT RESPONSE: The Nations and Indigenous teachers would have opportunities to be involved in the certification process for the proposed Indigenous Culture and Language Studies (All Grades) certificate.

13. COMMENT: More than 30 commenters who are high school students describe why the Department should include Indigenous culture and language studies in New York State schools.

DEPARTMENT RESPONSE: The Department concurs that Indigenous cultures and languages should be studied in New York State schools.

14. COMMENT: A commenter asked if the Department is looking at teaching international Indigenous languages or only ones in New York State.

DEPARTMENT RESPONSE: Teachers who hold the proposed Indigenous Culture and Language Studies (All Grades) certificate would be able to teach an Indigenous language course in a New York State public school, in addition to other related courses. School districts make decisions regarding their course offerings. No changes to the proposed rule are necessary.

15. COMMENT: A commenter expresses that an institution of higher education at which they are employed would be interested in partnering with the Department to offer courses leading to the proposed certificate.

DEPARTMENT RESPONSE: If the proposal is adopted, institutions of higher education that would like to develop an Indigenous Culture and Language Studies education program would complete and submit a new program registration application to the Department. Institutions that have questions about developing a program and completing the application, or about coursework that is required for this certificate, can send them to the Office of College and University Evaluation at [ocueinfo@nysed.gov](mailto:ocueinfo@nysed.gov).

16. COMMENT: A commenter from an institution of higher education requests that the Department reach out to them to discuss their progress in this area and ways to contribute to this effort.

DEPARTMENT RESPONSE: Institutions of higher education that would like to discuss the development of a teacher preparation programs that lead to the proposed certificate or coursework that is required for this certificate could send an email to the Office of College and University Evaluation at [ocueinfo@nysed.gov](mailto:ocueinfo@nysed.gov).

## NOTICE OF ADOPTION

### Pilot P-20 Partnerships for Principal Preparation Program

I.D. No. EDU-09-23-00030-A

Filing No. 527

Filing Date: 2023-06-13

Effective Date: 2023-06-28

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

**Action taken:** Amendment of section 52.21(c)(7) of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

**Subject:** Pilot P-20 Partnerships for Principal Preparation Program.

**Purpose:** To extend the September 30, 2022 end date of the pilot program to September 30, 2025.

**Text or summary was published** in the March 1, 2023 issue of the Register, I.D. No. EDU-09-23-00030-EP.

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

**Text of rule and any required statements and analyses may be obtained from:** Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 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 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

**Assessment of Public Comment**

The agency received no public comment.

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Requirements for the Endorsement of a Certificate as a School Counselor**

**I.D. No.** EDU-26-23-00014-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 80-5.23 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 208, 305, 308, 3001, 3004 and 3009

**Subject:** Requirements for the endorsement of a certificate as a school counselor.

**Purpose:** To align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

**Text of proposed rule:** Section 80-5.23 of the Regulations of the Commissioner of Education is amended to read as follows:

80-5.23 Endorsement of certificates and recognition of comparable out-of-state school counselor education programs for service as a school counselor.

(a) [School counselor.] *Endorsement of certificates for service as a school counselor.*

(1) The commissioner may endorse the certificate of other state(s) or territory/territories of the United States or the District of Columbia for service as a school counselor, provided that the candidate meets the following requirements:

[(1)] (i) The candidate shall hold a valid certificate of other state(s) or territory/territories of the United States or the District of Columbia that is comparable to the initial or professional certificate as a school counselor.

[(2)] (ii) The candidate shall meet the general requirements for certificates prescribed in Subpart 80-1 of this Part, including but not limited to the requirements of [section 80-1.3 of this Part relating to citizenship,] section 80-1.4 of this Part relating to study in child abuse identification and reporting, and school violence prevention and intervention; section 80-1.13 of this Part relating to study in harassment, bullying and discrimination prevention and intervention[ and school violence prevention and intervention]; and section 80-1.11 of this Part relating to a criminal history record check.

[(3)] (iii) The candidate shall hold a master's degree or higher from a higher education institution that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or an equivalently approved higher education institution as determined by the department, or have equivalent educational preparation as determined by the commissioner. Candidates shall have achieved a 3.0 cumulative grade point average, or its equivalent, in the program leading to the degree.

[(4)] (iv) The candidate shall [either:

(i) have completed a comparable program from an institution of higher education that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or a higher education institution that the commissioner deems substantially equivalent, provided that such program leads to initial certification as a school counselor, or similar school counselor certification, in the jurisdiction in which the higher education institution is located; or

(ii) have at least three years of satisfactory experience in a public school (grades K-12) in other state(s) or territory/territories of the United States or the District of Columbia in a position that would have required the equivalent of initial or professional certification as a school counselor for employment in New York State and while under a certificate issued by such other state authorizing such service; or the candidate shall have equivalent experience as determined by the commissioner.

[(5) Examination requirement. Any candidate applying for professional certification as a school counselor through endorsement of a certificate of another state or territory pursuant to the provisions of this section on or after February 2, 2023, shall achieve a satisfactory level of performance on the New York State school counselor examination or other equivalent examination as approved by the Commissioner, if available.]

(2) *Such candidate who meets the endorsement requirements in paragraph (1) of this subdivision shall be issued an initial certificate in the school counselor certificate title pursuant to the requirements of this Part.*

(b) *Recognition of comparable out-of-state school counselor education programs for service as a school counselor.*

(1) *The commissioner may issue an initial certificate to a candidate who completes a comparable school counselor education program at an institution of higher education that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or a higher education institution that the commissioner deems substantially equivalent from another state or territory of the United States or the District of Columbia, provided that such program leads to initial certification as a school counselor, or a similar certificate title and type, in the jurisdiction in which the higher education institution is located if the candidate also meets the following requirements:*

(i) *General requirements. The candidate shall meet the general requirements for certificates prescribed in Subpart 80-1 of this Part, including but not limited to the requirements of section 80-1.4 of this Part relating to study in child abuse identification and reporting, and school violence prevention and intervention; section 80-1.13 of this Part relating to study in harassment, bullying and discrimination prevention and intervention; and section 80-1.11 of this Part relating to a criminal history record check.*

(ii) *Degree. The candidate shall hold a master's degree or higher from a higher education institution that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or an equivalently approved higher education institution as determined by the department, or have equivalent educational preparation as determined by the commissioner. Candidates shall have achieved a 3.0 cumulative grade point average, or its equivalent, in the program leading to the degree.*

(iii) *Examination. The candidate shall receive a satisfactory passing score on all examinations required for the title and type of certificate sought in this State, when available.*

(2) *Such candidate who meets the requirements for recognition of an out-of-state school counselor education program in paragraph (1) of this subdivision shall be issued an initial certificate in the school counselor title pursuant to the requirements of this Part.*

**Text of proposed rule and any required statements and analyses may be obtained from:** Kirti Goswami, 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:** William P. Murphy, Deputy Commissioner, Education Department, Office of Higher Education, 89 Washington Avenue, Room 975 EBA, Albany, NY 12234, (518) 473-3781, email: OHERegcomments@nysed.gov

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

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

**Regulatory Impact Statement**

**1. STATUTORY AUTHORITY:**

Education Law 101 (not subdivided) charges the Department with the general management and supervision of all public schools and all of the educational work of the state.

Education Law 207 grants general rule-making authority to the Regents to carry into effect State educational laws and policies.

Education Law 208 grants general rule-making authority to the Regents to confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

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

Education Law 308 authorizes the Commissioner to enforce any rule or direction of the Regents pertaining to the school system or any part thereof.

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

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

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

## 2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

## 3. NEEDS AND BENEFITS:

The Department proposes regulatory amendments to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway):

- **Endorsement Pathway.** Candidates would be required to hold a valid certificate from another U.S. state(s) or territory/territories or the District of Columbia, hold a master's degree or higher, have a minimum 3.0 GPA, and have acceptable experience, similar to the current endorsement of certificate requirements. They would not be required to take and pass a New York State school counselor exam. This proposed pathway would lead only to Initial School Counselor certification. Completion of a comparable program in lieu of completing acceptable experience would no longer be an option.

- **Comparable Program Pathway.** Candidates would be required to hold a master's degree or higher, have a minimum 3.0 GPA, and complete a comparable school counselor education program, similar to the current endorsement of certificate requirements. They would not need to hold a valid certificate from another state or territory, and instead, would need to take and pass the New York State School Counselor exam, if available. This pathway would only lead to Initial School Counselor certification.

Candidates under these pathways would need to meet the Professional School Counselor certificate requirements, including the education and experience requirements, to progress from the Initial to Professional certificate.

The proposed amendment also includes a technical revision to associate the study in school violence prevention and intervention with section 80-1.4 of the Commissioner's regulations, correcting an erroneous reference to section 80-1.13.

## 4. COSTS:

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

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

## 5. LOCAL GOVERNMENT MANDATES:

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

## 6. PAPERWORK:

The proposed amendments do not impose any additional paperwork requirements.

## 7. DUPLICATION:

The proposed amendments do not duplicate existing State or Federal requirements.

## 8. ALTERNATIVES:

The proposed amendment is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia. Therefore, no alternatives were considered.

## 9. FEDERAL STANDARDS:

There are no applicable Federal standards.

## 10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at its October 2023 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for State agency rulemaking. If adopted at the October 2023 meeting, the proposed amendment will become effective as a permanent rule on November 1, 2023.

### *Regulatory Flexibility Analysis*

The proposed amendment is necessary to align the pathways for certification for school counselor candidates with the pathways for certification

for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway).

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

### *Rural Area Flexibility Analysis*

#### 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed amendment applies to all candidates who are seeking school counselor certification and either hold a valid, comparable school counselor certificate from other U.S. state(s) or territory/territories or the District of Columbia or completed a comparable, out-of-state school counselor education program, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

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

The Department proposes regulatory amendments to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner's regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates ("endorsement" pathway) and recognition of comparable out-of-state school counselor education programs ("comparable program" pathway):

- **Endorsement Pathway.** Candidates would be required to hold a valid certificate from another U.S. state(s) or territory/territories or the District of Columbia, hold a master's degree or higher, have a minimum 3.0 GPA, and have acceptable experience, similar to the current endorsement of certificate requirements. They would not be required to take and pass a New York State school counselor exam. This proposed pathway would lead only to Initial School Counselor certification. Completion of a comparable program in lieu of completing acceptable experience would no longer be an option.

- **Comparable Program Pathway.** Candidates would be required to hold a master's degree or higher, have a minimum 3.0 GPA, and complete a comparable school counselor education program, similar to the current endorsement of certificate requirements. They would not need to hold a valid certificate from another state or territory, and instead, would need to take and pass the New York State School Counselor exam, if available. This pathway would only lead to Initial School Counselor certification.

Candidates under these pathways would need to meet the Professional School Counselor certificate requirements, including the education and experience requirements, to progress from the Initial to Professional certificate.

The proposed amendment also includes a technical revision to associate the study in school violence prevention and intervention with section 80-1.4 of the Commissioner's regulations, correcting an erroneous reference to section 80-1.13.

#### 3. COSTS:

The proposed amendment does not impose any additional costs on regulated parties, beyond costs currently required by regulation, including regulated parties located in rural areas.

#### 4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to align the pathways for certification for school counselor candidates with the pathways for certification for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia and will have no adverse economic impact on regulated parties, including those located in rural areas of the state. Therefore, no alternatives were considered.

#### 5. RURAL AREA PARTICIPATION:

A Copy of the proposed amendment has been provided to the New York State United Teachers for review and comment, which has members located in rural areas.

### *Job Impact Statement*

The purpose of the proposed amendment is to align the pathways for certification for school counselor candidates with the pathways for certifi-

cation for teacher and educational leadership candidates who hold a certificate from, and/or completed an educator preparation program in, another state or territory of the United States (U.S.) or the District of Columbia.

The proposed revisions to section 80-5.23 of the Commissioner’s regulations include creating two distinct pathways for school counselor certification for candidates from another state or territory: endorsement of certificates (“endorsement” pathway) and recognition of comparable out-of-state school counselor education programs (“comparable program” pathway).

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

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Registration and Operation of Central Fill Pharmacies**

**I.D. No.** EDU-26-23-00015-P

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

**Proposed Action:** Amendment of sections 29.7, 63.6 and 63.8 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 207, 6504, 6506, 6507, 6509, 6801, 6808, 6808-b and 6810

**Subject:** Registration and operation of central fill pharmacies.

**Purpose:** To establish parameters for the central fill pharmacy model.

**Text of proposed rule:** 1. Paragraph (10) is added to subdivision (b) of section 63.6 of the Regulations of the Commissioner of Education to read as follows:

(10) *Central fill pharmacies.*

(i) *For the purposes of this section:*

(a) *An originating pharmacy means a pharmacy that receives prescriptions and utilizes the services of a central fill pharmacy to prepare and fill those prescriptions prior to dispensing to the patient.*

(b) *A central fill pharmacy means a pharmacy registered for the purposes of preparing and filling prescriptions for an originating pharmacy and subsequently delivering such filled prescriptions to the originating pharmacy for dispensing to the patient.*

(ii) *General requirements. A pharmacy operated as a central fill pharmacy shall be registered in accordance with this section and shall:*

(a) *provide services only to originating pharmacies of the same ownership, or to other originating pharmacies for which there is a written contract that outlines the services provided and shared responsibilities of each pharmacy participating in central fill;*

(b) *only prepare and fill prescriptions sent from an originating pharmacy;*

(c) *not be open to the public;*

(d) *not deliver or dispense filled prescriptions directly to patients;*

(e) *not prepare medications that require compounding; and*

(f) *not prepare controlled substances, as defined in Article 33 of the Public Health Law.*

(iii) *Operations. A central fill pharmacy together with each originating pharmacy for which it provides services shall:*

(a) *be jointly responsible for properly processed and filled prescriptions;*

(b) *share a common electronic file or technology that allows access to information necessary or required to perform central fill processes in conformance with all applicable state and federal statutory and regulatory requirements;*

(c) *maintain a system that adequately protects the confidentiality and integrity of patient information;*

(d) *maintain a mechanism for tracking the prescription order during each step of the process including, but not limited to, the names of each individual, and license or registration numbers if applicable, taking part in each step of the process;*

(e) *ensure that the originating pharmacy obtains the consent of the patient, or the patient’s authorized representative, in writing that a prescription may be prepared by a central fill pharmacy on behalf of the originating pharmacy. Such consent shall be obtained prior to the dispensing of a prescription for the first time to a new patient of the originating pharmacy or a prescription for a new medication for an existing patient of the originating pharmacy and/or a change in the dose, strength, route of administration or directions for use of an existing prescription previously dispensed for an existing patient of the originating pharmacy. Nothing in*

*this clause shall prohibit a patient from opting-out of having their prescriptions filled via a central fill pharmacy at any time;*

(f) *ensure that patients are made aware that part or all of their prescription may be filled off-premises using signage conspicuously posted at or adjacent to the place in the originating pharmacy where prescriptions are presented for compounding and dispensing, in the waiting area for customers, or in the area where prescribed drugs are dispensed. Such sign shall state in bold, block letters at least one inch in height that pending a patient’s consent a prescription may be filled offsite by a central fill pharmacy and shall include the central fill pharmacy’s registered name and registration number;*

(g) *ensure that all prescription labels, in addition to the standardized patient- centered data elements for the originating pharmacy as set forth in section 63.12 of this Part, also identify the central fill pharmacy at which the prescription was filled, including its registered name and registration number;*

(h) *ensure that drugs stored at central fill pharmacies are only accessible to authorized personnel;*

(i) *ensure that drugs are stored and transported in a secure manner and in compliance with all applicable state and federal statutory and regulatory requirements;*

(j) *ensure that the originating pharmacy is responsible for the requirements for the patient profile and counseling provisions set forth in paragraphs (7) and (8) of this subdivision;*

(k) *maintain a mechanism that allows the originating pharmacy to prepare and dispense a prescription to a patient when the filled prescription has not been received from the central fill pharmacy or if the patient seeks to pick-up the prescription at the originating pharmacy before the originating pharmacy has received the prescription from the central fill pharmacy for dispensing;*

(l) *maintain all records for a period of five years following the date of most recent entry and shall make such records available to the department for review and copying upon request; and*

(m) *jointly develop and implement written policies and procedures for central fill processing that shall include, but not be limited to:*

(1) *a description of the roles and responsibilities of each central fill pharmacy and originating pharmacy;*

(2) *an accurate and up to date listing of the name, address, telephone numbers, and all registration numbers of all the originating and central fill pharmacies involved in the preparation and processing of prescriptions; and*

(3) *policies and procedures for meeting each of the requirements set forth in clauses (a) through (l) of this subparagraph.*

(iv) *A pharmacy engaging in activities that fit within the definition of a central fill pharmacy set forth in this paragraph that was registered prior to the effective date of this paragraph, shall provide notice to the department of such activities no later than 30 days from the effective date of this paragraph, and shall be required to meet the requirements of this paragraph no later than twelve months after such effective date. Failure to meet the requirements of this paragraph within twelve months of the effective date may result in a denial of renewal of registration.*

(v) *After twelve months from the effective date of this paragraph, no establishment registered under this Part shall engage in central fill services unless they have met all the requirements of this paragraph and are registered with the department for such purpose.*

2. Paragraph (6) of subdivision (b) of section 63.8 is amended by adding subparagraph (iii) to read as follows:

(iii) *Central fill pharmacies. Nonresident establishments that are pharmacies and are operated as central fill pharmacies that prepare and fill prescriptions on behalf of in-state pharmacies registered pursuant to 63.6 of this Part, shall comply with the requirements set forth in subparagraphs (iii), (iv), and (v) of paragraph (10) of section 63.6 of this Part.*

3. Subdivision (a) of section 29.7 of the Rules of the Board of Regents is amended by adding a new paragraph (22) to read as follows:

(22) *Failure of a pharmacy operating as central fill pharmacy or originating pharmacy as defined in paragraph (10) of subdivision (b) of section 63.6 to adhere to the requirements set forth in such paragraph.*

**Text of proposed rule and any required statements and analyses may be obtained from:** Kirti Goswami, 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, Deputy Commissioner, Education Department, Office of the Professions, 89 Washington Avenue, 2nd Floor EB, West Wing, Albany, NY 12234, (518) 486-1727, email: REGCOMMENTS@nysed.gov

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

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

**Regulatory Impact Statement**

1. **STATUTORY AUTHORITY:**

Section 207 of the Education Law grants general rule-making authority

to the Board of Regents to carry into effect the laws and policies of the State relating to education.

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

Subdivision (1) of section 6506 authorizes the Board of Regents to promulgate rules 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 to promulgate regulations in administering the admission to the practice of the professions.

Subdivision (9) of section 6509 of the Education Law authorizes the Board of Regents to define unprofessional conduct in the professions.

Section 6801 of the Education Law defines the practice of the profession of pharmacy.

Section 6808 of the Education Law establishes the registration and operation requirements for pharmacies, wholesalers, manufacturers, and outsourcing facilities.

Section 6808-b of the Education Law establishes the registration and operation requirements for non-resident pharmacies, wholesalers, manufacturers, and outsourcing facilities.

Section 6810 of the Education Law establishes the requirements for prescriptions.

## 2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards. Over the past several years, the practice of pharmacy has evolved to include increased direct patient care responsibilities, such as administering immunizations and medications. At the same time, the methods by which pharmacies operate to provide patient services have also evolved to incorporate new technologies and new business models. Utilizing the services of a "central fill pharmacy" to prepare and fill prescriptions prior to the pharmacy dispensing them to a patient is one such model. Additionally, establishing clear parameters for the central fill pharmacy model through regulation will allow New York State registered pharmacies the ability to access this model, if they so choose.

The proposed rule amends Part 63.6 of the Commissioner's regulations to:

- establish definitions for originating and central fill pharmacies to clearly delineate their respective roles and responsibilities;
- establish general requirements for the registration and operation of central fill pharmacies;
- establish operational requirements for which originating and central fill pharmacies are jointly responsible for their respective roles in the preparation and dispensing of prescriptions;
- require originating pharmacies that are currently utilizing central fill pharmacies, and pharmacies that are currently operating as central fill pharmacies, to provide notice to the Department of such activities within thirty days of the regulations effective date;
- provide for a twelve-month phase-in period for originating pharmacies that are utilizing central fill pharmacies and central fill pharmacies to come into compliance with the requirements of the regulations; and
- establish that originating or central fill pharmacies that fail to meet the requirements of section 63.6 after the twelve-month phase-in period may be denied registration renewal.

The proposed amendments to Part 63.8 of the Commissioner's regulations:

- require non-resident pharmacies that provide central fill activities on behalf of registered pharmacies located in New York State to meet the same operational requirements as central fill pharmacies located in New York State, including, but not limited to, the notice to the Department requirements and possible denial of registration renewal for failure to meet the operational requirements set forth in section 63.6(b)(10)(iii).

The proposed amendments to Part 29 of the Rules of the Board of Regents:

- establish that it is professional misconduct for a resident or non-resident pharmacy operating as a central fill pharmacy or an originating pharmacy engaged in central fill activity with a central fill pharmacy to fail to adhere to the requirements set forth in section 63.6 of the Commissioner's regulations.

## 3. NEEDS AND BENEFITS:

The proposed amendment is necessary to establish requirements for the registration and operation of central fill pharmacies in New York State to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards.

The proposed rule also requires non-resident pharmacies that provide central fill activities on behalf of registered pharmacies located in New

York State to meet the same operational requirements as central fill pharmacies located in New York State, including, but not limited to, the notice to the Department requirements and possible denial of registration renewal for failure to meet the operational requirements set forth in section 63.6(b)(10)(iii).

The proposed rule further establishes that it is professional misconduct for a resident or non-resident pharmacy operating as a central fill pharmacy or an originating pharmacy engaged in central fill activity with a central fill pharmacy to fail to adhere to the requirements set forth in section 63.6 of the Commissioner's regulations.

## 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 amendment will not increase costs to private regulated parties. Pursuant to Education Law sections 6808(2)(a)(2) and 6808-b(4)(g), pharmacies seeking to register as resident or non-resident pharmacies in New York State must pay a \$345 application fee. This same \$345 fee will apply to pharmacies seeking to register as resident or non-resident central fill pharmacies. Therefore, there will be no additional costs to private regulated parties.

(d) Cost to regulating agency for implementation and continued administration of this rule: There are no additional costs to the regulating agency.

## 5. LOCAL GOVERNMENT MANDATES:

The proposed amendment relates solely to regulations governing the registration and operation of central fill pharmacies, and does not impose any program, service, duty, or responsibility upon local governments.

## 6. PAPERWORK:

The proposed amendment imposes a requirement that originating pharmacies that are currently utilizing central fill pharmacies, and pharmacies that are currently operating as central fill pharmacies, must provide notice to the Department of such activities within thirty days of the regulations effective date.

## 7. DUPLICATION:

The proposed amendment does not duplicate other existing state or federal requirements and is necessary to establish regulatory requirements for the registration and operation of central fill pharmacies conducting business in New York State.

## 8. ALTERNATIVES:

The proposed amendment is necessary to establish regulatory requirements for the registration and operation of central fill pharmacies conducting business in New York State. There are no significant alternatives to the proposed amendments, and none were considered.

## 9. FEDERAL STANDARDS:

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:

The proposed amendment is necessary to establish regulatory requirements for the registration and operation of central fill pharmacies conducting business in New York State. If adopted at the October 2023 Regents meeting, the proposed amendment will become effective November 1, 2023. 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 is necessary to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards. Over the past several years, the practice of pharmacy has evolved to include increased direct patient care responsibilities, such as administering immunizations and medications. At the same time, the methods by which pharmacies operate to provide patient services have also evolved to incorporate new technologies and new business models. Utilizing the services of a "central fill pharmacy" to prepare and fill prescriptions prior to the pharmacy dispensing them to a patient is one such model. Additionally, establishing clear parameters for the central fill pharmacy model through regulation will allow New York State registered pharmacies the ability to access this model, if they so choose.

Applicants for registration as a resident or non-resident central fill pharmacy in New York State, as well as originating pharmacies, will have to comply with this proposed rule's registration and operation requirements. The proposed rule will also require originating pharmacies that are currently utilizing central fill pharmacies, and pharmacies that are currently operating as central fill pharmacies, to provide notice to the Department of such activities within thirty days of the regulations effective date.

Therefore, other than the aforementioned Department notice requirement, the proposed rule will not impose any new reporting, recordkeeping, or other compliance requirements, or have any adverse economic impact on small businesses. Because it is evident from the nature of the proposed rule that it will not adversely affect small businesses, no affirmative steps 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 rule is to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards.

The number of local governments that may seek to apply for registration to operate a central fill pharmacy in New York State, under the proposed rule's requirements, is not available and is unknown.

2. COMPLIANCE REQUIREMENTS:

The purpose of the proposed rule is to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards. Over the past several years, the practice of pharmacy has evolved to include increased direct patient care responsibilities, such as administering immunizations and medications. At the same time, the methods by which pharmacies operate to provide patient services have also evolved to incorporate new technologies and new business models. Utilizing the services of a "central fill pharmacy" to prepare and fill prescriptions prior to the pharmacy dispensing them to a patient is one such model. Additionally, establishing clear parameters for the central fill pharmacy model through regulation will allow New York State registered pharmacies the ability to access this model, if they so choose.

The proposed rule amends Part 63.6 of the Commissioner's regulations to:

- establish definitions for originating and central fill pharmacies to clearly delineate their respective roles and responsibilities;
- establish general requirements for the registration and operation of central fill pharmacies;
- establish operational requirements for which originating and central fill pharmacies are jointly responsible for their respective roles in the preparation and dispensing of prescriptions;
- require originating pharmacies that are currently utilizing central fill pharmacies, and pharmacies that are currently operating as central fill pharmacies, to provide notice to the Department of such activities within thirty days of the regulations effective date;
- provide for a twelve-month phase-in period for originating pharmacies that are utilizing central fill pharmacies and central fill pharmacies to come into compliance with the requirements of the regulations; and
- establish that originating or central fill pharmacies that fail to meet the requirements of section 63.6 after the twelve-month phase-in period may be denied registration renewal.

The proposed amendments to Part 63.8 of the Commissioner's regulations:

- require non-resident pharmacies that provide central fill activities on behalf of registered pharmacies located in New York State to meet the same operational requirements as central fill pharmacies located in New York State, including, but not limited to, the notice to the Department requirements and possible denial of registration renewal for failure to meet the operational requirements set forth in section 63.6(b)(10)(iii).

3. PROFESSIONAL SERVICES:

It is not anticipated that local governments will need professional services to comply with the proposed rule.

4. COMPLIANCE COSTS:

The proposed rule does not impose any direct costs on local governments, unless they apply for registration to operate a central fill pharmacy. Pursuant to Education Law sections 6808(2)(a)(2) and 6808-b(4)(g), pharmacies seeking to register as resident or non-resident pharmacies in New York State must pay a \$345 application fee. This same \$345 fee will apply to pharmacies seeking to register as resident or non-resident central fill pharmacies.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule will not impose any new technological requirements on regulated parties, including local governments, and the proposed rule is economically feasible. See above "Compliance Costs" for the economic impact of the regulation.

6. MINIMIZING ADVERSE IMPACT:

The purpose of the proposed rule is to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and

protection by ensuring that such pharmacies must comply with regulatory standards. See above "Compliance Costs" for the minimizing adverse impact of the regulation.

7. LOCAL GOVERNMENT PARTICIPATION:

Statewide organizations representing all parties having an interest in the practice of pharmacy, including the State Board for Pharmacy and who are members of various professional associations and groups, which include state and federal employees, were consulted and provided input into the development of the proposed rule and their comments were considered in its development.

*Rural Area Flexibility Analysis*

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule will apply to all resident pharmacies seeking to register and operate as a resident central fill pharmacy in New York State, including those located in the 44 counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square miles or less. The proposed rule will also apply to non-resident pharmacies seeking register as a non-resident central pharmacy in order to conduct central fill related business in this State.

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

The proposed rule is necessary to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards. Over the past several years, the practice of pharmacy has evolved to include increased direct patient care responsibilities, such as administering immunizations and medications. At the same time, the methods by which pharmacies operate to provide patient services have also evolved to incorporate new technologies and new business models. Utilizing the services of a "central fill pharmacy" to prepare and fill prescriptions prior to the pharmacy dispensing them to a patient is one such model. Additionally, establishing clear parameters for the central fill pharmacy model through regulation will allow New York State registered pharmacies the ability to access this model, if they so choose.

The proposed rule amends Part 63.6 of the Commissioner's regulations to:

- establish definitions for originating and central fill pharmacies to clearly delineate their respective roles and responsibilities;
- establish general requirements for the registration and operation of central fill pharmacies;
- establish operational requirements for which originating and central fill pharmacies are jointly responsible for their respective roles in the preparation and dispensing of prescriptions;
- require originating pharmacies that are currently utilizing central fill pharmacies, and pharmacies that are currently operating as central fill pharmacies, to provide notice to the Department of such activities within thirty days of the regulations effective date;
- provide for a twelve-month phase-in period for originating pharmacies that are utilizing central fill pharmacies and central fill pharmacies to come into compliance with the requirements of the regulations; and
- establish that originating or central fill pharmacies that fail to meet the requirements of section 63.6 after the twelve-month phase-in period may be denied registration renewal.

The proposed amendments to Part 63.8 of the Commissioner's regulations:

- require non-resident pharmacies that provide central fill activities on behalf of registered pharmacies located in New York State to meet the same operational requirements as central fill pharmacies located in New York State, including, but not limited to, the notice to the Department requirements and possible denial of registration renewal for failure to meet the operational requirements set forth in section 63.6(b)(10)(iii).

The proposed amendments to Part 29 of the Rules of the Board of Regents:

- establish that it is professional misconduct for a resident or non-resident pharmacy operating as a central fill pharmacy or an originating pharmacy engaged in central fill activity with a central fill pharmacy to fail to adhere to the requirements set forth in section 63.6 of the Commissioner's regulations.

3. COSTS:

With respect to resident and non-resident pharmacies applying to become registered central pharmacies, including those in rural areas, the proposed rule does not impose any additional costs beyond those required by statute. Pursuant to Education Law sections 6808(2)(a)(2) and 6808-b(4)(g), pharmacies seeking to register as resident or non-resident pharmacies in New York State must pay a \$345 application fee. This same \$345 fee will apply to pharmacies seeking to register as resident or non-resident central fill pharmacies. Therefore, there will be no additional costs to regulated parties.

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment is necessary to establish requirements for the registration and operation of central fill pharmacies in New York State to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards. The aforementioned requirements for resident and non-resident pharmacies seeking registration to operate central fill pharmacies do not make exceptions for pharmacies located in rural areas. Thus, the State Education Department has determined that the proposed rule's requirements should apply to all pharmacies seeking registration to operate a central fill pharmacy to conduct central fill pharmacy related business in this State, by complying with the central registration and operation requirements, regardless of the geographic location, to help ensure consistency in central fill pharmacy operation standards to protect the public health across the State. Because of the nature of the proposed rule, alternative approaches for rural areas were not considered.

#### 5. RURAL AREAS OF PARTICIPATION:

Comments on the proposed rule were solicited from statewide organizations representing parties having an interest in the practice of pharmacy and pharmacy technicians. These organizations included the State Board for Pharmacy and professional associations representing the pharmacy profession and/or pharmacy technicians. These groups have members who live or work in rural areas.

#### Job Impact Statement

The proposed rule is necessary to establish requirements for the registration and operation of central fill pharmacies to improve public access to medications and further the goals and interests of public health and protection by ensuring that such pharmacies must comply with regulatory standards. Over the past several years, the practice of pharmacy has evolved to include increased direct patient care responsibilities, such as administering immunizations and medications. At the same time, the methods by which pharmacies operate to provide patient services have also evolved to incorporate new technologies and new business models. Utilizing the services of a "central fill pharmacy" to prepare and fill prescriptions prior to the pharmacy dispensing them to a patient is one such model. Additionally, establishing clear parameters for the central fill pharmacy model through regulation will allow New York State registered pharmacies the ability to access this model, if they so choose.

The proposed rule amends Part 63.6 of the Commissioner's regulations to:

- establish definitions for originating and central fill pharmacies to clearly delineate their respective roles and responsibilities;
- establish general requirements for the registration and operation of central fill pharmacies;
- establish operational requirements for which originating and central fill pharmacies are jointly responsible for their respective roles in the preparation and dispensing of prescriptions;
- require originating pharmacies that are currently utilizing central fill pharmacies, and pharmacies that are currently operating as central fill pharmacies, to provide notice to the Department of such activities within thirty days of the regulations effective date;
- provide for a twelve-month phase-in period for originating pharmacies that are utilizing central fill pharmacies and central fill pharmacies to come into compliance with the requirements of the regulations; and
- establish that originating or central fill pharmacies that fail to meet the requirements of section 63.6 after the twelve-month phase-in period may be denied registration renewal.

The proposed amendments to Part 63.8 of the Commissioner's regulations:

- require non-resident pharmacies that provide central fill activities on behalf of registered pharmacies located in New York State to meet the same operational requirements as central fill pharmacies located in New York State, including, but not limited to, the notice to the Department requirements and possible denial of registration renewal for failure to meet the operational requirements set forth in section 63.6(b)(10)(iii).

The proposed amendments to Part 29 of the Rules of the Board of Regents:

- establish that it is professional misconduct for a resident or non-resident pharmacy operating as a central fill pharmacy or an originating pharmacy engaged in central fill activity with a central fill pharmacy to fail to adhere to the requirements set forth in section 63.6 of the Commissioner's regulations.

It is not anticipated that the proposed rule will increase or decrease the number of jobs to be filled because, among other things, there is no means by which to estimate how many resident and non-resident pharmacies may submit applications to the Department to become registered central fill pharmacies in New York State. Although some pharmacies have expressed their interest to the Department in doing so, it is presently unclear as to how many will do so once the proposed rule becomes effective. Therefore, the proposed rule will not have a substantial adverse impact on jobs and

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

## REVISED RULE MAKING NO HEARING(S) SCHEDULED

### Special Education Due Process Hearings

I.D. No. EDU-09-23-00031-RP

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

**Proposed Action:** Amendment of section 200.5 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 107, 207, 305, 3214, 4403, 4404 and 4410

**Subject:** Special education due process hearings.

**Purpose:** To amend due process hearing procedures relating to extensions, mediation and resolution, rules of conduct, and use of in-person, teleconference, and videoconference hearings.

**Text of revised rule:** 1. Paragraph (5) of subdivision (j) of section 200.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(5) ...

(i) ...

(ii) [The impartial hearing officer may grant a request for an extension only after fully considering the cumulative impact of the following factors] *The initial request for an extension may be granted only for good cause shown and only for the minimum necessary length of time. Although the party's consent to an extension request weighs in favor of granting the request, their consent does not, by itself, constitute good cause for an extension.* The impartial hearing officer shall consider the following in deciding whether there is good cause for an extension:

(a) ...

(b) ...

(c) ...

(d) whether there has already been a delay in the proceeding through the actions of one of the parties[.];

(e) *the amount of time the proceedings have been pending;*

(f) *whether the extension will inconvenience any witnesses;*

(g) *whether the extension is requested due to facts beyond the requesting party's control; and*

(h) *any other fact or consideration that the impartial hearing officer considers relevant.*

(iii) [Absent a compelling reason or a specific showing of substantial hardship, a request for an extension shall not be granted because of school vacations, a lack of availability resulting from the parties and/or representatives' scheduling conflicts, avoidable witness scheduling conflicts, or other similar reasons. Upon a finding of good cause based on the likelihood that a settlement may be reached, an extension may be granted for settlement discussions between the parties. The impartial hearing officer shall not rely on the agreement of the parties as a basis for granting an extension.] *If a party selects a hearing or pre-hearing settlement conference date without consulting or obtaining the consent of the other party, an application by the other party to extend that date will be decided with due regard to the ex parte nature of the scheduling.*

(iv) *An attorney must submit to the impartial hearing officer a sworn statement of an actual conflicting engagement when seeking an extension on that basis. The sworn statement must state the name and nature of the conflicting matter, the court or tribunal hearing the matter, the judge before whom the matter is scheduled, the date that the conflicting engagement became known to the attorney and the date, time, place, and approximate duration of the engagement. If the parent is accompanied by a non-attorney representative who requests an extension based upon time constraints imposed by other advocacy work, the non-attorney representative must submit a sworn statement to the impartial hearing officer that states the nature of the conflicting matter, the court or tribunal hearing the matter, the impartial hearing officer before whom the matter is scheduled, and the date, time, place and approximate duration of the engagement.*

(v) *No extension longer than 30 days shall be granted, [after the record close date] except upon a showing of substantial hardship. No proceeding or deadline may be extended more than once, except upon a showing of exceptional circumstances. For the purposes of this paragraph, converting a hearing date to a conference date is an extension.*

(vi) *Notwithstanding subparagraph (v) of this paragraph, if the*



parties are making substantial progress toward settlement, they may jointly apply for an extension of time. The impartial hearing officer may grant the extension if he or she is satisfied that settlement negotiations are proceeding expeditiously and in good faith.

(vii) A party may not withdraw and refile or amend a due process complaint for the primary purpose of obtaining additional extensions of time. If an impartial hearing officer determines that a party refiled or amended such a complaint primarily for such reason, he or she shall dismiss the complaint for abuse of process.

(iv)(vii) The impartial hearing officer shall promptly respond in writing to each request for an extension and shall set forth the facts relied upon for each extension granted. The response shall become part of the record. The impartial hearing officer may render an oral decision to an oral request for an extension if the discussions are conducted on the record, but shall subsequently provide that decision in writing and include it as part of the record. For each extension granted, the impartial hearing officer shall set a new date for rendering his or her decision, notify the parties in writing of such date, and as required, revise the schedule of remaining hearing dates set forth in the written prehearing order issued pursuant to clause (3)(xi)(b) of this subdivision to ensure that the impartial hearing officer's decision is issued by the revised decision due date.

(v)(ix) The impartial hearing officer shall determine when the record is closed and notify the parties of the date the record is closed. The decision of the impartial hearing officer shall be based solely upon the record of the proceeding before the impartial hearing officer and shall set forth the reasons and the factual basis for the determination. The decision shall reference the hearing record to support the findings of fact. The impartial hearing officer shall attach to the decision a list identifying each exhibit admitted into evidence. Such list shall identify each exhibit by date, number of pages, and exhibit number or letter. In addition, the decision shall include an identification of all other items the impartial hearing officer has entered into the record. The decision shall also include a statement advising the parents and the board of education of the right of any party involved in the hearing to obtain a review of such a decision by the State review officer in accordance with subdivision (k) of this section. The decision of the impartial hearing officer shall be binding upon both parties unless appealed to the State review officer. Impartial hearing officers must sign and date their decisions as of the date the decision is being distributed and shall distribute the decision to the parties on that same day. This date shall also constitute the case closure date reported by a district to the Office of Special Education in the New York State Education Department.

(vi)(x) For purposes of this section, the record shall include copies of:

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) ...
- (g) ...
- (h) ...

2. Subdivision (h) of section 200.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(h) Mediation.

(1) During the resolution period pursuant to paragraph (2) of subdivision (j) of this section, the parties may agree to engage in mediation for any matter for which an impartial due process hearing may be brought. Parties may also agree to engage in mediation at any time, including prior to the filing of a due process complaint notice, for any matter in which an impartial due process hearing may be brought. Where parties agree to engage in mediation prior to the filing of a due process complaint, the student has the right to remain in his or her then-current educational placement as of the date the parties agreed to engage in mediation, consistent with subdivision (m) of this section. If the parties determine that they are unable to resolve the complaint in mediation, the parent must file a due process complaint concerning the matter that is the subject of mediation within 14 days of such determination to continue their current placement, unless the parties otherwise agree. Each school district must ensure that procedures are established and implemented to allow parties to resolve disputes [involving any matter for which an impartial due process hearing may be brought, including matters arising prior to the filing of a due process complaint notice] through a mediation process. Such procedures must ensure that:

- (i) ...
- (ii) ...
- (iii) ...
- (iv) ...
- (v) ...

(vi) In the case that a resolution is reached to resolve the complaint through the mediation process, the parties shall execute a legally binding

written agreement that sets forth the resolution and that states that all discussions that occurred during the mediation process shall remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding of any federal or State court. The agreement shall be signed by both the parent and a representative of the school district who has the authority to bind the school district. The written, signed agreement is enforceable in any State court of competent jurisdiction, [or] in a district court of the United States, or, with respect to matters concerning Part B of the Individuals with Disabilities Education Act, through the state complaint procedures outlined in subdivision (l) of this section.

- (2) ...
- (3) ...
- (4) ...
- (5) ...

3. Paragraph (3) of subdivision (j) of section 200.5 of the Regulations of the Commissioner of Education is amended by adding a new subparagraph (xviii) to read as follows:

(xviii) At all times throughout an impartial hearing, representatives of the parties, including attorneys and non-attorney representatives must:

(a) Be familiar with and comply with all applicable laws and rules, and the orders and directions of the impartial hearing officer. Attorneys and representatives shall not disregard the authority of the impartial hearing officer.

(b) Conduct themselves at in a dignified, orderly, and decorous manner. At the hearing, attorneys or representatives must address themselves to the impartial hearing officer at all times and cooperate with the orderly conduct of the proceedings. Attorneys and representatives shall not engage in abusive behavior or any disturbance that directly or indirectly disrupts, obstructs, or interrupts the proceedings. An impartial hearing officer may take remedial measures, including taking a break, adjourning the hearing, or declining to allow an attorney or representative to be present during a hearing if he or she will not participate respectfully.

4. Clauses (h) and (i) of subparagraph (xii) of paragraph (3) of subdivision (j) of section 200.5 of the Regulations of the Commissioner of Education are amended to read as follows:

(h) [The impartial hearing officer may conduct the impartial hearing by video conference during a declared State of emergency issued by the Governor pursuant to an Executive Order.] The impartial hearing officer, upon consent of the parties, may conduct the hearing in person, by video conference or teleconference, provided that all personally identifiable data, information or records pertaining to students with disabilities during such hearing shall be subject to the requirements of paragraph (e)(2) of this section.

(i) The impartial hearing officer may conduct the impartial hearing by video conference or teleconference with the consent of the parent which may be obtained at a pre-hearing conference, or a minimum of 10 days before the scheduled hearing date, provided that all personally identifiable data, information or records pertaining to students with disabilities during such hearing shall be subject to the requirements of section 200.5(e)(2) of this Part.]

5. Subparagraph (iv) of paragraph (2) of subdivision (j) of section 200.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(iv) Written settlement agreement. If during the resolution process, the parent and school district reach an agreement to resolve the complaint, the parties shall execute a legally binding agreement that is signed by both the parent and a representative of the school district who has the authority to bind the school district. Such agreement shall be enforceable in any State court of competent jurisdiction, [or] in a district court of the United States, or, with respect to matters concerning Part B of the Individuals with Disabilities Education Act, through the state complaint procedures outlined in subdivision (l) of this section. A party may void such agreement within three business days of the agreement's execution.

**Revised rule compared with proposed rule:** Substantive revisions were made in sections 200.5(j)(3), (5) and (h).

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

**Data, views or arguments may be submitted to:** Christopher Suriano, Assistant Commissioner, NYS Education Department, Office of Special Education, 89 Washington Avenue, Room 301M EB, Albany, NY 12234, (518) 473-2878, email: REGCOMMENTS@nysed.gov

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

**Revised Regulatory Impact Statement**

Since publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on March 1, 2023, the following non-substantial revisions were made to the proposed rule:

- Section 200.5(j)(3)(xii) has been revised to provide that the IHO may conduct the hearing either in person, by video conference, or teleconference upon consent of both parties, rather than just the parent.
- Section 200.5(j)(3)(xviii) has been revised to clarify that IHOs may take remedial measures, including taking a break, adjourning the hearing, or declining to allow an attorney or representative to be present during a hearing if he or she will not participate respectfully.
- Section 200.5(j)(5)(iii) has been revised to provide that:
  - o No extension longer than 30 days may be granted except upon a showing of substantial hardship, and that no proceeding or deadline may be extended more than once, except upon a showing of exceptional circumstances.
  - o Converting a hearing date to a conference date is an extension.
  - o If a party selects a hearing or pre-hearing settlement conference date without consulting or obtaining the consent of the other party, an application by the other party to extend that date will be decided with due regard to the ex parte nature of the scheduling.
  - o An attorney must submit to the IHO a sworn statement of an actual conflicting engagement when seeking an extension on that basis. Additionally, if a parent is accompanied by a non-attorney representative who requests an extension based upon time constraints imposed by other advocacy work, the non-attorney representative must submit a sworn statement to the IHO.
  - o If the parties are making substantial progress toward settlement, they may jointly apply for an extension of time. The impartial hearing officer may grant the extension if he or she is satisfied that settlement negotiations are proceeding expeditiously and in good faith.
- Section 200.5(h) has been revised to clarify that a student's right to remain in their then-current educational placement during mediation remains as of the date the parties agree to engage in mediation.

The above changes require that NEEDS AND BENEFITS, and COMPLIANCE SCHEDULE sections of the previously published Regulatory Impact Statement be revised to read as follows:

### 3. NEEDS AND BENEFITS:

#### Extensions:

State and federal law generally require that a special education impartial hearing decision be rendered within 75 days of receipt of a due process complaint.<sup>1</sup> Impartial hearing officers (IHOs) may grant extensions to this timeframe if requested by the parties provided certain requirements are met. Despite the existing requirements in regulation, IHOs in New York City grant an inordinate number of extensions, resulting in delays in dispute resolution. This is contrary to the purpose of the special education due process hearing system, which is to timely resolve disputes between parents and school districts.

During the 2021-2022 school year, IHOs granted over 80,000 extensions in New York State, 79,203 (99 percent) of which originated from New York City. This has resulted in exceptionally lengthy hearings. Many such extensions are granted where, despite an agreement between the parties, the parties await final approval of a settlement by the New York City Department of Education. Cases can be extended for months or even years after the original 75-day period has passed<sup>2</sup> and yet still be considered timely as a result of extensions.

Therefore, the Department proposes to amend section 200.5(j)(5) of the Commissioner's regulations related to the issuance of extensions. Specifically, the proposed amendment:

- Includes additional reasons for an IHO to consider in determining whether good cause exists to grant an extension.
- Provides that no extension longer than 30 days may be granted unless there is a showing of substantial hardship and no proceeding or deadline may be extended more than once, except upon a showing of exceptional circumstances.
- Exceptional circumstances may include the need to present additional witness testimony that could not reasonably be completed within the length of an ordinary hearing day. An attorney must submit to the IHO a sworn statement of an actual conflicting engagement when seeking an extension on that basis. Additionally, if a parent is accompanied by a non-attorney representative who requests an extension based upon time constraints imposed by other advocacy work, the non-attorney representative must submit a sworn statement to the IHO.
- If the parties are making substantial progress toward settlement, they may jointly apply for an extension of time. The impartial hearing officer may grant the extension if he or she is satisfied that settlement negotiations are proceeding expeditiously and in good faith.
- Creates a process by which parents or guardians who have settled with a school district may withdraw their complaints and remain in their then-current education placement until final execution of a settlement.

The Department anticipates that the proposed amendments will ameliorate overreliance on extensions by the parties and the IHOs in New York City and ensure more efficient and timely decisions.

#### Mediation and Resolution:

Mediation and resolution are viable but underutilized due process hearing dispute resolution mechanisms in New York State. In the 2021-2022 school year, there were 18,200 due process complaints filed in New York State, and only 355 requested special education mediation. Of the 355 requests, only 202 mediation agreements were reached. Concerning resolution, the regulations require that a resolution meeting be held in the vast majority of cases prior to proceeding to the hearing (see 8 NYCRR 200.5(j)(2)).<sup>3</sup> Nevertheless, of the 18,200 due process complaints filed, only 983 resolution meetings were held, and only 345 written settlement agreements were reached through resolution.

If a district fails to implement an agreed-upon mediation or resolution agreement, such agreements are enforceable "in any State court of competent jurisdiction or in a district court of the United States" (8 NYCRR 200.5(h)(1)(vi), 200.5(j)(2)(iv)). This is likely to be an expensive and lengthy process that may further discourage parents from engaging in mediation and/or resolution. However, the state complaint procedures available in section 200.5(l) of the Commissioner's regulations is an alternative process that parents may find more accessible, and preferable, than judicial enforcement. Moreover, while federal regulations only address the use of judicial enforcement of mediation and resolution agreements, nothing in the federal regulations prohibits the use of nonjudicial mechanisms to resolve allegations that the public agency did not implement a mediation agreement, provided the State's mechanism is not mandatory and does not otherwise delay or deny a parties' right to seek enforcement of the agreement through the judicial enforcement mechanisms (see 34 CFR 300.506(b)(7), 300.510(d)(2); <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/combinedosersdisputeresolutionqafinalmemo-7-23-13.pdf>).

Given the overwhelming number of due process complaints filed in New York State, the Department intends to make mediation more readily available and accessible to families and to further encourage family participation in resolution sessions, consistent with regulatory requirements. Therefore, the Department proposes to amend sections 200.5(h) and 200.5(j)(2) of the Commissioner's regulations to allow for enforcement of mediation and resolution agreements through the state complaint process outlined in section 200.5(l) of the Commissioner's regulations. Additionally, to promote the use of mediation, the Department proposes to amend section 200.5(h)(1) of the Commissioner's regulations to encourage the use of mediation, consistent with Education Law § 4404-a(2).

#### Rules of Conduct:

The Department has received several complaints from school districts concerning the conduct of non-attorney advocates during impartial due process hearings. Therefore, on September 13, 2022, the Department communicated to all certified IHOs that they must accord all parties a meaningful opportunity to exercise their rights during the impartial hearing and if a party, witness, or advocate engaging in abusive or harassing conduct despite warning or admonishment, an IHO should take remedial measures.

It is imperative that all individuals appearing before an IHO, attorneys and non-attorney representatives alike, remain respectful and courteous throughout the hearing process. Therefore, the Department proposes to amend section 200.5(j)(3) of the Commissioner's regulations to provide that attorneys and representatives must be familiar with, and comply with, all applicable laws, rules, orders, and directions of an IHO. This regulation provides that all attorneys and representatives must conduct themselves at all times in a dignified, orderly, and decorous manner; they are specifically prohibited from engaging in abusive or disorderly behavior. Additionally, they may not disregard the IHO's authority, including refusing to comply with the directions of an IHO during proceedings. IHOs may take remedial measures, including taking a break, adjourning the hearing, or declining to allow an attorney or representative to be present during a hearing if he or she will not participate respectfully.

The Department expects that these amendments will ensure a more efficient hearing process and reduce the time in which it takes IHOs to complete hearings.

#### Use of In-Person, Teleconference, and Videoconference:

The Department proposes to amend section 200.5(j)(3)(xii)(h) and (i) of the Commissioner's regulations, regarding the use of teleconference and videoconference hearings and whether such hearings are permissible, to simplify the requirements and provide additional flexibility to parents and IHOs. The Department proposes to amend such provisions to provide that IHOs may determine, with the consent of the parties, whether a hearing should be conducted in person, by teleconference, or videoconference. The Department anticipates that this will reduce inefficiencies and confusion related to the use of teleconference and videoconference for such hearings.

### 10. COMPLIANCE SCHEDULE:

It is anticipated that the proposed amendment will be presented for permanent adoption at the October 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 450-

day public comment period required under the State Administrative Procedure Act for revised rule makings. If adopted at the October 2023 meeting, the revised proposed rule will become effective on November 1, 2023. It is anticipated that regulated parties will be able to comply with the proposed rule on its effective date.

- <sup>1</sup> IHOs have 45 days to render a decision following the end of the 30-day resolution period.
- <sup>2</sup> Some of New York State’s oldest cases have been open for over 1,000 days.
- <sup>3</sup> In cases where the due process complaint is brought by a school district, districts are not required to hold resolution meetings.

**Revised Regulatory Flexibility Analysis**

Since publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on March 1, 2023, the proposed rule was revised as set forth in the Revised Regulatory Impact Statement submitted herewith.

The above changes require that the COMPLIANCE REQUIREMENTS AND LOCAL GOVERNMENT PARTICIPATION sections of the previously published Regulatory Flexibility Analysis be revised to read as follows:

**2. COMPLIANCE REQUIREMENTS:**

The Department proposes to amend section 200.5(j)(5) of the Commissioner’s regulations related to the issuance of extensions. Specifically, the proposed amendment:

- Includes additional reasons for an IHO to consider in determining whether good cause exists to grant an extension.
- Provides that no extension longer than 30 days may be granted unless there is a showing of substantial hardship and no proceeding or deadline may be extended more than once, except upon a showing of exceptional circumstances.
- Exceptional circumstances may include the need to present additional witness testimony that could not reasonably be completed within the length of an ordinary hearing day. An attorney must submit to the IHO a sworn statement of an actual conflicting engagement when seeking an extension on that basis. Additionally, if a parent is accompanied by a non-attorney representative who requests an extension based upon time constraints imposed by other advocacy work, the non-attorney representative must submit a sworn statement to the IHO.
- If the parties are making substantial progress toward settlement, they may jointly apply for an extension of time. The impartial hearing officer may grant the extension if he or she is satisfied that settlement negotiations are proceeding expeditiously and in good faith.
- Creates a process by which parents or guardians who have settled with a school district may withdraw their complaints and remain in their then-current education placement until final execution of a settlement.

Regarding mediation, the Department proposes to amend sections 200.5(h) and 200.5(j)(2) of the Commissioner’s regulations to allow for enforcement of mediation and resolution agreements through the state complaint process outlined in section 200.5(l) of the Commissioner’s regulations. Additionally, to promote the use of mediation, the Department proposes to amend section 200.5(h)(1) of the Commissioner’s regulations to encourage the use of mediation, consistent with Education Law § 4404-a(2).

Regarding conduct of hearings, the Department proposes to amend section 200.5(j)(3) of the Commissioner’s regulations to provide that attorneys and representatives must be familiar with, and comply with, all applicable laws, rules, orders, and directions of an IHO. This regulation provides that all attorneys and representatives must conduct themselves at all times in a dignified, orderly, and decorous manner; they are specifically prohibited from engaging in abusive or disorderly behavior. Additionally, they may not disregard the IHO’s authority, including refusing to comply with the directions of an IHO during proceedings. IHOs may take remedial measures, including taking a break, adjourning the hearing, or declining to allow an attorney or representative to be present during a hearing if he or she will not participate respectfully.

Finally, the Department proposes to amend section 200.5(j)(3)(xii)(h) and (i) of the Commissioner’s regulations, regarding the use of teleconference and videoconference hearings and whether such hearings are permissible, to simplify the requirements and provide additional flexibility to parents and IHOs. The Department proposes to amend such provisions to provide that IHOs may determine, with the consent of the parties, whether a hearing should be conducted in person, by teleconference, or videoconference.

**7. LOCAL GOVERNMENT PARTICIPATION:**

Copies of the proposed amendment have been provided to school districts through the offices of the district superintendents of each supervisory district in the State and to the chief school officers of the five big city school districts.

**Revised Rural Area Flexibility Analysis**

Since publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on March 1, 2023, the proposed rule was revised as set forth in the Revised Regulatory Impact Statement submitted herewith.

The above changes require that the REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES and RURAL AREA PARTICIPATION sections of the previously published Rural Area Flexibility Analysis be revised to read as follows:

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

The purpose of the proposed amendment is to improve the process and conduct of special education due process hearings by amending provisions related to the issuance of extensions, mediation, rules of conduct, and use of teleconference and videoconference.

The Department proposes to amend section 200.5(j)(5) of the Commissioner’s regulations related to the issuance of extensions. Specifically, the proposed amendment:

- Includes additional reasons for an IHO to consider in determining whether good cause exists to grant an extension.
- Provides that no extension longer than 30 days may be granted unless there is a showing of substantial hardship and no proceeding or deadline may be extended more than once, except upon a showing of exceptional circumstances.

Exceptional circumstances may include the need to present additional witness testimony that could not reasonably be completed within the length of an ordinary hearing day. An attorney must submit to the IHO a sworn statement of an actual conflicting engagement when seeking an extension on that basis. Additionally, if a parent is accompanied by a non-attorney representative who requests an extension based upon time constraints imposed by other advocacy work, the non-attorney representative must submit a sworn statement to the IHO.

If the parties are making substantial progress toward settlement, they may jointly apply for an extension of time. The impartial hearing officer may grant the extension if he or she is satisfied that settlement negotiations are proceeding expeditiously and in good faith.

Creates a process by which parents or guardians who have settled with a school district may withdraw their complaints and remain in their then-current education placement until final execution of a settlement.

Regarding mediation, the Department proposes to amend sections 200.5(h) and 200.5(j)(2) of the Commissioner’s regulations to allow for enforcement of mediation and resolution agreements through the state complaint process outlined in section 200.5(l) of the Commissioner’s regulations. Additionally, to promote the use of mediation, the Department proposes to amend section 200.5(h)(1) of the Commissioner’s regulations to encourage the use of mediation, consistent with Education Law § 4404-a(2).

Regarding conduct of hearings, the Department proposes to amend section 200.5(j)(3) of the Commissioner’s regulations to provide that attorneys and representatives must be familiar with, and comply with, all applicable laws, rules, orders, and directions of an IHO. This regulation provides that all attorneys and representatives must conduct themselves at all times in a dignified, orderly, and decorous manner; they are specifically prohibited from engaging in abusive or disorderly behavior. Additionally, they may not disregard the IHO’s authority, including refusing to comply with the directions of an IHO during proceedings. IHOs may take remedial measures, including taking a break, adjourning the hearing, or declining to allow an attorney or representative to be present during a hearing if he or she will not participate respectfully.

Finally, the Department proposes to amend section 200.5(j)(3)(xii)(h) and (i) of the Commissioner’s regulations, regarding the use of teleconference and videoconference hearings and whether such hearings are permissible, to simplify the requirements and provide additional flexibility to parents and IHOs. The Department proposes to amend such provisions to provide that IHOs may determine, with the consent of the parties, whether a hearing should be conducted in person, by teleconference, or videoconference.

**5. RURAL AREA PARTICIPATION:**

Copies of the proposed amendment have been provided to school districts through the offices of the district superintendents of each supervisory district in the State and to the chief school officers of the five big city school districts.

**Revised Job Impact Statement**

The purpose of the proposed amendment is to improve the process and conduct of special education due process hearings by amending provisions related to the issuance of extensions, mediation, rules of conduct, and use of teleconference and videoconference.

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.

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

This assessment summarizes the comments received on the proposed rule, published on March 1, 2023. Please refer to the full Assessment of Public Comment (APC) for the Department's complete assessment of public comment at: <http://www.counsel.nysed.gov/rules/full-text-indices>.

1. COMMENT: Multiple commenters stated that allowing for only one (1) extension barring exceptional circumstances imposes unrealistic deadlines and an undue burden on parents, parent attorneys, and parent advocates.

DEPARTMENT RESPONSE: The proposed regulations provide ample room for parties to request and receive extensions. No changes to are needed.

2. COMMENT: Multiple commenters stated that allowing for only one (1) extension barring exceptional circumstances will adversely impact participation in hearings due to scheduling conflicts for parents, attorneys, witnesses, and districts.

DEPARTMENT RESPONSE: The Department disagrees, for the reasons set forth in the full Assessment of Public Comment on the Department's website. No changes are necessary.

3. COMMENT: Several commenters stated that permitting no more than a single extension unless there is a showing of exceptional circumstances by the parties will increase the backlog of due process complaints.

DEPARTMENT RESPONSE: The Department disagrees, for the reasons set forth in the full Assessment of Public Comment on the Department's website.

Thus, no further changes are needed at this time.

4. COMMENT: Multiple commenters stated that the proposed amendments limiting extensions will make it more difficult for parents to find legal representation.

DEPARTMENT RESPONSE: Parents have a right to timely resolution of due process complaints. To the extent that attorneys or advocates have accepted a volume of clients based on the assumption that their due process complaints will or will likely be extended indefinitely, the Department's priority is the rights of children and families, not a particular business model. No changes are needed.

5. COMMENT: Multiple commenters stated that allowing for only one extension conflicts with the IDEA. These commenters opine that this would undermine parental rights and IHOs' authority to grant extensions.

DEPARTMENT RESPONSE: The proposed regulation does not allow for a single extension. It permits, as amended, a single exception for good cause shown, and subsequent exceptions "upon a showing of exceptional circumstances." Thus, no changes are necessary.

6. COMMENT: Some commenters stated that the proposed regulation will prohibit parents from extending or resetting timelines for cases by prohibiting the withdrawal and refiling of a due process complaint for the primary purpose of obtaining additional extensions of time. Commenters opined that the proposed limiting extension negatively impacts parents' due process rights by putting parents in the position of proceeding to hearing when they, their attorney, or witnesses are unavailable—or forfeiting their right to a hearing entirely.

DEPARTMENT RESPONSE: State Education Agencies have the authority to set reasonable limitations on the conditions under which extensions of time may be granted; parties do not have the right to obtain as many extensions as they would like for any reason. The commenters are correct that the proposed regulations bar parties from withdrawing and refiling due process complaints for the purposes of obtaining additional extensions of time. This would constitute an end-run around the regulations.

With respect to proceeding to a hearing when parents or their attorneys are unavailable, IHOs retain the discretion to consider such circumstances and determine whether a request for an extension should be granted. Limiting extensions will not result in parents having to "forfeit" their right to a hearing—extensions should be the exception, not the rule, in a due process hearing. No changes to the proposed rule are needed.

7. COMMENT: Several commenters opined that allowing for only one (1) extension barring exceptional circumstances will adversely impact case timelines because IHOs are often only appointed as the compliance date is ready to expire.

DEPARTMENT RESPONSE: The Department recognizes that the New York City Public Schools (NYCPS) has struggled to timely assign cases to IHOs in the face of tens of thousands of due process complaint notices filed per year. Nevertheless, the granting of copious—and in many instances needless—extensions is an unacceptable remedy. That is why, on December 1, 2021, the Department, NYCPS and Office of Administrative Hearings and Tribunals (OATH) agreed to establish an administrative team of full-time IHOs within OATH to manage NYCPS's current caseload. As the transition to OATH continues, the problems noted by the commenters

have become less frequent, and the Department expects that these issues will no longer be a concern in the near future. No changes are needed.

8. COMMENT: Commenters argued that constraining an IHO's ability to grant extensions requested by both parties for settlement will only waste time and money. Multiple commentors stated that the six month tolling of the statute of limitations following dismissal in furtherance of settlement would encourage disingenuous settlement discussions in an attempt to extend a favorable pendency placement. Other commentors expressed concerns that during the allowable six-months for settlement negotiations the two-year statute of limitations will be tolled, and it is impossible for parents to know how long will be needed for settlement.

DEPARTMENT RESPONSE: As noted above, a key purpose of the IDEA is to ensure the expeditious resolution of due process complaints. The due process system cannot be used as a holding tank for cases that may settle months or years down the line (even if such cases are technically "timely" as a result of copious extensions).

Nevertheless, in response to public comment, the Department has decided to withdraw the six-month tolling procedure described in the earlier proposal.

9. COMMENT: Several commentors stated that the requirement of an attorney affirmation as to their availability interferes with an attorney's ability to appropriately represent their clients. An additional commentor stated that non-attorney advocates should be required to provide a sworn affidavit, not a sworn statement.

DEPARTMENT RESPONSE: The Department proposes to replace the word "affirmation" with "sworn statement" to provide greater clarity as to what attorneys and non-attorney representatives must provide.

Attorneys are responsible for balancing their clients' interests with their own schedules.

With respect to signed statements by a non-attorney advocate, the burden of preparing such a statement is minimal at best and outweighed by the importance of limiting the number of unnecessary extension requests in due process hearings.

The Department also agrees with the commenter to the extent that this section does not clearly indicate that the sworn statement is made for the purpose of evaluating a request for an extension. Therefore, the Department has made changes to the proposed regulation to address this issue.

10. COMMENT: Multiple commenters stated that one extension is often insufficient to obtain an independent educational evaluation (IEE).

DEPARTMENT RESPONSE: A parent is not required to file a due process complaint to obtain an IEE at public expense. The only reason a request for an IEE should be the subject of a due process hearing is if a school district commences a hearing to defend the appropriateness of its evaluation. Furthermore, the proposed amendment does not preclude an IHO from granting more than one extension for exceptional circumstances as determined by the IHO. This would include awaiting the completion of an IEE, if the IHO determines that the circumstances so warrant.

11. COMMENT: One commentor stated that filing a state complaint for the implementation of mediation agreements is untenable because the process may extend beyond the 60-day timeframe with which a state complaint investigation must be completed.

DEPARTMENT RESPONSE: According to the Commissioner's regulations, state complaints must allege a violation that occurred not more than one year prior to the date that the state complaint is received. As noted by the commentor, the Department must issue its decision within 60 days of receipt of the complaint.<sup>1</sup> It is unclear from the comment why state complaints alleging violations of the parties' implementation of a mediation agreement would be unable to follow these timelines. No changes are needed.

12. COMMENT: Several commenters objected to the proposed amendment allowing for students to remain in their then-current educational placement during mediation.

DEPARTMENT RESPONSE: For the reasons set forth in the Department's the full Assessment of Public Comment on the Department's website, no changes to the proposed rule are needed.

13. COMMENT: Several commenters support the efforts to make mediation and resolution agreements a more accessible and feasible option for families to resolve disputes. However, they believe that there are a few important areas of ambiguity in the proposed amendments to § 200.5(h) that should be clarified, including: (1) the regulation should provide more detail concerning how a student or their parent may assert their right to remain in their current placement through an agreement to participate in mediation; (2) there is no clear guidance in the proposed regulation as to how to measure when that determination takes place; and (3) for parents who wish to obtain counsel to represent them at a due process hearing, a 14-day timeline to retain an attorney and file a complaint is unrealistic, thus requiring an extension or engaging an attorney prior to mediation, which may undermine the goal of promoting mediation as an alternative to due process hearings.

DEPARTMENT RESPONSE: The Department declines to provide any

further information explaining how a parent may assert their right to remain in the then-current educational placement within the regulatory text. If a district fails to maintain a student's then-current educational placement during mediation, parents would have the right to challenge the violation of the regulation under subdivision (l) of this section.

With respect to the 14-day timeline to retain an attorney following the parties' inability to reach a resolution at mediation, this timeline is included only to ensure a student's continued right to placement in their then-current educational placement. Parents may otherwise utilize all time afforded to them under the two-year statute of limitations to file a due process complaint (see 34 CFR 300.511[e]).

The Department agrees that the proposed regulation is vague in identifying when a student's right to their then-current educational placement shall go into effect. Therefore, the Department has made changes to the proposed regulation to address this issue.

14. COMMENT: Several commenters supported the intent of the proposed regulation establishing rules of conduct but suggest changes to the proposed language relating to IHO enforcement of these provisions. One commenter stated concern with the focus on parent advocates, the subjective nature of the standards and the possibility of reinforcing implicit bias and potential abuse of power by a hearing officer.

DEPARTMENT RESPONSE: Generally, IHOs have discretion to determine the course and conduct of due process hearings. While the proposed rule articulates a minimum standard of appropriate conduct to be exercised by the parties during the hearing, the Department also believes that any further steps taken are within the discretion of the IHO, so long as they are consistent with their powers and duties under federal and state laws and regulation.

With respect to implicit bias and potential abuse of power by the IHO based on the subjective nature of these standards, such concerns can already be adequately addressed through other processes; for example, an appeal to the Office of State Review consistent with 8 NYCRR 200.5(k) and/or a complaint against an IHO consistent with 8 NYCRR 200.21(b). No changes are necessary.

15. COMMENT: Several commenters supported providing flexibility for IHOs to conduct hearings by video conference or teleconference, with the consent of the parent. One commenter also proposed that the school district's consent to a virtual hearing should be required.

DEPARTMENT RESPONSE: The Department appreciates the supportive comments. With respect to the comment suggesting that a school district's consent to a virtual hearing should also be required, the Department has amended the rule to require a school district's consent to remote participation.

16. COMMENT: Multiple commenters submitted comments outside the scope of the proposed rule.

DEPARTMENT RESPONSE: Since these concerns are outside the scope of the proposed amendments and, as such, need not be addressed.

<sup>1</sup> Except where exceptional circumstances exist with respect to the complaint or when the parent and school district agree to extend the time to engage in mediation (8 NYCRR 200.5[1], [2]).

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## Department of Financial Services

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### REVISED RULE MAKING NO HEARING(S) SCHEDULED

#### Cybersecurity Requirements for Financial Services Companies

I.D. No. DFS-45-22-00025-RP

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

**Proposed Action:** Amendment of Part 500 of Title 23 NYCRR.

**Statutory authority:** Financial Services Law, sections 102, 201, 202, 301, 302, 408; Banking Law, sections 10, 14, 37(3), (4), 44; Insurance Law, sections 109, 301, 308, 309, 316, 1109, 1119, 1503(b), 1717(b), 2110, 2127; arts. 21, 47 and 79

**Subject:** Cybersecurity Requirements for Financial Services Companies.

**Purpose:** To ensure that DFS-regulated entities most effectively address new and evolving cybersecurity threats.

**Substance of revised rule (Full text is posted at the following State website: [https://www.dfs.ny.gov/industry\\_guidance/regulatory\\_activity/financial\\_services](https://www.dfs.ny.gov/industry_guidance/regulatory_activity/financial_services)):** Summary of Text of the Revised Proposed Second Amendment to 23 NYCRR Part 500 ("Part 500")

"Vulnerability management."

The section 500.5 introduction is amended to require written policies and procedures for vulnerability management and eliminate the exception to the requirements for penetration testing and vulnerability assessments if an entity employs effective continuous monitoring.

Subdivision 500.5(a) is amended for clarifying edits regarding penetration testing and require such tests be performed at least annually.

Subdivision 500.5(b), renumbered as 500.5(a)(2), is amended to make clarifying edits and require automated scans or manual reviews periodically and promptly after material system changes.

A new subdivision 500.5(b) is added to require that covered entities are promptly informed of new security vulnerabilities by having a monitoring process in place.

A new subdivision 500.5(c) is added to require covered entities timely remediate vulnerabilities and give priority to remediation based on risk.

The title of section 500.7 is amended to read "Access privileges and management."

Section 500.7 is amended to add required controls regarding user and privileged accounts, protocols that permit remote control of devices, and passwords. Class A companies are also required to monitor privileged access activity and implement a privileged access management solution and an automated method of blocking commonly used passwords.

Subdivision 500.8(b) is amended to change the requisite timing from periodically to at least annually for reviewing, assessing, and updating written procedures, guidelines, and standards regarding development practices for in-house developed applications, and the security of externally developed applications utilized by the covered entity.

A new subdivision 500.9(c) is added to require covered entities' risk assessments be updated at least annually and whenever a change in the business or technology causes a material change to their cyber risk.

Subdivision 500.10(a) is amended for a technical edit.

Subdivision 500.10(b) is amended to require covered entities incorporate the requirements of section 500.4 when relying on an affiliate or third party to assist in complying with Part 500.

Subdivision 500.11(a) is amended for a technical edit.

Subdivision 500.11(c) is removed because it was duplicative of subdivision 500.19(b) and is a non-substantive change.

Subdivision 500.12(a) is removed.

Subdivision 500.12(b), relettered as (a), is amended to require multi-factor authentication for any individual accessing any of the covered entity's information systems, unless the covered entity qualifies for a limited exemption pursuant to subdivision 500.19(a), in which case multi-factor authentication shall be utilized for remote access to the covered entity's information systems, third party applications from which is accessible, and all privileged accounts other than service accounts that prohibit interactive login.

A new subdivision 500.12(b) is added to allow the CISO to approve reasonably equivalent or more secure compensating controls, which must be reviewed at least annually.

Section 500.13 is amended to read "Asset management and data retention requirements."

A new subdivision 500.13(a) is added to require covered entities to maintain an asset inventory.

Subdivision 500.13(a), relettered as (b), is amended for a technical edit.

The title of section 500.14 is amended to read "Monitoring and training."

Subdivision 500.14(a) is amended to make technical edits, incorporate subdivision (b), and require covered entities to implement controls designed to protect against malicious code and provide cybersecurity awareness training that includes social engineering at least annually.

A new subdivision 500.14(b) is added to require class A companies

implement, unless the CISO has approved in writing the use of reasonably equivalent or more secure compensating controls, an endpoint detection and response solution to monitor anomalous activity, and a centralized logging and security event alerting solution.

Subdivision 500.15(a) is amended to require covered entities to implement written policies requiring encryption that meets industry standards.

Paragraph 500.15(a)(1) is removed to eliminate the ability to use compensating controls for encryption of NPI in transit.

Paragraph 500.15(a)(2), relettered as (b), is amended to require the CISO's written approval and review at least annually of the effectiveness of compensating controls used if encryption of NPI at rest is infeasible.

Subdivision 500.15(b) is removed.

The title of section 500.16 is amended to read "Incident response and business continuity management."

Subdivision 500.16(a) is amended to require written plans that contain proactive measures to investigate and mitigate cybersecurity events and ensure operational resilience, including incident response, business continuity and disaster recovery ("BCDR") plans.

A new paragraph 500.16(a)(1) is added that incorporates subdivision 500.16(b) and requires incident response plans to also address recovery from backups, updating the plan as necessary, and preparing root cause analysis.

A new paragraph 500.16(a)(2) is added to require covered entities to establish BCDR plans.

A new subdivision 500.16(b) is added to require copies of the plans be made accessible to relevant employees.

A new subdivision 500.16(c) is added to require employee training for implementing the plans.

A new subdivision 500.16(d) is added to require covered entities to test their incident response and BCDR plans and ability to restore from backups at a minimum annually, with staff critical to the response including senior officers and the highest-ranking executive at the covered entity, and revise those plans as necessary.

A new subdivision 500.16(e) is added to require covered entities to maintain backups necessary to restore material operations that are adequately protected from unauthorized alterations or destruction.

Paragraph 500.17(a)(1) is amended to make technical edits and require notice of a cybersecurity event that occurred at the covered entity, its affiliates, or a third party service provider be submitted to DFS electronically in the form set forth on the department's website ("electronic submission"), and require notifications where an unauthorized user has gained access to a privileged account and cybersecurity events that resulted in the deployment of ransomware within a material part of a covered entity's information system.

A new paragraph 500.17(a)(2) is added to require covered entities to promptly provide information regarding the cybersecurity event when requested.

Subdivision 500.17(b) is amended to require electronic submission of either a certification of compliance or an acknowledgment of noncompliance that is signed by the covered entity's highest-ranking executive and CISO or the senior officer responsible for its cybersecurity program. Covered entities must maintain information supporting their submissions including all remedial efforts undertaken to address any areas, systems and processes that required material improvement, updating or redesign.

A new subdivision 500.17(c) is added to require covered entities to provide electronic notice to the superintendent in the event an extortion payment is made within 24 hours of the extortion payment, and additional information within 30 days of the extortion payment, including a written description of the reasons payment was necessary, a description of alternatives to payment considered, all diligence performed to find alternatives to payment, and all diligence performed to ensure compliance with applicable rules and regulations including those of the Office of Foreign Assets Control.

Subdivision 500.19(a) is amended to expand the limited exemption to include entities with fewer than 20 employees and businesses with

less than \$15,000,000 in year-end total assets, and to provide that the requirements contained in section 500.12 and paragraph 500.14(a)(3) are no longer exempted.

Subdivision 500.19(b) is amended to exempt wholly-owned subsidiaries of covered entities that are themselves covered entities, to the extent they are covered by their parent's cybersecurity program.

A new subdivision 500.19(e) is added to exempt inactive insurance brokers from the requirements of Part 500.

Subdivision 500.19(e), relettered as (f), is amended to require Notices of Exemption be filed electronically in the form set forth on the department's website.

Subdivision 500.19(f), relettered as (g), is amended to add reciprocal jurisdiction reinsurers that have been recognized pursuant to 11 NYCRR Part 125, individual insurance agents deemed inactive under Insurance Law section 2103, and individual licensees placed on inactive status under Banking Law section 599-i to the persons exempt from the requirements of Part 500.

Subdivision 500.19(g) is relettered as (h).

Subdivision 500.20 is amended to define what constitutes a violation of Part 500 and to list the factors the superintendent may take into account when assessing penalties.

Subdivision 500.21 is amended to espacelish the effective date of the second amendment to Part 500.

New subdivisions 500.22(c), (d) and (e) are added to espacelish the timeframe covered entities will have from the effective date of the second amendment to Part 500 to comply with its new requirements.

A new section 500.24 entitled "Exemptions from electronic filing and submission requirements" is added to permit covered entities to request an exemption to electronic filing.

Appendices A and B, which are forms for certifications of compliance and notices of exemption, are repealed. Such forms will be set forth on the Department's website, as is current practice.

**Revised rule compared with proposed rule:** Substantial revisions were made in sections 500.1, 500.7-500.8, 500.16-500.17, 500.4-500.5, 500.12-500.14 and 500.19-500.22.

**Text of revised proposed rule and any required statements and analyses may be obtained from** Joanne Berman, New York State Department of Financial Services, One State Street, New York, NY 10004, (917) 991-6965, email: Joanne.Berman@dfs.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

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

**Summary of Revised Regulatory Impact Statement (Full text is posted at the following State website: [https://www.dfs.ny.gov/industry\\_guidance/regulatory\\_activity/financial\\_services](https://www.dfs.ny.gov/industry_guidance/regulatory_activity/financial_services)):** 1. Statutory Authority: Financial Services Law, sections ("FSL") §§ 102, 201, 202, 301, 302 and 408; Banking Law, sections ("BL") §§ 10, 14, 37(3), 37(4) and 44; Insurance Law, sections ("IL") §§ 109, 301, 308, 309, 316, 1109, 1119, 1503(b), 1717(b), 2110, and 2127; Articles 21, 47 and 79.

FSL § 102 states that the goals for the Department of Financial Services ("DFS") include espacelishing regulations responsive to the needs of the banking industry, insurance industry, and consumers and residents and promoting "reduction and elimination of fraud, criminal abuse and unethical conduct by, and with respect to, banking, insurance and other financial services institutions and their customers."

FSL § 201 grants DFS broad authority to take such actions as are necessary to ensure the continued solvency, safety, soundness, and prudent conduct of financial services providers and to eliminate financial fraud, other criminal abuse, and unethical conduct in the industry.

FSL § 202 espacelishes the Office of the Superintendent.

FSL § 301 gives DFS broad power "to protect users of financial products and services."

FSL § 302 provides DFS with broad authority to adopt regulations relating to "financial products and services."

FSL § 408 grants DFS authority to levy civil penalties after notice and hearing in addition to any civil or criminal liability provided by law.

BL § 10 gives DFS the authority to supervise and regulate all banking organizations in such manner as to ensure their safe and sound conduct, maintain public confidence in them, and protect the interests of the public, depositors, creditors, shareholders, and stockholders.

BL § 14 allows DFS to determine what is an unsafe manner of conducting the business of banking organizations and what is an unsafe condition of a banking organization.

BL § 37(3) allows DFS to require special reports from banking and other organizations subject to BL § 37(3).

BL § 37(4) authorizes DFS to prescribe the form and content of all periodic and special reports except as expressly provided by BL § 37.

BL § 44 gives DFS the ability to issue fines for violations of the BL by entities subject to the BL.

IL § 109 grants DFS the authority to levy fines against persons and entities subject to the IL for violations of the IL and regulations promulgated thereunder.

IL § 301 authorizes DFS to prescribe, withdraw, or amend regulations that are consistent with the IL.

IL § 308 authorizes DFS to make inquiries of entities subject to the IL or mandate the submission of statements in the form and manner of its choosing.

IL § 309 authorizes DFS to examine insurers, pension funds, retirement systems, and any other organization required by law to make reports to, or that is subject to examination by, DFS.

IL § 316 authorizes DFS to require filings be made electronically and grant exemptions to electronic filing.

IL § 1109 authorizes DFS to promulgate regulations in effectuating the purposes of the IL and Article 44 of the Public Health Law and modify the requirements applicable to contracts between a health maintenance organization and its subscribers.

IL § 1119 authorizes DFS to promulgate regulations in effectuating the purposes and provisions of the IL and Article 46 of the Public Health Law, which includes contracts between a continuing care retirement community and its residents.

IL § 1503(b) requires that holding companies that directly or indirectly control an insurer adopt a formal enterprise risk management function and file an enterprise risk report with DFS annually.

IL § 1604(b) requires that authorized domestic property/casualty insurers adopt a formal enterprise risk management function and enterprise risk report with DFS annually.

IL § 1717(b) requires that life and accident and health insurance parent corporations adopt a formal enterprise risk management function and file an enterprise risk report with DFS annually.

IL Article 21 sets forth requirements for all insurance producers, adjusters, life settlement brokers, excess line brokers, reinsurance intermediaries, and insurance consultants.

IL § 2110 authorizes DFS to refuse to renew, revoke, or suspend the license of any insurance producer, insurance consultant, adjuster, or life settlement broker if they have, among other things, violated any section of the IL or regulations.

IL § 2127 authorizes DFS to fine an Article 21 licensee in lieu of revoking or suspending the licensee's license.

IL Article 47 sets forth requirements for municipal cooperative health benefit plans.

IL Article 79 sets forth requirements for service contract providers.

2. Legislative Objectives: This amendment is intended to ensure that all financial services providers regulated by DFS continue to have and maintain cybersecurity programs that meet certain minimum cybersecurity standards in order to protect consumers, continue operating in a safe and sound manner, and protect the spsaceility of our financial system.

3. Needs and Benefits: This amendment is necessary to ensure that DFS-regulated entities address new and evolving cybersecurity threats with the most effective cybersecurity controls and best practices. DFS consulted with cybersecurity experts and industry groups, considered cybersecurity events reported to DFS, and reviewed cybersecurity treatises, standards, rules, and regulations when drafting this amendment.

This amendment clarifies some definitions, adds definitions for some terms such as "class A companies," a new category of larger, more complex covered entities that require additional cybersecurity controls, "independent audit," "privileged account," and "senior governing body," and removes the definition for a term that is no longer used.

This amendment clarifies that covered entities adopting cybersecurity programs of their affiliates must provide DFS all documentation related to that program. This is not a substantive change.

This amendment requires a covered entity's governing body to approve written cybersecurity policies and procedures at least annually. Those policies must address data retention, end of life management, remote access controls, systems monitoring, security awareness and training, application security, incident notification, and vulnerability management.

This amendment adds governance requirements, including that the chief information security officer ("CISO") has adequate authority to ensure cybersecurity risks are appropriately managed and timely reports to the covered entity's governing body material cybersecurity issues. The senior governing body must exercise effective oversight of cybersecurity risk management and have sufficient understanding of cybersecurity-related matters to exercise such oversight, which may include the use of advisors.

This amendment changes the requisite timing of penetration testing to

be at least annually and adds requirements to monitor and remediate vulnerabilities. It requires controls for access privileges and management, including limitations on privileged accounts, passwords, and protocols that permit remote control of devices.

This amendment requires risk assessments be updated at least annually and whenever a change in the business or technology causes a material change to the covered entity's cyber risk.

This amendment adds requirements to use multi-factor authentication ("MFA") for any individual accessing any of the covered entity's information systems.

This amendment adds a requirement to implement controls designed to protect against malicious code and provide cybersecurity training that includes social engineering at least annually.

This amendment requires covered entities to implement written policies and procedures regarding asset inventory management that track certain specified key information.

This amendment eliminates a CISO's ability to review and approve compensating controls for encryption of nonpublic information in transit and requires the CISO's written approval of compensating controls for encryption of data at rest.

This amendment requires covered entities to: have written plans that contain proactive measures to investigate and mitigate cybersecurity events and ensure operational resilience, including incident response plans and business continuity and disaster recovery ("BCDR") plans; make those plans available to employees responsible for implementing them; test the plans; and ensure backups are adequately protected from unauthorized alterations or destruction.

This amendment eliminates Appendices A and B, which are forms for Certifications of Compliance and Notices of Exemption, provides for electronic filing of those forms, and permits entities to request an exemption to electronic filing.

This amendment allows covered entities to file, instead of a Certification of Compliance, an acknowledgement of noncompliance, which requires a description of the nature and extent of noncompliance and the identification of all sections of Part 500 that the covered entity has not complied with. Further, it requires that the certification or acknowledgement be signed by the highest-ranking executive at the covered entity and CISO, or the senior officer in charge of cybersecurity.

This amendment requires covered entities to notify the superintendent of unauthorized access to privileged accounts, ransomware events, and cybersecurity events at third party service providers in certain instances. Moreover, if an extortion payment is made, a covered entity must notify the superintendent of the payment and provide other specified information. Covered entities must also provide updates and supplemental information for cybersecurity events reported.

This amendment expands those that fall within the small business exemption under § 500.19(a) and eliminates § 500.12 and § 500.14(a)(3) from the list of exempted sections, and extends the list of entities exempted.

This amendment defines what constitutes a violation of Part 500 and lists the factors DFS considers when assessing penalties.

4 Costs: This amendment may increase costs for some DFS-regulated entities because, if they are not already doing so, they may have to maintain additional cybersecurity-related policies, implement more cybersecurity controls, and conduct more scans, tests and assessments. Costs may increase for covered entities that pay a ransom as notice and explanation of the payment to DFS is required.

For certain larger Class A companies, costs may further increase as they must implement additional cybersecurity measures such as conducting independent audits of their cybersecurity programs, and monitoring privileged access activity.

This amendment may decrease costs for certain categories of DFS-regulated entities that will be exempt from the requirements of Part 500.

It is anticipated that the costs of compliance will be offset when the required controls prevent or mitigate cyberattacks.

Local governments should not incur additional costs from this amendment. DFS may incur costs to review new notification filings. Additional costs incurred should be minimal and DFS should be able to absorb such costs in its ordinary budget. Moreover, DFS's costs should decrease as a result of the new option to file an acknowledgement of noncompliance in lieu of a certification of compliance because it should eliminate time spent following up with entities that are not fully compliant with Part 500.

5. Local government mandates: This amendment does not impose any new programs, services, duties, or responsibilities on local government.

6. Paperwork: This amendment adds a requirement that covered entities provide DFS with notice when an extortion payment is made and will permit covered entities to submit an acknowledgement of noncompliance instead of a certification of compliance.

7. Duplication: This amendment is duplicative of the some of the

requirements of the following, but none of them apply to all DFS-regulated entities: 11 NYCRR Part 421; 23 NYCRR Part 200; the Gramm-Leach-Bliley Act (“GLBA”); Federal Trade Commission’s Safeguards Rule (“Safeguards Rule”); the Computer-security Incident Notification Requirements for Banking Organizations and their Bank Service Providers (“Banking Organization Notification Rule”); the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (“CIRCA”); and the Security and Exchange Commission’s proposed Cybersecurity Risk Management, Strategy, Governance, and Incident Disclosure rule (“SEC’s Proposed Rule”).

8. Alternatives: DFS considered not amending the regulation, but this was determined to be unacceptably because of the rapidly evolving cyber threat landscape, types of cybersecurity controls and best practices. DFS posted a draft of the amendment on its website on July 29, 2022, for pre-proposed outreach and, in response to comments received, made changes to certain provisions such as the Class A companies definition, the requirements for vulnerability management and multi-factor authentication, transitional periods and adding an exemption for inactive individual insurance brokers.

9. Federal Standards: This amendment may exceed some minimum standards established by the GLBA, the Safeguards Rule, the Banking Organization Notification Rule, the CIRCA, and the SEC’s Proposed Rule.

10. Compliance Schedule: Covered entities will have 180 days from the publication of the Notice of Adoption of this amendment in the State Register to comply with its requirements, except as otherwise specified in the amendment.

#### **Revised Regulatory Flexibility Analysis**

1. Effect of rule: This amendment adds new requirements to ensure that entities regulated by the Department of Financial Services (“DFS”) (“covered entities”) have and maintain cybersecurity programs that meet certain minimum cybersecurity standards in order to protect consumers, continue operating in a safe and sound manner, and protect the spaceability of our financial system. Certain covered entities affected by this amendment, such as insurance producers, mortgage brokers, and mortgage bankers, fall within the definition of a “small business” as defined in State Administrative Procedure Act Section 102(8). There are approximately 30,000 business entities licensed as insurance producers, mortgage brokers, and mortgage bankers in New York. Many of these business entities may be small businesses. In addition, industry has asserted that certain insurers, such as mutual and co-op insurers, fall within the definition of a “small business” too.

This amendment does not affect local governments.

2. Compliance requirements: This amendment adds a requirement that covered entities, including covered entities that may be small businesses, provide DFS with notice when an extortion payment is made, along with a written description of the reasons for, and alternatives to, payment, among other things. This amendment will also permit covered entities to submit an acknowledgement of noncompliance instead of a certification of compliance.

This amendment also adds requirements that covered entities, including covered entities that may be small businesses, if they are not already doing so: maintain policies for end of life management, remote access controls, and vulnerability management; conduct vulnerability scans; update risk assessments if a change in the business or technology causes a material change to its cyber risk; utilize multi-factor authentication for access to information systems; maintain an asset inventory that tracks certain specified information; monitor and filter emails to block malicious content; provide cybersecurity awareness training; test incident response plans and business continuity and disaster recovery plans with senior management and staff critical to a response; test the ability to restore critical data and information systems from backups; and maintain backups necessary to restoring material operations that are adequately protected from unauthorized alterations or destruction. This amendment does not impose any additional reporting, recordkeeping, or other compliance requirements on any local governments because local governments are not affected by this amendment.

3. Professional services: No local government will need professional services to comply with this amendment because the amendment does not apply to any local government. A covered entity that may be a small business may need professional services to comply with this amendment.

4. Compliance costs: This amendment may increase costs for some covered entities that may be small businesses because, if they are not already doing so, they may have to: maintain policies for end of life management, remote access controls, and vulnerability management; conduct vulnerability scans; update risk assessments if a change in the business or technology causes a material change to its cyber risk; utilize multi-factor authentication for access to information systems; maintain an asset inventory that tracks certain specified information; monitor and filter emails to block malicious content; provide cybersecurity awareness training; test

incident response and business continuity and disaster recovery plans with senior management and staff critical to a response; test the ability to restore critical data and information systems from backups; and maintain backups necessary to restoring material operations that are adequately protected from unauthorized alterations or destruction. Costs may increase for covered entities that may be small businesses and that pay a ransom as they will be required to provide notice and explanation of the payment to DFS.

At the same time, this amendment may decrease costs for certain covered entities that may be small businesses that will be exempt from the requirements of 23 NYCRR 500, provided they do not otherwise qualify as a covered entity, including reciprocal jurisdiction reinsurers, certain inactive insurance agents, and certain inactive individual banking licensees. Further, this amendment increases the number of smaller DFS-regulated entities that will qualify for a limited exemption.

It is also anticipated that the costs of compliance will be offset when the required controls prevent or mitigate cyberattacks.

Local governments will not incur additional costs as a result of this amendment because the amendment does not apply to local governments.

5. Economic and technological feasibility: This amendment does not apply to any local government; therefore, no local government should experience any economic or technological impact because of the amendment. A covered entity that may be a small business may incur economic and technological impacts as a result of this amendment.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the rulemaking does not apply to any local government. DFS attempted to minimize any adverse impact on covered entities that may be small businesses by providing for exemptions from certain requirements of 23 NYCRR 500.

7. Small business and local government participation: Prior to the July 29, 2022 publication of the pre-proposal amendments, DFS discussed Part 500 with industry and professional groups representing small businesses at industry conferences and in meetings. Feedback received in those discussions were considered when drafting the proposed amendments. DFS had posted a draft of the amendment on its website on July 29, 2022 for pre-proposed outreach and notified interested parties, including small businesses, of the posting. The proposed amendment was posted on the DFS website and published in the State Register on November 9, 2022, and DFS received comments from interested parties, including several industry groups whose members include small businesses. Interested parties, including small businesses and local governments, will be given another opportunity to review and comment on the amendment once the revisions to the proposed amendment are posted on the DFS website and published in the State Register.

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

1. Types and estimated numbers of rural areas: Entities regulated by the Department of Financial Services (“DFS”) (“covered entities”) affected by this amendment do business in every county in this state, including rural areas as defined in State Administrative Procedure Act Section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: This amendment adds a requirement that covered entities, including covered entities that may be in rural areas, provide the superintendent with notice when an extortion payment is made, along with a written description of the reasons for, and alternatives to, payment, among other things. This amendment will also permit covered entities that may be in rural areas to submit an acknowledgement of noncompliance instead of a certification of compliance.

3. Costs: This amendment may increase costs for some covered entities that may be in rural areas because, if they are not already doing so, they may have to: maintain policies for end of life management, remote access controls, and vulnerability management; conduct vulnerability scans; update risk assessments if a change in the business or technology causes a material change to its cyber risk; use multi-factor authentication for all access to information systems; maintain an asset inventory that tracks certain specified information; monitor and filter emails to block malicious content; provide cybersecurity awareness training; test incident response and business continuity and disaster recovery plans with senior management and staff critical to a response; test the ability to restore critical data and information systems from backups; and maintain backups necessary to restoring material operations that are adequately protected from unauthorized alterations or destruction. Costs may increase for covered entities that may be in rural areas and that pay a ransom as they will be required to provide notice and explanation of the payment to the superintendent.

For certain larger covered entities (“Class A companies”) that may be in rural areas, costs may increase. Class A companies must conduct: an independent audit of their cybersecurity programs; monitor privileged access activity; implement an endpoint detection and response solution to monitor anomalous activity and a centralized logging and security event alerting solution unless the chief information security officer (“CISO”) approves in writing the use of reasonably equivalent or more secure



compensating controls; and, if they are employing passwords as a method of authentication, implement a privileged access management solution and an automated method of blocking commonly used passwords unless the CISO approves in writing the use of reasonably equivalent or more secure compensating controls. These requirements may increase costs for Class A companies in rural areas that are not already implementing the security measures contained in this amendment. Class A companies have more data to protect, can afford to implement more expensive and stringent controls, and a cyberattack at one of these companies is likely to affect more New York residents.

At the same time, this amendment may decrease costs for certain covered entities that may be in rural areas that will be exempt from the requirements of 23 NYCRR 500, provided they do not otherwise qualify as a covered entity, including reciprocal jurisdiction reinsurers, certain inactive insurance agents, and certain inactive individual banking licensees. Further, this amendment increases the number of smaller DFS-regulated entities that may be in rural areas that will qualify for a limited exemption.

It is also anticipated that the costs of compliance will be offset when the required controls prevent or mitigate cyberattacks.

4. **Minimizing adverse impact:** This amendment uniformly affects covered entities throughout New York State. Therefore, it does not impose any adverse impact on rural areas.

5. **Rural area participation:** Prior to the July 29, 2022 publication of the pre-proposal amendments, DFS discussed Part 500 with industry and professional groups at industry conferences and in meetings. DFS posted a draft of the amendment on its website on July 29, 2022 for pre-proposed outreach and notified interested parties, including those in rural areas, of the posting. The amendment was posted on the DFS website and published in the State Register on November 9, 2022 and DFS received comments from interested parties. Although certain commenters could have been from rural areas, none specifically identified themselves as being from such rural areas. Feedback received in those discussions and from comment letters received were considered when drafting the proposed amendment. Interested parties, including those parties in rural areas, will be given another opportunity to review and comment on the amendment once the revisions to the proposed amendment are posted on the DFS website and published in the State Register.

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

A revised JIS is not required for the revised proposed second amendment to 23 NYCRR 500 because the revisions to the regulation do not require a change to the previously published JIS.

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

The Department of Financial Services (“Department”) published a proposal to amend 23 NYCRR 500 on November 9, 2022, to which the Department received many public comments from banking, insurance, and other industry groups, regulated organizations, unregulated businesses, law firms, and academics. For example, some comments that the Department received relate to compliance standards (i.e., reliance on an organization’s risk assessment instead of on prescriptive standards and controls); administrative and financial concerns; insufficiency of current cybersecurity workforce; password sharing by small businesses; technology requirements (i.e., “resilience by design”, cloud, software, and technology escrow solutions, threat hunting, machine-learning-based prevention, zero trust, and managed service providers); requests to clarify the words “qualified” and “industry standards” and amend the phrase “reasonably equivalent or more secure compensating controls”; alignment of the regulation to other laws and rules (e.g., Federal Trade Commission’s Safeguards Rule and Cyber Incident Reporting for Critical Infrastructure Act of 2022); the Department’s handling of submitted data (e.g., security and confidential treatment of security-related information); addition of safe harbor provisions; guidance on use of cybersecurity frameworks, risk assessment guidelines and standards; Department initiatives to support covered entities on cybersecurity-related matters; the amendment’s application to continuing care retirement communities and title insurance agents; narrowing the scope of Part 500 regarding information systems not used to house or process financial information and affecting related businesses outside of New York; definitions of “authorized user” and “Class A companies”; application of Part 500 to affiliated entities, to name a few. The Department also received comments in support of the proposed amendment.

The Department addresses all the comments it received in full in the complete version of the assessment of public comments that the Department posted on its website at [https://www.dfs.ny.gov/industry\\_guidance/regulatory\\_activity/financial\\_services](https://www.dfs.ny.gov/industry_guidance/regulatory_activity/financial_services).

## Department of Health

### NOTICE OF ADOPTION

#### **Licensure and Practice of Nursing Home Administration**

**I.D. No.** HLT-41-22-00016-A

**Filing No.** 505

**Filing Date:** 2023-06-12

**Effective Date:** 2023-06-28

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

**Action taken:** Amendment of Part 96 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 2896-b

**Subject:** Licensure and Practice of Nursing Home Administration.

**Purpose:** To clarify and update the nursing home administrator licensure program.

**Text or summary was published** in the October 12, 2022 issue of the Register, I.D. No. HLT-41-22-00016-P.

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

**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)

#### **Initial Review of Rule**

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2028, which is no later than the 5th year after the year in which this rule is being adopted.

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

The New York State Department of Health (Department) received comments from a non-profit advocacy group and the New York State Assembly in regard to the amendments to the Board of Examiners Nursing Home Administrator (BENHA) regulations. The Department believes these amendments to the regulations will increase the pool of qualified Nursing Home Administrator candidates for licensure and are authorized pursuant to NYS Public Health Law Section 2896-b. The comments and the Department’s responses are summarized below.

**COMMENT:** One commentator supported the proposal made in 10 NYCRR, Section 96.8, subdivision (a)(5)(i) to eliminate the requirement that an internship training site has at least 80 beds. They concluded that allowing smaller nursing homes and those that are also providers with multiple levels of care to qualify as training sites will increase the pool of potential sites and training experiences.

**RESPONSE:** The Department is in agreement with this comment. No changes to the regulation are needed as a result of this comment.

**COMMENT:** One commentator supported the proposal made in 10 NYCRR, Section 96.5 subdivision (c) to allow candidates to attempt the Nursing Home Administrator examination up to four times in 12 months instead of three attempts in a five-year period. While another commentator supported this proposal, they suggest following some other state models that require additional training or instruction before allowing a candidate to take the examination the 4th time to ensure that any efforts to increase the pool of licensed administrators in New York do not lessen the “caliber of training and experience” that NYS Public Health Law Section 2895 recognizes as a key to providing adequate and proper administration of nursing homes.

**RESPONSE:** The Department disagrees that the absence of an additional requirement for continuing education and or training should a nursing home licensure candidate fail the exam three times will lessen the “caliber of training and experience” of such candidates. Candidates for Nursing Home Administrator licensure must complete a rigorous set of qualifications outlined in NYS Public Health Law Section 2896-c and 10 NYCRR Section 96.5. The Department and the Board’s intent in changing the examination period was to increase the pool of qualified candidates for Nursing Home Administrator licensure, especially during a time when the need for qualified Nursing Home Administrators is on the rise.

**COMMENT:** One commentator expressed concern over the proposed elimination of the word “unlawful” before “discrimination” in 10 NYCRR, Section 96.1 subdivision (m) because they believe it renders the ground for discipline vague.

**RESPONSE:** The Department disagrees that eliminating the word “unlawful” before “discrimination” in the definition section of the regula-

tions is problematic and could lead to unintended consequences. The intent of the Board and the Department is to capture all discrimination and not just unlawful discrimination, distinguished by protected parties. All motions for disciplinary proceedings by BENHA are referred to the Bureau of Administration Hearings for review, and therefore, the Department provides for due process for any disciplinary proceeding recommended by the Board against any Nursing Home Administrator.

**COMMENT:** One commentator suggested modifying the current Department regulations 10 NYCRR Section 96.8(b) that require the preceptor of the Administrator in Training Program (AIT) to be an administrator of record (AOR) of the training site, hold an administrator license for at least two years, have at least three years of full-time service as the AOR of a facility during the last five years, including at least one year in a New York nursing home eligible for approval as a training site or hold a current administrator certification from the American College of Health Care Administrators. Specifically, the commentator suggested that if a facility is otherwise qualified to serve as a training site but does not have an AOR that meets all of the above requirements and has another senior executive with a Nursing Home Administrator license and substantial experience, the regulations should allow either that executive to serve as the preceptor or the AOR to serve as a preceptor with the support of the qualified executive.

**RESPONSE:** No changes to the regulation are being made as a result of this comment; however, the Department will take this suggestion under advisement for any future rulemaking.

**COMMENT:** One commentator suggested modifying Department guidelines that reduce AIT or field experience time requirements based on work experience other than Director of Nursing in a nursing home, such as CFO, general counsel, medical director, or Director of Social Work. In addition, the commentator suggested that the duration of the AIT internship or field experience should be reduced based on the attainment of other degrees, such as a Juris Doctor degree.

**RESPONSE:** No changes to the regulation are being made as a result of this comment; however, the Department will take this suggestion under advisement for any future rulemaking.

**COMMENT:** One commentator suggested relaxing the regulation 10 NYCRR Section 96.8 that requires candidates to hold a bachelor's degree or higher that includes or is supplemented by 15 credit hours of coursework in five areas where the courses will be considered only if completed from five to 10 years, depending on the course, from the date of successful completion. Specifically, the commentator suggested relaxing the requirement that courses will be considered only if completed from five to 10 years, depending on the course, from the date of successful completion for candidates who can demonstrate advanced levels of education and /or work experience in the five areas.

**RESPONSE:** No changes to the regulation are being made as a result of this comment; however, the Department will take this suggestion under advisement for any future rulemaking.

**COMMENT:** One commentator questioned the proposed regulation change of Section 96.5(a) which is amended to give flexibility by changing "established by the Board" to "determined by the Department." Specifically, the commentator asked whether the experience necessary to take the exam for licensing should be determined exclusively by the Department rather than established by the Board.

**RESPONSE:** The Department agrees with the commentator that the Board is responsible for establishing the experience necessary to take the exam for licensing but amended the regulation to provide added flexibility by allowing the Department to determine whether an individual applicant meets the criteria established by the Board. As such, no amendments are necessary to the proposed regulation.

**COMMENT:** One commentator suggested providing reciprocity for nursing home administrators licensed in other states.

**RESPONSE:** Reciprocity would require a statutory amendment and is therefore outside the scope of this regulation. As such, no changes to the regulation are being made as a result of this comment.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Removal of the COVID-19 Vaccine Requirement for Personnel in Covered Entities

**I.D. No.** HLT-26-23-00001-P

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

**Proposed Action:** Repeal of section 2.61; amendment of sections 405.3, 415.19, 751.6, 763.13, 766.11, 794.3 and 1001.11 of Title 10 NYCRR; amendment of sections 487.9, 488.9 and 490.9 of Title 18 NYCRR.

**Statutory authority:** Public Health Law, sections 225, 2800, 2803, 3612, 4010; Social Services Law, sections 461 and 461-e

**Subject:** Removal of the COVID-19 Vaccine Requirement for Personnel in Covered Entities.

**Purpose:** To remove the COVID-19 Vaccine Requirement for Personnel in Covered Entities.

**Substance of final rule:** Pursuant to the authority vested in the Public Health and Health Planning Council and the Commissioner of Health by Public Health Law Sections 225, 2800, 2803, 3612, and 4010, as well as Social Services Law Sections 461 and 461-e, Title 10 (Health) and Title 18 (Social Services) of the Official Compilation of Codes, Rules and Regulations of the State of New York, are amended, to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

Section 2.61 of Title 10 is repealed.

Subparagraph (vi) of paragraph (10) of subdivision (b) of Section 405.3 of Part 405 of Title 10 is repealed.

Paragraph (5) of subdivision (a) of Section 415.19 of Part 415 of Title 10 is repealed.

Paragraph (7) of subdivision (d) of Section 751.6 of Title 10 is repealed.

Paragraph (6) of subdivision (c) of Section 763.13 of Title 10 is repealed.

Paragraph (7) of subdivision (d) of Section 766.11 of Title 10 is repealed.

Paragraph (8) of subdivision (d) of Section 794.3 of Title 10 is repealed.

Paragraph (5) of subdivision (q) of Section 1001.11 of Title 10 is repealed.

Paragraph (18) of subdivision (a) of Section 487.9 of Title 18 is repealed.

Paragraph (14) of subdivision (a) of Section 488.9 of Title 18 is repealed.

Paragraph (15) of subdivision (a) of Section 490.9 of Title 18 is repealed.

**Text of proposed 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: regsqna@health.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

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

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

#### Regulatory Impact Statement

Statutory Authority:

Public Health Law (PHL) Sections 225(5), 2800, 2803(2), 3612 and 4010(4) authorize the Public Health and Health Planning Council (PHHPC) and Commissioner to promulgate regulations: amending the State Sanitary Code; implementing the purposes and provisions of PHL Article 28; with respect to certified home health agencies, long term home health care programs, acquired immune deficiency syndrome (AIDS) home care programs, licensed home care service agencies, and limited licensed home care service agencies; and with respect to hospice organizations.

Social Service Law (SSL) Section 461 authorizes the Department of Health (Department) to promulgate regulations establishing general standards applicable to Adult Care Facilities (ACF).

Legislative Objectives:

The legislative objective of PHL Section 225 empowers PHHPC to address any issue affecting the security of life or health or the preservation and improvement of public health in the state of New York, including designation and control of communicable diseases and ensuring infection control at healthcare facilities and any other premises. PHL Article 28 specifically addresses the protection of the health of the residents of the State by assuring the efficient provision and proper utilization of health services of the highest quality at a reasonable cost. PHL Article 36 addresses the services rendered by certified home health agencies, long term home health care programs, acquired immune deficiency syndrome (AIDS) home care programs, licensed home care service agencies, and limited licensed home care service agencies. PHL Article 40 declares that hospice is a socially and financially beneficial alternative to conventional curative care for the terminally ill. Lastly, the legislative objective of SSL Section 461 is to promote the health and well-being of residents of ACFs.

Needs and Benefits:

COVID-19 vaccines are safe and effective, and COVID-19 vaccination offers the benefit of helping to reduce the number of COVID-19 infections. The State's regulation requiring covered entities to ensure that personnel are fully vaccinated against COVID-19, has increased the percentage of health care workers who are vaccinated against COVID-19.

However, federal recommendations for COVID-19 vaccination have

changed and are expected to evolve as the future course of COVID-19 becomes more apparent. Additionally, there are now effective treatments for COVID-19, case rates appear to have steadily declined, and hospitalizations due to COVID-19 have substantially decreased.

In response to changes in federal recommendations for COVID-19 vaccination and the overall pandemic landscape, the proposed regulation would repeal the requirement that covered entities ensure that personnel are fully vaccinated against COVID-19, as well as repeal the requirement that covered entities document evidence thereof in appropriate records. In lieu of a regulation, covered entities may now individually consider how to implement their own internal policies regarding COVID-19 vaccination, provided they remain in compliance with other applicable state and federal laws and regulations.

**Costs:**

Costs for the Implementation of and Continuing Compliance with these Regulations to the Regulated Entity:

The proposed regulation does not impose any new costs to regulated entities.

**Cost to State and Local Government:**

The proposed regulation does not impose any new costs to the State or local governments.

**Cost to the Department of Health:**

There are no additional costs to the State or local government but there may be modest costs savings, since the State and local governments will no longer need to perform surveillance of regulated parties to monitor compliance with the requirement that personnel be fully vaccinated against COVID-19.

**Local Government Mandates:**

There is no impact on local government mandates associated with this proposed rule change.

**Paperwork:**

No new paperwork is necessitated by the proposed regulation.

**Duplication:**

This regulation will not conflict with any state or federal rules.

**Alternatives:**

One alternative the Department considered was to amend the regulation to require personnel to be "up to date" on COVID-19 vaccinations, rather than "fully vaccinated." However, this option was not considered viable because of the likelihood of continued changes to federal COVID-19 vaccine recommendations and the language surrounding those recommendations. Another alternative that was considered was to allow personnel to wear a well-fitting face covering in lieu of being vaccinated. However, this option was ultimately not chosen because of unknowns surrounding future trends in COVID-19 case rates and because of the likely continuing evolution of federal vaccine recommendations.

**Federal Standards:**

On November 5, 2021, the U.S. Department of Health and Human Services' Centers for Medicare & Medicaid Services (CMS) issued an interim final rule (CMS-3415-IFC) requiring Medicare and Medicaid-certified providers and suppliers to ensure that their staff were fully vaccinated for COVID-19 (i.e., obtain the primary vaccination series). On April 10, 2023, the President signed legislation that ended the COVID-19 national emergency and subsequently on May 11, 2023, the COVID-19 public health emergency expired. In light of these developments and comments received on the interim final rule, CMS has stated that it will soon end the requirement that covered providers and suppliers establish policies and procedures for staff vaccination, which would bring the state and federal requirements into alignment.

**Compliance Schedule:**

The regulations will become effective upon publication of a Notice of Adoption in the New York State Register. Effective immediately the Department will cease citing providers for failing to comply with the requirements of 10 NYCRR Section 2.61 while the regulation is in the process of being repealed. The Department may, however, continue to seek sanctions against providers based on previously cited violations that allegedly occurred.

**Regulatory Flexibility Analysis**

No regulatory flexibility analysis is required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act. The proposed amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, record keeping or other compliance requirements on small businesses or local governments.

**Rural Area Flexibility Analysis**

A Rural Area Flexibility Analysis for these amendments is not required because the amendments will not impose any adverse impact or significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

**Job Impact Statement**

A Job Impact Statement for these amendments is not necessary because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

**REVISED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements**

**I.D. No.** HLT-23-22-00001-RP

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

**Proposed Action:** Amendment of sections 405.11 and 415.19 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 2803

**Subject:** Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements.

**Purpose:** To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE.

**Text of revised rule:** Section 405.11 is amended by adding a new subdivision (g) as follows:

(g)(1) *The hospital shall possess and maintain a supply of all necessary items of personal protective equipment (PPE) sufficient to protect health care personnel, consistent with federal Centers for Disease Control and Prevention guidance, for at least 60 days, by August 31, 2021.*

(2) *The 60-day stockpile requirement set forth in paragraph (1) of this subdivision shall be determined by the Department as follows for each type of required PPE:*

(i) *for single gloves, fifteen percent, multiplied by the number of the hospital's staffed beds as determined by the Department, multiplied by 550;*

(ii) *for gowns, fifteen percent, multiplied by the number of the hospital's staffed beds as determined by the Department, multiplied by 41;*

(iii) *for surgical masks, fifteen percent, multiplied by the number of the hospital's staffed beds as determined by the Department, multiplied by 21; and*

(iv) *for N95 respirator masks, fifteen percent, multiplied by the number of the hospital's staffed beds as determined by the Department, multiplied by 9.6.*

(3) *A hospital shall be considered to possess and maintain the required PPE if:*

(i) *it maintains all PPE on-site; or*

(ii) *it maintains PPE off-site, provided that the off-site storage location is within New York State, can be accessed by the hospital within at least 24 hours, and the hospital maintains at least a 10-day supply of all required PPE on-site, as determined by the calculations set forth in paragraph (2) of this subdivision. A hospital may enter into an agreement with a vendor to store off-site PPE, provided that such agreement requires the vendor to maintain unduplicated, facility-specific stockpiles; the vendor agrees to maintain at least a 60-day supply of all required PPE, or a 90-day supply in the event the Commissioner increases the required stockpile amount pursuant to this subdivision (less the amount that is stored on site at the facility); and the PPE is accessible by the facility 24 hours a day, 7 days a week, year round. In the event the Department finds a hospital has not maintained the required PPE stockpile, it shall not be a defense that the vendor failed to maintain the supply.*

(iii) *Any PPE stored outside of New York State shall not count toward the facility's required 60-day stockpile.*

(4) *The Commissioner shall have discretion to increase the stockpile requirement set forth in paragraph (1) of this subdivision from 60 days to 90 days where there is a State or local public health emergency declared pursuant to Section 24 or 28 of the Executive Law. Hospitals shall possess and maintain the necessary 90-day stockpile of PPE by the deadline set forth by the Commissioner.*

(5) *The Department shall periodically determine the number of staffed beds in each hospital. Hospitals shall have 90 days to come into compliance with the new PPE stockpile requirements, as set forth in paragraph (2) of this subdivision, following such determination by the Department. Provided further that the Commissioner shall have discretion to determine an applicable bed calculation for a hospital which is different than the number of staffed beds, if circumstances so require.*

(6) *In order to maximize the shelf life of stockpiled inventory, providers should follow the appropriate storage conditions as outlined by manufacturers, and providers are strongly encouraged to rotate inventory*

through regular usage and replace what has been used in order to ensure a consistent readiness level and reduce waste. Expired products should be disposed of when their expiration date has passed. Expired products shall not be used to comply with the stockpile requirement set forth in paragraph (1) of this subdivision.

(7) Failure to possess and maintain the required supply of PPE may result in the revocation, limitation, or suspension of the hospital's license; provided, however, that no such revocation, limitation, or suspension shall be ordered unless the Department has provided the hospital with a fourteen-day grace period, solely for a hospital's first violation of this section, to achieve compliance with the requirement set forth herein.

(8) In the event a new methodology relating to PPE in hospitals is developed, including but not limited to a methodology by the U.S. Department of Health & Human Services, and the Commissioner determines that such alternative methodology is appropriate for New York hospitals and will adequately protect hospital staff and patients, the Commissioner shall amend this subdivision to reflect such new methodology.

Section 415.19 is amended by adding a new subdivision (f) as follows:

(f)(1) The nursing home shall possess and maintain a supply of all necessary items of personal protective equipment (PPE) sufficient to protect health care personnel, consistent with federal Centers for Disease Control and Prevention guidance, for at least 60 days, by August 31, 2021.

(2) The 60-day stockpile requirement set forth in paragraph (1) of this subdivision shall be determined by the Department as follows for each type of required PPE:

(i) for single gloves, the applicable positivity rate, multiplied by the nursing home's average census as determined annually by the Department, multiplied by 24;

(ii) for gowns, the applicable positivity rate, multiplied by the nursing home's average census as determined annually by the Department, multiplied by 3;

(iii) for surgical masks, the applicable positivity rate, multiplied by the nursing home's average census as determined annually by the Department, multiplied by 1.5; and

(iv) for N95 respirator masks, the applicable positivity rate, multiplied by the nursing home's average census as determined annually by the Department, multiplied by 1.4.

(v) For the purposes of this paragraph, the term "applicable positivity rate" shall mean the greater of the following positivity rates:

(a) The nursing home's average COVID-19 positivity rate, based on reports made to the Department, during the period April 26, 2020 through May 20, 2020; or

(b) The nursing home's average COVID-19 positivity rate, based on reports made to the Department, during the period January 3, 2021 through January 31, 2021; or

(c) 20.15 percent, representing the highest Regional Economic Development Council average COVID-19 positivity rate, as reported to the Department, during the periods April 26, 2020 through May 20, 2020 and January 3, 2021 through January 31, 2021.

(d) In the case of nursing homes previously designated by the Department as a COVID-positive only facility, the term "applicable positivity rate" shall be as defined in clause (c) of this subparagraph.

(3) A nursing home shall be considered to possess and maintain the required PPE if:

(i) it maintains all PPE on-site; or

(ii) it maintains PPE off-site, provided that the off-site storage location is within New York State, can be accessed by the nursing home within at least 24 hours, and the nursing home maintains at least a 10-day supply of all required PPE on-site, as determined by the calculations set forth in paragraph (2) of this subdivision. A nursing home may enter into an agreement with a vendor to store off-site PPE, provided that such agreement requires the vendor to maintain unduplicated, facility-specific stockpiles, the vendor agrees to maintain at least a 60-day supply of all required PPE (less the amount that is stored on-site at the facility), and the PPE is accessible by the facility 24 hours a day, 7 days a week, year round. In the event the Department finds a nursing home has not maintained the required PPE stockpile, it shall not be a defense that the vendor failed to maintain the supply.

(iii) Any PPE stored outside of New York State shall not count toward the facility's required 60-day stockpile.

(4) The Department shall determine the nursing home's average census annually, by January 1st of each year, and shall communicate such determination to each facility. Nursing homes shall have 90 days to come into compliance with the new PPE stockpile requirements, as set forth in paragraph (2) of this subdivision, following such determination by the Department.

(5) In order to maximize the shelf life of stockpiled inventory, providers should follow the appropriate storage conditions as outlined by manufacturers, and providers are strongly encouraged to rotate inventory through regular usage and replace what has been used in order to ensure

a consistent readiness level and reduce waste. Expired products should be disposed of when their expiration date has passed. Expired products shall not be used to comply with the stockpile requirement set forth in paragraph (1) of this subdivision.

(6) Failure to possess and maintain the required supply of PPE may result in the revocation, limitation, or suspension of the nursing home's license; provided, however, that no such revocation, limitation, or suspension shall be ordered unless the Department has provided the nursing home with a fourteen day grace period, solely for a nursing home's first violation of this section, to achieve compliance with the requirement set forth herein.

(7) In the event a new methodology relating to PPE in Residential Health Care Facilities is developed, including but not limited to a methodology by the U.S. Department of Health & Human Services, and the Commissioner determines that such alternative methodology is appropriate for New York nursing homes and will adequately protect facility staff and patients, the Commissioner shall amend this subdivision to reflect such new methodology.

**Revised rule compared with proposed rule:** Substantial revisions were made in sections 405.11(g)(3)-(8) and 415.19(f).

**Text of revised proposed 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: regsqna@health.ny.gov

**Data, views or arguments may be submitted to:** Same as above.

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

#### Revised Regulatory Impact Statement

Statutory Authority:

Section 2803 of the Public Health Law (PHL) authorizes the promulgation of such regulations as may be necessary to implement the purposes and provisions of PHL Article 28, including the establishment of minimum standards governing the operation of health care facilities, including hospitals and nursing homes.

Legislative Objectives:

The legislative objectives of PHL Article 28 include the protection and promotion of the health of the residents of the State by requiring the efficient provision and proper utilization of health services, of the highest quality at a reasonable cost.

Needs and Benefits:

The 2019 Coronavirus (COVID-19) is a disease that causes 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 general hospital and can be fatal, with a disproportionate risk of severe illness for older adults and/or those who have serious underlying medical health conditions.

On January 30, 2020, the World Health Organization (WHO) designated the COVID-19 outbreak as a Public Health Emergency of International Concern. On a national level, the Secretary of Health and Human Services determined on January 31, 2020 that as a result of confirmed cases of COVID-19 in the United States, a public health emergency existed and had existed since January 27, 2020, nationwide. Thereafter, the situation rapidly evolved throughout the world, with many countries, including the United States, quickly progressing from the identification of travel-associated cases to person-to-person transmission among close contacts of travel-associated cases, and finally to widespread community transmission of COVID-19.

In order for hospital and nursing home staff to safely provide care for COVID-19 positive patients and residents, or patients and residents infected with another communicable disease, while ensuring that they themselves do not become infected with COVID-19 or any other communicable disease, it is critically important that personal protective equipment (PPE), including masks, gloves, respirators, face shields and gowns, is readily available and are used. Therefore, as a result of global PPE shortages at the outset of the State of Emergency, New York State provided general hospitals, nursing homes, and other medical facilities with PPE from the State's emergency stockpile from the beginning of the COVID-19 outbreak. However, hospitals and nursing homes must ensure sufficient PPE stockpiles exist for any future communicable disease outbreaks to ensure each facility is adequately prepared to protect its staff and patients or residents, without needing to rely on the State's emergency stockpile.

Based on the foregoing, the Department has made the determination that this regulation is necessary to ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE to ensure that sufficient PPE is available in the event of a continuation or resurgence of the COVID-19 outbreak or another communicable disease outbreak.

Costs:

Costs to Regulated Parties:

The purpose of this regulation is to require general hospitals and nursing homes to maintain adequate stockpiles of PPE. The initial cost to facilities as they establish stockpiles of PPE will vary depending on the number of staff working at each facility. However, the Department anticipates that hospitals and nursing homes will routinely use stockpiled PPE as part of their routine operations; while facilities must maintain the requisite stockpile at all times in the event of an emergency need, facilities are strongly encouraged to rotate through their stockpiles routinely to ensure the PPE does not expire and is replaced with new PPE, thereby helping to balance facility expenditures over time and reduce waste. Further, in the event of an emergency need, hospitals and nursing homes are expected to tap into their stockpiles; as such, hospitals and nursing homes will ultimately use equipment which would have been purchased had a stockpile not existed, thereby mitigating overall costs. Moreover, nursing homes are statutorily obligated to maintain or contract to have at least a two-month supply of PPE pursuant to Public Health Law section 2803(12). As such, this regulation imposes no long-term additional costs to regulated parties.

**Costs to Local and State Governments:**

This regulation will not impact local or State governments unless they operate a general hospital or nursing home, in which case costs will be the same as costs for private entities.

**Costs to the Department of Health:**

This regulation will not result in any additional operational costs to the Department of Health.

**Paperwork:**

This regulation imposes no addition paperwork.

**Local Government Mandates:**

General hospitals and nursing homes operated by local governments will be affected and will be subject to the same requirements as any other general hospital licensed under PHL Article 28.

**Duplication:**

These regulations do not duplicate any State or federal rules.

**Alternatives:**

The Department believes that promulgation of this regulation is the most effective means of ensuring that general hospitals and nursing homes have adequate stockpiles of PPE necessary to protect hospital staff from communicable diseases, compared to any alternate course of action.

**Federal Standards:**

No federal standards apply to stockpiling of such equipment at hospitals.

**Compliance Schedule:**

The regulations will become effective upon publication of a Notice of Adoption in the New York State Register. These regulations are expected to be proposed for permanent adoption at a future meeting of the Public Health and Health Planning Council.

**Revised Regulatory Flexibility Analysis**

**Effect of Rule:**

This regulation will not impact local governments or small businesses unless they operate a general hospital or a nursing home. Currently there are five general hospitals in New York that employ less than 100 staff and qualify as small businesses, and there are 79 nursing homes in New York qualify as small businesses given that they employ less than 100 staff.

**Compliance Requirements:**

These regulations require all general hospitals and nursing homes to purchase and maintain adequate stockpiles of PPE, including but not limited to masks, respirators, face shields and gowns.

**Professional Services:**

It is not expected that any professional services will be needed to comply with this rule.

**Compliance Costs:**

The purpose of this regulation is to require general hospitals and nursing homes to maintain adequate stockpiles of PPE. The initial cost to facilities as they establish stockpiles of PPE will vary depending on the number of staff working at each covered facility. However, the Department anticipates that hospitals and nursing homes will routinely use stockpiled PPE as part of their routine operations; while facilities must maintain the requisite stockpile at all times in the event of an emergency need, facilities are strongly encouraged to rotate through their stockpiles routinely to ensure the PPE does not expire and is replaced with new PPE, thereby helping to balance facility expenditures over time and reduce waste. Further, in the event of an emergency need, hospitals and nursing homes are expected to tap into their stockpiles; as such, hospitals and nursing homes will ultimately use equipment which would have been purchased had a stockpile not existed, thereby mitigating overall costs. Moreover, nursing homes are statutorily obligated to maintain or contract to have at least a two-month supply of PPE pursuant to Public Health Law section 2803(12). As such, this regulation imposes no long-term additional costs to regulated parties.

**Economic and Technological Feasibility:**

There are no economic or technological impediments to the rule changes.

**Minimizing Adverse Impact:**

The Department anticipates that any adverse impacts will be minimal, as both hospitals and nursing homes have already mobilized their stockpiling efforts since early 2020, when the spread of the COVID-19 virus was first recognized in New York State, including through two surges of the COVID-19 pandemic. As such, the continuance of these stockpiling requirements is not expected to create any additional adverse impact on hospitals or nursing homes. Moreover, for nursing homes, these PPE regulations are consistent with the existing directive in Public Health Law section 2803(12) to maintain a two-month PPE supply.

**Small Business and Local Government Participation:**

The Department contacted hospital and nursing home associations, individual hospitals and health systems, and health care labor unions for input regarding these regulations and the underlying methodology. Input from these stakeholders has been incorporated into the regulations.

**Revised Rural Area Flexibility Analysis**

**Types and Estimated Numbers of Rural Areas:**

Although 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 of 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   |
| Broome County   | Niagara County  | Saratoga County |
| Dutchess County | Oneida County   | Suffolk County  |
| Erie County     | Onondaga County |                 |

There are 47 general hospitals located in rural areas as well as several licensed nursing homes.

**Reporting, Recordkeeping, and Other Compliance Requirements; and Professional Services:**

These regulations require all general hospitals and nursing homes, including those in rural areas, to purchase and maintain adequate stockpiles of PPE, including but not limited to masks, respirators, face shields and gowns.

**Costs:**

The purpose of this regulation is to require general hospitals and nursing homes to maintain adequate stockpiles of PPE. The initial cost to facilities as they establish stockpiles of PPE will vary depending on the number of staff working at each facility. However, the Department anticipates that hospitals and nursing homes will routinely use stockpiled PPE as part of

their routine operations; while facilities must maintain the requisite stockpile at all times in the event of an emergency need, facilities are expected to rotate through their stockpiles routinely to ensure the PPE does not expire and is replaced with new PPE, thereby helping to balance facility expenditures over time and reduce waste. Further, in the event of an emergency need, hospitals and nursing homes are expected to tap into their stockpiles; as such, hospitals and nursing homes will ultimately use equipment which would have been purchased had a stockpile not existed, thereby mitigating overall costs. Moreover, nursing homes are statutorily obligated to maintain or contract to have at least a two-month supply of PPE pursuant to Public Health Law section 2803(12). Therefore, this regulation imposes no long-term additional costs to regulated parties.

#### Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes.

#### Minimizing Adverse Impact:

The Department anticipates that any adverse impacts will be minimal, as both hospitals and nursing homes have already mobilized their stockpiling efforts since early 2020, when the spread of the COVID-19 virus was first recognized in New York State, including through two surges of the COVID-19 pandemic. As such, the continuance of these stockpiling requirements is not expected to create any additional adverse impact on hospitals or nursing homes. Moreover, for nursing homes, these PPE regulations are consistent with the existing directive in Public Health Law section 2803(12) to maintain a two-month PPE supply.

#### Rural Area Participation:

The Department contacted hospital and nursing home associations, individual hospitals and health systems, and health care labor unions for input regarding these regulations and the underlying methodology, including associations representing facilities in rural areas of the State. Input from these stakeholders has been incorporated into the regulations.

#### Revised Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previously published JIS.

#### Assessment of Public Comment

The New York State Department of Health (Department) received four comments regarding the proposed amendments to sections 405.11 and 415.19 of Title 10 of the New York Codes, Rules and Regulations. The comments and the Department's responses are summarized below:

A hospital located in New York State submitted the following comments:

**Comment:** The hospital opined that the 60-day stockpile requirements for hospitals is unreasonable, particularly given the lack of current PPE supply chain issues; a 30- to 45-day stockpile based on a facility's average six-month rolling PPE use would be more reasonable.

**Response:** As these regulations apply to nursing homes, the 60-day stockpile requirement is consistent with the existing directive in Public Health Law (PHL) section 2803(12) to maintain a two-month PPE supply. Further, requiring a 60-day PPE stockpile for both nursing homes and hospitals will foster consistency in stockpile requirements. Finally, the Department finds that 60 days is appropriate to ensure a sufficient supply in the event of a future supply chain issue. Notwithstanding that supply chain issues do not currently exist, the intention of the regulation is to ensure facilities are prepared in the event of a future emergency and PPE supply problem, using the State's experience combating the COVID-19 virus during surge periods. Therefore, the Department declines to amend the regulations in response to these comments.

**Comment:** The hospital suggested that the Department impose requirements for PPE manufacturers so health care organizations would not need to warehouse large quantities of PPE.

**Response:** While the Department appreciates this suggestion, the Department does not regulate manufacturers of PPE. Accordingly, no changes have been made to the regulation.

The Department received three comments from healthcare trade associations, as follows: (1) an association representing nursing homes (hereinafter, "nursing home association"), (2) an association representing hospitals and health systems in New York State (hereinafter, "hospital association"), and (3) an association representing hospitals, health systems, nursing homes, and other healthcare providers in New York State (hereinafter, "healthcare association") (hereinafter, collectively, "the associations").

**Comment:** The hospital association expressed support for the regulation's reduction of the required PPE stockpile from 90 days to 60 days.

**Response:** The Department appreciates this support.

**Comment:** The associations commented that the regulations lead to wasted PPE because the current formula is based on the highest positivity rates during the COVID-19 State of Emergency and such rates exceed current need, particularly in nursing homes. The healthcare association further recommended that the Department review existing State PPE prac-

tices, including best practices from the State Department of Homeland Security (DHS) regarding rotating through stock, and consider using DHS's regional caches to supplement facilities' PPE stockpiles.

**Response:** Two changes have been made to the revised regulations in response to this comment. First, to maximize shelf life of stockpiled inventory and reduce waste, the Department has added language to the revised proposed regulations to "strongly encourage" nursing homes and hospitals to rotate through their stockpile during regular usage and replace what has been used with more current PPE (see 10 NYCRR 405.11[g][6]; 415.19[f][5]).

Second, with respect to the specific suggestion to review DHS's and other best practices for PPE storage, the Department is committed to reviewing all pertinent information available to inform its decision-making and regulatory actions, including emergency preparedness standards. However, because practice standards are frequently reviewed and revised, the Department generally does not incorporate specific best practices into the text of regulations, which are subject to lengthy public review and publication requirements under the State Administrative Procedure Act; instead, the Department will actively review best practices and, if necessary, share administrative guidance, which can be issued more promptly than regulations. The Department will consider distributing a Dear Administrator Letter (DAL) to covered facilities if DHS or other federal or State entities publish best practices for PPE storage that are applicable to regulated healthcare facilities, including hospitals and nursing homes. Further, the Department notes that State reserves are routinely used to address emergency response activities; throughout the COVID-19 Public Health Emergency, PPE reserves were routinely accessed by State healthcare providers using the "NY Responds" system when necessary to supplement existing supply, whether due to supply chain issues or responding to an outbreak.

Nevertheless, to address more general concerns regarding warehousing of PPE on-site, the Department has revised the regulations to provide that off-site storage of PPE is permissible within the conditions outlined in sections 405.11(g)(3)(ii) and 415.19(f)(3)(ii).

**Comment:** The associations requested that in proposed 10 NYCRR 415.19(f)(2) "staffed beds" be used as a multiplier instead of the nursing home's "certified beds," as is done for hospitals in proposed 10 NYCRR 405.11(g)(2).

**Response:** The Department has revised the regulations to change the term "certified beds" in section 415.19(f) to "the nursing home's average census as determined annually by the Department." The revised regulations further provide that the Department shall determine the nursing home's average census annually, by January 1 of each year, and shall communicate such determination to each facility (10 NYCRR 415.19[f][4]). There is no standard definition of "staffed beds" for nursing homes in either Public Health Law Article 28 or 10 NYCRR Part 415, nor does the Department currently utilize the concept of "staffed beds" in other areas of nursing home reporting or oversight. As such, the Department finds that "average census as determined annually by the Department" is a more fitting term than "staffed beds."

Additionally, the hospital stockpile regulations at section 405.11(g) have similarly been revised to require the Department to periodically recalculate the number of hospital staffed beds and allow the Commissioner of Health to use a bed multiplier other than staffed beds if necessary.

**Comment:** The nursing home association suggested that as an alternative to these regulations, the Department rely on the "Personal Protective Equipment Burn Rate Calculator" published by the U.S. Centers for Disease Control and Prevention (CDC). Similarly, the hospital association asked the Department to explain why a 2020 academic study remains relevant for determining PPE usage rates versus more recently-published tools.

**Response:** The Department has made changes to the regulations in response to this comment. First, the Department notes that the methodology set forth in the proposed regulations is more comprehensive and sound than the CDC's PPE Burn Rate Calculator and remains reliable notwithstanding that it was published in 2020, insofar as the regulation's methodology is based on modeling performed by the Center for Health Security at Johns Hopkins University Bloomberg School of Public Health, available at <https://www.centerforhealthsecurity.org/resources/COVID-19/PPE/PPE-assumptions>. The Johns Hopkins modeling, in turn, is based on a thorough academic study that assessed incidence, duration of hospitalization, and clinical outcomes of acute COVID-19 inpatient admissions in a cohort of over 9 million individuals enrolled in healthcare delivery plans from Kaiser Permanente in California and Washington state. The full study is available at <https://www.medrxiv.org/content/10.1101/2020.04.12.20062943v1>. The CDC PPE Burn Rate Calculator, in comparison, is not based on academic research and does not take into account the multitude of factors assessed in the aforementioned study.

Moreover, the Department is not aware of any applicable, extensive academic research regarding PPE burn rates to use as an alternative to the

Johns Hopkins methodology. Indeed, the Department conducted extensive outreach to stakeholders following publication of the proposed regulations, including outreach to nursing home and hospital associations, individual hospitals, labor unions, and medical societies, requesting recommendations for a third-party, independent methodology. Upon review of responses received, the Department found that the alternative methodologies had flaws, including unclear assumptions or implementation challenges. Only one stakeholder suggested an academic study to determine PPE burn rates, but the underlying methodological assumptions, including the facility type and location, were inapplicable to New York State hospitals or nursing homes.

Nevertheless, the Department recognizes that new methodologies may be developed following promulgation of these regulations which are better suited than the underlying Johns Hopkins methodology. Therefore, the revised regulations in sections 405.11(g)(8) and 415.19(f)(7) provide that the Commissioner of Health has authority to amend these regulations should an alternate methodology that is appropriate for New York and would adequately ensure the safety of hospital staff and patients is developed.

Comment: The associations requested that the regulations be amended to allow facilities to count reusable PPE differently from single-use PPE.

Response: The Department finds that there is no reliable, accurate method to calculate single- versus multi-use PPE differently. Manufacturers have varying standards for reusability, there is no sound way for facilities to account for PPE that is being worn or washed when calculating the stockpile, and in the past facilities have inaccurately reported their reusable PPE amounts when the Department employed a standard adjuster to account for reusability. Accordingly, no modifications have been made to this regulation as a result of these comments.

Comment: The nursing home association requested that the Department clarify that facilities will not be penalized if supplies fall below the requisite 60-day stockpile amount due to widespread PPE shortages. Similarly, the healthcare association requested that the Department amend the regulations to specify that facilities can use their existing stockpile without incurring penalties in the event of supply chain shortages and to reduce waste.

Response: The Department maintains its ability to exercise enforcement discretion when surveyors assess compliance with regulations, and such discretion may be exercised in the event of confirmed PPE supply chain issues that affect the geographic area in which the facility is located. However, facilities that experience difficulty acquiring necessary PPE, due to supply chain issues or otherwise, should immediately notify the Department for assistance resolving the issue. Regarding waste, as indicated above, the proposed regulations strongly encourage nursing homes and hospitals to rotate through their stockpile during regular usage and replace what has been used with more current PPE to maximize shelf life of stockpiled inventory and reduce waste. As such, waste is expected to be minimal. The Department further reminds covered entities that the stockpile is intended to be a reserve in the event an emergency arises and additional PPE is needed in the course of operations; as such, facilities must ensure that the 60-day stockpile is maintained even as facilities rotate through older PPE supplies. No changes have been made in response to these comments.

Comment: The healthcare association requested that the Department clarify what is meant by the following reference to CDC guidance in Sections 405.11(g)(1) and 415.19(f)(1): “The [nursing home and hospital] shall possess and maintain a supply of all necessary items of personal protective equipment (PPE) sufficient to protect health care personnel, consistent with federal Centers for Disease Control and Prevention guidance...”

Response: The CDC guidance referenced in Sections 405.11(g)(1) and 415.19(f)(1) refers to CDC guidelines regarding what PPE should be worn by healthcare personnel depending on which patients they are providing care to and the infection status at the facility. No changes have been made to the text of the regulation in response to this inquiry.

Comment: The hospital association requested that the Department reconsider the peak usage dates used to calculate the PPE formula for nursing homes, per 10 NYCRR 415.19(f)(2)(v). Instead of specifying dates in the regulatory text, the hospital association suggests that the Department issue a DAL that details the applicable dates to calculate the “applicable positivity rate” to allow the regulations to be more dynamic and evolve based on current circumstances.

Response: The Department respectfully disagrees that it would be more appropriate to indicate applicable dates through a DAL rather than defining the term “applicable positivity rate” directly within the regulation. Fully defining the term “applicable positivity rate” within the regulation, including the relevant dates, provides long-term clarity to nursing homes to ensure they can contract to purchase sufficient PPE to meet the threshold amount and are replenishing used PPE appropriately. Fluctuating the dates through multiple DALs is likely to lead to confusion for facilities

and inaccurate PPE stockpile reporting to the Department. Further, the peak positivity dates referenced within the regulation will ensure maximum preparedness for facilities in the event of another pandemic to best protect staff and residents. The Department notes that, in the past 90 days to date, between 26 to 52 percent of nursing homes have active COVID-19 cases, and therefore PPE must be utilized to prevent widespread infection. Accordingly, the Department declines to make the requested changes.

Comment: The nursing home association commented that the “applicable positivity rate” multiplier did not meaningfully apply to those facilities previously designated by the Department as COVID-positive only nursing homes during the COVID-19 State of Emergency, insofar as the “applicable positivity rate” multiplier would necessarily be high due to the special population these facilities served during such State of Emergency and may not be reflective of the facility’s infection rates during any future pandemic.

Response: The Department has taken this comment into consideration and revised the regulations to allow nursing homes previously designated by the Department as COVID-positive only facilities to utilize the “highest Regional Economic Development Council average COVID-19 positivity rate, as reported to the Department, during the periods April 26, 2020 through May 20, 2020 and January 3, 2021 through January 31, 2021” as the “applicable positivity rate” multiplier.

## Public Service Commission

### NOTICE OF ADOPTION

#### Recovery of Interest Payments

**I.D. No.** PSC-14-23-00002-A

**Filing Date:** 2023-06-12

**Effective Date:** 2023-06-12

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

**Action taken:** On 6/12/23, the PSC adopted an order adopting the emergency rule authorizing Fillmore Gas Company, Inc. to recover interest payments through its gas supply charge, on a permanent basis.

**Statutory authority:** Public Service Law, sections 5(1), 65(1) and 66(12)

**Subject:** Recovery of interest payments.

**Purpose:** To adopt the emergency rule on a permanent basis.

**Substance of Final Rule:** The Commission, on June 12, 2022, adopted an order adopting the emergency rule authorizing Fillmore Gas Company, Inc. to recover interest payments through its gas supply charge, on a permanent basis, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the April 5, 2023 issue of the Register, I.D. No. PSC-14-23-00002-EP.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(23-G-0077SA1)

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

#### Tier 1 Projects Awarded a Renewable Energy Certificate Purchase and Sale Agreement and Currently Under Development

**I.D. No.** PSC-26-23-00002-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 Alliance for Clean Energy New York, Inc. seeking modification to Clean Energy Standard Tier 1 Renewable Energy Certificate purchase and sale agreements.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), (2), 66(2), 66-p; Energy Law, section 6-104(5)(b)

**Subject:** Tier 1 projects awarded a Renewable Energy Certificate purchase and sale agreement and currently under development.

**Purpose:** To consider modification to existing Tier 1 Renewable Energy Certificate purchase and sale agreements.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition (Petition), filed on June 7, 2022, by the Alliance for Clean Energy New York, Inc. (ACE NY) requesting an order from the Commission directing the New York state Energy Resource and Development Authority (NYSERDA) to incorporate an adjustment mechanism under a broad subset of existing Clean Energy Standard (CES) Tier 1 renewable energy certificate (REC) contracts (Tier 1 REC Contracts).

The Petition explains that pursuant to the Tier 1 program, NYSEDA has awarded Tier 1 REC Contracts to nearly 9,400 megawatts (MW) of new renewable capacity spread across 117 projects. The Petition asserts that securing a REC award via a NYSEDA Tier 1 solicitation is an essential component of renewable project development as revenue from power markets do not fully compensate renewable resources for the environmental attributes they provide. The Petition claims that, following REC awards, developers must also obtain permitting and interconnection authorization, as well as secure financing and construction arrangements to complete project development. The Petition asserts that the typical lag experienced by project developers to date between contract award and commercial operation can be as much as seven years.

The Petition claims that unpredictable market conditions have resulted in severe and unpredictable economic disruption that has undermined the various economic factors and projections previously relied upon when developing proposals in response to Tier 1 REC solicitations. Specifically, the Petition states that the global COVID-19 pandemic has led to supply chain bottlenecks and labor constraints resulting in inflationary pressures that have been further exacerbated by the war in Ukraine. The Petition further asserts that unprecedented increases in demand for new renewable energy development relative to other goods and services as more States and countries implement their own climate change initiatives has further exacerbated these inflationary effects for the renewable energy industry, leading to wholly unpredictable upsurges in the costs of renewable energy development. According to the Petition, because of the economic impacts resulting from these circumstances, the portfolio of under development projects cannot proceed economically on existing contract terms. The Petition explains that developers cannot reasonably be expected to secure financing and proceed with projects that are no longer economically viable. Additionally, the Petition asserts that some projects will fail to reach commercial operation, jeopardizing the attainment of the State's clean energy goals and, that even if projects re-bid into future NYSEDA solicitations, such bids would likely reflect significantly higher strike prices. According to the Petition, delays associated with re-bidding projects could require developers to renegotiate land option contracts or other project agreements, seek amendments to already secured siting permits, and forfeit their New York Independent System Operator (NYISO) Class Year status, setting the project back to the beginning of the NYISO interconnection process.

Thus, the Petition proposes a one-time adjustment mechanism necessary to restore viability and allow development under the REC Tier 1 program to proceed uninterrupted. The Petition proposes to implement this adjustment through a contract modification specific to the two core Tier 1 technology types, solar and land-based wind, and corresponding to a contractually defined trigger point. The Petition acknowledges that NYSEDA has implemented the adjustment of developers' as bid strike prices as of the commencement of "construction activities" to account for inflationary changes between the bid submission deadline and construction in its RESRFP22-1 solicitation to support future project development. The Petition asserts, however, that no similar actions have been taken to address the viability of Tier 1 projects currently under development. The Petition asserts that the proposed adjustment mechanism has been designed to both restore economic viability for under development projects to be constructed, and to allow NYSEDA to apply the mechanism transparently and with relative administrative ease. Specifically, the Petition explains

that the proposed adjustment mechanism would capture the marked confluence of economic disruptions that have directly affected the renewable energy industry through specific cost components that are necessary to restore viability and allow projects to proceed to construction. The Petition claims that the proposed adjustment mechanism utilizes publicly available data and indices and provides a formula to be uniformly applied by technology type, thereby avoiding the need to make a number of judgment calls specific to each project.

According to the Petition, authorizing implementation of the proposed adjustment mechanism would ameliorate the unforeseeable, corrosive economic disruptions experienced by Tier 1 project that are currently under development, furnish substantial economic and environmental benefits to New York consumers, and restore the economic viability of the Tier 1 program, promoting the provision of safe and adequate electric service at just and reasonable rates on the trajectory designed to achieve the State's clean energy goals. The Petition emphasizes that preservation of the existing Tier 1 projects under development is critical to achieving the State's clean energy goals and ensuring the viability of these projects would allow the State to focus on the significant future procurement of renewable energy that must take place.

The relief requested, if approved, could also materially impact the Clean Path New York (CPNY) project, whose Tier 4 REC contract was approved by the Commission on April 14, 2022. This interaction arises because many of CPNY's generating resources also have separate Tier 1 REC contracts with NYSEDA that would be modified if the relief requested in the Petition is granted. If those Tier 1 REC contracts are modified, a mismatch could arise between the compensation available to each generator under its Tier 1 REC contract with NYSEDA compared with the generator's arrangements with CPNY. Specifically, the generator could be left without an economic incentive to transact with CPNY, potentially threatening the viability of the CPNY project. Accordingly, as part of its consideration of the Petition, the Commission may also provide relief whereby the precise relief afforded to Tier 1 projects would also be applied to the generation component only of CPNY's Tier 4 REC contract with NYSEDA.

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 other related matters. The Commission may also consider directing NYSEDA to undertake a new solicitation of the Tier 1 projects subject to the Petition under certain prescribed terms.

**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-0302SP59)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

**Sunrise Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement**

**I.D. No.** PSC-26-23-00003-P

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

**Proposed Action:** The Commission is considering a petition filed by Sunrise Wind LLC seeking to modify its Offshore Wind Renewable



Energy Certificate Purchase and Sale Agreement with the New York State Energy Research and Development Authority.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), (2), 66(2), 66-p; Energy Law, section 6-104(5)(b)

**Subject:** Sunrise Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement.

**Purpose:** To consider modification to the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition (Petition), filed on June 7, 2022, by Sunrise Wind LLC (Sunrise Wind) seeking an order from the Commission directing the New York State Energy Research and Development Authority (NYSERDA) to amend the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement (OREC Agreement) with Sunrise Wind to incorporate inflation and interconnection cost adjustment mechanisms comparable to those included in NYSEDA's third offshore wind solicitation (ORECRFP22-1).

The Petition describes Sunrise Wind as part of a 50/50 joint venture between Orsted North America Inc. and Eversource Investment LLC, which is developing the Sunrise Wind Project, a 924 megawatt (MW) offshore wind facility to be located off the east coast of Long Island (the Project). In July 2019, the Petition continues, the Project was selected for an award as part of the State's first offshore wind procurement, with NYSEDA executing the OREC Agreement with Sunrise Wind on October 23, 2019. Under the OREC Agreement, NYSEDA will purchase from Sunrise Wind the offshore wind renewable energy certificates (ORECs) representing the environmental attributes associated with generating renewable energy from the Project. Included in the OREC Agreement is a \$110.37 per megawatt hour (MWh) "strike price," which essentially caps the total Project revenues at the strike price multiplied by the MWh produced by the Sunrise Wind Project over the course of the OREC Agreement's 25-year term.

According to the Petition, the Project would satisfy more than 10% of the State's offshore wind energy requirement of 9 GW of offshore wind capacity by 2035. The Petition asserts that the Project would provide enough electricity to power approximately 600,000 New York homes and, in the process, displace electricity currently generated at fossil fuel-fired power plants and eliminate the resulting greenhouse gas and other pollutant emissions. The Petition asserts that, in addition to its environmental benefits, the Project would provide workforce training, jobs, and economic development in disadvantaged communities. Additionally, the Petition asserts that the Project would improve grid reliability as offshore wind provides a more stable source of renewable energy than other renewable technologies.

The Petition claims that unanticipated and extraordinary economic events have negatively impacted the offshore wind industry generally, and the Project specifically. Specifically, the Petition asserts that, since the execution of the OREC Agreement, the COVID-19 pandemic and its resulting effects on fiscal policies have resulted in rapid, unprecedented increases in inflation and interest rates, while also creating long-term and ongoing disruptions to critical offshore wind industry supply chains. The Petition goes on to state that the war between Russia and Ukraine has led to a spike in global demand for renewable energy, higher prices for offshore wind components, and shortages of critical materials and assets. The Petition further explains that offshore wind energy projects in the United States have been subjected to extraordinary, industrywide permitting delays, which have delayed revenues and increased vulnerability to the impacts of inflation, rising interest rates, and supply chain disruptions.

The Petition asserts that, in light of these unanticipated, extraordinary economic events, Sunrise Wind has taken numerous actions to improve the financial outlook for completion of the Project, including: (1) a change from the use of High-Voltage Alternating Current to High-Voltage Direct Current transmission technology in the Project design, allowing for an increase in deliverable capacity from 880 MW to 924 MW; (2) a shift to larger capacity turbines, thus changing the Project design from using 110 8-MW turbines to 84 11-MW turbines; (3) chartering the first U.S.-built Wind Turbine Installation Vessel, the Charybdis; (4) advocating for increases in federal support to the offshore wind industry; (5) closely engaging with state and federal agencies and other stakeholders to minimize the impacts of permitting delays; and (6) taking advantage of foreign exchange rate improvements.

According to the Petition, notwithstanding these mitigation efforts, the increased costs resulting from the extraordinary macroeconomic, geopolitical, and other events affecting the offshore wind industry have significantly damaged the Project's financial outlook. The Petition asserts that the Project's total capital budget has increased significantly from what was contemplated at the time that Sunrise Wind submitted its bid in response to NYSEDA's 2018 offshore wind solicitation, including: (1) increased nameplate capacity; (2) increased component costs; (3) increased transportation and installation costs; (4) loss of development synergies of scale; (5) increased interconnection costs; and (6) increased survey costs and insurance premiums.

The Petition states that, prior to commencing installation activities associated with the Project, Sunrise Wind must seek a financial investment decision (FID), which would provide the company with authorization to spend its remaining budget to complete construction. The Petition asserts, however, that would be forced to cease spending on the Project and unwind its existing contracts and commitments if it does not obtain an FID. According to the Petition, this would result in NYSEDA having to re-solicit the offshore wind capacity associated with Project at what would likely be a more expensive price compared to the Project, with that new project unlikely to enter commercial operation until several years after the Project's currently anticipated commercial operation date, potentially delaying progress towards the State's offshore wind goals. The Petition asserts that the Project's financial condition under the present circumstances make it unlikely that Sunrise Wind would be able to obtain an FID because the Project's estimated return on investment has deteriorated significantly since the Project bid proposal was submitted to NYSEDA in early 2019.

The Petition asserts that amending the OREC Agreement to include the inflation and interconnection cost adjustment mechanisms from NYSEDA's third offshore wind solicitation increases likelihood that Sunrise Wind would be able to obtain a positive FID for the Project. Thus, in order to improve the Project's financial condition and enable Sunrise Wind to obtain the positive FID authorizations necessary to proceed with full construction, Sunrise Wind requests that the Commission authorize NYSEDA to amend the OREC Agreement to incorporate inflation and interconnection cost adjustment mechanisms comparable to those included in the ORECRFP22-1 request for proposals. The inflation adjustment mechanism included in ORECRFP22-1 allows for a one-time adjustment to the OREC strike price to account for inflation between submission of a project proposal and the date the Bureau of Ocean Energy Management approves the project's Construction and Operation Plan. The interconnection cost adjustment mechanism allows for a portion of a project's incremental interconnection costs to be added to the OREC strike price.

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 other related matters. The Commission may also consider directing NYSEDA to undertake a new solicitation of offshore wind projects subject to the Petition under certain prescribed terms.

**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-0302SP57)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Empire Offshore Wind LLC and Beacon Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements**

**I.D. No.** PSC-26-23-00004-P

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

**Proposed Action:** The Commission is considering a petition filed by Empire Offshore Wind LLC and Beacon Wind LLC seeking to modify their Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), (2), 66(2), 66-p; Energy Law, section 6-104(5)(b)

**Subject:** Empire Offshore Wind LLC and Beacon Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements.

**Purpose:** To consider modification to the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition (Petition), filed on June 7, 2022, by Empire Offshore Wind LLC (Empire Wind) and Beacon Wind LLC (Beacon Wind) (collectively with Empire Wind, Petitioners) seeking an order from this Commission authorizing amendments to the Offshore Wind Renewable Energy Certificate purchase and sale agreements (OREC Agreements) entered into with the New York State Research and Development Authority (NYSERDA) to incorporate inflation adjustment and interconnection cost adjustment mechanisms, and extend the term of the OREC Agreements.

The Petition describes the Petitioners as entities, indirectly and jointly owned by Equinor ASA and bp plc, that have developed extensive technical and commercial expertise relevant to the development, construction, and operation of offshore wind projects, including project design and management, manufacturing and fabrication, offshore construction and installation, sub-sea installation, maritime construction and logistics environmental assessment, safety, security and sustainability, operations and maintenance, interconnection, energy marketing, and community outreach. The Petition explains that Petitioners have executed OREC Agreements with NYSERDA for the purchase and sale of offshore wind renewable energy certificated (ORECs) associated with three offshore wind facilities: (1) Empire Wind 1, an 816 megawatt (MW) offshore wind generation facility awarded under NYSERDA's 2018 offshore wind solicitation; (2) Empire Wind 2, a 1,260 MW offshore wind generation facility awarded under NYSERDA's 2020 offshore wind solicitation; and (3) Beacon Wind 1, a 1,230 MW offshore wind generation facility awarded under NYSERDA's 2020 offshore wind solicitation (collectively, the Projects). According to the Petition, the Projects would deliver nearly 3.3 gigawatts (GW) of renewable energy into New York City and western Long Island.

The Petition asserts that unprecedented global and regional supply chain bottlenecks combined with the upward pressures on price due to the current global inflationary environment and increases in the cost of capital, driven by rising interest rates, have resulted in unforeseeable increases in costs associated with developing the Projects. According to the Petition, these effects have been exacerbated by the protracted duration of permit proceedings and the interconnection process. The Petition explains that, as a result, real returns on each of the Projects have fallen far below the range that can reliably attract the investment necessary to move forward with financing the Projects in a globally competitive market for capital.

The Petition claims that the COVID-19 pandemic caused widespread economic disruption, which limited the supply of goods and services in relation to demand, resulting in significant inflationary pressure. Additionally, the Petition claims that the war in Ukraine has resulted in trade restrictions, border closures, and geopolitical tensions that impeded the flow of key commodities, finished goods, and services, while at the same time compromising the security and reliability of energy supply in Europe, leading to a sharp increase in energy prices globally and stimulating interest in energy storage and

domestic supply, including from renewable sources. The Petition asserts that the current inflationary impacts have also resulted in broad increases in interest rates, which, in turn, has a direct impact on the cost of the capital required for the Projects to move forward.

According to the Petition, these unprecedented macroeconomic conditions have resulted in substantial cost increases for the Projects in the form of: (1) increases in the manufacturing costs of Wind Turbine Generators; (2) increases in material and equipment costs associated with offshore wind substations; (3) increases in the costs of High-Voltage Direct Current transmission lines; and (4) increases in expected operational costs, as the cost increases from inflation carry through cumulatively to the entire operating period of each Project. Additionally, the Petition explains that increases in interest rates, and the impact on the cost of capital, have negatively impacted the Projects, particularly when it comes to obtaining construction debt financing.

The Petition asserts that Petitioners, in an effort to offset these cost increases, have worked diligently to find areas where cost savings and schedule accelerations can be achieved. These efforts include: (1) selecting cost-effective foundations; (2) increasing the export cable voltage for the Empire Wind 2 project; (3) utilizing an aluminum conductor instead of a copper conductor in the Beacon Wind 1 project interarray cabling; (4) changing operation and management strategies to reduce costs and headcount projections; (5) optimizing tax credits; and (6) creating permitting and construction schedule efficiencies.

The Petition further asserts that delays in the interconnection and permitting processes have created significant increases in risk and costs for the Projects. The Petition asserts that significant delays in achieving interconnection service and reaching commercial operation have eroded the net present value of the revenues under the OREC Agreements at the same time that the Projects have seen dramatic increases in Costs. Additionally, the Petition explains that extended permitting timelines have exacerbated these unforeseeable economic pressures on Project costs.

The Petition thus requests that the Commission authorize NYSERDA to amend the OREC Agreements entered into with the Petitioners to return the Projects to levels sufficient to attract the investment required for their construction. The Petition proposes to amend the OREC Agreements in five ways: (1) inclusion of an inflation adjustment for costs incurred during the construction period; (2) inclusion of an inflation adjustment for costs incurred during the operational period; (3) inclusion of provisions regarding cost sharing of interconnection costs between the State and Petitioners; (4) extension of the duration of the OREC Agreements from 25 to 30 years, and (5) inclusion of alternative mechanisms including, but not limited to, a permitting schedule delay escalator, an interest rate adjustment, and curtailment compensation.

According to the Petition, granting the requested relief would provide benefits to ratepayers in the form of overall cost savings because any new offshore wind resources that are committed to replace the current OREC Agreements would likely come at a premium to the cost of purchasing ORECs from the Projects after the OREC Agreements are modified as requested by the Petition. Moreover, the Petition asserts that the progress already made on developing the Projects puts the Projects on a path to reach commercial operation on a timetable that aligns with New York's 2030 climate goals, and that other offshore wind projects still seeking awards are unlikely to reach commercial operation by 2030. Thus, the Petition claims that granting the Petition would help ensure that New York is able to achieve its ambitious clean energy goals. The Petition further asserts that granting the Petition would help mitigate reliability concerns in the State by supporting the continued and timely development of over 3 GW of offshore wind capacity associated with the Projects. Finally, the Petition asserts that granting the Petition would result in significant economic benefits for New Yorkers and in energy price reductions for New York ratepayers.

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 other related

matters. The Commission may also consider directing NYSEDA to undertake a new solicitation of offshore wind projects subject to the Petition under certain prescribed terms.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-E-0302SP58)

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

#### Petition to Submeter Electricity

**I.D. No.** PSC-26-23-00005-P

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

**Proposed Action:** The Commission is considering the petition of 495 11th Avenue Owner Realty LLC to submeter electricity at 495 11th Avenue, New York, New York, and waiver request of the energy efficiency requirements in 16 NYCRR 96.5(k)(3).

**Statutory authority:** Public Service Law, sections 2, 4(1), 30, 32-48, 52, 53, 65(1), 66(1), (2), (3), (4), (12) and (14)

**Subject:** 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 495 11th Avenue Owner Realty LLC on March 30, 2023, seeking authority to submeter electricity to a new rent stabilized building, situated at 495 11th Avenue, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, 495 11th Avenue Owner Realty LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to 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 Commission is also considering the Owner's request for a waiver of 16 NYCRR § 96.5(k)(3), which requires proof that an energy audit has been conducted when 20 percent or more of the residents receive income-based housing assistance. The Owner states that, because the building is new construction it must comply with current New York City Energy Conservation Code, which sets strict energy-efficiency standards for new construction, including the design and construction of energy-efficient building envelopes, mechanical, lighting and power systems. Given these requirements, the Owner states that an energy audit is not necessary in this case.

The full text of the petition and waiver request 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

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(23-E-0153SP1)

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

#### Petition to Submeter Electricity

**I.D. No.** PSC-26-23-00006-P

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

**Proposed Action:** The Commission is considering the petition of Anthony Residence LLC to submeter electricity at 2063-2067 Anthony Avenue, Bronx, 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 and consumer protections are in place.

**Substance of proposed rule:** The Commission is considering the petition filed by Anthony Residence LLC on March 28, 2023, seeking authority to submeter electricity to a new rent stabilized building, situated at 2063-2067 Anthony Avenue, Bronx, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, Anthony Residence LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to 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

**Data, views or arguments may be submitted to:** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(23-E-0148SP1)

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

#### Petition to Submeter Electricity

**I.D. No.** PSC-26-23-00007-P

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

**Proposed Action:** The Commission is considering the petition of 83rd Street Owners Corp. to submeter electricity at 46 West 83rd Street, New York, 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 83rd Street Owners Corp. (Owner) on April 14, 2023, seeking authority to submeter electricity at an existing cooperative building, located at 46 West 83rd Street, New York, New York, in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Once approved by the Commission, 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.

(23-E-0204SP1)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Authority to Issue and Sell Long-Term Indebtedness, and to Enter into Multi-year Credit Agreements**

**I.D. No.** PSC-26-23-00008-P

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

**Proposed Action:** The Commission is considering a petition filed by Central Hudson Gas and Electric Corporation (Central Hudson) requesting authority to issue and sell Long-Term Indebtedness and to enter into multi-year credit agreements.

**Statutory authority:** Public Service Law, section 69

**Subject:** Authority to issue and sell Long-Term Indebtedness, and to enter into multi-year credit agreements.

**Purpose:** To fund improvements to the Company's plant, refund existing debt, and ensure cash flow for day-to-day operations.

**Substance of proposed rule:** The Public Service Commission is considering a petition by Central Hudson Gas and Electric Corporation (the Company), filed on May 24, 2023, requesting to enter into multi-year committed credit agreements and to issue and sell long-term indebtedness having a maturity of more than one year, pursuant to Public Service Law § 69.

Specifically, the Company requests approval to issue and sell up to \$380 million of new securities through December 31, 2026. The proceeds from the sale of such securities would be used to (1) fund additions in utility plant and equipment; (2) refinance \$100.0 million of debt that matures during the finance period; (3) the reimbursement of moneys used for (1) and (2) above; (4) optionally refinance \$33.7 million of auction rate securities; and (5) cash funding for pension and other post-employment benefit plans. Additionally, the Company's request for Commission approval to enter into multi-year committed credit agreements is for amounts not to exceed \$350 million in aggregate and with maturities not to exceed five years. The Company further communicated its intent to purchase 1-year to 3-year interest rate caps in notional amounts equal to the outstanding principal amount of each series of variable interest rate debt instrument the Company has. The Company stated that hedging interest rates on its variable rate debt using interest rate caps helps to protect customers from sharp and unexpected increases in rates for short periods.

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.

(23-M-0286SP1)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Issuance of Securities and Other Forms of Indebtedness**

**I.D. No.** PSC-26-23-00009-P

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

**Proposed Action:** The Commission is considering a petition filed by Orange and Rockland Utilities, Inc. (O&R) requesting modification to a previously issued Commission Order authorizing O&R to issue and sell long-term debt obligations.

**Statutory authority:** Public Service Law, section 69

**Subject:** Issuance of securities and other forms of indebtedness.

**Purpose:** To provide funding for capital needs, including construction, and refinancing of maturing debt.

**Substance of proposed rule:** The Commission is considering a petition by Orange and Rockland Utilities, Inc. (Company), filed on May 11, 2023, requesting to modify the terms of its previous Commission authorization to issue long-term indebtedness pursuant to Public Service Law Section 69.

This petition concerns the Commission's requirement in its Order Authorizing Issuance of Securities, issued on May 13, 2022, that the terms and conditions of all debt issuances are no more restrictive than those of the Company's existing securities. The Company requests authority to include an additional restriction in its future long-term debt issuances. Specifically, the Company seeks to issue long-term indebtedness that includes a negative pledge as one of its terms and conditions.

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.

(22-M-0062SP2)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED**

**Petition to Modify the SIC Tariff Statement**

**I.D. No.** PSC-26-23-00010-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 petition filed by Liberty Utilities (New York Water) Corp. (Liberty NYW) to modify its tariff statement regarding the System Improvement Charge (SIC).

**Statutory authority:** Public Service Law, section 89-c

**Subject:** Petition to modify the SIC tariff statement.

**Purpose:** To consider whether amending the SIC mechanism is in the public interest.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed by Liberty Utilities (New York Water) Corp. (Liberty NYW) on May 23, 2023, to amend its tariff schedule PSC No. 1 – Water, to modify the System Improvement Charge (SIC) statement.

Liberty NYW’s petition seeks the Commission’s approval to modify its SIC statement to specify that recovery through the SIC mechanism is only capped at 2.5 percent of its operating revenues if the underlying SIC project was not subject to a public hearing prior to the Commission approval of such cost recovery. The Commission is also considering Liberty NYW’s request for a waiver of the requirements of Public Service Law § 89-c (10) and Title 16 of the New York Codes, Rules and Regulations § 720-8.1 regarding newspaper publication for the proposed modification to its SIC tariff statement.

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 proposed action and may also 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.

(16-W-0259SP17)

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**Department of State**

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**NOTICE OF ADOPTION**

**Creation of a Cease and Desist Zone Within Kings County**

**I.D. No.** DOS-47-22-00004-A

**Filing No.** 504

**Filing Date:** 2023-06-12

**Effective Date:** 2023-07-01

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

**Action taken:** Amendment of section 175.17 of Title 19 NYCRR.

**Statutory authority:** Real Property Law, section 442-h; L. 2021, ch. 581

**Subject:** Creation of a cease and desist zone within Kings County.

**Purpose:** To adopt a cease and desist zone for a designated area within Kings County and remove reference to expired zones.

**Text or summary was published** in the November 23, 2022 issue of the Register, I.D. No. DOS-47-22-00004-P.

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

**Text of rule and any required statements and analyses may be obtained from:** David A. Mossberg, Esq., NYS Department of State, 123 William Street, 20th Floor, New York, NY 10038, (212) 417-2063, email: [david.mossberg@dps.ny.gov](mailto:david.mossberg@dps.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 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

**Assessment of Public Comment**

The Department received three comment letters during the public comment period relating to this proposal. The comments are summarized below along with the Department’s response. Based on the comments received, no changes were necessary to the proposed rulemaking.

**Comment:** Two comments were received that requested that the cease and desist zone be expanded to cover all of Kings County.

**Response:** To adopt a cease and desist zone, the Department must find that residents of a defined geographic area are subject to intense and repeat solicitations to sell their home. Based on the Department’s investigation, including two public hearings, and findings of such improper solicitations, the Department determined that residents within a discrete geographic area, rather than Kings County at large, had been impacted by aggressive sales tactics. The boundaries of the adopted zone encompass the impacted community, as shown by evidence of intense and repeat solicitations, including testimony, surveys, and exemplars of solicitations. As noted in the notice of proposed rulemaking, the Department can consider expanding the zone in the future based on new findings. No changes to the proposed rulemaking are necessary as a result of these comments.

**Comment:** One commenter stated in opposition to the rulemaking that the proposed zone was unlikely to alter the practices of unlicensed entities and that the data did not support the creation of a zone.

**Response:** Under Real Property Law § 442-h, all persons engaged in the trade of buying and selling real estate, including unlicensed entities, are subject to the restrictions on soliciting homeowners within the zone and may be penalized for noncompliance. Additionally and as set forth above, the zone was established based on findings of intense and repeated solicitations. The Department finds that the creation of this zone is reasonable, proportionate, narrowly tailored, and will advance an important government interest in protecting homeowners from aggressive sales tactics. No changes to the proposed rulemaking are necessary as a result of these comments.

**NOTICE OF ADOPTION**

**Uniform Code Variance and Appeals Procedures**

**I.D. No.** DOS-13-23-00003-A

**Filing No.** 503

**Filing Date:** 2023-06-12

**Effective Date:** 2023-06-28

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

**Action taken:** Repeal of Part 1205; addition of new Part 1205 to Title 19 NYCRR.

**Statutory authority:** Executive Law, section 381(1)

**Subject:** Uniform Code Variance and Appeals Procedures.

**Purpose:** To amend the procedures whereby any provision or requirement of the Uniform Code may be varied or modified.

**Substance of final rule:** Part 1205 of Title 19 of the NYCRR is repealed and a new Part 1205 is added to read as follows:

*Part 1205 Uniform Code: Variance and Appeals Procedures*

*Section 1205.1 Introduction, definitions, and scope.*

*(a) Introduction. Section 381 of the Executive Law directs the Secretary of State to promulgate rules and regulations for the administration of the Uniform Fire Prevention and Building Code (Uniform Code), including the establishment of a procedure whereby any provision or requirement of the Uniform Code may be varied or modified. Such procedures are the subject of this Part.*

*(b) Definitions. The following terms are defined:*

- (1) Authority having jurisdiction.*
- (2) Construction document evidence.*
- (3) Department.*
- (4) Design professional.*

(5) Independent design professional.

(6) Secretary.

(c) *Scope.* The procedures set forth in this Part shall apply to variances or modifications of provisions or requirements of the Uniform Code only and shall not apply to variances or modifications of any standard or requirement of the State Energy Conservation Construction Code (Energy Code).

Section 1205.2 Regional board of review membership requirements and terms.

(a) The regional boards of review previously created by the secretary for the Uniform Code and the regions previously designated for each of the boards by the secretary are continued, unless otherwise modified pursuant to subdivision (c) of this section. Each regional board of review shall be composed of five members and include an architect, professional engineer, code enforcement background, fire prevention background, and a businessperson or lawyer.

(b) The members of a regional board of review shall be appointed by the secretary to serve staggered three-year terms.

(c) The secretary shall have the power and authority to:

(1) alter the number of regional boards of review;

(2) redesignate the regions within which boards may exercise their powers;

(3) designate a member of any regional board of review to participate in another regional board of review in order to establish a quorum, to address any conflicts of interest, or for any other reason deemed necessary by the secretary; and

(4) remove any member of a board of review for inefficiency, neglect of duty, misconduct, or malfeasance in office.

Section 1205.3 Powers and duties.

(a) Regional Board of Review.

(1) *Variances.* Each regional board of review shall have the power to vary or modify, in whole or in part, any provision or requirement of the Uniform Code in cases where strict compliance with such provision or requirement would entail practical difficulties or unnecessary hardship or would otherwise be unwarranted.

(2) *Appeals.* Each regional board of review shall have the power to hear and decide appeals. An appeal may be of any order or determination of an administrative official authorized to enforce the Uniform Code, or the failure of an administrative official to make an order or determination within a reasonable amount of time.

(b) *Department of State.* The department shall have the sole discretion to determine whether a petition for a variance shall be a routine case, an alternative compliance case, or referred to a board of review.

(c) *Secretary of State.* The secretary shall have the power and authority to evaluate and make determinations on petitions for routine cases and alternative compliance cases, in accordance with section 1205.5 of this Part.

Section 1205.4 Regional Board of Review Procedures.

(a) Any person aggrieved may petition the regional board of review for relief of any provision or requirement of the Uniform Code under this Part. The petition shall be submitted to the department on a form prescribed by the department.

(b) Any person aggrieved may petition the regional board of review for an appeal. An appeal may be of any order or determination of an administrative official authorized to enforce the Uniform Code, or the failure of an administrative official to make an order or determination within a reasonable amount of time. The petition shall be submitted to the department on a form prescribed by the department.

(c) Upon receipt of a petition for a variance or appeal, the department shall review the petition for completeness to determine that it has sufficient detail to permit the board of review to make a determination on the basis of the information contained within the petition.

(d) Regardless of the form of the evidence and the manner of its presentation, the burden of proof shall be on the petitioner to show that they are entitled to any relief. The petitioner shall provide the board of review with facts which demonstrate the burden imposed by strict compliance and with facts as to the safety and propriety of any alternative to strict compliance.

(e) The regional board of review may state its decision in the record at any meeting of the board. The decision of the board shall be reduced to writing, signed by the chairperson, and shall set forth the board's findings and conclusions and the relief granted, if any.

Section 1205.5 Routine Cases and Alternative Compliance Cases

(a) *Routine cases.* A routine case is one determined by the department to involve a *de minimis* variance or modification of the Uniform Code that does not substantially affect the code's provisions for health, safety, and security.

(1) Any person aggrieved may petition the department for relief under this subdivision. The petition shall be submitted to the department on a form prescribed by the department.

(2) Upon receipt of a petition for a routine case, the department shall review the petition for completeness to determine that it has sufficient detail to permit the department to make a determination on the basis of the information contained within the petition. If the petition is complete, the department shall consider the evidence offered, make findings of fact and conclusions of law, and render its decision in writing. If the petition is incomplete, the department shall notify the petitioner of the information required for completeness.

(3) The department shall serve a copy of the decision to the petitioner, the administrative official authorized to enforce the Uniform Code, and any other interested parties by either first-class mail or electronic mail.

(b) *Alternative compliance cases.* An alternative compliance case is one in which the petitioner proposes, as an alternative to strict compliance with the design, construction, and maintenance provisions or requirements of the Uniform Code, the use of the design, construction, and maintenance provisions or requirements of a nationally recognized standard or code that is not expressly allowed by the version of the Uniform Code in effect at the time of petition. Such alternative shall show to the satisfaction of the department that: strict compliance with specific provisions or requirements of the Uniform Code would be unnecessary in light of the alternative; such alternative ensures the achievement of the Uniform Code's intended objective; and such alternative does not substantially adversely affect provisions for health, safety, and security in comparison to that provided by strict adherence to the Uniform Code.

(1) Any person aggrieved may petition the department for relief of any provision or requirement of the Uniform Code under this subdivision for an alternative compliance case. The petition shall be submitted to the department on a form prescribed by the department.

(2) A petitioner may choose to submit an alternative compliance case as a complete petition under paragraph (1) of this subdivision or in two stages, including a conceptual submission and a final submission.

(3) At the discretion of the department, one or more conferences may be scheduled with the department. The petitioner, design professional of record, the independent design professional, and all parties listed on the submission shall be notified and given the opportunity to attend, pose questions, and provide answers to the satisfaction of the department. These conferences may be requested by the petitioner or the department at any time prior to the final determination. In collaboration with the petitioner, design professional of record, the independent design professional, and the authority having jurisdiction, the department shall have the authority to fashion suitable additional mitigating requirements deemed necessary by the department in order to render a decision or determine that the proposed alternative does not substantially adversely affect provisions for health, safety, and security in comparison to that provided by strict adherence to the Uniform Code.

(4) Upon receipt of a petition for an alternative compliance case, the department shall review the petition for completeness to determine that it has sufficient detail to permit the department to make a determination on the basis of the information contained within the petition. If the petition is complete, the department shall consider the evidence offered, make findings of fact and conclusions of law, and render its decision in writing. If the petition is incomplete, or the department determines that additional information is required, the department shall notify the petitioner of the information required for completeness.

(5) The department shall serve a copy of the decision to the petitioner, the administrative official authorized to enforce the Uniform Code, and any other interested parties by either first-class mail or electronic mail. A copy shall be filed and available for public inspection and copying at the Department of State, which shall keep a record of all decisions properly indexed.

Section 1205.6 Fees.

The Department of State Variance Fee Schedule (publication date: November 2022) published by the department is incorporated herein by reference.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in sections 1205.1(b)(4), 1205.2(b), 1205.3(b), 1205.4(c), 1205.5(a), (b)(2) and (3).

**Text of rule and any required statements and analyses may be obtained from:** Jeanne Rice, Department of State, 99 Washington Ave., Suite 1160, Albany, NY 12231, (518) 473-2265, email: code.development@dos.ny.gov

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

The rule now being adopted makes the following non-substantive changes to the rule as proposed in the Notice of Proposed Rule Making:

1. The phrase "and practice guidelines" was removed from section 1205.1(b)(4) for clarity.

2. The uppercase word "Secretary" was replaced with the lowercase word "secretary" in section 1205.2(b).

3. The word “applicant” was replaced with “petitioner” in sections 1205.3(b), 1205.5(a), and 1205.5(b)(3) for consistency.

4. The word “minimally” was removed from section 1205.4(c) for clarity.

5. Section 1205.5(b)(2)(iii)(e) was renumbered to be section 1205.5(b)(2)(iii)(f) and a new section 1205.5(b)(2)(iii)(e) was added to include “where necessary, construction documents (drawings and/or specifications), construction document evidence, site plans, and descriptions of buildings and their histories; and” for consistency with alternative compliance cases submitted initially as conceptual submissions and thereafter as a final submission.

6. The word “simplified” was replaced with “succinct” in section 1205.5(b)(2)(iii)(f) for clarity.

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

The changes made to the previously published rule text provide clarification as to the application of the proposed text and will not have a substantial adverse impact on jobs and employment opportunities in New York State.

The rule now being adopted makes the following non-substantive changes to the rule as proposed in the Notice of Proposed Rule Making:

1. The phrase “and practice guidelines” was removed from section 1205.1(b)(4) for clarity.

2. The uppercase word “Secretary” was replaced with the lowercase word “secretary” in section 1205.2(b).

3. The word “applicant” was replaced with “petitioner” in sections 1205.3(b), 1205.5(a), and 1205.5(b)(3) for consistency.

4. The word “minimally” was removed from section 1205.4(c) for clarity.

5. Section 1205.5(b)(2)(iii)(e) was renumbered to be section 1205.5(b)(2)(iii)(f) and a new section 1205.5(b)(2)(iii)(e) was added to include “where necessary, construction documents (drawings and/or specifications), construction document evidence, site plans, and descriptions of buildings and their histories; and” for consistency with alternative compliance cases submitted initially as conceptual submissions and thereafter as a final submission.

6. The word “simplified” was replaced with “succinct” in section 1205.5(b)(2)(iii)(f) for clarity.

#### **Initial Review of Rule**

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

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

This rule will repeal Part 1205 of Title 19 of the Official Compilation of the Rules and Regulations of the State of New York (Part 1205) and add a new Part 1205 to amend and update the procedures for obtaining a variance to the Uniform Fire Prevention and Building Code (Uniform Code). The Proposed Rule Making was published in the State Register on March 29, 2023. A public hearing was held on May 31, 2023, and the public comment period ended on June 5, 2023.

One commenter spoke at the public comment hearing and the Department of State (DOS) did not receive any written comments during the public comment period. Several minor editorial changes were made for clarity and several minor changes were made for overall consistency of the rule text.

COMMENT 1: A comment was received noting that Executive Law § 381 did not grant the Secretary of State or DOS the authority to hear appeals of determinations made by an authority having jurisdiction (AHJ). The comment also challenged the ability of a board of review to overturn a determination made by an AHJ and stated that making any determination as a result of an appeal would constitute taking over code enforcement from an AHJ, which can only be done in accordance with Executive Law § 381 (2).

RESPONSE TO COMMENT 1: Executive Law § 381 requires the Secretary of State to promulgate rules and regulations prescribing the minimum standards for administration and enforcement of the Uniform Code. It goes on to further provide a list of the features such rules and regulations shall address, but specifically indicates the list “shall include, but not be limited to...” This clearly establishes the legislative intent to expressly require the items in the list as part of the rules and regulations, but not limit the authority of the Secretary of State to those features provided in the list. The language gives the Secretary of State the authority to include additional features through rules and regulations as necessary to ensure proper administration and enforcement of the Uniform Code. One of those features has been established as the need for boards of review to hear and decide appeals of determinations made by an AHJ (or the failure to make a determination) regarding the proper administration and enforcement of the Uniform Code. While local boards can review determinations of the administrative official charged with administering and enforcing the Uniform Code, in the event that the determination is upheld by the local

board, then the applicant would subsequently need to apply for a variance from one or more provisions of the Uniform Code which the local board does not have the authority to grant. A potential benefit to seeking an application for an appeal and/or variance to the board of review is that in the event that the board of review upholds the determination of the administrative official charged with administering and enforcing the Uniform Code, then the applicant can seek alternative relief in the form of applying for a variance to the same public body. This provision is a long-standing provision that has been successfully utilized for more than 20 years and was not a new feature of this update to Part 1205. In addition, by hearing an appeal of the determination of the administrative official charged with administering and enforcing the Uniform Code (or the failure to make a determination within a reasonable time), the board of review is not “taking over code enforcement” for an AHJ but reviewing such determination or the failure to make a determination as it relates to the Uniform Code. Any decision of the board of review would then be provided to the appropriate AHJ for appropriate action.

COMMENT 2: A comment was received stating section 1205.5(a)(3) allowed DOS to send notice of decisions via “electronic mail” but only references “written objection” as the method for an aggrieved party or petitioner to object to the decision. The commenter was concerned that an objection sent via email would not be accepted.

RESPONSE TO COMMENT 2: The reference to written objection would allow an aggrieved party or petitioner to object to the decision in any written format (hard copy or electronic) and received by DOS in any manner, including but not limited to postal mail, email, or fax.

COMMENT 3: Several comments were received which indicated that the AHJ or other aggrieved parties would not be afforded adequate involvement in the variance process, specifically mentioning the board of reviews’ authority to hold hearings and DOS’ authority to hear and decide on routine cases and alternative compliance cases.

RESPONSE TO COMMENT 3: These comments were also received during the Notice of Rule in Development phase before the Notice of Proposed Rule Making was filed. Several changes were made before this rule was proposed to ensure additional notification and involvement of the AHJ and interested parties in addition to the existing language permitting objections to decisions made on routine cases. Additional language included for example, “...in making this determination the department may coordinate with the applicant, the authority having jurisdiction, and any known interested parties,” when referencing DOS’ authority to determine what type of case the petition would be. In the alternative compliance section, the following language was included “In collaboration with the applicant, design professional of record, the independent design professional, and the authority having jurisdiction, the department shall have the authority to fashion suitable additional mitigating requirements deemed necessary by the department in order to render a decision or determine that the proposed alternative does not substantially adversely affect provisions for health, safety, and security in comparison to that provided by strict adherence to the Uniform Code.” For notifications of petitions received, the language was changed to expressly list the AHJ and any known interested parties, as opposed to the original language of “such other parties and persons as the department may determine.” Lastly, in the alternative compliance case section, language was added requiring the names and contact information of any AHJ and any other parties identified by the petitioner or DOS as interested parties to be included on the petition, and those same parties to be notified of any decisions, preliminary approvals, and given the opportunity to attend, pose questions, and provide answers during any conference held pursuant to the variance application. Based on these changes made, no additional language was determined to be necessary in order to afford these parties ample involvement in the variance process.

#### **Description of Changes Made in the Rule**

The rule now being adopted makes the following non-substantive changes to the rule as proposed in the Notice of Proposed Rule Making:

1. The phrase “and practice guidelines” was removed from section 1205.1(b)(4) for clarity.

2. The uppercase word “Secretary” was replaced with the lowercase word “secretary” in section 1205.2(b).

3. The word “applicant” was replaced with “petitioner” in sections 1205.3(b), 1205.5(a), and 1205.5(b)(3) for consistency.

4. The word “minimally” was removed from section 1205.4(c) for clarity.

5. Section 1205.5(b)(2)(iii)(e) was renumbered to be section 1205.5(b)(2)(iii)(f) and a new section 1205.5(b)(2)(iii)(e) was added to include “where necessary, construction documents (drawings and/or specifications), construction document evidence, site plans, and descriptions of buildings and their histories; and” for consistency with alternative compliance cases submitted initially as conceptual submissions and thereafter as a final submission.

6. The word “simplified” was replaced with “succinct” in section 1205.5(b)(2)(iii)(f) for clarity.

# Workers' Compensation Board

## NOTICE OF ADOPTION

### Telehealth

**I.D. No.** WCB-09-23-00019-A

**Filing No.** 494

**Filing Date:** 2023-06-09

**Effective Date:** 2023-07-11

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

**Action taken:** Addition of section 325-1.26 of Title 12 NYCRR.

**Statutory authority:** Workers' Compensation Law, sections 117 and 141

**Subject:** Telehealth.

**Purpose:** Provides the option for telehealth visits in certain circumstances.

**Text of final rule:** A new section 325-1.26 of Title 12 NYCRR is hereby added to read as follows:

#### 325-1.26. Telehealth.

(a) *Definitions.* Telehealth shall mean treatment by physicians, podiatrists, psychologists, nurse practitioners, physician assistants, and licensed clinical social workers authorized by the Chair to provide treatment and care under the Workers' Compensation Law (hereinafter "Authorized Medical Provider") using two-way audio and visual electronic communication, or audio only.

(1) When rendering medical treatment or care via telehealth, an Authorized Medical Provider must be available for an in-person clinical encounter with the claimant should such in-person encounter be medically necessary. This means the Authorized Medical Provider must be able to meet the claimant at the Authorized Medical Provider's office within a reasonable travel time and distance from the claimant's residence.

(2) Telehealth must be used in accordance with this section and any applicable New York State Medical Treatment Guideline incorporated by reference under section 324.2 of this Title.

(3) Authorized Medical Providers shall bill using the applicable Evaluation and Management code 99212 using Modifier 95 when services are rendered by telehealth using two-way audio and visual communication. When services are rendered by audio only in accordance with section 325-1.8 of this Title, the Authorized Medical Provider shall use Modifier 93. Place of service Code 10 shall be used when services are rendered while patient is in their home. Place of service code 02 shall be used when services are rendered while patient is in a healthcare setting that is not their home. When completing the report of treatment, the Authorized Medical Provider shall identify the address from which they rendered Medical Care via telehealth as the Authorized Medical Provider's business address. Notwithstanding the codes listed in this paragraph, appropriate telehealth codes as may appear in any future versions of the Official New York Workers' Compensation Medical Fee Schedule as incorporated by reference in section 329-1.3 of this Title may be used and will have the same effective date as the effective date of the future version of the Official New York Workers' Compensation Medical Fee Schedule.

#### (b) Treatment via telehealth.

(1) Treatment by Board-authorized physicians, podiatrists, nurse practitioners, and physician assistants under the Official New York Workers' Compensation Medical Fee Schedule as incorporated by reference in section 329-1.3 of this Title or the Official New York Workers' Compensation Podiatry Fee Schedule as incorporated by reference in section 343.2 of this Title may be rendered by telehealth following an initial in-person clinical encounter when medically appropriate and subject to the following restrictions:

(i) *Acute and Subacute phases of injury or illness.* Within the first three months following the date of injury or illness, use of telehealth shall be at the clinical discretion of the treating physician, podiatrist, nurse practitioner, or physician assistant, except that at least every third clinical encounter must be an in-person assessment by the treating physician, podiatrist, nurse practitioner, or physician assistant.

(ii) *Chronic phase of injury or illness.* When more than three months has passed from the date of injury or illness, use of telehealth shall be at the clinical discretion of the treating physician, podiatrist, nurse practitioner, or physician assistant, except that there must be an in-person assessment by the treating physician, podiatrist, nurse practitioner, or physician assistant, no less than every three months unless or until such provider has determined the patient has reached Maximum Medical

Improvement (MMI) and has stated that the impairment or disability status is permanent and unlikely to change.

(iii) *Injury or illness at MMI.* When the claimant is in the chronic phase of injury or illness as defined in subparagraph (ii) of this paragraph and the treating physician, podiatrist, nurse practitioner, or physician assistant's opinion is that the claimant has reached MMI and the patient's impairment or disability status is permanent and unlikely to change, use of telehealth shall be at the discretion of the treating physician, podiatrist, nurse practitioner, or physician assistant, except that there must be an in-person assessment by such provider at least annually.

(2) Treatment by Board-authorized psychologists and licensed clinical social workers under the Official New York Workers' Compensation Behavioral Health Fee Schedule as incorporated by reference in section 333.2 of this Title may be rendered by telehealth when medically appropriate and in accordance with applicable Medical Treatment Guidelines using the following codes:

(i) New patient Evaluation and Management codes 99201-99204.

(ii) Psychotherapy combination codes and crisis codes: 90832-90834, 90836-90840, 90853.

(iii) Group therapy: 90853. The number of patients participating in a group therapy session via telehealth shall not exceed the number that would otherwise be permissible if the group therapy session had been held in person and does not require that every participant in the group therapy session be a workers' compensation claimant.

(iv) Remote behavioral health visits should be limited to those situations when there is no benefit to in-person services (versus remote services) or when an in-person office visit poses an undue risk or hardship on the patient. The reason for the use of a remote telehealth visit should be documented with each use of a telehealth visit.

(3) Treatment rendered by Board-authorized chiropractors, acupuncturists, physical therapists, and occupational therapists under the Official New York Workers' Compensation Chiropractic Fee Schedule as incorporated by reference in section 348.2 of this Title and the Official New York Workers' Compensation Acupuncture and Physical Therapy and Occupational Therapy Fee Schedule as incorporated by reference in section 329-4.2 of this Title may not be rendered via telehealth.

(c) Medically appropriate for telehealth means that an in-person physical examination of the claimant is not needed in order to assess the claimant's clinical status, need for further diagnostic testing, appropriate treatment, or the determination of causal relationship or level of disability. The terms and factors referenced in this subdivision use medical terms of art in the context of best medical practice and are parameters by which providers should prospectively determine whether an in-person physical examination is necessary and should not be the basis of a denial by carriers, self-insured employers, or third-party administrators.

(1) Factors where an in-person physical examination may not be necessary and therefore treatment by telehealth may be medically appropriate include but are not limited to:

(i) Management of chronic conditions where the Authorized Medical Provider has previously conducted a medically appropriate and comprehensive in-person assessment of the patient and condition and is fully familiar with the applicable medical history.

(ii) Discussion of test results.

(iii) Counseling about diagnostic and therapeutic options.

(iv) Dermatology, for visits not requiring palpation or biopsy of a lesion to accurately diagnose or treat the condition.

(v) Prescriptions for medication, subject to the limitations in paragraph (2) of this subdivision.

(vi) Nutrition counseling.

(vii) Mental health counseling, for which in-person assessment of body movements, postures, and other nonverbal cues is not needed for accurate diagnosis, treatment, or interim assessment of a condition or the potential adverse side-effects of a medication.

(viii) Other clinical scenarios as may be prescribed in Medical Treatment Guidelines or other related Board communications.

(2) Factors that indicate an in-person physical examination is necessary and treatment via telehealth is not medically appropriate include but are not limited to:

(i) Health concerns that require a procedure.

(ii) Abdominal pain, chest pain, clinically altered mental status, any situation in which it appears the claimant may pose a risk to themselves or others, severe headache, signs or symptoms of a stroke, or any other clinical presentation that is generally accepted as requiring in-person, emergent or urgent medical assessment, and for which in-person resources (e.g. regional hospital emergency departments or free-standing urgent care centers, as may be clinically appropriate) are readily available.

(iii) Eye or vision complaints.

(iv) Highly nuanced or multiple complex health concerns requiring an in-person examination to assess subtle interactions between comorbidities or medications.



(v) Any situation in which an in-person physical exam might reasonably impact the accuracy, quality, or certainty of the Authorized Medical Provider's assessment, treatment, or recommendations.

(vi) Any situation where an in-person physical examination is needed to assess disability or range of motion, including but not limited to strength testing, formal range of motion testing, assessment of joint stability, nuanced orthopedic and/or neurologic testing, spirometry or pulmonary function testing, or exercise tolerance testing.

(vii) Any physical therapy, occupational therapy, or chiropractic services utilizing physical modalities other than instruction on range of motion or strengthening exercises.

(viii) Any other clinical scenarios as may be prescribed in Medical Treatment Guidelines or other related Board communications.

(ix) Assessment of causal relationship for an injury or illness unless an in-person physical examination is not necessary to make the determination of causal relationship, in which case the Authorized Medical Provider must specifically articulate in the medical record why an in-person examination was not necessary in order to make a determination of causal relationship.

(3) Notwithstanding any of the factors listed in paragraph (1) of this subdivision, the following procedures or situations are not medically appropriate for telehealth:

(i) Urine drug testing.

(ii) The initial prescription of long-term medications or follow-up monitoring of those medications without periodic in-person evaluation.

(iii) Where the nature of treatment set forth in the Medical Treatment Guidelines necessitates an in-person examination.

(iv) Assessment of permanent disability.

(v) Any other clinical scenarios as may be outlined by the Board in Medical Treatment Guidelines or other related Board communications.

(vi) The patient lacks suitable technology or equipment necessary to conduct the telehealth visit.

(vii) The patient has physical and/or cognitive challenges that would be a barrier to an effective telehealth visit (without the assistance of another individual).

(viii) The patient has expressed a preference for an in-person visit, as well as a willingness and capability to travel to an in-person visit.

(d) Independent Medical Examinations (IMEs) are not treatment under the Workers' Compensation Law. Accordingly, IMEs conducted pursuant to section 300.2 of this Title and section 137 of the Workers' Compensation Law, may be conducted via telehealth when all parties of interest consent to such telehealth examination, and the independent medical examiner is not offering an opinion on permanent impairment.

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 325-1.26.

**Text of rule and any required statements and analyses may be obtained from:** Heather MacMaster, Workers' Compensation Board, 328 State Street, Schenectady NY 12305, (518) 486-9564, email: regulations@wcb.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 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

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

A revised Regulatory Impact Statement, Regulatory Flexibility Analysis and Rural Area Flexibility Analysis is not required because the changes made to the last published rule do not necessitate revision to the previously published document. These changes do not affect the meaning of any statements in the document.

#### Revised Job Impact Statement

A Job Impact Statement is not required because the proposal will not have any impact on jobs or employment opportunities. The proposal provides the option for telehealth visits in some circumstances.

#### Assessment of Public Comment

During the public comment period, the Board received approximately 20 unique public comments.

Several of the comments supported the new permanent telehealth proposal which took into account the feedback received on previous proposal iterations.

A handful of comments objected to the requirement that Board-authorized physicians, podiatrists, nurse practitioners, and physician assistants can only treat via telehealth following an initial in-person encounter. Whether an in-person initial encounter should occur is a topic widely discussed in telehealth circles, and the Board has found that most experts still agree that initial in-person visit provides the opportunity for a more comprehensive history and physical examination and affords a greater ability to detect subtle findings not readily obvious via telehealth.

Requiring an initial in-person encounter for these provider types also creates a baseline for future telehealth visits, so no change has been made in response to these comments.

Several comments received expressed a belief that flexibility for telemedicine in behavioral health is necessary and stated in-person visits should not be required on a specific timeline in the behavioral health realm. Because the proposal already reflects this position, no change has been made in response to these comments.

Some comments objected to the requirement that the provider document the reason for use of telehealth in behavioral health visits, opining these visits are just as effective as in-person, as well as objecting to the "no benefit to in-person services" and "risk" language for remote behavioral health visits. As telehealth is still different from normal medical treatment in the past and is still becoming more widely accepted and used, it remains best clinical practice to articulate the reasons for a telehealth visit (versus an in-person visit) and to ensure it is beneficial to the patient, so no change has been made in response to these comments.

One comment disagreed with not allowing assessment of permanent disability via telehealth, especially for behavioral health. As with the above comments, telehealth is still evolving and at this point in time the Board believes best clinical practice is that permanency evaluations of any type should not be done via telehealth.

A few comments disagreed with the requirements for the different phases of illness or injury, opining that the increments requiring in-person visits are too frequent in most instances, and especially in the case of someone too ill or injured to travel to a doctor's office. Over the last few years, the Board has drafted various iterations of telehealth regulations – both emergency adoptions and draft permanent proposals. The requirements for telehealth have ranged from highly prescriptive to a great deal of latitude, and the Board believes this proposal strikes the best balance of all prior versions. For workers unable to travel to a doctor's office, the procedures in effect prior to the pandemic or any prior telehealth proposal remain in effect – this is not a new situation. Therefore, no change has been made in response to these comments.

The Board received a handful of comments objecting to the "reasonable travel time and distance" requirement for providers if an in-person encounter is medically necessary. This requirement is not a new concept and exists in workers' compensation case law independent of telehealth, so no change has been made in response to these comments.

Two comments requested the COVID-19 emergency adoption be permanently adopted. The COVID-19 emergency adoptions reflected the state of emergency for which greater latitude is afforded with respect to clinical standards to ensure adequate access to care during such an emergency, so no change has been made in response to these comments.

The Board received a few comments objecting to the use of code 99212, opining that it is insufficient. The Board has made a clarifying change to the proposal to reflect that changes in recommended coding may change and be reflected in future iterations of the fee schedule as they are updated.

The board received a few comments opining that the proposal should be changed to allow telehealth treatment by Board-authorized chiropractors, acupuncturists, physical therapists, and/or occupational therapists. Telehealth is still evolving, and like the case of permanency evaluations, the Board believes current best clinical practice is that these treatment types should not use telehealth, so no change has been made in response to these comments.

One comment requested the addition of a definition of "procedure" in subdivision (c)(2) which outlines that any visit requiring a "procedure" is not appropriate for telehealth. The term "procedure" is commonly understood in medical terminology, so no change has been made in response to this comment.

Changes made:

- Clarifying change to include language allowing future flexibility with updated coding

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

| Agency I.D. No.                                  | Subject Matter   | Location—Date—Time  |
|--|--|---|
| <b>Education Department</b>                      |  |   |
| EDU-18-23-00008-P .....                          | Corporal Punishment, Restraint, and Seclusion                          | <p>Education Building, Rm. 146, 89 Washington Ave., Albany, NY—July 5, 2023, 10:00 a.m.</p> <p>Pre-registration is required at SPEDPUBLICCOMMENT@nysed.gov</p> <p>Sign-In with Security on 1st Fl., Washington Ave. Entrance</p> <p>Via Zoom—July 5, 2023, 10:00 a.m.</p> <p>Link: <a href="https://us06web.zoom.us/j/85473362070?pwd=QzFLVXZxMnVW aUxtUVhKN3hsRHNYdz09">https://us06web.zoom.us/j/85473362070?pwd=QzFLVXZxMnVW aUxtUVhKN3hsRHNYdz09</a></p> <p>Meeting ID: 854 7336 2070, Passcode: 4sczjc, Call In: +1 929 436 2866 (New York)</p> <p>Via Zoom—July 5, 2023, 5:30 p.m.</p> <p>Link: <a href="https://us06web.zoom.us/j/85795315458?pwd=MGhZU2VJc2Zwe VkvMHBibldLVENuQT09">https://us06web.zoom.us/j/85795315458?pwd=MGhZU2VJc2Zwe VkvMHBibldLVENuQT09</a></p> <p>Meeting ID: 851 9531 5458, Passcode: OewHdQ, Call In: +1 929 436 2866 (New York)</p> <p>Individuals who need reasonable accommodations to participate in the virtual or in-person public hearings should notify the Office of Special Education at SPEDPUBLICCOMMENT@nysed.gov no later than two weeks prior to the date of the hearing they plan on attending. Live captioning will be available through Zoom for the virtual hearings.</p> |
| <b>Environmental Conservation, Department of</b> |  |   |
| ENV-22-23-00002-P .....                          | Recreational Shark Management  | Virtual via WebEx—Aug. 1, 2023, 6:00 p.m.   |
| ENV-25-23-00010-P .....                          | Repeal of Obsolete Rules and to Make All Necessary Attendant Revisions | Virtual via WebEx—Aug. 22, 2023, 1:00 p.m.  |
| <b>Public Service Commission</b>                 |  |   |
| PSC-21-23-00005-P .....                          | Proposed Major Increase in VWNY’s Annual Base Rate Revenues            | <p>Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—August 2, 2023, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)*</p> <p>*On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, 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 23-W-0111.</p>   |

**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>0001</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 |
|-----------------|---------|----------------|-------------------|
|-----------------|---------|----------------|-------------------|

**AGING, OFFICE FOR THE**

|                   |                |                   |   |
|-------------------|----------------|-------------------|---|
| AGE-02-23-00020-P | ..... 01/11/24 | Nutrition Program | The purpose of this rule is to update the regulations governing the Nutrition Program |
|-------------------|----------------|-------------------|---|

**AGRICULTURE AND MARKETS, DEPARTMENT OF**

|                   |                |  |  |
|-------------------|----------------|--|--|
| AAM-22-23-00001-P | ..... 05/30/24 | Amendments to the Box Tree Moth Quarantine | To expand the BTM quarantine to include additional counties, require pre-notification of certain shipments, and add an exemption |
|-------------------|----------------|--|--|

**ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

|                    |                |  |   |
|--------------------|----------------|--|---|
| ASA-33-22-00001-RP | ..... 08/17/23 | Requirements for the establishment, incorporation and certification of providers of addiction services | To update outdated and stigmatizing language and to clarify processes of the certification process for providers and applicants |
| ASA-24-23-00021-P  | ..... 06/13/24 | Voluntary certification of Recovery Residences in NYS.   | This Part establishes requirements for recovery residences certified by the Office of Addiction Services and Supports (OASAS).  |

**CANNABIS MANAGEMENT, OFFICE OF**

|                    |                |                                      |  |
|--------------------|----------------|--------------------------------------|--|
| OCM-49-22-00024-EP | ..... 12/07/23 | Violations, Hearings and Enforcement | The proposed rule establishes parameters around violations, hearings, and enforcement creating requirements intended to further protect public health, safety, and welfare by preventing unlawful cannabis or unsafe practices from entering the marketplace |
| OCM-50-22-00010-RP | ..... 12/14/23 | Adult-Use Cannabis                   | To regulate, control, and tax adult-use cannabis, generate significant new revenue, invest in communities and people most impacted by cannabis criminalization, reduce participation in the unlawful market, create new industries, and increase employment  |

| Agency I.D. No.                                | Expires  | Subject Matter  | Purpose of Action  |
|--|----------|---|--|
| <b>CANNABIS MANAGEMENT, OFFICE OF</b>          |          |   |  |
| OCM-14-23-00011-P                              | 04/04/24 | Cannabis Research License   | The proposed rule establishes the application process, requirements and prohibitions associated with the Cannabis Research License |
| <b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b> |          |   |  |
| CFS-14-23-00010-P                              | 04/04/24 | Updates to foster care rates  | To update various rules related to foster care rates and to make technical corrections   |
| CFS-16-23-00001-EP                             | 04/18/24 | Changes to eligibility criteria for the child care assistance program | To implement statutory changes and expand access to child care assistance  |
| <b>CIVIL SERVICE, DEPARTMENT OF</b>            |          |   |  |
| CVS-19-23-00001-P                              | 05/09/24 | Jurisdictional Classification   | To classify a position in the non-competitive class  |
| CVS-19-23-00002-P                              | 05/09/24 | Jurisdictional Classification   | To classify a position in the exempt class.  |
| CVS-19-23-00003-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-19-23-00004-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the exempt class.   |
| CVS-19-23-00005-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-19-23-00006-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-19-23-00007-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-19-23-00008-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the exempt class.   |
| CVS-19-23-00009-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the exempt class.   |
| CVS-19-23-00010-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the exempt class.   |
| CVS-19-23-00011-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-19-23-00012-P                              | 05/09/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-23-23-00001-P                              | 06/06/24 | Paid family leave   | To provide a grant of up to twelve weeks of paid family leave for a qualifying event for subject employees in M/C positions.       |
| CVS-24-23-00001-P                              | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class.  |
| CVS-24-23-00002-P                              | 06/13/24 | Jurisdictional Classification   | To classify a position in the non-competitive class  |
| CVS-24-23-00003-P                              | 06/13/24 | Jurisdictional Classification   | To classify a position in the non-competitive class  |

| Agency I.D. No.   | Expires  | Subject Matter  | Purpose of Action  |
|---|----------|---|--|
| <b>CIVIL SERVICE, DEPARTMENT OF</b>                         |          |   |  |
| CVS-24-23-00004-P   | 06/13/24 | Jurisdictional Classification   | To delete positions from and to classify positions in the non-competitive class  |
| CVS-24-23-00005-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class.  |
| CVS-24-23-00006-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class.  |
| CVS-24-23-00007-P   | 06/13/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-24-23-00008-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class.  |
| CVS-24-23-00009-P   | 06/13/24 | Jurisdictional Classification   | To classify positions in the exempt class and to classify positions in the non-competitive class                               |
| CVS-24-23-00010-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class.  |
| CVS-24-23-00011-P   | 06/13/24 | Jurisdictional Classification   | To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes |
| CVS-24-23-00012-P   | 06/13/24 | Jurisdictional Classification   | To delete a position from the non-competitive class  |
| CVS-24-23-00013-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the non-competitive class  |
| CVS-24-23-00014-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the non-competitive class  |
| CVS-24-23-00015-P   | 06/13/24 | Jurisdictional Classification   | To classify positions in the exempt class.   |
| CVS-24-23-00016-P   | 06/13/24 | Jurisdictional Classification   | To delete positions from the non-competitive class   |
| CVS-24-23-00017-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class and to delete a position from the non-competitive class                             |
| CVS-24-23-00018-P   | 06/13/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| CVS-24-23-00019-P   | 06/13/24 | Jurisdictional Classification   | To classify a position in the exempt class and to classify a position in the non-competitive class                             |
| CVS-24-23-00020-P   | 06/13/24 | Jurisdictional Classification   | To classify positions in the non-competitive class   |
| <b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b> |          |   |  |
| CCS-31-22-00002-P   | 08/03/23 | Privileged Correspondence   | To update law changes regarding correspondence from CANY   |
| CCS-19-23-00013-P   | 05/09/24 | Definitions, Standards of Incarcerated Individual Behavior, Special Housing Units, and Institutional Programs | To revise regulations to be in compliance with the new HALT legislation and applicable laws                                    |

| Agency I.D. No.                               | Expires  | Subject Matter  | Purpose of Action   |
|---|----------|---|---|
| <b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b> |          |   |   |
| CJS-16-23-00008-EP                            | 04/18/24 | FIREARM LICENSING APPEALS   | Set forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or revocation  |
| <b>EDUCATION DEPARTMENT</b>                   |          |   |   |
| EDU-04-23-00006-ERP                           | 01/25/24 | Removes requirement that a postdoctoral general practice or specialty dental residency program experience be clinically based | To implement Chapter 613 of the Laws of 2022.   |
| EDU-09-23-00029-P                             | 02/29/24 | Licensure of licensed behavior analysts and certification of behavior analyst assistants                                      | To implement Chapter 818 of the Laws of 2021 and Chapter 641 of the Laws of 2022 and align provisions with national standards.  |
| EDU-09-23-00031-RP                            | 05/01/24 | Special education due process hearings.   | To amend due process hearing procedures relating to extensions, mediation and resolution, rules of conduct, and use of in-person, teleconference, and videoconference hearings  |
| EDU-13-23-00017-P                             | 03/28/24 | School counselor education program general registration requirements.   | To require programs which lead to Initial and Professional certification to provide training in the prevention and intervention of school violence, harassment, bullying/discrimination and identification and reporting of suspected abuse or maltreatment |
| EDU-13-23-00018-P                             | 03/28/24 | Mental health practitioners' diagnostic privilege.  | To implement sections 2 and 3 of Chapter 230 of the Laws of 2022.   |
| EDU-18-23-00008-P                             | 07/04/24 | Corporal punishment, restraint, and seclusion.  | See attached.   |
| EDU-18-23-00009-EP                            | 05/02/24 | Requirements for admission to the examination for licensure as an engineer.   | See attached.   |
| EDU-18-23-00010-EP                            | 05/02/24 | Deadline to apply and qualify for the provisional school counselor certificate.   | See attached.   |
| EDU-18-23-00011-EP                            | 05/02/24 | Education requirements for licensure as a registered professional nurse and licensed practical nurse                          | See attached.   |
| EDU-18-23-00012-P                             | 05/02/24 | initial reissuance, provisional renewal, and time extension requirements.   | See attached.   |
| EDU-22-23-00007-P                             | 05/30/24 | Employment of substitute teachers.  | To make permanent substitute teaching flexibility for school districts and BOCES.   |
| EDU-22-23-00008-EP                            | 05/30/24 | Extending a flexibility for incidental teaching.  | To extend flexibility for incidental teaching through the 2023-2024 school year.  |
| EDU-22-23-00009-EP                            | 05/30/24 | Licensing examination and testing accommodations in the profession of architecture.   | To conform NYS architecture licensure requirements with national standards set by the National Council of Architectural Registra  |
| EDU-22-23-00010-P                             | 05/30/24 | New York State Learning Standards   | Updating to Reflect Current New York State Learning Standards   |
| EDU-26-23-00011-EP                            | 06/27/24 | Temporary practice by certain U.S. servicemembers andservicemembers' spouses licensed or certified in another state.          | To implement section 19 of Public Law 117-333.  |

| Agency I.D. No.                                  | Expires  | Subject Matter  | Purpose of Action  |
|--|----------|---|--|
| <b>EDUCATION DEPARTMENT</b>                      |          |   |  |
| EDU-26-23-00012-EP                               | 06/27/24 | Requiring concussion management protocols in nonpublic schools.   | To implement Chapter 617 of the Laws of 2022.  |
| EDU-26-23-00013-EP                               | 06/27/24 | Universal Prekindergarten Program (UPK) Staffing Qualifications   | To implement Part A of Chapter 56 of the Laws of 2022  |
| EDU-26-23-00014-P                                | 06/27/24 | Requirements for the endorsement of a certificate as a school counselor   | To align the pathways for certification for school counselor candidates with the pat   |
| EDU-26-23-00015-P                                | 06/27/24 | Registration and operation of central fill pharmacies.  | To establish parameters for the central fill pharmacy model.   |
| <b>ELECTIONS, STATE BOARD OF</b>                 |          |   |  |
| SBE-06-23-00012-EP                               | 02/08/24 | Provides for adjustment of campaign finance limits resulting from changes in the consumer price index                       | To adopt regulation specifically required by Election Law 14-114 (e)   |
| SBE-13-23-00004-P                                | 03/28/24 | Procedures for failure to file enforcement proceedings.   | Establishes expedited procedure for exclusively failure to file proceedings.   |
| SBE-16-23-00005-EP                               | 04/18/24 | Amends the objection regulations of the New York State Board of Elections to conform with statutory changes.                | Conforming regulations to requirements of Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023.                                  |
| SBE-16-23-00006-EP                               | 04/18/24 | Provides for gender designations on party position petitions and ballots in conformance with election law.                  | Effectuates Chapter 231 Laws of 2022 to allow for gender designations on party position petitions and ballots.                   |
| SBE-16-23-00007-EP                               | 04/18/24 | Provides for change to petition coversheets to facilitate ballot access and notice to candidates by email.                  | Effectuates Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023 regarding notice to candidates by email.                        |
| <b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b> |          |   |  |
| ENV-28-22-00011-P                                | 09/13/23 | Forest Tax Law  | Improving and sustainably managing New York's forest resources and lessening the administrative burden on participants/DEC staff |
| ENV-33-22-00004-P                                | 10/20/23 | Amendments to the regulations (6 NYCRR Part 621) that implement ECL article 70 (Uniform Procedures Act) and related changes | DEC is proposing the amendments as a general update to Part 621, with conforming changes to Parts 421 and 601                    |
| ENV-46-22-00004-P                                | 01/18/24 | Chemical Bulk Storage (CBS)   | To repeal existing 6 NYCRR Parts 596, 598 ,599 and replace with new Part 598; and amend existing Part 597; for the CBS program   |
| ENV-46-22-00005-P                                | 01/18/24 | Petroleum Bulk Storage (PBS)  | To amend the PBS regulations, 6 NYCRR Part 613   |
| ENV-47-22-00005-P                                | 01/24/24 | Heavy-Duty Diesel Vehicle Inspection and Maintenance Program requirements   | To update Heavy-Duty Diesel Vehicle Inspection and Maintenance Program requirements  |
| ENV-52-22-00015-EP                               | 02/29/24 | Advanced Clean Car (ACC) Standards  | To adopt California's Advanced Clean Cars II (ACC II) Program regulations  |

| Agency I.D. No.   | Expires  | Subject Matter  | Purpose of Action  |
|---|----------|---|--|
| <b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>        |          |   |  |
| ENV-52-22-00016-EP                                      | 02/28/24 | Medium- and Heavy-Duty Diesel Vehicle emission standards  | To update Medium and- Heavy-Duty Diesel Vehicle emission standards and adopt CA's Heavy-Duty Omnibus and Phase 2 GHG regulations |
| ENV-10-23-00001-P                                       | 03/07/24 | Regulations governing fisheries management of American shad in the Delaware River and cobia                   | Limit recreational harvest of species to ensure sustainability and consistency with interstate and federal FMPs                  |
| ENV-12-23-00005-EP                                      | 03/21/24 | Regulations governing recreational and commercial fishing for striped bass.                                   | To amend 6 NYCRR Part 40 pertaining to recreational and commercial regulations for striped bass.                                 |
| ENV-15-23-00006-P                                       | 06/14/24 | Class SA, SB, SC and I saline waters of the State.  | Amend the water quality standards protective of shellfishing and recreation in the State's saline waters.                        |
| ENV-20-23-00001-EP                                      | 05/16/24 | Regulations governing recreational fishing of scup and black sea bass   | To reduce the recreational harvest of scup and black sea bass in New York  |
| ENV-22-23-00002-P                                       | 07/31/24 | Recreational shark management   | To protect prohibited sharks from harvest and establish gear restrictions and handling requirements                              |
| ENV-25-23-00001-P                                       | 06/20/24 | Sanitary Control Over Shellfish   | Enhance the protection of public health, safety, and welfare for all consumers of raw or undercooked shellfish.                  |
| ENV-25-23-00010-P                                       | 08/21/24 | The repeal of obsolete rules and to make all necessary attendant revisions.                                   | The repeal of obsolete rules and to make all necessary attendant revisions.  |
| <b>ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON</b> |          |   |  |
| ELG-45-22-00024-ERP                                     | 11/09/23 | Adjudicatory proceedings and appeals procedures for matters under the Commission's jurisdiction.              | To conform Part 941 to the new Executive Law Section 94 established by the Ethics Commission Reform Act of 2022.                 |
| ELG-15-23-00007-EP                                      | 04/11/24 | Publicly available information and documents and records access requests.                                     | Provides clarity and guidance on the process for requesting and accessing information, documents and records of the Commission.  |
| <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-45-22-00025-RP                                      | 11/09/23 | Cybersecurity Requirements for Financial Services Companies   | To ensure that DFS-regulated entities most effectively address new and evolving cybersecurity threats.                           |
| DFS-07-23-00003-P                                       | 02/15/24 | General Duties, Accountability, and Transparency Provisions for Pharmacy Benefit Managers; Electronic Filings | To define and clarify the provisions of PHL 280-a(2) and to require electronic filings for PBMs                                  |



| Agency I.D. No.                                 | Expires  | Subject Matter   | Purpose of Action  |
|---|----------|--|--|
| <b>FINANCIAL SERVICES, DEPARTMENT OF</b>        |          |  |  |
| DFS-14-23-00004-P                               | 04/04/24 | Permissible indices for variable rate loans.   | To permit the use of CME Term SOFR as a replacement benchmark for LIBOR and to eliminate an obsolete index for savings & loans.  |
| DFS-16-23-00002-P                               | 04/18/24 | Excess Line Placements Governing Standards   | To conform to changes made by Chapter 833 of the Laws of 2022 and Chapter 93 of the Laws of 2023 and prior amendments.           |
| DFS-21-23-00002-P                               | 05/23/24 | Pharmacy Benefits Bureau; Pharmacy Benefit Manager Assessments; Filings and Other Requirements for Issuance et al. | To establish rules for PBMs re: assessments, license requirements, and reporting and record keeping, and to clarify definitions. |
| <b>GAMING COMMISSION, NEW YORK STATE</b>        |          |  |  |
| SGC-29-22-00010-P                               | 07/20/23 | Comprehensive regulations for interactive fantasy sports   | To regulate interactive fantasy sports in New York.  |
| SGC-50-22-00009-P                               | 12/14/23 | Purchase location requirements for lottery courier services  | To facilitate the proper sale of lottery tickets to generate revenue for education   |
| <b>GAMING FACILITY LOCATION BOARD, NEW YORK</b> |          |  |  |
| GFB-04-23-00001-P                               | 01/25/24 | Minimum capital investment for additional gaming facility  | To establish a minimum capital investment amount for additional gaming facilities  |
| GFB-04-23-00002-P                               | 01/25/24 | License fee for additional gaming facility   | To establish a license fee for additional gaming facilities  |
| <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-23-22-00001-ERP                            | 09/06/23 | Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements   | To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE during the COVID-19 emergency             |
| HLT-26-22-00003-P                               | 06/29/23 | Repeal of Limits on Administrative Expenses and Executive Compensation   | Repeal of Limits on Administrative Expenses and Executive Compensation   |
| HLT-39-22-00020-P                               | 11/07/23 | Early Intervention Program   | To conform existing program regulations to federal regulations and state statute, as well as to provide additional clarification |
| HLT-40-22-00002-P                               | 10/05/23 | Maximum Contaminant Levels (MCLs)  | To adopt Maximum Contaminant Levels (MCLs) for four (4) additional per- and polyfluoroalkyl substances (PFAS).                   |
| HLT-42-22-00002-P                               | 10/19/23 | Medical Respite Program (MRP)  | Establish procedures for review & approval of applications from a not-for-profit corporation to be certified as an MRP operator. |
| HLT-48-22-00001-P                               | 11/30/23 | Adult Day Health Care  | To regulate adult day health care programs for registrants with medical needs in a non-residential health care facility          |
| HLT-51-22-00006-P                               | 12/21/23 | Adult Care Facilities  | To ensure consistency with various policy interpretations & compliance with the federal home&community based settings final rule |

| Agency I.D. No.                                   | Expires  | Subject Matter   | Purpose of Action  |
|---|----------|--|--|
| <b>HEALTH, DEPARTMENT OF</b>                      |          |  |  |
| HLT-09-23-00020-P                                 | 02/29/24 | Clinical Staffing in General Hospitals   | Requires general hospitals to have clinical staffing committees and create clinical staffing plans.                              |
| HLT-12-23-00001-P                                 | 03/21/24 | Contingent Reserve Requirements for Managed Care Organizations (MCOs)                          | Maintains the contingent reserve requirement at 7.25% through 2023 applied to the Medicaid Managed Care, HIV SNP & HARP programs |
| HLT-12-23-00013-P                                 | 04/12/24 | Newborn Hearing Screening  | To improve follow-up after newborn hearing screening and articulate reporting requirements                                       |
| HLT-14-23-00009-P                                 | 04/04/24 | Assisted Living Residences   | To update admission, operator authority, personnel, environmental standards&resident protections for assisted living residences. |
| HLT-15-23-00008-P                                 | 04/11/24 | Inclusion of a Health Equity Impact Assessment as Part of the Certificate of Need Process      | To ensure community members and stakeholders are meaningfully engaged and considered in proposed facility projects               |
| HLT-16-23-00004-P                                 | 04/18/24 | Investigation of Communicable Disease  | Control of communicable disease  |
| HLT-16-23-00018-P                                 | 04/18/24 | Utilization Reviews  | To decrease the administrative burden on enrolled Medicaid fee-for-service members and providers                                 |
| HLT-18-23-00013-P                                 | 05/02/24 | Update Standards for Adult Homes and Standards for Enriched Housing Programs                   | To address changes required to achieve & sustain compliance with the federal Home & Community Based Settings final rule.         |
| HLT-18-23-00014-P                                 | 05/02/24 | Standards for Tissue Banks and Nontransplant Anatomic Banks                                    | To remove discriminatory requirements pertaining to reproductive tissue and make technical corrections.                          |
| HLT-22-23-00011-P                                 | 05/30/24 | Perinatal Services, Perinatal Regionalization, Birthing Centers and Maternity Birthing Centers | To update the regulatory requirements of birthing hospitals and centers to meet current standards of clinical care               |
| HLT-25-23-00002-P                                 | 06/20/24 | Humane Euthanasia of Animals   | To provide for the humane euthanasia of animals.   |
| HLT-26-23-00001-P                                 | 06/27/24 | Removal of the COVID-19 Vaccine Requirement for Personnel in Covered Entities                  | To remove the COVID-19 Vaccine Requirement for Personnel in Covered Entities   |
| <b>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</b> |          |  |  |
| HCR-35-22-00004-P                                 | 11/15/23 | The City Rent and Eviction Regulations governing rent control in New York City.                | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.                            |
| HCR-35-22-00005-P                                 | 11/15/23 | The Emergency Tenant Protection Regulations regulating residential rents and evictions.        | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.                            |
| HCR-35-22-00006-P                                 | 11/15/23 | The State Rent and Eviction Regulations governing statewide rent control.                      | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.                            |
| HCR-35-22-00007-P                                 | 11/15/23 | The Rent Stabilization Code regulating residential rents and evictions.                        | To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.                            |

| Agency I.D. No.                    | Expires  | Subject Matter  | Purpose of Action  |
|------------------------------------|----------|---|--|
| <b>LAW, DEPARTMENT OF</b>          |          |   |  |
| LAW-12-23-00006-P                  | 03/21/24 | Presumptive cases of gross disparity under the price gouging law.   | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| LAW-12-23-00007-P                  | 03/21/24 | Presumptive unfair leverage for large enterprises or enterprises with large market share under the price gouging law.   | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| LAW-12-23-00008-P                  | 03/21/24 | Presumptive cases of gross disparity for purposes of the price gouging statute.   | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| LAW-12-23-00009-P                  | 03/21/24 | Application of price gouging prohibition to parties within the chain of distribution.                                   | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| LAW-12-23-00010-P                  | 03/21/24 | Application of the price gouging law to dynamic pricing.  | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| LAW-12-23-00011-P                  | 03/21/24 | Presumptive cases of unfair leverage for purposes of the price gouging law.   | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| LAW-12-23-00012-P                  | 03/21/24 | Costs not within the control of the defendant for purposes of the price gouging law.                                    | To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions. |
| <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        |

| Agency I.D. No.   | Expires        | Subject Matter  | Purpose of Action  |
|---|----------------|---|--|
| <b>LONG ISLAND POWER AUTHORITY</b>                        |                |   |  |
| *LPA-28-20-00033-EP                                       | ..... exempt   | LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment            | To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts |
| *LPA-37-20-00013-EP                                       | ..... exempt   | The terms of deferred payment agreements available to LIPA's commercial customers                         | To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers                      |
| *LPA-12-21-00011-P  | ..... exempt   | LIPA's Long Island Choice (retail choice) tariff  | To simplify and improve Long Island Choice based on stakeholder collaborative input  |
| *LPA-17-22-00012-P  | ..... exempt   | COVID-19 arrears forgiveness and low-income customer discount eligibility                                 | To implement an arrears forgiveness program and expand low-income customer discount eligibility                                  |
| *LPA-17-22-00014-P  | ..... exempt   | LIPA's delivery service adjustment cost recovery rider  | To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers        |
| <b>MENTAL HEALTH, OFFICE OF</b>                           |                |   |  |
| OMH-46-22-00012-P   | ..... 11/16/23 | Administrative Compensation   | To Repeal Part 513 as Executive Order 38 has sunset  |
| <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    |
| NFW-52-22-00004-EP  | ..... exempt   | Adoption of Rates, Fees, and Charges  | To pay for increased costs necessary to operate, maintain, and manage the system, and to meet 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>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b> |                |   |  |
| PDD-10-23-00002-EP  | ..... 03/07/24 | General Purposes and Certification of the Facility Class Known as Individualized Residential Alternatives | To increase IRA capacity in cases of emergent circumstances  |
| PDD-21-23-00004-P   | ..... 05/23/24 | Waiver eligibility  | To use gender neutral language and coincide with SSL 366(7-a)(b)   |

| Agency I.D. No.                                 | Expires      | Subject Matter  | Purpose of Action  |
|---|--------------|---|--|
| <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  |
| *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  |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-22-04-00013-P               | ..... exempt | Major gas rate increase by Consolidated Edison Company of New York, Inc.  | To increase annual gas revenues  |
| *PSC-22-04-00016-P               | ..... exempt | Master metering of water by South Liberty Corporation   | To waive the requirement for installation of separate water meters                                     |
| *PSC-25-04-00012-P               | ..... exempt | Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P. | To amend the agreement   |
| *PSC-27-04-00008-P               | ..... exempt | Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates                                   | To amend the agreement   |
| *PSC-27-04-00009-P               | ..... exempt | Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates                                   | To amend the agreement   |
| *PSC-28-04-00006-P               | ..... exempt | Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation                                     | To authorize participation in the parent corporation's line of credit                                  |
| *PSC-31-04-00023-P               | ..... exempt | Distributed generation service by Consolidated Edison Company of New York, Inc.   | To provide an application form   |
| *PSC-34-04-00031-P               | ..... exempt | Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.  | To set appropriate level of permanent rates  |
| *PSC-35-04-00017-P               | ..... exempt | Application form for distributed generation by Orange and Rockland Utilities, Inc.  | To establish a new supplementary application form for customers  |
| *PSC-43-04-00016-P               | ..... exempt | Accounts recievable by Rochester Gas and Electric Corporation   | To include in its tariff provisions for the purchase of ESCO accounts recievable                       |
| *PSC-46-04-00012-P               | ..... exempt | Service application form by Consolidated Edison Company of New York, Inc.   | To revise the form and make housekeeping changes   |
| *PSC-46-04-00013-P               | ..... exempt | Rules and guidelines governing installation of metering equipment   | To establish uniform statewide business practices  |
| *PSC-02-05-00006-P               | ..... exempt | Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.  | To consider imposing remedial actions against the company and its owners, officers and directors       |
| *PSC-09-05-00009-P               | ..... exempt | Submetering of natural gas service by Hamlet on Olde Oyster Bay   | To consider submetering of natural gas to a commercial customer  |
| *PSC-14-05-00006-P               | ..... exempt | Request for deferred accounting authorization by Freeport Electric Inc.   | To defer expenses beyond the end of the fiscal year  |
| *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 |

| Agency I.D. No.                  | Expires      | Subject Matter   | Purpose of Action   |
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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| *PSC-27-05-00018-P               | ..... exempt | Annual reconciliation of gas costs by New York State Electric & Gas Corporation  | To consider the manner in which the gas cost incentive mechanism has been applied                                       |
| *PSC-41-05-00013-P               | ..... exempt | Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities                 | To consider the filings   |
| *PSC-45-05-00011-P               | ..... exempt | Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation   | To defer certain costs  |
| *PSC-46-05-00015-P               | ..... exempt | Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC | To consider the sale  |
| *PSC-47-05-00009-P               | ..... exempt | Transferral of gas supplies by Corning Natural Gas Corporation   | To approve the transfer   |
| *PSC-50-05-00008-P               | ..... exempt | Long-term debt by Saratoga Glen Hollow Water Supply Corp.  | To obtain long-term debt  |
| *PSC-04-06-00024-P               | ..... exempt | Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.                                     | To approve of the transfer  |
| *PSC-06-06-00015-P               | ..... exempt | Gas curtailment policies and procedures  | To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established |
| *PSC-07-06-00009-P               | ..... exempt | Modification of the current Environmental Disclosure Program   | To include an attributes accounting system  |
| *PSC-22-06-00019-P               | ..... exempt | Hourly pricing by National Grid  | To assess the impacts   |
| *PSC-22-06-00020-P               | ..... exempt | Hourly pricing by New York State Electric & Gas Corporation  | To assess the impacts   |
| *PSC-22-06-00021-P               | ..... exempt | Hourly pricing by Rochester Gas & Electric Corporation   | To assess the impacts   |
| *PSC-22-06-00022-P               | ..... exempt | Hourly pricing by Consolidated Edison Company of New York, Inc.  | To assess the impacts   |
| *PSC-22-06-00023-P               | ..... exempt | Hourly pricing by Orange and Rockland Utilities, Inc.  | To assess the impacts   |
| *PSC-24-06-00005-EP              | ..... exempt | Supplemental home energy assistance benefits   | To extend the deadline to Central Hudson's low-income customers   |
| *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   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-37-06-00017-P               | ..... exempt | Procedures for estimation of customer bills by Rochester Gas and Electric Corporation                     | To consider estimation procedures  |
| *PSC-43-06-00014-P               | ..... exempt | Electric delivery services by Strategic Power Management, Inc.  | To determine the proper mechanism for the rate-recovery of costs   |
| *PSC-04-07-00012-P               | ..... exempt | Petition for rehearing by Orange and Rockland Utilities, Inc.   | To clarify the order   |
| *PSC-06-07-00015-P               | ..... exempt | Meter reading and billing practices by Central Hudson Gas & Electric Corporation                          | To continue current meter reading and billing practices for electric service   |
| *PSC-06-07-00020-P               | ..... exempt | Meter reading and billing practices by Central Hudson Gas & Electric Corporation                          | To continue current meter reading and billing practices for gas service  |
| *PSC-11-07-00010-P               | ..... exempt | Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.          | To implement the recommendations in the staff's investigation  |
| *PSC-11-07-00011-P               | ..... exempt | Storm-related power outages by Consolidated Edison Company of New York, Inc.                              | To modify the company's response to power outages, the timing for any such changes and other related matters   |
| *PSC-17-07-00008-P               | ..... exempt | Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.                 | To amend the agreement   |
| *PSC-18-07-00010-P               | ..... exempt | Existing electric generating stations by Independent Power Producers of New York, Inc.                    | To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation   |
| *PSC-20-07-00016-P               | ..... exempt | Tariff revisions and making rates permanent by New York State Electric & Gas Corporation                  | To seek rehearing  |
| *PSC-21-07-00007-P               | ..... exempt | Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation                                | To revise the rates, charges, rules and regulations for gas service  |
| *PSC-22-07-00015-P               | ..... exempt | Demand Side Management Program by Consolidated Edison Company of New York, Inc.                           | To recover incremental program costs and lost revenue  |
| *PSC-23-07-00022-P               | ..... exempt | Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation | To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity |
| *PSC-24-07-00012-P               | ..... exempt | Gas Efficiency Program by the City of New York  | To consider rehearing a decision establishing a Gas Efficiency Program   |
| *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.   |



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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-45-07-00005-P               | ..... exempt | Customer incentive programs by Orange and Rockland Utilities, Inc.  | To establish a tariff provision   |
| *PSC-02-08-00006-P               | ..... exempt | Additional central office codes in the 315 area code region   | To consider options for making additional codes   |
| *PSC-03-08-00006-P               | ..... exempt | Rehearing of the accounting determinations  | To grant or deny a petition for rehearing of the accounting determinations  |
| *PSC-04-08-00010-P               | ..... exempt | Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation  | To grant easement rights to Millennium Pipeline Company, L.L.C.   |
| *PSC-04-08-00012-P               | ..... exempt | Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs       | To consider modifying the commission's regulation over marketing practices of energy service companies  |
| *PSC-08-08-00016-P               | ..... exempt | Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.  | To consider the transfer  |
| *PSC-12-08-00019-P               | ..... exempt | Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation                                      | To consider the request   |
| *PSC-12-08-00021-P               | ..... exempt | Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation   | To consider the request   |
| *PSC-13-08-00011-P               | ..... exempt | Waiver of commission policy and NYSEG tariff by Turner Engineering, PC  | To grant or deny Turner's petition  |
| *PSC-13-08-00012-P               | ..... exempt | Voltage drops by New York State Electric & Gas Corporation  | To grant or deny the petition   |
| *PSC-23-08-00008-P               | ..... exempt | Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project | To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project |
| *PSC-25-08-00007-P               | ..... exempt | Policies and procedures regarding the selection of regulatory proposals to meet reliability needs                                       | To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs  |
| *PSC-25-08-00008-P               | ..... exempt | Report on Callable Load Opportunities   | Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years   |
| *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  |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |  |
| *PSC-36-08-00019-P               | ..... exempt | Land Transfer in the Borough of Manhattan, New York  | To consider petition for transfer of real property to NYPH   |
| *PSC-39-08-00010-P               | ..... exempt | RG&E's economic development plan and tariffs   | Consideration of the approval of RG&E's economic development plan and tariffs  |
| *PSC-40-08-00010-P               | ..... exempt | Loans from regulated company to its parent   | To determine if the cash management program resulting in loans to the parent should be approved                              |
| *PSC-41-08-00009-P               | ..... exempt | Transfer of control of cable TV franchise  | To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved                            |
| *PSC-43-08-00014-P               | ..... exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries                                | The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-46-08-00008-P               | ..... exempt | Property transfer in the Village of Avon, New York   | To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York           |
| *PSC-46-08-00010-P               | ..... exempt | A transfer of indirect ownership interests in nuclear generation facilities                  | Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities                     |
| *PSC-46-08-00014-P               | ..... exempt | The attachment of cellular antennae to an electric transmission tower                        | To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower        |
| *PSC-48-08-00005-P               | ..... exempt | A National Grid high efficiency gas heating equipment rebate program                         | To expand eligibility to customers converting from oil to natural gas  |
| *PSC-48-08-00008-P               | ..... exempt | Petition for the master metering and submetering of electricity                              | To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York  |
| *PSC-48-08-00009-P               | ..... exempt | Petition for the submetering of electricity  | To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York      |
| *PSC-50-08-00018-P               | ..... exempt | Market Supply Charge   | A study on the implementation of a revised Market Supply Charge  |
| *PSC-51-08-00006-P               | ..... exempt | Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458    | To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458                            |
| *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   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-01-09-00015-P               | ..... exempt | FCC decision to redefine service area of Citizens/Frontier  | Review and consider FCC proposed redefinition of Citizens/Frontier service area   |
| *PSC-02-09-00010-P               | ..... exempt | Competitive classification of independent local exchange company, and regulatory relief appropriate thereto                     | To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2          |
| *PSC-05-09-00008-P               | ..... exempt | Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues                                  | To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing                     |
| *PSC-05-09-00009-P               | ..... exempt | Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects                 | To consider the long term impacts on steam rates and on public policy of various options concerning the steam system            |
| *PSC-06-09-00007-P               | ..... exempt | Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access    | To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.                             |
| *PSC-07-09-00015-P               | ..... exempt | Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property        | To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets              |
| *PSC-07-09-00017-P               | ..... exempt | Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm          | To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm               |
| *PSC-07-09-00018-P               | ..... exempt | Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY | To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York                        |
| *PSC-12-09-00010-P               | ..... exempt | Charges for commodity   | To charge customers for commodity costs   |
| *PSC-12-09-00012-P               | ..... exempt | Charges for commodity   | To charge customers for commodity costs   |
| *PSC-13-09-00008-P               | ..... exempt | Options for making additional central office codes available in the 718/347 numbering plan area                                 | To consider options for making additional central office codes available in the 718/347 numbering plan area                     |
| *PSC-14-09-00014-P               | ..... exempt | The regulation of revenue requirements for municipal utilities by the Public Service Commission                                 | To determine whether the regulation of revenue requirements for municipal utilities should be modified                          |
| *PSC-16-09-00010-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York |
| *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         |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-17-09-00012-P               | ..... exempt | Petition for the submetering of gas at commercial property  | To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY |
| *PSC-17-09-00014-P               | ..... exempt | Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff  | To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff                                      |
| *PSC-17-09-00015-P               | ..... exempt | The construction of a tower for wireless antennas on land owned by National Grid  | To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga                        |
| *PSC-18-09-00012-P               | ..... exempt | Petition for rehearing of Order approving the submetering of electricity  | To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York |
| *PSC-18-09-00013-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York   |
| *PSC-18-09-00017-P               | ..... exempt | Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers  | To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower      |
| *PSC-20-09-00016-P               | ..... exempt | The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc     | To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with 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   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-32-09-00009-P               | ..... exempt | Cost allocation for Consolidated Edison's East River Repowering Project   | To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project   |
| *PSC-34-09-00016-P               | ..... exempt | Recommendations made in the Management Audit Final Report   | To consider whether to take action or recommendations contained in the Management Audit Final Report                           |
| *PSC-34-09-00017-P               | ..... exempt | To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC     | To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC                         |
| *PSC-36-09-00008-P               | ..... exempt | The increase in the non-bypassable charge implemented by RG&E on June 1, 2009   | Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009                      |
| *PSC-37-09-00015-P               | ..... exempt | Sale of customer-generated steam to the Con Edison steam system   | To establish a mechanism for sale of customer-generated steam to the Con Edison steam system                                   |
| *PSC-37-09-00016-P               | ..... exempt | Applicability of electronic signatures to Deferred Payment Agreements   | To determine whether electronic signatures can be accepted for Deferred Payment Agreements                                     |
| *PSC-39-09-00015-P               | ..... exempt | Modifications to the \$5 Bill Credit Program  | Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program                                    |
| *PSC-39-09-00018-P               | ..... exempt | The offset of deferral balances with Positive Benefit Adjustments   | To consider a petition to offset deferral balances with Positive Benefit Adjustments   |
| *PSC-40-09-00013-P               | ..... exempt | Uniform System of Accounts - request for deferral and amortization of costs   | To consider a petition to defer and amortize costs   |
| *PSC-51-09-00029-P               | ..... exempt | Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs                 | To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period             |
| *PSC-51-09-00030-P               | ..... exempt | Waiver or modification of Capital Expenditure condition of merger   | To allow the companies to expend less funds for capital improvement than required by the merger                                |
| *PSC-52-09-00006-P               | ..... exempt | ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology                  | To consider whether to change the Order Prescribing Study Methodology  |
| *PSC-52-09-00008-P               | ..... exempt | Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000                 | To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities |
| *PSC-05-10-00008-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY    |
| *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    |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-07-10-00009-P               | ..... exempt | Petition to revise the Uniform Business Practices   | To consider the RESA petition to allow rescission of a customer request to return to full utility service                    |
| *PSC-08-10-00007-P               | ..... exempt | Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847                       | Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847                      |
| *PSC-08-10-00009-P               | ..... exempt | Consolidated Edison of New York, Inc. energy efficiency programs  | To modify approved energy efficiency programs  |
| *PSC-12-10-00015-P               | ..... exempt | Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations                                   | To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations |
| *PSC-14-10-00010-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY        |
| *PSC-16-10-00005-P               | ..... exempt | To consider adopting and expanding mobile stray voltage testing requirements  | Adopt additional mobile stray voltage testing requirements   |
| *PSC-16-10-00007-P               | ..... exempt | Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access  | To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications                 |
| *PSC-16-10-00015-P               | ..... exempt | Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access | To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications                |
| *PSC-18-10-00009-P               | ..... exempt | Electric utility transmission right-of-way management practices   | To consider electric utility transmission right-of-way management practices  |
| *PSC-19-10-00022-P               | ..... exempt | Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York    | To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York        |
| *PSC-22-10-00006-P               | ..... exempt | Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service | Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service   |
| *PSC-22-10-00008-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York           |
| *PSC-24-10-00009-P               | ..... exempt | Verizon New York Inc. tariff regulations relating to voice messaging service  | To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff                  |
| *PSC-25-10-00012-P               | ..... exempt | Reassignment of the 2-1-1 abbreviated dialing code  | Consideration of petition to reassign the 2-1-1 abbreviated dialing code   |
| *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                      |

| Agency I.D. No.                  | Expires      | Subject Matter  | Purpose of Action   |
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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-34-10-00005-P               | ..... exempt | Approval of a contract for \$250,000 in tank repairs that may be a financing  | To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs               |
| *PSC-34-10-00006-P               | ..... exempt | The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program                 | The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program                         |
| *PSC-36-10-00010-P               | ..... exempt | Central Hudson's procedures, terms and conditions for an economic development plan                                      | Consideration of Central Hudson's procedures, terms and conditions for an economic development plan                             |
| *PSC-40-10-00014-P               | ..... exempt | Disposition of a state sales tax refund   | To determine how much of a state sales tax refund should be retained by National Grid   |
| *PSC-40-10-00021-P               | ..... exempt | Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall               | To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall                               |
| *PSC-41-10-00018-P               | ..... exempt | Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter   | Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers |
| *PSC-41-10-00022-P               | ..... exempt | Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY                      | Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY                              |
| *PSC-42-10-00011-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York                        |
| *PSC-43-10-00016-P               | ..... exempt | Utility Access to Ducts, Conduit Facilities and Utility Poles   | To review the complaint from Optical Communications Group   |
| *PSC-44-10-00003-P               | ..... exempt | Third and fourth stage gas rate increase by Corning Natural Gas Corporation   | To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase                            |
| *PSC-51-10-00018-P               | ..... exempt | Commission proceeding concerning three-phase electric service by all major electric utilities                           | Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities          |
| *PSC-11-11-00003-P               | ..... exempt | The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service | The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service         |
| *PSC-13-11-00005-P               | ..... exempt | Exclude the minimum monthly bill component from the earnings test calculation   | Exclude the minimum monthly bill component from the earnings test calculation   |
| *PSC-14-11-00009-P               | ..... exempt | Petition for the submetering of electricity   | To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York              |
| *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                         |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-20-11-00013-P               | ..... exempt | Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges                | To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable                 |
| *PSC-22-11-00004-P               | ..... exempt | Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications                               | To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter                                       |
| *PSC-26-11-00007-P               | ..... exempt | Water rates and charges   | To approve an increase in annual revenues by about \$25,266 or 50%  |
| *PSC-26-11-00009-P               | ..... exempt | Petition for the submetering of electricity at commercial property  | To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York   |
| *PSC-26-11-00012-P               | ..... exempt | Waiver of generation retirement notice requirements   | Consideration of waiver of generation retirement notice requirements  |
| *PSC-29-11-00011-P               | ..... exempt | Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order | To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing   |
| *PSC-35-11-00011-P               | ..... exempt | Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8   | Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters               |
| *PSC-36-11-00006-P               | ..... exempt | To consider expanding mobile stray voltage testing requirements   | Adopt additional mobile stray voltage testing requirements  |
| *PSC-38-11-00002-P               | ..... exempt | Operation and maintenance procedures pertaining to steam trap caps  | Adopt modified steam operation and maintenance procedures   |
| *PSC-38-11-00003-P               | ..... exempt | Waiver of certain provisions of the electric service tariffs of Con Edison  | Consideration of waiver of certain provisions of the electric service tariffs of Con Edison                                   |
| *PSC-40-11-00010-P               | ..... exempt | Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)                               | Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE                         |
| *PSC-40-11-00012-P               | ..... exempt | Granting of transfer of plant in-service to a regulatory asset  | To approve transfer and recovery of unamortized plant investment  |
| *PSC-42-11-00018-P               | ..... exempt | Availability of telecommunications services in New York State at just and reasonable rates                                  | Providing funding support to help ensure availability of affordable telecommunications service throughout New York            |
| *PSC-43-11-00012-P               | ..... exempt | Transfer of outstanding shares of stock   | Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC              |
| *PSC-47-11-00007-P               | ..... exempt | Remedying miscalculations of delivered gas as between two customer classes  | Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations |
| *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              |



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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| *PSC-01-12-00007-P               | ..... exempt | The New York State Reliability Council's revisions to its rules and measurements   | To adopt revisions to various rules and measurements of the New York State Reliability Council                                  |
| *PSC-01-12-00008-P               | ..... exempt | Transfer of real property and easements from NMPNS to NMP3   | Consideration of the transfer of real property and easements from NMPNS to NMP3   |
| *PSC-01-12-00009-P               | ..... exempt | Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove                                 | To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered |
| *PSC-11-12-00002-P               | ..... exempt | Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff | Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff  |
| *PSC-11-12-00005-P               | ..... exempt | Transfer of land and water supply assets   | Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman                                     |
| *PSC-13-12-00005-P               | ..... exempt | Authorization to transfer certain real property  | To decide whether to approve the transfer of certain real property  |
| *PSC-19-12-00023-P               | ..... exempt | Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000                | To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.    |
| *PSC-21-12-00006-P               | ..... exempt | Tariff filing requirements and refunds   | To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted              |
| *PSC-21-12-00011-P               | ..... exempt | Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47                         | Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47                          |
| *PSC-23-12-00007-P               | ..... exempt | The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility               | To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility    |
| *PSC-23-12-00009-P               | ..... exempt | Over earnings sharing between rate payers and shareholders   | To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan                        |
| *PSC-27-12-00012-P               | ..... exempt | Implementation of recommendations made in a Management Audit Report  | To consider implementation of recommendations made in a Management Audit Report   |
| *PSC-28-12-00013-P               | ..... exempt | Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism                    | Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics               |
| *PSC-29-12-00019-P               | ..... exempt | Waiver of 16 NYCRR 894.1 through 894.4   | To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process             |
| *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  |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-37-12-00009-P               | ..... exempt | Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers                           | Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers                             |
| *PSC-42-12-00009-P               | ..... exempt | Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements   | To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements   |
| *PSC-45-12-00008-P               | ..... exempt | Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff         | Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff           |
| *PSC-45-12-00010-P               | ..... exempt | Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District | Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District   |
| *PSC-50-12-00003-P               | ..... exempt | Affiliate standards for Corning Natural Gas Corporation   | To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing                                       |
| *PSC-04-13-00006-P               | ..... exempt | Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW      | To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW                         |
| *PSC-04-13-00007-P               | ..... exempt | Authorization to transfer certain real property   | To decide whether to approve the transfer of certain real property  |
| *PSC-06-13-00008-P               | ..... exempt | Verizon New York Inc.'s retail service quality  | To investigate Verizon New York Inc.'s retail service quality   |
| *PSC-08-13-00012-P               | ..... exempt | Filing requirements for certain Article VII electric facilities   | To ensure that applications for certain electric transmission facilities contain pertinent information                          |
| *PSC-08-13-00014-P               | ..... exempt | Uniform System of Accounts - Request for Accounting Authorization   | To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred                 |
| *PSC-12-13-00007-P               | ..... exempt | Protecting company water mains  | To allow the company to require certain customers to make changes to the electrical grounding system at their homes             |
| *PSC-13-13-00008-P               | ..... exempt | The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines           | To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted |
| *PSC-18-13-00007-P               | ..... exempt | Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes | Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes   |
| *PSC-21-13-00003-P               | ..... exempt | To consider policies that may impact consumer acceptance and use of electric vehicles   | To consider and further develop policies that may impact consumer acceptance and use of electric vehicles                       |
| *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 |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-21-13-00009-P               | ..... exempt | Reporting requirements for natural gas local distribution companies   | To help ensure efficient and economic expansion of the natural gas system as appropriate                                      |
| *PSC-22-13-00009-P               | ..... exempt | On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers     | On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers                                     |
| *PSC-23-13-00005-P               | ..... exempt | Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations    | Equalize regulatory treatment based on level of competition and practical considerations                                      |
| *PSC-25-13-00008-P               | ..... exempt | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request   | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request   |
| *PSC-25-13-00009-P               | ..... exempt | Provision by utilities of natural gas main and service lines  | To help ensure efficient and economic expansion of the natural gas system as appropriate                                      |
| *PSC-25-13-00012-P               | ..... exempt | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request   | To deny, grant or modify, in whole or in part, Central Hudson's rehearing request   |
| *PSC-27-13-00014-P               | ..... exempt | Columbia Gas Transmission Corporation Cost Refund   | For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund        |
| *PSC-28-13-00014-P               | ..... exempt | Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces      | To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces        |
| *PSC-28-13-00016-P               | ..... exempt | The request of NGT for lightened regulation as a gas corporation  | To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC                    |
| *PSC-28-13-00017-P               | ..... exempt | The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments         | Consider the request by TE for waiver of regulations that gas be odorized in certain lines                                    |
| *PSC-32-13-00009-P               | ..... exempt | To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices                | To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices                |
| *PSC-32-13-00012-P               | ..... exempt | To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion      | To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion      |
| *PSC-33-13-00027-P               | ..... exempt | Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines | Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines         |
| *PSC-33-13-00029-P               | ..... exempt | Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy                     | To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy |
| *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   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-43-13-00015-P               | ..... exempt | Petition for submetering of electricity   | To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.       |
| *PSC-45-13-00021-P               | ..... exempt | Investigation into effect of bifurcation of gas and electric utility service on Long Island                                 | To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island       |
| *PSC-45-13-00022-P               | ..... exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)  | To consider a waiver of certain regulations relating to the content of an application for transmission line siting              |
| *PSC-45-13-00023-P               | ..... exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)  | To consider a waiver of certain regulations relating to the content of an application for transmission line siting              |
| *PSC-45-13-00024-P               | ..... exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines  | To consider a waiver of certain regulations relating to the content of an application for transmission line siting              |
| *PSC-45-13-00025-P               | ..... exempt | Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)  | To consider a waiver of certain regulations relating to the content of an application for transmission line siting              |
| *PSC-47-13-00009-P               | ..... exempt | Petition for submetering of electricity   | To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.             |
| *PSC-47-13-00012-P               | ..... exempt | Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates                  | Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates     |
| *PSC-49-13-00008-P               | ..... exempt | Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.                         | To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.        |
| *PSC-51-13-00009-P               | ..... exempt | Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing      | To ensure there is a reasonable basis for data submitted in support of a request for a change in rates                          |
| *PSC-51-13-00010-P               | ..... exempt | Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing      | To ensure there is a reasonable basis for data submitted in support of a request for a change in rates                          |
| *PSC-51-13-00011-P               | ..... exempt | Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing      | To ensure there is a reasonable basis for data submitted in support of a request for a change in rates                          |
| *PSC-52-13-00012-P               | ..... exempt | The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC) | To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s)  |
| *PSC-52-13-00015-P               | ..... exempt | To enter into a loan agreement with the banks for up to an amount of \$94,000   | To consider allowing Knolls Water Company to enter into a long-term loan agreement  |
| *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. |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| *PSC-07-14-00012-P               | ..... exempt | Water rates and charges  | Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project           |
| *PSC-08-14-00015-P               | ..... exempt | Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities      | To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities |
| *PSC-10-14-00006-P               | ..... exempt | Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance                     | To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance                    |
| *PSC-11-14-00003-P               | ..... exempt | Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces       | To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces            |
| *PSC-16-14-00014-P               | ..... exempt | Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties     | To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties           |
| *PSC-16-14-00015-P               | ..... exempt | Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336      | Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336    |
| *PSC-17-14-00003-P               | ..... exempt | Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism                       | Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism                          |
| *PSC-17-14-00004-P               | ..... exempt | To consider certain portions of petitions for rehearing, reconsideration and/or clarification                                  | To consider certain portions of petitions for rehearing, reconsideration and/or clarification                                     |
| *PSC-17-14-00007-P               | ..... exempt | To consider petitions for rehearing, reconsideration and/or clarification  | To consider petitions for rehearing, reconsideration and/or clarification   |
| *PSC-17-14-00008-P               | ..... exempt | To consider certain portions of petitions for rehearing, reconsideration and/or clarification                                  | To consider certain portions of petitions for rehearing, reconsideration and/or clarification                                     |
| *PSC-19-14-00014-P               | ..... exempt | Market Supply Charge   | To make tariff revisions to the Market Supply Charge for capacity related costs   |
| *PSC-19-14-00015-P               | ..... exempt | Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications                  | To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter  |
| *PSC-22-14-00013-P               | ..... exempt | Petition to transfer and merge systems, franchises and assets  | To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets                               |
| *PSC-23-14-00010-P               | ..... exempt | Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications | To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter                           |
| *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   |

| Agency I.D. No.                  | Expires      | Subject Matter  | Purpose of Action   |
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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-26-14-00020-P               | ..... exempt | New electric utility backup service tariffs and standards for interconnection may be adopted                                    | To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid     |
| *PSC-26-14-00021-P               | ..... exempt | Consumer protections, standards and protocols pertaining to access to customer data may be established                          | To balance the need for the information necessary to support a robust market with customer privacy concerns                     |
| *PSC-28-14-00014-P               | ..... exempt | Petition to transfer systems, franchises and assets   | To consider the Comcast and Charter transfer of systems, franchise and assets   |
| *PSC-30-14-00023-P               | ..... exempt | Whether to permit the use of the Sensus iPERL Fire Flow Meter   | Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter                         |
| *PSC-30-14-00026-P               | ..... exempt | Petition for a waiver to master meter electricity   | Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY                |
| *PSC-31-14-00004-P               | ..... exempt | To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross                             | To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross                             |
| *PSC-32-14-00012-P               | ..... exempt | Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition  | To consider the Connect New York Coalition's petition seeking a formal investigation and hearings                               |
| *PSC-35-14-00004-P               | ..... exempt | Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY                                  | To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY                      |
| *PSC-35-14-00005-P               | ..... exempt | Whether to permit the use of the Sensus iConA electric meter  | Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter     |
| *PSC-36-14-00009-P               | ..... exempt | Modification to the Commission's Electric Safety Standards  | To consider revisions to the Commission's Electric Safety Standards   |
| *PSC-38-14-00003-P               | ..... exempt | Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program                                   | Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program                                   |
| *PSC-38-14-00004-P               | ..... exempt | The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn | The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn |
| *PSC-38-14-00005-P               | ..... exempt | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2             | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2             |
| *PSC-38-14-00007-P               | ..... exempt | Whether to expand Con Edison's low income program to include Medicaid recipients  | Whether to expand Con Edison's low income program to include Medicaid recipients  |
| *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   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-38-14-00012-P               | ..... exempt | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2 | Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2          |
| *PSC-39-14-00020-P               | ..... exempt | Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters                          | Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters     |
| *PSC-40-14-00008-P               | ..... exempt | To consider granting authorization for Buy Energy Direct to resume marketing to residential customers               | To consider granting authorization for Buy Energy Direct to resume marketing to residential customers                        |
| *PSC-40-14-00009-P               | ..... exempt | Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality       | Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1          |
| *PSC-40-14-00011-P               | ..... exempt | Late Payment Charge   | To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due               |
| *PSC-40-14-00013-P               | ..... exempt | Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY         | To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY      |
| *PSC-40-14-00014-P               | ..... exempt | Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)   | To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process     |
| *PSC-40-14-00015-P               | ..... exempt | Late Payment Charge   | To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due               |
| *PSC-42-14-00003-P               | ..... exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries   | The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-42-14-00004-P               | ..... exempt | Winter Bundled Sales Service Option   | To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge |
| *PSC-48-14-00014-P               | ..... exempt | Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line  | To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line           |
| *PSC-52-14-00019-P               | ..... exempt | Petition for a waiver to master meter electricity   | Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY |
| *PSC-01-15-00014-P               | ..... exempt | State Universal Service Fund Disbursements  | To consider Edwards Telephone Company's request for State Universal Service Fund disbursements                               |
| *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 |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |  |
| *PSC-10-15-00008-P               | ..... exempt | Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes           | Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes           |
| *PSC-13-15-00024-P               | ..... exempt | Whether Leatherstocking should be permitted to recover a shortfall in earnings   | To decide whether to approve Leatherstocking's request to recover a shortfall in earnings                                |
| *PSC-13-15-00026-P               | ..... exempt | Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product  | To permit the use of the Sensus Smart Point Gas AMR/AMI product  |
| *PSC-13-15-00027-P               | ..... exempt | Whether to permit the use of the Measurlogic DTS 310 electric submeter   | To permit the use of the Measurlogic DTS 310 submeter  |
| *PSC-13-15-00028-P               | ..... exempt | Whether to permit the use of the SATEC EM920 electric meter  | To permit necessary to permit the use of the SATEC EM920 electric meter  |
| *PSC-13-15-00029-P               | ..... exempt | Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters                   | To permit the use of the Triacta submeters   |
| *PSC-17-15-00007-P               | ..... exempt | To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million | To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million |
| *PSC-18-15-00005-P               | ..... exempt | Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism                 | Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism                 |
| *PSC-19-15-00011-P               | ..... exempt | Gas Safety Performance Measures and associated negative revenue adjustments  | To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid                        |
| *PSC-22-15-00015-P               | ..... exempt | To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)            | To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)            |
| *PSC-23-15-00005-P               | ..... exempt | The modification of New York American Water's current rate plan  | Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff   |
| *PSC-23-15-00006-P               | ..... exempt | The modification of New York American Water's current rate plan  | Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff   |
| *PSC-25-15-00008-P               | ..... exempt | Notice of Intent to Submeter electricity   | To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York  |
| *PSC-29-15-00025-P               | ..... exempt | Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY                    | Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY               |
| *PSC-32-15-00006-P               | ..... exempt | Development of a Community Solar Demonstration Project   | To approve the development of a Community Solar Demonstration Project  |
| *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                                   |



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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-34-15-00021-P               | ..... exempt | Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs   | To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs                        |
| *PSC-35-15-00014-P               | ..... exempt | Consideration of consequences against Light Power & Gas, LLC for violations of the UBP  | To consider consequences against Light Power & Gas, LLC for violations of the UBP  |
| *PSC-37-15-00007-P               | ..... exempt | Submetered electricity  | To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007    |
| *PSC-40-15-00014-P               | ..... exempt | Whether to permit the use of the Open Way 3.5 with cellular communications  | To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93                                 |
| *PSC-42-15-00006-P               | ..... exempt | Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC | Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements      |
| *PSC-44-15-00028-P               | ..... exempt | Deferral of incremental expenses associated with new compliance requirements  | Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements          |
| *PSC-47-15-00013-P               | ..... exempt | Whitepaper on Implementing Lightened Ratemaking Regulation  | Consider Whitepaper on Implementing Lightened Ratemaking Regulation  |
| *PSC-48-15-00011-P               | ..... exempt | Proposal to retire Huntley Units 67 and 68 on March 1, 2016   | Consider the proposed retirement of Huntley Units 67 and 68  |
| *PSC-50-15-00006-P               | ..... exempt | The reduction of rates  | To consider the reduction of rates charged by Independent Water Works, Inc.  |
| *PSC-50-15-00009-P               | ..... exempt | Notice of Intent to submeter electricity  | To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York            |
| *PSC-51-15-00010-P               | ..... exempt | Modification of the EDP   | To consider modifying the EDP  |
| *PSC-01-16-00005-P               | ..... exempt | Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices   | To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices   |
| *PSC-04-16-00007-P               | ..... exempt | Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility         | Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility |
| *PSC-04-16-00012-P               | ..... exempt | Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station                                   | Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station                   |
| *PSC-04-16-00013-P               | ..... exempt | Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic                   | Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic                     |
| *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  |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-14-16-00008-P               | ..... exempt | Resetting retail markets for ESCO mass market customers   | To ensure consumer protections with respect to residential and small non-residential ESCO customers                          |
| *PSC-18-16-00013-P               | ..... exempt | Amendments to the Uniform Business Practices of ESCOs   | To ensure consumer protection for ESCO customers   |
| *PSC-18-16-00014-P               | ..... exempt | Amendments to the Uniform Business Practices of ESCOs   | To ensure consumer protection for ESCO customers   |
| *PSC-18-16-00015-P               | ..... exempt | Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process                 | To ensure consumer protections for ESCO customers  |
| *PSC-18-16-00016-P               | ..... exempt | Amendments to the Uniform Business Practices of ESCOs   | To ensure consumer protection for ESCO customers   |
| *PSC-18-16-00018-P               | ..... exempt | Amendments to the Uniform Business Practices of ESCOs   | To ensure consumer protection for ESCO customers   |
| *PSC-20-16-00008-P               | ..... exempt | Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP) | To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)             |
| *PSC-20-16-00010-P               | ..... exempt | Deferral and recovery of incremental expense  | To consider deferring costs of conducting leak survey and repairs for subsequent recovery                                    |
| *PSC-20-16-00011-P               | ..... exempt | Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study            | To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device  |
| *PSC-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                |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| *PSC-35-16-00015-P               | ..... exempt | NYSRC's revisions to its rules and measurements  | To consider revisions to various rules and measurements of the NYSRC  |
| *PSC-36-16-00004-P               | ..... exempt | Recovery of costs for installation of electric service   | To consider the recovery of costs for installation of electric service  |
| *PSC-40-16-00025-P               | ..... exempt | Consequences pursuant to the Commission's Uniform Business Practices (UBP)   | To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements          |
| *PSC-47-16-00009-P               | ..... exempt | Petition to use commercial electric meters   | To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications           |
| *PSC-47-16-00010-P               | ..... exempt | Standby Service rate design  | To consider the report filed and the recommendations therein  |
| *PSC-47-16-00013-P               | ..... exempt | Standby Service rate design  | To consider the report filed and the recommendations therein  |
| *PSC-47-16-00014-P               | ..... exempt | Standby Service rate design  | To consider the report filed and the recommendations therein  |
| *PSC-47-16-00016-P               | ..... exempt | Standby Service rate design  | To consider the report filed and the recommendations therein  |
| *PSC-02-17-00010-P               | ..... exempt | Implementation of the four EAMs  | To consider the implementation of EAMs for RG&E   |
| *PSC-02-17-00012-P               | ..... exempt | Implementation of the four EAMs  | To consider the implementation of EAMs for NYSEG  |
| *PSC-18-17-00024-P               | ..... exempt | A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades | To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist                             |
| *PSC-18-17-00026-P               | ..... exempt | Revisions to the Dynamic Load Management surcharge   | To consider revisions to the Dynamic Load Management surcharge  |
| *PSC-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 Aspurity 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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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *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-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  |
| *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-20-19-00008-P               | ..... exempt | Reporting on energy sources   | To ensure accurate reporting and encourage clean energy purchases   |

| Agency I.D. No.                  | Expires      | Subject Matter  | Purpose of Action   |
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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| *PSC-20-19-00010-P               | ..... exempt | Compensation policies for certain CHP projects  | To consider appropriate rules for compensation of certain CHP resources   |
| *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-32-19-00012-P               | ..... exempt | Standby Service Rates and Buyback Service Rates   | To ensure just and reasonable rates, including compensation, for distributed energy resources                                   |
| *PSC-38-19-00002-P               | ..... exempt | Petition to submeter electricity  | To ensure adequate submetering equipment and consumer protections are in place  |
| *PSC-39-19-00018-P               | ..... exempt | Petition to submeter electricity  | To ensure adequate submetering equipment and consumer protections are in place  |
| *PSC-41-19-00003-P               | ..... exempt | A voluntary residential three-part rate that would include fixed, usage and demand charges                      | To provide qualifying residential customers with an optional three-part rate  |
| *PSC-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-08-20-00003-P               | ..... exempt | PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2)   | To consider a waiver of certain regulations relating to the content of an application for transmission line siting              |
| *PSC-10-20-00003-P               | ..... exempt | The Commission's statewide low-income discount policy   | To consider modifications to certain conditions regarding utility low-income discount programs                                  |
| *PSC-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-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-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-18-20-00015-P               | ..... exempt | Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program                 | Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program             |
| *PSC-19-20-00004-P               | ..... exempt | Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process | To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements    |
| *PSC-19-20-00005-P               | ..... exempt | Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation       | To provide cost recovery for new DLM programs and prevent double compensation to participating customers                        |
| *PSC-19-20-00009-P               | ..... exempt | Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation       | To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity   |
| *PSC-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 |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-25-20-00016-P               | ..... exempt | Modifications to the Low-Income Affordability program   | To address the economic impacts of the COVID-19 pandemic   |
| *PSC-27-20-00003-P               | ..... exempt | To make the uniform statewide customer satisfaction survey permanent  | To encourage consumer protections and safe and adequate service  |
| *PSC-28-20-00022-P               | ..... exempt | Compensation of distributed energy resources  | To ensure just and reasonable rates, including compensation, for distributed energy resources                                |
| *PSC-28-20-00034-P               | ..... exempt | Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act               | To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals  |
| *PSC-34-20-00005-P               | ..... exempt | Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers | To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory       |
| *PSC-38-20-00004-P               | ..... exempt | The annual Reconciliation of Gas Expenses and Gas Cost Recoveries   | To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries |
| *PSC-42-20-00008-P               | ..... exempt | Availability of gas leak information to the public safety officials.  | Facilitate availability of gas leak information to public safety officials by gas corporations                               |
| *PSC-45-20-00003-P               | ..... exempt | Petition to submeter electricity  | To ensure adequate submetering equipment and consumer protections are in place   |
| *PSC-46-20-00005-P               | ..... exempt | The recommendations of the DPS Staff report to improve Hudson Valley Water's service                                  | To determine if approving the DPS Staff's recommendations is in the public interest  |
| *PSC-48-20-00005-P               | ..... exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process      | To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers         |
| *PSC-48-20-00007-P               | ..... exempt | Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions      | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences              |
| *PSC-51-20-00009-P               | ..... exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process      | To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers            |
| *PSC-51-20-00014-P               | ..... exempt | Electric system needs and compensation for distributed energy resources   | To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources  |
| *PSC-01-21-00004-P               | ..... exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process      | To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers               |
| *PSC-04-21-00016-P               | ..... exempt | Request for a waiver  | To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement                   |
| *PSC-09-21-00005-P               | ..... exempt | Utility capital expenditure proposal  | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences              |
| *PSC-13-21-00016-P               | ..... exempt | Revised distribution strategies and reallocation of remaining funding   | To ensure the appropriate use of funding reserved for gas safety programs  |



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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-17-21-00005-P               | ..... exempt | Submetering equipment   | To consider use of submetering equipment and if it is in the public interest   |
| *PSC-17-21-00006-P               | ..... exempt | Community Choice Aggregation and Community Distributed Generation   | To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation      |
| *PSC-17-21-00007-P               | ..... exempt | Utility studies of climate change vulnerabilities   | To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities                     |
| *PSC-18-21-00006-P               | ..... exempt | Community Choice Aggregation renewable products   | To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products        |
| *PSC-18-21-00008-P               | ..... exempt | RG&E's Economic Development Programs and exemption from funding limits  | To consider RG&E to grant up to \$5.25 million in ED funding to Project Block to the benefit of ratepayers               |
| *PSC-19-21-00008-P               | ..... exempt | Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)   | To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program        |
| *PSC-20-21-00004-P               | ..... exempt | Regulatory approvals in connection with a 437 MW electric generating facility   | To ensure appropriate regulatory review, oversight, and action, consistent with the public interest                      |
| *PSC-21-21-00019-P               | ..... exempt | Utility capital expenditure proposal  | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences          |
| *PSC-26-21-00011-P               | ..... exempt | Notice of intent to submeter electricity  | To ensure adequate submetering equipment and consumer protections are in place   |
| *PSC-28-21-00012-P               | ..... exempt | Transfer of ownership interests in a 55 megawatt natural gas-fired cogeneration facility located in North Tonawanda, NY | To address the proposed transfer and any matters within the public interest  |
| *PSC-28-21-00013-P               | ..... exempt | Elimination of internal audits of wholesale performance metrics   | To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits                       |
| *PSC-29-21-00009-P               | ..... exempt | Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies             | To study the efficacy of using AMI to disconnect electric service during gas system emergencies                          |
| *PSC-30-21-00006-P               | ..... exempt | NYSERDA proposal regarding Clean Energy Standard backstop collection processes  | To ensure that NYSERDA has sufficient funds to make timely payments to generators pursuant to the Clean Energy Standard  |
| *PSC-32-21-00002-P               | ..... exempt | The prohibition on ESCO service to low-income customers   | To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers |
| *PSC-35-21-00009-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 in New York State               |
| *PSC-36-21-00006-P               | ..... exempt | The Westchester Power Program   | To consider integration of Opt-out Community Distributed Generation into the Westchester Power program                   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| *PSC-37-21-00010-P               | ..... exempt | Zero emitting electric generating facilities that are not renewable energy systems   | To consider modifications to the Clean Energy Standard  |
| *PSC-37-21-00011-P               | ..... exempt | Green Button Connect implementation  | To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document               |
| *PSC-37-21-00012-P               | ..... exempt | Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process           | To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers |
| *PSC-38-21-00006-P               | ..... exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries  | To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries    |
| *PSC-38-21-00007-P               | ..... exempt | Electric metering equipment  | To consider use of electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage    |
| *PSC-39-21-00007-P               | ..... exempt | The proposed alternative method of account identification  | To facilitate secure customer data exchanges between the utility or provider and energy service entities                        |
| *PSC-46-21-00014-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-47-21-00003-P               | ..... exempt | Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated | To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access   |
| *PSC-47-21-00005-P               | ..... exempt | Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated | To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access   |
| *PSC-48-21-00007-P               | ..... exempt | Verizon's Performance Assurance Plan   | To consider whether to retire the Performance Assurance Plan  |
| *PSC-50-21-00006-P               | ..... exempt | Implementation of the Host Community Benefit Program   | To consider the proposed administration and implementation related to disbursement of customer bill credits                     |
| *PSC-50-21-00008-P               | ..... exempt | Implementation of the Host Community Benefit Program   | To consider the proposed administration and implementation related to disbursement of customer bill credits                     |
| *PSC-50-21-00011-P               | ..... exempt | Implementation of the Host Community Benefit Program   | To consider the proposed administration and implementation related to disbursement of customer bill credits                     |
| *PSC-50-21-00012-P               | ..... exempt | Implementation of the Host Community Benefit Program   | To consider the proposed administration and implementation related to disbursement of customer bill credits                     |
| *PSC-03-22-00004-P               | ..... exempt | Proposal by electric utilities on a coordinated electric grid planning process   | To support distribution and local transmission investments necessary to achieve the the State's clean energy and climate goals  |
| *PSC-05-22-00001-P               | ..... exempt | Green gas products   | To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products    |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| *PSC-06-22-00009-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-12-22-00010-P               | ..... exempt | Proposed major rate increase in Liberty SLG's gas revenues   | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences               |
| *PSC-13-22-00006-P               | ..... exempt | Proposed major rate increase in Con Edison's delivery revenues of approximately \$500 million (or 18.2% in total revenues) | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences               |
| *PSC-13-22-00009-P               | ..... exempt | Proposed major rate increase in Con Edison's delivery revenues of approximately \$1.2 billion (or 11.2% in total revenues) | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences               |
| *PSC-13-22-00011-P               | ..... exempt | Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020            | To consider a rehearing petition  |
| *PSC-14-22-00008-P               | ..... exempt | An opt-out community distributed generation program  | To establish the program rules for offering community distributed generation on and opt-out basis in New York State           |
| *PSC-18-22-00002-P               | ..... exempt | NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance                                    | To determine if NYSEG and RG&E's petition for waiver is in the public interest  |
| *PSC-18-22-00007-P               | ..... exempt | Extension of deadline  | Whether it is in the public interest to extend the deadline to allow the developer more time to energize residential units    |
| *PSC-19-22-00022-P               | ..... exempt | Modification of Con Edison's electric tariff   | To either eliminate or waive a provision of the Standby Service Offset Tariff   |
| *PSC-20-22-00009-P               | ..... exempt | Modify lease of utility property   | To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line              |
| *PSC-20-22-00011-P               | ..... exempt | Establishment of the regulatory regime applicable to a wind electric generating facility                                   | To ensure appropriate regulation of a new electric corporation  |
| *PSC-21-22-00005-P               | ..... exempt | To implement the non-pipe alternative factor to recover the costs of approved alternative infrastructure projects          | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences               |
| *PSC-21-22-00007-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 its LED Lighting product to mass market customers       |
| *PSC-21-22-00008-P               | ..... exempt | Cybersecurity requirements   | Modify the framework to ensure the protection of utility systems and customer data from cyber events                          |
| *PSC-21-22-00011-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 its Smart Home Program product to mass market customers |
| *PSC-22-22-00014-P               | ..... exempt | Amendments to the Standardized Interconnection Requirements  | To consider changes to accommodate the interconnection of distributed energy resources by governmental entities               |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| *PSC-24-22-00004-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-24-22-00007-P               | ..... exempt | St. Lawrence Gas' petition for a waiver of its 2021 service quality performance   | To determine if St. Lawrence Gas' petition for waiver is in the public interest  |
| *PSC-24-22-00008-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-26-22-00008-P                | ..... exempt | Compensation under the Value of Distributed Energy Resources tariff   | To consider compensation mechanisms for legacy baseline hydroelectric and other renewable energy resources                     |
| PSC-30-22-00009-P                | ..... exempt | Establishment of the regulatory regime applicable to a battery storage project.   | To ensure appropriate regulation of an electric corporation.   |
| PSC-31-22-00005-P                | ..... exempt | Proposed major rate increase in NYSEG's electric delivery revenues of approximately \$274 million (or 16.8% in total revenues). | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |
| PSC-31-22-00006-P                | ..... exempt | Proposed major rate increase in NYSEG's gas delivery revenues of approximately \$43.4 million (or 9.8% in total revenues).      | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |
| PSC-31-22-00007-P                | ..... exempt | Proposed major rate increase in RG&E's gas delivery revenues of approximately \$37.7 million (or 9.7% in total revenues).       | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |
| PSC-31-22-00009-P                | ..... exempt | Proposed major rate increase in RG&E's electric delivery revenues of approximately \$93.8 million (or 11.3% in total revenues). | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |
| PSC-32-22-00022-P                | ..... exempt | Establishment of the regulatory regime applicable to a wind electric generating facility.                                       | To ensure appropriate regulation of a new electric corporation.  |
| PSC-32-22-00023-P                | ..... exempt | Bioenergy generation in New York.   | To consider compensation for bioenergy generation.   |
| PSC-33-22-00006-P                | ..... exempt | Use of gas metering equipment.  | To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.        |
| PSC-33-22-00008-P                | ..... exempt | Gas moratorium consumer protections.  | To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service.    |
| PSC-33-22-00009-P                | ..... exempt | Use of electric metering equipment.   | To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage. |
| PSC-34-22-00005-P                | ..... exempt | Transfer of a Certificate of Environmental Compatibility and Public Need.   | Consideration of whether the proposed transfer is in the public interest.  |
| PSC-37-22-00005-P                | ..... exempt | Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.  | To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.  |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| PSC-38-22-00002-P                | ..... exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.         | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.        |
| PSC-38-22-00004-P                | ..... exempt | Establishment of the regulatory regime applicable to a battery storage project.              | To ensure appropriate regulation of an electric corporation.  |
| PSC-38-22-00005-P                | ..... exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.         | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.        |
| PSC-38-22-00006-P                | ..... exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.         | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.        |
| PSC-38-22-00007-P                | ..... exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.         | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.        |
| PSC-38-22-00008-P                | ..... exempt | Consideration of a Long Island Offshore Wind Export PPTN under the NYISO's planning process. | To determine whether the NYISO should proceed to select a solution to the identified Long Island Offshore Wind Export PPTN. |
| PSC-38-22-00009-P                | ..... exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.         | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.        |
| PSC-38-22-00010-P                | ..... exempt | Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.         | To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.        |
| PSC-39-22-00007-P                | ..... exempt | Transfer of indirect ownership of cable television facilities and 27 municipal franchises.   | To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.          |
| PSC-39-22-00008-P                | ..... exempt | Proposed service territory extension, waiver, and tariff revisions.                          | To determine if proposed territory extension, waiver, and tariff revisions are in the public interest.                      |
| PSC-42-22-00010-P                | ..... exempt | Gas system planning.   | To consider screening and suitability criteria for non-pipeline alternatives.   |
| PSC-42-22-00011-P                | ..... exempt | Gas system planning.   | To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives.                              |
| PSC-42-22-00012-P                | ..... exempt | Gas system planning.   | To consider screening and suitability criteria for non-pipeline alternatives.   |
| PSC-42-22-00013-P                | ..... exempt | Gas system planning.   | To consider screening and suitability criteria for non-pipeline alternatives.   |
| PSC-42-22-00014-P                | ..... exempt | Gas system planning.   | To consider screening and suitability criteria for non-pipeline alternatives.   |
| PSC-42-22-00015-P                | ..... exempt | Gas system planning.   | To consider screening and suitability criteria for non-pipeline alternatives.   |
| PSC-42-22-00016-P                | ..... exempt | Gas system planning.   | To consider screening and suitability criteria for non-pipeline alternatives.   |

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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| PSC-42-22-00017-P                | ..... exempt | Gas system planning.  | To consider screening and suitability criteria for non-pipeline alternatives.  |
| PSC-42-22-00019-P                | ..... exempt | Gas system planning.  | To consider screening and suitability criteria for non-pipeline alternatives.  |
| PSC-44-22-00002-P                | ..... exempt | Petition to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.  |
| PSC-44-22-00003-P                | ..... exempt | Proposed draft tariff amendments.   | To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs. |
| PSC-46-22-00006-P                | ..... exempt | PSC Regulations 16 NYCRR 86.3(a)(1), 86.3(a)(2), 86.3(b)(2), 86.4(b).                                     | To consider a waiver of certain regulations relating to the content of an application for transmission line siting.              |
| PSC-46-22-00007-P                | ..... exempt | Petition to submeter electricity.   | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.                   |
| PSC-46-22-00010-P                | ..... exempt | Notice of intent to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.  |
| PSC-48-22-00003-P                | ..... exempt | Gas moratorium customer protections.  | To consider protections to minimize customer hardships in the unlikely event of a future gas moratorium.                         |
| PSC-49-22-00019-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-49-22-00022-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-49-22-00023-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-51-22-00001-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-51-22-00003-P                | ..... exempt | Petition to submeter electricity.   | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.                   |
| PSC-51-22-00004-P                | ..... exempt | Waiver of a pipeline safety regulation.   | Whether the waiver of the regulation is in the public interest.  |
| PSC-52-22-00011-P                | ..... exempt | The Integrated Energy Data Resource platform.   | To consider customer consent and utility liability issues related to the Integrated Energy Data Resource.                        |
| PSC-52-22-00013-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.                 |

| Agency I.D. No.                  | Expires      | Subject Matter  | Purpose of Action   |
|----------------------------------|--------------|---|---|
| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| PSC-52-22-00014-P                | ..... exempt | Extension of regulatory deadline.   | Whether it is in the public interest to extend the regulatory deadline for Keystone Homes, Inc.'s housing development.          |
| PSC-01-23-00009-P                | ..... exempt | Transfer of direct ownership of cable television facilities and 5 municipal franchises.                             | To ensure performance in accordance with applicable cable laws, regulations and standards in the public interest.               |
| PSC-01-23-00014-P                | ..... exempt | Interconnection costs.  | To consider a petition requesting relief from interconnection costs assigned by NYSEG.  |
| PSC-01-23-00017-P                | ..... exempt | Interconnection costs.  | To consider a petition requesting relief from interconnection costs assigned by NYSEG.  |
| PSC-01-23-00018-P                | ..... exempt | Lease of certain real property.   | To determine whether to provide written consent for the proposed transfer of certain real property.                             |
| PSC-01-23-00019-P                | ..... exempt | Energy efficiency and building electrification programs.  | To identify and implement potential changes to the energy efficiency and building electrification programs .                    |
| PSC-02-23-00021-P                | ..... exempt | Notice of intent to submeter electricity and waiver request.  | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.                  |
| PSC-02-23-00023-P                | ..... exempt | Long-term gas system planning.  | To consider and review long-term gas system planning.   |
| PSC-02-23-00025-P                | ..... exempt | Proposed major rate increase in Con Edison's annual revenues by \$137 million.                                      | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.                |
| PSC-03-23-00004-P                | ..... exempt | Updated recommendations for the solicitation, procurement, and/or installation of qualified energy storage systems. | To encourage energy storage deployment and establish an updated 2030 target and deployment program.                             |
| PSC-04-23-00008-P                | ..... exempt | Updates to guidance for electric utility Distributed System Implementation Plans (DSIPs).                           | Development of updated guidance and directives for utility DSIPs for improving utility planning and operations functions.       |
| PSC-04-23-00009-P                | ..... exempt | Gas metering equipment.   | To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.         |
| PSC-04-23-00011-P                | ..... exempt | Proposal by electric utilities for a coordinated grid planning process.   | To identify local transmission investments necessary to achieve the the State's clean energy and climate goals.                 |
| PSC-04-23-00014-P                | ..... exempt | Waiver of certain Commission requirements related to the publishing and distribution of telephone directories.      | To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest. |
| PSC-05-23-00001-P                | ..... exempt | Thermal Energy Network Pilot Proposal   | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                               |
| PSC-05-23-00002-P                | ..... exempt | Thermal Energy Network Pilot Proposal   | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                               |
| PSC-05-23-00004-P                | ..... exempt | Thermal Energy Network Pilot Proposal   | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                               |

| Agency I.D. No.                  | Expires      | Subject Matter   | Purpose of Action  |
|----------------------------------|--------------|--|--|
| <b>PUBLIC SERVICE COMMISSION</b> |              |  |  |
| PSC-05-23-00005-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-05-23-00006-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-05-23-00008-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-05-23-00009-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-05-23-00012-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-05-23-00014-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-05-23-00015-P                | ..... exempt | Thermal Energy Network Pilot Proposal  | To consider authorizing utilities to construct and operate thermal energy network pilot projects.                              |
| PSC-06-23-00011-P                | ..... exempt | Compensation of and incentives for distributed energy resources.                           | To encourage the development of and ensure just and reasonable rates for distributed energy resources.                         |
| PSC-08-23-00002-P                | ..... exempt | Transfer of direct ownership of cable television facilities and three municipal franchises | To ensure performance in accordance with applicable cable laws, regulations and standards in the public interest.              |
| PSC-09-23-00021-P                | ..... exempt | Notice of intent to submeter electricity.  | To ensure adequate submetering equipment and consumer protections are in place.  |
| PSC-09-23-00022-P                | ..... exempt | Notice of intent to submeter electricity and request for waiver.                           | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.                 |
| PSC-09-23-00023-P                | ..... exempt | Electric metering equipment.   | To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage. |
| PSC-09-23-00024-P                | ..... exempt | Development periods for residential developments.  | To consider waiving the five-year limit on development periods impacted by COVID-19, extending it by one year.                 |
| PSC-09-23-00025-P                | ..... exempt | Energy efficiency and building electrification programs.                                   | To identify and implement potential changes to the energy efficiency and building electrification programs.                    |
| PSC-09-23-00026-P                | ..... exempt | Electric metering equipment.   | To consider use of electric meter and ensure that consumer bills will be based on accurate measurements of electric usage.     |
| PSC-09-23-00027-P                | ..... exempt | Notice of intent to submeter electricity.  | To ensure adequate submetering equipment and consumer protections are in place.  |
| PSC-11-23-00001-P                | ..... exempt | Notice of intent to submeter electricity and waiver request.                               | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.                 |



| Agency I.D. No.                  | Expires      | Subject Matter   | Purpose of Action   |
|----------------------------------|--------------|--|---|
| <b>PUBLIC SERVICE COMMISSION</b> |              |  |   |
| PSC-11-23-00002-P                | ..... exempt | Modifications to the Electric Vehicle Make-Ready Program.  | To deploy the infrastructure needed to meet the State's goals of 850,000 EVs by 2025 and recommend appropriate utility roles. |
| PSC-12-23-00004-P                | ..... exempt | Registration of energy brokers and energy consultants.   | To implement the provisions of Public Service Law Section 66-t.   |
| PSC-13-23-00019-P                | ..... exempt | The frequency of incentive payments for the active managed charging program.   | To consider adequate incentive frequency.   |
| PSC-13-23-00020-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-13-23-00021-P                | ..... exempt | Petition to submeter electricity.  | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-13-23-00022-P                | ..... exempt | The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility.                       | Consideration of a lightened regulatory regime for the owner of an approximately 150 MW energy storage facility.              |
| PSC-13-23-00023-P                | ..... exempt | Agreement for the provision of water service and request for waivers.  | To consider whether the terms of a service agreement and requested waivers are in the public interest.                        |
| PSC-14-23-00005-P                | ..... exempt | Petition to submeter electricity.  | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-14-23-00006-P                | ..... exempt | Notice of intent to submeter electricity.  | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-14-23-00007-P                | ..... exempt | Waiver of 16 NYCRR Sections 86.3(a)(1), 86.3(a)(2), 86.3(b)(2).  | To consider a waiver of certain regulations relating to the content of an application for transmission line siting.           |
| PSC-14-23-00008-P                | ..... exempt | Notice of intent to submeter electricity and waiver request.   | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.                |
| PSC-15-23-00002-P                | ..... exempt | Community Choice Aggregation   | To determine if Mid-Hudson Energy Transition Inc. should operate as a Community Choice Aggregation Administrator.             |
| PSC-15-23-00003-P                | ..... exempt | National Grid's billing loading factors.   | To ensure National Grid's billing loading factor adjustment frequency is reasonable.  |
| PSC-15-23-00004-P                | ..... exempt | Waiver of the timing requirement in the Commission's policy on test years in rate cases.   | To determine whether waiver of the Commission's 150 day requirement for test years is in the public interest.                 |
| PSC-15-23-00005-P                | ..... exempt | Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units. | To consider providing master-metered electricity to residents on a rent included basis.                                       |
| PSC-16-23-00009-P                | ..... exempt | Electric metering equipment.   | To ensure that consumer bills are based on accurate measurements of electric usage.   |
| PSC-16-23-00010-P                | ..... exempt | Marginal Cost of Service studies.  | To identify appropriate inputs and methodologies for preparing Marginal Cost of Service studies.                              |

| Agency I.D. No.                  | Expires      | Subject Matter  | Purpose of Action   |
|----------------------------------|--------------|---|---|
| <b>PUBLIC SERVICE COMMISSION</b> |              |   |   |
| PSC-16-23-00011-P                | ..... exempt | Notice of intent to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-16-23-00012-P                | ..... exempt | Electric metering equipment.  | To ensure that consumer bills are based on accurate measurements of electric usage.   |
| PSC-16-23-00013-P                | ..... exempt | Electric metering equipment.  | To ensure that consumer bills are based on accurate measurements of electric usage.   |
| PSC-16-23-00014-P                | ..... exempt | Electric metering equipment.  | To ensure that consumer bills are based on accurate measurements of electric usage.   |
| PSC-16-23-00015-P                | ..... exempt | Electric metering equipment.  | To ensure that consumer bills are based on accurate measurements of electric usage.   |
| PSC-16-23-00016-P                | ..... exempt | Intra-corporate merger of FirstEnergy's four distribution operating companies.                  | To consider whether an intra-corporate merger of FirstEnergy's four distribution companies is in the public interest.           |
| PSC-16-23-00017-P                | ..... exempt | Electric metering equipment.  | To ensure that consumer bills are based on accurate measurements of electric usage.   |
| PSC-17-23-00002-P                | ..... exempt | Tariff filing.  | To consider whether the proposed tariff revisions are in the public interest.   |
| PSC-17-23-00003-P                | ..... exempt | Issuance of securities and other forms of indebtedness.   | To determine if the issuance of funding for capital needs and a surcharge mechanism is in the public interest.                  |
| PSC-17-23-00004-P                | ..... exempt | Waiver of certain Commission requirements related to the distribution of telephone directories. | To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest. |
| PSC-18-23-00001-P                | ..... exempt | A request for waiver of negative revenue adjustments.   | Whether it is in the public interest to waive the negative revenue adjustments for NYSEG and RGE.                               |
| PSC-18-23-00002-P                | ..... exempt | Consideration of the Audit Implementation Plan and audit recommendations.                       | To ensure that recommendations issued in a management and operations audit are appropriately addresses and implemented.         |
| PSC-18-23-00003-P                | ..... exempt | PSC regulations 16 NYCRR 86.3(a)(2); 86.3(b)(2); and 88.4(a)(4).                                | To consider a waiver of certain regulations relating to the content of an application for transmission line siting/upgrade.     |
| PSC-18-23-00004-P                | ..... exempt | Notice of intent to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-18-23-00005-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.     |
| PSC-18-23-00006-P                | ..... exempt | Notice of intent to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-18-23-00007-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.                |

| Agency I.D. No.                  | Expires      | Subject Matter   | Purpose of Action  |
|----------------------------------|--------------|--|--|
| <b>PUBLIC SERVICE COMMISSION</b> |              |  |  |
| PSC-19-23-00014-P                | ..... exempt | Demand Charge Rebates and Commercial Managed Charging Programs.  | To consider Demand Charge Rebate and Commercial Managed Charging Program design characteristics and program operations.        |
| PSC-19-23-00015-P                | ..... exempt | Electric metering equipment.   | To consider use of metering equipment and ensure that consumer bills will be based on accurate measurements of electric usage. |
| PSC-19-23-00016-P                | ..... exempt | Transfer of transportation asset.  | To determine whether to authorize the transfer of the transportation asset and the proper accounting for the transaction.      |
| PSC-19-23-00017-P                | ..... exempt | Minor water rate filing to increase annual revenues.   | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |
| PSC-19-23-00018-P                | ..... exempt | Demand Charge Rebate and draft tariff leaves.  | To consider Demand Charge Rebate design characteristics and program operations and associated draft tariff leaves.             |
| PSC-19-23-00019-P                | ..... exempt | Electric metering equipment.   | To ensure that consumer bills are based on accurate measurements of electric usage.  |
| PSC-19-23-00020-P                | ..... exempt | Demand Charge Rebate and draft tariff leaves.  | To consider Demand Charge Rebate design characteristics and program operations and associated draft tariff leaves.             |
| PSC-19-23-00021-P                | ..... exempt | Demand Charge Rebate, Commercial Managed Charging Program, PPI Program, BIR Quick Charging Program, and draft tariff leaves. | To consider Demand Charge Rebate, newly proposed program design, operations, and associated draft tariff leaves.               |
| PSC-19-23-00022-P                | ..... exempt | Disposition of a New York State sales and use tax refund.  | To determine the just and reasonable disposition of tax refunds.   |
| PSC-19-23-00023-P                | ..... exempt | Demand Charge Rebate and draft tariff leaves.  | To consider Demand Charge Rebate design characteristics and program operations and associated draft tariff leaves.             |
| PSC-19-23-00024-P                | ..... exempt | The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility.                   | Consideration of a lightened regulatory regime for the owner of an approximately 110 MW energy storage facility.               |
| PSC-20-23-00002-P                | ..... exempt | The CBC charge used to recover the costs for certain energy efficiency and other public policy benefit programs.             | To ensure the CBC is consistently applied statewide and to provide Distributed Energy Resource projects with market certainty. |
| PSC-20-23-00003-P                | ..... exempt | Transfer in ownership of interconnection facilities.   | To determine if the transfer is in the public interest.  |
| PSC-21-23-00005-P                | ..... exempt | Proposed major increase in VWNYS's annual base rate revenues.  | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |
| PSC-21-23-00006-P                | ..... exempt | Community Choice Aggregation.  | To determine if ProjectEconomics d/b/a PowerMarket shall operate as a Community Choice Aggregation Administrator.              |
| PSC-22-23-00003-P                | ..... exempt | Minor gas rate filing to increase annual gas revenues.   | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.               |

| Agency I.D. No.                  | Expires        | Subject Matter  | Purpose of Action   |
|----------------------------------|----------------|---|---|
| <b>PUBLIC SERVICE COMMISSION</b> |                |   |   |
| PSC-22-23-00004-P                | ..... exempt   | Long-Term Indebtedness, Preferred Stock, Hybrid Securities, and to enter into derivative instruments. | To consider if RG&E's request for authority to issue and sell Long-Term Indebtedness is in the public interest.                 |
| PSC-22-23-00005-P                | ..... exempt   | Modification of Gas Business Enablement program key performance indicators.                           | To determine whether the proposed modifications to certain GBE KPIs are reasonable.   |
| PSC-22-23-00006-P                | ..... exempt   | Transfer of gas facilities.   | To determine whether to authorize the transfer of gas facilities and the proper accounting for the transaction.                 |
| PSC-23-23-00002-P                | ..... exempt   | Waiver of certain Commission requirements related to the distribution of telephone directories.       | To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest. |
| PSC-23-23-00003-P                | ..... exempt   | Implementation of a new CSS above the current \$421 million cap.                                      | To provide Con Edison with authority to continue to capitalize costs to implement a new CSS.                                    |
| PSC-23-23-00004-P                | ..... exempt   | Waiver of certain Commission requirements related to the distribution of telephone directories.       | To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest. |
| PSC-23-23-00005-P                | ..... exempt   | Transfer of street lighting facilities.   | To consider whether the transfer of street lighting facilities is in the public interest.                                       |
| PSC-23-23-00006-P                | ..... exempt   | Modify certain tariff provisions to adjust the timing of a surcharge.                                 | To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.                |
| PSC-24-23-00022-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.     |
| PSC-24-23-00023-P                | ..... exempt   | Deferral of costs for later collection from ratepayers.   | To determine whether it is reasonable to authorize the deferral of costs associated with a gas demand response pilot program.   |
| PSC-24-23-00024-P                | ..... exempt   | Audit Implementation Plan and audit recommendations.  | To ensure that recommendations issued in a management and operations audit are appropriately addresses and implemented.         |
| PSC-24-23-00025-P                | ..... 06/13/24 | Prohibition of utilities engaging in detrimental conduct towards a residential customer               | To provide the utilities the implementation and enforcement rules designed to prevent harassment of residential customers       |
| PSC-25-23-00003-P                | ..... exempt   | Community Choice Aggregation.   | To determine the appropriate requirements to be placed on Community Choice Aggregation solicitations and service agreements.    |
| PSC-25-23-00004-P                | ..... exempt   | Notice of intent to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.   |
| PSC-25-23-00005-P                | ..... exempt   | Community Choice Aggregation.   | To evaluate whether the Expanded Solar for All program could be scaled Statewide.   |
| PSC-25-23-00006-P                | ..... exempt   | Community Choice Aggregation.   | To determine the appropriate requirements to be placed on Community Choice Aggregation outreach and education plans.            |

| Agency I.D. No.                  | Expires      | Subject Matter  | Purpose of Action  |
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| <b>PUBLIC SERVICE COMMISSION</b> |              |   |  |
| PSC-25-23-00007-P                | ..... exempt | Termination of the PPI Program and deployment of the EVLMTI Program in the Joint Utilities' service territories.        | To consider the transition from the PPI to the EVLMTI program including design characteristics and program operations. |
| PSC-25-23-00008-P                | ..... exempt | Long-term gas system planning for Con Edison and O&R.   | To consider and review long-term gas system planning for Con Edison and O&R.   |
| PSC-25-23-00009-P                | ..... exempt | Community Choice Aggregation.   | To determine if Local Power LLC shall operate as a Community Choice Aggregation Administrator.                         |
| PSC-26-23-00002-P                | ..... exempt | Tier 1 projects awarded a Renewable Energy Certificate purchase and sale agreement and currently under development.     | To consider modification to existing Tier 1 Renewable Energy Certificate purchase and sale agreements.                 |
| PSC-26-23-00003-P                | ..... exempt | Sunrise Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement.                              | To consider modification to the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement.                |
| PSC-26-23-00004-P                | ..... exempt | Empire Offshore Wind LLC and Beacon Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements. | To consider modification to the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements.               |
| PSC-26-23-00005-P                | ..... exempt | Petition to submeter electricity.   | To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.        |
| PSC-26-23-00006-P                | ..... exempt | Petition to submeter electricity.   | To ensure adequate submetering equipment and consumer protections are in place.  |
| PSC-26-23-00007-P                | ..... exempt | Petition to submeter electricity.   | To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.         |
| PSC-26-23-00008-P                | ..... exempt | Authority to issue and sell Long-Term Indebtedness, and to enter into multi-year credit agreements.                     | To fund improvements to the Company's plant, refund existing debt, and ensure cash flow for day-to-day operations.     |
| PSC-26-23-00009-P                | ..... exempt | Issuance of securities and other forms of indebtedness.   | To provide funding for capital needs, including construction, and refinancing of maturing debt.                        |
| PSC-26-23-00010-P                | ..... exempt | Petition to modify the SIC tariff statement.  | To consider whether amending the SIC mechanism is in the public interest.  |

**TAXATION AND FINANCE, DEPARTMENT OF**

|                    |              |  |  |
|--------------------|--------------|--|--|
| *TAF-46-20-00003-P | ..... exempt | Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith  | To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021   |
| TAF-21-23-00001-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, 2023 through September 30, 2023. |

**TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF**

|                   |                |                       |   |
|-------------------|----------------|-----------------------|---|
| TDA-21-23-00003-P | ..... 05/23/24 | See attached addendum | To update State regulations relative to such interviews, screenings and assessments consistent with applicable State law. |
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| Agency I.D. No.                               | Expires        | Subject Matter  | Purpose of Action   |
|---|----------------|---|---|
| <b>THRUWAY AUTHORITY, NEW YORK STATE</b>      |                |   |   |
| THR-01-23-00001-P                             | ..... 01/04/24 | 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>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY</b> |                |   |   |
| TBA-09-23-00018-P                             | ..... exempt   | A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA. | A proposal to fund ongoing operations.  |
| <b>VICTIM SERVICES, OFFICE OF</b>             |                |   |   |
| OVS-49-22-00003-P                             | ..... 12/07/23 | Limits on administrative expenses and executive compensation pursuant to Executive Order (EO) 38.       | As EO 38 has been discontinued, the purpose of this rule is to repeal regulations implementing EO 38. |

# SECURITIES OFFERINGS

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## STATE NOTICES

Published pursuant to provisions of General Business Law  
[Art. 23-A, § 359-e(2)]

## DEALERS; BROKERS

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Alterra IOS Venture III, LP  
720 Fayette St., Suite 700, Conshohocken, PA 19428  
*State or country in which incorporated* — Delaware

CA Land Group, LLC  
c/o Capital Solutions, Inc., 751 Arbor Way, Suite 210, Blue Bell, PA  
19422  
*State or country in which incorporated* — Delaware

Foster + Partners Group Limited  
Riverside Three, 22 Hester Rd., Albert Wharf, London, England  
*State or country in which incorporated* — England & Wales

Homestake Holdings LLC  
P.O. Box 1070, Bozeman, MT 59771  
*State or country in which incorporated* — Delaware

Investment Managers Series Trust II  
235 W. Galena St., Milwaukee, WI 53212  
*State or country in which incorporated* — Delaware

NuZee, Inc.  
1350 E. Arapaho Rd., Richardson, TX 75081  
*State or country in which incorporated* — Nevada

Redwood Real Estate Income Fund  
235 W. Galena St., Milwaukee, WI 53212  
*State or country in which incorporated* — Delaware

Société Générale S.A.  
29, Blvd. Haussmann, 75009 Paris, France  
*State or country in which incorporated* — France

Worldline  
1 Place des Degres, Tour Voltaire, 92800 Puteaux, France  
*State or country in which incorporated* — France





# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

PROVIDE  
COMPUTER LAB  
State Armory  
Kingston, Ulster County

Sealed bids for Project Nos. Q1860-C, Q1860-H and Q1860-E, comprising separate contracts for Construction Work, HVAC Work, and Electrical Work, Provide Computer Lab, State Armory, 25 Kiersted Avenue, Kingston (Ulster 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 12, 2023 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 \$15,900 for C, \$22,300 for H, and \$19,900 for E).

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 \$100,000 and \$250,000 for C, between \$250,000 and \$500,000 for H, and between \$250,000 and \$500,000 for E.

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 Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to 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: <https://ogs.ny.gov/ACPL/>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder

provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 372 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days 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 only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on June 29, 2023, at the Kingston Armory, 25 Kiersted Avenue, Kingston NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Theresa Swehla (845-691-8968) a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 24 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 3 of the Veteran's Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 6% for the C trade contractor, 3% for the E trade contractor, and 3% for the H trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encour-

aged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available for viewing, downloading, and Electronic Bidding from OGS Design & Construction’s Electronic Bidding service, Bid Express.

Registration along with viewing, downloading, and electronic bidding can be accessed at the following link: <http://www.bidexpress.com>

For questions about downloading of bid documents, please send an e-mail to [support@bidexpress.com](mailto:support@bidexpress.com), or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email 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 OGS - Design & Construction Group

PROVIDE  
LEAD MITIGATION  
State Armory  
Jamestown, Chautauqua County

Sealed bids for Project No. 47493-C, comprising a contract for Construction Work, Provide Lead Mitigation, Firing Range, State Armory, 34 Porter Avenue and Front Street, Jamestown, (Chautauqua 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 12, 2023 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 \$24,500 for C).

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 \$250,000 and \$500,000 for C.

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 Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to 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: <https://ogs.ny.gov/ACPL/>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of

construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

\_\_\_ Project commenced design before January 1, 2020. Not subject to provision.

X Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 244 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days 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 only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 1:00 p.m. on June 29, 2023, at the Jamestown Armory, 34 Porter Avenue, Jamestown NY 14701. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Carina Scalise (716-462-8413) a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 24 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 3 of the Veteran’s Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs’ participation under this contract as follows: 6% for the C trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available for viewing, downloading, and Electronic Bidding from OGS Design & Construction’s Electronic Bidding service, Bid Express. Registration along with viewing, downloading, and electronic bidding can be accessed at the following link: <http://www.bidexpress.com>

For questions about downloading of bid documents, please send an e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

**PROVIDE  
LEAD MITIGATION  
State Armory  
Buffalo, Erie County**

Sealed bids for Project No. 47495-C, comprising a contract for Construction Work, Provide Lead Mitigation, Firing Range, State Armory, 27 Masten Avenue, Buffalo (Erie 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, July 12, 2023 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 \$28,100 for C).

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 \$500,000 and \$1,000,000 for C.

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 Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to 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: <https://ogs.ny.gov/ACPL/>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 280 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days 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 only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on June 29, 2023 at 27 Masten Ave Buffalo NY 14204 - Utilize Front Entrance off Masten Ave. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Rocky Silvestro (716-885-0908) a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 24 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 3 of the Veteran's Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 6% for the C trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available for viewing, downloading, and Electronic Bidding from OGS Design & Construction's Electronic Bidding service, Bid Express.

Registration along with viewing, downloading, and electronic bidding can be accessed at the following link: <http://www.bidexpress.com>

For questions about downloading of bid documents, please send an e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

# NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

## Division of Homeland Security and Emergency Services

1220 Washington Ave., Bldg. 7a, 4th Fl.  
Albany, NY 12242

LOCAL GOVERNMENTS (TO INCLUDE STATE-RECOGNIZED INDIAN TRIBES AND AUTHORIZED INDIAN TRIBAL ORGANIZATIONS), FEDERALLY RECOGNIZED INDIAN TRIBAL GOVERNMENTS, AND CERTAIN PRIVATE NON-PROFITS (PNPS) THAT PERFORM A GOVERNMENT-LIKE FUNCTION  
Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP)

The New York State Division of Homeland Security and Emergency Services (DHSES) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds for Presidential Declaration: DR-4694 (Severe Winter Storm and Snowstorm).

FEDERAL FUNDS AVAILABLE: \$5,000,000 (at minimum)  
ELIGIBLE ACTIVITIES: - Hazard Mitigation Plan Updates (Statewide)  
- Projects and Project Scoping (Declared Counties Only) (Erie, Genesee, Niagara, St. Lawrence, and Suffolk)

DATE ANNOUNCED: June 28, 2023  
SUBAPPLICATIONS DUE TO DHSES: August 30, 2023

(To disseminate program information to the widest possible audience, DHSES places program information on its website and asks that County Emergency Managers, Mitigation Coordinators, and other recipients of this notice forward the information to interested eligible subapplicants.)

\*Please note: Hazard Mitigation Plan Updates subapplications will be accepted statewide. Project and Project Scoping subapplications will only be accepted from declared counties (Erie, Genesee, Niagara, St. Lawrence, and Suffolk). All program requirements are described in FEMA's 2015 Hazard Mitigation Assistance (HMA) Unified Guidance and Addendum. Please note, the HMA Guidance that was released in March 2023 does not apply to this disaster.

### What is the HMGP?

After a Presidential disaster declaration, New York State receives HMGP funds to administer grant programs that support hazard mitigation planning and long-term mitigation measures that avoid loss of life, reduce damages to property and enhance the State's resiliency.

- The State of New York, acting through DHSES, is the applicant for FEMA's HMGP.

- Eligible subapplicants: Local governments (to include State-recognized Indian Tribes and authorized Indian Tribal organizations), Federally recognized Indian Tribal Governments, and certain Private Non-Profits (PNPs) that perform a government-like function.

- Ineligible subapplicants for HMGP assistance include individuals and businesses; however, eligible subapplicants may apply on their behalf.

- FEMA's planning requirement must be met by all subapplicants at the time of project approval.

- For this funding opportunity, HMGP shall provide up to 75% reimbursement of eligible costs, not to exceed the award. The remaining non-federal match will be the responsibility of the subapplicant. The non-federal cost share may consist of cash, donated or in-kind services, materials, or any combination thereof. While most Federal funds cannot be used for the non-federal match, there are some exceptions.<sup>1</sup>

- Information about the HMGP and all program requirements are available in FEMA's Hazard Mitigation Assistance (HMA) Unified Guidance and Addendum (see link to guidance under "How to Apply" at the end of this announcement).

- HMGP funded projects must be cost-effective through verification that future benefits (losses avoided) are equal to or greater than the project's cost.

To receive HMGP funding, FEMA requires that a project be proven cost-effective using FEMA's Benefit-Cost Analysis (BCA) Toolkit.<sup>2</sup> If a formal BCA achieving a Benefit Cost Ratio (BCR) of 1.0 or greater (with supporting documentation) is not provided, substantive information to demonstrate that a BCR of 1.0 or greater is achievable must be included. Either instance requires supporting documentation, including but not limited to: documentation of historical damages (which may include a detailed attestation by a community official), copies of invoices, Project Worksheets (PWs) from FEMA's Public Assistance (PA) program, or likelihood of future damages (including the population impacted).

### State Priorities for Project Grants:

The HMGP allows NYS to establish priorities that target damaged areas and enhance its resiliency posture by promoting strategies and activities identified in the NYS Standard Multi-Hazard Mitigation Plan (<https://mitigateny.availabs.org/strategies>). For this grant opportunity, HMGP funding will be available statewide for hazard mitigation plan updates. Project and Project Scoping subapplications are only available for declared counties.

Following subapplication development, complete, eligible subapplications will be scored based on the prioritization criteria below. While scoring will not take place until after all subapplications are submitted, it is recommended that subapplicants review this prioritization criteria and use the criteria to screen during the subapplication development process.

### PRIORITIZATION CRITERIA

- 1 Projects to be completed in a vulnerable area, or that will have direct risk reduction benefits to vulnerable populations. See Justice40 Initiative information below.
- 2 Projects that address climate change adaptation and resiliency with consideration of the future impacts and risks associated with climate change. This criteria includes promoting climate resiliency and reducing risks associated with flooding, high winds, coastal erosion, droughts, and wildfires.
- 3 Projects that protect and/or mitigate risk to repetitive loss structures and critical infrastructure.
- 3.1 Projects that protect and/or mitigate risk to critical infrastructure.
- 3.2 Projects that support utilities or other critical facilities adapt to future conditions and reduce risks.
- 3.3 Projects that protect and/or mitigate risk to repetitive loss structures.

Justice40 Initiative:

In accordance with the guiding principle of promoting equity and in implementing the Justice40 Initiative, the HMGP program is prioritizing assistance that benefits disadvantaged communities as referenced in Presidential Executive Order 14008. A disadvantaged community may be defined by variables including, but not limited to: Low-income; high and/or persistent poverty; high unemployment and underemployment; racial and ethnic segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impact from climate; high energy cost burden and low energy access; large number of jobs lost through the energy transition; limited access to health care; and all geographic areas within Tribal jurisdictions.

DHSES is prioritizing projects that benefit the highest-risk communities and underserved populations within the State. Subapplicants are encouraged to make their case that a proposed project benefits disadvantaged communities (as outlined in the paragraph above). All subapplications submitted with disadvantaged community identification will be considered when supported utilizing predefined datasets (ex: Social Vulnerability Index (SVI), American Community Survey (ACS), National Risk Index (NRI), etc.), supporting documents (ex: income surveys, local employment statistics, etc.), or any reasonable, and/or verifiable measure are used to support the high-risk criteria status determination. The final approval of any disadvantaged community case will be determined by FEMA.

State Priorities for County Plan Updates:

Subapplications for Hazard Mitigation plan updates will be prioritized based on expiration date.

Funding may be prorated based on available funds; however, total dollars requested may not exceed HMGP established planning limits based on county population as follows:

| Population                    | Cap: Total Cost | Federal Share |
|-------------------------------|-----------------|---------------|
| up to 100,000 residents       | \$150,000       | \$112,500     |
| up to 500,000 residents       | \$200,000       | \$150,000     |
| up to 1,000,000 residents     | \$250,000       | \$187,500     |
| more than 1,000,000 residents | \$500,000       | \$375,000     |

How to Apply

Complete subapplications must be submitted to DHSES no later than August 30, 2023. For resubmittals of projects submitted under prior funding opportunities, please be sure to resubmit using the subapplication package for DR-4694 (see link below).

Subapplications, all required forms, and guidance materials can be found on the DHSES website at: [www.dhSES.ny.gov/hazard-mitigation](http://www.dhSES.ny.gov/hazard-mitigation) (click on Current Funding Opportunities)

Please submit requests for technical assistance and/or questions to: [HazardMitigation@dhSES.ny.gov](mailto:HazardMitigation@dhSES.ny.gov)

<sup>1</sup> Please consult FEMA’s cost share guide ([https://www.fema.gov/sites/default/files/2020-08/fema\\_hma\\_cost-share-guide.pdf](https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf)) for more information.

<sup>2</sup> Visit FEMA’s Benefit Cost Analysis website for more information: <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>

# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](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 Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for July 2023 will be conducted on July 19 and July 20 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at <https://www.cs.ny.gov/commission/>.

*For further information, contact:* Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. One, Albany, NY 12239, (518) 473-6598

## PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to revise provisions of the Ambulatory Patient Group (APG) reimbursement methodology in accordance with the Public Health Law § 2807(2-a)(e). The following changes are proposed:

### Non-Institutional Services

Effective on or after July 1, 2023, the Ambulatory Patient Group (APG) reimbursement methodology is revised to include recalculated weight and component updates in order to update reimbursement for APG payments.

The estimated annual aggregate increase in gross Medicaid expenditures as a result of this proposed amendment is \$4 Million.

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, [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 Social Services Law Section 365(a)(2)(jj). The following changes are proposed:

### Non - Institutional Services

Effective on or after July 1, 2023, pursuant to Social Services Law § 365-a(2)(jj), as added by section 1 of chapter 733 of the laws of 2022, applied behavior analysis provided by a person licensed, certified, or otherwise authorized to provide applied behavior analysis under article one hundred sixty-seven of the New York State Education Law will be added to Medicaid standard coverage for all enrollees when medically necessary.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2023-2024 is \$117 million.

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, 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 long term care services as authorized by § 2826 of the New York Public Health Law. The following changes are proposed:

#### Long Term Care Services

Effective on or after July 1, 2023, the Department of Health proposes to amend the Title XIX (Medicaid) State Plan for institutional services related to temporary rate adjustments to long term care providers that are undergoing closure, merger, consolidation, acquisition or restructuring themselves or other health care providers. These payments are authorized by current State statutory and regulatory provisions. The temporary rate adjustments will be reviewed and approved by the CINERGY Collaborative.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2023-2024 is \$30 million.

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  
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Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov

## PUBLIC NOTICE

### Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services. The following changes are proposed:

#### Non-Institutional Services

Effective on or after July 1, 2023, this notice proposes to establish Medical Assistance coverage and rates of payment for Coordinated Specialty Care (CSC), an evidence-based practice model for the treatment of young people experiencing a first episode of psychosis (FEP). CSC services are intended to benefit adolescents and young adults with the recent onset of a psychotic disorder, helping to prevent acute service use, reduce disability, and help young people with early psychosis stay on track with their goals for school, work, and relationships.

The estimated aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2024 is \$4.8 million and \$6.4 million for state fiscal year 2025.

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  
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Brooklyn, New York 11201

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Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov



**PUBLIC NOTICE**

## Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with enacted statutory provisions. The following changes are proposed:

## Non-Institutional Services

Effective on or after July 1, 2023, the Department of Health will adjust rates statewide to reflect a twenty-five percent rate increase for Day Treatment for Children services licensed by the Office of Mental Health.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2024 is \$3.3 million and for state fiscal year 2025 is \$4.4 million.

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:

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Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, [spa\\_inquiries@health.ny.gov](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 PHL 2999-DD and SSL § 367-u. The following changes are proposed:

## Non-Institutional Services

Effective on or after July 1, 2023, the State proposes to establish a fee to allow freestanding clinics, also known as diagnostic and treatment centers (DTCs), to be reimbursed when there is no on-site presence at the DTC. The State will reimburse DTCs for services furnished via telehealth when neither the provider nor the Medicaid member is on-site.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the 2023-2024 budget is \$0.29 million.

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:

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Long Island City, New York 11101

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Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, [spa\\_inquiries@health.ny.gov](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 as authorized by § 2826 of New York Public Health Law. The following changes are proposed:

## Non-Institutional Services

Effective on or after July 1, 2023, temporary rate adjustments have been approved for services related to providers that are undergoing closure, merger, consolidation, acquisition or restructuring themselves or other health care providers. The temporary rate adjustments have been reviewed and approved for the following Hospital:

- Mount St. Mary's Hospital with payment amounts totaling up to \$13,500,000 for the period July 1, 2023, through September 30, 2023.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2023-2024 is \$13.5 Million.

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  
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New York, New York 10018

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Long Island City, New York 11101

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Bronx, New York 10457

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Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov

## PUBLIC NOTICE

### Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with PHL 2999-D and SSL § 367-u. The following changes are proposed:

#### Non-Institutional Services

Effective on or after July 1, 2023, the State proposes to establish a fee to allow outpatient hospital departments to bill when there is no on-site presence at the clinic. The State will reimburse outpatient hospital departments for services furnished via telehealth when neither the provider nor the Medicaid member is on-site. This fee will replace billing of the professional component for these services.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the 2023-2024 budget is \$0.16 million.

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:

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Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov

## PUBLIC NOTICE

### Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for institutional services to comply with Parts DD and E of Chapter 57 of the Laws of 2023. The following changes are proposed:

#### Non-Institutional Services

Effective for dates of service on or after July 1, 2023, the Department of Health will adjust outpatient rates for hospital providers for services under Article 28 of the Public Health Law, by an additional six and one-half percent (6.5%) across the board increase to the operating portion of the rates.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2023-2024 is \$23.8 million.

#### Institutional Services

Effective for dates of service on or after July 1, 2023, the Department of Health will increase fees paid to reimburse Comprehensive Psychiatric Emergency Program (CPEP) extended observation bed (EOB) services. This State Plan Amendment is necessary to adequately reimburse CPEP EOB programs for providing these services and better meet the community's mental health needs.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative \$6,000.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at [http://www.health.ny.gov/regulations/state\\_plans/status](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  
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*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov

## PUBLIC NOTICE

### Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with NYS Education Law Article 137 Sections 6801, 6801-A, 6802 and 6806. The following changes are proposed:

Non-Institutional Services

The following is a clarification to the March 29, 2023, noticed provision, to allow for reimbursement of Medicaid covered services provided by pharmacists and pharmacy interns within their lawful scope of practice. With clarification, based on the enacted budget, the fiscal impact for this proposal has been revised to zero.

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

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3220 Northern Boulevard  
Long Island City, New York 11101

Kings County, Fulton Center  
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Brooklyn, New York 11201

Bronx County, Tremont Center  
1916 Monterey Avenue  
Bronx, New York 10457

Richmond County, Richmond Center  
95 Central Avenue, St. George  
Staten Island, New York 10301

*For further information and to review and comment, please contact:* Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, [spa\\_inquiries@health.ny.gov](mailto:spa_inquiries@health.ny.gov)

**PUBLIC NOTICE**  
Department of Health

Pursuant to 42 CFR Section 447.205, the Office of Mental Health and the Department of Health hereby give public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for institutional services as authorized by § 2826 of the New York Public Health Law. The following changes are proposed:

Institutional Services

Effective on or after July 1, 2023, this proposal relates to temporary rate adjustments to Article 28 Hospitals that are undergoing a closure, merger, consolidation, acquisition or restructuring of themselves or other health care providers.

Additional temporary rate adjustments have been reviewed and approved for the following hospitals:

- Saint Joseph’s Health

The aggregate payment amounts total up to \$2,897,078 for the period July 1, 2023, through March 31, 2024.

The aggregate payment amounts total up to \$2,843,460 for the period April 1, 2024, through March 31, 2025.

The aggregate payment amounts total up to \$2,162,669 for the period April 1, 2025, through March 31, 2026.

The public is invited to review and comment on this proposed State Plan Amendment. Copies of which will be available for public review on the Department of Health’s website at [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status).

Copies of the proposed State Plan Amendments will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will also 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 1460, Albany, NY 12210, [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 in accordance with Section 2559 of the New York State Public Health Law. The following changes are proposed:

Non-Institutional Services

Effective on or after July 1, 2023, all claiming for transportation will be on a fee-for-service basis for each one-way trip. The EI Program transportation rates will be revised from the current Preschool Supportive Health Services Program (PSSHS) one-way trip rates from 2009 to the new rates developed pursuant to a 2021 Cost Study of Early Intervention (EI) Transportation services conducted by Public Consulting Group. Municipalities may continue to use existing transportation vendors paid at the contractual rate, however, the municipalities will receive state share reimbursement at the EIP established rates.

There is no additional estimated annual change to gross Medicaid expenditures as a result of the proposed amendments.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department’s website at [http://www.health.ny.gov/regulations/state\\_plans/status](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.

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Staten Island, New York 10301

*For further information and to review and comment, please contact:*  
Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov

## PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Sections 368-d and 368-e of the Social Services Law. The following changes are proposed:

### Non-Institutional Services

Effective on or after July 1, 2023, the Department of Health proposes to request federal approval to extend utilization of certified public expenditures (CPEs) reimbursement methodology for School Supportive Health Services. The Department also intends to request federal approval to include coverage of medical services under the Medicaid School Supportive Health Services Program (SSHSP) for all Medicaid-enrolled students, including those without an Individualized Education Plan.

The estimated annual net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2023-2024 is \$25 million.

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.

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Staten Island, New York 10301

*For further information and to review and comment, please contact:*

Department of Health, Division of Finance and Rate Setting, 99  
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY  
12210, spa\_inquiries@health.ny.gov

## PUBLIC NOTICE

New York City Deferred Compensation Plan  
and NYCE IRA

The New York City Deferred Compensation Plan & NYCE IRA (the "Plan") is seeking proposals from qualified vendors to provide Investment Consulting Services for the City of New York Deferred Compensation Plan. The Request for Proposals ("RFP") will be available beginning on Monday, June 12, 2023. Responses are due no later than 4:30 p.m. Eastern Time on Friday, June 30, 2023. To obtain a copy of the RFP, please visit the Plan's website at [www1.nyc.gov/site/olr/about/about-rfp.page](http://www1.nyc.gov/site/olr/about/about-rfp.page) and download and review the applicable documents.

*If you have any questions, please email them to:* Georgette Gestely, Director, at [RFPMail@nyceplans.org](mailto:RFPMail@nyceplans.org)

Consistent with the policies expressed by the City, proposals from certified minority-owned and/or women-owned businesses or proposals that include partnering arrangements with certified minority-owned and/or women-owned firms are encouraged. Additionally, proposals from small and New York City-based businesses are also encouraged.

## PUBLIC NOTICE

Department of State

F-2023-0357

Date of Issuance – June 28, 2023

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-2023-0357, the applicant, Gina Yannucci, is proposing to remove existing fixed dock and floats and install a new 4' x 120' open grate catwalk leading to seasonal 3' x 30' ramp, 5' x 40' float, 15' x 15' float, and 6' x 12' jet ski float. Catwalk to be elevated 4' over tidal vegetation, supported by (22) 10" diameter piles, and floats will be chocked 24" off bottom. This project is located at 98 Old Field Road, Village of Old Field, Suffolk County, Conscience Bay

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/06/f-2023-0357.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Conscience Bay, Little Bay, & Setauket Harbor Significant Coastal Fish and Wildlife Habitat: [https://dos.ny.gov/system/files/documents/2020/03/conscience\\_bay\\_little\\_bay\\_setauket\\_harbor.pdf](https://dos.ny.gov/system/files/documents/2020/03/conscience_bay_little_bay_setauket_harbor.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 28, 2023.

*Comments should be addressed to:* Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: [CR@dos.ny.gov](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  
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.

2023-0313 "Frank Lloyd Wright's Martin House Offices" located at 143 Jewett Parkway, City of Buffalo (County of Erie) NY, for a variance concerning distance from sprinkler requirements. (Board Variance)

**PUBLIC NOTICE**Department of State  
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2023-0317 in the Matter of Building Permit Services, John Matthews, 45 Sunset Drive, Croton On Hudson, NY 10520, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 167 E. Middle Patent Road, Town of North Castle, NY 10506, County of Westchester, State of New York.

2023-0318 in the Matter of James Impallaria, 124 Dogwood Lane, Newburgh, NY 12550, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 12 South Street, City of Beacon, NY 12508, County of Dutchess, State of New York.

2023-0319 in the Matter of Ethan Simmons, Four Windsor Road, Croton On Hudson, NY 10520, for a variance concerning safety requirements, including staircase landing. Involved is a one family dwelling located at 15 Lincoln Road, Town of Cortlandt, NY 10520, County of Westchester, State of New York.

2023-0320 in the Matter of Gabriel E. Senor, PC, Eliot Senor, P.E., 90 North Central Avenue, Hartsdale, NY 10530, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 150 Tewkesbury Road, City of New Rochelle, NY 10583, County of Westchester, State of New York.

2023-0322 in the Matter of Nexus Creative Architecture Planning Design DPC, Jaclyn A. Tyler, 100 White Plains Road, Tarrytown, NY 10591, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 59 N. Washington Street, Village of Tarrytown, NY 10591, County of Westchester, State of New York.

**PUBLIC NOTICE**Department of State  
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2023-0323 Matter of Apple Expediting Corp., Carol Ann Chang Kaplan, P.O. Box 56, West Islip, NY 11795, for a variance concerning safety requirements, including ceiling height and height under projection. Involved is an existing dwelling located at 317 West 14th Street, Deer Park, Town of Babylon County of Suffolk, State of New York.

**PUBLIC NOTICE**Susquehanna River Basin Commission  
Projects Approved for Consumptive Uses of Water

**SUMMARY:** This notice lists Approvals by Rule for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

**DATES:** May 1-31, 2023.

**ADDRESSES:** Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

**FOR FURTHER INFORMATION CONTACT:** Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

**SUPPLEMENTARY INFORMATION:** This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22(f) for the time period specified above.

Water Source Approval - Issued Under 18 CFR 806.22(f):

1. Repsol Oil & Gas USA, LLC; Pad ID: HARVEY (02 192) D; ABR-202305002; Covington Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 8, 2023.

2. Repsol Oil & Gas USA, LLC; Pad ID: TWIN RIDGE (02 185); ABR-201804001.R1; Covington Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 8, 2023.

3. Seneca Resources Company, LLC; Pad ID: DCNR 100 Pad R; ABR-201304013.R2; Lewis Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 8, 2023.

4. Seneca Resources Company, LLC; Pad ID: SGL 90D Pad; ABR-201103021.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 8, 2023.

5. Coterra Energy Inc.; Pad ID: MooreS P1; ABR-201804002.R1; Jessup Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 9, 2023.

6. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 322 Pad C; ABR-201304006.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.5000 mgd; Approval Date: May 9, 2023.

7. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 596 Pad B; ABR-201304007.R2; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 4.5000 mgd; Approval Date: May 9, 2023.

8. Chesapeake Appalachia, L.L.C.; Pad ID: Runabuck Drilling Pad; ABR-201305008.R2; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 10.0000 mgd; Approval Date: May 24, 2023.

9. Repsol Oil & Gas USA, LLC; Pad ID: HUGHES (02 204) E; ABR-201804003.R1; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 24, 2023.

10. Seneca Resources Company, LLC; Pad ID: DCNR 100 Pad J; ABR-202305001; Lewis Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 24, 2023.

11. SWN Production Company, LLC; Pad ID: Martin (Pad 11); ABR-201304009.R2; Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 24, 2023.

12. SWN Production Company, LLC; Pad ID: RU-23 MITCHELL PAD; ABR-201304012.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 24, 2023.

13. SWN Production Company, LLC; Pad ID: Tice (13 Pad); ABR-

## PUBLIC NOTICE

Susquehanna River Basin Commission  
Projects Approved for Minor Modifications

SUMMARY: This notice lists the minor modifications approved for a previously approved project by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: May 1-31, 2023

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists previously approved projects, receiving approval of minor modifications, described below, pursuant to 18 CFR § 806.18 or to Commission Resolution Nos. 2013-11 and 2015-06 for the time period specified above.

1. Nature's Way Purewater Systems, Inc. – USHydrations – Dupont Bottling Plant, Docket No. 20230319, Dupont Borough, Luzerne County, Pa.; modification to rescind approval to withdraw groundwater from Covington Springs Borehole 1 and remove from approved consumptive use sources; Approval Date: May 10, 2023.

Authority: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Dated: June 7, 2023.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

201304011.R2; Orwell Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 24, 2023.

14. SWN Production Company, LLC; Pad ID: WY-10-FALCONERO-PAD; ABR-201804004.R1; Forkston Township, Wyoming County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 24, 2023.

15. Campbell Oil & Gas, Inc.; Pad ID: Mid Penn Unit A Well Pad; ABR-201304002.R2; Bigler Township, Clearfield County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: May 28, 2023.

16. Chesapeake Appalachia, L.L.C.; Pad ID: Hooker; ABR-201305001.R2; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 28, 2023.

17. Chesapeake Appalachia, L.L.C.; Pad ID: Lightcap; ABR-201303009.R2; Overton Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 28, 2023.

18. Chesapeake Appalachia, L.L.C.; Pad ID: P. Cullen A Drilling Pad; ABR-201304019.R2; Overton Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 28, 2023.

19. Chesapeake Appalachia, L.L.C.; Pad ID: Visneski; ABR-201305002.R2; Mehoopany Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 28, 2023.

20. Coterra Energy Inc.; Pad ID: ThomasR P1; ABR-201305005.R2; Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 28, 2023.

21. Repsol Oil & Gas USA, LLC; Pad ID: REPINE (07 022) T; ABR-201305009.R2; Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 28, 2023.

22. Seneca Resources Company, LLC; Pad ID: Gamble Pad C Alt; ABR-201605001.R1; Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 28, 2023.

23. Seneca Resources Company, LLC; Pad ID: Root #1; ABR-201605003.R1; Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 28, 2023.

24. Seneca Resources Company, LLC; Pad ID: Showalter 822; ABR-201105018.R2; Chatham Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 28, 2023.

25. Coterra Energy Inc.; Pad ID: DiazM P1; ABR-201805003.R1; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 30, 2023.

26. EQT ARO LLC; Pad ID: Alden Evans Pad A; ABR-201805001.R1; Cascade Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 30, 2023.

27. Repsol Oil & Gas USA, LLC; Pad ID: KROPP (07 017) C; ABR-201305010.R2; Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 30, 2023.

28. Repsol Oil & Gas USA, LLC; Pad ID: SCHMITT (07 043) D; ABR-201305012.R2; Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 30, 2023.

29. Repsol Oil & Gas USA, LLC; Pad ID: TAYLOR BUCKHORN LAND CO (07 010); ABR-201305011.R2; Apolacon Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 30, 2023.

30. SWN Production Company, LLC; Pad ID: Ferguson-Keisling (Pad B); ABR-201304010.R2; Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 30, 2023.

31. Coterra Energy Inc.; Pad ID: HouseIR P1; ABR-201305015.R2; Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 31, 2023.

32. Coterra Energy Inc.; Pad ID: HustonJ P1; ABR-201305014.R2; Brooklyn Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 31, 2023.

Authority: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

Dated: June 7, 2023

# EXECUTIVE ORDERS

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## **Executive Order No. 3.17: Continuing the Declaration of Disaster Emergency**

WHEREAS, pursuant to Executive Order 211, issued July 6, 2021, a statewide disaster was declared across the State due to gun violence;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 211, as continued in Executive Order 3.16, and continue the terms, conditions, and suspensions contained in Executive Order 211 and its successors, until March 17, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this fifteenth day of February in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

## **Executive Order No. 3.18: Continuing the Declaration of Disaster Emergency**

WHEREAS, pursuant to Executive Order 211, issued July 6, 2021, a statewide disaster was declared across the State due to gun violence;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 211, as continued in Executive Order 3.17, and continue the terms, conditions, and suspensions contained in Executive Order 211 and its successors, until April 16, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this seventeenth day of March in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

## **Executive Order No. 3.19: Continuing the Declaration of Disaster Emergency**

WHEREAS, pursuant to Executive Order 211, issued July 6, 2021, a statewide disaster was declared across the State due to gun violence;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 211, as continued in Executive Order 3.18, and continue the terms, conditions, and suspensions contained in Executive Order 211 and its successors, until May 16, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of April in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

## **Executive Order No. 3.20: Continuing the Declaration of Disaster Emergency**

WHEREAS, pursuant to Executive Order 211, issued July 6, 2021, a statewide disaster was declared across the State due to gun violence;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 211, as continued in Executive Order 3.19, and continue the terms, conditions, and suspensions contained in Executive Order 211 and its successors, until June 15, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of May in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

## **Executive Order No. 4.18: Continuing the Declaration of a Statewide Disaster Emergency Due to Healthcare Staffing Shortages in the State of New York**

WHEREAS, there are staffing shortages in hospitals and other healthcare facilities and they are expected to continue;

WHEREAS, severe understaffing in hospitals and other healthcare facilities is expected to continue to affect the ability to provide critical care and to adequately serve vulnerable populations;

WHEREAS, there is an immediate and critical need to supplement staffing to assure hospitals and healthcare facilities can provide care;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the New York State Constitution and the laws of the State of New York, do hereby extend the state disaster emergency as set forth in Executive Order 4, as continued by its successors, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 4 and its successors, until March 23, 2023; provided, however, that the following suspensions and modifications of law shall no longer be in effect:

- Section 6524 of the Education Law, section 60.7 of title 8 of NYRR and section paragraph (1) of subdivision (g) 405.4 of title 10 of the NYCRR to the extent necessary to allow any physician who will graduate in 2021 or 2022 from an aca-

demic medical program accredited by a medical education accrediting agency for medical education by the Liaison Committee on Medical Education or the American Osteopathic Association, and has been accepted by an Accreditation Council for Graduate Medical Education accredited residency program within or outside of New York State to practice at any institution under the supervision of a licensed physician;

- Sections 6512 through 6516, and 6524 of the Education Law and Part 60 of Title 8 of the NYCRR, to the extent necessary to allow individuals, who graduated from registered or accredited medical programs located in New York State in 2021, to practice medicine in New York State, without the need to obtain a license and without civil or criminal penalty related to lack of licensure, provided that the practice of medicine by such graduates shall in all cases be supervised by a physician licensed and registered to practice medicine in the State of New York;
- Subdivision (b) of section 405.3 of Title 10 of the NYCRR, to the extent necessary to allow general hospitals to use qualified volunteers or personnel affiliated with different general hospitals, subject to the terms and conditions established by the Commissioner of Health; and
- Subparagraph (ii) of paragraph (2) of subdivision (g) of 10 N.Y.C.R.R. section 405.4, to the extent necessary to allow graduates of foreign medical schools having at least one year of graduate medical education to provide patient care in hospitals, is modified so as to allow such graduates without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-first day of February in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 4.19: Continuing the Declaration of a Statewide Disaster Emergency Due to Healthcare Staffing Shortages in the State of New York**

WHEREAS, there are staffing shortages in hospitals and other healthcare facilities and they are expected to continue;

WHEREAS, severe understaffing in hospitals and other healthcare facilities is expected to continue to affect the ability to provide critical care and to adequately serve vulnerable populations;

WHEREAS, there is an immediate and critical need to supplement staffing to assure hospitals and healthcare facilities can provide care;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the New York State Constitution and the laws of the State of New York, do hereby extend the state disaster emergency as set forth in Executive Order 4, as continued by its successors, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 4 and its successors, until April 22, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-third day of March in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 4.20: Continuing the Declaration of a Statewide Disaster Emergency Due to Healthcare Staffing Shortages in the State of New York**

WHEREAS, there are staffing shortages in hospitals and other healthcare facilities and they are expected to continue;

WHEREAS, severe understaffing in hospitals and other healthcare facilities is expected to continue to affect the ability to provide critical care and to adequately serve vulnerable populations;

WHEREAS, there is an immediate and critical need to supplement staffing to assure hospitals and healthcare facilities can provide care;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the New York State Constitution and the laws of the State of New York, do hereby extend the state disaster emergency as set forth in Executive Order 4, as continued by its successors, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 4 and its successors, until May 22, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-second day of April in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 4.21: Continuing the Declaration of a Statewide Disaster Emergency Due to Healthcare Staffing Shortages in the State of New York**

WHEREAS, there are staffing shortages in hospitals and other healthcare facilities and they are expected to continue;

WHEREAS, severe understaffing in hospitals and other healthcare facilities is expected to continue to affect the ability to provide critical care and to adequately serve vulnerable populations;

WHEREAS, there is an immediate and critical need to supplement staffing to assure hospitals and healthcare facilities can provide care;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the New York State Constitution and the laws of the State of New York, do hereby extend the state disaster emergency as set forth in Executive Order 4, as continued by its successors, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 4 and its successors, until June 8th, 2023.

(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-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 5.18: Continuing the Temporary Suspension and Modification of Laws Related to the Disaster Emergency in the Counties of the Bronx, Kings, New York, Richmond and Queens Due to Conditions at Rikers Island Correctional Center**

WHEREAS, the Rikers Island Correctional Center has been facing a severe staffing shortage in recent months and this is expected to continue;

WHEREAS, the conditions in the facilities are expected to continue to create an unsafe, life-threatening environment for both the inmates and the staff;



WHEREAS, a federal monitor appointed to oversee the Correctional Center reported a “pervasive level of disorder and chaos,” in the facilities in its Eleventh Report of the *Nunez* Independent Monitor;

WHEREAS, there is a need to facilitate the use of virtual court appearances to expedite proceedings and to reallocate corrections department staff from transportation and production of defendants to housing supervision and safety;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 5, as continued by Executive Order 5.17, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 5 and its successors, until March 31, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this first day of March in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 5.19: Continuing the Temporary Suspension and Modification of Laws Related to the Disaster Emergency in the Counties of the Bronx, Kings, New York, Richmond and Queens Due to Conditions at Rikers Island Correctional Center**

WHEREAS, the Rikers Island Correctional Center has been facing a severe staffing shortage in recent months and this is expected to continue;

WHEREAS, the conditions in the facilities are expected to continue to create an unsafe, life-threatening environment for both the inmates and the staff;

WHEREAS, a federal monitor appointed to oversee the Correctional Center reported a “pervasive level of disorder and chaos,” in the facilities in its Eleventh Report of the *Nunez* Independent Monitor;

WHEREAS, there is a need to facilitate the use of virtual court appearances to expedite proceedings and to reallocate corrections department staff from transportation and production of defendants to housing supervision and safety;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 5, as continued by Executive Order 5.18, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 5 and its successors, until April 30, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirty-first day of March in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 5.20: Continuing the Temporary Suspension and Modification of Laws Related to the Disaster Emergency in the Counties of the Bronx, Kings, New York, Richmond and Queens Due to Conditions at Rikers Island Correctional Center**

WHEREAS, the Rikers Island Correctional Center has been facing a severe staffing shortage in recent months and this is expected to continue;

WHEREAS, the conditions in the facilities are expected to continue

to create an unsafe, life-threatening environment for both the inmates and the staff;

WHEREAS, a federal monitor appointed to oversee the Correctional Center reported a “pervasive level of disorder and chaos,” in the facilities in its Eleventh Report of the *Nunez* Independent Monitor;

WHEREAS, there is a need to facilitate the use of virtual court appearances to expedite proceedings and to reallocate corrections department staff from transportation and production of defendants to housing supervision and safety;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 5, as continued by Executive Order 5.19, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 5 and its successors, until May 30, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of April in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 5.21: Continuing the Temporary Suspension and Modification of Laws Related to the Disaster Emergency in the Counties of the Bronx, Kings, New York, Richmond and Queens Due to Conditions at Rikers Island Correctional Center**

WHEREAS, the Rikers Island Correctional Center has been facing a severe staffing shortage in recent months and this is expected to continue;

WHEREAS, the conditions in the facilities are expected to continue to create an unsafe, life-threatening environment for both the inmates and the staff;

WHEREAS, a federal monitor appointed to oversee the Correctional Center reported a “pervasive level of disorder and chaos,” in the facilities in its Eleventh Report of the *Nunez* Independent Monitor;

WHEREAS, there is a need to facilitate the use of virtual court appearances to expedite proceedings and to reallocate corrections department staff from transportation and production of defendants to housing supervision and safety;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 5, as continued by Executive Order 5.20, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 5 and its successors, until June 29, 2023.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of May in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*Secretary to the Governor*

**Executive Order No. 27: Declaring a Disaster Emergency in the Counties of Albany, Broome, Cayuga, Chenango, Columbia, Cortland, Delaware, Dutchess, Essex, Fulton, Greene, Hamilton, Herkimer, Lewis, Madison, Montgomery, Oneida, Onondaga, Ontario, Orange, Oswego, Otsego, Putnam, Rensselaer, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Sullivan, Tioga, Tomp-**

**kings, Ulster, Warren, Washington, Wayne, Yates, and Contiguous Counties**

WHEREAS, on March 13, 2023 and continuing thereafter, a Nor'easter is expected to create hazardous conditions posing an imminent danger to public transportation, utility service, public health, and public safety systems within the counties of in Albany, Broome, Cayuga, Chenango, Columbia, Cortland, Delaware, Dutchess, Essex, Fulton, Greene, Hamilton, Herkimer, Lewis, Madison, Montgomery, Oneida, Onondaga, Ontario, Orange, Oswego, Otsego, Putnam, Rensselaer, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Yates, and contiguous counties;

WHEREAS, the storm is anticipated to produce up to three feet of heavy, wet snow, high winds gusting up to 45 MPH, and coastal and lakeshore flooding resulting in road closures, travel disruptions, widespread power outages, and damage to public and private property, which pose a threat to the public health and safety;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby find that a disaster is imminent for which the affected local governments are unable to respond adequately. Therefore, I hereby declare a State Disaster Emergency effective March 13, 2023 at 8:00 PM for the counties of Albany, Broome, Cayuga, Chenango, Columbia, Cortland, Delaware, Dutchess, Essex, Fulton, Greene, Hamilton, Herkimer, Lewis, Madison, Montgomery, Oneida, Onondaga, Ontario, Orange, Oswego, Otsego, Putnam, Rensselaer, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Yates, and contiguous counties. This Executive Order shall be in effect through April 12, 2023; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize, effective March 13, 2023 at 8:00 PM, State agencies as necessary, and the American Red Cross, to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety;

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. 390.23(a)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary to ensure that crews can clear vital roadways and hasten the movement of utility power restoration crews into New York State;

FURTHER, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 12, 2023, the following laws:

- Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency
- Section 112 of the State Finance Law, to the extent consistent with Article V, Section I of the State Constitution, and to the extent necessary to add additional work, sites and time to State contracts;
- Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to purchase commodities, services, technology and materials without following the standard notice and procurement processes;
- Section 136-a of the State Finance Law, to the extent neces-

sary to combine design and construction services in one contract and/or to obtain design and construction inspection services to respond to and to recover from the disaster emergency;

- Section 38 (1), (2) and (3) of the Highway Law to the extent necessary to authorize the award of emergency contracts;
- Sections 375, 385 and 401 of the Vehicle and Traffic Law to the extent that exemption for vehicles validly registered in other jurisdictions from vehicle registration, equipment and dimension requirements is necessary to assist in preparedness and response to the emergency;
- Section 359-a and Section 2879 of the Public Authorities Law to the extent of allowing the New York State Thruway Authority to purchase necessary goods and services without following the standard procurement processes; and
- Section 24 of the Executive Law; Sections 104 and 346 of the Highway Law; Sections 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; Section 14(16) of the Transportation Law; Sections 6-602 and 17-1706 of the Village Law; Section 20(32) of the General City Law; Section 91 of Second Class Cities Law; and Section 107.1 of Title 21 of the New York Codes, Rules and Regulations, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles on roads, highways, and streets.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirteenth day of March in the year two thousand twenty-three.

BY THE GOVERNOR

/S/ Kathy Hochul

/s/ Karen Persichilli Keogh

Secretary to the Governor

**Executive Order No. 28: Declaring a Disaster Emergency in the State of New York**

WHEREAS, pursuant to sections 362 and 365 the Public Health Services Act (42 U.S.C §§ 362 and 365, and the implementing regulation at 42 C.F.R. § 71.40, on August 2, 2021 the Director of the United States Center for Disease Control (“CDC”) issued a *Public Health Reassessment and Order Suspending the Right to Introduce Certain Person from Countries Where a Quarantinable Communicable Disease Exists* (the “Title 42 Order”);

WHEREAS, the Title 42 Order prohibits migration into the United States by “covered noncitizens” traveling from Canada or Mexico (regardless of their country of origin) who would otherwise be introduced into a congregate setting in a port of entry or U.S. Border Patrol station at or near the U.S. land and adjacent coastal borders;

WHEREAS, even with the Title 42 Order in place, large numbers of migrants with immediate housing and service needs have arrived in the City and State of New York over the last several months: the City of New York, alone, is currently providing temporary housing for 36,738 migrants from the southern border, a number that has increased by 12,279 individuals since January 2023; and by an additional 1,578 individuals in the just the last week.

WHEREAS, the Title 42 Order is expiring on May 11, 2023, and, upon the expiration of the Title 42 Order, it is anticipated there will be a surge of migration into the United States resulting in the imminent arrival of individuals to the City and State of New York at an increased rate of what is expected to be several thousand additional people seeking shelter each week;

WHEREAS, federal support is critical to support the City of New York and other local governments within the State that lack the infrastructure, facilities, and resources necessary to meet the immediate humanitarian demand to house and meet other basic needs of the large numbers of migrant arrivals; and

WHEREAS, the arrival of increased numbers of migrants seeking shelter in the City and State of New York is expected to exacerbate an

already large-scale humanitarian crisis and create a disaster emergency to which local governments are unable to adequately respond, creating a threat to health and safety, which could result in the loss of life or property; and

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby find that a disaster is imminent for which the affected local governments are unable to respond adequately. Therefore, I hereby declare a State Disaster Emergency effective May 9, 2023, for the entire State of New York. This Executive Order shall be in effect through June 8, 2023; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize, effective May 9, 2023, State agencies as necessary, and the American Red Cross, to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety.

FURTHER, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law I hereby temporarily suspend or modify, for the period from the date of this Executive Order through June 8, 2023, the following laws to the extent necessary to respond immediately and adequately to protect public health and safety due to the aforementioned emergency:

- Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency;
- Section 112 of the State Finance Law to the extent necessary to add additional work, sites, funding, and time to State contracts or to award contracts, including but not limited to contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; or contracts under Sections 8 and 9 of the Public Buildings Law; or contracts for professional services under Section 136-a of the State Finance Law; or contracts for purchases of commodities, services, and technology through any federal GSA schedules, federal 1122 programs, or other state, regional, local, multi-jurisdictional, or cooperative contract vehicles;
- Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to purchase commodities, services, technology and materials without following the standard notice and procurement processes;
- Section 103 of the General Municipal Law to the extent necessary to purchase commodities, services, technology and materials without following the standard notice and procurement processes; and
- Sections 768 and 711 of the Real Property and Proceedings Law, Sections 226-c and 232-a of the Real Property Law, and subdivisions 7, 8, 9, 10 and 13 of section 4 of the Multiple Dwelling Law, to the extent necessary to temporarily prevent the creation of a landlord tenant relationship between any individual assisting with the response to the state of emergency or any individual in need of shelter or housing because of the circumstances that led to the state of emergency, and any individual or entity, including but not limited to any hotel owner, hospital, not-for-profit housing provider or any other person or entity who provides temporary housing for a period of thirty days or more solely for purposes of assisting in the response to the state of emergency.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this ninth day of May in the year two thousand twenty-three.

BY THE GOVERNOR  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
Secretary to the Governor

**Executive Order No. 28.1: Declaring a Disaster Emergency in the State of New York**

WHEREAS, pursuant to sections 362 and 365 the Public Health Services Act (42 U.S.C §§ 362 and 365, and the implementing regulation at 42 C.F.R. § 71.40, on August 2, 2021 the Director of the United States Center for Disease Control (“CDC”) issued a *Public Health Reassessment and Order Suspending the Right to Introduce Certain Person from Countries Where a Quarantinable Communicable Disease Exists* (the “Title 42 Order”);

WHEREAS, the Title 42 Order prohibits migration into the United States by “covered noncitizens” traveling from Canada or Mexico (regardless of their country of origin) who would otherwise be introduced into a congregate setting in a port of entry or U.S. Border Patrol station at or near the U.S. land and adjacent coastal borders;

WHEREAS, even with the Title 42 Order in place, large numbers of migrants with immediate housing and service needs have arrived in the City and State of New York over the last several months: the City of New York, alone, is currently providing temporary housing for 36,738 migrants from the southern border, a number that has increased by 12,279 individuals since January 2023; and by an additional 1,578 individuals in the just the last week.

WHEREAS, the Title 42 Order is expiring on May 11, 2023, and, upon the expiration of the Title 42 Order, it is anticipated there will be a surge of migration into the United States resulting in the imminent arrival of individuals to the City and State of New York at an increased rate of what is expected to be several thousand additional people seeking shelter each week;

WHEREAS, federal support is critical to support the City of New York and other local governments within the State that lack the infrastructure, facilities, and resources necessary to meet the immediate humanitarian demand to house and meet other basic needs of the large numbers of migrant arrivals; and

WHEREAS, the arrival of increased numbers of migrants seeking shelter in the City and State of New York is expected to exacerbate an already large-scale humanitarian crisis and create a disaster emergency to which local governments are unable to adequately respond, creating a threat to health and safety, which could result in the loss of life or property; and

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the State Disaster Emergency as declared in Executive Order 28, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 28, until June 26, 2023.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify for the period from the date of this Executive Order until June 26, 2023 the following:

- The State Uniform Fire Prevention and Building Code; the State Energy Conservation Construction Code; the New York City Construction Codes; the New York City Fire Code; the State Sanitary Code and any and all local sanitary codes; and all state and local laws, ordinances, rules, regulations, and codes relating to administration and enforcement of the foregoing, to the extent necessary to allow, upon approval by an

approved state construction-permitting agency, and subject to such terms and conditions as the state construction-permitting agency may prescribe, the use and occupancy of the former Lincoln Correctional Facility in New York County to serve as temporary living quarters.

(L.S.)                    GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-seventh day of May in the year two thousand twenty-three.

*BY THE GOVERNOR*  
/S/ Kathy Hochul  
/s/ Karen Persichilli Keogh  
*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, 2023**

Prepared by the Division of the Treasury  
Investments, Cash Management and Accounting Operations

A handwritten signature in black ink, appearing to read "A. Hiller".

Amanda Hiller  
Acting Commissioner

**ACCOUNTS HELD IN JOINT CUSTODY BY THE COMMISSIONER OF TAXATION FINANCE AND THE NEW YORK STATE COMPTROLLER**

|   |                           |                        |
|---|---------------------------|------------------------|
| Unemployment Insurance Funding Account  | Key Bank                  | 72,440,881.83          |
| Occupational Training Act Funding Account                                     | Key Bank                  | 49,047.00              |
| General Checking  | Key Bank                  | 0.00                   |
| Direct Deposit Account  | Wells Fargo               | 98,659.57              |
| <b>TOTAL</b>  |                           | <b>(19,294,420.73)</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                  | 2,000.00               |
| <b>01050 - OFFICE OF GENERAL SERVICES</b>                                     |                           |                        |
| Exec Mansion Official Function  | Key Bank                  | No report received     |
| NY ISO Account  | Key Bank                  | No report received     |
| SNY Office of General Services  | JPMorgan Chase Bank, N.A. | No report received     |
| State of New York Elicensing  | Key Bank                  | No report received     |
| State of New York OGS Petty Cash  | Key Bank                  | No report received     |
| State of New Your OGS Escrow  | Key Bank                  | No report received     |
| <b>01060 - DIVISION OF STATE POLICE</b>                                       |                           |                        |
| Div Headquarters - Petty Cash   | Key Bank                  | 1,681.00               |
| Key Advantage Account   | Key Bank                  | 6,465.62               |
| Manhattan Office-confidential   | JPMorgan Chase Bank, N.A. | 5,000.00               |
| NYS Police Special Account  | Key Bank                  | 2,127,082.80           |
| NYSP CTIU Confidential Fund   | Key Bank                  | 944.06                 |
| SIU Confidential Fund Account   | Key Bank                  | 31,000.00              |
| Special Fund  | Key Bank                  | 65,013.91              |
| State Police Receipts Account   | Bank of America, N.A.     | 291,024.46             |
| Troop A Batavia - Petty Cash  | Bank of America, N.A.     | 1,000.00               |
| Troop A Batavia-Confidential  | Bank of America, N.A.     | 9,000.00               |
| Troop B Confidential  | Key Bank                  | 10,100.00              |
| Troop B Petty Cash  | Community Bank            | 1,000.00               |
| Troop C Confidential Fund   | NBT Bank                  | 9,800.00               |
| Troop C Petty Cash  | NBT Bank                  | 750.00                 |
| Troop D Oneida - Confidential   | Alliance Bank             | 8,500.00               |
| Troop D Oneida Petty Cash   | Alliance Bank             | 1,000.00               |
| Troop E Canandaigua Confidential  | Canandaigua National Bank | 1,800.00               |
| 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.     | 7,424.68               |
| Troop G Petty Cash  | Bank of America, N.A.     | 1,000.00               |
| Troop K Petty Cash  | Bank of Millbrook         | 1,000.00               |
| Troop K Poughkeepsie-Confidential   | Bank of Millbrook         | 1,538.16               |
| Troop L Confidential Fund   | Bank of America, N.A.     | 14,486.39              |
| <b>01070 - DIVISION OF MILITARY &amp; NAVAL AFFAIRS</b>                       |                           |                        |
| Advance For Travel  | Key Bank                  | 122,979.65             |
| SNY Camp Smith Billeting Fund   | JPMorgan Chase Bank, N.A. | 5,896.57               |
| <b>01077 - OFFICE OF HOMELAND SECURITY</b>                                    |                           |                        |
| Academy Of Fire Science   | Chemung Canal Trust       | No report received     |
| <b>01080 - DIVISION OF HOUSING &amp; COMMUNITY RENEWAL</b>                    |                           |                        |
| Albany Office Of Financial Administration                                     |                           |                        |
| Maximum Base Rent Fee Account   | JPMorgan Chase Bank, N.A. | 6,475.13               |
| Revenue Account   | JPMorgan Chase Bank, N.A. | 461,672.45             |
| <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>                                   |                           |                        |
| NYS Flex Spending   | Key Bank                  | 113,978.64             |
| OER Panel Administration Escrow Account                                       | Key Bank                  | 11,030.07              |
| State of New York LMC Petty Cash Account                                      | Key Bank                  | 1,950.00               |
| <b>01160 - JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS</b> |                           |                        |
| Agency Advance Account  | Key Bank                  | 311.48                 |
| <b>01300 - ADIRONDACK PARK AGENCY</b>   |                           |                        |
| General Fund  | Community Bank            | 2.00                   |
| Petty Cash  | Community Bank            | 3,412.19               |
| <b>01400 - CRIME VICTIMS COMPENSATION BOARD</b>                               |                           |                        |
| Crime Victims   | JPMorgan Chase Bank, N.A. | 148,010.00             |
| Emergency Claims  | Key Bank                  | (3,449.60)             |

|   |                           |                    |
|---|---------------------------|--------------------|
| <b>01490 - DIVISION OF CRIMINAL JUSTICE SERVICES</b>      |                           |                    |
| Advance Account   | Bank of America, N.A.     | 2,878.40           |
| Fingerprint Fee Account                                   | Bank of America, N.A.     | 1,326,401.75       |
| <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.     | 0.00               |
| Adult-Use Cannabis  | Wells Fargo Bank          | 2,244.20           |
| Advance for Travel Account                                | Key Bank                  | No report received |
| Alcohol Beverage  | Bank of America, N.A.     | 98,451.19          |
| Alcoholic Bev Control License                             | Wells Fargo Bank          | 226,817.84         |
| Alcoholic Beverage Control License                        | M&T Bank                  | 93,460.13          |
| Alcoholic Beverage Tax Collections                        | Wells Fargo Bank          | 16,361.09          |
| Assessments Bulk  | JPMorgan Chase Bank, N.A. | 166,933.86         |
| Assessments Receivable                                    | JPMorgan Chase Bank, N.A. | 5,629,063.09       |
| Assessments Receivable (EFT)                              | Wells Fargo Bank          | 775,020.75         |
| Boxing And Wrestling Tax                                  | Bank of America, N.A.     | 20,664.96          |
| Check 21 Corporation Tax                                  | JPMorgan Chase Bank, N.A. | 1,507,955.88       |
| Check 21 Estate Tax                                       | JPMorgan Chase Bank, N.A. | 45,066,309.12      |
| Check 21 Highway Use                                      | JPMorgan Chase Bank, N.A. | 312,998.01         |
| Check 21 PIT  | JPMorgan Chase Bank, N.A. | 2,540,307.46       |
| Check 21 Real Estate Transfer                             | JPMorgan Chase Bank, N.A. | 488,831.00         |
| Check Sales Tax   | JPMorgan Chase Bank, N.A. | 1,234,924.34       |
| Cigarette Stamp Tax (EFT)                                 | Wells Fargo Bank          | 8,599,413.97       |
| Cigarette Stamp Tax Split                                 | JPMorgan Chase Bank, N.A. | 248,296.36         |
| Cigarette Tax Tobacco Products                            | Bank of America, N.A.     | 64,028.39          |
| Congestion Surcharge                                      | Wells Fargo Bank          | 72,314.23          |
| Corporation Tax   | Wells Fargo Bank          | 1,143.47           |
| Corporation Tax - Coupon Acct.                            | JPMorgan Chase Bank, N.A. | 222,001.12         |
| Employer Compensation Expense                             | Wells Fargo Bank          | 5,023.61           |
| Encon Beverage Container Deposit/Bottle Bill (EFT)        | Wells Fargo Bank          | 200,366.84         |
| ERS Petty Cash Acct                                       | Key Bank                  | No report received |
| Estimated Tax   | JPMorgan Chase Bank, N.A. | 16,377,054.21      |
| Gift Tax  | Bank of America, N.A.     | 0.00               |
| Hazardous Waste   | Key Bank                  | 1,950.80           |
| Highway Use - Permits & Reg.                              | Bank of America, N.A.     | 11,551.50          |
| Highway Use Truck Mileage Tax (EFT)                       | Wells Fargo Bank          | 309,973.02         |
| Hudson River-Black River                                  | Bank of America, N.A.     | 266,780.91         |
| Hudson River-Black River                                  | Community Bank            | 197,309.10         |
| Hut/Oscar Registrations & Renewals (EFT)                  | Wells Fargo Bank          | 24,976.50          |
| IFTA Fuel Use Tax (EFT)                                   | Wells Fargo Bank          | 107,361.36         |
| IFTA/Oscar Renewals (EFT)                                 | Wells Fargo Bank          | 0.00               |
| IFTA-Decal/Permit Fee Acct.                               | Bank of America, N.A.     | 23,410.00          |
| IFTA-Fuel Use   | Bank of America, N.A.     | 20,649.52          |
| Justice Court   | Key Bank                  | 200,633.02         |
| Mac #847 NYS T&F Pari Mutuel                              | Key Bank                  | 1,069.29           |
| Mac #848 NYS T&F Off Track                                | Key Bank                  | 829,780.30         |
| Medallion Taxicab Trip Tax (EFT)                          | Wells Fargo Bank          | 1,902.00           |
| Medical Marijuana Tax Collections                         | Bank of America, N.A.     | 1,642.13           |
| Metro Commuter Trans. Mobility                            | JPMorgan Chase Bank, N.A. | 71,228.01          |
| Ogdensburg Bridge & Port                                  | Community Bank            | 70,441.00          |
| Opioid Excise Tax   | Wells Fargo Bank          | 93,732.66          |
| Pass-Through Entity Tax                                   | Wells Fargo Bank          | 19,098,090.26      |
| Personal Income Tax                                       | Wells Fargo Bank          | 161,339.00         |
| Petroleum Business Tax (EFT)                              | Wells Fargo Bank          | 222,621.29         |
| Petroleum Products Tax                                    | Bank of America, N.A.     | 3,070,961.28       |
| Petty Cash Account  | Key Bank                  | No report received |
| PIT Bulk  | JPMorgan Chase Bank, N.A. | 2,824.17           |
| Port Of Oswego  | Key Bank                  | 11,438.12          |
| Promptax - MCTMT  | Wells Fargo Bank          | 5,567,991.86       |
| Promptax - Petroleum Business Tax                         | Wells Fargo Bank          | 464.63             |
| Promptax - Sales Tax/Sales Tax Prepaid Fuel               | Wells Fargo Bank          | 223.44             |
| Promptax - Withholding                                    | Wells Fargo Bank          | 65,050,278.63      |
| Real Estate Transfer Tax                                  | Key Bank                  | 478,345.81         |
| Revenue Holding   | First Niagara Bank        | 2,963,340.00       |
| Sales Tax   | JPMorgan Chase Bank, N.A. | 0.00               |
| Sales Tax   | Wells Fargo Bank          | 1,894,280.57       |
| SNY PIT Special Refund Account                            | Wells Fargo Bank          | (20,516.25)        |
| SUNY Concentration  | First Niagara Bank        | 1,693,000.00       |
| TNC Assessment (EFT)                                      | Wells Fargo Bank          | 1,687.20           |

|   |                           |                    |
|---|---------------------------|--------------------|
| Troy Debt Service Reserve Fund                      | Bank of America, N.A.     | 176,129.61         |
| Uncashed Winning Tickets                            | Bank of America, N.A.     | 51,290.98          |
| Withholding   | Wells Fargo Bank          | 4,866.85           |
| Withholding Tax                                     | JPMorgan Chase Bank, N.A. | 5,823,178.99       |
| Cash Advance Accounts                               |                           |                    |
| Advance For Travel Account                          | Key Bank                  | 1,200.00           |
| ERS Petty Cash Acct                                 | Key Bank                  | 5,100.00           |
| Petty Cash Account                                  | Key Bank                  | 3,801.00           |
| Common Retirement Fund                              |                           |                    |
| Common Retirement Fund - Depository                 | JPMorgan Chase Bank, N.A. | (1,372,642.99)     |
| NYS Common Retirement Fund                          | JPMorgan Chase Bank, N.A. | 261,387.68         |
| NYS Employer Contributions                          | JPMorgan Chase Bank, N.A. | 0.00               |
| Employees Retirement System                         |                           |                    |
| Employees Retirement System - EFT                   | JPMorgan Chase Bank, N.A. | 2,574.18           |
| Employees Retirement System - EFT AP                | JPMorgan Chase Bank, N.A. | 82.17              |
| 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. | 173,123.72         |
| Retirement Police & Firemen's - EFT AP              | JPMorgan Chase Bank, N.A. | 13.39              |
| 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                  | 8,943,976.23       |
| National Global Settlement                          | JPMorgan Chase Bank, N.A. | 1,410,084.08       |
| NYS Department Of Law Confidential Account          | JPMorgan Chase Bank, N.A. | 38,979.05          |
| NYS Department of Law Petty Cash Account            | JPMorgan Chase Bank, N.A. | 4,847.38           |
| <b>04020 - NYS ASSEMBLY</b>                         |                           |                    |
| Advance For Travel                                  | Bank of America, N.A.     | 3,846.00           |
| Petty Cash Account Dist Off                         | Bank of America, N.A.     | 18,089.85          |
| Petty Cash New York City                            | JPMorgan Chase Bank, N.A. | 741.52             |
| <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                  | 6,670.36           |
| 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. | 531,750.00         |
| Criminal Records Search Acct - Revenue              | JPMorgan Chase Bank, N.A. | 4,962,200.00       |
| Finger Print Account                                | JPMorgan Chase Bank, N.A. | 2,775.00           |
| <b>05005 - OCA OFFICE OF BUDGET &amp; FINANCE</b>   |                           |                    |
| Petty Cash Account                                  | Key Bank                  | 21,300.00          |
| <b>05008 - LAWYERS FUND FOR CLIENT PROTECTION</b>   |                           |                    |
| Client Security Fund - Bail                         | Key Bank                  | 1,470,480.95       |
| Lawyers Fund For Client Protection - Bail           | Key Bank                  | 710.22             |
| Petty Cash  | Key Bank                  | 3,887.68           |
| <b>05071 - COURT OF APPEALS</b>                     |                           |                    |
| Chief Judge Advance                                 | Key Bank                  | No report received |



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|---|---------------------------|--------------------|
| 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                  | 303,300.00         |
| <b>05081 - APPELLATE DIVISION - 1ST JUDICIAL DEPARTMENT</b>         |                           |                    |
| 1st Appellate Division Supreme Ct                                   | JPMorgan Chase Bank, N.A. | 39,118.50          |
| <b>05082 - APPELLATE DIVISION - 2ND JUDICIAL DEPARTMENT</b>         |                           |                    |
| Appellate Div 2nd Dept Revenue                                      | JPMorgan Chase Bank, N.A. | 102,923.00         |
| <b>05083 - APPELLATE DIVISION - 3RD JUDICIAL DEPARTMENT</b>         |                           |                    |
| Third Dept Civil Fees Acct - Revenue                                | Key Bank                  | 14,678.45          |
| <b>05084 - APPELLATE DIVISION - 4TH JUDICIAL DEPARTMENT</b>         |                           |                    |
| 4th Dept Appellate Div Civil Fees - Revenue                         | JPMorgan Chase Bank, N.A. | 13,680.00          |
| <b>05090 - COURT OF CLAIMS</b>                                      |                           |                    |
| Court Of Claims Revenue Account                                     | Key Bank                  | 5,156.07           |
| <b>05111 - 10TH JUDICIAL DISTRICT NASSAU COUNTY ADMINISTRATION</b>  |                           |                    |
| Glen Cove City Court  |                           |                    |
| Glen Cove City Court Bail   | Wells Fargo Bank          | No report received |
| Glen Cove City Court Revenue  | Wells Fargo Bank          | No report received |
| Long Beach City Court   |                           |                    |
| Long Beach City Court Revenue                                       | Wells Fargo Bank          | No report received |
| Long Beach Court Bail   | Wells Fargo Bank          | No report received |
| Nassau County Court   |                           |                    |
| Nassau County Assessment  | Wells Fargo Bank          | No report received |
| Nassau District Court - Criminal                                    |                           |                    |
| Nassau Dist Ct Criminal Revenue                                     | Wells Fargo Bank          | No report received |
| Nassau District Court-Civil   |                           |                    |
| Nassau County Dist Ct- Civil Revenue                                | Wells Fargo Bank          | No report received |
| Nassau Surrogate  |                           |                    |
| Nassau County Surrogate Court-Revenue                               | Wells Fargo Bank          | No report received |
| <b>05112 - 10TH JUDICIAL DISTRICT SUFFOLK COUNTY ADMINISTRATION</b> |                           |                    |
| 10th Judicial District Suffolk County Admin                         |                           |                    |
| Suffolk County Court -Court Fund                                    | M&T Bank                  | 111,901.90         |
| Suffolk County Surrogate  |                           |                    |
| Surrogate Court Of Suffolk County                                   | People's United Bank      | 114,426.75         |
| Suffolk District Court Civil Fees                                   |                           |                    |
| Suffolk County District Court Civil Fees                            | Citibank                  | 267,456.35         |
| Suffolk District Court Criminal Fines                               |                           |                    |
| Suffolk County District Court Criminal Fines                        | Citibank                  | 167,198.80         |
| Suffolk District Court Trust Acct                                   |                           |                    |
| Suffolk County District Court Trust Account                         | Citibank                  | 7,500.00           |
| <b>05210 - NYC-CIVIL COURT</b>                                      |                           |                    |
| Bronx Civil Court - Civil   |                           |                    |
| Bronx Civil Court - Revenue   | JPMorgan Chase Bank, N.A. | 4,283,764.10       |
| Harlem Community Justice Court                                      |                           |                    |
| Harlem Community Justice - Revenue Account                          | JPMorgan Chase Bank, N.A. | 10,976.40          |
| Kings Civil Court- Civil  |                           |                    |
| Kings Civil Court- Civil Revenue                                    | JPMorgan Chase Bank, N.A. | 1,040,212.33       |
| New York Civil Court - Civil  |                           |                    |
| New York Civil Court Revenue Acct                                   | JPMorgan Chase Bank, N.A. | 174,986.63         |
| Queens Civil Court - Civil  |                           |                    |
| Queens Civil - Revenue  | JPMorgan Chase Bank, N.A. | 4,437,676.90       |
| Richmond Civil Court - Civil  |                           |                    |
| Richmond Civil Ct Revenue Acct                                      | JPMorgan Chase Bank, N.A. | 259,903.35         |
| <b>05215 - NYC-CRIMINAL COURT</b>                                   |                           |                    |
| Bronx Criminal Court- Criminal Court                                |                           |                    |
| Bronx Criminal Division- Criminal Bail                              | JPMorgan Chase Bank, N.A. | 87,415.00          |
| Bronx Criminal Court- Criminal Court                                |                           |                    |
| Bronx Criminal Division- Criminal Revenue                           | JPMorgan Chase Bank, N.A. | 15,325.00          |
| Kings County Criminal Court   |                           |                    |
| Kings County Criminal Court   | JPMorgan Chase Bank, N.A. | 178,005.00         |
| Kings Criminal Court  | Citibank                  | 17,979.00          |
| New York County Criminal Court                                      |                           |                    |
| New York Criminal Court   | JPMorgan Chase Bank, N.A. | 53,147.00          |
| New York Criminal Court- State Funds                                | JPMorgan Chase Bank, N.A. | 22,012.00          |
| Queens County Criminal Court  |                           |                    |
| Queens Criminal Court   | JPMorgan Chase Bank, N.A. | 125,781.00         |
| Queens Criminal Court - State Funds                                 | JPMorgan Chase Bank, N.A. | 41,840.00          |
| Richmond County Criminal Court                                      |                           |                    |
| Richard Criminal Court-City Funds                                   | JPMorgan Chase Bank, N.A. | 11,288.00          |
| Richmond Criminal Court-State Funds                                 | JPMorgan Chase Bank, N.A. | 9,725.00           |
| <b>05231 - SUPREME COURT - BRONX COUNTY</b>                         |                           |                    |
| Bronx County Supreme - NYS OCA                                      | JPMorgan Chase Bank, N.A. | 5,298.00           |
| <b>05235 - SUPREME COURT - KINGS COUNTY</b>                         |                           |                    |
| Kings Co Supreme  |                           |                    |
| Supreme Court Kings County-Revenue                                  | JPMorgan Chase Bank, N.A. | 4,593.80           |

**05240 - SUPREME COURT - QUEENS COUNTY**

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|---|---------------------------|--------------|
| Queens Co Supreme                                   |                           |              |
| Queens County Supreme Court                         | JPMorgan Chase Bank, N.A. | 8,018.15     |
| 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. | 940,163.00   |
| <b>05255 - BRONX COUNTY CLERK</b>                   |                           |              |
| Bronx County Clerk                                  |                           |              |
| Bronx Cnty Clerk Revenue Acct                       | JPMorgan Chase Bank, N.A. | 719,839.75   |
| <b>05260 - KINGS COUNTY CLERK</b>                   |                           |              |
| Kings County Clerk                                  |                           |              |
| Kings County Clerk Revenue Account                  | Flushing Commercial Bank  | 1,363,243.85 |
| <b>05265 - QUEENS COUNTY CLERK</b>                  |                           |              |
| Queens County Clerk-Revenue Acct                    | Sterling Bank             | 1,049,382.51 |
| <b>05270 - RICHMOND COUNTY CLERK</b>                |                           |              |
| Richmond Co Clerk State Fees Account                | JPMorgan Chase Bank, N.A. | 5,650,789.10 |
| Richmond County Clerk DEC                           | JPMorgan Chase Bank, N.A. | 78.93        |
| <b>05275 - NEW YORK COUNTY SURROGATES COURT</b>     |                           |              |
| New York Surrogate                                  |                           |              |
| New York Surrogate Court                            | JPMorgan Chase Bank, N.A. | 109,217.00   |
| <b>05280 - BRONX COUNTY SURROGATES COURT</b>        |                           |              |
| Bronx Surrogate                                     |                           |              |
| Bronx Surrogate Court Revenue Acct                  | JPMorgan Chase Bank, N.A. | 170,644.00   |
| <b>05285 - KINGS COUNTY SURROGATES COURT</b>        |                           |              |
| Kings County Surrogate                              |                           |              |
| Kings Co. Surrogate Revenue Acct                    | Bank of America, N.A.     | 447,433.00   |
| <b>05290 - QUEENS COUNTY SURROGATES COURT</b>       |                           |              |
| Queens surrogate                                    |                           |              |
| Queens Co Revenue Acct Surrogate                    | Signature Bank            | 121,398.00   |
| <b>05295 - RICHMOND COUNTY SURROGATES COURT</b>     |                           |              |
| Richmond County Surrogate Court Revenue Account     | Victory State Bank        | 21,728.00    |
| <b>05360 - 3RD JUDICIAL DISTRICT ADMINISTRATION</b> |                           |              |
| Albany City Court - (Civil)                         |                           |              |
| Albany City Civil - Revenue                         | Wells Fargo Bank          | 6,589.40     |
| Albany City Court - (Crim-Bail)                     |                           |              |
| Albany City Criminal - Bail                         | Wells Fargo Bank          | 8,254.41     |
| Albany City Court - (Traffic)                       |                           |              |
| Albany City Traffic-Revenue                         | Wells Fargo Bank          | 43,334.00    |
| 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          | 14,069.00    |
| Albany City Court - Traffic-Bail                    |                           |              |
| Albany City Traffic - Bail                          | Wells Fargo Bank          | 1,301.27     |
| Albany Police Court                                 |                           |              |
| Albany Police Court Bail Account                    | Key Bank                  | 0.00         |
| Albany Surrogates Court                             |                           |              |
| Albany County Surrogates Court Revenue              | Wells Fargo Bank          | 16,974.00    |
| Cohoes City Court                                   |                           |              |
| Cohoes City Court Bail                              | Key Bank                  | 253.00       |
| Cohoes City Court Fees/Fines Account                | Key Bank                  | 10,673.00    |
| Columbia County Surrogate                           |                           |              |
| Columbia Co Surrogate Ct Fees - Revenue             | Key Bank                  | 11,001.75    |
| Greene Surrogate                                    |                           |              |
| Greene Surrogate-Revenue                            | Wells Fargo Bank          | 2,844.00     |
| Hudson City Court                                   |                           |              |
| Hudson City Bail                                    | Wells Fargo Bank          | 31,974.66    |
| Hudson City Revenue                                 | Wells Fargo Bank          | 20,785.57    |
| Kingston City Court                                 |                           |              |
| Kingston City Court Bail                            | Wells Fargo Bank          | 1.00         |
| Kingston City Court Revenue                         | Wells Fargo Bank          | 35,818.18    |
| Rensselaer City Court                               |                           |              |
| Rensselaer City Court - Bail                        | Wells Fargo Bank          | 5,010.00     |
| Rensselaer City Court - Revenue                     | Wells Fargo Bank          | 5,843.00     |
| Rensselaer County Surrogate                         |                           |              |
| Rensselaer Co Surrogate Ct Fees - Revenue           | Key Bank                  | 31,793.00    |
| Schoharie Surrogate Court                           |                           |              |
| Schoharie Surrogates Court Revenue                  | NBT Bank                  | 799.00       |
| Sullivan Surrogate                                  |                           |              |
| Sullivan Surrogate-Revenue                          | Wells Fargo Bank          | 3,277.59     |
| Troy City Court                                     |                           |              |
| Troy City Court- Revenue Acct - Revenue             | Bank of America, N.A.     | 45,224.75    |
| Troy Police Court Bail Account                      | Bank of America, N.A.     | 4,129.34     |

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| Ulster County Surrogate                             |                              |           |
| Ulster County Surrogate Court - Revenue             | Wells Fargo Bank             | 8,572.75  |
| Watervliet City Court                               |                              |           |
| Watervliet City Court - Bail                        | Wells Fargo Bank             | 32,828.56 |
| Watervliet City Court - Revenue                     | Wells Fargo Bank             | 17,075.00 |
| <b>05460 - 4TH JUDICIAL DISTRICT ADMINISTRATION</b> |                              |           |
| Amsterdam City Court                                |                              |           |
| Amsterdam City Court - Bail                         | Key Bank                     | 3,012.32  |
| Amsterdam City Court - Revenue                      | Key Bank                     | 18,509.55 |
| Clinton County Surrogates                           |                              |           |
| Clinton County Surrogates - Revenue                 | NBT Bank                     | 1,232.50  |
| Essex County Surrogate                              |                              |           |
| Essex Co Surrogate Clerk - Revenue                  | Champlain National           | 1,273.00  |
| Franklin County Surrogate                           |                              |           |
| Franklin Co Surrogate Court - Revenue               | Key Bank                     | 530.25    |
| Fulton County Surrogate                             |                              |           |
| Fulton County Surrogate's Court                     | Key Bank                     | 2,809.00  |
| Glens Falls City Court                              |                              |           |
| Glens Falls City Court Account - Revenue            | Glens Falls National         | 5,687.00  |
| Glens Falls City Court Bail Acct                    | Glens Falls National         | 52,131.26 |
| Gloversville City Court                             |                              |           |
| Gloversville City Court Bail                        | NBT Bank                     | 83,448.37 |
| Gloversville City Court Revenue                     | NBT Bank                     | 6,727.02  |
| Hamilton Surrogate                                  |                              |           |
| Hamilton Surrogate - Revenue                        | Community Bank               | 90.00     |
| Johnstown City Court                                |                              |           |
| City Of Johnstown Bail Account - Bail               | Key Bank                     | 39,822.71 |
| Johnstown City Court Fines/Fees - Revenue           | Key Bank                     | 10,589.00 |
| Mechanicville City Court                            |                              |           |
| Mechanicville City Court Bail                       | TD Bank                      | 1,010.65  |
| Mechanicville City Ct Revenue Acct                  | TD Bank                      | 4,707.00  |
| Montgomery County Surrogate                         |                              |           |
| Montgomery County Surrogates Court - Revenue        | NBT Bank                     | 1,118.00  |
| Ogdensburg City Court                               |                              |           |
| Ogdensburg City Court Int Bail                      | Community Bank               | 25,019.19 |
| Ogdensburg City Court Revenue                       | Community Bank               | 2,500.70  |
| Plattsburgh City Court                              |                              |           |
| Plattsburgh City Court - Bail                       | Glens Falls National         | 5,917.11  |
| State Of NY Plattsburgh City Court - Revenue        | Glens Falls National         | 17,630.40 |
| Saratoga County Surrogate                           |                              |           |
| Saratoga County Surrogate - Revenue                 | Ballston Spa National Bank   | 3,513.25  |
| Saratoga Springs City Court                         |                              |           |
| Saratoga Springs Bail Account                       | The Adirondack Trust Company | 28,655.23 |
| Saratoga Springs City Revenue Acct                  | The Adirondack Trust Company | 11,386.00 |
| Schenectady City Court                              |                              |           |
| Schenectady City Court- Bail                        | Bank of America, N.A.        | 43,260.67 |
| Schenectady City Court Revenue                      | Bank of America, N.A.        | 31,387.02 |
| Schenectady Surrogate                               |                              |           |
| Schenectady Surrogate Court - Revenue               | Key Bank                     | 6,658.25  |
| St. Lawrence Co Surrogate                           |                              |           |
| St. Lawrence County Surrogate - Revenue             | Community Bank               | 663.00    |
| Warren County Surrogate                             |                              |           |
| Warren County Surrogate Court - Revenue             | TD Bank                      | 2,086.00  |
| Washington Surrogates                               |                              |           |
| Washington Surrogate Revenue                        | TD Bank                      | 2,177.00  |
| <b>05560 - 5TH JUDICIAL DISTRICT ADMINISTRATION</b> |                              |           |
| Fulton City Court                                   |                              |           |
| Fulton City Court Bail Acct                         | Key Bank                     | 25,045.52 |
| Fulton City Court Revenue                           | Key Bank                     | 8,108.40  |
| Herkimer Surrogate                                  |                              |           |
| Herkimer Surrogate - Revenue                        | Partners Trust               | 2,144.50  |
| Jefferson Surrogates                                |                              |           |
| Jefferson Co Surrogate Revenue                      | Key Bank                     | 14,725.25 |
| Lewis County  |                              |           |
| Lewis County Clerk                                  | Community Bank               | 955.00    |
| Lewis County Surrogates                             |                              |           |
| Lewis County Surrogate Court - Revenue              | Key Bank                     | 6,556.00  |
| Little Falls City Court                             |                              |           |
| Little Falls City Court Bail                        | M&T Bank                     | 38,650.00 |
| Little Falls City Court Revenue                     | M&T Bank                     | 1,600.05  |
| Oneida County Surrogates                            |                              |           |
| Oneida County Surrogate Court Revenue               | The Adirondack Trust Company | 9,378.50  |
| Onondaga County Surrogates                          |                              |           |
| Onondaga Surrogate Court - Revenue                  | Alliance Bank                | 27,910.41 |

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| Oswego City Court                                   |                           |            |
| Oswego City Court Bail Acct                         | JPMorgan Chase Bank, N.A. | 51,518.33  |
| Oswego City Court Revenue                           | JPMorgan Chase Bank, N.A. | 13,565.40  |
| Oswego Surrogate Court                              |                           |            |
| Oswego County Surrogate Court - Revenue             | Key Bank                  | 3,514.00   |
| Rome City Court                                     |                           |            |
| City Court Of Rome Bail Account - Bail              | NBT Bank                  | 10,142.97  |
| Rome City Court - Revenue                           | NBT Bank                  | 23,031.00  |
| Sherrill City Court                                 |                           |            |
| Sherrill City Court 5th Jud Dist - Bail             | NBT Bank                  | 0.00       |
| Sherrill City Court Fees - Revenue                  | NBT Bank                  | 1,393.00   |
| Syracuse City Court                                 |                           |            |
| Syracuse City Court - Bail                          | NBT Bank                  | 217,331.97 |
| Syracuse City Court - Fees - Revenue                | NBT Bank                  | 36,421.78  |
| Utica City Court                                    |                           |            |
| Utica City Court Criminal Bail                      | Bank of Utica             | 60,611.72  |
| Utica City Court Revenue Account                    | Key Bank                  | 18,029.87  |
| Watertown City Court                                |                           |            |
| Watertown City Court Bail                           | Key Bank                  | 20,363.83  |
| Watertown City Court Fees & Fines - Revenue         | Key Bank                  | 11,368.63  |
| <b>05661 - 6TH JUDICIAL DISTRICT ADMINISTRATION</b> |                           |            |
| Binghamton City Court                               |                           |            |
| Binghamton City Court Bail                          | M&T Bank                  | 25,200.00  |
| Binghamton City Court Revenue                       | M&T Bank                  | 2,133.00   |
| Broome Surrogates                                   |                           |            |
| SNY UCS Broome County Surrogates Court              | Wells Fargo Bank          | 6,363.50   |
| Chemung County Surrogates                           |                           |            |
| SNY UCS Chemung County Surrogates Court             | Wells Fargo Bank          | 1,906.25   |
| Chenango County Surrogates                          |                           |            |
| SNY UCS Chenango County Surrogates Court            | Wells Fargo Bank          | 52.00      |
| Cortland City Court                                 |                           |            |
| Court City Court Bail                               | NBT Bank                  | 19,126.00  |
| Court City Court- Revenue                           | NBT Bank                  | 8,985.85   |
| Cortland County Surrogates                          |                           |            |
| SNY UCS Cortland County Surrogates Court            | Wells Fargo Bank          | 457.00     |
| Delaware County Surrogates                          |                           |            |
| Delaware County Surrogate - Revenue                 | Delaware National Bank    | 488.00     |
| Elmira City Court                                   |                           |            |
| Elmira City Court - Revenue Account                 | Chemung Canal Trust       | 10,363.06  |
| Elmira City Court Bail                              | Chemung Canal Trust       | 7,077.30   |
| Ithaca City Court                                   |                           |            |
| Ithaca City Court                                   | Tompkins Community Bank   | 17,530.00  |
| Ithaca City Court Revenue                           | Tompkins Community Bank   | 6,726.20   |
| Madison County Surrogates                           |                           |            |
| SNY UCS Madison County Surrogates Court             | Wells Fargo Bank          | 355.00     |
| Norwich City Court                                  |                           |            |
| Norwich City Court Bail Acct                        | NBT Bank                  | 20,581.00  |
| Norwich City Court Revenue Acct                     | NBT Bank                  | 1,892.80   |
| Oneida City Court                                   |                           |            |
| Oneida City Court Bail Account                      | JPMorgan Chase Bank, N.A. | 6,410.00   |
| Oneida City Court Fee & Fine - Revenue              | JPMorgan Chase Bank, N.A. | 2,897.60   |
| Oneonta City Court                                  |                           |            |
| Oneonta City Court - Revenue                        | Community Bank            | 9,593.00   |
| Oneonta City Court Bail Account                     | Community Bank            | 3,559.00   |
| Otsego County Surrogates                            |                           |            |
| Otsego County Surrogates Court - Revenue            | Key Bank                  | 497.00     |
| Schuyler County Surrogates                          |                           |            |
| Schuyler County Surrogates Court                    | Community Bank            | 1,592.00   |
| Tioga County Surrogates                             |                           |            |
| Tioga Surrogates Court - Revenue                    | M&T Bank                  | 2,574.50   |
| Tompkins County Surrogates                          |                           |            |
| SNY UCS Tompkins County Surrogates Court            | Wells Fargo Bank          | 904.50     |
| <b>05761 - 7TH JUDICIAL DISTRICT ADMINISTRATION</b> |                           |            |
| Auburn City Court                                   |                           |            |
| Auburn City Court Bail Acct                         | Key Bank                  | 14,027.00  |
| Auburn City Court Fees & Fines - Revenue            | Key Bank                  | 5,524.20   |
| Canandaigua City Court                              |                           |            |
| Canandaigua City Court Bail Acct                    | Canandaigua National Bank | 2,600.99   |
| Canandaigua City Court Revenue                      | Canandaigua National Bank | 17,296.00  |
| Cayuga County Surrogates                            |                           |            |
| Cayuga Surrogate Court                              | Wells Fargo Bank          | 3,045.00   |
| Corning City Court                                  |                           |            |
| Corning City Court - Bail                           | Wells Fargo Bank          | 9,533.83   |
| Corning City Court - Revenue                        | Wells Fargo Bank          | 3,338.40   |

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| Geneva City Court   |                  |                    |
| Geneva City Court Bail Account  | Wells Fargo Bank | 9,850.05           |
| Geneva City Court Revenue Account   | Wells Fargo Bank | 3,147.50           |
| Hornell City Court  |                  |                    |
| Hornell City Court Bail Account   | Community Bank   | 11,794.05          |
| Hornell City Court Revenue  | Community Bank   | 1,384.00           |
| Livingston County Surrogates  |                  |                    |
| Livingston Surrogate Court  | Wells Fargo Bank | 1,661.00           |
| Monroe County Surrogates  |                  |                    |
| 7th District Monroe Surrogate   | Wells Fargo Bank | 10,292.00          |
| Ontario County Surrogates   |                  |                    |
| Ontario Surrogate Court   | Wells Fargo Bank | 4,298.00           |
| Rochester City Court  |                  |                    |
| Rochester City Court Bail Account   | M&T Bank         | 344,173.69         |
| Rochester City Revenue  | M&T Bank         | 22,959.10          |
| Seneca County Surrogates  |                  |                    |
| Seneca Surrogate Court  | Wells Fargo Bank | 0.00               |
| Steuben County Surrogates   |                  |                    |
| 7th District Steuben Surrogate  | Wells Fargo Bank | 10,045.00          |
| Wayne County Surrogates   |                  |                    |
| Wayne Surrogate Court   | Wells Fargo Bank | 947.00             |
| Yates County Surrogates   |                  |                    |
| Yates Surrogate Court   | Wells Fargo Bank | 8.00               |
| <b>05860 - 8TH JUDICIAL DISTRICT ADMINISTRATION</b>   |                  |                    |
| ALLEGANY COUNTY SURROGATES COURT  |                  |                    |
| ST of NY Office of The State Comptroller State of New York Unified Courts Allegany Surrogate Court    | Wells Fargo Bank | No report received |
| Batavia City Court  |                  |                    |
| ST of NY Office of The State Comptroller Batavia City Court Bail                                      | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Batavia City Court REVENUE                                   | Wells Fargo Bank | No report received |
| BUFFALO CITY COURT  |                  |                    |
| ST of NY Office of The State Comptroller Buffalo City Court Bail Account                              | Wells Fargo Bank | No report received |
| ST of NY OFFICE OF THE STATE COMPTROLLER BUFFALO CITY COURT REVENUE ACCOUNT                           | Wells Fargo Bank | No report received |
| Cattaraugus County Surrogates   |                  |                    |
| ST of NY Office of the State Comptroller State of New York Unified Courts Cattaraugus Surrogate Court | Wells Fargo Bank | No report received |
| Chautauqua County Surrogates Court  |                  |                    |
| ST of NY Office of the State Comptroller State of New York Unified Courts Chautauqua Surrogate Court  | Wells Fargo Bank | No report received |
| Dunkirk City Court  |                  |                    |
| ST of NY Office of The State Comptroller Dunkirk Bail Account   | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Dunkirk Revenue Account                                      | Wells Fargo Bank | No report received |
| Erie - Buffalo County Law Library   |                  |                    |
| Sur Ct Lib At Buffalo - Revenue   | M&T Bank         | No report received |
| Erie County Surrogates  |                  |                    |
| ST of NY Office of the State Comptroller State of New York Unified Courts Erie Surrogate Court        | Wells Fargo Bank | No report received |
| Genesee County Surrogates   |                  |                    |
| ST of NY Office of the State Comptroller State of New York Unified Courts Genesee Surrogate Court     | Wells Fargo Bank | No report received |
| Jamestown City Court  |                  |                    |
| ST of NY Office of the State Comptroller Jamestown City Court Bail Account                            | Wells Fargo Bank | No report received |
| ST of NY Office of the State Comptroller Jamestown City Court Revenue Account                         | Wells Fargo Bank | No report received |
| 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   |                  |                    |
| St of NY Office of the State Comptroller Lockport City Court Bail Account                             | Wells Fargo Bank | No report received |
| St of NY Office of the State Comptroller Lockport City Court Revenue Account                          | Wells Fargo Bank | No report received |
| Niagara 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  |                  |                    |
| 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  |                  |                    |
| ST of NY Office of the State Comptroller Salamanca City Court Bail Account                            | Wells Fargo Bank | No report received |
| ST of NY Office of the State Comptroller Salamanca City Court Revenue Account                         | Wells Fargo Bank | No report received |
| Tonawanda City Court  |                  |                    |
| ST of NY Office of The State Comptroller Tonawanda City Court Bail                                    | Wells Fargo Bank | No report received |
| ST of NY Office of The State Comptroller Tonawanda City Court Revenue                                 | Wells Fargo Bank | No report received |
| Wyoming County Surrogates   |                  |                    |

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|---|-----------------------------|--------------------|
| 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.   | 20,811.34          |
| Beacon City Fines Account - Revenue   | JPMorgan Chase Bank, N.A.   | 5,896.00           |
| Dutchess County Surrogates Court  |                             |                    |
| Dutchess County Surrogate Court - Revenue   | JPMorgan Chase Bank, N.A.   | 55,646.25          |
| Middletown City Court   |                             |                    |
| Middletown City Bail Escrow - Bail  | Wells Fargo Bank            | 162,557.58         |
| Middletown City Court Revenue   | JPMorgan Chase Bank, N.A.   | 0.00               |
| Middletown City Court Revenue   | Wells Fargo Bank            | 54,770.15          |
| Mt Vernon City Court  |                             |                    |
| Mt Vernon City Court State Bail   | Wells Fargo Bank            | 72,159.24          |
| Mt Vernon City Court State Revenue  | Wells Fargo Bank            | 21,646.20          |
| New Rochelle City Court   |                             |                    |
| New Rochelle City Court Bail  | JPMorgan Chase Bank, N.A.   | 255,334.56         |
| New Rochelle City Court Revenue   | JPMorgan Chase Bank, N.A.   | 43,998.00          |
| Newburgh City Court   |                             |                    |
| Newburgh Bail Account   | Wells Fargo Bank            | 31,806.53          |
| Newburgh City Court Revenue   | Wells Fargo Bank            | 24,611.03          |
| Orange County Surrogates Court  |                             |                    |
| Orange Co Surrogates Court - Revenue  | JPMorgan Chase Bank, N.A.   | 19,717.25          |
| Peekskill City Court  |                             |                    |
| Peekskill City Court Revenue  | JPMorgan Chase Bank, N.A.   | 22,074.10          |
| Peekskill City Court  |                             |                    |
| Peekskill City Court - Bail   | JPMorgan Chase Bank, N.A.   | 132,607.95         |
| Port Jervis City Court  |                             |                    |
| Port Jervis Bail Account - Bail   | JPMorgan Chase Bank, N.A.   | 1,070.94           |
| Port Jervis Revenue Account - Revenue   | JPMorgan Chase Bank, N.A.   | 7,490.00           |
| Poughkeepsie  |                             |                    |
| Poughkeepsie City Court -Bail   | Wells Fargo Bank            | 61,790.76          |
| Poughkeepsie City Court -Revenue  | Wells Fargo Bank            | 10,351.50          |
| Putnam Co Surrogate's Court   |                             |                    |
| Putnam Co Surrogates Court  | Putnam County National Bank | 16,602.75          |
| Rockland County Surrogates Court  |                             |                    |
| Rockland Co Surrogates Court - Revenue  | JPMorgan Chase Bank, N.A.   | 16,945.84          |
| Rye City Court  |                             |                    |
| City Of Rye Bail Account  | JPMorgan Chase Bank, N.A.   | 7,910.78           |
| City Of Rye Fines And Fees - Revenue  | JPMorgan Chase Bank, N.A.   | 31,193.60          |
| Westchester County Surrogates Court   |                             |                    |
| Westchester Co Surrogates Fees - Revenue  | Wells Fargo Bank            | 61,317.84          |
| White Plains City Court   |                             |                    |
| White Plains City Court Bail Account  | Sterling Bank               | 0.00               |
| White Plains City Court Bail Account  | Wells Fargo Bank            | 87,077.97          |
| 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            | 147,551.00         |
| Yonkers City Court  |                             |                    |
| Yonkers City Bail Account - Bail  | Wells Fargo Bank            | 639,681.94         |
| Yonkers City Revenue Account - Revenue  | Wells Fargo Bank            | 91,167.18          |
| <b>06000 - AGRICULTURE &amp; MARKETS</b>  |                             |                    |
| Administration Account  | Key Bank                    | 43,408.07          |
| Agency Advance Account  | Key Bank                    | 10,000.00          |
| Agriculture Producers Sec Fund  | Key Bank                    | 18,548.43          |
| Animal Population Control Account   | Key Bank                    | 33,612.92          |
| Apple Marketing Order Fund  | Key Bank                    | 0.00               |
| Consumer Food Industry Account  | Key Bank                    | 45,314.98          |
| Dairy Industry Services Account   | Key Bank                    | 16,269.29          |
| Dairy Promotion Order Fund  | Key Bank                    | 0.00               |
| Milk Producers Security Fund  | Key Bank                    | 23,931.90          |
| NYS Farmers Market Program  | Key Bank                    | 416,445.82         |
| NYS WNY Milk Mktg Area Administration Fund  | M&T Bank                    | 114.10             |
| NYS WNY Milk Mktg Area Equalization Fund  | M&T Bank                    | 17,135.48          |
| NYS WNY Milk Mktg Area Equalization Fund Savings  | M&T Bank                    | 319.56             |
| Plants Industry Account   | Key Bank                    | 25,834.54          |
| Pride of NY   | Key Bank                    | 6,266.98           |
| Weights & Measures Account  | Key Bank                    | 11,281.09          |
| NYS Dept Agriculture & Markets  |                             |                    |
| Apple Marketing Order Fund  | Key Bank                    | 0.00               |
| Dairy Promotion Order Fund  | Key Bank                    | 0.00               |
| Farm Products   | Key Bank                    | 39,848.88          |
| State Fair  |                             |                    |
| NYS Fair Operating Account  | Solvay Bank                 | 76,314.37          |
| NYS Fair Special Account  | Solvay Bank                 | 232.33             |
| <b>08000 - DEPARTMENT OF CIVIL SERVICE</b>  |                             |                    |

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| Agency Advance Account                                  | Bank of America, N.A.         | 3,317.00           |
| Examination Application Fees Account                    | Bank of America, N.A.         | 1,558.00           |
| Examination Application Fees Account                    | Key Bank                      | 2,217.00           |
| NYS Affirmative Action Advisory Account                 | Bank of America, N.A.         | 5,063.06           |
| NYS Department of Civil Service                         | US Bank                       | 22,054,573.77      |
| <b>08010 - PUBLIC EMPLOYEE RELATIONS BOARD</b>          |                               |                    |
| Petty Cash And Travel Advance Account                   | Key Bank                      | 1,095.40           |
| <b>09000 - DEPARTMENT OF ENVIRONMENTAL CONSERVATION</b> |                               |                    |
| Albany  |                               |                    |
| Conservation Petty Cash Account                         | M&T Bank                      | 8,518.00           |
| DEC/Exchange Account                                    | M&T Bank                      | 4,127.58           |
| ENCON License Issuing Office                            | M&T Bank                      | 1,385.50           |
| Hunting Trapping & Fishing Account                      | M&T Bank                      | 21,542.18          |
| Lockbox Account   | Wells Fargo Bank              | 210,365.13         |
| Program Fee   | JPMorgan Chase Bank, N.A.     | 54,270.72          |
| Revenue Account   | Bank of America, N.A.         | 750,810.68         |
| Rockaway Beach Study & Project                          | JPMorgan Chase Bank, N.A.     | 1,279,071.74       |
| State of New York                                       | Key Bank                      | 301,057.41         |
| Region 1  |                               |                    |
| Marine Permit Account                                   | M&T Bank                      | 44,570.42          |
| Region 3  |                               |                    |
| Beaverkill & Mongaup Pond                               | Jeff Bank                     | 3.01               |
| Revenue Region 3 Account                                | Bank of America, N.A.         | 5.00               |
| Region 4  |                               |                    |
| Bear Spring Revenue Account                             | Wayne Bank                    | 0.00               |
| Region 4  | Greene County Commercial Bank | 0.00               |
| Region 4 Camping  | NBT Bank                      | 0.00               |
| Region 5  |                               |                    |
| Campsite Revenue Account                                | Glens Falls National          | 439.10             |
| Land & Forest Region SW                                 | TD Bank                       | 18,242.48          |
| NYS Conservation  | Glens Falls National          | 26.00              |
| Recreation (Warrensburg)                                | City National Bank & Trust    | 315.66             |
| Region 5  | Citizens Bank                 | 38.03              |
| Region 5  | NBT Bank                      | 76.91              |
| Tree Nursery  | Bank of America, N.A.         | 12,670.00          |
| Region 6  |                               |                    |
| Fish & Wildlife Watertown                               | Key Bank                      | 126.92             |
| Lands & Forest District #7                              | Community Bank                | 158.11             |
| Lands & Forests District #6                             | Community Bank                | 40.00              |
| 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                | 8.11               |
| Employee Benefit Fund                                   | Five Star Bank                | 9,427.17           |
| General Cash Fund                                       | Five Star Bank                | 10,502.55          |
| Inmate Occupational Therapy Fund                        | Five Star Bank                | 183,910.34         |
| Spendable Fund  | Five Star Bank                | 560,173.97         |
| <b>10010 - AUBURN CORRECTIONAL FACILITY</b>             |                               |                    |
| Advance Account   | Key Bank                      | 5,152.85           |
| Incarcerated Individual Account                         | Key Bank                      | 183,876.85         |
| Inmate Occupational Therapy Fund                        | Key Bank                      | 36,759.10          |
| Misc Revenue  | Key Bank                      | 50,831.12          |
| <b>10020 - CLINTON CORRECTIONAL FACILITY</b>            |                               |                    |
| Advance Account   | Key Bank                      | 10,016.04          |
| Employee Benefit Fund                                   | Key Bank                      | 8,709.80           |
| General Fund  | Key Bank                      | 0.00               |
| Incarcerated Individual Funds                           | Key Bank                      | 125,940.95         |
| Inmate Occupational Therapy Acct                        | Key Bank                      | 116,494.09         |
| <b>10040 - GREAT MEADOW CORRECTIONAL FACILITY</b>       |                               |                    |
| Certificate of Deposit                                  | Glens Falls National          | No report received |
| Facility Advance  | Key Bank                      | No report received |
| General Fund  | Key Bank                      | No report received |
| Inmate Fund   | Key Bank                      | No report received |
| Miscellaneous Account                                   | Key Bank                      | No report received |
| Occupational Therapy                                    | Key Bank                      | No report received |
| <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 |
| 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                      | 1,249.69           |
| Employee Benefit  | Key Bank                      | 3,440.77           |

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| Inmate Occupational Therapy Fund                                   | Key Bank                   | 27,915.53          |
| Inmates Fund Account   | Key Bank                   | 339,691.12         |
| Misc. Receipts   | Key Bank                   | 15,472.79          |
| <b>10070 - SING SING CORRECTIONAL FACILITY</b>                     |                            |                    |
| Cash Advance   | JPMorgan Chase Bank, N.A.  | No report received |
| Inmate Funds   | JPMorgan Chase Bank, N.A.  | No report received |
| Misc Receipts  | JPMorgan Chase Bank, N.A.  | No report received |
| Occupational Therapy   | JPMorgan Chase Bank, N.A.  | No report received |
| Quality Work Life  | JPMorgan Chase Bank, N.A.  | No report received |
| <b>10080 - GREEN HAVEN CORRECTIONAL FACILITY</b>                   |                            |                    |
| Advance Account  | Key Bank                   | 1,357.93           |
| General Fund   | Key Bank                   | 40,548.17          |
| Incarcerated Individual Checking                                   | Key Bank                   | 893,621.68         |
| Occupational Therapy Fund  | Key Bank                   | 156,797.56         |
| <b>10090 - ALBION CORRECTIONAL FACILITY</b>                        |                            |                    |
| Albion Advance Account   | Bank of America, N.A.      | No report received |
| Employee Benefit Fund  | Bank of America, N.A.      | No report received |
| Inmate Funds   | Bank of America, N.A.      | No report received |
| Misc Receipts  | Bank of America, N.A.      | No report received |
| Occupational Therapy   | Bank of America, N.A.      | No report received |
| <b>10100 - EASTERN NEW YORK CORRECTIONAL FACILITY</b>              |                            |                    |
| AGENCY ADVANCE   | Key Bank                   | 1,459.60           |
| EMPLOYEE BENEFIT FUND  | Key Bank                   | 19,921.37          |
| IDNOW  | Key Bank                   | 278,468.31         |
| IOTF   | Key Bank                   | 54,568.11          |
| MISC RECEIPTS  | Key Bank                   | 3,486.78           |
| <b>10110 - ELMIRA CORRECTIONAL &amp; RECEPTION CENTER</b>          |                            |                    |
| Agency Advance Account   | Chemung Canal Trust        | 1,211.11           |
| Employee Benefit Fund  | Chemung Canal Trust        | 41,616.44          |
| Inmates Fund   | Chemung Canal Trust        | 290,555.92         |
| Miscellaneous Receipts   | Chemung Canal Trust        | 232.75             |
| Occupational Therapy Fund  | Chemung Canal Trust        | 52,367.26          |
| <b>10120 - BEDFORD HILLS CORRECTIONAL FACILITY</b>                 |                            |                    |
| Advance Account  | JPMorgan Chase Bank, N.A.  | 5,290.00           |
| Employee Benefit Fund  | JPMorgan Chase Bank, N.A.  | 7,802.96           |
| Inmate Funds   | JPMorgan Chase Bank, N.A.  | 118,641.46         |
| Misc. Receipts   | JPMorgan Chase Bank, N.A.  | 363.06             |
| Occupational Therapy   | JPMorgan Chase Bank, N.A.  | 78,299.83          |
| <b>10130 - COXSACKIE CORRECTIONAL FACILITY</b>                     |                            |                    |
| Agency Advance Account   | National Bank of Coxsackie | 1,817.82           |
| Employee Benefits Fund   | National Bank of Coxsackie | 38,099.44          |
| INCARCERATED INDIVIDUALS ACCOUNT                                   | National Bank of Coxsackie | 167,085.80         |
| Misc. Revenue  | National Bank of Coxsackie | 24,591.49          |
| Occupational Therapy Acct  | National Bank of Coxsackie | 58,954.81          |
| <b>10140 - WOODBOURNE CORRECTIONAL FACILITY</b>                    |                            |                    |
| WCF Agency Advance   | Jeff Bank                  | 1,387.27           |
| WCF General Fund   | Jeff Bank                  | 16,122.65          |
| WCF Incarcerated Individual Funds                                  | Jeff Bank                  | 91,897.22          |
| WCF Occupational Therapy Fund                                      | Jeff Bank                  | 84,312.30          |
| <b>10160 - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION</b> |                            |                    |
| Agency Advance Account   | Key Bank                   | No report received |
| Employee Benefit Fund  | Key Bank                   | No report received |
| Inmate Escrow Account  | Key Bank                   | No report received |
| Misc. Receipts Account   | Key Bank                   | No report received |
| Special Account  | Key Bank                   | No report received |
| <b>10170 - QUEENSBORO CORRECTIONAL FACILITY</b>                    |                            |                    |
| Agency Advance Account   | JPMorgan Chase Bank, N.A.  | 5,883.62           |
| Employee Benefit Fund  | JPMorgan Chase Bank, N.A.  | 3,403.62           |
| Inmate Funds Account   | JPMorgan Chase Bank, N.A.  | 607,821.12         |
| Miscellaneous Receipts Account                                     | JPMorgan Chase Bank, N.A.  | 548.54             |
| Occupational Therapy Fund  | JPMorgan Chase Bank, N.A.  | 1,570.24           |
| <b>10230 - ADIRONDACK CORRECTIONAL FACILITY</b>                    |                            |                    |
| ADK QWL  | Community Bank             | 5,309.24           |
| Agency Advance   | Community Bank             | 790.00             |
| Employee Benefit Fund  | Community Bank             | 2,884.31           |
| General Fund   | Community Bank             | 0.00               |
| Inmate Funds   | Community Bank             | 23,477.04          |
| Inmate Occupational Therapy Fund                                   | Community Bank             | 1,206.09           |
| <b>10250 - TACONIC CORRECTIONAL FACILITY</b>                       |                            |                    |
| Employee Benefit Fund  | JPMorgan Chase Bank, N.A.  | No report received |
| Inmate Funds   | JPMorgan Chase Bank, N.A.  | No report received |
| Misc. Revenue  | JPMorgan Chase Bank, N.A.  | No report received |
| Occupational Therapy Fund  | JPMorgan Chase Bank, N.A.  | No report received |
| Taconic Advance Account  | JPMorgan Chase Bank, N.A.  | No report received |



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| <b>10270 - HUDSON CORRECTIONAL FACILITY</b>                               |                           |                    |
| Advance Account   | Key Bank                  | 1,415.25           |
| Employee Benefit Fund Account   | Key Bank                  | 4,559.05           |
| Inmate Funds account  | Key Bank                  | 47,170.62          |
| Inmate Occupational Therapy Account                                       | Key Bank                  | 2,588.84           |
| Miscellaneous Receipts Account  | Key Bank                  | 4,322.10           |
| <b>10290 - OTISVILLE CORRECTIONAL FACILITY</b>                            |                           |                    |
| Cash Advance  | Jeff Bank                 | 883.10             |
| General Fund  | Jeff Bank                 | 3,586.09           |
| Inmate Funds  | Jeff Bank                 | 101,175.69         |
| Inmate Occupational Therapy   | Jeff Bank                 | 70,395.83          |
| <b>10320 - EDGEcombe CORRECTIONAL FACILITY</b>                            |                           |                    |
| Agency Advance  | JPMorgan Chase Bank, N.A. | 1,244.80           |
| Employee Benefit Account  | JPMorgan Chase Bank, N.A. | 1,976.36           |
| Inmate Cash Account   | JPMorgan Chase Bank, N.A. | 72,343.95          |
| Misc. Receipts Account  | JPMorgan Chase Bank, N.A. | 0.00               |
| Occupational Therapy Acct   | JPMorgan Chase Bank, N.A. | 1,075.72           |
| <b>10370 - FIVE POINTS CORRECTIONAL FACILITY</b>                          |                           |                    |
| Consolidated Advance  | M&T Bank                  | 850.02             |
| EBF Checking  | M&T Bank                  | 77,037.81          |
| Inmate Spendable  | M&T Bank                  | 171,629.49         |
| Misc Receipts   | M&T Bank                  | 788.54             |
| Occupational Therapy  | M&T Bank                  | 75,525.26          |
| <b>10390 - MOHAWK CORRECTIONAL FACILITY</b>                               |                           |                    |
| Agency Advance  | Key Bank                  | 2,709.43           |
| Employee Benefit Fund Checking  | Bank of America, N.A.     | 34,132.02          |
| Inmate Funds Checking   | Key Bank                  | 208,647.21         |
| Miscellaneous Revenue   | Key Bank                  | 0.00               |
| Occupational Therapy  | Key Bank                  | 30,991.15          |
| <b>10430 - WENDE CORRECTIONAL FACILITY</b>                                |                           |                    |
| Consolidated Advance  | Alden State Bank          | 3,750.00           |
| Employee Benefit Account  | Alden State Bank          | 34,031.51          |
| Inmates Funds   | Alden State Bank          | 136,660.28         |
| Misc. Receipts  | Alden State Bank          | 6,194.26           |
| Occupational Therapy  | Alden State Bank          | 71,124.22          |
| <b>10441 - DEPARTMENT OF CORRECTIONAL SERVICES-FOOD PRODUCTION CENTER</b> |                           |                    |
| Office of Nutritional Services  |                           |                    |
| Miscellaneous Receipts  | Key Bank                  | 20,831.35          |
| <b>10460 - GROVELAND CORRECTIONAL FACILITY</b>                            |                           |                    |
| Agency Advance Account  | Five Star Bank            | 1,882.12           |
| Employee Commission Account   | Five Star Bank            | 11,101.38          |
| Inmate Funds Account  | Five Star Bank            | 184,970.64         |
| Miscellaneous Receipts Account  | Five Star Bank            | 853.89             |
| Occupational Therapy Account  | Five Star Bank            | 21,994.25          |
| <b>10470 - COLLINS CORRECTIONAL FACILITY</b>                              |                           |                    |
| Agency Advance  | Community Bank            | 4,790.00           |
| Employee Activities   | Community Bank            | 44,241.69          |
| Incarcerated Individual checking account                                  | Community Bank            | 396,730.85         |
| Miscellaneous Revenue   | Community Bank            | 8,523.04           |
| Occupational Therapy  | Community Bank            | 25,337.63          |
| <b>10480 - MID-STATE CORRECTIONAL FACILITY</b>                            |                           |                    |
| Agency Advance  | Key Bank                  | 1,654.06           |
| Employee Benefit Fund   | Bank of America, N.A.     | 24,274.93          |
| Inmate Funds  | Key Bank                  | 165,126.67         |
| Misc. Revenue   | Key Bank                  | 1,553.10           |
| Occupational Therapy  | Key Bank                  | 50,634.06          |
| <b>10490 - MARCY CORRECTIONAL FACILITY</b>                                |                           |                    |
| Agency Advance Account  | Key Bank                  | No report received |
| Employee Benefit Fund Account   | Bank of America, N.A.     | No report received |
| Inmate Fund Account   | Key Bank                  | No report received |
| Misc receipts Acct  | Key Bank                  | No report received |
| Occupational Therapy fund Acct  | Key Bank                  | No report received |
| <b>10501 - CENTRAL PHARMACY</b>   |                           |                    |
| NYS Docs Central Pharmacy Advance Acct                                    | Bank of America, N.A.     | 1,000.00           |
| <b>10530 - FRANKLIN CORRECTIONAL FACILITY</b>                             |                           |                    |
| Advance Account   | Key Bank                  | 4,709.22           |
| Employee Benefit Account  | Key Bank                  | 14,467.02          |
| Incarcerated Individuals Funds  | Key Bank                  | 152,730.49         |
| Inmate Occupational Therapy   | Key Bank                  | 17,484.41          |
| Misc. Receipts  | Key Bank                  | 1,376.95           |
| <b>10540 - ALTONA CORRECTIONAL FACILITY</b>                               |                           |                    |
| Cons Adv Travel Petty Cash  | NBT Bank                  | 3,288.52           |
| Employees Vending Benefit   | NBT Bank                  | 9,779.00           |
| Inmates Funds   | NBT Bank                  | 73,763.16          |

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| Misc Revenues General Fund  | NBT Bank                      | 74.56              |
| Occupational Therapy  | NBT Bank                      | 5,754.27           |
| <b>10550 - CAYUGA CORRECTIONAL FACILITY</b>                       |                               |                    |
| Agency Advance  | First National Bank of Groton | 1,310.60           |
| Employee Benefit Fund   | First National Bank of Groton | 6,605.92           |
| Inmate Occupational Therapy Account                               | First National Bank of Groton | 37,512.10          |
| Inmate Spendable  | First National Bank of Groton | 199,430.45         |
| Misc Receipts   | First National Bank of Groton | 167.47             |
| <b>10560 - BARE HILL CORRECTIONAL FACILITY</b>                    |                               |                    |
| Agency Advance  | Key Bank                      | 1,867.11           |
| Employee Benefit Fund   | Key Bank                      | 9,534.49           |
| Incarcerated Individual Spendable Funds                           | Key Bank                      | 262,137.18         |
| Miscellaneous Receipts  | Key Bank                      | 2,820.50           |
| Occupational Therapy  | Key Bank                      | 16,283.21          |
| <b>10570 - RIVERVIEW CORRECTIONAL FACILITY</b>                    |                               |                    |
| Agency Advance Account  | Key Bank                      | 1,500.00           |
| Inmate Accounts   | Key Bank                      | 124,838.71         |
| Miscellaneous Receipts Account                                    | Key Bank                      | 24,148.90          |
| Occupational Therapy  | Key Bank                      | 9,817.09           |
| <b>10580 - CAPE VINCENT CORRECTIONAL FACILITY</b>                 |                               |                    |
| Advance Account   | Community Bank                | 1,900.00           |
| Employee Benefit Fund   | Community Bank                | 27,692.27          |
| Inmate Occupation Therapy Acct                                    | Community Bank                | 24,764.09          |
| Inmate Spendable Account  | Community Bank                | 155,782.84         |
| Miscellaneous Receipts Account                                    | Community Bank                | 2,016.04           |
| <b>10600 - LAKEVIEW SHOCK INCARCERATION CORRECTIONAL FACILITY</b> |                               |                    |
| Agency Advance  | Community Bank                | 3,700.00           |
| Employee Benefit Fund   | Community Bank                | 12,680.45          |
| Inmate Funds  | Community Bank                | 129,717.35         |
| Inmate Funds - Sav  | Community Bank                | 84,740.00          |
| Miscellaneous Revenue   | Community Bank                | 2,627.80           |
| Occupational Therapy  | Community Bank                | 15,654.17          |
| <b>10610 - ULSTER CORRECTIONAL FACILITY</b>                       |                               |                    |
| Agency Advance  | M&T Bank                      | 1,515.24           |
| Employee Benefit Fund   | M&T Bank                      | 5,170.64           |
| Inmate Fund   | M&T Bank                      | 186,678.32         |
| Misc Receipts   | M&T Bank                      | 241.21             |
| Occupational Therapy  | M&T Bank                      | 19,096.29          |
| <b>10640 - ORLEANS CORRECTIONAL FACILITY</b>                      |                               |                    |
| Agency Advance  | Bank of America, N.A.         | 7,972.13           |
| Employee Benefit Fund   | Bank of America, N.A.         | 13,953.57          |
| Inmate Funds  | Bank of America, N.A.         | 490,071.29         |
| Miscellaneous Receipts  | Bank of America, N.A.         | 21,131.80          |
| Occupational Therapy  | Bank of America, N.A.         | 20,852.67          |
| <b>10650 - WASHINGTON CORRECTIONAL FACILITY</b>                   |                               |                    |
| Advance Account   | Key Bank                      | 2,450.00           |
| EBF Account   | Key Bank                      | 17,335.88          |
| General Account   | Key Bank                      | 46.25              |
| Inmate Account  | Key Bank                      | 54,250.05          |
| Occupational Therapy Account                                      | Key Bank                      | 24,637.51          |
| <b>10660 - WYOMING CORRECTIONAL FACILITY</b>                      |                               |                    |
| Agency Advance  | Five Star Bank                | 6,300.00           |
| Employee Benefit Fund   | Five Star Bank                | 14,871.13          |
| Inmate Occupational Therapy                                       | Five Star Bank                | 65,586.26          |
| Inmate Spendable  | Five Star Bank                | 270,221.60         |
| Misc. Receipts Account  | Five Star Bank                | 9,943.46           |
| <b>10670 - GREENE CORRECTIONAL FACILITY</b>                       |                               |                    |
| Consolidated Advance  | National Bank of Coxsackie    | 1,496.69           |
| Employee Benefit Fund   | National Bank of Coxsackie    | 31,749.26          |
| Inmate Accounts   | National Bank of Coxsackie    | 174,782.91         |
| Misc. Receipts  | National Bank of Coxsackie    | 180.00             |
| Occupational Therapy  | National Bank of Coxsackie    | 43,900.51          |
| <b>10680 - SHAWANGUNK CORRECTIONAL FACILITY</b>                   |                               |                    |
| Consolidated Advance Account                                      | Key Bank                      | No report received |
| Inmates Funds Account   | Key Bank                      | No report received |
| Misc. Receipts Account  | Key Bank                      | No report received |
| Occupational Therapy Acct   | Key Bank                      | No report received |
| <b>10690 - SULLIVAN CORRECTIONAL FACILITY</b>                     |                               |                    |
| Consolidated Advance  | Key Bank                      | 1,092.45           |
| Inmate Checking   | Key Bank                      | 239,848.98         |
| Miscellaneous   | Key Bank                      | 15,461.74          |
| Occupational Therapy  | Key Bank                      | 42,206.76          |
| <b>10810 - GOUVERNEUR CORRECTIONAL FACILITY</b>                   |                               |                    |
| Agency Advance  | Community Bank                | 1,618.60           |

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| Incarcerated Individual Spendable Fund                     | Community Bank              | 141,047.99         |
| Inmate Occupational Therapy                                | Community Bank              | 18,207.57          |
| Misc Receipts  | Community Bank              | 17,233.14          |
| <b>10840 - UPSTATE CORRECTIONAL FACILITY-AUDIT 1</b>       |                             |                    |
| Advance Account  | Key Bank                    | 455.78             |
| Facility Committees  | Key Bank                    | 10,712.66          |
| Inmate Fund  | Key Bank                    | 179,703.33         |
| Inmate Occupational Therapy Fund                           | Key Bank                    | 31,225.92          |
| Miscellaneous Account                                      | Key Bank                    | 123.49             |
| <b>10850 - HALE CREEK ASACTC</b>                           |                             |                    |
| Consolidated Advance                                       | Key Bank                    | 640.00             |
| Employee Benefit Fund                                      | Key Bank                    | 12,489.11          |
| Incarcerated Individual Funds                              | Key Bank                    | 86,926.48          |
| Incarcerated Individual Occupational Therapy               | Key Bank                    | 17,170.85          |
| Misc Receipts  | Key Bank                    | 0.00               |
| <b>10890 - CORRECTIONS AND COMMUNITY SUPERVISION</b>       |                             |                    |
| Asset Forfeiture Special Rev Acct                          | Bank of America, N.A.       | No report received |
| <b>10916 - CENTRAL OFFICE - INDUSTRIES</b>                 |                             |                    |
| Div of Ind Petty Cash Acct                                 | Key Bank                    | 4,000.00           |
| Div of Ind Revenue Acct                                    | Key Bank                    | 166,731.55         |
| <b>11000 - EDUCATION DEPARTMENT</b>                        |                             |                    |
| 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 |
| <b>11100 - NYS HIGHER EDUCATION SERVICES CORPORATION</b>   |                             |                    |
| Federal Student Loan Suspense                              | US Bank                     | 5,267.70           |
| NYS HESC-Federal Student Loan Suspense                     | Key Bank                    | 0.00               |
| Operating  | Key Bank                    | 2,972,301.74       |
| Operating  | US Bank                     | 3,569,491.21       |
| <b>11260 - BATAVIA SCHOOL FOR THE BLIND</b>                |                             |                    |
| Misc. Receipts   | M&T Bank                    | 5,380.45           |
| Petty Cash   | M&T Bank                    | 3,272.04           |
| Student Spending Account                                   | Bank of America, N.A.       | 10,339.00          |
| <b>11270 - ROME SCHOOL FOR THE DEAF</b>                    |                             |                    |
| Miscellaneous Receipts                                     | NBT Bank                    | No report received |
| Petty Cash   | NBT Bank                    | No report received |
| Student Activity Fund                                      | NBT Bank                    | No report received |
| <b>11280 - ARCHIVES PARTNERSHIP TRUST</b>                  |                             |                    |
| Endowment  | Janney Montgomery Scott LLC | 4,839,859.02       |
| Endowment - Special Account                                | Janney Montgomery Scott LLC | No report received |
| Trust's Board Project Account                              | Key Bank                    | 196,105.92         |
| <b>12000 - DEPARTMENT OF HEALTH CENTRAL ADMINISTRATION</b> |                             |                    |
| CSA Rebate Account   | Bank of America, N.A.       | 864,847.36         |
| DOH EPIC Lockbox Acct                                      | Wells Fargo Bank            | 20,416.88          |
| DOH Main Cash Advance                                      | Key Bank                    | 12,716.22          |
| Early Intervention - Municipal Deposits for Provider Pymts | Key Bank                    | 0.00               |
| Early Intervention - Provider Payments Escrow              | Key Bank                    | 26,112.61          |
| EPIC Co Pay Account  | Bank of America, N.A.       | 0.00               |
| Epic Drug Manufacturer Rebate Account                      | Bank of America, N.A.       | 3,481.26           |
| EPIC EFT Acct  | Bank of America, N.A.       | 0.00               |
| EPIC Master Funding Acct                                   | Bank of America, N.A.       | 1,984,868.16       |
| 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            | 5,037.47           |
| ICR Audit Fees Account                                     | Bank of America, N.A.       | 248,031.82         |
| Indian Health Disbursement Account                         | Bank of America, N.A.       | 0.00               |
| Indian Health-Master Acct                                  | Bank of America, N.A.       | 1,173.17           |
| Medicaid   | Key Bank                    | 626,006.76         |
| Medicaid Insurance Recoveries Acct                         | Bank of America, N.A.       | 1,215,416.29       |
| Nurses Aide Fees (Prometric)                               | Bank of America, N.A.       | 40,831.69          |
| Nursing Home Fees Account                                  | Bank of America, N.A.       | 57,397.52          |
| NYS DOH CLEP Revenue                                       | Key Bank                    | 23,068.47          |
| OBRA Drug Rebate Program Acct                              | Bank of America, N.A.       | 92,915.70          |
| SPARCS   | Key Bank                    | 197,125.52         |
| <b>12010 - ROSWELL PARK MEMORIAL INSTITUTE</b>             |                             |                    |
| Office Of Patient Accounts                                 | M&T Bank                    | 7,501,333.34       |
| <b>12030 - HELEN HAYES HOSPITAL</b>                        |                             |                    |
| Misc. Receipts   | JPMorgan Chase Bank, N.A.   | 484,252.68         |
| Petty Cash Account   | JPMorgan Chase Bank, N.A.   | 6,378.70           |
| Rental Deposit Acct  | JPMorgan Chase Bank, N.A.   | 5,570.44           |
| <b>12120 - NYS VETERANS HOME-OXFORD</b>                    |                             |                    |
| Agency Advance   | NBT Bank                    | 8,291.05           |
| Exchange Account   | NBT Bank                    | 25,335.26          |
| Maintenance Fund   | NBT Bank                    | 46,988.14          |

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| NYS Veterans Home-Oxford (Resident Account, Custodial Account) | NBT Bank                  | 618,002.76         |
| Resident Custodial Account                                     | NBT Bank                  | 11,832.14          |
| Resident Custodial Account                                     | NBT Bank                  | 3,405.65           |
| Resident Custodial Account                                     | NBT Bank                  | 20,594.10          |
| Resident Custodial Account                                     | NBT Bank                  | 10,065.56          |
| Resident Custodial Account                                     | NBT Bank                  | 2,968.42           |
| Resident Custodial Account                                     | NBT Bank                  | 0.00               |
| Resident Custodial Account                                     | NBT Bank                  | 13,507.75          |
| <b>12150 - NYS VETERANS HOME-ST ALBANS</b>                     |                           |                    |
| NYC Veteran Home Agency Advance                                | JPMorgan Chase Bank, N.A. | 96,312.54          |
| St Albans NYC Vet Home Resid Funds                             | JPMorgan Chase Bank, N.A. | 436,023.39         |
| St Albans Vet Home Maintenance Acct                            | NBT Bank                  | 122,872.38         |
| <b>12180 - WESTERN NEW YORK VETERANS HOME</b>                  |                           |                    |
| Advance Account  | Bank of America, N.A.     | 3,290.00           |
| Exchange Account   | Bank of America, N.A.     | 3,268.04           |
| Maintenance Account  | NBT Bank                  | 23,968.88          |
| Resident Funds   | Bank of America, N.A.     | 61,532.55          |
| <b>12190 - VETERANS HOME AT MONTROSE</b>                       |                           |                    |
| Agency Advance Account   | Bank of America, N.A.     | 11,148.40          |
| Maintenance Acct   | NBT Bank                  | 1,184,187.92       |
| Residence Account  | Bank of America, N.A.     | 374,754.51         |
| <b>12200 - OFFICE OF MEDICAID INSPECTOR GENERAL</b>            |                           |                    |
| Albany Confidential Account                                    | Key Bank                  | 229.59             |
| Albany Petty Cash Account                                      | Key Bank                  | 271.00             |
| NYC Confidential Account                                       | JPMorgan Chase Bank, N.A. | 166.00             |
| <b>14000 - DEPARTMENT OF LABOR</b>                             |                           |                    |
| Agency Advance Account   | Key Bank                  | 26,828.15          |
| Exchange Account   | Bank of America, N.A.     | 324,909.85         |
| Fee And Permit Account   | Key Bank                  | 1,771,021.41       |
| Min Wage & Claim Funding Acct                                  | Key Bank                  | 99,942.34          |
| Minimum Wage & Wage Claim Acct                                 | Key Bank                  | 847,615.71         |
| Misc Receipts  | Bank of America, N.A.     | 185,887.05         |
| U.I. Fund Clearing Account                                     | JPMorgan Chase Bank, N.A. | 11,155,835.87      |
| UI Fund ACH Transactions                                       | Wells Fargo Bank          | 3,249,580.03       |
| <b>14010 - WORKERS COMPENSATION BOARD</b>                      |                           |                    |
| DTF/WCB MAC 14   | JPMorgan Chase Bank, N.A. | 318,399,441.66     |
| <b>16000 - PUBLIC SERVICE COMMISSION</b>                       |                           |                    |
| Cable Account  | Key Bank                  | 24,732.76          |
| Petty Cash Account   | Key Bank                  | 2,754.04           |
| Special Fee Account  | Key Bank                  | 15,065.95          |
| <b>17000 - NYS DEPARTMENT OF TRANSPORTATION</b>                |                           |                    |
| Main Office Advance For Travel                                 | Key Bank                  | 52,468.35          |
| Republic Airport, Long Island                                  |                           |                    |
| Republic Airport Revenue Acct                                  | JPMorgan Chase Bank, N.A. | 378,622.38         |
| <b>19000 - DEPARTMENT OF STATE</b>                             |                           |                    |
| Athletic   | M&T Bank                  | 20,980.00          |
| Licensing Revenue Account                                      | JPMorgan Chase Bank, N.A. | 897,459.35         |
| Main   | M&T Bank                  | 69,049.75          |
| Petty Cash Account   | Key Bank                  | 18,932.42          |
| Summons  | M&T Bank                  | 1,022,287.30       |
| <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.     | 500.00             |
| JCOPE Revenue Account  | Bank of America, N.A.     | 20,669.67          |
| <b>20000 - DEPARTMENT OF TAXATION &amp; FINANCE</b>            |                           |                    |
| Misc Tax Account - Exchange                                    | Bank of America, N.A.     | 54,060.98          |
| Off Track Betting Tax (MAC 848)                                | Key Bank                  | 829,780.30         |
| Pari Mutuel Betting Tax (MAC 847)                              | Key Bank                  | 1,069.29           |
| Petty Cash   | Bank of America, N.A.     | 15,000.00          |
| Tax Preparer Registration Fee (EFT)                            | Wells Fargo Bank          | 36,100.00          |
| Waste Tire Fee (EFT)   | Wells Fargo Bank          | 36,821.77          |
| Waste Tire Tax   | JPMorgan Chase Bank, N.A. | 8,868.87           |
| <b>20050 - NEW YORK STATE GAMING COMMISSION</b>                |                           |                    |
| Charitable Gaming Account                                      | Key Bank                  | 223,488.24         |
| Commercial Gaming Revenue Account                              | Key Bank                  | 0.00               |
| Custody Account  | US Bank                   | 13,219.33          |
| Fingerprint Concentration Account                              | Key Bank                  | 12,435.86          |
| License Revenue Account  | Bank of America, N.A.     | 9,364.56           |
| Lottery Concentration Account                                  | Key Bank                  | 39,326.97          |
| Lottery Prize Payment Account                                  | Key Bank                  | 0.00               |

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| Lottery Subscriptions Account                                  | Key Bank                  | 573,867.70         |
| Petty Cash Account   | Key Bank                  | 946.42             |
| Racing Refund Account  | Key Bank                  | 507,210.59         |
| Video Gaming Revenue Account                                   | Key Bank                  | 32,806,918.79      |
| <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>21190 - NYS ENERGY RESEARCH &amp; DEVELOPMENT AUTHORITY</b> |                           |                    |
| NYSERDA Greenbank MAC 26                                       | JPMorgan Chase Bank, N.A. | 0.00               |
| NYSERDA Main Checking MAC 30                                   | JPMorgan Chase Bank, N.A. | 39,372,916.42      |
| <b>21290 - HUDSON RIVER-BLACK RIVER REGULATING DISTRICT</b>    |                           |                    |
| Checking- General Fund Acct.                                   | Community Bank            | 197,309.10         |
| Checking- Petty Cash Fund                                      | Community Bank            | 5,000.00           |
| Hudson River General Acct                                      | Bank of America, N.A.     | 284,654.97         |
| Money Market   | Bank of America, N.A.     | 0.75               |
| 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                  | 0.00               |
| OSIG Petty Cash Account  | Key Bank                  | 417.17             |
| Albany   |                           |                    |
| Office of the Inspector General Confidential                   | Bank of America, N.A.     | 30,000.00          |
| <b>21820 - STATE COMMISSION ON JUDICIAL CONDUCT</b>            |                           |                    |
| Petty Cash Account   | JPMorgan Chase Bank, N.A. | 1,706.73           |
| Petty Cash Account   | Key Bank                  | 965.77             |
| Petty Cash Fund  | JPMorgan Chase Bank, N.A. | 441.57             |
| <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          | 375,753.45         |
| Albany Central Main Exchange                                   |                           |                    |
| Exchange   | Wells Fargo Bank          | 30,728.07          |
| Albany Central Office  |                           |                    |
| Title Escrow Exchange (Albany Central Office)                  | Wells Fargo Bank          | 38,584.95          |
| Albany TVB Sub (Albany Central Office)                         |                           |                    |
| Adjudication Account   | Wells Fargo Bank          | 56,848.62          |
| Albany-Region 3  |                           |                    |
| Confidential Inv Subpoena - Albany                             | Key Bank                  | No report received |
| Allegany-Belmont   | Steuben Trust Co.         | No report received |
| County Clerk Fee Allegany                                      |                           |                    |
| Andirondack Mountains  | JPMorgan Chase Bank, N.A. | 72,080.08          |
| County Fee Account   |                           |                    |
| Buffalo-Region 5   | M&T Bank                  | 1,164.00           |
| MV- Buffalo Investigator & Subpoena                            |                           |                    |
| Capital Saratoga Revenue                                       | JPMorgan Chase Bank, N.A. | 79,379.78          |
| County Fee Account   |                           |                    |
| Catskill Mountains   | JPMorgan Chase Bank, N.A. | 128,700.16         |
| County Fee Account   |                           |                    |
| Central Leatherstocking  | JPMorgan Chase Bank, N.A. | 69,661.47          |
| County Fee Account   |                           |                    |
| Chautauqua-Steuben   | JPMorgan Chase Bank, N.A. | 53,564.49          |
| County Fee Acct  |                           |                    |
| Chautauqua County  |                           |                    |
| Holding Acct-Chautauqua County                                 | Community Bank            | No report received |
| Holding Acct-Chautauqua County                                 | Key Bank                  | No report received |
| Holding Acct-Chautauqua County                                 | M&T Bank                  | No report received |
| Concentration (CTY)(OSC)                                       |                           |                    |
| Concentration (CTY)(OSC)                                       | Key Bank                  | 202,246.01         |
| Concentration (DO)(OSC)  |                           |                    |
| Concentration (DO)(OSC)  | Key Bank                  | 3,038,948.89       |
| Confidential Fund (Albany Central Office)                      |                           |                    |
| Confidential Fund  | Bank of America, N.A.     | 5,347.87           |
| CTY Credit Card (Albany Central Office)                        |                           |                    |
| County Office Credit Card Account                              | JPMorgan Chase Bank, N.A. | 1,010,499.77       |
| Customer Service Counter (Albany)                              |                           |                    |
| NYS DMV CSC  | Wells Fargo Bank          | 55,202.50          |
| D.O. Credit Card (Albany Central Office)                       |                           |                    |
| District Office Credit Card Account                            | JPMorgan Chase Bank, N.A. | 4,635,246.16       |
| DMV Division Of Field Investigations - Albany Central Office   |                           |                    |
| Field Investigation  | M&T Bank                  | No report received |
| Eric County Revenue  |                           |                    |

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| County Fee Account                                      | JPMorgan Chase Bank, N.A.     | 50,000.00          |
| Finger Lakes First                                      |                               |                    |
| County Fee Acct   | JPMorgan Chase Bank, N.A.     | 50,985.40          |
| Finger Lakes Second                                     |                               |                    |
| County Fee Acct   | JPMorgan Chase Bank, N.A.     | 53,522.49          |
| Genesee County  |                               |                    |
| Genesee County Clerk - DMV                              | Bank of Castile               | 0.00               |
| Genesee County Clerk - DMV                              | M&T Bank                      | 195,966.57         |
| Greene County   |                               |                    |
| Fee Account - Greene                                    | Greene County Commercial Bank | No report received |
| Hudson Valley   |                               |                    |
| County Fee Acct   | JPMorgan Chase Bank, N.A.     | 77,187.67          |
| IRP (Albany Central Office)                             |                               |                    |
| International Registration                              | M&T Bank                      | 50,000.00          |
| International Registration                              | Wells Fargo Bank              | 448,748.58         |
| IRP Exchange (Albany Central Office)                    |                               |                    |
| Irp Internet Office - Dept. MV                          | M&T Bank                      | 376,954.54         |
| Kiosk   |                               |                    |
| Kiosk Account   | JPMorgan Chase Bank, N.A.     | 162,546.50         |
| Long Island/Staten Island DO                            |                               |                    |
| Long Island/Staten Island DO                            | Wells Fargo Bank              | 565,309.46         |
| Long Island/Staten Island JP                            |                               |                    |
| Long Island/Staten Island (Mass/Med)                    | JPMorgan Chase Bank, N.A.     | 50,000.00          |
| Nassau Region 1   |                               |                    |
| Div. of Vehicle Safety                                  | Citibank                      | No report received |
| Niagara Frontier  |                               |                    |
| County Fee Acct   | JPMorgan Chase Bank, N.A.     | 50,685.00          |
| NYC North   |                               |                    |
| NYC North   | Wells Fargo Bank              | 209,405.66         |
| NYC South   |                               |                    |
| NYC South   | Wells Fargo Bank              | 167,811.85         |
| Oneida County   |                               |                    |
| DMV Oneida County Fee Account                           | Bank of Utica                 | No report received |
| Oneida County Fee Account                               | NBT Bank                      | No report received |
| Petty Cash (Albany Central Office)                      |                               |                    |
| Petty Cash  | Bank of America, N.A.         | 9,150.33           |
| Queens-Region 6   |                               |                    |
| Confidential - Queens                                   | JPMorgan Chase Bank, N.A.     | 3,390.00           |
| Rockland/Westchester DO                                 |                               |                    |
| Rockland/Westchester DO                                 | Wells Fargo Bank              | 131,477.76         |
| Search Exchange (Albany Central Office)                 |                               |                    |
| MV Search   | Key Bank                      | 319,987.61         |
| Search Exchange (Albany Central Office)                 |                               |                    |
| MV Search   | Wells Fargo Bank              | (1,359.27)         |
| Syracuse-Region 4                                       |                               |                    |
| Confidential - Syracuse                                 | Key Bank                      | No report received |
| Thousand Island Seaway                                  |                               |                    |
| County Fee Acct   | JPMorgan Chase Bank, N.A.     | 233,319.94         |
| TLC/DOCCS   |                               |                    |
| TLC/DOCCS   | JPMorgan Chase Bank, N.A.     | 20,564.05          |
| Travel Advance (Albany Central Office)                  |                               |                    |
| Travel Advance  | Bank of America, N.A.         | 1,000.00           |
| TVB Credit Card (Albany Central Office)                 |                               |                    |
| TVB Credit Card Receipts                                | JPMorgan Chase Bank, N.A.     | 711,261.56         |
| Upstate DO  |                               |                    |
| Upstate District Offices (ALB, SYD, SYS, UTD)           | Wells Fargo Bank              | 194,028.01         |
| Utica D.O.  |                               |                    |
| Revenue Utica   | Bank of Utica                 | 1,268,316.82       |
| 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.     | No report received |
| Brentwood Residents' Account                            | JPMorgan Chase Bank, N.A.     | No report received |
| Brookwood Cash Advance                                  | Key Bank                      | No report received |
| Brookwood Resid Residential Cash                        | Key Bank                      | No report received |
| Check Exchange  | Bank of America, N.A.         | No report received |
| CO Independent Living Acct                              | Bank of America, N.A.         | No report received |
| Finger Lakes Res Ctr Residents Cash                     | Key Bank                      | No report received |
| Fingerlakes Res Ctr Cash Advance                        | Key Bank                      | No report received |
| Goshen Cash Advance                                     | Bank of America, N.A.         | No report received |
| Goshen Residents Account                                | Bank of America, N.A.         | No report received |
| Harriet Tubman Advance Account                          | Key Bank                      | No report received |
| Harriet Tubman Residents' Account                       | Key Bank                      | No report received |
| Highland Res Ctr Petty Cash Account                     | Bank of America, N.A.         | No report received |

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| Highland Res Ctr Residents Acct                                | Bank of America, N.A.     | No report received |
| Industry Advance Account                                       | JPMorgan Chase Bank, N.A. | No report received |
| Industry Res Account   | JPMorgan Chase Bank, N.A. | No report received |
| Industry School Dug-Out  | JPMorgan Chase Bank, N.A. | No report received |
| MacCormick Cash Advance  | Key Bank                  | No report received |
| MacCormick Residents' Account                                  | Key Bank                  | No report received |
| Medicaid Reimbursement Exchange                                | Bank of America, N.A.     | No report received |
| NYS OCFS Advance Acct (Travel & Misc P.C.)                     | Bank of America, N.A.     | No report received |
| NYS OCFS Salary Advance Account                                | Bank of America, N.A.     | No report received |
| Queens-Long Island Aftercare                                   | JPMorgan Chase Bank, N.A. | No report received |
| SCR Credit Card Revenue Account                                | Bank of America, N.A.     | No report received |
| State Central Register   | Bank of America, N.A.     | No report received |
| Taberg Cash Advance  | NBT Bank                  | No report received |
| Taberg Residents Account                                       | NBT Bank                  | No report received |
| <b>27000 - OFFICE OF TEMPORARY &amp; DISABILITY ASSISTANCE</b> |                           |                    |
| Exchange Account   | Key Bank                  | 20.70              |
| Title IV D Of Social Security                                  | Key Bank                  | 3,024,900.59       |
| Travel Advance   | Key Bank                  | 10,000.58          |
| <b>28010 - SUNY ALBANY</b>                                     |                           |                    |
| Fee Account  | Key Bank                  | 2,009,347.69       |
| Loan Services Center Account                                   | Key Bank                  | 32,848.27          |
| Petty Cash/Travel Advance                                      | Key Bank                  | 0.00               |
| <b>28020 - SUNY BINGHAMTON</b>                                 |                           |                    |
| SUNY Binghamton  | Key Bank                  | 657,969.24         |
| SUNY Binghamton  | M&T Bank                  | 141,928.50         |
| SUNY Binghamton - Controlled Disb                              | Key Bank                  | 0.00               |
| 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                  | 464,049.64         |
| Imprest Account  | Key Bank                  | 0.00               |
| <b>28050 - SUNY STONY BROOK</b>                                |                           |                    |
| Central Funding  | JPMorgan Chase Bank, N.A. | 1,750,678.78       |
| Controlled Disbursement  | JPMorgan Chase Bank, N.A. | -                  |
| Fees Depository  | JPMorgan Chase Bank, N.A. | 17,711,272.30      |
| LISVH Fees Depository  | JPMorgan Chase Bank, N.A. | 63,610.38          |
| LISVH Fees Depository  | Sterling Bank             | 165,810.72         |
| LISVH Residence Fund   | Sterling Bank             | 566,961.30         |
| Payroll Advance  | JPMorgan Chase Bank, N.A. | 2,633.44           |
| SBU Student Refunds Cont Disb Acct                             | JPMorgan Chase Bank, N.A. | -                  |
| Student ACH Refunds Account                                    | JPMorgan Chase Bank, N.A. | -                  |
| SUNY Eastern Long Island Hospital Depository                   | JPMorgan Chase Bank, N.A. | 807,034.19         |
| SUNY Southampton Depository                                    | JPMorgan Chase Bank, N.A. | 903,053.78         |
| University Hosp Fees Depository                                | JPMorgan Chase Bank, N.A. | 258,858,097.01     |
| University Hospital Petty Cash                                 | JPMorgan Chase Bank, N.A. | 1,800.61           |
| <b>28100 - SUNY HEALTH SCIENCE CENTER AT BROOKLYN</b>          |                           |                    |
| Center Revenue   | JPMorgan Chase Bank, N.A. | 265,556.25         |
| 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. | 46,340,130.37      |
| LICH Controlled Disbursement                                   | JPMorgan Chase Bank, N.A. | 0.00               |
| LICH Depository  | JPMorgan Chase Bank, N.A. | 43,428.18          |
| Student Refunds  | JPMorgan Chase Bank, N.A. | 0.00               |
| <b>28110 - SUNY HEALTH SCIENCE CENTER AT SYRACUSE</b>          |                           |                    |
| College Revenue  | Key Bank                  | 100,901.36         |
| Controlled Disbursement  | Key Bank                  | 0.00               |
| Hospital Revenue   | Key Bank                  | 241,661,852.79     |
| Parking  | Key Bank                  | 77,793.80          |
| <b>28150 - SUNY BROCKPORT</b>                                  |                           |                    |
| Brockport-REOC Account   | Key Bank                  | 2,128.64           |
| Concentration Acct   | M&T Bank                  | 178,554.79         |
| Controlled Disb  | M&T Bank                  | 0.00               |
| Special Account  | M&T Bank                  | 1,000.00           |
| <b>28160 - SUNY BUFFALO STATE COLLEGE</b>                      |                           |                    |
| Controlled Disb  | M&T Bank                  | 0.00               |
| Special Grant Account  | M&T Bank                  | 3,423.14           |
| Students Acct Office   | M&T Bank                  | 168,693.84         |
| <b>28170 - SUNY CORTLAND</b>                                   |                           |                    |
| General Checking Account                                       | Key Bank                  | 161,051.52         |
| <b>28180 - SUNY FREDONIA</b>                                   |                           |                    |
| Controlled Disb  | M&T Bank                  | 0.00               |
| Depository Account   | M&T Bank                  | 121,238.38         |
| <b>28190 - SUNY GENESEO</b>                                    |                           |                    |

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|---|---------------------------|--------------|
| Controlled Disbursement Account   | Key Bank                  | 0.00         |
| State Fees  | Key Bank                  | 81,254.14    |
| <b>28200 - SUNY OLD WESTBURY</b>  |                           |              |
| Local Depository  | JPMorgan Chase Bank, N.A. | 150,434.68   |
| <b>28210 - SUNY NEW PALTZ</b>   |                           |              |
| Disbursement Account  | Key Bank                  | 0.00         |
| State Revenue   | Key Bank                  | 171,700.70   |
| <b>28220 - SUNY ONEONTA</b>   |                           |              |
| Petty Cash Advance Account  | NBT Bank                  | 0.00         |
| Revenue Account   | NBT Bank                  | 842,538.55   |
| <b>28230 - SUNY OSWEGO</b>  |                           |              |
| Controlled Disbursement   | Key Bank                  | 0.00         |
| General Revenue   | Key Bank                  | 193,421.28   |
| Imprest Account   | Key Bank                  | 0.00         |
| <b>28240 - SUNY PLATTSBURGH</b>   |                           |              |
| General Revenue   | TD Bank                   | 1,419,653.02 |
| <b>28250 - SUNY POTSDAM</b>   |                           |              |
| Control Disbursement Account  | Key Bank                  | 40.00        |
| State Fee Reconciliation Account  | Key Bank                  | 380,756.26   |
| <b>28260 - SUNY PURCHASE</b>  |                           |              |
| General Income Fund   | Key Bank                  | 71,235.53    |
| <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.     | 257,077.15   |
| <b>28280 - SUNY EMPIRE STATE COLLEGE</b>                                |                           |              |
| Concentration Account   | Key Bank                  | 93,454.10    |
| Distribution Center Account   | Key Bank                  | 123,936.72   |
| International Wire Account  | Key Bank                  | 0.00         |
| Zero Balance Controlled Disbursement Account                            | Key Bank                  | 0.00         |
| <b>28350 - SUNY COLLEGE OF TECHNOLOGY AT ALFRED</b>                     |                           |              |
| Fees Account  | Community Bank            | 396,767.02   |
| <b>28360 - SUNY COLLEGE OF TECHNOLOGY AT CANTON</b>                     |                           |              |
| Community Cash Deposits   | NBT Bank                  | 80,906.87    |
| Income Fund   | Key Bank                  | 229,945.98   |
| International Program Account   | Key Bank                  | 0.00         |
| <b>28370 - SUNY AGRICULTURAL &amp; TECHNICAL COLLEGE AT COBLESKILL</b>  |                           |              |
| Income Fund   | Key Bank                  | 110,873.22   |
| <b>28380 - SUNY COLLEGE OF TECHNOLOGY AT DELHI</b>                      |                           |              |
| General Revenue   | Delaware National Bank    | 158,872.46   |
| Petty Cash Fund   | Delaware National Bank    | 0.00         |
| <b>28390 - SUNY COLLEGE OF TECHNOLOGY AT FARMINGDALE</b>                |                           |              |
| Income Fund   | Citibank                  | 1,576,519.25 |
| <b>28400 - SUNY AGRICULTURAL &amp; TECHNICAL COLLEGE AT MORRISVILLE</b> |                           |              |
| Income Fund   | Key Bank                  | 250,420.27   |
| <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                  | 165,814.05   |
| 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. | 100,000.00   |
| Revenue Deposit Account   | JPMorgan Chase Bank, N.A. | 92,729.82    |
| Revenue EFT Account   | JPMorgan Chase Bank, N.A. | 15,737.00    |
| <b>28580 - SUNY COLLEGE OF OPTOMETRY</b>                                |                           |              |
| General Revenue   | JPMorgan Chase Bank, N.A. | 720,850.44   |
| Medical Transportation  | JPMorgan Chase Bank, N.A. | 108.63       |
| <b>28650 - SUNY CENTRAL SYSTEM ADMINISTRATION</b>                       |                           |              |
| ASC   | Key Bank                  | 10,000.00    |
| NYS Iso   | Key Bank                  | 4,900,000.00 |
| Revenue   | Key Bank                  | 212,178.20   |
| <b>37000 - DEPARTMENT OF FINANCIAL SERVICES</b>                         |                           |              |
| Confidential Investigations   | JPMorgan Chase Bank, N.A. | 11,202.85    |
| Confidential Investigations   | JPMorgan Chase Bank, N.A. | 9,491.54     |
| Covid Risk Adj A/C  | JPMorgan Chase Bank, N.A. | 0.00         |
| Fire Tax Account (Main)   | Key Bank                  | 103,604.92   |
| Fire Tax Payment  | Key Bank                  | 0.00         |
| General Assessment Account  | JPMorgan Chase Bank, N.A. | 286,155.93   |
| General Fund  | Key Bank                  | 1,761,854.14 |
| Market Stabilization Pool Account                                       | JPMorgan Chase Bank, N.A. | 1,679,500.84 |
| Miscellaneous Account   | JPMorgan Chase Bank, N.A. | 1,316,220.03 |



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| Paid Family Leave  | JPMorgan Chase Bank, N.A. | 0.01         |
| Petty Cash   | Key Bank                  | 5,746.46     |
| Pharmacy Benefits Program                                      | JPMorgan Chase Bank, N.A. | 681,000.00   |
| Virtual Currency   | JPMorgan Chase Bank, N.A. | 0.00         |
| Workers Comp Insurance Sec Fund Pymnt                          | JPMorgan Chase Bank, N.A. | 100,297.33   |
| <b>49010 - SARATOGA-CAPITAL DISTRICT STATE PARK COMMISSION</b> |                           |              |
| Revenue (SA)   | Glens Falls National      | 35,709.68    |
| <b>49020 - LONG ISLAND STATE PARK COMMISSION</b>               |                           |              |
| Regional Account 2 (LI)  | JPMorgan Chase Bank, N.A. | 374,804.38   |
| <b>49030 - GENESEE STATE PARK COMMISSION</b>                   |                           |              |
| Contractors Bid (GE)   | Bank of Castile           | 66,925.19    |
| <b>49040 - NIAGARA FRONTIER STATE PARK COMMISSION</b>          |                           |              |
| Contractors Bid (NIA)  | Key Bank                  | 68.40        |
| Revenue (NIA)  | Evans National Bank       | 63,759.12    |
| <b>49050 - PALISADES INTERSTATE STATE PARK COMMISSION</b>      |                           |              |
| Contractors Bid (PA)   | JPMorgan Chase Bank, N.A. | 6,269.67     |
| <b>49070 - OFFICE OF PARKS &amp; RECREATION</b>                |                           |              |
| Main Office - Change Fund                                      | Key Bank                  | 30,765.00    |
| Main Office Account (ALB)                                      | Key Bank                  | 1,500.00     |
| OPRHP Concentration Account                                    | Key Bank                  | 1,900,327.14 |
| Petty Cash (ALB)   | Key Bank                  | 30,000.00    |
| Revenue (NI, GE, AL, CE, TA)                                   | M&T Bank                  | 88,116.23    |
| Revenue (NYC, CE, LI, PA, TA)                                  | JPMorgan Chase Bank, N.A. | 378,532.57   |
| Revenue (SA, LI, GE, NI, CE, TA)                               | Bank of America, N.A.     | 66,007.70    |
| Revenue (SA, NI, PA, CE, TA, TI)                               | Key Bank                  | 18,864.81    |
| Revenue (various)  | Wells Fargo Bank          | 72,672.07    |
| Statewide Campsite/Cabin Revenue                               | JPMorgan Chase Bank, N.A. | 1,878.85     |
| Statewide Credit Card Revenue (ALB, FL, LI, PA, TI)            | Key Bank                  | 1,884,042.96 |
| Statewide Housing Security Deposits                            | Key Bank                  | 163,766.29   |
| <b>49090 - FINGER LAKES STATE PARK COMMISSION</b>              |                           |              |
| Revenue (FL)   | Savannah Bank             | 36,198.51    |
| Revenue (FL-Multi)   | Community Bank            | 52,168.37    |
| Revenue (FL-Multi-Facilities)                                  | Tompkins County Trust     | 51,837.07    |
| <b>49100 - ALLEGANY STATE PARK COMMISSION</b>                  |                           |              |
| Contractors Bid (AL)   | Five Star Bank            | 0.00         |
| Regional Account (AL)  | Five Star Bank            | 142,523.88   |
| Revenue (AL)   | Five Star Bank            | 55,392.10    |
| <b>49120 - CENTRAL NEW YORK STATE PARK COMMISSION</b>          |                           |              |
| Revenue (CE, SA, TI)   | NBT Bank                  | 31,787.28    |
| <b>49140 - THOUSAND ISLANDS STATE PARK COMMISSION</b>          |                           |              |
| Revenue (TI)   | Citizens Bank             | 41,177.04    |
| Revenue (TI-Multi)   | Community Bank            | 20,315.27    |
| <b>50000 - OFFICE OF MENTAL HEALTH</b>                         |                           |              |
| Consolidated Advance   | Bank of America, N.A.     | 15,010.00    |
| Iterim Assistance Agreement                                    | Bank of America, N.A.     | 0.00         |
| OMH Medication Grant Program Acct                              | Bank of America, N.A.     | 67.80        |
| Reimbursement Account  | Bank of America, N.A.     | 241,465.24   |
| <b>50010 - GREATER BINGHAMTON HEALTH CENTER</b>                |                           |              |
| Agency Advance Account   | JPMorgan Chase Bank, N.A. | 10,080.00    |
| Facility Holding Account                                       | JPMorgan Chase Bank, N.A. | 9,984.42     |
| Patient Cash Funds   | JPMorgan Chase Bank, N.A. | 455,664.66   |
| Patients Cash Account  | JPMorgan Chase Bank, N.A. | 544,720.80   |
| Security Deposit   | JPMorgan Chase Bank, N.A. | 2,539.33     |
| <b>50020 - KINGSBORO PSYCHIATRIC CENTER</b>                    |                           |              |
| Advance Account  | Banco Popular             | 7,224.02     |
| Family Care  | Banco Popular             | 14,290.87    |
| Holding Account  | Banco Popular             | 325,479.47   |
| Medicaid Outpatient Travel                                     | Banco Popular             | 9,955.83     |
| Patient Cash Acct (MM)   | Banco Popular             | 200,312.69   |
| Patient Checking Account                                       | Citibank                  | 25,584.41    |
| Patient Savings Account  | Banco Popular             | 335,808.65   |
| Security Deposit   | Banco Popular             | 2,489.88     |
| Urban Oasis/EBT  | Banco Popular             | 64,304.32    |
| <b>50030 - BUFFALO PSYCHIATRIC CENTER</b>                      |                           |              |
| Advance Account  | Key Bank                  | 15,914.43    |
| Facility Holding   | Key Bank                  | 107.03       |
| Patient Cash Checking  | Key Bank                  | 170,055.48   |
| <b>50080 - MANHATTAN PSYCHIATRIC CENTER</b>                    |                           |              |
| Advance Account  | Bank of America, N.A.     | 5,165.96     |
| General fund   | Bank of America, N.A.     | 3,516.56     |
| Patient Cash Account   | Bank of America, N.A.     | 1,140,021.62 |
| Token Account  | Bank of America, N.A.     | 33,974.80    |
| <b>50110 - ROCHESTER PSYCHIATRIC CENTER</b>                    |                           |              |
| Agency Advance   | Key Bank                  | 25,807.98    |

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| Facility Holding                                       | Key Bank                  | 16,823.72          |
| Patients Cash Account                                  | Key Bank                  | 240,198.30         |
| Patients Fund Savings                                  | Key Bank                  | 278,836.08         |
| <b>50120 - ST LAWRENCE PSYCHIATRIC CENTER</b>          |                           |                    |
| Facility Advance Account                               | Community Bank            | 12,548.01          |
| Facility Holding Account                               | Community Bank            | 16,638.81          |
| Patients Cash Account                                  | Community Bank            | 124,619.44         |
| Patients Cash Savings                                  | Community Bank            | 229,617.10         |
| <b>50150 - CREEDMOOR PSYCHIATRIC CENTER</b>            |                           |                    |
| Advance Account  | JPMorgan Chase Bank, N.A. | 68,218.20          |
| Facility Holding                                       | JPMorgan Chase Bank, N.A. | 20,043.48          |
| Patient Account  | JPMorgan Chase Bank, N.A. | 1,219,181.38       |
| Rent Account   | JPMorgan Chase Bank, N.A. | 0.00               |
| <b>50170 - ROCKLAND PSYCHIATRIC CENTER</b>             |                           |                    |
| Exchange   | JPMorgan Chase Bank, N.A. | 125,616.78         |
| Holding Account  | JPMorgan Chase Bank, N.A. | 983,151.28         |
| Investment CD A  | Webster Bank              | No report received |
| Investment CD B  | Sterling Bank             | No report received |
| Investment CD B  | Webster Bank              | No report received |
| Investment CD C  | Webster Bank              | No report received |
| Investment CD D  | Webster Bank              | No report received |
| Investment CD G  | Webster Bank              | No report received |
| Investment CD I  | Webster Bank              | No report received |
| Patient Cash Account                                   | JPMorgan Chase Bank, N.A. | 83,547.13          |
| Patient Cash Checking Account                          | JPMorgan Chase Bank, N.A. | 1,733,040.04       |
| Patient Cash Savings Account                           | JPMorgan Chase Bank, N.A. | 270,345.74         |
| <b>50180 - NYS PSYCHIATRIC INSTITUTE</b>               |                           |                    |
| Donation & Gift Acct/Patient Fund Acct                 | JPMorgan Chase Bank, N.A. | 10,659.03          |
| General  | JPMorgan Chase Bank, N.A. | 127,108.56         |
| Petty Cash   | JPMorgan Chase Bank, N.A. | 1,830.62           |
| <b>50190 - RICHARD H HUTCHINGS PSYCHIATRIC CENTER</b>  |                           |                    |
| Advance Account  | Key Bank                  | No report received |
| Clients Count  | Key Bank                  | No report received |
| Holding Account  | Key Bank                  | No report received |
| <b>50200 - PILGRIM PSYCHIATRIC CENTER</b>              |                           |                    |
| Facility Advance Account                               | JPMorgan Chase Bank, N.A. | 38,875.64          |
| Facility Holding Acct                                  | JPMorgan Chase Bank, N.A. | 132,926.14         |
| Patient Cash   | JPMorgan Chase Bank, N.A. | 807,199.41         |
| <b>50210 - MOHAWK VALLEY PSYCHIATRIC CENTER</b>        |                           |                    |
| Advance Fund   | Key Bank                  | 11,016.40          |
| Facility Holding                                       | Key Bank                  | 1,096.87           |
| Patient Cash Checking                                  | Key Bank                  | 58,504.74          |
| Patient Cash Savings                                   | Key Bank                  | 29,057.14          |
| Security Deposit                                       | Key Bank                  | 8,809.59           |
| <b>50310 - BRONX PSYCHIATRIC CENTER</b>                |                           |                    |
| CD   | JPMorgan Chase Bank, N.A. | 250,000.00         |
| Consolidated Advance                                   | JPMorgan Chase Bank, N.A. | 54,671.67          |
| Misc. Receipts   | JPMorgan Chase Bank, N.A. | 56,472.53          |
| Patients Cash MM                                       | JPMorgan Chase Bank, N.A. | 85,274.42          |
| Patients Checking Acct                                 | JPMorgan Chase Bank, N.A. | 529,905.41         |
| <b>50340 - NATHAN KLINE INSTITUTE</b>                  |                           |                    |
| Petty Cash Account                                     | JPMorgan Chase Bank, N.A. | No report received |
| <b>50350 - KIRBY FORENSIC PSYCHIATRIC CENTER</b>       |                           |                    |
| Advance Account  | Bank of America, N.A.     | 5,560.16           |
| Holding Account  | Bank of America, N.A.     | 28,156.39          |
| Patient Cash Account                                   | Bank of America, N.A.     | 134,926.78         |
| <b>50390 - CENTRAL NY PSYCHIATRIC CENTER</b>           |                           |                    |
| Agency Advance Account                                 | Key Bank                  | 10,644.35          |
| General Fund   | Key Bank                  | 0.00               |
| Patient Checking                                       | Key Bank                  | 77,457.29          |
| Patient Savings  | Key Bank                  | 207,658.90         |
| Security Deposit                                       | Key Bank                  | 2,664.92           |
| <b>50440 - MID-HUDSON FORENSIC PSYCHIATRIC CENTER</b>  |                           |                    |
| Facility Advance Account                               | Key Bank                  | 5,869.68           |
| Facility Holding Account                               | Key Bank                  | 953.75             |
| Patients Account                                       | Key Bank                  | 277,786.16         |
| <b>50790 - SOUTH BEACH PSYCHIATRIC CENTER</b>          |                           |                    |
| Agency Advance Checking                                | JPMorgan Chase Bank, N.A. | 25,666.77          |
| Facility Holding Checking                              | JPMorgan Chase Bank, N.A. | 25,034.46          |
| Patients Cash Checking                                 | JPMorgan Chase Bank, N.A. | 759,289.75         |
| <b>50800 - BRONX CHILDRENS PSYCHIATRIC CENTER</b>      |                           |                    |
| General Fund   | JPMorgan Chase Bank, N.A. | 12,334.55          |
| <b>50810 - WESTERN NY CHILDRENS PSYCHIATRIC CENTER</b> |                           |                    |
| Agency Advance   | Key Bank                  | 1,186.18           |

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| Exchange Account   | Key Bank                     | 8.46               |
| Patient Cash   | Key Bank                     | 420.00             |
| <b>50850 - SAGAMORE CHILDRENS PSYCHIATRIC CENTER</b>                 |                              |                    |
| Sagamore Patient Personal Acct                                       | JPMorgan Chase Bank, N.A.    | 21,204.45          |
| Sagamore Petty Cash Account  | JPMorgan Chase Bank, N.A.    | 5,360.00           |
| <b>50860 - ROCKLAND CHILDRENS PSYCHIATRIC CENTER</b>                 |                              |                    |
| Advance Account  | JPMorgan Chase Bank, N.A.    | 19,211.28          |
| <b>50870 - QUEENS CHILDRENS PSYCHIATRIC CENTER</b>                   |                              |                    |
| Queens Adv Acct  | JPMorgan Chase Bank, N.A.    | 10,991.00          |
| Queens Childrens Account   | JPMorgan Chase Bank, N.A.    | 7,531.58           |
| <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          | 11,349.21          |
| General Fund Account   | Chemung Canal Trust          | 1,994.82           |
| IMMA   | Chemung Canal Trust          | 47,981.11          |
| Patients Fund Account  | Chemung Canal Trust          | 260,180.69         |
| <b>50980 - CAPITAL DISTRICT PSYCHIATRIC CENTER</b>                   |                              |                    |
| Facility Advance Account   | Key Bank                     | 18,503.80          |
| Facility Holding Account   | Key Bank                     | 150,164.45         |
| Parking Garage Account   | Key Bank                     | 126,651.41         |
| Patients Cash Checking Account                                       | Key Bank                     | 485,135.08         |
| Patients Cash Savings Account  | Key Bank                     | 398,943.78         |
| <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.        | 7,660,769.46       |
| <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                     | 32,345.71          |
| Clients Account  | Key Bank                     | 1,243,688.80       |
| Consumer Cash - Savings  | Adirondack Bank              | 4,212,304.10       |
| <b>51250 - TACONIC DDSO</b>  |                              |                    |
| Agency Advance Account   | M&T Bank                     | 54,728.36          |
| General Fund   | M&T Bank                     | 2,116.84           |
| Patient Fund CD  | JPMorgan Chase Bank, N.A.    | 1,500,000.00       |
| Patients Cash Checking   | M&T Bank                     | 457,939.60         |
| 500 Balltown Rd Schenectady, NY                                      |                              |                    |
| TDDSO Representative Payee Savings Acct                              | The Adirondack Trust Company | 1,683,224.91       |
| <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                     | 61,189.66          |
| CD-Patient Property Funds  | Key Bank                     | 3,401,109.29       |
| Exchange Account   | M&T Bank                     | 176,190.35         |
| General Account  | Community Bank               | 27,144.93          |
| Patient Property Funds   | Adirondack Bank              | 1,529,954.08       |
| Patient Property Funds   | M&T Bank                     | 505,811.15         |
| <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.    | 342,072.79         |
| Consumers Money Management   | JPMorgan Chase Bank, N.A.    | 694,476.82         |
| Miscellaneous Receipts   | JPMorgan Chase Bank, N.A.    | 170,059.97         |

|   |                           |                    |
|---|---------------------------|--------------------|
| Thomas Shirtz Community Service   | JPMorgan Chase Bank, N.A. | 12,876.36          |
| <b>51420 - SUNMOUNT DDSO</b>  |                           |                    |
| Certificate of Deposit  | Community Bank            | No report received |
| Residents Fund  | Community Bank            | No report received |
| Sunmount Advance Account  | Community Bank            | No report received |
| <b>51430 - INSTITUTE FOR BASIC RESEARCH IN DEVELOPMENTAL DISABILITIES</b>         |                           |                    |
| Petty Cash  | JPMorgan Chase Bank, N.A. | No report received |
| <b>51450 - METRO NY DDSO</b>  |                           |                    |
| Consolidated Acct   | JPMorgan Chase Bank, N.A. | 78,882.98          |
| Manhattan DDSO Client Cash  | JPMorgan Chase Bank, N.A. | 27,334.84          |
| Metro NY DDSO REP PAYEE ACCOUNT   | JPMorgan Chase Bank, N.A. | 343,117.85         |
| Patients Cash Account   | JPMorgan Chase Bank, N.A. | 18,798.32          |
| Patients Money Market Account   | JPMorgan Chase Bank, N.A. | 0.10               |
| <b>51470 - BERNARD M FINESON DDSO</b>   |                           |                    |
| Money Market Account  | JPMorgan Chase Bank, N.A. | 310,311.17         |
| Patient Fund Account  | JPMorgan Chase Bank, N.A. | 245,695.06         |
| Petty Cash Fund   | JPMorgan Chase Bank, N.A. | 9,714.85           |
| <b>51780 - FINGER LAKES DDSO</b>  |                           |                    |
| Advance Account   | JPMorgan Chase Bank, N.A. | 38,929.06          |
| Finger Lakes Resident Checking  | JPMorgan Chase Bank, N.A. | 509,850.10         |
| FL Vending Machine Account  | Community Bank            | 72,842.24          |
| General Account   | JPMorgan Chase Bank, N.A. | 50,384.16          |
| Kelsey Trust Fund   | Bank of America, N.A.     | 5,011.03           |
| Mary Moore Trust Fund   | Bank of America, N.A.     | 20,031.10          |
| <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                  | 2,800.00           |
| Patient Fees  | Bank of America, N.A.     | 74,583.40          |
| Revenue Account   | Bank of America, N.A.     | 47,832.06          |
| <b>53020 - KINGSBORO ALCOHOLISM TREATMENT CENTER</b>                              |                           |                    |
| Petty Cash Advance Account  | Bank of America, N.A.     | No report received |
| <b>70000 - CUNY UNIVERSITY MANAGEMENT &amp; PROGRAM BOARD OF HIGHER EDUCATION</b> |                           |                    |
| CUNY Admin Imprest Cash Account   | Citibank                  | 9,418.62           |
| <b>70030 - CUNY HUNTER COLLEGE</b>  |                           |                    |
| Travel Petty Cash Account   | Citibank                  | 48,436.24          |
| <b>70060 - CUNY JOHN JAY COLLEGE</b>  |                           |                    |
| CUNY JOHN JAY COLLEGE IMPREST FUND  | Citibank                  | 16,542.12          |
| <b>70070 - CUNY LEHMAN COLLEGE</b>  |                           |                    |
| Lehman College  | Citibank                  | 4,345.50           |
| <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                   | 4,917.64           |
| <b>70150 - CUNY SCHOOL OF LAW</b>   |                           |                    |
| CUNY School Of Law  | TD Bank                   | 17,884.92          |

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 05/31/2023

| ACCOUNT DESCRIPTION  | DEPOSITORY                | BALANCE AS OF<br>5/31/2023 |
|--|---------------------------|----------------------------|
| <b>COMMUNITY COLLEGE TUITION AND INSTRUCTIONAL INCOME FUND</b>                     |                           |                            |
| 0232 Upstate Community Colleges, Series 2005B                                      | Key Bank                  | 2,248,463.25               |
| <b>DEPARTMENT OF FINANCIAL SERVICES</b>  |                           |                            |
| 0001 Property/Casualty Insurance Security Fund                                     | Key Bank                  | 1,209,683.74               |
| 0002 Public Motor Vehicle Security Fund  | JPMorgan Chase Bank, N.A. | 494,688.14                 |
| 0003 Workers' Compensation Security Fund   | JPMorgan Chase Bank, N.A. | 505,562.70                 |
| <b>DORMITORY AUTHORITY OF THE STATE OF NEW YORK</b>                                |                           |                            |
| 0039 Mental Hygiene Facilities Improvement Fund Income Account                     | Bank of America, N.A.     | 0.00                       |
| 0104 Lincoln Medical and Mental Health Center Project Construction Account         | Key Bank                  | 105,799.58                 |
| 0105 Greenpoint Medical and Mental Health Center Project Construction Account      | Key Bank                  | 781,423.44                 |
| 0149 State Advances Repayment Account  | Bank of America, N.A.     | (1,761.84)                 |
| <b>HOMELESS HOUSING ASSISTANCE CORPORATION</b>                                     |                           |                            |
| 0320 Social Services Homeless Housing and Assistance Corporation Operating Account | Key Bank                  | 9,401,040.00               |
| <b>NELSON A. ROCKEFELLER EMPIRE STATE PLAZA PERFORMING ARTS CENTER CORPORATION</b> |                           |                            |
| 0315 The Egg   | Key Bank                  | 240,873.37                 |
| <b>NEW YORK CONVENTION CENTER</b>  |                           |                            |
| 0300 Operating Fund  | JPMorgan Chase Bank, N.A. | 4,635,744.06               |
| <b>NEW YORK JOB DEVELOPMENT AUTHORITY</b>  |                           |                            |
| 0036 Special Purpose Fund  | Bank of America, N.A.     | 1,333,799.85               |
| 0371 Series H Commercial Paper   | Bank of America, N.A.     | 1,653,476.07               |
| 0389 Daily Demand Special Purpose Bonds Series 1992A-B                             | JPMorgan Chase Bank, N.A. | 462,534.97                 |
| 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                  | 468,782.86                 |
| <b>NYS AFFORDABLE HOUSING CORPORATION</b>  |                           |                            |
| 0491 Disbursement Account  | JPMorgan Chase Bank, N.A. | 97,418.49                  |
| 0520 Development Account   | Key Bank                  | 2,806,423.26               |
| 0522 Repayment Account   | Key Bank                  | 361,140.75                 |
| 0523 Recapture Account   | Key Bank                  | 15,377.91                  |
| 0880 Payroll Account   | JPMorgan Chase Bank, N.A. | 0.00                       |
| <b>NYS DEPARTMENT OF HEALTH</b>  |                           |                            |
| 0004 Medical Indemnity Fund  | JPMorgan Chase Bank, N.A. | (1,940,050.61)             |
| <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.     | 249,021.45                 |
| 0625 Advance Acct/Imprest Confidential Fund  | Bank of America, N.A.     | 29,900.00                  |
| 0626 Criminal Investigation Division   | Key Bank                  | 214,446.97                 |
| 0778 PIT/STAR Rebate Exchange Account  | JPMorgan Chase Bank, N.A. | 0.00                       |
| 0778 PIT Exchange  | Wells Fargo               | 0.00                       |
| 0800 NYS IRS PIT offset account  | Key Bank                  | 0.00                       |
| 0827 Stock Transfer Incentive Fund   | Key Bank                  | 4.22                       |
| <b>NYS HOUSING FINANCE AGENCY</b>  |                           |                            |
| 0252 Energy Conservation/Tenant Health & Safety Improvement Account                | JPMorgan Chase Bank, N.A. | 284,252.76                 |
| 0254 Agency Assisted Housing Operation Fund  | JPMorgan Chase Bank, N.A. | 20,174,128.18              |
| 0267 Neighborhood Stabilization Program - Round 1                                  | JPMorgan Chase Bank, N.A. | 101,054.92                 |
| 0274 NYSHFA Special Reserve Fund   | JPMorgan Chase Bank, N.A. | 143,069.79                 |
| 0283 Small Owner's Assistance Program Account                                      | Key Bank                  | 88,038.32                  |
| 0285 Public Purpose Account  | Key Bank                  | 1,095,735.83               |
| 0286 Disbursement Account  | Key Bank                  | 6,952,990.79               |
| 0287 Infrastructure Development Fund   | Key Bank                  | 98,767.52                  |
| 0288 Mobile Home Cooperative Fund  | Key Bank                  | 121,531.87                 |
| 0292 Homeless Housing Initiatives  | Key Bank                  | 533,824.91                 |
| 0294 Housing Plan Fund   | Key Bank                  | 28,168,830.18              |
| 0301 HFA - Subsidy Repayment Account   | Key Bank                  | 6,821,132.65               |
| 0305 HPD Disbursement Fund   | Key Bank                  | 999,684.19                 |
| 0879 Payroll Account   | JPMorgan Chase Bank, N.A. | 124,962.16                 |
| <b>NYS HOUSING TRUST FUND CORPORATION</b>  |                           |                            |
| 0458 Section 8 Housing Assistance Payment Account                                  | JPMorgan Chase Bank, N.A. | 1,143,095.60               |
| 0460 Escrow Account  | M&T Bank                  | 1,125,999.45               |
| 0461 Housing Modernization Account   | M&T Bank                  | 770,401.95                 |
| 0462 General Custodial Account   | M&T Bank                  | 68,375,030.86              |

|   |   |                               |               |
|---|---|-------------------------------|---------------|
| 0465                                      | Home Program Account                                      | M&T Bank                      | 10,345,035.21 |
| 0466                                      | Homes for Working Families Account                        | M&T Bank                      | 8,905,367.34  |
| 0467                                      | Section 8 Administrative Account                          | M&T Bank                      | 9,087,527.85  |
| 0469                                      | OCR Community Miscellaneous Programs Account              | M&T Bank                      | 8,131,144.83  |
| 0470                                      | HCV Main Account  | Bank of America, N.A.         | 71,611,604.57 |
| 0471                                      | Empire State Relief Fund                                  | M&T Bank                      | 472,816.46    |
| 0472                                      | Master Escrow Account                                     | Bank of America, N.A.         | 8,281.02      |
| 0473                                      | Family Self-Sufficiency Account                           | Bank of America, N.A.         | 4,222,868.15  |
| 0475                                      | Reserve Account   | Bank of America, N.A.         | 107,444.90    |
| 0480                                      | OHP Miscellaneous Programs Account                        | Bank of America, N.A.         | 9,924,437.75  |
| 0891                                      | Small Cities Community Development Block Grant Program    | M&T Bank                      | 8,365.10      |
| 0892                                      | Disaster Recovery Initiative Account                      | M&T Bank                      | 326,858.18    |
| 0893                                      | Payroll Account for Small Cities CDBG Program             | M&T Bank                      | 158.69        |
| 0895                                      | HTFC Storm Recovery Payment                               | M&T Bank                      | 2,385,893.08  |
| 0899                                      | HTFC Storm Recovery Lockbox                               | US Bank                       | 40,968.71     |
| <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.     | 2,618,136.87  |
| 0853                                      | Excess Benefit Fund                                       | JPMorgan Chase Bank, N.A.     | 2,502,422.24  |
| <b>STATE INSURANCE FUND</b>               |   |                               |               |
| 0053                                      | State Insurance Fund                                      | Bank of America, N.A.         | 11,630,452.12 |
| 0053                                      | SIF - WCF   | JPMorgan Chase Bank, N.A.     | 49,081,473.93 |
| 0054                                      | SIF - DBF   | JPMorgan Chase Bank, N.A.     | 14,359,211.14 |
| 0054                                      | State Insurance Fund                                      | Bank of America, N.A.         | 454,418.94    |
| 0055                                      | State Insurance Fund                                      | Bank of America, N.A.         | 200,590.99    |
| 0055                                      | State Insurance Fund - ATF                                | JPMorgan Chase Bank, N.A.     | 8,693,833.80  |
| 0861                                      | SIF - DBF Tax Escrow                                      | JPMorgan Chase Bank, N.A.     | 28,687.01     |
| <b>STATE UNIVERSITY CONSTRUCTION FUND</b> |   |                               |               |
| 0034                                      | Income Fund   | Key Bank                      | 1,808,012.60  |
| 0075                                      | Educational Facilities Revenue Bonds Debt Service Account | Key Bank                      | 31,806.05     |
| 0870                                      | Deductions Account  | Key Bank                      | 306,416.33    |

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

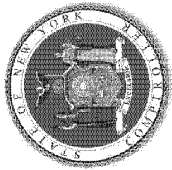
New York State Comptroller **THOMAS P. DINAPOLI**



# Comptroller's Monthly Report on State Funds Cash Basis of Accounting

**MAY 2023**

**OFFICE OF OPERATIONS**  
Division of Payroll, Accounting and Revenue Services  
Bureau of Financial Reporting and Oil Spill Remediation



THOMAS P. DINAPOLI  
STATE COMPTROLLER

STATE OF NEW YORK  
OFFICE OF OPERATIONS  
DIVISION OF PAYROLL, ACCOUNTING AND REVENUE SERVICES  
BUREAU OF FINANCIAL REPORTING AND OIL SPILL REMEDIATION

COMPTROLLER'S MONTHLY REPORT TO THE LEGISLATURE ON STATE FUNDS - CASH BASIS OF ACCOUNTING

May 31, 2023

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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<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023     | 2 MOS. ENDED<br>MAY 31, 2023 | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |
| <b>RECEIPTS:</b>   |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Personal Income Tax  | \$ 1,044.3           | \$ 4,771.5                   | \$ -                 | \$ 1,044.3                   | \$ 4,771.5           | \$ -                         | \$ -                 | \$ 2,086.6                   | \$ 9,543.0               | \$ 2,724.2                   | \$ 17,445.8                | 45.3%                   |
| Consumption/Use Taxes  | 729.8                | 1,459.7                      | 156.9                | 375.4                        | 1,364.9              | 46.1                         | 96.1                 | 1,619.9                      | 3,296.1                  | 1,544.3                      | 3,090.5                    | 205.6                   |
| Business Taxes   | 214.0                | 1,330.3                      | 69.3                 | 375.6                        | 1,151.1              | 54.7                         | 105.7                | 403.7                        | 1,926.7                  | 224.5                        | 1,814.9                    | 111.8                   |
| Other Taxes  | 406.9                | 577.3                        | -                    | -                            | 169.9                | -                            | -                    | 493.2                        | 747.2                    | 257.5                        | 539.1                      | 208.1                   |
| Miscellaneous Receipts   | 283.0                | 614.3                        | 1,081.0              | 2,752.7                      | 116.4                | 65.4                         | 939.9                | 2,077.8                      | 4,423.3                  | 2,561.2                      | 5,269.1                    | (945.8)                 |
| Federal Receipts   | 2,678.0              | 8,753.1                      | 7,415.8              | 16,131.9                     | 3.2                  | 258.8                        | 478.3                | 7,671.6                      | 16,613.4                 | 7,503.3                      | 14,255.0                   | 2,358.4                 |
| <b>Total Receipts</b>  | <b>6,678.0</b>       | <b>8,753.1</b>               | <b>8,723.0</b>       | <b>19,635.6</b>              | <b>1,939.8</b>       | <b>1,017.0</b>               | <b>1,620.0</b>       | <b>14,357.8</b>              | <b>36,549.7</b>          | <b>14,816.0</b>              | <b>42,414.4</b>            | <b>(5,864.7)</b>        |
| <b>DISBURSEMENTS:</b>  |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Local Assistance Grants:   |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Education  | 4,550.6              | 5,983.6                      | 456.0                | 1,147.2                      | -                    | 26.9                         | 33.9                 | 5,035.5                      | 7,174.7                  | 5,113.4                      | 7,113.5                    | 61.2                    |
| Environment and Recreation   | 0.1                  | 0.2                          | 0.2                  | 0.2                          | -                    | 13.2                         | 95.5                 | 13.5                         | 95.9                     | 9.1                          | 13.5                       | 82.4                    |
| General Government   | 49.6                 | 79.4                         | 46.4                 | 49.6                         | -                    | 46.1                         | 81.9                 | 142.1                        | 210.9                    | 200.2                        | 355.4                      | (144.5)                 |
| Public Health:   |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Medicaid   | 2,826.8              | 6,301.4                      | 7,946.6              | 12,538.3                     | -                    | -                            | -                    | 10,775.4                     | 18,839.7                 | 6,366.9                      | 13,631.2                   | 5,206.5                 |
| Other Public Health  | 160.5                | 231.8                        | 875.3                | 1,709.5                      | -                    | 113.5                        | 121.4                | 1,148.3                      | 2,062.7                  | 825.4                        | 1,463.2                    | 599.5                   |
| Public Safety  | 9.9                  | 14.2                         | 196.4                | 1,274.9                      | -                    | 1.0                          | 2.0                  | 207.3                        | 1,291.1                  | 134.3                        | 227.4                      | 1,093.7                 |
| Public Welfare   | 201.2                | 390.4                        | 410.6                | 1,023.1                      | -                    | 29.5                         | 105.6                | 641.3                        | 1,519.1                  | 804.9                        | 1,397.1                    | 122.0                   |
| Support and Regulate Business  | 12.1                 | 25.0                         | 154.3                | 154.8                        | -                    | 17.2                         | 46.7                 | 183.6                        | 226.5                    | 32.8                         | 58.4                       | 168.1                   |
| Transportation   | 39.6                 | 39.6                         | 584.3                | 672.8                        | -                    | 29.1                         | 66.0                 | 653.0                        | 778.4                    | 659.2                        | 755.2                      | 23.2                    |
| <b>Total Local Assistance Grants</b>   | <b>7,850.4</b>       | <b>13,075.6</b>              | <b>10,672.1</b>      | <b>18,570.4</b>              | <b>-</b>             | <b>276.5</b>                 | <b>553.0</b>         | <b>18,799.0</b>              | <b>32,199.0</b>          | <b>14,146.2</b>              | <b>25,014.9</b>            | <b>7,184.1</b>          |
| Departmental Operations:   |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Personal Service   | 791.7                | 1,576.8                      | 495.3                | 1,022.7                      | -                    | -                            | -                    | 1,287.0                      | 2,589.5                  | 1,453.2                      | 2,362.3                    | 237.2                   |
| Non-Personal Service   | 226.1                | 346.8                        | 404.8                | 687.2                        | 1.0                  | 1.0                          | -                    | 631.9                        | 1,045.0                  | 627.9                        | 1,066.6                    | (51.6)                  |
| General State Charges  | 1,852.2              | 2,469.3                      | 170.2                | 200.1                        | -                    | -                            | -                    | 2,002.4                      | 2,689.4                  | 2,093.8                      | 2,965.8                    | (276.4)                 |
| Debt Service, Including Payments on Financing Agreements   | -                    | -                            | -                    | -                            | 28.5                 | 63.7                         | -                    | 28.5                         | 63.7                     | 29.5                         | 145.3                      | (81.6)                  |
| Capital Projects   | -                    | -                            | -                    | -                            | -                    | 744.3                        | 1,154.4              | 744.3                        | 1,154.4                  | 537.1                        | 1,026.4                    | 128.0                   |
| <b>Total Disbursements</b>   | <b>10,700.4</b>      | <b>17,488.5</b>              | <b>11,742.4</b>      | <b>20,490.4</b>              | <b>29.5</b>          | <b>64.7</b>                  | <b>1,707.4</b>       | <b>23,493.1</b>              | <b>38,751.0</b>          | <b>18,587.7</b>              | <b>32,611.3</b>            | <b>7,138.7</b>          |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>(8,022.4)</b>     | <b>(8,735.4)</b>             | <b>(3,019.4)</b>     | <b>(854.8)</b>               | <b>1,910.3</b>       | <b>6,476.3</b>               | <b>(87.4)</b>        | <b>(9,135.3)</b>             | <b>(3,201.3)</b>         | <b>(3,772.7)</b>             | <b>8,803.1</b>             | <b>(13,004.4)</b>       |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Bond and Note Proceeds (net)   | -                    | -                            | -                    | -                            | -                    | -                            | -                    | -                            | -                        | -                            | -                          | 0.0%                    |
| Transfers from Other Funds   | 2,009.1              | 6,647.8                      | 553.5                | 856.9                        | 84.7                 | 220.4                        | 68.4                 | 2,606.5                      | 7,793.5                  | 2,653.6                      | 11,480.6                   | (3,687.1)               |
| Transfers to Other Funds   | (478.5)              | (915.4)                      | (113.5)              | (206.6)                      | (2,014.0)            | (6,654.9)                    | (12.1)               | (2,612.5)                    | (7,799.0)                | (2,653.6)                    | (11,489.0)                 | (3,690.0)               |
| <b>Total Other Financing Sources (Uses)</b>  | <b>1,530.6</b>       | <b>5,732.4</b>               | <b>440.0</b>         | <b>650.3</b>                 | <b>(1,929.3)</b>     | <b>(6,444.5)</b>             | <b>56.3</b>          | <b>(4.0)</b>                 | <b>(5.5)</b>             | <b>(4.9)</b>                 | <b>(8.4)</b>               | <b>34.5%</b>            |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(6,491.8)</b>     | <b>(3,003.0)</b>             | <b>(2,579.4)</b>     | <b>(204.5)</b>               | <b>(18.0)</b>        | <b>31.8</b>                  | <b>(31.1)</b>        | <b>(9,139.3)</b>             | <b>(3,206.8)</b>         | <b>(3,777.6)</b>             | <b>9,794.7</b>             | <b>(13,001.5)</b>       |
| <b>Beginning Fund Balances (Deficits)</b>  | <b>46,939.4</b>      | <b>43,450.6</b>              | <b>26,315.1</b>      | <b>23,940.2</b>              | <b>210.2</b>         | <b>159.4</b>                 | <b>(1,594.5)</b>     | <b>71,885.2</b>              | <b>65,955.7</b>          | <b>67,121.3</b>              | <b>53,549.0</b>            | <b>12,406.7</b>         |
| <b>Ending Fund Balances (Deficits)</b>   | <b>\$ 40,447.6</b>   | <b>\$ 40,447.6</b>           | <b>\$ 23,735.7</b>   | <b>\$ 23,735.7</b>           | <b>\$ 191.2</b>      | <b>\$ 191.2</b>              | <b>\$ (1,625.6)</b>  | <b>\$ 62,748.9</b>           | <b>\$ 62,748.9</b>       | <b>\$ 63,343.7</b>           | <b>\$ 63,343.7</b>         | <b>-\$ (694.8)</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 FUNDS |                              |                      |                              | % Increase/<br>Decrease |                            |
|--|----------------------|------------------------------|----------------------------|------------------------------|----------------------|------------------------------|-----------------------------|------------------------------|----------------------|------------------------------|-------------------------|----------------------------|
|  | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023       | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023        | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 |                         | \$ Increase/<br>(Decrease) |
| <b>RECEIPTS:</b>   |                      |                              |                            |                              |                      |                              |                             |                              |                      |                              |                         |                            |
| Personal Income Tax  | \$ 1,044.3           | \$ 4,771.5                   | \$ -                       | \$ -                         | \$ 1,044.3           | \$ 4,771.5                   | \$ 2,088.6                  | \$ 9,543.0                   | \$ 2,724.2           | \$ 17,445.8                  | \$ (7,902.8)            | -45.3%                     |
| Consumption/Use Taxes  | 729.8                | 1,459.7                      | 156.9                      | 375.4                        | 687.1                | 1,364.9                      | 1,573.8                     | 3,200.0                      | 1,504.2              | 3,007.6                      | 192.4                   | 6.4%                       |
| Business Taxes   | 214.0                | 1,330.3                      | 69.3                       | 375.6                        | 65.7                 | 115.1                        | 349.0                       | 1,821.0                      | 174.3                | 1,715.6                      | 105.4                   | 6.1%                       |
| Other Taxes  | 406.9                | 577.3                        | -                          | -                            | 86.3                 | 169.9                        | 493.2                       | 747.2                        | 287.5                | 539.1                        | 208.1                   | 38.6%                      |
| Miscellaneous Receipts   | 283.0                | 614.3                        | 957.7                      | 2,543.1                      | 56.4                 | 116.4                        | 1,297.1                     | 3,273.8                      | 1,438.2              | 3,156.2                      | 117.6                   | 3.7%                       |
| Federal Receipts   | -                    | -                            | -                          | -                            | -                    | 3.2                          | -                           | -                            | 0.2                  | 0.2                          | 3.0                     | 1,500.0%                   |
| <b>Total Receipts</b>  | <b>2,678.0</b>       | <b>8,753.1</b>               | <b>1,183.9</b>             | <b>3,294.1</b>               | <b>1,939.8</b>       | <b>6,541.0</b>               | <b>5,801.7</b>              | <b>18,588.2</b>              | <b>6,098.6</b>       | <b>25,864.5</b>              | <b>(7,275.3)</b>        | <b>-28.1%</b>              |
| <b>DISBURSEMENTS:</b>  |                      |                              |                            |                              |                      |                              |                             |                              |                      |                              |                         |                            |
| Local Assistance Grants:   |                      |                              |                            |                              |                      |                              |                             |                              |                      |                              |                         |                            |
| Education  | 4,550.6              | 5,993.6                      | 0.1                        | 0.6                          | -                    | -                            | 4,550.7                     | 5,994.2                      | 4,347.1              | 5,783.1                      | 211.1                   | 3.7%                       |
| Environment and Recreation   | 0.1                  | 0.2                          | 0.2                        | 0.2                          | -                    | -                            | 0.3                         | 0.4                          | 0.2                  | 0.3                          | 0.1                     | 33.3%                      |
| General Government   | 49.6                 | 79.4                         | 43.2                       | 44.7                         | -                    | -                            | 92.8                        | 124.1                        | 72.0                 | 213.8                        | (89.7)                  | -42.0%                     |
| Public Health:   |                      |                              |                            |                              |                      |                              |                             |                              |                      |                              |                         |                            |
| Medicaid   | 2,826.8              | 6,301.4                      | 473.0                      | 895.9                        | -                    | -                            | 3,299.8                     | 7,197.3                      | 2,394.4              | 4,886.9                      | 2,310.4                 | 47.3%                      |
| Other Public Health  | 160.5                | 231.8                        | 68.0                       | 126.9                        | -                    | -                            | 226.5                       | 358.7                        | 200.6                | 334.9                        | 23.8                    | 7.1%                       |
| Public Safety  | 9.9                  | 14.2                         | 24.8                       | 35.1                         | -                    | -                            | 34.7                        | 49.3                         | 30.0                 | 53.5                         | (4.2)                   | -7.9%                      |
| Public Welfare   | 201.2                | 390.4                        | 0.8                        | 1.5                          | -                    | -                            | 202.0                       | 391.9                        | 218.8                | 320.9                        | 71.0                    | 22.1%                      |
| Support and Regulate Business  | 12.1                 | 25.0                         | 2.8                        | 3.2                          | -                    | -                            | 14.9                        | 28.2                         | 11.8                 | 20.3                         | 7.9                     | 38.9%                      |
| Transportation   | 39.6                 | 39.6                         | 580.2                      | 664.4                        | -                    | -                            | 619.8                       | 704.0                        | 593.6                | 650.7                        | 53.3                    | 8.2%                       |
| <b>Total Local Assistance Grants</b>   | <b>7,850.4</b>       | <b>13,075.6</b>              | <b>1,191.1</b>             | <b>1,772.5</b>               | <b>-</b>             | <b>-</b>                     | <b>9,041.5</b>              | <b>14,848.1</b>              | <b>7,868.5</b>       | <b>12,264.4</b>              | <b>2,583.7</b>          | <b>21.1%</b>               |
| Departmental Operations:   |                      |                              |                            |                              |                      |                              |                             |                              |                      |                              |                         |                            |
| Personal Service   | 791.7                | 1,576.8                      | 441.6                      | 906.2                        | -                    | -                            | 1,233.3                     | 2,483.0                      | 1,098.7              | 2,254.2                      | 228.8                   | 10.1%                      |
| Non-Personal Service   | 226.1                | 346.8                        | 276.1                      | 531.5                        | 1.0                  | 1.0                          | 503.2                       | 879.3                        | 458.4                | 846.9                        | 32.4                    | 3.8%                       |
| General State Charges  | 1,832.2              | 2,469.3                      | 112.4                      | 142.3                        | -                    | -                            | 1,944.6                     | 2,631.6                      | 2,060.2              | 2,907.6                      | (276.0)                 | -9.5%                      |
| Debt Service, Including Payments on Financing Agreements   | -                    | -                            | -                          | -                            | 28.5                 | 63.7                         | 28.5                        | 63.7                         | 29.5                 | 145.3                        | (81.6)                  | -56.2%                     |
| Capital Projects   | -                    | -                            | -                          | -                            | -                    | -                            | -                           | -                            | -                    | -                            | -                       | 0.0%                       |
| <b>Total Disbursements</b>   | <b>10,700.4</b>      | <b>17,488.5</b>              | <b>2,021.2</b>             | <b>3,352.5</b>               | <b>29.5</b>          | <b>64.7</b>                  | <b>12,751.1</b>             | <b>20,905.7</b>              | <b>11,515.3</b>      | <b>18,418.4</b>              | <b>2,487.3</b>          | <b>13.5%</b>               |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>(8,022.4)</b>     | <b>(8,735.4)</b>             | <b>(837.3)</b>             | <b>(58.4)</b>                | <b>1,910.3</b>       | <b>6,476.3</b>               | <b>(6,949.4)</b>            | <b>(2,317.5)</b>             | <b>(5,416.7)</b>     | <b>7,446.1</b>               | <b>(9,763.6)</b>        | <b>-131.1%</b>             |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                      |                              |                            |                              |                      |                              |                             |                              |                      |                              |                         |                            |
| Transfers from Other Funds   | 2,009.1              | 6,647.8                      | 859.1                      | 1,169.1                      | 84.7                 | 220.4                        | 2,952.9                     | 8,037.3                      | 2,949.7              | 12,396.2                     | (4,358.9)               | -35.2%                     |
| Transfers to Other Funds   | (478.5)              | (915.4)                      | (33.8)                     | (34.5)                       | (2,014.0)            | (6,864.9)                    | (2,526.3)                   | (7,614.8)                    | (2,634.9)            | (11,223.9)                   | (3,609.1)               | -32.2%                     |
| <b>Total Other Financing Sources (Uses)</b>  | <b>1,530.6</b>       | <b>5,732.4</b>               | <b>825.3</b>               | <b>1,134.6</b>               | <b>(1,929.3)</b>     | <b>(6,444.5)</b>             | <b>426.6</b>                | <b>422.5</b>                 | <b>314.8</b>         | <b>1,172.3</b>               | <b>(745.8)</b>          | <b>-64.0%</b>              |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(6,491.8)</b>     | <b>(3,003.0)</b>             | <b>(12.0)</b>              | <b>1,076.2</b>               | <b>(19.0)</b>        | <b>31.8</b>                  | <b>(6,522.8)</b>            | <b>(1,895.0)</b>             | <b>(5,101.9)</b>     | <b>8,618.4</b>               | <b>(10,613.4)</b>       | <b>-122.0%</b>             |
| <b>Beginning Fund Balances (Deficits)</b>  | <b>46,939.4</b>      | <b>43,450.6</b>              | <b>10,202.0</b>            | <b>9,113.8</b>               | <b>210.2</b>         | <b>159.4</b>                 | <b>57,351.6</b>             | <b>52,723.8</b>              | <b>54,487.5</b>      | <b>40,767.2</b>              | <b>11,956.6</b>         | <b>28.3%</b>               |
| <b>Ending Fund Balances (Deficits)</b>   | <b>\$ 40,447.6</b>   | <b>\$ 40,447.6</b>           | <b>\$ 10,190.0</b>         | <b>\$ 10,190.0</b>           | <b>\$ 191.2</b>      | <b>\$ 191.2</b>              | <b>\$ 50,828.8</b>          | <b>\$ 50,828.8</b>           | <b>\$ 49,385.6</b>   | <b>\$ 49,385.6</b>           | <b>\$ 1,443.2</b>       | <b>2.9%</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 Special Revenue - State and Federal Funds are not included.

**GOVERNMENTAL FUNDS FOOTNOTES**

**EXHIBIT A NOTES  
MAY 2023**

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) | \$289.8 | million |
| Urban Development Corporation (Youth Facilities)        | 20.2    |         |
| Housing Finance Agency (HFA)                            | 593.9   |         |
| Housing Assistance Fund                                 | 12.9    |         |
| Dormitory Authority (Mental Hygiene)                    | 695.0   |         |
| Dormitory Authority and State University Income Fund    | 1,149.8 |         |
| Federal Capital Projects                                | 465.5   |         |
| State bond and note proceeds                            | 435.1   |         |

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:

|  |                  |
|--|------------------|
| <b>General Fund</b> "Transfers to Other Funds" are as follows: |                  |
| State Capital Projects Fund                                    | (\$95.8) million |
| General Debt Service Fund                                      | 37.7             |
| Banking Services Account                                       | 3.5              |
| Court Facilities Incentive Aid Fund                            | 48.6             |
| Dedicated Infrastructure Investment Fund                       | 80.0             |
| Environmental Protection Fund                                  | 50.0             |
| Mass Transportation Financial Assistance                       | 48.9             |
| Mass Transportation Operating Assistance Fund                  | (5.3)            |
| New York Central Business District Trust Fund                  | 25.8             |
| New York City County Clerks' Operations Offset                 | 2.7              |
| Recruitment Incentive Account                                  | 2.6              |
| State Fair Receipts  | 2.0              |
| State University Income Fund                                   | 463.8            |

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 (\$1.5m), and the State University Income Fund (\$249.4m).

§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, 2023 - pursuant to a certification of the Budget Director - payment obligations were met out of these reserves and future payment amounts were scheduled for transfer at the commencement of the succeeding month.

**Special Revenue Funds** "Transfers To Other Funds" includes transfers to Mental Health Services Fund and Department of Health Income Fund (\$172.1m) representing the federal share of Medicaid payments for patients residing in State-operated Health and Mental Hygiene facilities, SUNY Capital Projects Fund (\$14.8m) and All Other Capital Projects (\$19.4m).

**Debt Service Funds** "Transfers To Other Funds" includes transfers to the General Fund from the following:

|                                 |           |         |
|---------------------------------|-----------|---------|
| Revenue Bond Tax Fund           | \$4,889.8 | million |
| Sales Tax Revenue Bond Tax Fund | 1,236.4   |         |
| Clean Water/Clean Air Fund      | 163.4     |         |
| Mental Health Services Fund     | 354.9     |         |

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 (\$20.4m).

**Capital Projects Funds** "Transfers To Other Funds" includes transfers to the General Fund (\$2.9m) and the General Debt Service Fund - Lease Purchase (\$9.1m).

EXHIBIT B

STATE OF NEW YORK  
 PROPRIETARY FUNDS  
 COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES  
 (amounts in millions)

|  | ENTERPRISE      |                 |                   | INTERNAL SERVICE  |                 |                 | TOTAL PROPRIETARY FUNDS |                 |                            |                         | YEAR OVER YEAR |  |
|--|-----------------|-----------------|-------------------|-------------------|-----------------|-----------------|-------------------------|-----------------|----------------------------|-------------------------|----------------|--|
|  | MONTH OF        | 2 MOS. ENDED    | MONTH OF          | 2 MOS. ENDED      | MONTH OF        | 2 MOS. ENDED    | MONTH OF                | 2 MOS. ENDED    | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |                |  |
|  | MAY 2023        | MAY 31, 2023    | MAY 2023          | MAY 31, 2023      | MAY 2023        | MAY 31, 2023    | MAY 2022                | MAY 31, 2022    |                            |                         |                |  |
| <b>RECEIPTS:</b>   |                 |                 |                   |                   |                 |                 |                         |                 |                            |                         |                |  |
| Miscellaneous Receipts   | \$ 313.3        | \$ 537.0        | \$ 30.0           | \$ 49.4           | \$ 343.3        | \$ 586.4        | \$ 293.2                | \$ 516.2        | \$                         | 70.2                    | 13.6%          |  |
| Federal Receipts   | 2.8             | 5.7             | -                 | -                 | 2.8             | 5.7             | 11.3                    | 25.5            | (19.8)                     | (19.8)                  | -77.6%         |  |
| Unemployment Taxes   | 138.4           | 241.7           | -                 | -                 | 138.4           | 241.7           | 71.0                    | 233.8           | 7.9                        | 3.4%                    |                |  |
| <b>Total Receipts</b>  | <b>454.5</b>    | <b>784.4</b>    | <b>30.0</b>       | <b>49.4</b>       | <b>484.5</b>    | <b>833.8</b>    | <b>375.5</b>            | <b>775.5</b>    | <b>58.3</b>                | <b>7.5%</b>             |                |  |
| <b>DISBURSEMENTS:</b>  |                 |                 |                   |                   |                 |                 |                         |                 |                            |                         |                |  |
| Departmental Operations:   |                 |                 |                   |                   |                 |                 |                         |                 |                            |                         |                |  |
| Personal Service   | 136.0           | 274.1           | 11.0              | 23.2              | 147.0           | 297.3           | 142.7                   | 287.5           | 9.8                        | 3.4%                    |                |  |
| Non-Personal Service   | 38.5            | 85.5            | 31.2              | 91.9              | 69.7            | 177.4           | 66.3                    | 126.4           | 51.0                       | 40.3%                   |                |  |
| General State Charges  | 59.4            | 116.6           | 11.6              | 11.6              | 71.0            | 128.2           | 60.8                    | 123.1           | 5.1                        | 4.1%                    |                |  |
| Unemployment Benefits  | 78.8            | 286.4           | -                 | -                 | 78.8            | 286.4           | (186.6)                 | (10.7)          | 297.1                      | 2,776.6%                |                |  |
| <b>Total Disbursements</b>   | <b>312.7</b>    | <b>762.6</b>    | <b>53.8</b>       | <b>126.7</b>      | <b>366.5</b>    | <b>889.3</b>    | <b>83.2</b>             | <b>526.3</b>    | <b>363.0</b>               | <b>69.0%</b>            |                |  |
| <b>Excess (Deficiency) of Receipts Over Disbursements</b>  | <b>141.8</b>    | <b>21.8</b>     | <b>(23.8)</b>     | <b>(77.3)</b>     | <b>118.0</b>    | <b>(55.5)</b>   | <b>292.3</b>            | <b>249.2</b>    | <b>(304.7)</b>             | <b>122.3%</b>           |                |  |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                 |                 |                   |                   |                 |                 |                         |                 |                            |                         |                |  |
| Transfers from Other Funds   | 2.0             | 2.0             | 2.0               | 3.5               | 4.0             | 5.5             | 5.0                     | 8.5             | (3.0)                      | (3.0)                   | -35.3%         |  |
| Transfers to Other Funds   | -               | -               | -                 | -                 | -               | -               | (0.1)                   | (0.1)           | (0.1)                      | (0.1)                   | -100.0%        |  |
| <b>Total Other Financing Sources (Uses)</b>  | <b>2.0</b>      | <b>2.0</b>      | <b>2.0</b>        | <b>3.5</b>        | <b>4.0</b>      | <b>5.5</b>      | <b>4.9</b>              | <b>8.4</b>      | <b>(2.9)</b>               | <b>(2.9)</b>            | <b>-34.5%</b>  |  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>143.8</b>    | <b>23.8</b>     | <b>(21.8)</b>     | <b>(73.8)</b>     | <b>122.0</b>    | <b>(50.0)</b>   | <b>297.2</b>            | <b>257.6</b>    | <b>(307.6)</b>             | <b>(307.6)</b>          | <b>-119.4%</b> |  |
| <b>Beginning Fund Balances (Deficits)</b>  | <b>390.4</b>    | <b>510.4</b>    | <b>(93.6)</b>     | <b>(41.6)</b>     | <b>296.8</b>    | <b>468.8</b>    | <b>181.4</b>            | <b>221.0</b>    | <b>247.8</b>               | <b>247.8</b>            | <b>112.1%</b>  |  |
| <b>Ending Fund Balances (Deficits)</b>   | <b>\$ 534.2</b> | <b>\$ 534.2</b> | <b>\$ (115.4)</b> | <b>\$ (115.4)</b> | <b>\$ 418.8</b> | <b>\$ 418.8</b> | <b>\$ 478.6</b>         | <b>\$ 478.6</b> | <b>\$ (59.8)</b>           | <b>\$ (59.8)</b>        | <b>-12.5%</b>  |  |

EXHIBIT C

STATE OF NEW YORK  
TRUST FUNDS  
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES  
(amounts in millions)

|  | TRUST <sup>(1)</sup> |                              |                      | PRIVATE PURPOSE              |                      |                              | TOTAL TRUST FUNDS    |                              |                      |                              | YEAR OVER YEAR             |                         |
|--|----------------------|------------------------------|----------------------|------------------------------|----------------------|------------------------------|----------------------|------------------------------|----------------------|------------------------------|----------------------------|-------------------------|
|  | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2022 | 2 MOS. ENDED<br>MAY 31, 2022 | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |
| <b>RECEIPTS:</b>   |                      |                              |                      |                              |                      |                              |                      |                              |                      |                              |                            |                         |
| Miscellaneous Receipts   | \$ 10.9              | \$ 20.9                      | \$ 0.7               | \$ 1.6                       | \$ 11.6              | \$ 22.5                      | \$ 11.5              | \$ 24.4                      | \$ 11.5              | \$ 24.4                      | \$ (1.9)                   | -7.8%                   |
| <b>Total Receipts</b>  | <b>10.9</b>          | <b>20.9</b>                  | <b>0.7</b>           | <b>1.6</b>                   | <b>11.6</b>          | <b>22.5</b>                  | <b>11.5</b>          | <b>24.4</b>                  | <b>11.5</b>          | <b>24.4</b>                  | <b>(1.9)</b>               | <b>-7.8%</b>            |
| <b>DISBURSEMENTS:</b>  |                      |                              |                      |                              |                      |                              |                      |                              |                      |                              |                            |                         |
| Departmental Operations:   |                      |                              |                      |                              |                      |                              |                      |                              |                      |                              |                            |                         |
| Personal Service   | 9.0                  | 15.9                         | -                    | 0.1                          | 9.0                  | 16.0                         | 6.7                  | 12.6                         | 6.7                  | 12.6                         | 3.4                        | 27.0%                   |
| Non-Personal Service   | 5.6                  | 5.7                          | -                    | -                            | 5.6                  | 5.7                          | 1.0                  | 1.6                          | 1.0                  | 1.6                          | 4.1                        | 256.3%                  |
| General State Charges  | 12.6                 | 12.6                         | 0.1                  | 0.1                          | 12.7                 | 12.7                         | 3.8                  | 7.5                          | 3.8                  | 7.5                          | 5.2                        | 69.3%                   |
| <b>Total Disbursements</b>   | <b>27.2</b>          | <b>34.2</b>                  | <b>0.1</b>           | <b>0.2</b>                   | <b>27.3</b>          | <b>34.4</b>                  | <b>11.5</b>          | <b>21.7</b>                  | <b>11.5</b>          | <b>21.7</b>                  | <b>12.7</b>                | <b>58.5%</b>            |
| <b>Excess (Deficiency) of Receipts Over Disbursements</b>  | <b>(16.3)</b>        | <b>(13.3)</b>                | <b>0.6</b>           | <b>1.4</b>                   | <b>(15.7)</b>        | <b>(11.9)</b>                | <b>-</b>             | <b>2.7</b>                   | <b>-</b>             | <b>2.7</b>                   | <b>(14.6)</b>              | <b>-540.7%</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>-</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>(16.3)</b>        | <b>(13.3)</b>                | <b>0.6</b>           | <b>1.4</b>                   | <b>(15.7)</b>        | <b>(11.9)</b>                | <b>-</b>             | <b>2.7</b>                   | <b>-</b>             | <b>2.7</b>                   | <b>(14.6)</b>              | <b>-540.7%</b>          |
| <b>Beginning Fund Balances (Deficits)</b>  | <b>1,258.7</b>       | <b>1,255.7</b>               | <b>53.9</b>          | <b>53.1</b>                  | <b>1,312.6</b>       | <b>1,308.8</b>               | <b>367.5</b>         | <b>364.8</b>                 | <b>367.5</b>         | <b>364.8</b>                 | <b>944.0</b>               | <b>258.8%</b>           |
| <b>Ending Fund Balances (Deficits)</b>   | <b>\$ 1,242.4</b>    | <b>\$ 1,242.4</b>            | <b>\$ 54.5</b>       | <b>\$ 54.5</b>               | <b>\$ 1,296.9</b>    | <b>\$ 1,296.9</b>            | <b>\$ 367.5</b>      | <b>\$ 367.5</b>              | <b>\$ 367.5</b>      | <b>\$ 367.5</b>              | <b>\$ 929.4</b>            | <b>252.9%</b>           |

<sup>(1)</sup> Includes Common Retirement Administration and Retiree Health Benefit Trust.

EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (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  | \$ 9,572.0                 | \$ -                   | \$ 9,543.0         | \$(29.0)                                    | \$ -  |
| Consumption/Use  | 3,306.0                    | -                      | 3,296.1            | (9.9)                                       | -   |
| Business   | 1,857.0                    | -                      | 1,926.7            | 69.7  | -   |
| Other  | 753.0                      | -                      | 747.2              | (5.8)                                       | -   |
| Miscellaneous Receipts   | 4,912.0                    | -                      | 4,423.3            | (488.7)                                     | -   |
| Federal Receipts   | 16,780.0                   | -                      | 16,613.4           | (166.6)                                     | -   |
| <b>Total Receipts</b>  | <b>37,180.0</b>            | <b>-</b>               | <b>36,549.7</b>    | <b>(630.3)</b>                              | <b>-</b>                                    |
| <b>DISBURSEMENTS:</b>  |                            |                        |                    |   |   |
| Local Assistance Grants  | 32,116.0                   | -                      | 32,199.0           | 83.0  | -   |
| Departmental Operations  | 3,631.0                    | -                      | 3,644.5            | 13.5  | -   |
| General State Charges  | 2,689.0                    | -                      | 2,689.4            | 0.4   | -   |
| Debt Service   | 63.0                       | -                      | 63.7               | 0.7   | -   |
| Capital Projects   | 1,156.0                    | -                      | 1,154.4            | (1.6)                                       | -   |
| <b>Total Disbursements</b>   | <b>39,655.0</b>            | <b>-</b>               | <b>39,751.0</b>    | <b>96.0</b>                                 | <b>-</b>                                    |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>(2,475.0)</b>           | <b>-</b>               | <b>(3,201.3)</b>   | <b>(726.3)</b>                              | <b>-</b>                                    |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                            |                        |                    |   |   |
| Bond and Note Proceeds, net  | -                          | -                      | -                  | -   | -   |
| Transfers from Other Funds   | 7,908.0                    | -                      | 7,793.5            | (114.5)                                     | -   |
| Transfers to Other Funds   | (7,915.0)                  | -                      | (7,799.0)          | 116.0                                       | -   |
| <b>Total Other Financing Sources (Uses)</b>  | <b>(7.0)</b>               | <b>-</b>               | <b>(5.5)</b>       | <b>1.5</b>                                  | <b>-</b>                                    |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(2,482.0)</b>           | <b>-</b>               | <b>(3,206.8)</b>   | <b>(724.8)</b>                              | <b>-</b>                                    |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>65,955.0</b>            | <b>-</b>               | <b>65,955.7</b>    | <b>0.7</b>                                  | <b>-</b>                                    |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ 63,473.0</b>         | <b>\$ -</b>            | <b>\$ 62,748.9</b> | <b>\$ (724.1)</b>                           | <b>\$ -</b>                                 |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (amounts in millions)

|  | STATE OPERATING FUNDS (**)       |                              |                    |   |
|--|----------------------------------|------------------------------|--------------------|---|
|  | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual             | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan |
| <b>RECEIPTS:</b>   |                                  |                              |                    |   |
| Taxes:   |                                  |                              |                    |   |
| Personal Income  | \$ 9,572.0                       | \$ -                         | \$ 9,543.0         | \$ (29.0)   |
| Consumption/Use  | 3,210.0                          | -                            | 3,200.0            | (10.0)  |
| Business   | 1,754.0                          | -                            | 1,821.0            | 67.0  |
| Other  | 753.0                            | -                            | 747.2              | (5.8)   |
| Miscellaneous Receipts   | 3,771.0                          | -                            | 3,273.8            | (497.2)   |
| Federal Receipts   | 4.0                              | -                            | 3.2                | (0.8)   |
| <b>Total Receipts</b>  | <b>19,064.0</b>                  | <b>-</b>                     | <b>18,588.2</b>    | <b>(475.8)</b>  |
| <b>DISBURSEMENTS:</b>  |                                  |                              |                    |   |
| Local Assistance Grants  | 14,851.0                         | -                            | 14,848.1           | (2.9)   |
| Departmental Operations  | 3,347.0                          | -                            | 3,362.3            | 15.3  |
| General State Charges  | 2,631.0                          | -                            | 2,631.6            | 0.6   |
| Debt Service   | 63.0                             | -                            | 63.7               | 0.7   |
| Capital Projects   | -                                | -                            | -                  | -   |
| <b>Total Disbursements</b>   | <b>20,892.0</b>                  | <b>-</b>                     | <b>20,905.7</b>    | <b>13.7</b>   |
| <b>Excess (Deficiency) of Receipts<br/>over Disbursements</b>  | <b>(1,828.0)</b>                 | <b>-</b>                     | <b>(2,317.5)</b>   | <b>(489.5)</b>  |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                                  |                              |                    |   |
| Transfers from Other Funds   | 7,840.0                          | -                            | 8,037.3 (**)       | 197.3   |
| Transfers to Other Funds   | (7,592.0)                        | -                            | (7,614.8) (**)     | (22.8)  |
| <b>Total Other Financing Sources (Uses)</b>  | <b>248.0</b>                     | <b>-</b>                     | <b>422.5</b>       | <b>174.5</b>  |
| <b>Excess (Deficiency) of Receipts and Other<br/>Financing Sources over Disbursements<br/>and Other Financing Uses</b> | <b>(1,580.0)</b>                 | <b>-</b>                     | <b>(1,895.0)</b>   | <b>(315.0)</b>  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>52,723.0</b>                  | <b>-</b>                     | <b>52,723.8</b>    | <b>0.8</b>  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ 51,143.0</b>               | <b>\$ -</b>                  | <b>\$ 50,828.8</b> | <b>\$ (314.2)</b>                                       |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.  
 (\*\*) 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.

EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (amounts in millions)

|  | GENERAL FUND                     |                              |                    |   |   |
|--|----------------------------------|------------------------------|--------------------|---|---|
|  | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual             | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan | Actual<br>Over/<br>(Under)<br>Updated<br>Financial Plan |
| <b>RECEIPTS:</b>   |                                  |                              |                    |   |   |
| Taxes:   |                                  |                              |                    |   |   |
| Personal Income  | \$ 4,786.0                       | \$ -                         | \$ 4,771.5         | \$ (14.5)   | \$ -  |
| Consumption/Use  | 1,465.0                          | -                            | 1,459.7            | (5.3)   | -   |
| Business   | 1,273.0                          | -                            | 1,330.3            | 57.3  | -   |
| Other  | 583.0                            | -                            | 577.3              | (5.7)   | -   |
| Miscellaneous Receipts   | 596.0                            | -                            | 614.3              | 18.3  | -   |
| Federal Receipts   | -                                | -                            | -                  | -   | -   |
| Transfers From:  |                                  |                              |                    |   |   |
| Revenue Bond Tax Fund  | 4,900.0                          | -                            | 4,889.8            | (10.2)  | -   |
| Sales Tax in excess of STRBF Debt Service  | 1,242.0                          | -                            | 1,236.4            | (5.6)   | -   |
| Real Estate Taxes in excess of CW/CA Debt Service  | 137.0                            | -                            | 163.4              | 26.4  | -   |
| All Other  | 358.0                            | -                            | 358.2              | 0.2   | -   |
| <b>Total Receipts and Other Financing Sources</b>  | <b>15,340.0</b>                  | <b>-</b>                     | <b>15,400.9</b>    | <b>60.9</b>   | <b>-</b>  |
| <b>DISBURSEMENTS:</b>  |                                  |                              |                    |   |   |
| Local Assistance Grants  | 13,079.0                         | -                            | 13,075.6           | (3.4)   | -   |
| Departmental Operations  | 1,908.0                          | -                            | 1,923.6            | 15.6  | -   |
| General State Charges  | 2,489.0                          | -                            | 2,489.3            | 0.3   | -   |
| Transfers To:  |                                  |                              |                    |   |   |
| Debt Service   | 38.0                             | -                            | 37.7               | (0.3)   | -   |
| Capital Projects   | 34.0                             | -                            | 34.2               | 0.2   | -   |
| State Share Medicaid   | -                                | -                            | 250.9              | 250.9   | -   |
| SUNY Operations  | 463.0                            | -                            | 463.8              | 0.8   | -   |
| Other Purposes   | 369.0                            | -                            | 128.8              | (240.2)   | -   |
| <b>Total Disbursements and Other Financing Uses</b>  | <b>18,380.0</b>                  | <b>-</b>                     | <b>18,403.9</b>    | <b>23.9</b>   | <b>-</b>  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(3,040.0)</b>                 | <b>-</b>                     | <b>(3,003.0)</b>   | <b>37.0</b>   | <b>-</b>  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>43,451.0</b>                  | <b>-</b>                     | <b>43,450.6</b>    | <b>(0.4)</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ 40,411.0</b>               | <b>\$ -</b>                  | <b>\$ 40,447.6</b> | <b>\$ 36.6</b>  | <b>\$ -</b>   |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

(\*\*) Includes transfers to the Department of Health Income Fund and the State University Income Fund representing payments for patients residing in State-Operated Health and State University facilities.



EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (amounts in millions)

| SPECIAL REVENUE FUNDS  |                                  |                              |                    |                |                    |   |   |
|--|----------------------------------|------------------------------|--------------------|----------------|--------------------|---|---|
|  | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual             | Eliminations   | Total              | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan | Actual<br>Over/<br>(Under)<br>Updated<br>Financial Plan |
| <b>RECEIPTS:</b>   |                                  |                              |                    |                |                    |   |   |
| Taxes:   |                                  |                              |                    |                |                    |   |   |
| Personal Income  | -                                | \$ -                         | -                  | \$ -           | -                  | \$ -  | \$ -  |
| Consumption/Use  | 375.0                            | -                            | 375.4              | -              | 375.4              | 0.4   | -   |
| Business   | 371.0                            | -                            | 375.6              | -              | 375.6              | 4.6   | -   |
| Miscellaneous Receipts   | 3,288.0                          | -                            | 2,752.7            | -              | 2,752.7            | (535.3)   | -   |
| Federal Receipts   | 16,298.0                         | -                            | 16,131.9           | -              | 16,131.9           | (166.1)   | -   |
| Transfers from Other Funds (**)  | 898.0                            | -                            | 1,169.1            | (312.2)        | 856.9              | (41.1)  | -   |
| <b>Total Receipts and Other Financing Sources</b>  | <b>21,230.0</b>                  | <b>-</b>                     | <b>20,804.7</b>    | <b>(312.2)</b> | <b>20,492.5</b>    | <b>(737.5)</b>  | <b>-</b>  |
| <b>DISBURSEMENTS:</b>  |                                  |                              |                    |                |                    |   |   |
| Local Assistance Grants  | 18,484.0                         | -                            | 18,570.4           | -              | 18,570.4           | 86.4  | -   |
| Departmental Operations  | 1,722.0                          | -                            | 1,719.9            | -              | 1,719.9            | (2.1)   | -   |
| General State Charges  | 200.0                            | -                            | 200.1              | -              | 200.1              | 0.1   | -   |
| Debt Service   | -                                | -                            | -                  | -              | -                  | -   | -   |
| Capital Projects   | -                                | -                            | -                  | -              | -                  | -   | -   |
| Transfers to Other Funds (**)  | 344.0                            | -                            | 518.8              | (312.2)        | 206.6              | (137.4)   | -   |
| <b>Total Disbursements and Other Financing Uses</b>  | <b>20,750.0</b>                  | <b>-</b>                     | <b>21,009.2</b>    | <b>(312.2)</b> | <b>20,697.0</b>    | <b>(53.0)</b>   | <b>-</b>  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>480.0</b>                     | <b>-</b>                     | <b>(204.5)</b>     | <b>-</b>       | <b>(204.5)</b>     | <b>(684.5)</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>23,939.0</b>                  | <b>-</b>                     | <b>23,940.2</b>    | <b>-</b>       | <b>23,940.2</b>    | <b>1.2</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ 24,419.0</b>               | <b>\$ -</b>                  | <b>\$ 23,735.7</b> | <b>\$ -</b>    | <b>\$ 23,735.7</b> | <b>\$ (683.3)</b>                                       | <b>\$ -</b>   |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

(\*\*) 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 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (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  | \$ 375.0                    | \$ -                   | \$ 375.4           | 0.4   | \$ -                          | \$ -                   | \$ -              | \$ -  |
| Consumption/Use  | 371.0                       | -                      | 375.6              | 4.6   | -                             | -                      | -                 | -   |
| Business   | 3,088.0                     | -                      | 2,543.1            | (544.9)                                     | 200.0                         | 208.6                  | 9.6               | 9.6   |
| Miscellaneous Receipts   | 1.0                         | -                      | -                  | (1.0)                                       | 16,297.0                      | 16,131.9               | (165.1)           | (165.1)                                     |
| Federal Receipts   | 898.0                       | -                      | 1,169.1            | 271.1                                       | -                             | -                      | -                 | -   |
| Transfers from Other Funds   | 4,733.0                     | -                      | 4,463.2            | (269.8)                                     | 16,497.0                      | 16,341.5               | (155.5)           | (155.5)                                     |
| <b>Total Receipts and Other Financing Sources</b>  | <b>10,461.0</b>             | <b>-</b>               | <b>10,190.0</b>    | <b>(271.0)</b>                              | <b>17,365.0</b>               | <b>17,622.2</b>        | <b>257.2</b>      | <b>257.2</b>                                |
| <b>DISBURSEMENTS:</b>  |                             |                        |                    |   |                               |                        |                   |   |
| Local Assistance Grants  | 1,772.0                     | -                      | 1,772.5            | 0.5   | 16,712.0                      | 16,797.9               | 85.9              | 85.9  |
| Departmental Operations  | 1,438.0                     | -                      | 1,437.7            | (0.3)                                       | 284.0                         | 282.2                  | (1.8)             | (1.8)                                       |
| General State Charges  | 142.0                       | -                      | 142.3              | 0.3   | 58.0                          | 57.8                   | (0.2)             | (0.2)                                       |
| Debt Service   | -                           | -                      | -                  | -   | -                             | -                      | -                 | -   |
| Capital Projects   | -                           | -                      | -                  | -   | -                             | -                      | -                 | -   |
| Transfers to Other Funds   | 33.0                        | -                      | 34.5               | 1.5   | 311.0                         | 484.3                  | 173.3             | 173.3                                       |
| <b>Total Disbursements and Other Financing Uses</b>  | <b>3,385.0</b>              | <b>-</b>               | <b>3,387.0</b>     | <b>2.0</b>                                  | <b>17,365.0</b>               | <b>17,622.2</b>        | <b>257.2</b>      | <b>257.2</b>                                |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>7,076.0</b>              | <b>-</b>               | <b>6,803.0</b>     | <b>(273.0)</b>                              | <b>0.0</b>                    | <b>0.0</b>             | <b>0.0</b>        | <b>0.0</b>                                  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>9,113.0</b>              | <b>-</b>               | <b>9,113.8</b>     | <b>0.8</b>                                  | <b>14,826.0</b>               | <b>14,826.4</b>        | <b>0.4</b>        | <b>0.4</b>                                  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ 10,461.0</b>          | <b>\$ -</b>            | <b>\$ 10,190.0</b> | <b>\$ (271.0)</b>                           | <b>\$ 13,958.0</b>            | <b>\$ 13,945.7</b>     | <b>\$ (412.3)</b> | <b>\$ (412.3)</b>                           |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (amounts in millions)

|  | DEBT SERVICE FUNDS               |                              |                 |   | Actual<br>Over/<br>(Under)<br>Updated<br>Financial Plan | Actual<br>Over/<br>(Under)<br>Updated<br>Financial Plan |
|--|----------------------------------|------------------------------|-----------------|---|---|---|
|  | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual          | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan |   |   |
| <b>RECEIPTS:</b>   |                                  |                              |                 |   |   |   |
| Taxes:   |                                  |                              |                 |   |   |   |
| Personal Income  | \$ 4,786.0                       | \$ -                         | \$ 4,771.5      | \$ (14.5)   | \$ -  | -   |
| Consumption/Use  | 1,370.0                          | -                            | 1,364.9         | (5.1)   | -   | -   |
| Business   | 110.0                            | -                            | 115.1           | 5.1   | -   | -   |
| Other  | 170.0                            | -                            | 169.9           | (0.1)   | -   | -   |
| Miscellaneous Receipts   | 87.0                             | -                            | 116.4           | 29.4  | -   | -   |
| Federal Receipts   | 3.0                              | -                            | 3.2             | 0.2   | -   | -   |
| Transfers from Other Funds   | 305.0                            | -                            | 220.4           | (84.6)  | -   | -   |
| <b>Total Receipts and Other Financing Sources</b>  | <b>6,831.0</b>                   | <b>-</b>                     | <b>6,761.4</b>  | <b>(69.6)</b>   | <b>-</b>  | <b>-</b>  |
| <b>DISBURSEMENTS:</b>  |                                  |                              |                 |   |   |   |
| Departmental Operations  | 1.0                              | -                            | 1.0             | -   | -   | -   |
| Debt Service   | 63.0                             | -                            | 63.7            | 0.7   | -   | -   |
| Transfers to Other Funds   | 6,655.0                          | -                            | 6,664.9         | 9.9   | -   | -   |
| <b>Total Disbursements and Other Financing Uses</b>  | <b>6,719.0</b>                   | <b>-</b>                     | <b>6,729.6</b>  | <b>10.6</b>   | <b>-</b>  | <b>-</b>  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>112.0</b>                     | <b>-</b>                     | <b>31.8</b>     | <b>(80.2)</b>   | <b>-</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>159.0</b>                     | <b>-</b>                     | <b>159.4</b>    | <b>0.4</b>  | <b>-</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ 271.0</b>                  | <b>\$ -</b>                  | <b>\$ 191.2</b> | <b>\$ (79.8)</b>  | <b>\$ -</b>   | <b>\$ -</b>   |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (amounts in millions)

CAPITAL PROJECTS FUNDS

|  | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual           | Eliminations | Total            | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan | Actual<br>Over/<br>(Under)<br>Updated<br>Financial Plan |
|--|----------------------------------|------------------------------|------------------|--------------|------------------|---|---|
| <b>RECEIPTS:</b>   |                                  |                              |                  |              |                  |   |   |
| Taxes:   |                                  |                              |                  |              |                  |   |   |
| Consumption/Use  | 96.0                             | \$ -                         | \$ 96.1          | \$ -         | \$ 96.1          | \$ 0.1  | \$ -  |
| Business   | 103.0                            | -                            | 105.7            | -            | 105.7            | 2.7   | -   |
| Other  | -                                | -                            | -                | -            | -                | -   | -   |
| Miscellaneous Receipts   | 941.0                            | -                            | 939.9            | -            | 939.9            | (1.1)   | -   |
| Federal Receipts   | 479.0                            | -                            | 478.3            | -            | 478.3            | (0.7)   | -   |
| Bond and Note Proceeds, net  | -                                | -                            | -                | -            | -                | -   | -   |
| Transfers from Other Funds   | 68.0                             | -                            | 68.4             | -            | 68.4             | 0.4   | -   |
| <b>Total Receipts and Other Financing Sources</b>  | <b>1,687.0</b>                   | <b>-</b>                     | <b>1,688.4</b>   | <b>-</b>     | <b>1,688.4</b>   | <b>1.4</b>  | <b>-</b>  |
| <b>DISBURSEMENTS:</b>  |                                  |                              |                  |              |                  |   |   |
| Local Assistance Grants  | 553.0                            | -                            | 553.0            | -            | 553.0            | -   | -   |
| Capital Projects   | 1,156.0                          | -                            | 1,154.4          | -            | 1,154.4          | (1.6)   | -   |
| Transfers to Other Funds   | 12.0                             | -                            | 12.1             | -            | 12.1             | 0.1   | -   |
| <b>Total Disbursements and Other Financing Uses</b>  | <b>1,721.0</b>                   | <b>-</b>                     | <b>1,719.5</b>   | <b>-</b>     | <b>1,719.5</b>   | <b>(1.5)</b>  | <b>-</b>  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(34.0)</b>                    | <b>-</b>                     | <b>(31.1)</b>    | <b>-</b>     | <b>(31.1)</b>    | <b>2.9</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>(1,594.0)</b>                 | <b>-</b>                     | <b>(1,594.5)</b> | <b>-</b>     | <b>(1,594.5)</b> | <b>(0.5)</b>  | <b>-</b>  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>(1,628.0)</b>                 | <b>\$ -</b>                  | <b>(1,625.6)</b> | <b>\$ -</b>  | <b>(1,625.6)</b> | <b>\$ 2.4</b>   | <b>\$ -</b>   |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

EXHIBIT D

STATE OF NEW YORK  
 BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL  
 FISCAL YEAR 2023-2024  
 FOR TWO MONTHS ENDED MAY 31, 2023  
 (amounts in millions)

|  | STATE CAPITAL PROJECTS FUNDS     |                              |                     |   | FEDERAL CAPITAL PROJECTS FUNDS   |                              |                   |   |
|--|----------------------------------|------------------------------|---------------------|---|----------------------------------|------------------------------|-------------------|---|
|  | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual              | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan | Enacted<br>Financial<br>Plan (*) | Updated<br>Financial<br>Plan | Actual            | Actual<br>Over/<br>(Under)<br>Enacted<br>Financial Plan |
| <b>RECEIPTS:</b>   |                                  |                              |                     |   |                                  |                              |                   |   |
| Taxes:   |                                  |                              |                     |   |                                  |                              |                   |   |
| Consumption/Use  | \$ 96.0                          | \$ -                         | \$ 96.1             | \$ 0.1  | \$ -                             | \$ -                         | \$ -              | \$ -  |
| Business   | 103.0                            | -                            | 105.7               | 2.7   | -                                | -                            | -                 | -   |
| Other  | -                                | -                            | -                   | -   | -                                | -                            | -                 | -   |
| Miscellaneous Receipts   | 941.0                            | -                            | 939.9               | (1.1)   | -                                | -                            | -                 | -   |
| Federal Receipts   | -                                | -                            | -                   | -   | 479.0                            | -                            | 478.3             | (0.7)   |
| Bond and Note Proceeds, net  | -                                | -                            | -                   | -   | -                                | -                            | -                 | -   |
| Transfers from Other Funds   | 68.0                             | -                            | 68.4                | 0.4   | -                                | -                            | -                 | -   |
| <b>Total Receipts and Other Financing Sources</b>  | <b>1,208.0</b>                   | <b>-</b>                     | <b>1,210.1</b>      | <b>2.1</b>  | <b>479.0</b>                     | <b>-</b>                     | <b>478.3</b>      | <b>(0.7)</b>  |
| <b>DISBURSEMENTS:</b>  |                                  |                              |                     |   |                                  |                              |                   |   |
| Local Assistance Grants  | 357.0                            | -                            | 357.4               | 0.4   | 186.0                            | -                            | 185.6             | (0.4)   |
| Capital Projects   | 886.0                            | -                            | 886.0               | -   | 270.0                            | -                            | 288.4             | (1.6)   |
| Transfers to Other Funds   | 12.0                             | -                            | 12.1                | 0.1   | -                                | -                            | -                 | -   |
| <b>Total Disbursements and Other Financing Uses</b>  | <b>1,255.0</b>                   | <b>-</b>                     | <b>1,255.5</b>      | <b>0.5</b>  | <b>466.0</b>                     | <b>-</b>                     | <b>464.0</b>      | <b>(2.0)</b>  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(47.0)</b>                    | <b>-</b>                     | <b>(45.4)</b>       | <b>1.6</b>  | <b>13.0</b>                      | <b>-</b>                     | <b>14.3</b>       | <b>1.3</b>  |
| <b>Fund Balances (Deficits) at April 1</b>   | <b>(1,114.0)</b>                 | <b>-</b>                     | <b>(1,114.7)</b>    | <b>(0.7)</b>  | <b>(480.0)</b>                   | <b>-</b>                     | <b>(479.8)</b>    | <b>0.2</b>  |
| <b>Fund Balances (Deficits) at May 31, 2023</b>  | <b>\$ (1,161.0)</b>              | <b>\$ -</b>                  | <b>\$ (1,160.1)</b> | <b>\$ 0.9</b>   | <b>\$ (467.0)</b>                | <b>\$ -</b>                  | <b>\$ (465.5)</b> | <b>\$ 1.5</b>   |

(\*) Source: 2023-24 Enacted Financial Plan dated June 9, 2023.

EXHIBIT E

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
COMPARATIVE SCHEDULE OF TAX RECEIPTS  
(amounts in millions)

|                                     | GENERAL              |                              | SPECIAL REVENUE      |                              | DEBT SERVICE         |                              | CAPITAL PROJECTS     |                              | TOTAL GOVERNMENTAL FUNDS |                              | YEAR OVER YEAR             |                         |
|-------------------------------------|----------------------|------------------------------|----------------------|------------------------------|----------------------|------------------------------|----------------------|------------------------------|--------------------------|------------------------------|----------------------------|-------------------------|
|                                     | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023 | 2 MOS. ENDED<br>MAY 31, 2023 | MONTH OF<br>MAY 2023     | 2 MOS. ENDED<br>MAY 31, 2023 | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |
| <b>PERSONAL INCOME TAX</b>          |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Withholdings                        | \$ 3,939.7           | \$ 7,723.5                   | \$ -                 | \$ -                         | \$ -                 | \$ -                         | \$ -                 | \$ 7,723.5                   | \$ 3,632.0               | \$ 7,365.2                   | \$ (6,094.0)               | 4.9%                    |
| Estimated Payments                  | 110.4                | 4,966.3                      | -                    | -                            | -                    | -                            | -                    | 4,966.3                      | 152.8                    | 11,080.3                     | (6,094.0)                  | -55.0%                  |
| Returns                             | 131.0                | 2,228.1                      | -                    | -                            | -                    | -                            | -                    | 2,228.1                      | 174.9                    | 3,444.7                      | (1,216.6)                  | -35.3%                  |
| State/City Offsets                  | (69.2)               | (579.1)                      | -                    | -                            | -                    | -                            | -                    | (579.1)                      | (39.1)                   | (541.1)                      | 38.0                       | 7.0%                    |
| Other Assessments(LLC)              | 174.6                | 416.7                        | -                    | -                            | -                    | -                            | -                    | 416.7                        | 161.8                    | 382.4                        | 34.3                       | 9.0%                    |
| <b>Gross Receipts</b>               | <b>4,286.5</b>       | <b>14,775.5</b>              | -                    | -                            | -                    | -                            | -                    | <b>14,775.5</b>              | <b>4,082.4</b>           | <b>21,731.5</b>              | <b>(6,956.0)</b>           | <b>-32.0%</b>           |
| Transfers to School Tax Relief Fund | (1,044.3)            | (4,771.5)                    | -                    | -                            | -                    | -                            | -                    | (4,771.5)                    | (1,356.2)                | (4,295.7)                    | 645.8                      | 22.1%                   |
| Transfers to Revenue Bond Tax Fund  | (2,187.9)            | (5,232.5)                    | -                    | -                            | 1,044.3              | 4,771.5                      | -                    | (4,235.5)                    | (1,356.2)                | (4,295.7)                    | 645.8                      | 22.1%                   |
| Less: Refunds Issued                | 1,044.3              | 4,771.5                      | -                    | -                            | 1,044.3              | 4,771.5                      | -                    | 9,543.9                      | 2,724.2                  | 17,443.8                     | (7,902.9)                  | -45.3%                  |
| <b>CONSUMPTION/USE TAXES</b>        |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Sales and Use                       | 687.8                | 1,367.0                      | 95.0                 | 250.3                        | 687.1                | 1,364.9                      | -                    | 2,962.2                      | 1,397.2                  | 2,775.9                      | 206.3                      | 7.4%                    |
| Auto Rental                         | -                    | -                            | -                    | 1.9                          | -                    | -                            | 0.1                  | 11.5                         | 0.1                      | 11.3                         | 0.2                        | 1.8%                    |
| Cigarette/Tobacco Products          | 21.5                 | 45.8                         | 51.7                 | 103.5                        | -                    | -                            | -                    | 148.3                        | 73.2                     | 158.9                        | (10.6)                     | -6.6%                   |
| Cannabis                            | -                    | -                            | 0.8                  | 1.7                          | -                    | -                            | -                    | 1.7                          | 1.2                      | 2.2                          | (0.5)                      | -22.7%                  |
| Motor Fuel                          | -                    | -                            | 9.1                  | 17.3                         | -                    | -                            | 34.4                 | 79.7                         | 37.5                     | 65.0                         | 14.7                       | 22.6%                   |
| Peer-to-Peer Car Sharing            | -                    | (1.4)                        | -                    | 0.1                          | -                    | -                            | -                    | (1.3)                        | -                        | -                            | (1.3)                      | -100.0%                 |
| Alcoholic Beverage                  | 20.3                 | 42.1                         | -                    | -                            | 20.3                 | 42.1                         | -                    | 42.1                         | 21.5                     | 46.3                         | (4.2)                      | -9.1%                   |
| Highway Use                         | -                    | -                            | -                    | 0.1                          | -                    | -                            | 11.6                 | 24.2                         | 10.5                     | 24.2                         | 1.7                        | 7.6%                    |
| Vapor Excise                        | 0.2                  | 0.3                          | 0.3                  | 0.5                          | -                    | -                            | 0.5                  | 0.5                          | 0.1                      | -                            | 0.5                        | 100.0%                  |
| Opioid Excise                       | -                    | 6.2                          | -                    | -                            | -                    | -                            | 6.2                  | 6.2                          | 1.0                      | 7.4                          | (1.2)                      | -16.2%                  |
| <b>Total</b>                        | <b>728.8</b>         | <b>1,458.7</b>               | <b>156.9</b>         | <b>375.4</b>                 | <b>687.1</b>         | <b>1,364.9</b>               | <b>46.1</b>          | <b>3,296.1</b>               | <b>1,544.3</b>           | <b>3,090.5</b>               | <b>205.6</b>               | <b>6.7%</b>             |
| <b>BUSINESS TAXES</b>               |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Corporation Franchise               | 50.7                 | 1,027.4                      | 36.5                 | 258.8                        | -                    | -                            | -                    | 1,287.2                      | 142.0                    | 1,347.0                      | (59.8)                     | -4.4%                   |
| Corporation and Utilities           | 0.4                  | 15.1                         | 0.3                  | 22.5                         | -                    | -                            | 5.0                  | 42.6                         | 1.2                      | 11.0                         | 31.6                       | 287.3%                  |
| Insurance                           | 97.2                 | 170.8                        | (10.4)               | 14.0                         | -                    | -                            | -                    | 184.8                        | 40.1                     | 149.8                        | 36.0                       | 23.4%                   |
| Bank                                | -                    | 1.9                          | -                    | 0.3                          | -                    | -                            | -                    | 2.2                          | -                        | -                            | 2.2                        | 100.0%                  |
| Pass-Through Entity                 | 65.7                 | 115.1                        | -                    | -                            | 65.7                 | 115.1                        | -                    | 131.4                        | (68.4)                   | 132.8                        | 97.4                       | 73.3%                   |
| Petroleum Business                  | -                    | -                            | 42.9                 | 76.0                         | -                    | -                            | 100.7                | 176.2                        | 89.6                     | 174.3                        | 84.9                       | 48.7%                   |
| <b>Total</b>                        | <b>214.0</b>         | <b>1,330.3</b>               | <b>69.3</b>          | <b>373.6</b>                 | <b>657</b>           | <b>1,151</b>                 | <b>54.7</b>          | <b>1,926.7</b>               | <b>224.5</b>             | <b>1,814.9</b>               | <b>111.8</b>               | <b>6.2%</b>             |
| <b>OTHER TAXES</b>                  |                      |                              |                      |                              |                      |                              |                      |                              |                          |                              |                            |                         |
| Real Property Gains                 | -                    | -                            | -                    | -                            | -                    | -                            | -                    | -                            | -                        | -                            | -                          | 0.0%                    |
| Estate and Gift                     | 405.7                | 574.5                        | -                    | -                            | -                    | -                            | -                    | 574.5                        | 126.0                    | 253.3                        | 321.2                      | 126.8%                  |
| Pan-Mutuel                          | 1.0                  | 2.4                          | -                    | -                            | -                    | -                            | -                    | 1.0                          | 1.1                      | 2.6                          | (0.2)                      | -7.7%                   |
| Real Estate Transfer                | -                    | -                            | -                    | -                            | 86.1                 | 169.5                        | -                    | 169.5                        | 130.0                    | 282.4                        | (112.9)                    | -40.0%                  |
| Racing and Combative Sports         | -                    | -                            | -                    | -                            | -                    | -                            | -                    | -                            | 0.2                      | 0.2                          | (0.2)                      | -100.0%                 |
| Employer Compensation Expense Tax   | 0.2                  | 0.4                          | -                    | -                            | 0.2                  | 0.4                          | -                    | 0.8                          | 0.2                      | 0.6                          | 0.2                        | 33.3%                   |
| <b>Total</b>                        | <b>406.9</b>         | <b>577.3</b>                 | -                    | -                            | <b>86.3</b>          | <b>169.9</b>                 | -                    | <b>747.2</b>                 | <b>257.5</b>             | <b>538.1</b>                 | <b>208.1</b>               | <b>38.6%</b>            |
| <b>Total Tax Receipts</b>           | <b>\$ 2,395.0</b>    | <b>\$ 8,138.8</b>            | <b>\$ 226.2</b>      | <b>\$ 751.0</b>              | <b>\$ 1,883.4</b>    | <b>\$ 6,421.4</b>            | <b>\$ 106.8</b>      | <b>\$ 15,513.0</b>           | <b>\$ 4,750.5</b>        | <b>\$ 22,890.3</b>           | <b>\$ (7,377.3)</b>        | <b>-32.2%</b>           |

STATE OF NEW YORK  
GOVERNMENTAL FUNDS (\*)  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

Table with columns for months (APRIL to MAY) and 2023/2024 totals. Rows include Receipts (Personal Income Tax, Business Taxes, etc.) and Total Receipts. Includes a summary row for 'Total Receipts' with values of 65,955.7 for 2023 and 43,549.0 for 2024, and a change of 22,890.3.

STATE OF NEW YORK  
GOVERNMENTAL FUNDS (\*)  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|   | 2023      |           |      |      |        |           |         |          |          |         |          |       | 2024      |            | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |
|---|-----------|-----------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-----------|------------|----------------------------|-------------------------|
|   | APRIL     | MAY       | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2023      | 2022       |                            |                         |
| Issuance Fees   | 0.3       | -         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.3       | 6.5        | (6.2)                      | -95.4%                  |
| Non Bond Related  | 6.2       | 0.6       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 6.8       | 16.4       | (9.6)                      | -58.5%                  |
| Rentals   | 28.0      | 18.2      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 46.2      | 67.3       | (21.1)                     | -31.4%                  |
| Revenues of State Departments:  |           |           |      |      |        |           |         |          |          |         |          |       |           |            |                            |                         |
| Administrative Recoveries   | 8.7       | 26.8      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 35.5      | 41.5       | (6.0)                      | -14.5%                  |
| Commissions   | 1.0       | 0.3       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1.3       | 6.9        | (5.6)                      | -81.2%                  |
| Commissions - Asset Conversion  | 3.7       | 1.8       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 5.5       | 4.4        | 1.1                        | 25.0%                   |
| Indirect Cost Reimbursements  | 5.6       | 30.6      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 36.2      | 21.5       | 14.7                       | 68.4%                   |
| Patient/Client Care Reimbursement   | 306.9     | (305.6)   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1.3       | 502.9      | (501.6)                    | -99.7%                  |
| Rebates   | 11.2      | 11.4      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 22.6      | 19.9       | 2.7                        | 13.6%                   |
| Restitution and Settlements   | 4.8       | 1.2       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 6.0       | 12.2       | (6.2)                      | -50.8%                  |
| Student Loans   | 13.1      | (3.9)     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 9.2       | 3.3        | 5.9                        | 178.8%                  |
| All Other   | 83.4      | 105.0     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 188.4     | 177.8      | 10.6                       | 6.0%                    |
| Sales   | 0.6       | 2.3       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.9       | 0.6        | 2.3                        | 26.1%                   |
| Tuition   | (35.2)    | 31.3      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 3.1       | 42.9       | (39.8)                     | -92.5%                  |
| Total Miscellaneous Receipts  | 2,345.3   | 2,077.6   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 4,423.3   | 5,285.1    | (861.8)                    | -16.1%                  |
| Federal Receipts  | 8,938.8   | 7,674.6   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 16,613.4  | 14,255.0   | 2,358.4                    | 16.5%                   |
| Total Receipts  | 22,191.9  | 14,357.8  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 36,546.7  | 42,414.4   | (5,864.7)                  | -13.8%                  |
| DISBURSEMENTS:  |           |           |      |      |        |           |         |          |          |         |          |       |           |            |                            |                         |
| Local Assistance Grants:  |           |           |      |      |        |           |         |          |          |         |          |       |           |            |                            |                         |
| Education   | 2,141.2   | 5,033.5   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 7,174.7   | 7,113.5    | 61.2                       | 0.9%                    |
| Health and Recreation   | 1.4       | 14.5      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 15.9      | 23.9       | (8.0)                      | -33.5%                  |
| General Government  | 68.8      | 142.1     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 210.9     | 356.4      | (145.5)                    | -40.7%                  |
| Public Health:  |           |           |      |      |        |           |         |          |          |         |          |       |           |            |                            |                         |
| Medicaid  | 8,064.3   | 10,775.4  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 18,839.7  | 13,631.2   | 5,208.5                    | 38.2%                   |
| Other Public Health   | 913.4     | 1,149.3   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2,062.7   | 1,463.2    | 599.5                      | 41.0%                   |
| Public Safety   | 1,093.8   | 207.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,301.1   | 227.4      | 1,073.7                    | 467.8%                  |
| Public Welfare  | 877.8     | 641.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,519.1   | 1,397.1    | 122.0                      | 8.7%                    |
| Support and Regulate Business   | 42.9      | 183.6     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 226.5     | 56.4       | 168.1                      | 297.8%                  |
| Transportation  | 125.4     | 653.0     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 778.4     | 752.2      | 26.2                       | 3.1%                    |
| Total Local Assistance Grants   | 13,400.0  | 18,796.0  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 32,199.9  | 25,016.9   | 7,184.1                    | 28.7%                   |
| Departmental Operations:  |           |           |      |      |        |           |         |          |          |         |          |       |           |            |                            |                         |
| Personal Service  | 1,312.5   | 1,287.0   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2,599.5   | 2,362.3    | 237.2                      | 10.0%                   |
| Non-Personal Service  | 413.1     | 631.9     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,045.0   | 1,066.6    | (21.6)                     | -2.0%                   |
| General State Charges   | 887.0     | 2,002.4   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2,889.4   | 2,865.8    | 23.6                       | 0.8%                    |
| Debt Service, Including Payments on   | 35.2      | 28.5      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 63.7      | 145.3      | (81.6)                     | -56.2%                  |
| Financing Agreements  | 410.1     | 744.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,154.4   | 1,026.4    | 128.0                      | 12.5%                   |
| Capital Projects  | 16,257.9  | 20,480.1  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 36,738.0  | 32,611.3   | 4,126.7                    | 12.6%                   |
| Total Disbursements   | 5,934.0   | (9,135.3) | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (3,201.3) | 9,803.1    | (13,004.4)                 | -132.7%                 |
| Excess (Deficiency) of Receipts over Disbursements  | 16,257.9  | 20,480.1  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 39,748.0  | 32,611.3   | 7,136.7                    | 21.9%                   |
| OTHER FINANCING SOURCES (USES):   |           |           |      |      |        |           |         |          |          |         |          |       |           |            |                            |                         |
| Bond and Note Proceeds (net)  | -         | -         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -         | -          | -                          | 0.0%                    |
| Transfers from Other Funds  | 5,185.0   | 2,609.5   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 7,794.5   | 11,480.6   | (3,687.1)                  | -32.1%                  |
| Transfers to Other Funds  | (5,185.0) | (2,609.5) | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (7,794.5) | (11,480.6) | 3,687.1                    | 32.1%                   |
| Total Other Financing Sources (Uses)  | (1.9)     | (4.0)     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (6.5)     | (6.4)      | -0.1%                      | 0.0%                    |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 16,255.9  | 20,476.1  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 39,741.5  | 32,604.9   | 7,136.6                    | 21.9%                   |
| Ending Fund Balance   | 71,885.2  | 62,748.9  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 62,748.9  | 63,343.7   | (594.8)                    | -0.9%                   |

(\*) Governmental Funds includes General, Debt Service and Capital Projects Funds combined.



STATE OF NEW YORK  
GOVERNMENTAL FUNDS - STATE OPERATING (\*)  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

Table with columns: 2023 (APRIL, MAY, JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER, DECEMBER, JANUARY, FEBRUARY, MARCH), 2022, and % Increase/Decrease. Rows include categories like Receipts (Taxes, Receipts), Disbursements (Salaries, Benefits, Capital Outlay), and Total Receipts/Disbursements. Total Receipts for 2023: 52,723.8; for 2022: 40,767.2. Total Disbursements for 2023: 5,936.0; for 2022: 11,936.6.

STATE OF NEW YORK  
GOVERNMENTAL FUNDS - STATE OPERATING (\*)  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|   | 2023        |             |      |           |        |           |         |          |          |         |          |       | 2022 | % Increase/Decrease |             |            |
|---|-------------|-------------|------|-----------|--------|-----------|---------|----------|----------|---------|----------|-------|------|---------------------|-------------|------------|
|   | APRIL       | MAY         | JUNE | JULY      | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH |      |                     |             |            |
| Receipts from Public Authorities:   |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Cost Recovery Assessments   | 0.4         | -           | -    | 0.4       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 14.2        | -          |
| Issuance Fees   | 0.3         | -           | -    | 0.3       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 6.5         | (13.8)     |
| Non Bond Related  | 4.9         | 0.1         | 0.1  | 5.0       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 16.1        | (6.2)      |
| Rentals   | 27.3        | 16.1        | 16.1 | 43.4      | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 54.1        | (10.7)     |
| Revenues of State Departments:  |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Administrative Recoveries   | 8.7         | 26.8        | -    | 35.5      | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 41.5        | (6.0)      |
| Commissions   | 1.0         | 0.3         | -    | 1.3       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 6.9         | (5.6)      |
| Commissions - Asset Conversion  | 0.3         | 1.3         | -    | 1.6       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 2.8         | (1.3)      |
| Gifts, Grants and Donations   | -           | 14.2        | -    | 14.2      | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 11.6        | 2.6        |
| Indirect Cost Recoveries  | 306.9       | (305.9)     | -    | 1.0       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 502.9       | (501.6)    |
| Patient/Client Care Reimbursement   | 4.5         | 0.8         | -    | 5.3       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 8.7         | (3.4)      |
| Restitution and Settlements   | 4.5         | 0.8         | -    | 5.3       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 8.7         | (3.4)      |
| Student Loans   | 13.1        | (3.9)       | -    | 9.2       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 3.3         | 5.9        |
| All Other   | 77.6        | 102.9       | -    | 180.5     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 169.3       | 12.2       |
| Sales   | 0.6         | 2.1         | -    | 2.7       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 2.1         | 0.6        |
| Tuition   | (25.2)      | 31.3        | -    | 5.1       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 10.6        | (4.5)      |
| Total Miscellaneous Receipts  | 1,276.7     | 1,297.1     | -    | 3,273.3   | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 3,159.6     | 117.0      |
| Federal Receipts  | 3.2         | -           | -    | 3.2       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 0.2         | 3.0        |
| Total Receipts  | 12,786.5    | 5,801.7     | -    | 18,888.2  | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 25,864.5    | (7,276.3)  |
| DISBURSEMENTS:  |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Local Assistance Grants:  |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Education   | 1,443.5     | 4,550.7     | -    | 5,994.2   | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 5,783.1     | 211.1      |
| Environment and Recreation  | 0.1         | 0.3         | -    | 0.4       | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 0.3         | 0.1        |
| General Government  | 31.3        | 92.8        | -    | 124.1     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 213.8       | (89.7)     |
| Public Health:  |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Agriculture   | 3,897.5     | 3,298.9     | -    | 7,197.3   | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 4,696.0     | 2,310.4    |
| Child Support   | 130.2       | 228.6       | -    | 358.7     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 160.9       | 73.8       |
| Other Public Health   | 14.6        | 34.7        | -    | 49.3      | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 53.5        | (4.2)      |
| Public Safety   | 188.9       | 202.0       | -    | 391.9     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 320.9       | 71.0       |
| Public Welfare  | 13.3        | 14.9        | -    | 28.2      | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 20.3        | 7.9        |
| Support and Regulate Business   | 84.2        | 619.9       | -    | 704.0     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 650.7       | 53.3       |
| Transportation  | 5,800.8     | 9,041.9     | -    | 14,842.7  | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 12,264.4    | 2,583.7    |
| Other Local Assistance Grants:  |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Personal Services   | 1,249.7     | 1,233.3     | -    | 2,483.0   | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 2,254.2     | 228.8      |
| Non-Personal Service  | 376.1       | 503.2       | -    | 879.3     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 846.9       | 32.4       |
| General State Charges   | 897.0       | 1,944.6     | -    | 2,831.6   | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 2,907.6     | (276.0)    |
| Debt Service, Including Payments on Financing Agreements  | 35.2        | 28.5        | -    | 63.7      | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 145.3       | (81.6)     |
| Capital Projects  | -           | -           | -    | -         | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | -           | -          |
| Total Disbursements   | 8,154.6     | 12,751.1    | -    | 20,095.7  | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 18,418.4    | 2,487.3    |
| Excess (Deficiency) of Receipts over Disbursements  | 4,631.9     | (6,949.4)   | -    | (2,317.5) | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 7,446.1     | (9,763.9)  |
| OTHER FINANCING SOURCES (USES):   |             |             |      |           |        |           |         |          |          |         |          |       |      |                     |             |            |
| Transfers from Other Funds (*)  | 5,064.4     | 2,952.9     | -    | 8,037.3   | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 12,366.2    | (4,359.9)  |
| Transfers to Other Funds (*)  | (5,064.5)   | (2,952.9)   | -    | (7,674.9) | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | (11,223.0)  | (3,659.1)  |
| Total Other Financing Sources (Uses)  | (4.1)       | 426.6       | -    | 422.5     | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 1,172.3     | (749.8)    |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 4,627.8     | (6,522.9)   | -    | (1,995.0) | -      | -         | -       | -        | -        | -       | -        | -     | -    | -                   | 8,618.4     | (10,513.4) |
| Ending Fund Balance   | \$ 57,251.6 | \$ 50,828.8 | \$ - | \$ -      | \$ -   | \$ -      | \$ -    | \$ -     | \$ -     | \$ -    | \$ -     | \$ -  | \$ - | \$ -                | \$ 49,395.0 | \$ 1,443.2 |

(\*) 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.

EXHIBIT F

STATE OF NEW YORK  
GENERAL FUND  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|                                     | 2023            |                |      |      |        |           |         |          |          |         |          |       | 2022 | 2021        | % Increase/<br>Decrease |             |                  |               |
|-------------------------------------|-----------------|----------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|------|-------------|-------------------------|-------------|------------------|---------------|
|                                     | APRIL           | MAY            | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH |      |             |                         |             |                  |               |
| Beginning Fund Balance              | \$ 43,490.6     | \$ 46,930.4    |      |      |        |           |         |          |          |         |          |       |      | \$ 33,052.7 |                         | \$ 10,397.9 | 31.5%            |               |
| <b>RECEIPTS:</b>                    |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Taxes:                              |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Personal Income Tax:                |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Withholdings                        | 3,783.8         | 3,693.7        |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 399.3            | 4.9%          |
| Estimated Payments                  | 4,675.9         | 110.4          |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (6,048.3)        | -56.9%        |
| State/City Offsets                  | (509.9)         | (69.2)         |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (1,184.0)        | -35.2%        |
| Other (Assessments/LC)              | 242.1           | 174.6          |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (541.1)          | -7.0%         |
| <b>Gross Receipts</b>               | <b>10,480.0</b> | <b>4,288.5</b> |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>34.3</b>      | <b>9.0%</b>   |
| Transfers to School Tax Relief Fund | (3,727.2)       | (1,644.3)      |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (6,355.0)        | 0.0%          |
| Transfers to Revenue Bond Tax Fund  | (1,052.2)       | (1,697.2)      |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (3,381.1)        | -45.1%        |
| <b>Revenues</b>                     | <b>3,727.2</b>  | <b>1,644.3</b> |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>(3,351.4)</b> | <b>-25.3%</b> |
| <b>Total Personal Income Tax</b>    |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Consumption/Use Taxes:              |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Auto Rental                         | 679.2           | 697.8          |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 727.0            | 113.6%        |
| Cigarette/Tobacco Products          | 24.3            | 21.5           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (4.7)            | 0.0%          |
| Peer-to-Peer Car Sharing            | (1.4)           | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (1.4)            | 0.0%          |
| Alcoholic Beverage                  | 21.8            | 20.3           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (1.4)            | -100.0%       |
| Highway Use                         | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (4.2)            | -9.1%         |
| Vapor Excise                        | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Opportunity                         | 6.0             | 6.2            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| <b>Total Consumption/Use Taxes</b>  | <b>739.9</b>    | <b>728.8</b>   |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>11.2</b>      | <b>0.0%</b>   |
| <b>Business Taxes:</b>              |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>743.2</b>     | <b>36.1%</b>  |
| Corporation Franchise               | 976.7           | 50.7           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 1,074.1          | -4.3%         |
| Corporation and Utilities           | 14.7            | 0.4            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 12.8             | 566.5%        |
| Insurance                           | 73.6            | 97.2           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 42.5             | 33.1%         |
| Part-Through Entity                 | 1.9             | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 1.9              | 100.0%        |
| Petroleum Business                  | 48.4            | 65.7           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 66.4             | 73.3%         |
| <b>Total Business Taxes</b>         | <b>1,116.3</b>  | <b>214.0</b>   |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>95.2</b>      | <b>0.0%</b>   |
| <b>Other Taxes:</b>                 |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>1,271.1</b>   | <b>4.7%</b>   |
| Real Property Gains                 | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Real Property Gift                  | 169.6           | 405.7          |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 253.3            | 167.9%        |
| Park/Mail                           | 1.4             | 1.0            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (2.6)            | -7.7%         |
| Real Estate Transfer                | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Racing and Combative Sports         | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (0.2)            | -100.0%       |
| Employer Compensation Expense Tax   | 170.4           | 408.9          |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 0.1              | 33.3%         |
| <b>Total Other Taxes</b>            | <b>5,743.8</b>  | <b>2,395.0</b> |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>320.9</b>     | <b>125.7%</b> |
| <b>Total Taxes</b>                  |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | <b>10,994.6</b>  | <b>-26.0%</b> |
| Miscellaneous Receipts:             |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Abandoned Property                  | 0.5             | 0.1            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (0.4)            | -40.0%        |
| Bottle Bill                         | 0.4             | 4.0            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 0.4              | 1,000.0%      |
| Assessments:                        |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Business                            | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Medical Care                        | 2.0             | 1.7            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 4.8              | 100.0%        |
| Other                               | -               | 0.1            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 0.1              | 100.0%        |
| Fees, Licenses and Permits:         |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Alcohol Beverage Control Licensing  | 5.9             | 6.7            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 11.1             | 13.5%         |
| Audit Fees                          | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Business/Professional               | 12.2            | 20.5           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 25.7             | 27.2%         |
| Criminal                            | 10.1            | 7.2            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | (5.9)            | -37.6%        |
| Motor Vehicle                       | 15.8            | 43.8           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 0.2              | (0.1)         |
| Recreational/Consumer               | 1.7             | 0.6            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 43.8             | 29.2%         |
| Fines, Penalties and Forfeitures    | 27.6            | 17.5           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 13.4             | 42.3%         |
| Gaming                              | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Interest Earnings                   | 204.0           | 176.3          |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 5.0              | 0.0%          |
| Receipts from Municipalities        | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 381.7            | 1,944.6%      |
| Receipts from Public Authorities:   |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Bond Proceeds                       | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Cost Recovery Assessments           | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Non-Bond Related                    | 0.1             | 0.2            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 0.2              | 50.0%         |
| Rentals                             | -               | -              |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | -                | 0.0%          |
| Revenues of State Departments:      |                 |                |      |      |        |           |         |          |          |         |          |       |      |             |                         |             |                  |               |
| Administrative Recoveries           | 0.6             | 0.6            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 1.0              | 20.0%         |
| Commissions and Donations           | 1.0             | 0.1            |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 0.1              | 1,000.0%      |
| Indirect Cost Recoveries            | -               | 14.2           |      |      |        |           |         |          |          |         |          |       |      |             |                         |             | 2.6              | 22.4%         |

EXHIBIT F

STATE OF NEW YORK  
GENERAL FUND  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|   | 2023        |             |      |      |        |           |         |          |          |         |          |       | 2022        |             | % Increase/<br>Decrease |         |
|---|-------------|-------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-------------|-------------|-------------------------|---------|
|   | APRIL       | MAY         | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2023        | 2022        |                         |         |
| Reimbursements  | 7.8         | (76.4)      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (88.6)      | 57.0        | (125.6)                 | -220.4% |
| Reimbursements from   | 0.3         | 0.1         | 0.1  | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.1         | 1.0         | 0.7                     | 100.0%  |
| Restitution and Settlements   | -           | 0.1         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.1         | -           | 0.1                     | 100.0%  |
| Student Loans   | -           | -           | 30.6 | -    | -      | -         | -       | -        | -        | -       | -        | -     | 94.5        | 51.2        | 43.3                    | 84.6%   |
| All Other   | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -           | (0.1)       | 0.1                     | 100.0%  |
| Sales   | 351.3       | 283.0       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 614.3       | 288.9       | 315.4                   | 105.3%  |
| Total Miscellaneous Receipts  | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 614.3       | 288.9       | 315.4                   | 105.3%  |
| Federal Receipts  | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -           | 0.2         | (0.2)                   | -100.0% |
| Total Receipts  | 6,075.1     | 2,678.0     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 8,753.1     | 11,293.7    | (2,540.6)               | -22.5%  |
| <b>DISBURSEMENTS:</b>   |             |             |      |      |        |           |         |          |          |         |          |       |             |             |                         |         |
| Total Local Assistance Grants:  |             |             |      |      |        |           |         |          |          |         |          |       |             |             |                         |         |
| Education   | 1,443.0     | 4,550.6     | 0.1  | -    | -      | -         | -       | -        | -        | -       | -        | -     | 6,993.6     | 5,793.0     | 210.6                   | 3.6%    |
| Environment and Recreation  | 0.1         | 0.1         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.2         | 0.1         | 100.0%                  |         |
| General Government  | 28.8        | 48.6        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 79.4        | 51.6        | 27.8                    | 53.9%   |
| Public Health:  |             |             |      |      |        |           |         |          |          |         |          |       |             |             |                         |         |
| Medicaid  | 3,474.6     | 2,893.8     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 6,368.4     | 3,898.5     | 2,369.9                 | 60.0%   |
| Mental Health   | 1,077.3     | 1,600.6     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2,677.9     | 2,081.5     | 596.4                   | 28.7%   |
| Public Health   | 4.3         | 9.9         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 14.2        | 21.6        | 51.8%                   |         |
| Public Safety   | 189.2       | 201.2       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 390.4       | 319.5       | 70.9                    | 22.2%   |
| Support and Regulate Business   | 12.9        | 12.1        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 25.0        | 17.7        | 7.3                     | 41.2%   |
| Transportation  | 39.6        | 39.6        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 39.6        | 32.6        | 7.0                     | 21.5%   |
| Total Local Assistance Grants   | 5,252.2     | 7,850.4     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 13,073.8    | 10,376.9    | 2,704.7                 | 26.1%   |
| Departmental Operations:  |             |             |      |      |        |           |         |          |          |         |          |       |             |             |                         |         |
| Personal Service  | 785.1       | 791.7       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,576.8     | 1,435.7     | 141.1                   | 9.8%    |
| Non-Personal Service  | 120.7       | 228.1       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 346.8       | 373.7       | (26.9)                  | -7.2%   |
| General State Charges   | 657.1       | 1,532.2     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2,489.3     | 2,779.6     | (290.3)                 | -10.4%  |
| Total Disbursements   | 6,788.1     | 10,700.4    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 17,488.5    | 14,958.9    | 2,528.6                 | 16.9%   |
| Excess (Deficiency) of Receipts over Disbursements  | (713.0)     | (8,022.4)   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (8,735.4)   | (3,666.2)   | (5,069.2)               | -138.3% |
| <b>OTHER FINANCING SOURCES (USES):</b>  |             |             |      |      |        |           |         |          |          |         |          |       |             |             |                         |         |
| Transfers from Revenue Bond Tax Fund  | 3,779.9     | 1,109.9     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 4,889.8     | 8,755.3     | (3,865.5)               | -44.2%  |
| Transfers from STRBTF   | 613.5       | 622.9       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,236.4     | 1,671.3     | (434.9)                 | -26.0%  |
| Transfers from CWICA Fund   | 17.4        | 88.0        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 185.4       | 272.4       | (109.0)                 | -40.0%  |
| Transfers from State Capital Projects   | 26.5        | 122.3       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 158.8       | 74.6        | 84.2%                   |         |
| Transfers to All Other Capital Projects   | (26.5)      | (60.0)      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 83.9        | 740.1       | (656.2)                 | -76.5%  |
| Transfers to All Other Debt Service   | (80.0)      | (60.0)      | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (130.0)     | (48.1)      | 81.9                    | 170.3%  |
| Transfers to General Debt Service   | (37.8)      | 0.1         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (37.7)      | (112.4)     | (74.7)                  | -66.5%  |
| Transfers to All Other State Funds  | (256.9)     | (650.9)     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (843.5)     | (815.6)     | (27.9)                  | 3.4%    |
| Total Other Financing Sources (Uses)  | 4,201.8     | 1,510.6     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 5,722.4     | 10,924.8    | (5,192.4)               | -47.5%  |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 3,488.8     | (6,491.8)   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (8,003.0)   | 7,258.6     | (10,261.6)              | -141.4% |
| Ending Fund Balance   | \$ 46,939.4 | \$ 40,447.6 | \$ - | \$ - | \$ -   | \$ -      | \$ -    | \$ -     | \$ -     | \$ -    | \$ -     | \$ -  | \$ 40,447.6 | \$ 40,311.3 | \$ 136.3                | 0.3%    |

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT G

| Beginning Fund Balance            | 2024        |         |      |      |        |           |         |          |          |         |          |       | 2 Months Ended May 31 |                     | % Increase/Decrease |
|-----------------------------------|-------------|---------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-----------------------|---------------------|---------------------|
|                                   | APRIL       | MAY     | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2022                  | (Increase/Decrease) |                     |
| \$ 23,940.2                       | \$ 26,315.1 | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | \$ 21,938.2           | \$ 2,002.0          | 9.1%                |
| <b>RECEIPTS:</b>                  |             |         |      |      |        |           |         |          |          |         |          |       |                       |                     |                     |
| <b>Taxes:</b>                     |             |         |      |      |        |           |         |          |          |         |          |       |                       |                     |                     |
| Personal Income Tax               | -           | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                     | -                   | 0.0%                |
| Consumption/Use Taxes:            | 155.3       | 96.0    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 202.1                 | 28.2                | 13.7%               |
| Alcohol                           | 1.9         | 1.9     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1.8                   | 0.1                 | 5.6%                |
| Cigarette/Tobacco Products        | 51.8        | 51.7    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 103.5                 | 109.4               | -5.4%               |
| Cannabis                          | 0.9         | 0.8     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.2                   | (0.5)               | -22.7%              |
| Motor Fuel                        | 8.2         | 9.1     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 17.3                  | 14.0                | 23.6%               |
| Motor Vehicle Car Sharing         | 0.1         | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.1                   | 0.1                 | 100.0%              |
| Alcoholic Beverage                | 0.1         | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.1                   | 0.1                 | 100.0%              |
| Highway Use                       | 0.1         | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.1                   | 0.1                 | 100.0%              |
| Vapor Excise                      | 0.2         | 0.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.5                   | 0.5                 | 100.0%              |
| Total Consumption/Use Taxes       | 156.2       | 158.9   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 315.9                 | 258.8               | 7.8%                |
| Business:                         | 223.3       | 36.5    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 259.8                 | 272.9               | -4.8%               |
| Corporation Franchise             | 22.2        | 0.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 7.1                   | 15.4                | 216.9%              |
| Corporation and Utilities         | 24.4        | (10.4)  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 14.0                  | 21.5                | -34.9%              |
| Insurance                         | 0.3         | 0.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.3                   | 0.3                 | 100.0%              |
| Petroleum Business                | 30.8        | 47.9    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 70.3                  | 9.3                 | 13.3%               |
| Total Business Taxes              | 306.3       | 66.3    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 373.1                 | (2.5)               | -0.7%               |
| Total Taxes                       | 524.8       | 226.2   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 751.0                 | 727.7               | 3.2%                |
| <b>Miscellaneous Receipts:</b>    |             |         |      |      |        |           |         |          |          |         |          |       |                       |                     |                     |
| Abandoned Property:               | 1.0         | 0.9     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1.8                   | 0.1                 | 5.6%                |
| Assessments:                      | 52.8        | (36.8)  | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 173.1                 | (145.9)             | -68.6%              |
| Medical Care                      | 630.3       | 618.9   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,250.2               | 1,065.9             | 17.3%               |
| Public Utilities                  | 0.7         | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 4.6                   | (3.9)               | -84.8%              |
| Other                             | -           | 0.1     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                     | 0.1                 | 100.0%              |
| Fees, Licenses and Permits:       | 0.1         | 0.2     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.2                   | 0.1                 | 50.0%               |
| Business/Professional             | 36.4        | 31.6    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 68.0                  | 69.2                | -1.7%               |
| Civil                             | 3.8         | 4.0     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 7.8                   | 9.7                 | -19.6%              |
| Criminal                          | 0.3         | 0.4     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.7                   | (0.2)               | -22.2%              |
| Motor/Vehicle                     | 39.7        | 38.0    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 77.7                  | 33.0                | 44.7%               |
| Other                             | 5.5         | 5.2     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 11.0                  | 10.4                | -5.5%               |
| Fines, Penalties and Forfeitures  | 13.0        | 10.4    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 14.5                  | 8.9                 | 61.4%               |
| Gaming:                           | 41.6        | 15.0    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 56.6                  | 51.1                | 10.8%               |
| Casino                            | 185.0       | 237.7   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 409.7                 | 375.9               | 8.7%                |
| Lottery                           | 6.2         | 5.4     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 12.6                  | 12.2                | -3.2%               |
| Video Lottery                     | 76.2        | 74.5    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 144.7                 | 6.0                 | 4.1%                |
| Interest Earnings                 | 125.0       | 123.8   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 248.8                 | 19.6                | 23.2%               |
| Receipts from Municipalities      | 6.8         | 1.6     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 8.4                   | 9.1                 | -7.7%               |
| Receipts from Public Authorities: | -           | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                     | -                   | 0.0%                |
| Cost Recovery Assessments         | 0.4         | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 14.2                  | (13.8)              | -97.2%              |
| Issuance Fees                     | 0.3         | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 6.5                   | (6.2)               | -96.4%              |
| Non-Bond Related                  | 4.9         | 0.1     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 16.1                  | (11.1)              | -68.9%              |
| Rentals                           | 27.2        | 15.9    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 53.9                  | (10.8)              | -20.0%              |
| Revenues of State Departments:    | 8.1         | 26.2    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 40.5                  | (6.2)               | -15.3%              |
| Administrative Recoveries         | -           | 0.2     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 6.8                   | (6.6)               | -97.1%              |
| Commissions                       | 0.7         | 1.3     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.0                   | (1.1)               | -35.5%              |
| Asset Conversion                  | -           | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                     | -                   | 0.0%                |
| Gifts, Grants and Donations       | 239.3       | (255.6) | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 361.4                 | (407.7)             | -112.8%             |
| Patient/Clinic Care Reimbursement | 10.9        | 9.6     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 20.5                  | 18.9                | 8.5%                |
| Rebates                           | 4.5         | 0.7     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 8.7                   | (3.5)               | -40.2%              |
| Restitution and Settlements       | 33.1        | 33.9    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 117.3                 | 51.9                | 176.8%              |
| Student Loans                     | 4.0         | 3.9     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.7                   | (0.3)               | -12.5%              |
| Other                             | 0.6         | 2.1     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.2                   | 0.5                 | 22.7%               |
| Sales                             | (25.2)      | 31.3    | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 10.6                  | (4.5)               | -42.5%              |
| Tuition                           | 1,671.7     | 1,081.0 | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2,845.4               | (92.7)              | -3.3%               |
| Total Miscellaneous Receipts      | 8,716.1     | 7,415.8 | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 13,954.2              | 2,177.7             | 15.6%               |
| Federal Receipts                  | -           | -       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                     | -                   | 0.0%                |
| Total Receipts                    | 10,912.6    | 8,723.8 | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 17,927.3              | 2,105.3             | 12.0%               |

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT G

|  | 2024               |                    |             |             |             |             |             |             |             |             |             |             | 2022               |                    | % Increase/<br>Decrease |                |  |
|--|--------------------|--------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------------|--------------------|-------------------------|----------------|--|
|  | APRIL              | MAY                | JUNE        | JULY        | AUGUST      | SEPTEMBER   | OCTOBER     | NOVEMBER    | DECEMBER    | JANUARY     | FEBRUARY    | MARCH       | 2023               | 2022               |                         |                |  |
| <b>DISBURSEMENTS:</b>  |                    |                    |             |             |             |             |             |             |             |             |             |             |                    |                    |                         |                |  |
| Local Assistance Grants:   |                    |                    |             |             |             |             |             |             |             |             |             |             |                    |                    |                         |                |  |
| Education  | 691.2              | 456.0              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 1,147.2            | 1,304.3            | (157.1)                 | -12.0%         |  |
| Environment and Recreation   | -                  | 0.2                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 0.2                | 0.2                | -                       | 0.0%           |  |
| General Government   | 3.2                | 46.4               | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 496                | 174.8              | (125.2)                 | -71.6%         |  |
| Health:  |                    |                    |             |             |             |             |             |             |             |             |             |             |                    |                    |                         |                |  |
| Medicaid   | 4,593.7            | 7,949.6            | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 12,538.3           | 9,692.7            | 2,845.6                 | 29.4%          |  |
| Other Public Health  | 834.2              | 876.3              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 1,709.5            | 1,196.6            | 512.9                   | 42.9%          |  |
| Public Safety  | 1,076.5            | 196.4              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 1,274.9            | 1,091.8            | 183.1                   | 16.8%          |  |
| Social Services  | 616.5              | 144.6              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 1,274.9            | 993.1              | 1,091.8                 | 560.2%         |  |
| Support and Regulate Business  | 154.3              | 154.3              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 154.3              | 4.4                | 150.4                   | 3,419.2%       |  |
| Transportation   | 88.5               | 584.3              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 619.0              | 53.8               | 565.2                   | 8.7%           |  |
| <b>Total Local Assistance Grants</b>   | <b>7,888.3</b>     | <b>10,672.1</b>    | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>18,570.4</b>    | <b>14,173.2</b>    | <b>4,397.2</b>          | <b>31.0%</b>   |  |
| Departmental Operations:   |                    |                    |             |             |             |             |             |             |             |             |             |             |                    |                    |                         |                |  |
| Nonpersonal Service  | 697.4              | 498.3              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 1,093.7            | 905.6              | 188.1                   | 19.4%          |  |
| General State Charges  | 292.4              | 401.8              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 697.2              | 721.4              | (24.2)                  | -3.4%          |  |
| Debt Service, Including Payments on Financing Agreements   | 29.9               | 170.2              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 200.1              | 186.2              | 13.9                    | 7.5%           |  |
| Capital Projects   | -                  | -                  | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                  | -                  | -                       | 0.0%           |  |
| <b>Total Disbursements</b>   | <b>8,748.0</b>     | <b>11,742.4</b>    | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>20,490.4</b>    | <b>16,007.4</b>    | <b>4,483.0</b>          | <b>28.0%</b>   |  |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>2,164.6</b>     | <b>(3,019.4)</b>   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>(824.9)</b>     | <b>1,519.9</b>     | <b>(2,374.7)</b>        | <b>-156.2%</b> |  |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                    |                    |             |             |             |             |             |             |             |             |             |             |                    |                    |                         |                |  |
| Transfers from Other Funds   | 310.0              | 899.1              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 866.9              | 925.2              | 31.7                    | 3.8%           |  |
| Transfers to Other Funds   | (99.7)             | (419.1)            | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | (296.0)            | (251.3)            | (44.7)                  | -17.8%         |  |
| <b>Total Other Financing Sources (Uses)</b>  | <b>210.3</b>       | <b>440.0</b>       | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>650.3</b>       | <b>673.9</b>       | <b>76.4</b>             | <b>13.3%</b>   |  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>2,374.9</b>     | <b>(2,579.4)</b>   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>(294.5)</b>     | <b>2,093.8</b>     | <b>(2,288.3)</b>        | <b>-109.8%</b> |  |
| <b>Ending Fund Balance</b>   | <b>\$ 26,315.1</b> | <b>\$ 23,735.7</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 23,735.7</b> | <b>\$ 24,032.0</b> | <b>\$ (296.3)</b>       | <b>-1.2%</b>   |  |

(\*) Intra-Fund transfer eliminations represent transfers between Special Revenue-State and Federal Funds.

STATE OF NEW YORK  
 SPECIAL REVENUE FUNDS - STATE  
 STATEMENT OF CASH FLOW  
 FISCAL YEAR 2023-2024  
 (amounts in millions)

EXHIBIT G

| Beginning Fund Balance                     | 2023           |              |      |      |        |           |         |          |          |         |          | 2024  |      | 2023           | 2024           | % Increase/<br>(Decrease) | % Increase/<br>(Decrease) |
|--|----------------|--------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|------|----------------|----------------|---------------------------|---------------------------|
|  | APRIL          | MAY          | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2023 |                |                |                           |                           |
| \$ 9,113.8                                 | \$ 10,202.0    |              |      |      |        |           |         |          |          |         |          |       |      | \$ 9,113.8     | \$ 7,612.5     | \$ 1,501.3                | 18.7%                     |
| <b>RECEIPTS:</b>                           |                |              |      |      |        |           |         |          |          |         |          |       |      |                |                |                           |                           |
| <b>Taxes:</b>                              |                |              |      |      |        |           |         |          |          |         |          |       |      |                |                |                           |                           |
| Personal Income Tax                        | -              | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -    | -              | -              | -                         | -                         |
| Consumption/Use Taxes:                     | 155.3          | 95.0         |      |      |        |           |         |          |          |         |          |       |      | 250.3          | 222.1          | 28.2                      | 12.7%                     |
| Auto Rental                                | 1.9            | 51.7         |      |      |        |           |         |          |          |         |          |       |      | 1.8            | 1.8            | 0.1                       | 5.6%                      |
| Cigarette/Tobacco Products                 | 0.6            | 0.8          |      |      |        |           |         |          |          |         |          |       |      | 10.2           | 10.4           | (0.2)                     | -2.7%                     |
| Motor Fuel                                 | 8.2            | 9.1          |      |      |        |           |         |          |          |         |          |       |      | 17.3           | 14.0           | 3.3                       | 23.6%                     |
| Peer-to-Peer Car Sharing                   | 0.1            | -            |      |      |        |           |         |          |          |         |          |       |      | 0.1            | 0.1            | 0.0                       | 100.0%                    |
| Alcoholic Beverage                         | -              | -            |      |      |        |           |         |          |          |         |          |       |      | -              | -              | -                         | 0.0%                      |
| Highway Use                                | 0.1            | -            |      |      |        |           |         |          |          |         |          |       |      | 0.1            | 0.1            | 0.0                       | 0.0%                      |
| Vapor Excise                               | 0.2            | 0.3          |      |      |        |           |         |          |          |         |          |       |      | 0.5            | 0.5            | 0.0                       | 100.0%                    |
| <b>Total Consumption/Use Taxes</b>         | <b>176.9</b>   | <b>156.9</b> |      |      |        |           |         |          |          |         |          |       |      | <b>373.4</b>   | <b>348.6</b>   | <b>24.8</b>               | <b>7.4%</b>               |
| Business Licenses and Permits:             | 223.3          | 36.5         |      |      |        |           |         |          |          |         |          |       |      | 259.8          | 272.9          | 15.1                      | 4.8%                      |
| Corporation Franchise                      | 22.2           | 0.3          |      |      |        |           |         |          |          |         |          |       |      | 22.5           | 7.1            | 15.4                      | 216.9%                    |
| Insurance                                  | 24.4           | (10.4)       |      |      |        |           |         |          |          |         |          |       |      | 14.0           | 21.5           | (7.5)                     | -34.9%                    |
| Bank                                       | 0.3            | -            |      |      |        |           |         |          |          |         |          |       |      | 0.3            | -              | 0.3                       | 100.0%                    |
| <b>Total Business Licenses and Permits</b> | <b>36.3</b>    | <b>42.9</b>  |      |      |        |           |         |          |          |         |          |       |      | <b>79.0</b>    | <b>76.6</b>    | <b>2.4</b>                | <b>3.1%</b>               |
| <b>Total Business Taxes</b>                | <b>544.8</b>   | <b>226.2</b> |      |      |        |           |         |          |          |         |          |       |      | <b>378.1</b>   | <b>371.1</b>   | <b>7.0</b>                | <b>1.9%</b>               |
| <b>Total Taxes</b>                         |                |              |      |      |        |           |         |          |          |         |          |       |      |                |                |                           |                           |
| <b>Miscellaneous Receipts:</b>             |                |              |      |      |        |           |         |          |          |         |          |       |      |                |                |                           |                           |
| Abandoned Property:                        | 1.0            | 0.9          |      |      |        |           |         |          |          |         |          |       |      | 1.9            | 1.8            | 0.1                       | 5.6%                      |
| Assessments:                               | 47.4           | (73.2)       |      |      |        |           |         |          |          |         |          |       |      | 127.0          | 127.0          | 0.0                       | 0.0%                      |
| Business                                   | 650.2          | 618.9        |      |      |        |           |         |          |          |         |          |       |      | 1,055.2        | 1,065.8        | (10.6)                    | -1.0%                     |
| Public Utilities                           | 0.7            | 0.1          |      |      |        |           |         |          |          |         |          |       |      | 4.6            | 4.6            | 0.0                       | 0.0%                      |
| Other                                      | -              | -            |      |      |        |           |         |          |          |         |          |       |      | 0.1            | -              | 0.1                       | 100.0%                    |
| Fees, Licenses and Permits:                | 0.1            | 0.2          |      |      |        |           |         |          |          |         |          |       |      | 0.3            | 0.2            | 0.1                       | 50.0%                     |
| Audit Fees                                 | 3.8            | 4.0          |      |      |        |           |         |          |          |         |          |       |      | 8.0            | 8.7            | (0.7)                     | -8.8%                     |
| Business/Professional                      | 39.7           | 38.0         |      |      |        |           |         |          |          |         |          |       |      | 77.7           | 80.0           | (2.3)                     | -2.8%                     |
| Civil                                      | 39.2           | 38.2         |      |      |        |           |         |          |          |         |          |       |      | 33.0           | 33.5           | (0.5)                     | -1.5%                     |
| Criminal                                   | 72.8           | 38.2         |      |      |        |           |         |          |          |         |          |       |      | 111.0          | 116.5          | (5.5)                     | -4.7%                     |
| Motor Vehicle                              | 12.3           | 9.9          |      |      |        |           |         |          |          |         |          |       |      | 22.2           | 13.1           | 9.1                       | 69.5%                     |
| Recreational/Consumer                      | 41.6           | 15.0         |      |      |        |           |         |          |          |         |          |       |      | 56.6           | 51.1           | 5.5                       | 10.8%                     |
| Fines, Penalties and Forfeitures           | 185.0          | 233.7        |      |      |        |           |         |          |          |         |          |       |      | 408.7          | 375.9          | 32.8                      | 8.7%                      |
| Gaming:                                    | 94.1           | 90.4         |      |      |        |           |         |          |          |         |          |       |      | 52.0           | 54.5           | (2.5)                     | -4.6%                     |
| Casino                                     | 44.4           | 44.4         |      |      |        |           |         |          |          |         |          |       |      | 44.4           | 44.4           | 0.0                       | 0.0%                      |
| Lottery                                    | 52.6           | 54.7         |      |      |        |           |         |          |          |         |          |       |      | 107.3          | 105.5          | 1.8                       | 1.7%                      |
| Middle Sports                              | 6.8            | 1.6          |      |      |        |           |         |          |          |         |          |       |      | 8.4            | 9.1            | (0.7)                     | -7.7%                     |
| Recreational/Consumer                      | -              | -            |      |      |        |           |         |          |          |         |          |       |      | -              | -              | -                         | 0.0%                      |
| Receipts from Municipalities:              | 0.4            | -            |      |      |        |           |         |          |          |         |          |       |      | 0.4            | 14.2           | (13.8)                    | -87.2%                    |
| Bond Proceeds                              | 0.3            | -            |      |      |        |           |         |          |          |         |          |       |      | 0.3            | 6.5            | (6.2)                     | -88.4%                    |
| Cost Recovery Assessments                  | 0.1            | 0.1          |      |      |        |           |         |          |          |         |          |       |      | 0.1            | 0.1            | 0.0                       | 0.0%                      |
| Issuance Fees                              | 27.2           | 15.9         |      |      |        |           |         |          |          |         |          |       |      | 43.1           | 53.0           | (10.0)                    | -23.0%                    |
| Non-Bond Related                           | -              | -            |      |      |        |           |         |          |          |         |          |       |      | -              | -              | -                         | 0.0%                      |
| Receipts from State Departments:           | 8.1            | 26.2         |      |      |        |           |         |          |          |         |          |       |      | 34.3           | 40.5           | (6.2)                     | -15.3%                    |
| Administrative Recoveries                  | -              | 0.2          |      |      |        |           |         |          |          |         |          |       |      | 0.2            | 6.8            | (6.6)                     | -97.1%                    |
| Commissions                                | -              | -            |      |      |        |           |         |          |          |         |          |       |      | -              | -              | -                         | 0.0%                      |
| Commissions - Asset Conversion             | 0.3            | 1.3          |      |      |        |           |         |          |          |         |          |       |      | 1.6            | 2.9            | 1.3                       | 44.8%                     |
| Gifts, Grants and Donations                | -              | -            |      |      |        |           |         |          |          |         |          |       |      | -              | -              | -                         | 0.0%                      |
| Indirect Cost Recoveries                   | 239.3          | (285.6)      |      |      |        |           |         |          |          |         |          |       |      | (46.3)         | 361.4          | (407.7)                   | -112.8%                   |
| Patent/Client Care Reimbursement           | 0.5            | 0.7          |      |      |        |           |         |          |          |         |          |       |      | 1.2            | 1.2            | 0.0                       | 0.0%                      |
| Residual and Settlements                   | 4.5            | 0.7          |      |      |        |           |         |          |          |         |          |       |      | 5.2            | 8.7            | (3.5)                     | -40.2%                    |
| Student Loans                              | 13.1           | (3.9)        |      |      |        |           |         |          |          |         |          |       |      | 9.2            | 3.3            | 5.9                       | 178.6%                    |
| All Other                                  | 47.0           | 39.0         |      |      |        |           |         |          |          |         |          |       |      | 86.0           | 117.1          | (31.1)                    | -26.6%                    |
| Sales                                      | 0.6            | 2.1          |      |      |        |           |         |          |          |         |          |       |      | 2.7            | 2.2            | 0.5                       | 22.7%                     |
| Tuition                                    | (65.2)         | 31.3         |      |      |        |           |         |          |          |         |          |       |      | 6.1            | 10.6           | (4.5)                     | -42.5%                    |
| <b>Total Miscellaneous Receipts</b>        | <b>1,585.4</b> | <b>857.7</b> |      |      |        |           |         |          |          |         |          |       |      | <b>2,563.1</b> | <b>2,772.8</b> | <b>(208.7)</b>            | <b>-8.3%</b>              |
| <b>Total Receipts</b>                      |                |              |      |      |        |           |         |          |          |         |          |       |      |                |                |                           |                           |
|  | \$ 9,113.8     | \$ 10,202.0  |      |      |        |           |         |          |          |         |          |       |      | \$ 9,113.8     | \$ 7,612.5     | \$ 1,501.3                | 18.7%                     |

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - STATE  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT G

|  | 2023               |                    |      |      |        |           |         |          |          |         |          |       | 2022               |                   | % Increase/<br>Decrease |                |  |
|--|--------------------|--------------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|--------------------|-------------------|-------------------------|----------------|--|
|  | APRIL              | MAY                | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2023               | 2022              |                         |                |  |
| <b>DISBURSEMENTS:</b>  |                    |                    |      |      |        |           |         |          |          |         |          |       |                    |                   |                         |                |  |
| Local Assistance Grants:   |                    |                    |      |      |        |           |         |          |          |         |          |       |                    |                   |                         |                |  |
| Education  | 0.5                | 0.1                |      |      |        |           |         |          |          |         |          |       | 0.6                | 0.1               | 0.5                     | 500.0%         |  |
| Environment and Recreation   | -                  | 0.2                |      |      |        |           |         |          |          |         |          |       | 0.2                | 0.2               | 0.2                     | 0.0%           |  |
| General Government   | 1.5                | 43.2               |      |      |        |           |         |          |          |         |          | 44.7  | 162.2              | (117.5)           | -72.4%                  |                |  |
| Public Health:   |                    |                    |      |      |        |           |         |          |          |         |          |       |                    |                   |                         |                |  |
| Medicaid   | 422.9              | 473.0              |      |      |        |           |         |          |          |         |          |       | 865.9              | 948.4             | (52.5)                  | -5.5%          |  |
| Other Public Health  | 60.9               | 66.0               |      |      |        |           |         |          |          |         |          |       | 126.9              | 128.6             | (1.7)                   | -1.3%          |  |
| Public Safety  | 10.3               | 24.8               |      |      |        |           |         |          |          |         |          |       | 35.1               | 31.9              | 3.2                     | 10.0%          |  |
| Public Welfare   | 0.7                | 0.8                |      |      |        |           |         |          |          |         |          |       | 1.4                | 0.1               | 1.3                     | 7.1%           |  |
| Support and Regulate Business  | 0.4                | 2.8                |      |      |        |           |         |          |          |         |          |       | 3.2                | 2.6               | 0.6                     | 23.1%          |  |
| Transportation   | 58.2               | 5.2                |      |      |        |           |         |          |          |         |          |       | 63.4               | 48.9              | 14.5                    | 29.7%          |  |
| Special Assistance Grants  | 58.2               | 1,191.2            |      |      |        |           |         |          |          |         |          |       | 1,772.5            | 1,893.0           | (120.5)                 | -6.3%          |  |
| Departmental Operations:   |                    |                    |      |      |        |           |         |          |          |         |          |       |                    |                   |                         |                |  |
| Personal Service   | 464.6              | 441.6              |      |      |        |           |         |          |          |         |          |       | 906.2              | 818.5             | 87.7                    | 10.7%          |  |
| Non-Personal Service   | 255.4              | 276.1              |      |      |        |           |         |          |          |         |          |       | 531.5              | 471.7             | 59.8                    | 12.7%          |  |
| General State Charges  | 29.9               | 112.4              |      |      |        |           |         |          |          |         |          |       | 142.3              | 128.0             | 14.3                    | 11.2%          |  |
| Capital Projects   | -                  | -                  |      |      |        |           |         |          |          |         |          |       | -                  | -                 | -                       | 0.0%           |  |
| <b>Total Disbursements</b>   | <b>1,331.3</b>     | <b>2,021.2</b>     |      |      |        |           |         |          |          |         |          |       | <b>3,321.5</b>     | <b>3,311.7</b>    | <b>48.8</b>             | <b>1.2%</b>    |  |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>778.9</b>       | <b>(837.3)</b>     |      |      |        |           |         |          |          |         |          |       | <b>188.8</b>       | <b>(247.2)</b>    | <b>(436.0)</b>          | <b>-130.9%</b> |  |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                    |                    |      |      |        |           |         |          |          |         |          |       |                    |                   |                         |                |  |
| Transfers from Other Funds   | 310.0              | 958.1              |      |      |        |           |         |          |          |         |          |       | 1,169.1            | 957.6             | 211.5                   | 22.1%          |  |
| Transfers to Other Funds   | (0.7)              | (33.9)             |      |      |        |           |         |          |          |         |          |       | (34.5)             | (4.6)             | 29.7                    | 616.6%         |  |
| <b>Total Other Financing Sources (Uses)</b>  | <b>309.3</b>       | <b>825.3</b>       |      |      |        |           |         |          |          |         |          |       | <b>1,134.6</b>     | <b>952.8</b>      | <b>181.8</b>            | <b>19.1%</b>   |  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>1,088.2</b>     | <b>(12.0)</b>      |      |      |        |           |         |          |          |         |          |       | <b>1,076.2</b>     | <b>1,141.6</b>    | <b>(65.4)</b>           | <b>-5.7%</b>   |  |
| <b>Ending Fund Balance</b>   | <b>\$ 10,202.0</b> | <b>\$ 10,190.0</b> |      |      |        |           |         |          |          |         |          |       | <b>\$ 10,190.0</b> | <b>\$ 8,754.1</b> | <b>\$ 1,435.9</b>       | <b>16.4%</b>   |  |



EXHIBIT G

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|                                     | 2024           |                |      |      |        |           |         |          |          |         |          |       | 2023 | 2022 | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |          |               |
|-------------------------------------|----------------|----------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|------|------|----------------------------|-------------------------|----------|---------------|
|                                     | APRIL          | MAY            | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH |      |      |                            |                         |          |               |
| Beginning Fund Balance              | \$ 14,826.4    | \$ 16,113.1    |      |      |        |           |         |          |          |         |          |       |      |      | \$ 14,826.4                | \$ 14,325.7             | \$ 500.7 | 3.5%          |
| <b>RECEIPTS:</b>                    |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Miscellaneous Receipts:             |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Abandoned Property:                 |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Assessments:                        |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Business:                           | 5.4            | 44.6           |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 8.5%          |
| Medical Care                        | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Public Utilities                    | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Other                               | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Fees, Licenses and Permits:         |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Business/Professional               | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Civil                               | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Criminal                            | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Motor Vehicle                       | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Recreational/Consumer               | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Fines, Penalties and Forfeitures    | 0.7            | 0.5            |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Interest Earnings                   | 72.4           | 69.1           |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | -14.3%        |
| Receipts from Municipalities        | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Receipts from Public Activities:    |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Amusement                           | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Cost Recovery Assessments           | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Issuance Fees                       | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Non Bond Related                    | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Rentals                             | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Revenues of State Departments:      |                |                |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          |               |
| Administrative Recoveries           | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Commissions                         | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Gifts, Grants and Donations         | 0.4            | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 100.0%        |
| Interest                            | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Insurance                           | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Patent/Client Care Reimbursement    | 7.1            | 9.1            |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 4.5%          |
| Rebates                             | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Restitution and Settlements         | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Student Loans                       | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| All Other                           | 0.3            | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Sales                               | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| Tuition                             | -              | -              |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 0.0%          |
| <b>Total Miscellaneous Receipts</b> | <b>85.3</b>    | <b>123.3</b>   |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | <b>188.7%</b> |
| Federal Receipts                    | 8,718.1        | 7,415.8        |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | 15.6%         |
| <b>Total Receipts</b>               | <b>8,802.4</b> | <b>7,539.1</b> |      |      |        |           |         |          |          |         |          |       |      |      |                            |                         |          | <b>16.5%</b>  |

STATE OF NEW YORK  
SPECIAL REVENUE FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT G

|  | 2024        |             |      |      |        |           |         |          |          |         |          |       | % Increase/<br>Decrease |              |          |
|--|-------------|-------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-------------------------|--------------|----------|
|  | APRIL       | MAY         | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH |                         |              |          |
| <b>DISBURSEMENTS:</b>  |             |             |      |      |        |           |         |          |          |         |          |       |                         |              |          |
| Local Assistance Grants:   |             |             |      |      |        |           |         |          |          |         |          |       |                         |              |          |
| Education  | 660.7       | 455.9       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,304.2                 | (157.6)      | -12.1%   |
| Environment and Recreation   | 1.7         | 3.2         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 12.6                    | (7.7)        | -61.1%   |
| General Government   | 4,166.8     | 7,475.6     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 8,744.3                 | 2,868.1      | 33.1%    |
| Public Health:   |             |             |      |      |        |           |         |          |          |         |          |       |                         |              |          |
| Medicaid   | 773.3       | 809.3       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,068.0                 | 514.6        | 48.2%    |
| Other Public Health  | 1,068.2     | 171.6       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,078.6                 | 34.9         | 689.1%   |
| Public Safety  | 611.8       | 409.8       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 966.7                   | 148.9        | 3.5%     |
| Public Welfare   | 0.1         | 151.5       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.8                     | 0.8          | 6,322.2% |
| Support and Regulate Business  | 7,318.9     | 9,481.0     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 12,278.7                | 4,519.2      | 336.8%   |
| Transfers to Other Funds   | 62.8        | 53.7        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 108.1                   | 8.4          | 7.8%     |
| <b>Total Local Assistance Grants</b>   | 128.7       | 128.7       | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 249.7                   | (84.0)       | -33.6%   |
| Departmental Operations:   |             |             |      |      |        |           |         |          |          |         |          |       |                         |              |          |
| Personal Service   | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -            | 0.0%     |
| Non-Personal Service   | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -            | 0.0%     |
| General State Charges  | -           | 57.8        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 58.2                    | (0.4)        | -0.7%    |
| Diets Service, Including Payments on Financing Agreements  | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -            | 0.0%     |
| Capital Projects   | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -            | 0.0%     |
| <b>Total Disbursements</b>   | 7,416.7     | 9,721.2     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 12,695.7                | 4,442.2      | 35.0%    |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | 1,385.7     | (2,182.1)   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,331.1                 | (2,127.5)    | -159.8%  |
| <b>OTHER FINANCING SOURCES (USES):</b>   |             |             |      |      |        |           |         |          |          |         |          |       |                         |              |          |
| Transfers from Other Funds   | -           | -           | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -            | 0.0%     |
| Transfers to Other Funds   | (95.0)      | (385.3)     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (378.9)                 | 105.4        | 27.8%    |
| <b>Total Other Financing Sources (Uses)</b>  | (95.0)      | (385.3)     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | (378.9)                 | 105.4        | 27.8%    |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | 1,286.7     | (2,567.4)   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 952.2                   | (2,232.9)    | -234.5%  |
| <b>Ending Fund Balance</b>   | \$ 16,113.1 | \$ 13,545.7 | \$ - | \$ - | \$ -   | \$ -      | \$ -    | \$ -     | \$ -     | \$ -    | \$ -     | \$ -  | \$ 15,277.9             | \$ (1,732.2) | -11.3%   |

STATE OF NEW YORK  
DEBT SERVICE FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT H

|   | 2024             |                  |      |      |        |           |         |          |          |         |          |       | 2 Months Ended May 31 |                   | % Increase/<br>Decrease |
|---|------------------|------------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-----------------------|-------------------|-------------------------|
|   | 2023<br>APRIL    | MAY              | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2022                  | \$                |                         |
| Beginning Fund Balance  | \$ 159.4         | \$ 210.2         |      |      |        |           |         |          |          |         |          |       | \$ 102.0              | \$ 57.4           | 56.3%                   |
| <b>RECEIPTS:</b>  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Taxes:  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Personal Income Tax   | 3,727.2          | 1,044.3          |      |      |        |           |         |          |          |         |          |       | 8,722.9               | (3,951.4)         | -45.3%                  |
| Consumption/Use Taxes:  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Sales and Use   | 677.8            | 687.1            |      |      |        |           |         |          |          |         |          |       | 1,913.8               | (548.9)           | -28.7%                  |
| <b>Total Consumption/Use Taxes</b>  | <b>677.8</b>     | <b>687.1</b>     |      |      |        |           |         |          |          |         |          |       | <b>1,913.8</b>        | <b>(648.9)</b>    | <b>-28.7%</b>           |
| Business Taxes:   |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Pass-Through Entity   | 49.4             | 65.7             |      |      |        |           |         |          |          |         |          |       | 68.4                  | 48.7              | 73.3%                   |
| <b>Total Business Taxes</b>   | <b>49.4</b>      | <b>65.7</b>      |      |      |        |           |         |          |          |         |          |       | <b>68.4</b>           | <b>48.7</b>       | <b>73.3%</b>            |
| Other Taxes:  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Real Estate Transfer  | 83.4             | 86.1             |      |      |        |           |         |          |          |         |          |       | 282.4                 | (112.9)           | -40.0%                  |
| Employer Compensation Expense Tax   | 0.2              | 0.2              |      |      |        |           |         |          |          |         |          |       | 0.1                   | 0.1               | 33.3%                   |
| <b>Total Other Taxes</b>  | <b>83.6</b>      | <b>86.3</b>      |      |      |        |           |         |          |          |         |          |       | <b>282.7</b>          | <b>(112.8)</b>    | <b>-33.9%</b>           |
| <b>Total Taxes</b>  | <b>4,538.0</b>   | <b>1,883.4</b>   |      |      |        |           |         |          |          |         |          |       | <b>10,985.8</b>       | <b>(4,564.4)</b>  | <b>-41.5%</b>           |
| <b>Miscellaneous Receipts:</b>  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Assessments:  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Medical Care  | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Fees, Licenses and Permits:   |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Alcohol/Beverage Control/Licensing  | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Business/Professional   | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Civil   | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Criminal  | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Motor Vehicle   | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Recreational/Consumer   | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Interest Earnings   | 0.2              | -                |      |      |        |           |         |          |          |         |          |       | 0.2                   | 0.2               | 100.0%                  |
| Receipts from Municipalities  | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Receipts from Public Authorities:   |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Bond Proceeds   | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Remits  | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| Revenues of State Departments:  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Patient/Client Care Reimbursement   | 59.8             | 56.4             |      |      |        |           |         |          |          |         |          |       | 84.5                  | 31.7              | 37.5%                   |
| All Other   | -                | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 0.0%                    |
| <b>Total Miscellaneous Receipts</b>   | <b>60.0</b>      | <b>56.4</b>      |      |      |        |           |         |          |          |         |          |       | <b>84.5</b>           | <b>31.9</b>       | <b>37.8%</b>            |
| Federal Receipts  | 3.2              | -                |      |      |        |           |         |          |          |         |          |       | -                     | -                 | 100.0%                  |
| <b>Total Receipts</b>   | <b>4,601.2</b>   | <b>1,939.8</b>   |      |      |        |           |         |          |          |         |          |       | <b>11,070.3</b>       | <b>(4,529.3)</b>  | <b>-40.9%</b>           |
| <b>DISBURSEMENTS:</b>   |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Departmental Operations:  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Non-Personal Service  | -                | 1.0              |      |      |        |           |         |          |          |         |          |       | 1.5                   | (0.5)             | -33.3%                  |
| Debt Service, including Payments on Financing Agreements  | 35.2             | 28.5             |      |      |        |           |         |          |          |         |          |       | 145.3                 | (81.6)            | -56.2%                  |
| <b>Total Disbursements</b>  | <b>35.2</b>      | <b>29.5</b>      |      |      |        |           |         |          |          |         |          |       | <b>146.8</b>          | <b>(82.1)</b>     | <b>-55.9%</b>           |
| Excess (Deficiency) of Receipts over Disbursements  | 4,566.0          | 1,910.3          |      |      |        |           |         |          |          |         |          |       | 10,923.5              | (4,447.2)         | -40.7%                  |
| <b>OTHER FINANCING SOURCES (USES):</b>  |                  |                  |      |      |        |           |         |          |          |         |          |       |                       |                   |                         |
| Transfers from Other Funds  | 135.7            | 84.7             |      |      |        |           |         |          |          |         |          |       | 373.6                 | (153.2)           | -41.0%                  |
| Transfers to Other Funds  | (4,650.9)        | (2,014.0)        |      |      |        |           |         |          |          |         |          |       | (11,076.9)            | (4,414.0)         | -39.5%                  |
| <b>Total Other Financing Sources (Uses)</b>   | <b>(4,515.2)</b> | <b>(1,929.3)</b> |      |      |        |           |         |          |          |         |          |       | <b>(10,703.3)</b>     | <b>4,260.8</b>    | <b>39.8%</b>            |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 50.8             | (19.0)           |      |      |        |           |         |          |          |         |          |       | 218.2                 | (188.4)           | -85.4%                  |
| <b>Ending Fund Balance</b>  | <b>\$ 210.2</b>  | <b>\$ 191.2</b>  |      |      |        |           |         |          |          |         |          |       | <b>\$ 320.2</b>       | <b>\$ (129.0)</b> | <b>-40.3%</b>           |

EXHIBIT I

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|                                     | 2023         |                |          |          |          |           |          |          |          |          |          |          | 2024                                       |          | 2022           |                | 2 Months Ended May 31<br>\$ Increase/<br>(Decrease) | % Increase/<br>Decrease |        |
|-------------------------------------|--------------|----------------|----------|----------|----------|-----------|----------|----------|----------|----------|----------|----------|--|----------|----------------|----------------|---|-------------------------|--------|
|                                     |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
|                                     | APRIL        | MAY            | JUNE     | JULY     | AUGUST   | SEPTEMBER | OCTOBER  | NOVEMBER | DECEMBER | JANUARY  | FEBRUARY | MARCH    | Intra-Fund<br>Transfer<br>Eliminations (*) |          | 2022           | 2023           |   |                         |        |
| Beginning Fund Balance              |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| <b>RECEIPTS:</b>                    |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Taxes:                              |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Consumption/Use Taxes:              |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Auto Rental                         | 9.5          | 0.1            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 9.6            | 9.5            | 0.1   | 1.1%                    |        |
| Motor Fuel                          | 28.0         | 34.4           | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 62.4           | 51.0           | 11.4  | 22.4%                   |        |
| Highway Use                         | 12.5         | 11.6           | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 24.1           | 22.4           | 1.7   | 7.5%                    |        |
| <b>Total Consumption/Use Taxes</b>  | <b>50.0</b>  | <b>46.1</b>    | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | <b>96.1</b>    | <b>82.9</b>    | <b>13.2</b>   | <b>15.2%</b>            |        |
| Business:                           |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Corporation Franchise               | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| Corporation and Utilities           | 5.0          | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 5.0            | 1.6            | 3.4   | 212.5%                  |        |
| Petroleum Business                  | 46.0         | 54.7           | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 100.7          | 97.7           | 3.0   | 3.1%                    |        |
| <b>Total Business Taxes</b>         | <b>51.0</b>  | <b>54.7</b>    | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | <b>105.7</b>   | <b>99.3</b>    | <b>6.4</b>  | <b>6.4%</b>             |        |
| Other Taxes:                        |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Real Estate Transfer                | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| <b>Total Other Taxes</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>-</b> | <b>-</b>       | <b>-</b>       | <b>-</b>  | <b>0.0%</b>             |        |
| <b>Total Taxes</b>                  | <b>101.0</b> | <b>100.8</b>   | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | <b>201.8</b>   | <b>182.2</b>   | <b>19.6</b>   | <b>10.2%</b>            |        |
| Miscellaneous Receipts:             |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Abandoned Property                  | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| Bottle Bill                         | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| Assessments:                        |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Business:                           | 6.7          | 5.5            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 12.2           | 13.0           | (0.8)   | -6.2%                   |        |
| Fees, Licenses and Permits:         |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Business/Professional               | 1.4          | 3.2            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 4.6            | 4.5            | 0.1   | 2.2%                    |        |
| Civil                               | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| Motor Vehicle                       | 63.8         | 61.6           | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 125.4          | 117.0          | 8.4   | 7.1%                    |        |
| Recreation/Consumer                 | 0.2          | 0.3            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 0.5            | 0.4            | 0.1   | 25.0%                   |        |
| Fees, Penalties and Forfeitures     | 2.4          | 2.4            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 4.8            | 4.1            | 0.7   | 17.1%                   |        |
| Interest Earnings                   | 2.4          | 2.7            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 5.1            | 0.2            | 4.9   | 2,450.0%                |        |
| Receipts from Municipalities        | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | 0.2            | (0.2)   | -100.0%                 |        |
| Receipts from Public Authorities:   |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Bond Proceeds                       | 189.2        | 558.5          | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 748.7          | 1,855.3        | (1,106.6)   | -59.6%                  |        |
| Issuance Fees                       | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| Non Bond Related                    | 1.3          | 0.5            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 1.8            | 0.3            | 1.5   | 500.0%                  |        |
| Rentals                             | 0.7          | 2.1            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 2.8            | 1.3            | 1.5   | -78.8%                  |        |
| Revenues of State Departments:      |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Administrative Receipts:            |              |                |          |          |          |           |          |          |          |          |          |          |  |          |                |                |   |                         |        |
| Gifts, Grants and Donations         | 3.0          | 0.5            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | 3.5            | 1.3   | 2.2                     | 169.2% |
| Indirect Cost Recoveries            | 5.6          | 16.4           | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 22.0           | 9.9            | 12.1  | 122.2%                  |        |
| Rebates                             | -            | -              | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | -              | -              | -   | 0.0%                    |        |
| Restitution and Settlements         | 0.3          | 0.4            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 0.7            | 3.5            | (2.8)   | -80.0%                  |        |
| All Other                           | 5.5          | 2.1            | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 7.6            | 9.2            | (1.6)   | -17.4%                  |        |
| Sales                               | 282.5        | 657.4          | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 939.9          | 2,190.3        | (1,250.4)   | -53.9%                  |        |
| <b>Total Miscellaneous Receipts</b> | <b>219.5</b> | <b>258.8</b>   | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | <b>479.3</b>   | <b>300.6</b>   | <b>177.7</b>  | <b>59.1%</b>            |        |
| Federal Receipts                    | 603.0        | 1,017.0        | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | 1,620.0        | 2,523.1        | (903.1)   | -35.8%                  |        |
| <b>Total Receipts</b>               | <b>603.0</b> | <b>1,017.0</b> | -        | -        | -        | -         | -        | -        | -        | -        | -        | -        | -  | -        | <b>1,620.0</b> | <b>2,523.1</b> | <b>(903.1)</b>                                      | <b>-35.8%</b>           |        |

EXHIBIT I

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - COMBINED  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|  | 2024                 |                     |             |             |             |             |             |             |             |             |             |             | 2023                |                     | 2 Months Ended May 31<br>\$ Increase/<br>(Decrease) | % Increase/<br>Decrease |      |  |  |
|--|----------------------|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|---------------------|---------------------|---|-------------------------|------|--|--|
|  | APRIL                | MAY                 | JUNE        | JULY        | AUGUST      | SEPTEMBER   | OCTOBER     | NOVEMBER    | DECEMBER    | JANUARY     | FEBRUARY    | MARCH       | 2023                | 2022                |   |                         |      |  |  |
| <b>DISBURSEMENTS:</b>  |                      |                     |             |             |             |             |             |             |             |             |             |             |                     |                     |   |                         |      |  |  |
| Local Assistance Grants:   |                      |                     |             |             |             |             |             |             |             |             |             |             |                     |                     |   |                         |      |  |  |
| Education  | 7.0                  | 26.9                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 33.9                | 26.2                | 7.7   | 29.4%                   |      |  |  |
| Environment and Recreation   | 82.3                 | 13.2                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 95.5                | 13.2                | 82.3  | 623.5%                  |      |  |  |
| General Government   | 35.8                 | 46.1                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 81.9                | 129.0               | (47.1)  | -36.5%                  |      |  |  |
| Public Health:   |                      |                     |             |             |             |             |             |             |             |             |             |             |                     |                     |   |                         |      |  |  |
| Agriculture  | -                    | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                   | -                   | -   | -                       | 0.0% |  |  |
| Other Public Health  | 7.9                  | 113.5               | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 121.4               | 60.3                | 61.1  | 101.3%                  |      |  |  |
| Public Safety  | 1.0                  | 1.0                 | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 2.0                 | 12.7                | (10.7)  | -84.3%                  |      |  |  |
| Public Welfare   | 76.1                 | 29.5                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 89.5                | 36.3                | 16.1  | 18.0%                   |      |  |  |
| Support and Regulate Business  | 29.5                 | 17.2                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 46.7                | 10.4                | 28.7%   |                         |      |  |  |
| Transportation   | 38.9                 | 28.1                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 66.0                | 103.6               | (37.6)  | -36.3%                  |      |  |  |
| <b>Total Local Assistance Grants</b>   | <b>276.5</b>         | <b>276.5</b>        | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>553.0</b>        | <b>470.8</b>        | <b>82.2</b>   | <b>17.5%</b>            |      |  |  |
| Departmental Operations:   |                      |                     |             |             |             |             |             |             |             |             |             |             |                     |                     |   |                         |      |  |  |
| Personal Service   | -                    | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                   | -                   | -   | -                       | 0.0% |  |  |
| Non-Personal Service   | -                    | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                   | -                   | -   | -                       | 0.0% |  |  |
| Capital Projects Charges   | -                    | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                   | -                   | -   | -                       | 0.0% |  |  |
| Capital Projects   | 410.1                | 744.3               | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 1,154.4             | 1,026.4             | 128.0   | 12.5%                   |      |  |  |
| <b>Total Disbursements</b>   | <b>686.6</b>         | <b>1,020.8</b>      | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>1,707.4</b>      | <b>1,497.2</b>      | <b>210.2</b>  | <b>14.0%</b>            |      |  |  |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>(83.6)</b>        | <b>(3.8)</b>        | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>(87.4)</b>       | <b>1,025.9</b>      | <b>(1,113.3)</b>                                    | <b>-108.5%</b>          |      |  |  |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                      |                     |             |             |             |             |             |             |             |             |             |             |                     |                     |   |                         |      |  |  |
| Bond and Note Proceeds (net)   | -                    | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                   | -                   | -   | -                       | 0.0% |  |  |
| Transfers to Capital Funds   | 107.2                | (38.9)              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | 68.4                | (783.2)             | 851.6   | 108.3%                  |      |  |  |
| Transfers to Other Funds   | (5.6)                | (6.5)               | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | (12.1)              | (18.6)              | (6.5)   | -34.8%                  |      |  |  |
| <b>Total Other Financing Sources (Uses)</b>  | <b>101.6</b>         | <b>(45.3)</b>       | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>56.3</b>         | <b>(801.8)</b>      | <b>858.1</b>  | <b>107.0%</b>           |      |  |  |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>18.0</b>          | <b>(49.1)</b>       | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | <b>(31.1)</b>       | <b>224.1</b>        | <b>(255.2)</b>                                      | <b>-113.9%</b>          |      |  |  |
| <b>Ending Fund Balance</b>   | <b>\$ (1,1576.5)</b> | <b>\$ (1,625.6)</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ (1,625.6)</b> | <b>\$ (1,319.8)</b> | <b>\$ (305.8)</b>                                   | <b>-23.2%</b>           |      |  |  |

(\*) Intra-Fund transfer eliminations represent transfers from Capital Projects-State and Federal Funds.

EXHIBIT I

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - STATE  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|                                     | 2 Months Ended May 31 |              |      |      |        |           |         |          |          |         |          |       | % Increase/<br>Decrease |            |           |            |        |
|-------------------------------------|-----------------------|--------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-------------------------|------------|-----------|------------|--------|
|                                     | 2023                  |              | 2024 |      | 2023   |           | 2024    |          | 2023     |         | 2024     |       |                         |            |           |            |        |
|                                     | APRIL                 | MAY          | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH |                         |            |           |            |        |
| Beginning Fund Balance              | \$ (1,114.7)          | \$ (1,111.3) | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | \$ (1,114.7)            | \$ (756.8) | 2022      | \$ (357.9) | -47.3% |
| <b>RECEIPTS:</b>                    |                       |              |      |      |        |           |         |          |          |         |          |       |                         |            |           |            |        |
| <b>Taxes:</b>                       |                       |              |      |      |        |           |         |          |          |         |          |       |                         |            |           |            |        |
| Consumption/Use Taxes               | 9.5                   | 0.1          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 9.6                     | 9.5        | 0.1       | 1.1%       |        |
| Auto Rental                         | 28.0                  | 34.4         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 62.4                    | 51.0       | 11.4      | 22.4%      |        |
| Motor Fuel                          | 12.5                  | 11.6         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 24.1                    | 22.4       | 1.7       | 7.6%       |        |
| Highway Use                         | 50.0                  | 46.1         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 96.1                    | 82.9       | 13.2      | 13.9%      |        |
| <b>Business Taxes</b>               | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| Corporation Franchise               | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| Corporation and Utilities           | 46.0                  | 54.7         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 100.7                   | 97.7       | 3.0       | 3.1%       |        |
| Petroleum Business                  | 51.0                  | 54.7         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 105.7                   | 99.3       | 6.4       | 6.4%       |        |
| <b>Total Business Taxes</b>         | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| Other Taxes                         | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| Real Estate Transfer                | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| <b>Total Other Taxes</b>            | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| <b>Total Taxes</b>                  | 101.0                 | 100.8        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 201.8                   | 182.2      | 19.6      | 10.8%      |        |
| <b>Miscellaneous Receipts:</b>      |                       |              |      |      |        |           |         |          |          |         |          |       |                         |            |           |            |        |
| Abandoned Property                  | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| Bottle Bill                         | 6.7                   | 5.5          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 12.2                    | 13.0       | (0.8)     | -6.2%      |        |
| <b>Business</b>                     | 1.4                   | 3.2          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 4.6                     | 4.5        | 0.1       | 2.2%       |        |
| Fees, Licenses and Permits:         | 63.8                  | 61.6         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 126.4                   | 117.0      | 8.4       | 7.2%       |        |
| Business/Professional               | 0.2                   | 0.3          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.5                     | 0.5        | (0.0)     | 0.0%       |        |
| Civil                               | 2.4                   | 2.4          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 4.8                     | 4.1        | 0.7       | 17.1%      |        |
| Motor Vehicle                       | 2.4                   | 2.7          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 5.1                     | 4.9        | 0.2       | 4.9%       |        |
| Recreational/Consumer               | 2.4                   | 2.7          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 5.1                     | 4.9        | 0.2       | 4.9%       |        |
| Fines, Penalties and Forfeitures    | 189.2                 | 559.5        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 748.7                   | 1,855.3    | (1,106.6) | -59.6%     |        |
| Interest Earnings                   | 1.3                   | 0.5          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1.8                     | 0.3        | 1.5       | 500.0%     |        |
| Receipts from Municipalities        | 0.7                   | 2.1          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.8                     | 13.2       | (10.4)    | -78.8%     |        |
| Receipts from Public Authorities:   | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | 0.0%       |        |
| Bond Proceeds                       | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | 0.0%       |        |
| Issuance Fees                       | 1.3                   | 0.5          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1.8                     | 0.3        | 1.5       | 500.0%     |        |
| Rentals                             | 0.7                   | 2.1          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.8                     | 13.2       | (10.4)    | -78.8%     |        |
| Non Bond Related                    | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | 0.0%       |        |
| Revenues of State Departments:      | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | 0.0%       |        |
| Administrative Recoveries           | 3.0                   | 0.5          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 3.5                     | 1.3        | 2.2       | 169.2%     |        |
| Gifts, Grants and Donations         | 5.6                   | 16.4         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 22.0                    | 9.9        | 12.1      | 122.2%     |        |
| Indirect Cost Recoveries            | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | 0.0%       |        |
| Rebates                             | 0.3                   | 0.4          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.7                     | 3.5        | (2.8)     | -80.0%     |        |
| Restitution and Settlements         | 5.5                   | 2.1          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 7.6                     | 9.2        | (1.6)     | -17.4%     |        |
| All Other                           | -                     | 0.2          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 0.2                     | 0.2        | -         | 0.0%       |        |
| <b>Total Miscellaneous Receipts</b> | 282.5                 | 657.4        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 939.9                   | 2,040.3    | (1,100.4) | -53.9%     |        |
| <b>Federal Receipts</b>             | -                     | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -                       | -          | -         | -          | 0.0%   |
| <b>Total Receipts</b>               | 383.5                 | 758.2        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 1,141.7                 | 2,222.5    | (1,080.8) | -48.6%     |        |

STATE OF NEW YORK  
 CAPITAL PROJECTS FUNDS - STATE  
 STATEMENT OF CASH FLOW  
 FISCAL YEAR 2023-2024  
 (amounts in millions)

EXHIBIT I

|  | 2 Months Ended May 31 |                     |             |             |             |             |             |             |             |             |             |             | % Increase/<br>Decrease |                   |                   |
|--|-----------------------|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------------|-------------------|-------------------|
|  | 2023                  | APRIL               | MAY         | JUNE        | JULY        | AUGUST      | SEPTEMBER   | OCTOBER     | NOVEMBER    | DECEMBER    | 2024        | JANUARY     |                         | FEBRUARY          | MARCH             |
| <b>DISBURSEMENTS:</b>  |                       |                     |             |             |             |             |             |             |             |             |             |             |                         |                   |                   |
| Local Assistance Grants:   |                       |                     |             |             |             |             |             |             |             |             |             |             |                         |                   |                   |
| Education  | 7.0                   | 26.9                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 26.2              | 7.7               |
| Environment and Recreation   | 16.2                  | 8.3                 | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 13.2              | 11.3              |
| General Government   | 35.8                  | 46.1                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 129.0             | (47.1)            |
| Public Health:   |                       |                     |             |             |             |             |             |             |             |             |             |             |                         |                   |                   |
| Medicaid   | -                     | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | -                 | -                 |
| Other Public Health  | 7.9                   | 49.4                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 60.3              | (3.0)             |
| Public Safety  | 1.0                   | 1.0                 | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 1.1               | 0.9               |
| Public Welfare   | 76.1                  | 29.5                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 89.5              | 16.1              |
| Support and Regulate Business  | 29.5                  | 17.0                | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 36.3              | 10.2              |
| Transportation   | 3.1                   | 2.6                 | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 21.0              | (15.3)            |
| <b>Total Local Assistance Grants</b>   | <b>176.6</b>          | <b>180.8</b>        | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | <b>376.6</b>      | <b>(19.2)</b>     |
| Departmental Operations:   |                       |                     |             |             |             |             |             |             |             |             |             |             |                         |                   |                   |
| Personal Service   | -                     | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | -                 | -                 |
| Non-Personal Service   | -                     | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | -                 | -                 |
| General State Charges  | 305.1                 | 580.9               | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | 1,143.4           | (257.4)           |
| Capital Projects   | -                     | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | -                 | -                 |
| <b>Total Disbursements</b>   | <b>481.7</b>          | <b>761.7</b>        | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | <b>1,520.0</b>    | <b>(276.6)</b>    |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>(98.2)</b>         | <b>(3.5)</b>        | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | <b>702.5</b>      | <b>(804.2)</b>    |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                       |                     |             |             |             |             |             |             |             |             |             |             |                         |                   |                   |
| Bond and Note Proceeds (net)   | -                     | -                   | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | -                 | -                 |
| Transfers from Other Funds   | 107.2                 | (38.8)              | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | (783.2)           | 851.6             |
| Transfers to Other Funds   | (5.6)                 | (6.5)               | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | (18.6)            | (6.5)             |
| <b>Total Other Financing Sources (Uses)</b>  | <b>101.6</b>          | <b>(45.3)</b>       | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | <b>(801.8)</b>    | <b>858.1</b>      |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>3.4</b>            | <b>(48.8)</b>       | -           | -           | -           | -           | -           | -           | -           | -           | -           | -           | -                       | <b>(98.3)</b>     | <b>53.9</b>       |
| <b>Ending Fund Balance</b>   | <b>\$ (1,111.3)</b>   | <b>\$ (1,160.1)</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b>             | <b>\$ (856.1)</b> | <b>\$ (304.0)</b> |

EXHIBIT I

STATE OF NEW YORK  
CAPITAL PROJECTS FUNDS - FEDERAL  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|   | 2 Months Ended May 31 |              |      |      |      |      |      |      |      |      |      |      | % Increase/<br>Decrease |                |
|---|-----------------------|--------------|------|------|------|------|------|------|------|------|------|------|-------------------------|----------------|
|   | 2023                  | 2022         | 2023 | 2022 | 2023 | 2022 | 2023 | 2022 | 2023 | 2022 | 2023 | 2022 |                         |                |
|   | \$                    | \$           | \$   | \$   | \$   | \$   | \$   | \$   | \$   | \$   | \$   | \$   |                         |                |
| Beginning Fund Balance  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| <b>RECEIPTS:</b>  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Miscellaneous Receipts:   |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Abandoned Property:   |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Bottle Bill   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Assessments:  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Business  | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Fees, Licenses and Permits:   |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Business/Professional   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Civil   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Motor Vehicle   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Recreational/Consumer   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Fines, Penalties and Forfeitures  | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Interest Earnings   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Receipts from Municipalities  | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Receipts from Public Authorities:   |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Bond Proceeds   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Insurance Fees  | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Non bond Related  | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Rentals   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Revenues of State Departments:  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Administrative Recoveries:  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| 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>   |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Federal Receipts  | 219.5                 | 258.8        |      |      |      |      |      |      |      |      |      |      |                         | 59.1%          |
| <b>Total Receipts</b>   | <b>219.5</b>          | <b>258.8</b> |      |      |      |      |      |      |      |      |      |      |                         | <b>59.1%</b>   |
| <b>DISBURSEMENTS:</b>   |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Local Assistance Grants:  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Education   | -                     | -            | -    | -    | -    | -    | -    | -    | -    | -    | -    | -    | -                       | 0.0%           |
| Environment and Recreation  | 66.1                  | 4.9          |      |      |      |      |      |      |      |      |      |      |                         | 100.0%         |
| General Government  | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| Public Health:  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Medicaid  | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| Other Public Health   | 64.1                  | -            |      |      |      |      |      |      |      |      |      |      |                         | 100.0%         |
| Public Safety   | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| Public Welfare  | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| Regulate Business   | 0.2                   | -            |      |      |      |      |      |      |      |      |      |      |                         | 100.0%         |
| Transportation  | 33.8                  | 26.5         |      |      |      |      |      |      |      |      |      |      |                         | -27.0%         |
| <b>Total Local Assistance Grants</b>  | <b>99.9</b>           | <b>95.7</b>  |      |      |      |      |      |      |      |      |      |      |                         | <b>101.4%</b>  |
| Departmental Operations:  |                       |              |      |      |      |      |      |      |      |      |      |      |                         |                |
| Personal Service  | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| Non-Personal Service  | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| General State Charges   | 105.0                 | 163.4        |      |      |      |      |      |      |      |      |      |      |                         | 329.4%         |
| Capital Projects  | -                     | -            |      |      |      |      |      |      |      |      |      |      |                         | 0.0%           |
| <b>Total Disbursements</b>  | <b>204.9</b>          | <b>259.1</b> |      |      |      |      |      |      |      |      |      |      |                         | <b>2135.1%</b> |
| Excess (Deficiency) of Receipts over Disbursements  | 14.6                  | (0.3)        |      |      |      |      |      |      |      |      |      |      |                         | -95.6%         |
| <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>0.0%</b>    |
| Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses | 14.6                  | (0.3)        |      |      |      |      |      |      |      |      |      |      |                         | -95.6%         |
| Ending Fund Balance   | \$ (465.2)            | \$ (465.5)   |      |      |      |      |      |      |      |      |      |      |                         | -0.4%          |



STATE OF NEW YORK  
ENTERPRISE FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT J

|  | 2023           |              |      |      |        |           |         |          |          |         |          |       | 2022         |              | 2021           |               | % Increase/<br>Decrease |
|--|----------------|--------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|--------------|--------------|----------------|---------------|-------------------------|
|  | APRIL          | MAY          | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2023         | 2022         | 2021           |               |                         |
| Beginning Fund Balance   | \$ 510.4       | \$ 390.4     | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | \$ 510.4     | \$ 357.7     | \$ 152.7       | 42.7%         |                         |
| <b>RECEIPTS:</b>   |                |              |      |      |        |           |         |          |          |         |          |       |              |              |                |               |                         |
| Miscellaneous Receipts   | 223.7          | 313.3        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 537.0        | 448.4        | 88.6           | 19.8%         |                         |
| Federal Receipts   | 2.9            | 2.8          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 5.7          | 23.5         | (19.8)         | -77.6%        |                         |
| Unemployment Taxes   | 103.3          | 138.4        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 241.7        | 233.8        | 7.9            | 3.4%          |                         |
| <b>Total Receipts</b>  | <b>329.9</b>   | <b>454.5</b> | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | <b>784.4</b> | <b>707.7</b> | <b>76.7</b>    | <b>10.6%</b>  |                         |
| <b>DISBURSEMENTS:</b>  |                |              |      |      |        |           |         |          |          |         |          |       |              |              |                |               |                         |
| Departmental Operations:   |                |              |      |      |        |           |         |          |          |         |          |       |              |              |                |               |                         |
| Personal Services  | 138.1          | 136.0        | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 274.1        | 267.4        | 6.7            | 2.5%          |                         |
| Non-Personal Services  | 47.0           | 38.5         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 85.5         | 59.1         | 26.4           | 44.7%         |                         |
| General State Charges  | 57.2           | 59.4         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 116.6        | 114.8        | 1.8            | 1.6%          |                         |
| Unemployment Benefits  | 207.6          | 78.8         | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 286.4        | (10.7)       | 297.1          | 2,776.6%      |                         |
| <b>Total Disbursements</b>   | <b>449.9</b>   | <b>312.7</b> | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | <b>762.6</b> | <b>430.6</b> | <b>332.0</b>   | <b>77.1%</b>  |                         |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>(120.0)</b> | <b>141.8</b> | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | <b>21.8</b>  | <b>277.1</b> | <b>(255.3)</b> | <b>-92.1%</b> |                         |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                |              |      |      |        |           |         |          |          |         |          |       |              |              |                |               |                         |
| Transfers from Other Funds   | -              | 2.0          | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | 2.0          | 3.0          | (1.0)          | -33.3%        |                         |
| Transfers to Other Funds   | -              | -            | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | -            | -            | -              | 0.0%          |                         |
| <b>Total Other Financing Sources (Uses)</b>  | <b>-</b>       | <b>2.0</b>   | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | <b>2.0</b>   | <b>3.0</b>   | <b>(1.0)</b>   | <b>-33.3%</b> |                         |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses</b> | <b>(120.0)</b> | <b>143.8</b> | -    | -    | -      | -         | -       | -        | -        | -       | -        | -     | <b>23.8</b>  | <b>280.1</b> | <b>(256.3)</b> | <b>-91.5%</b> |                         |
| Ending Fund Balance  | \$ 390.4       | \$ 534.2     | \$ - | \$ - | \$ -   | \$ -      | \$ -    | \$ -     | \$ -     | \$ -    | \$ -     | \$ -  | \$ 534.2     | \$ 637.8     | \$ (103.6)     | -16.2%        |                         |

EXHIBIT K

STATE OF NEW YORK  
INTERNAL SERVICE FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|   | 2024          |            |      |      |        |           |         |          |          |         |          |       | 2022       |         | \$ Increase/<br>(Decrease) | % Increase/<br>Decrease |
|---|---------------|------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|------------|---------|----------------------------|-------------------------|
|   | 2023<br>APRIL | MAY        | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2022       | \$      |                            |                         |
| Beginning Fund Balance  | \$ (41.6)     | \$ (93.6)  |      |      |        |           |         |          |          |         |          |       | \$ (136.7) | \$ 95.1 | 69.6%                      |                         |
| RECEIPTS:   |               |            |      |      |        |           |         |          |          |         |          |       |            |         |                            |                         |
| Miscellaneous Receipts  | 19.4          | 30.0       |      |      |        |           |         |          |          |         |          |       | 67.8       | (18.4)  | -27.1%                     |                         |
| Total Receipts  | 19.4          | 30.0       |      |      |        |           |         |          |          |         |          |       | 67.8       | (18.4)  | -27.1%                     |                         |
| DISBURSEMENTS:  |               |            |      |      |        |           |         |          |          |         |          |       |            |         |                            |                         |
| Departmental Operations:  |               |            |      |      |        |           |         |          |          |         |          |       |            |         |                            |                         |
| Personal Service  | 12.2          | 11.0       |      |      |        |           |         |          |          |         |          |       | 20.1       | 3.1     | 15.4%                      |                         |
| Non-Personal Service  | 60.7          | 31.2       |      |      |        |           |         |          |          |         |          |       | 67.3       | 24.6    | 36.6%                      |                         |
| General State Charges   | -             | 11.6       |      |      |        |           |         |          |          |         |          |       | 8.3        | 3.3     | 39.8%                      |                         |
| Total Disbursements   | 72.9          | 53.8       |      |      |        |           |         |          |          |         |          |       | 95.7       | 31.0    | 32.4%                      |                         |
| Excess (Deficiency) of Receipts<br>over Disbursements   | (53.5)        | (23.8)     |      |      |        |           |         |          |          |         |          |       | (27.9)     | (49.4)  | -177.1%                    |                         |
| OTHER FINANCING SOURCES (USES):   |               |            |      |      |        |           |         |          |          |         |          |       |            |         |                            |                         |
| Transfers from Other Funds  | 1.5           | 2.0        |      |      |        |           |         |          |          |         |          |       | 5.5        | (2.0)   | -36.4%                     |                         |
| Transfers to Other Funds  | -             | -          |      |      |        |           |         |          |          |         |          |       | (0.1)      | (0.1)   | -100.0%                    |                         |
| Total Other Financing Sources (Uses)  | 1.5           | 2.0        |      |      |        |           |         |          |          |         |          |       | 5.4        | (1.9)   | -35.2%                     |                         |
| Excess (Deficiency) of Receipts and<br>Other Financing Sources Over<br>Disbursements and Other Financing Uses | (52.0)        | (21.8)     |      |      |        |           |         |          |          |         |          |       | (22.5)     | (51.3)  | -228.0%                    |                         |
| Ending Fund Balance   | \$ (93.6)     | \$ (115.4) | \$ - | \$ - | \$ -   | \$ -      | \$ -    | \$ -     | \$ -     | \$ -    | \$ -     | \$ -  | \$ (159.2) | \$ 43.8 | 27.5%                      |                         |

STATE OF NEW YORK  
TRUST FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

EXHIBIT L

|   | 2024       |            |      |      |        |           |         |          |          |         |          |       | 2 Months Ended May 31 |          | % Increase/<br>Decrease | 2023 |
|---|------------|------------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|-----------------------|----------|-------------------------|------|
|   | APRIL      | MAY        | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2022                  | \$       |                         |      |
| Beginning Fund Balance  | \$ 1,255.7 | \$ 1,255.7 |      |      |        |           |         |          |          |         |          |       | \$ 318.9              | \$ 936.8 | 293.8%                  |      |
| RECEIPTS:   |            |            |      |      |        |           |         |          |          |         |          |       |                       |          |                         |      |
| Miscellaneous Receipts  | 10.0       | 10.9       |      |      |        |           |         |          |          |         |          |       | 22.3                  | (1.4)    | -6.3%                   |      |
| Total Receipts  | 10.0       | 10.9       |      |      |        |           |         |          |          |         |          |       | 22.3                  | (1.4)    | -6.3%                   |      |
| DISBURSEMENTS:  |            |            |      |      |        |           |         |          |          |         |          |       |                       |          |                         |      |
| Departmental Operations:  |            |            |      |      |        |           |         |          |          |         |          |       |                       |          |                         |      |
| Personal Service  | 6.9        | 9.0        |      |      |        |           |         |          |          |         |          |       | 12.5                  | 3.4      | 27.2%                   |      |
| Non-Personal Service  | 0.1        | 5.6        |      |      |        |           |         |          |          |         |          |       | 1.6                   | 4.1      | 256.3%                  |      |
| General State Charges   | -          | 12.6       |      |      |        |           |         |          |          |         |          |       | 7.5                   | 5.1      | 68.0%                   |      |
| Total Disbursements   | 7.0        | 27.2       |      |      |        |           |         |          |          |         |          |       | 21.6                  | 12.6     | 58.3%                   |      |
| Excess (Deficiency) of Receipts over Disbursements  | 3.0        | (16.3)     |      |      |        |           |         |          |          |         |          |       | 0.7                   | (14.0)   | -2,000.0%               |      |
| 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 | 3.0        | (16.3)     |      |      |        |           |         |          |          |         |          |       | 0.7                   | (14.0)   | -2,000.0%               |      |
| Ending Fund Balance   | \$ 1,258.7 | \$ 1,242.4 |      |      |        |           |         |          |          |         |          |       | \$ 319.6              | \$ 922.8 | 288.7%                  |      |

EXHIBIT M

STATE OF NEW YORK  
PRIVATE PURPOSE TRUST FUNDS  
STATEMENT OF CASH FLOW  
FISCAL YEAR 2023-2024  
(amounts in millions)

|   | 2023    |         |      |      |        |           |         |          |          |         |          |       | 2022    |         | \$ Increase/ (Decrease) | % Increase/ (Decrease) |
|---|---------|---------|------|------|--------|-----------|---------|----------|----------|---------|----------|-------|---------|---------|-------------------------|------------------------|
|   | APRIL   | MAY     | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | 2023    | 2022    |                         |                        |
| Beginning Fund Balance  | \$ 53.1 | \$ 53.9 |      |      |        |           |         |          |          |         |          |       | \$ 53.1 | \$ 45.9 | \$ 7.2                  | 15.7%                  |
| <b>RECEIPTS:</b>  |         |         |      |      |        |           |         |          |          |         |          |       |         |         |                         |                        |
| Miscellaneous Receipts  | 0.9     | 0.7     |      |      |        |           |         |          |          |         |          |       | 1.6     | 2.1     | (0.5)                   | -23.8%                 |
| Total Receipts  | 0.9     | 0.7     |      |      |        |           |         |          |          |         |          |       | 1.6     | 2.1     | (0.5)                   | -23.8%                 |
| <b>DISBURSEMENTS:</b>   |         |         |      |      |        |           |         |          |          |         |          |       |         |         |                         |                        |
| Departmental Operations:  |         |         |      |      |        |           |         |          |          |         |          |       |         |         |                         |                        |
| Personal Service  | 0.1     | -       |      |      |        |           |         |          |          |         |          |       | 0.1     | 0.1     | -                       | 0.0%                   |
| Non-Personal Service  | -       | -       |      |      |        |           |         |          |          |         |          |       | -       | -       | -                       | 0.0%                   |
| General State Charges   | -       | 0.1     |      |      |        |           |         |          |          |         |          |       | 0.1     | -       | 0.1                     | 100.0%                 |
| Total Disbursements   | 0.1     | 0.1     |      |      |        |           |         |          |          |         |          |       | 0.2     | 0.1     | 0.1                     | 100.0%                 |
| Excess (Deficiency) of Receipts over Disbursements  | 0.8     | 0.6     |      |      |        |           |         |          |          |         |          |       | 1.4     | 2.0     | (0.6)                   | -30.0%                 |
| <b>OTHER FINANCING SOURCES (USES):</b>  |         |         |      |      |        |           |         |          |          |         |          |       |         |         |                         |                        |
| 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 | 0.8     | 0.6     |      |      |        |           |         |          |          |         |          |       | 1.4     | 2.0     | (0.6)                   | -30.0%                 |
| Ending Fund Balance   | \$ 53.9 | \$ 54.5 |      |      |        |           |         |          |          |         |          |       | \$ 54.5 | \$ 47.9 | \$ 6.6                  | 13.8%                  |

SCHEDULE 1

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
CHANGES IN FUND BALANCES  
FISCAL YEAR 2023-2024  
FOR THE MONTH OF MAY 2023  
(amounts in millions)

|   | BALANCE<br>MAY 1, 2023 | RECEIPTS         | DISBURSEMENTS     | OTHER FINANCING<br>SOURCES (USES) | BALANCE<br>MAY 31, 2023 |
|---|------------------------|------------------|-------------------|-----------------------------------|-------------------------|
| <b>GENERAL FUND</b>   |                        |                  |                   |                                   |                         |
| 10000-10049--Local Assistance Account                                       | \$ -                   | \$ 0.016         | \$ 7,850.277      | \$ 7,850.261                      | \$ -                    |
| 10050-10099--State Operations Account                                       | 46,913.766             | 2,677.959        | 2,850.092         | (6,319.653)                       | 40,421.980              |
| 10100-10149--Tax Stabilization Reserve                                      | -                      | -                | -                 | -                                 | -                       |
| 10150-10199--Contingency Reserve  | -                      | -                | -                 | -                                 | -                       |
| 10200-10249--Universal Pre-K Reserve  | -                      | -                | -                 | -                                 | -                       |
| 10250-10299--Community Projects   | 25.621                 | -                | 0.045             | -                                 | 25.576                  |
| 10300-10349--Rainy Day Reserve Fund   | -                      | -                | -                 | -                                 | -                       |
| 10400-10449--Refund Reserve Account   | -                      | -                | -                 | -                                 | -                       |
| 10500-10549--Fringe Benefits Escrow   | -                      | -                | -                 | -                                 | -                       |
| 10550-10599--Tobacco Revenue Guarantee                                      | -                      | -                | -                 | -                                 | -                       |
| <b>TOTAL GENERAL FUND</b>   | <b>46,939.387</b>      | <b>2,677.975</b> | <b>10,700.414</b> | <b>1,530.608</b>                  | <b>40,447.556</b>       |
| <b>SPECIAL REVENUE FUNDS-STATE</b>  |                        |                  |                   |                                   |                         |
| 20000-20099--Mental Health Gifts and Donations                              | 0.826                  | 0.005            | -                 | -                                 | 0.831                   |
| 20100-20299--Combined Expendable Trust                                      | 63.274                 | 2.218            | 0.838             | -                                 | 64.654                  |
| 20300-20349--New York Interest on Lawyer Account                            | 217.798                | 17.098           | 2.020             | -                                 | 232.876                 |
| 20350-20399--NYS Archives Partnership Trust                                 | (0.030)                | -                | 0.096             | 0.300                             | 0.174                   |
| 20400-20449--Child Performer's Protection                                   | 0.208                  | 0.002            | 0.071             | 0.600                             | 0.739                   |
| 20450-20499--Tuition Reimbursement  | 10.573                 | 0.525            | 0.497             | -                                 | 10.601                  |
| 20500-20549--New York State Local Government Records Management Improvement | 9.793                  | 0.665            | 0.474             | (0.300)                           | 9.684                   |
| 20550-20599--School Tax Relief  | -                      | -                | -                 | -                                 | -                       |
| 20600-20649--Charter Schools Stimulus                                       | 6.245                  | 0.030            | -                 | -                                 | 6.275                   |
| 20650-20699--Not-For-Profit Short Term Revolving Loan                       | -                      | -                | -                 | -                                 | -                       |
| 20800-20849--HCRA Resources   | 294.767                | 602.330          | 460.185           | (0.311)                           | 436.601                 |
| 20850-20899--Dedicated Mass Transportation Trust                            | 63.745                 | 53.256           | 56.232            | -                                 | 60.769                  |
| 20900-20949--State Lottery  | 614.755                | 299.232          | 3.563             | -                                 | 910.424                 |
| 20950-20999--Combined Student Loan  | 11.189                 | 1.423            | 0.124             | -                                 | 12.488                  |
| 21000-21049--Sewage Treatment Program Mgmt. & Administration                | 0.125                  | -                | 0.072             | -                                 | 0.053                   |
| 21050-21149--Encon Special Revenue  | 21.111                 | 2.898            | 8.684             | -                                 | 15.325                  |
| 21150-21199--Conservation   | 111.968                | 2.998            | 3.734             | -                                 | 111.232                 |
| 21200-21249--Environmental Protection and Oil Spill Compensation            | 13.784                 | 3.105            | 2.186             | (2.677)                           | 12.026                  |
| 21250-21299--Training and Education Program on OSHA                         | 17.295                 | 0.048            | 7.211             | -                                 | 10.132                  |
| 21300-21349--Lawyers' Fund for Client Protection                            | 11.470                 | 0.239            | 0.056             | -                                 | 11.653                  |
| 21350-21399--Equipment Loan for the Disabled                                | 0.533                  | 0.003            | 0.003             | -                                 | 0.533                   |
| 21400-21449--Mass Transportation Operating Assistance                       | 1,460.287              | 137.341          | 462.870           | (0.131)                           | 1,134.527               |
| 21450-21499--Clean Air  | (33.960)               | 2.677            | 3.934             | -                                 | (35.217)                |
| 21500-21549--New York State Infrastructure Trust                            | 0.073                  | 0.001            | -                 | -                                 | 0.074                   |
| 21550-21599--Legislative Computer Services                                  | 13.157                 | 0.232            | 0.040             | -                                 | 13.349                  |
| 21600-21649--Biodiversity Stewardship and Research                          | -                      | -                | -                 | -                                 | -                       |
| 21650-21699--Combined Non-Expendable Trust                                  | 0.478                  | 0.001            | -                 | -                                 | 0.479                   |
| 21700-21749--Winter Sports Education Trust                                  | -                      | -                | -                 | -                                 | -                       |
| 21750-21799--Musical Instrument Revolving                                   | -                      | -                | -                 | -                                 | -                       |
| 21850-21899--Arts Capital Grants  | 0.644                  | 0.004            | -                 | -                                 | 0.648                   |
| 21900-22499--Miscellaneous State Special Revenue                            | 2,623.800              | 86.931           | 316.773           | 29.598                            | 2,423.556               |
| 22500-22549--Court Facilities Incentive Aid                                 | 58.511                 | 0.116            | 10.440            | -                                 | 48.187                  |

SCHEDULE 1

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
CHANGES IN FUND BALANCES  
FISCAL YEAR 2023-2024  
FOR THE MONTH OF MAY 2023  
(amounts in millions)

|  | BALANCE<br>MAY 1, 2023 | RECEIPTS         | DISBURSEMENTS     | OTHER FINANCING<br>SOURCES (USES) | BALANCE<br>MAY 31, 2023 |
|--|------------------------|------------------|-------------------|-----------------------------------|-------------------------|
| <b>SPECIAL REVENUE FUNDS-STATE (CONTINUED)</b>   |                        |                  |                   |                                   |                         |
| 22550-22599-Employment Training  | 0.054                  | -                | -                 | -                                 | 0.054                   |
| 22650-22699-State University Income  | 1,815.692              | (185.964)        | 567.752           | -                                 | 1,833.991               |
| 22700-22749-Chemical Dependence Service  | 2.960                  | 0.534            | 0.156             | 772.015                           | 3,338                   |
| 22750-22799-Lake George Park Trust   | 0.397                  | 1.102            | 0.170             | -                                 | 1,329                   |
| 22800-22849-State Police Motor Vehicle Law Enforcement and<br>Motor Vehicle Theft and Insurance Fraud Prevention | 54.499                 | 23.013           | 0.539             | -                                 | 76.973                  |
| 22850-22899-New York Great Lakes Protection  | 0.626                  | 0.002            | 0.019             | -                                 | 0.609                   |
| 22900-22949-Federal Revenue Maximization   | 0.025                  | -                | -                 | -                                 | 0.025                   |
| 22950-22999-Housing Development  | 7.301                  | 0.031            | 0.775             | -                                 | 6.557                   |
| 23000-23049-NYS/DOT Highway Safety Program   | (22.544)               | (0.090)          | 0.242             | -                                 | (22.876)                |
| 23050-23099-Vocational Rehabilitation  | 0.076                  | -                | 0.015             | -                                 | 0.061                   |
| 23100-23149-Drinking Water Program Management and<br>Administration  | 0.001                  | -                | -                 | -                                 | 0.001                   |
| 23150-23199-NYC County Clerks' Operations Offset   | (32.567)               | -                | 2.118             | -                                 | (34.685)                |
| 23200-23249-Judiciary Data Processing Offset   | 62.372                 | 1.584            | 6.211             | -                                 | 57.745                  |
| 23500-23549-USOC Lake Placid Training  | 0.295                  | 0.006            | -                 | -                                 | 0.301                   |
| 23550-23599-Indigent Legal Services  | 882.190                | 10.475           | 18.571            | -                                 | 874.094                 |
| 23600-23649-Unemployment Insurance Interest and Penalty  | 22.636                 | 1.393            | 0.046             | -                                 | 23.983                  |
| 23650-23699-MTA Financial Assistance Fund  | 118.978                | 0.470            | 61.729            | 61.729                            | 119.448                 |
| 23700-23749-New York State Commercial Gaming Fund  | 35.374                 | 14.709           | 8.946             | -                                 | 41.137                  |
| 23750-23799-Medical Cannabis Trust Fund  | 13.755                 | 0.656            | 1.755             | -                                 | 12.656                  |
| 23800-23899-Dedicated Miscellaneous State Special Revenue  | 203.084                | 1.477            | 7.765             | -                                 | 196.796                 |
| 24800-24849-NYS Cannabis Revenue   | (1.091)                | 0.422            | 4.185             | -                                 | (4.854)                 |
| 24850-24899-Health Care Transformation   | 563.805                | 2.255            | -                 | -                                 | 566.060                 |
| 24900-24949-Charitable Gifts Trust Fund  | 0.089                  | 0.001            | -                 | -                                 | 0.090                   |
| 24950-24954-Interactive Fantasy Sports   | 28.062                 | 0.541            | -                 | -                                 | 28.603                  |
| 24955-24959-Mobile Sports Wagering   | 429.474                | 90.385           | -                 | -                                 | 519.859                 |
| 40350-40399-State University Dormitory Income  | 424.072                | 7.525            | -                 | (35.610)                          | 395.987                 |
| <b>TOTAL SPECIAL REVENUE FUNDS-STATE</b>   | <b>10,202.034</b>      | <b>1,183.905</b> | <b>2,021.197</b>  | <b>825.213</b>                    | <b>10,189.955</b>       |
| <b>SPECIAL REVENUE FUNDS-FEDERAL</b>   |                        |                  |                   |                                   |                         |
| 25000-25099-Federal USDA/Food and Consumer Services  | (85.653)               | 165.174          | 139.283           | -                                 | (59.762)                |
| 25100-25199-Federal Health and Human Services  | 9,759.860              | 6,561.923        | 8,620.809         | (384.250)                         | 7,316.724               |
| 25200-25249-Federal Education  | (117.651)              | 508.183          | 483.515           | (0.982)                           | (93.965)                |
| 25300-25699, 25951-Federal Miscellaneous Operating Grants  | 6,445.813              | 205.674          | 419.562           | -                                 | 6,231.925               |
| 25900-25949-Unemployment Insurance Administration  | 124.167                | 75.984           | 40.387            | -                                 | 159.764                 |
| 25950, 25952-25999-Unemployment Insurance Occupational Training  | (0.436)                | 0.158            | 0.179             | -                                 | (0.457)                 |
| 26000-26049-Federal Employment and Training Grants   | (13.022)               | 22.015           | 17.510            | -                                 | (8.517)                 |
| <b>TOTAL SPECIAL REVENUE FUNDS-FEDERAL</b>   | <b>16,113.078</b>      | <b>7,539.111</b> | <b>9,721.245</b>  | <b>(385.232)</b>                  | <b>13,545.712</b>       |
| <b>TOTAL SPECIAL REVENUE FUNDS</b>   | <b>26,315.112</b>      | <b>8,723.016</b> | <b>11,742.442</b> | <b>439.981</b>                    | <b>23,735.667</b>       |
| <b>DEBT SERVICE FUNDS</b>  |                        |                  |                   |                                   |                         |
| 40000-40049-Debt Reduction Reserve   | -                      | -                | -                 | -                                 | -                       |
| 40100-40149-Mental Health Services   | 91.422                 | 54.195           | -                 | (109.408)                         | 36.209                  |
| 40150-40199-General Debt Service   | 77.444                 | 1,797.359        | 17.698            | (1,728.272)                       | 128.833                 |
| 40250-40299-State Housing Debt Service   | -                      | -                | -                 | -                                 | -                       |
| 40300-40349-Department of Health Income  | 41.340                 | 2.239            | 11.799            | (5.564)                           | 26.216                  |
| 40400-40449-Clean Water/Clean Air  | -                      | 86.076           | -                 | (86.076)                          | -                       |
| 40450-40499-Local Government Assistance Tax  | -                      | -                | -                 | -                                 | -                       |
| <b>TOTAL DEBT SERVICE FUNDS</b>  | <b>210.206</b>         | <b>1,939.869</b> | <b>29.497</b>     | <b>(1,929.320)</b>                | <b>191.258</b>          |

SCHEDULE 1

STATE OF NEW YORK  
GOVERNMENTAL FUNDS  
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
CHANGES IN FUND BALANCES  
FISCAL YEAR 2023-2024  
FOR THE MONTH OF MAY 2023  
(amounts in millions)

|  | BALANCE<br>MAY 1, 2023 | RECEIPTS             | DISBURSEMENTS        | OTHER FINANCING<br>SOURCES (USES) | BALANCE<br>MAY 31, 2023 |
|--|------------------------|----------------------|----------------------|-----------------------------------|-------------------------|
| <b>CAPITAL PROJECTS FUNDS</b>  |                        |                      |                      |                                   |                         |
| 30000-30049-State Capital Projects                                   | -                      | 546,226              | 423,937              | (122,289)                         | -                       |
| 30050-30099-Dedicated Highway and Bridge Trust                       | 97,800                 | 186,911              | 193,322              | (4,562)                           | 86,827                  |
| 30100-30299-SUNY Residence Halls Rehabilitation and Repair           | 149,698                | 0,612                | 12,933               | 15,980                            | 153,357                 |
| 30300-30349-New York State Canal System Development                  | 17,740                 | 0,370                | -                    | -                                 | 18,110                  |
| 30350-30399-Parks Infrastructure                                     | (165,306)              | 0,025                | 15,082               | -                                 | (180,363)               |
| 30400-30449-Passenger Facility Charge                                | 0,016                  | -                    | -                    | -                                 | 0,016                   |
| 30450-30499-Environmental Protection                                 | 212,655                | 4,119                | 10,184               | 50,000                            | 256,590                 |
| 30500-30549-Clean Water/Clean Air Implementation                     | -                      | -                    | -                    | -                                 | -                       |
| 30600-30609-Energy Conservation Thru Improved Transportation Bond    | 0,164                  | -                    | -                    | -                                 | 0,164                   |
| 30610-30619-Park and Recreation Land Acquisition Bond                | -                      | -                    | -                    | -                                 | -                       |
| 30620-30629-Pure Waters Bond   | -                      | -                    | -                    | -                                 | -                       |
| 30630-30639-Transportation Capital Facilities Bond                   | 3,328                  | -                    | -                    | -                                 | 3,328                   |
| 30640-30649-Environmental Quality Protection Bond                    | 0,737                  | -                    | -                    | -                                 | 0,737                   |
| 30650-30659-Rebuild and Renew New York Transportation Bond           | 17,210                 | -                    | -                    | -                                 | 17,210                  |
| 30660-30669-Transportation Infrastructure Renewal Bond               | 4,255                  | -                    | -                    | -                                 | 4,255                   |
| 30670-30679-1986 Environmental Quality Bond Act                      | 5,550                  | -                    | -                    | -                                 | 5,550                   |
| 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                                       | -                      | -                    | -                    | -                                 | -                       |
| 30720-30729-Clean Water, Clean Air, and Green Jobs Bond              | -                      | -                    | -                    | -                                 | -                       |
| 30750-30799-Outdoor Recreation Development Bond                      | -                      | -                    | -                    | -                                 | -                       |
| 30900-30949-Rail Preservation and Development Bond                   | -                      | -                    | -                    | -                                 | -                       |
| 31350-31449-Federal Capital Projects                                 | (465,181)              | 258,823              | 259,167              | -                                 | (465,525)               |
| 31450-31499-Forest Preserve Expansion                                | 1,112                  | 0,005                | -                    | -                                 | 1,117                   |
| 31500-31549-Hazardous Waste Remedial                                 | (188,958)              | 3,391                | 7,437                | (0,975)                           | (193,979)               |
| 31650-31699-Suburban Transportation                                  | 0,555                  | 0,002                | -                    | -                                 | 0,557                   |
| 31700-31749-Division for Youth Facilities Improvement                | (19,801)               | -                    | 0,428                | -                                 | (20,229)                |
| 31800-31849-Housing Assistance                                       | (12,942)               | -                    | -                    | -                                 | (12,942)                |
| 31850-31899-Housing Program  | (564,640)              | -                    | 29,281               | -                                 | (593,921)               |
| 31900-31949-Natural Resource Damage                                  | 18,511                 | 0,111                | 0,020                | -                                 | 18,602                  |
| 31950-31999-Engineering Services                                     | (12,016)               | -                    | -                    | -                                 | (12,016)                |
| 32200-32249-Miscellaneous Capital Projects                           | 149,699                | 2,240                | 3,615                | 1,724                             | 150,048                 |
| 32250-32299-CUNY Capital Projects                                    | 0,083                  | 0,007                | -                    | -                                 | 0,090                   |
| 32300-32349-Mental Hygiene Facilities Capital Improvement            | (689,268)              | 13,646               | 19,371               | -                                 | (694,993)               |
| 32350-32399-Correction Facilities Capital Improvement                | (257,987)              | -                    | 31,790               | -                                 | (289,777)               |
| 32400-32999-State University Capital Projects                        | 86,768                 | 0,347                | 1,069                | 14,843                            | 100,869                 |
| 33000-33049-NYS Storm Recovery Fund                                  | 48,863                 | 0,150                | 0,748                | -                                 | (49,461)                |
| 33050-33099-Dedicated Infrastructure Investment Fund                 | 78,341                 | -                    | 12,405               | -                                 | 65,936                  |
| <b>TOTAL CAPITAL PROJECTS FUNDS</b>                                  | <b>(1,576,534)</b>     | <b>1,016,985</b>     | <b>1,020,789</b>     | <b>(45,279)</b>                   | <b>(1,625,617)</b>      |
| <b>TOTAL GOVERNMENTAL FUNDS</b>                                      | <b>\$ 71,888,171</b>   | <b>\$ 14,357,845</b> | <b>\$ 23,493,142</b> | <b>\$ (4,010)</b>                 | <b>\$ 62,748,864</b>    |

SCHEDULE 2

STATE OF NEW YORK  
 PROPRIETARY FUNDS  
 SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
 CHANGES IN FUND BALANCES  
 FISCAL YEAR 2023-2024  
 FOR THE MONTH OF MAY 2023  
 (amounts in millions)

| FUND TYPE   | BALANCE<br>MAY 1, 2023 | RECEIPTS          | DISBURSEMENTS     | OTHER<br>FINANCING<br>SOURCES (USES) | BALANCE<br>MAY 31, 2023 |
|---|------------------------|-------------------|-------------------|--------------------------------------|-------------------------|
| <b>ENTERPRISE FUNDS</b>                               |                        |                   |                   |                                      |                         |
| 23250-23449-CUNY Senior College Program               | \$ 273.924             | \$ 9.867          | \$ 10.245         | \$ -                                 | \$ 273.546              |
| 50000-50049-Youth Commissary                          | 0.145                  | 0.005             | 0.001             | -                                    | 0.149                   |
| 50050-50099-State Exposition Special                  | 3.680                  | 0.536             | 0.818             | 2.000                                | 5.398                   |
| 50100-50299-Correctional Services Commissary          | 2.463                  | 4.054             | 2.797             | -                                    | 3.720                   |
| 50300-50399-Agencies Enterprise                       | 17.060                 | 0.373             | 2.558             | -                                    | 14.875                  |
| 50400-50449-Sheltered Workshop                        | 1.974                  | 0.008             | 0.014             | -                                    | 1.968                   |
| 50450-50499-Patient Workshop                          | 2.243                  | 0.009             | 0.066             | -                                    | 2.186                   |
| 50500-50599-Mental Hygiene Community Stores           | 4.991                  | 0.094             | 0.079             | -                                    | 5.006                   |
| 50650-50699-Unemployment Insurance                    | 40.603                 | 145.736           | 78.762            | -                                    | 107.577                 |
| 60850-60899-CUNY Senior College Operating             | 43.323                 | 293.718           | 217.308           | -                                    | 119.733                 |
| <b>TOTAL ENTERPRISE FUNDS</b>                         | <b>390.406</b>         | <b>454.400</b>    | <b>312.648</b>    | <b>2.000</b>                         | <b>534.158</b>          |
| <b>INTERNAL SERVICE FUNDS</b>                         |                        |                   |                   |                                      |                         |
| 55000-55049-Centralized Services                      | (5.979)                | 22.072            | 29.504            | 0.502                                | (12.909)                |
| 55050-55099-Agency Internal Service                   | (36.024)               | 4.547             | 12.532            | 1.670                                | (42.339)                |
| 55100-55149-Mental Hygiene Revolving                  | 0.050                  | 0.069             | 0.078             | -                                    | 0.041                   |
| 55150-55199-Youth Vocational Education                | 0.044                  | -                 | -                 | -                                    | 0.044                   |
| 55200-55249-Joint Labor and Management Administration | 1.131                  | 0.005             | 0.137             | (0.002)                              | 0.997                   |
| 55250-55299-Audit and Control Revolving               | (51.134)               | 0.048             | 4.077             | (0.160)                              | (55.323)                |
| 55300-55349-Health Insurance Revolving                | (0.817)                | -                 | 1.417             | -                                    | (2.234)                 |
| 55350-55399-Correctional Industries Revolving         | (0.895)                | 3.287             | 6.037             | -                                    | (3.645)                 |
| <b>TOTAL INTERNAL SERVICE FUNDS</b>                   | <b>(93.624)</b>        | <b>30.028</b>     | <b>53.782</b>     | <b>2.010</b>                         | <b>(115.368)</b>        |
| <b>TOTAL PROPRIETARY FUNDS</b>                        | <b>\$ 296.782</b>      | <b>\$ 484.428</b> | <b>\$ 366.430</b> | <b>\$ 4.010</b>                      | <b>\$ 418.790</b>       |



SCHEDULE 3

STATE OF NEW YORK  
 FIDUCIARY FUNDS  
 SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND  
 CHANGES IN FUND BALANCES  
 FISCAL YEAR 2023-2024  
 FOR THE MONTH OF MAY 2023  
 (amounts in millions)

|   | BALANCE<br>MAY 1, 2023 | RECEIPTS             | DISBURSEMENTS        | OTHER<br>FINANCING<br>SOURCES (USES) | BALANCE<br>MAY 31, 2023 |
|---|------------------------|----------------------|----------------------|--------------------------------------|-------------------------|
| <b>TRUST FUNDS</b>  |                        |                      |                      |                                      |                         |
| 65000-65049-Common Retirement Administration                        | \$ 8,369               | \$ 5,958             | \$ 27,242            | \$ -                                 | \$ (12,915)             |
| 65050-65099-Retiree Health Benefit Trust                            | 1,250,304              | 5,001                | -                    | -                                    | 1,255,305               |
| <b>TOTAL TRUST FUNDS</b>  | <b>1,258,673</b>       | <b>10,959</b>        | <b>27,242</b>        | <b>-</b>                             | <b>1,242,390</b>        |
| <b>PRIVATE PURPOSE TRUST FUNDS</b>                                  |                        |                      |                      |                                      |                         |
| 22022-College Savings Account                                       | 37,738                 | 0.589                | 0.055                | -                                    | 38,272                  |
| 66000-66049-Agriculture Producers' Security                         | 3,494                  | 0.013                | 0.027                | -                                    | 3,480                   |
| 66050-66099-Milk Producers' Security                                | 12,722                 | 0.103                | 0.041                | -                                    | 12,784                  |
| <b>TOTAL PRIVATE PURPOSE TRUST FUNDS</b>                            | <b>53,954</b>          | <b>0.705</b>         | <b>0.123</b>         | <b>-</b>                             | <b>54,536</b>           |
| <b>AGENCY FUNDS</b>   |                        |                      |                      |                                      |                         |
| 60050-60149-School Capital Facilities Financing Reserve             | 6,354                  | 0.495                | 2,092                | -                                    | 4,757                   |
| 60150-60199-Child Performer's Holding                               | 0,643                  | 0.003                | 0.003                | -                                    | 0,643                   |
| 60200-60249-Employees Health Insurance                              | 1,002,028              | 1,433,818            | 1,497,838            | -                                    | 938,008                 |
| 60250-60299-Social Security Contribution                            | 15,091                 | 112,486              | 112,306              | -                                    | 15,271                  |
| 60300-60399-Employee Payroll Withholding                            | 57,896                 | 402,156              | 428,397              | -                                    | 31,655                  |
| 60400-60449-Employees Dental Insurance                              | 23,822                 | 4,336                | 8,125                | -                                    | 20,033                  |
| 60450-60499-Management Confidential Group Insurance                 | 0,973                  | 0,512                | 1,446                | -                                    | 0,039                   |
| 60500-60549-Lottery Prize   | 634,785                | 368,915              | 100,325              | -                                    | 903,375                 |
| 60550-60599-Health Insurance Reserve Receipts                       | -                      | -                    | -                    | -                                    | -                       |
| 60600-60799-Miscellaneous New York State Agency                     | 907,620                | 1,712,843            | 1,660,290            | -                                    | 960,173                 |
| 60800-60849-Elderly Pharmaceutical Insurance Coverage (EPIC) Escrow | 30,781                 | 5,072                | 5,070                | -                                    | 30,783                  |
| 60900-60949-Medicaid Management Information System (MMIS) Escrow    | 213,919                | 12,776,152           | 10,153,818           | -                                    | 2,836,253               |
| 60950-60999-Special Education                                       | -                      | -                    | -                    | -                                    | -                       |
| 61000-61099-State University of New York Revenue Collection         | 100,048                | 19,926               | -                    | -                                    | 119,974                 |
| 61100-61999-State University Federal Direct Lending Program         | (1,273)                | 15,014               | 21,945               | -                                    | (8,204)                 |
| 62000-62049-SSI SSP Payment Escrow                                  | -                      | -                    | -                    | -                                    | -                       |
| <b>TOTAL AGENCY FUNDS</b>   | <b>2,992,687</b>       | <b>16,851,728</b>    | <b>13,991,655</b>    | <b>-</b>                             | <b>5,852,760</b>        |
| <b>TOTAL FIDUCIARY FUNDS</b>  | <b>\$ 4,305,314</b>    | <b>\$ 16,863,392</b> | <b>\$ 14,019,020</b> | <b>\$ -</b>                          | <b>\$ 7,149,686</b>     |

SCHEDULE 4

STATE OF NEW YORK  
 SOLE CUSTODY AND INVESTMENT ACCOUNTS  
 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
 FISCAL YEAR 2023-2024  
 FOR THE MONTH OF MAY 2023  
 (amounts in millions)

| <u>FUND TYPE</u>                               | <u>BALANCE<br/>MAY 1, 2023</u> | <u>RECEIPTS</u>     | <u>DISBURSEMENTS</u> | <u>BALANCE<br/>MAY 31, 2023</u> |
|--|--------------------------------|---------------------|----------------------|---------------------------------|
| <b>ACCOUNTS</b>                                |                                |                     |                      |                                 |
| 70000-70049-Tobacco Settlement                 | \$ 2,969                       | \$ 0.012            | \$ -                 | \$ 2,981                        |
| 70093, 70095, 70300-70301-MTA State Assistance | 251.854                        | 230.705             | 215.476              | 267.083                         |
| 70050-70149-Sole Custody Investment (*)        | 2,944.179                      | 4,607.413           | 4,595.270            | 2,956.322                       |
| 70200-Comptroller's Refund Account             | -                              | 332.038             | 332.038              | -                               |
| <b>TOTAL ACCOUNTS</b>                          | <b>\$ 3,199.002</b>            | <b>\$ 5,170.168</b> | <b>\$ 5,142.784</b>  | <b>\$ 3,226.386</b>             |

(\*) 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, 2023, \$9,847,971.97 (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 2023-2024

| PURPOSE   | DEBT OUTSTANDING APRIL 1, 2023 |             | DEBT ISSUED  |                             | DEBT MATURED |                             | DEBT OUTSTANDING MAY 31, 2023 |                             | INTEREST DISBURSED |                             |
|---|--------------------------------|-------------|--------------|-----------------------------|--------------|-----------------------------|-------------------------------|-----------------------------|--------------------|-----------------------------|
|   | \$                             |             | MONTH OF MAY | 2 MONTHS ENDED MAY 31, 2023 | MONTH OF MAY | 2 MONTHS ENDED MAY 31, 2023 | MONTH OF MAY                  | 2 MONTHS ENDED MAY 31, 2023 | MONTH OF MAY       | 2 MONTHS ENDED MAY 31, 2023 |
| <b>GENERAL OBLIGATION BONDED DEBT:</b>                  |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Accelerated Capacity and Transportation Improvements    | \$ 6,923,692                   | \$ -        | \$ -         | \$ 799,410                  | \$ -         | \$ 6,124,282                | \$ -                          | \$ 42,194                   |                    |                             |
| Clean Water/Clean Air:                                  |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Air Quality   | 945,768                        | -           | -            | -                           | -            | 945,768                     | -                             | -                           |                    |                             |
| Safe Drinking Water                                     | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Clean Water   | 230,202,496                    | -           | -            | 5,171,308                   | -            | 225,031,188                 | -                             | 686,029                     |                    |                             |
| Solid Waste   | 6,423,422                      | -           | -            | 185,825                     | -            | 6,243,597                   | -                             | 16,387                      |                    |                             |
| Environmental Restoration                               | 30,169,419                     | -           | -            | -                           | -            | 30,169,419                  | -                             | -                           |                    |                             |
| Clean Water/Clean Air and Green Jobs:                   |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Flood Restoration and Risk Reduction                    | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Open Space Land Conservation and Recreation             | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Climate Change Mitigation                               | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Water Quality Improvement and Resilient Infrastructure  | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| NY Natural Resources                                    | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Energy Conservation Through Improved Transportation:    |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Rapid Transit and Rail Freight                          | 587,505                        | -           | -            | 155,308                     | -            | 432,197                     | -                             | 11,676                      |                    |                             |
| Environmental Quality (1972):                           |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Air   | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Land and Wetlands                                       | 2,866,760                      | -           | -            | -                           | -            | 2,866,760                   | -                             | -                           |                    |                             |
| Water   | 2,858,290                      | -           | -            | 350,000                     | -            | 2,508,290                   | -                             | 8,750                       |                    |                             |
| Environmental Quality (1986):                           |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Land Acquisition/Development/Restoration/Forests        | 1,743,150                      | -           | -            | 63,962                      | -            | 1,679,188                   | -                             | 3,376                       |                    |                             |
| Solid Waste Management                                  | 53,717,629                     | -           | -            | 6,236,458                   | -            | 47,481,171                  | -                             | 289,165                     |                    |                             |
| Housing:  |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Low Income  | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Middle Income   | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Park and Recreation Land Acquisition                    | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Pure Waters   | 11,235,678                     | -           | -            | 463,381                     | -            | 10,772,297                  | -                             | 65,813                      |                    |                             |
| Rail Preservation Development                           | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| Rebuild and Renew New York Transportation:              |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Highway Facilities                                      | 467,792,448                    | -           | -            | -                           | -            | 467,792,448                 | -                             | -                           |                    |                             |
| Canals and Waterways                                    | 4,344,370                      | -           | -            | -                           | -            | 4,344,370                   | -                             | -                           |                    |                             |
| Aviation  | 37,453,431                     | -           | -            | -                           | -            | 37,453,431                  | -                             | -                           |                    |                             |
| Rail and Port   | 79,123,739                     | -           | -            | -                           | -            | 79,123,739                  | -                             | -                           |                    |                             |
| Mass Transit - Dept. of Transportation                  | 10,562,486                     | -           | -            | -                           | -            | 10,562,486                  | -                             | -                           |                    |                             |
| Mass Transit - Metropolitan Transportation Authority    | 642,588,088                    | -           | -            | -                           | -            | 642,588,088                 | -                             | -                           |                    |                             |
| Rebuild New York-Transportation Infrastructure Renewal: |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Highways, Parkways, and Bridges                         | 6,221                          | -           | -            | 383,447                     | -            | 6,221                       | -                             | 18,263                      |                    |                             |
| Rapid Transit, Rail and Aviation                        | 795,264                        | -           | -            | -                           | -            | 414,817                     | -                             | -                           |                    |                             |
| Smart Schools Bond Act                                  | 244,247,633                    | -           | -            | -                           | -            | 244,247,633                 | -                             | -                           |                    |                             |
| Transportation Capital Facilities:                      |                                |             |              |                             |              |                             |                               |                             |                    |                             |
| Aviation  | 498,510                        | -           | -            | 350,911                     | -            | 147,599                     | -                             | 11,909                      |                    |                             |
| Mass Transportation                                     | -                              | -           | -            | -                           | -            | -                           | -                             | -                           |                    |                             |
| <b>Total General Obligation Bonded Debt</b>             | <b>\$ 1,835,094,999</b>        | <b>\$ -</b> | <b>\$ -</b>  | <b>\$ 14,160,000</b>        | <b>\$ -</b>  | <b>\$ 1,820,934,999</b>     | <b>\$ -</b>                   | <b>\$ 1,653,572</b>         |                    |                             |

SCHEDULE 5a

STATE OF NEW YORK  
DEBT SERVICE FUNDS  
FINANCING AGREEMENTS  
FOR THE TWO MONTHS ENDED MAY 31, 2023

|  | DEBT<br>REDUCTION<br>RESERVE<br>(40000-40049) | GENERAL<br>DEBT<br>SERVICE<br>(40151) | DEPARTMENT<br>OF HEALTH<br>INCOME<br>(40300-40349) | REVENUE<br>BOND<br>TAX<br>(40152) | SALES TAX<br>REVENUE BOND<br>TAX<br>(40154) | COMBINED TOTALS               |                       | \$ INCREASE/<br>(DECREASE) |
|--|---|---------------------------------------|--|-----------------------------------|---|-------------------------------|-----------------------|----------------------------|
|  |   |                                       |  |                                   |   | 2 MONTHS ENDED MAY 31<br>2023 | 2022                  |                            |
| Special Contractual Financing Obligations:                               |   |                                       |  |                                   |   |                               |                       |                            |
| Payments to Public Authorities:  |   |                                       |  |                                   |   |                               |                       |                            |
| City University Construction   | \$ -  | \$ 12,559,844                         | \$ -   | \$ -                              | \$ -  | \$ 12,559,844                 | \$ 9,471,406          | \$ 3,088,438               |
| Dormitory Authority:   |   |                                       |  |                                   |   |                               |                       |                            |
| Consolidated Service Contract Refunding                                  | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| DASNY Revenue Bond   | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| Department of Health Facilities  | -   | -                                     | 11,392,339   | -                                 | -   | 11,392,339                    | 12,054,964            | (662,625)                  |
| Secured Hospital Program   | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| SUNY Community Colleges  | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| SUNY Educational Facilities  | -   | 15,308,960                            | -  | -                                 | -   | 15,308,960                    | 86,087,460            | (70,778,500)               |
| Thruway Authority:   |   |                                       |  |                                   |   |                               |                       |                            |
| Dedicated Highway and Bridge   | -   | 9,100,748                             | -  | -                                 | -   | 9,100,748                     | 15,937,160            | (6,836,412)                |
| Transportation   | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| Urban Development Corporation:   |   |                                       |  |                                   |   |                               |                       |                            |
| Consolidated Service Contract Refunding                                  | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| Debt Reduction Reserve   | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| UDC Revenue Bond   | -   | -                                     | -  | -                                 | -   | -                             | -                     | -                          |
| <b>Total Disbursements for Special Contractual Financing Obligations</b> | <b>\$ -</b>                                   | <b>\$ 36,969,552</b>                  | <b>\$ 11,392,339</b>                               | <b>\$ -</b>                       | <b>\$ -</b>                                 | <b>\$ 48,361,891</b>          | <b>\$ 123,550,990</b> | <b>\$ (75,189,099)</b>     |

SCHEDULE 6

STATE OF NEW YORK  
 SUMMARY OF THE OPERATING FUND INVESTMENTS  
 FOR THE MONTH OF MAY 2023  
 AS REQUIRED OF THE STATE COMPTROLLER  
 (amounts in millions)

| MONTH OF<br>MAY 2023 | FISCAL YEAR<br>TO DATE | PRIOR FISCAL<br>YEAR TO DATE |
|----------------------|------------------------|------------------------------|
|----------------------|------------------------|------------------------------|

**SHORT TERM INVESTMENT POOL (\*)**

|                                       |             |             |             |
|---------------------------------------|-------------|-------------|-------------|
| AVERAGE DAILY INVESTMENT BALANCE (**) | \$ 78,005.6 | \$ 77,510.5 | \$ 70,135.5 |
| AVERAGE YIELD (**)                    | 4.975%      | 4.901%      | 0.574%      |
| TOTAL INVESTMENT EARNINGS             | \$ 328.739  | \$ 636.646  | \$ 67.362   |

| DESCRIPTION                     | MAY 2023           |            | MAY 2022        |            |
|---------------------------------|--------------------|------------|-----------------|------------|
|                                 | PAR AMOUNT         | PAR AMOUNT | PAR AMOUNT      | PAR AMOUNT |
| GOVT. AGENCY BILLS/NOTES        | \$ 52,794.3        | \$         | 44,715.5        |            |
| REPURCHASE AGREEMENTS           | 202.5              |            | 397.9           |            |
| GOVT. SPONSORED AGENCIES        | -                  |            | 630.2           |            |
| COMMERCIAL PAPER                | 18,242.4           |            | 23,420.5        |            |
| CERTIFICATES OF DEPOSIT/SAVINGS | 3,483.2            |            | 1,846.3         |            |
| 0% COMPENSATING BALANCE CDS     | 3.0                |            | 243.0           |            |
|                                 | <b>\$ 74,725.4</b> | <b>\$</b>  | <b>71,253.4</b> |            |

**Month-End Portfolio Balances**

(\*) 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.

APPENDIX A

STATE OF NEW YORK  
HCRA RESOURCES FUND  
STATEMENT OF RECEIPTS AND DISBURSEMENTS BY ACCOUNT  
FISCAL YEAR 2023-2024

|  | 2023<br>APRIL         | MAY                   | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2024<br>JANUARY | FEBRUARY | MARCH | 2 Months Ended<br>May 31, 2023 |
|--|-----------------------|-----------------------|------|------|--------|-----------|---------|----------|----------|-----------------|----------|-------|--------------------------------|
| <b>OPENING CASH BALANCE</b>                      | \$ 90,821,267         | \$ 294,767,158        |      |      |        |           |         |          |          |                 |          |       | \$ 90,821,267                  |
| <b>RECEIPTS:</b>                                 |                       |                       |      |      |        |           |         |          |          |                 |          |       |                                |
| Cigarette Tax                                    | 51,884,437            | 51,673,109            |      |      |        |           |         |          |          |                 |          |       | 103,527,546                    |
| State Share of NYC Cigarette Tax                 | 1,080,000             | 1,566,000             |      |      |        |           |         |          |          |                 |          |       | 2,136,000                      |
| Vapor Excise Tax                                 | 151,905               | 374,639               |      |      |        |           |         |          |          |                 |          |       | 526,444                        |
| STIP Interest                                    | 1,949,756             | 1,895,643             |      |      |        |           |         |          |          |                 |          |       | 3,545,399                      |
| Assessments                                      | 546,477               | 580,000               |      |      |        |           |         |          |          |                 |          |       | 1,093,388                      |
| Rebates  | 3,829,132             | 478,535               |      |      |        |           |         |          |          |                 |          |       | 3,888,000                      |
| Restitution and Settlements                      | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | 4,307,867                      |
| Administrative Recoveries                        | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | -                              |
| Miscellaneous                                    | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | -                              |
| <b>Total Receipts</b>                            | <b>605,338,447</b>    | <b>602,330,348</b>    |      |      |        |           |         |          |          |                 |          |       | <b>1,207,768,795</b>           |
| <b>DISBURSEMENTS:</b>                            |                       |                       |      |      |        |           |         |          |          |                 |          |       |                                |
| Grants   | 399,440,913           | 455,108,005           |      |      |        |           |         |          |          |                 |          |       | 854,548,918                    |
| Interest - Late Payments                         | 1,783                 | (1,129)               |      |      |        |           |         |          |          |                 |          |       | 654                            |
| Personal Service                                 | 977,392               | 471,010               |      |      |        |           |         |          |          |                 |          |       | 1,448,402                      |
| Non-Personal Service                             | 805,549               | 3,653,530             |      |      |        |           |         |          |          |                 |          |       | 4,634,079                      |
| Employee Interest Costs                          | -                     | 612,133               |      |      |        |           |         |          |          |                 |          |       | 612,133                        |
| <b>Total Disbursements</b>                       | <b>401,223,637</b>    | <b>460,183,033</b>    |      |      |        |           |         |          |          |                 |          |       | <b>861,214,977</b>             |
| <b>OPERATING TRANSFERS:</b>                      |                       |                       |      |      |        |           |         |          |          |                 |          |       |                                |
| Transfers to Capital Projects Fund               | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | -                              |
| Transfers to General Fund                        | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | -                              |
| Transfers to Miscellaneous Special Revenue Fund: |                       |                       |      |      |        |           |         |          |          |                 |          |       |                                |
| Capital Projects Fund                            | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | -                              |
| Empire State Stem Cell Trust Account             | 282,919               | 311,357               |      |      |        |           |         |          |          |                 |          |       | 574,276                        |
| Transfers to SUNY Income Fund                    | -                     | -                     |      |      |        |           |         |          |          |                 |          |       | -                              |
| <b>Total Operating Transfers</b>                 | <b>282,919</b>        | <b>311,357</b>        |      |      |        |           |         |          |          |                 |          |       | <b>574,276</b>                 |
| <b>Total Disbursements and Transfers</b>         | <b>401,492,556</b>    | <b>460,896,391</b>    |      |      |        |           |         |          |          |                 |          |       | <b>861,889,947</b>             |
| <b>CLOSING CASH BALANCE</b>                      | <b>\$ 294,767,158</b> | <b>\$ 436,801,115</b> |      |      |        |           |         |          |          |                 |          |       | <b>\$ 436,801,115</b>          |

APPENDIX B

STATE OF NEW YORK  
HCRA RESOURCES FUND  
STATEMENT OF PROGRAM DISBURSEMENTS  
FISCAL YEAR 2023-2024

| Program/Purpose   | Appropriation Amount (*) | May            | 2 Months Ended May 31, 2023 (**) |
|---|--------------------------|----------------|----------------------------------|
| CENTER FOR COMMUNITY HEALTH PROGRAM                                       | 7,609,000.00             | 358,431.12     | 514,024.54                       |
| CENTER FOR COMMUNITY HLTH   | 7,609,000.00             | 358,431.12     | 514,024.54                       |
| CHILD HEALTH INSURANCE PROGRAM  | 3,183,266,000.00         | 35,978,090.81  | 84,148,298.78                    |
| CHILD HEALTH INSURANCE  | 3,183,266,000.00         | 35,978,090.81  | 84,148,298.78                    |
| ELDERLY PHARMACEUTICAL INS COVERAGE PRG                                   | 316,351,000.00           | 7,074,585.16   | 10,381,070.63                    |
| ELDERLY PHARMACEUTICAL INSURANCE COVERAGE                                 | 316,351,000.00           | 7,074,585.16   | 10,381,070.63                    |
| HEALTH CARE REFORM ACT PROGRAM  | 1,787,611,459.03         | 16,000,159.83  | 16,265,141.13                    |
| AIDS DRUG ASSISTANCE  | 132,760,000.00           | -              | -                                |
| AMBULATORY CARE TRAINING  | 3,537,000.00             | -              | -                                |
| AREA HEALTH EDUCATION CENTER  | 6,062,000.00             | -              | -                                |
| COMMISSIONER EMERGENCY DISTRIBUTIONS                                      | 33,700,000.00            | 291,916.35     | 376,916.35                       |
| DIAGNOSTIC AND TREATMENT CTR UNCOMPENSATED CARE                           | 108,800,000.00           | -              | -                                |
| DIVERSITY IN MEDICINE   | 4,815,000.00             | -              | -                                |
| EMPIRE CLINIC RESEARCH INVESTMENT (ECRIP)                                 | 6,890,000.00             | -              | -                                |
| HCRA PAYOR / PROVIDER AUDITS  | 18,967,000.00            | 34,126.16      | 34,126.16                        |
| 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  | 206,000,000.00           | -              | -                                |
| NURSE LOAN REPAYMENT  | 5,500,000.00             | -              | -                                |
| NYS WORKFORCE INNOVATION CTR  | 40,087,000.00            | -              | -                                |
| PART 405.4 HOSPITAL AUDITS NYCR   | 4,400,000.00             | -              | -                                |
| PHYSICIAN EXCESS MEDICAL MALPRACTICE                                      | 387,800,000.00           | -              | -                                |
| PHYSICIAN LOAN REPAYMENT  | 67,987,000.00            | 465,500.00     | 585,500.00                       |
| PHYSICIAN WORKFORCE STUDIES   | 974,000.00               | 127,930.00     | 127,930.00                       |
| POISON CONTROL CENTERS  | 11,120,000.00            | -              | -                                |
| POOL ADMINISTRATION   | 10,687,000.00            | 299,624.99     | 299,624.99                       |
| ROSWELL PARK COMPREHENSIVE CANCER CENTER                                  | 110,926,000.00           | 13,865,750.00  | 13,865,750.00                    |
| RURAL HEALTH CARE ACCESS  | 50,000.00                | -              | -                                |
| RURAL HEALTH CARE ACCESS & NETWORK DEVELOPMENT                            | 15,950,000.00            | 915,312.33     | 975,293.63                       |
| RURAL HEALTH CARE GRANTS  | 28,230,000.00            | -              | -                                |
| RURAL HEALTH NETWORK  | 3,300,400.00             | -              | -                                |
| SCHOOL BASED HEALTH CENTERS   | 11,610,000.00            | -              | -                                |
| SCHOOL BASED HEALTH CLINICS-POOL ADMIN                                    | 4,230,000.00             | -              | -                                |
| TRANSITION ACCT - PRIOR YEAR ALLOCATION                                   | 8,460,000.00             | -              | -                                |
| MEDICAL ASSISTANCE PROGRAM  | 489,526,059.03           | 398,316,795.41 | 746,488,477.44                   |
| HOME HEALTH RATE INCREASE   | 300,000,000.00           | -              | -                                |
| MEDICAID INDIGENT CARE  | 3,866,600,000.00         | 48,316,795.41  | 96,488,477.44                    |
| MEDICAL ASSISTANCE  | 24,598,833,000.00        | 350,000,000.00 | 650,000,000.00                   |
| PSNL CRE WRKR RECR & RETEN NYC (**)                                       | 67,200,000.00            | -              | -                                |
| PSNL CRE WRKR RECR & RETEN ROS (***)                                      | 88,185,000.00            | 1,533,615.01   | 2,047,885.57                     |
| NEW YORK STATE OF HEALTH  | 88,185,000.00            | 1,533,615.01   | 2,047,885.57                     |
| OFFICE OF HEALTH INSURANCE PROGRAM  | 1,834,000.00             | -              | -                                |
| OFFICE OF HEALTH INSURANCE  | 1,834,000.00             | -              | -                                |
| OFFICE OF HEALTH SYSTEMS MANAGEMENT                                       | 64,258,200.00            | 958,399.03     | 1,863,833.42                     |
| OFFICE HEALTH SYSTEMS MANAGEMENT  | 64,258,200.00            | 958,399.03     | 1,863,833.42                     |
| REVENUE PROCESSING & RECONCILIATION                                       | 8,190,000.00             | 276,460.99     | 276,460.99                       |
| REVENUE PROCESSING & RECONCILIATION                                       | 8,190,000.00             | 276,460.99     | 276,460.99                       |
| TOTAL   | 35,105,937,659.03        | 460,496,537.36 | 861,965,192.90                   |
| Reclass of SUNY Hospital Disprop Share to Transfer                        | (311,356.63)             | -              | (574,275.92)                     |
| Reclass of SUNY Hospital Poison Control Centers to Transfer               | -                        | -              | -                                |
| Reclass of SUNY Empire Clinical Research Investigator Program to Transfer | (146,771)                | -              | -                                |
| Reconciling Adjustment (P-Card and T-Card)                                | (146,771)                | -              | -                                |
| TOTAL REPORTED AMOUNT   | 35,105,937,659.03        | 460,185,035.96 | 861,414,670.93                   |

(\*) Includes amounts appropriated in SFY 2023-24, 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 2023-2024

|  | 2023<br>APRIL            | 2023<br>MAY              | 2023-2024                 |
|--|--------------------------|--------------------------|---------------------------|
| <b>OPENING CASH BALANCE</b>  | \$ 492,069,346.50        | \$ 289,379,629.58        | \$ 492,069,346.50         |
| <b>RECEIPTS:</b>   |                          |                          |                           |
| Patient Services   | 232,209,608.20           | 477,646,738.71           | 709,856,346.91            |
| Covered Lives  | 54,465,037.96            | 137,168,294.02           | 191,633,331.98            |
| Provider Assessments   | 5,465,708.42             | 13,846,389.34            | 19,312,097.76             |
| 1% Assessments   | 37,179,146.00            | 45,921,403.00            | 83,100,549.00             |
| DASNY- MOE/Recast receivables  | -                        | -                        | -                         |
| Interest Income  | 327,745.36               | 454,702.90               | 782,448.26                |
| Unassigned   | 9,056,573.72             | (9,287,313.42)           | (230,739.70)              |
| <b>Total Receipts</b>  | <b>338,703,819.66</b>    | <b>665,750,214.55</b>    | <b>1,004,454,034.21</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>338,703,819.66</b>    | <b>665,750,214.55</b>    | <b>1,004,454,034.21</b>   |
| <b>OTHER FINANCING SOURCES (USES):</b>   |                          |                          |                           |
| Transfers From Other Pools:  |                          |                          |                           |
| Medicaid Disproportionate Share  | -                        | -                        | -                         |
| Health Facility Assessment Fund - Hospital Quality Contribution  | 5,038,175.00             | 4,636,374.00             | 9,674,549.00              |
| Transfers From State Funds:  |                          |                          |                           |
| HCRA Resources Fund  | -                        | -                        | -                         |
| <b>Total Other Financing Sources</b>   | <b>5,038,175.00</b>      | <b>4,636,374.00</b>      | <b>9,674,549.00</b>       |
| Transfers To Other Pools:  |                          |                          |                           |
| Medicaid Disproportionate Share  | -                        | -                        | -                         |
| Health Facility Assessment Fund  | -                        | -                        | -                         |
| Transfers To State Funds:  |                          |                          |                           |
| HCRA Resources Fund  | (546,431,711.58)         | (546,882,595.94)         | (1,093,314,307.52)        |
| <b>Total Other Financing Uses</b>  | <b>(546,431,711.58)</b>  | <b>(546,882,595.94)</b>  | <b>(1,093,314,307.52)</b> |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>(202,689,716.92)</b>  | <b>123,503,992.61</b>    | <b>(79,185,724.31)</b>    |
| <b>CLOSING CASH BALANCE</b>  | <b>\$ 289,379,629.58</b> | <b>\$ 412,883,622.19</b> | <b>\$ 412,883,622.19</b>  |

Source: HCRA - Office of Pool Administration



APPENDIX D

STATE OF NEW YORK  
STATEMENT OF CASH FLOW - MEDICAID DISPROPORTIONATE SHARE  
FISCAL YEAR 2023-2024

|  | 2023<br>APRIL           | 2023<br>MAY             | 2023-2024               |
|--|-------------------------|-------------------------|-------------------------|
| <b>OPENING CASH BALANCE</b>  | \$ 65,850.21            | \$ 53,015,408.24        | \$ 65,850.21            |
| <b>RECEIPTS:</b>   |                         |                         |                         |
| Interest Income  | 9,925.11                | 3,457.40                | 13,382.51               |
| <b>Total Receipts</b>  | <b>9,925.11</b>         | <b>3,457.40</b>         | <b>13,382.51</b>        |
| <b>PROGRAM DISBURSEMENTS:</b>  |                         |                         |                         |
| Indigent Care  | -                       | (54,151,739.53)         | (54,151,739.53)         |
| High Need Indigent Care  | -                       | -                       | -                       |
| Other  | -                       | 1,146,256.40            | 1,146,256.40            |
| <b>Total Program Disbursements</b>   | <b>-</b>                | <b>(53,005,483.13)</b>  | <b>(53,005,483.13)</b>  |
| <b>Excess (Deficiency) of Receipts over Disbursements</b>  | <b>9,925.11</b>         | <b>(53,002,025.73)</b>  | <b>(52,992,100.62)</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   | 24,368,282.79           | 24,355,005.59           | 48,723,288.38           |
| HCRA Resources Indigent Care - Unmatched   | (1,196,600.76)          | (1,038,210.18)          | (2,234,810.94)          |
| Federal DHHS Fund  | 29,783,456.74           | 29,767,229.04           | 59,550,685.78           |
| Other  | -                       | -                       | -                       |
| <b>Total Other Financing Sources</b>   | <b>52,955,138.77</b>    | <b>53,084,024.45</b>    | <b>106,039,163.22</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   | (15,505.85)             | (9,925.11)              | (25,430.96)             |
| CSRA Inc (eMedNY) General Fund   | -                       | -                       | -                       |
| <b>Total Other Financing Uses</b>  | <b>(15,505.85)</b>      | <b>(9,925.11)</b>       | <b>(25,430.96)</b>      |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses</b> | <b>52,949,558.03</b>    | <b>72,073.61</b>        | <b>53,021,631.64</b>    |
| <b>CLOSING CASH BALANCE</b>  | <b>\$ 53,015,408.24</b> | <b>\$ 53,087,481.85</b> | <b>\$ 53,087,481.85</b> |

Source: HCRA - Office of Pool Administration

APPENDIX E

STATE OF NEW YORK  
SUMMARY OF OFF-BUDGET SPENDING REPORT  
FISCAL YEAR 2023-2024  
(amounts in thousands)

|   | 2023<br>APRIL | 2023<br>MAY | 2023<br>JUNE | 2023<br>JULY | 2023<br>AUGUST | 2023<br>SEPTEMBER | 2023<br>OCTOBER | 2023<br>NOVEMBER | 2023<br>DECEMBER | 2024<br>JANUARY | 2024<br>FEBRUARY | 2024<br>MARCH | 2023-2024<br>TOTAL |
|---|---------------|-------------|--------------|--------------|----------------|-------------------|-----------------|------------------|------------------|-----------------|------------------|---------------|--------------------|
| DORMITORY AUTHORITY:  |               |             |              |              |                |                   |                 |                  |                  |                 |                  |               |                    |
| Education - All Other                                       | \$ -          | \$ -        | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | \$ -               |
| Education - EXCEL   | -             | -           | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | -                  |
| Department of Health - All Other                            | -             | -           | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | -                  |
| Community Enhancement Facilities Assistance Program (CEFAP) | -             | -           | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | -                  |
| Community Capital Assistance Program (CCAP)/RESTORE         | -             | -           | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | -                  |
| Brooklyn Court Officer Training Academy                     | -             | -           | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | -                  |
| TOTAL DORMITORY AUTHORITY                                   | -             | -           | -            | -            | -              | -                 | -               | -                | -                | -               | -                | -             | -                  |
| TOTAL OFF-BUDGET  | \$ -          | \$ -        | \$ -         | \$ -         | \$ -           | \$ -              | \$ -            | \$ -             | \$ -             | \$ -            | \$ -             | \$ -          | \$ -               |

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 28, 2023 | March 31, 2023 | April 30, 2023 | Change        | May 31, 2023   |
|----------|--|-------------------|----------------|----------------|---------------|----------------|
| 10050    | STATE OPERATIONS AND LOCAL ASSISTANCE              | \$ -              | \$ -           | \$ -           | \$ -          | \$ -           |
|          | TOTAL GENERAL FUND                                 | \$ -              | \$ -           | \$ -           | \$ -          | \$ -           |
|          | <b>CAPITAL PROJECT AND BOND REIMBURSABLE FUNDS</b> |                   |                |                |               |                |
| 30051    | HIGHWAY AND BRIDGE CAPITAL                         | -                 | 11,315,094.07  | -              | -             | -              |
| 30053    | AVIATION PURPOSE ACCOUNT                           | -                 | -              | -              | -             | -              |
| 30101    | REHABREPAIR MARITIME                               | -                 | -              | -              | -             | -              |
| 30102    | D2IRVE- MARITIME                                   | -                 | -              | -              | -             | -              |
| 30103    | D38RVE- CENTRAL ADMIN                              | -                 | -              | -              | -             | -              |
| 30104    | RESIDENCE HALL CAMPUS LET BOND PROCEEDS            | -                 | -              | -              | -             | -              |
| 30105    | REHABREPAIR ALBANY                                 | -                 | -              | -              | -             | -              |
| 30106    | D0IRVE- ALBANY                                     | -                 | -              | -              | -             | -              |
| 30107    | REHABREPAIR BINGHAMTON                             | -                 | -              | -              | -             | -              |
| 30108    | D0RVE- BINGHAMTON                                  | -                 | -              | -              | -             | -              |
| 30109    | REHABREPAIR BUFFALO UNIVERSITY                     | -                 | -              | -              | -             | -              |
| 30110    | D28RVE- SUNY BUFFALO                               | -                 | -              | -              | -             | -              |
| 30111    | REHABREPAIR STONTBROOK                             | -                 | -              | -              | -             | -              |
| 30112    | D13RVE- STONTBROOK                                 | -                 | -              | -              | -             | -              |
| 30113    | REHABREPAIR BROOKLYN                               | -                 | -              | -              | -             | -              |
| 30114    | D14RVE- HSC BROOKLYN                               | -                 | -              | -              | -             | -              |
| 30115    | REHABREPAIR STRACUSE                               | -                 | -              | -              | -             | -              |
| 30116    | D15RVE- HSC STRACUSE                               | -                 | -              | -              | -             | -              |
| 30117    | REHABREPAIR BROCKPORT                              | -                 | -              | -              | -             | -              |
| 30118    | D02RVE- BROCKPORT                                  | -                 | -              | -              | -             | -              |
| 30119    | REHABREPAIR BUFFALO COLLEGE                        | -                 | -              | -              | -             | -              |
| 30120    | D03RVE- SUNY BUFFALO                               | -                 | -              | -              | -             | -              |
| 30121    | REHABREPAIR CORTLAND                               | -                 | -              | -              | -             | -              |
| 30122    | D04RVE- CORTLAND                                   | -                 | -              | -              | -             | -              |
| 30123    | REHABREPAIR FREDONIA                               | -                 | -              | -              | -             | -              |
| 30124    | D05RVE- FREDONIA                                   | -                 | -              | -              | -             | -              |
| 30125    | REHABREPAIR GENESEO                                | -                 | -              | -              | -             | -              |
| 30126    | D06RVE- GENESEO                                    | -                 | -              | -              | -             | -              |
| 30127    | REHABREPAIR OLD WESTBURY                           | -                 | -              | -              | -             | -              |
| 30128    | D07RVE- OLD WESTBURY                               | -                 | -              | -              | -             | -              |
| 30129    | REHABREPAIR NEW PALTZ                              | -                 | -              | -              | -             | -              |
| 30130    | D08RVE- NEW PALTZ                                  | -                 | -              | -              | -             | -              |
| 30131    | REHABREPAIR ONEONTA                                | -                 | -              | -              | -             | -              |
| 30132    | D09RVE- ONEONTA                                    | -                 | -              | -              | -             | -              |
| 30133    | REHABREPAIR OSWEGO                                 | -                 | -              | -              | -             | -              |
| 30134    | D10RVE- OSWEGO                                     | -                 | -              | -              | -             | -              |
| 30135    | REHABREPAIR LUTTSBURGH                             | 428,566.90        | -              | 1,203.66       | 3.66          | 1,207.38       |
| 30136    | D11RVE- LUTTSBURGH                                 | -                 | -              | -              | -             | -              |
| 30137    | REHABREPAIR OTSDAM                                 | -                 | -              | -              | -             | -              |
| 30138    | D12RVE- OTSDAM                                     | -                 | -              | -              | -             | -              |
| 30139    | REHABREPAIR PURCHASE                               | -                 | -              | -              | -             | -              |
| 30140    | D13RVE- PURCHASE                                   | -                 | -              | -              | -             | -              |
| 30141    | REHABREPAIR FOR LUTICAROME                         | -                 | -              | -              | -             | -              |
| 30142    | D14RVE- CAMPUS RESERVE                             | -                 | -              | -              | -             | -              |
| 30143    | REHABREPAIR ALFRED                                 | -                 | -              | -              | -             | -              |
| 30144    | D15RVE- ALFRED                                     | -                 | -              | -              | -             | -              |
| 30145    | REHABREPAIR CANTON                                 | -                 | -              | -              | -             | -              |
| 30146    | D16RVE- CANTON                                     | -                 | -              | -              | -             | -              |
| 30147    | REHABREPAIR COBLESKILL                             | -                 | -              | -              | -             | -              |
| 30148    | D17RVE- COBLESKILL                                 | -                 | -              | -              | -             | -              |
| 30149    | REHABREPAIR DELHI                                  | -                 | -              | -              | -             | -              |
| 30150    | D18RVE- DELHI                                      | -                 | -              | -              | -             | -              |
| 30151    | REHABREPAIR FARMINGDALE                            | -                 | -              | -              | -             | -              |
| 30152    | D19RVE- FARMINGDALE                                | -                 | -              | -              | -             | -              |
| 30153    | REHABREPAIR MORRISVILLE                            | -                 | -              | -              | -             | -              |
| 30154    | D20RVE- MORRISVILLE                                | -                 | -              | -              | -             | -              |
| 30951    | STATE PARK INFRASTRUCTURE                          | 146,466,067.54    | 157,698,466.78 | 165,305,813.61 | 15,056,948.13 | 180,362,761.74 |
| 30952    | CW/CA IMPLEMENTATION DEC                           | -                 | -              | -              | -             | -              |
| 30953    | CW/CA IMPLEMENTATION EROA                          | -                 | -              | -              | -             | -              |
| 30954    | CW/CA IMPLEMENTATION EFC                           | -                 | -              | -              | -             | -              |
| 30955    | CW/CA IMPLEMENTATION EFC                           | -                 | -              | -              | -             | -              |
| 31506    | HAZARDOUS WASTE CLEANUP                            | 221,784,561.84    | 234,598,842.53 | 239,319,511.85 | 5,424,586.50  | 244,744,077.35 |
| 31701    | YOUTH FACILITIES IMPROVEMENT                       | 17,258,839.52     | 18,878,786.89  | 19,801,082.54  | 427,985.33    | 20,229,077.87  |
| 31801    | HOUSING ASSISTANCE                                 | 161,007,374.65    | 12,941,967.06  | 12,941,967.06  | -             | 12,941,967.06  |
| 31851    | HOUSING PROG FD-HSG TR FD CORP                     | 181,007,374.65    | 228,542,765.13 | 301,799,588.13 | 28,115,953.00 | 330,906,541.13 |
| 31852    | HOUSING PROG FD AFFORD HSG CORP                    | 38,535,336.25     | 38,535,336.25  | 38,535,336.25  | 165,000.00    | 39,700,336.25  |
| 31853    | HOUSING PROG FD-DEPT OF SOCIAL SERVICES            | 189,314,710.25    | 224,606,710.25 | 224,606,710.25 | -             | 224,606,710.25 |
| 31854    | HOUSING PROG FD-HFA                                | -                 | -              | -              | -             | -              |
| 31951    | HIGHWAY FAC PURPOSE                                | 12,015,920.55     | 12,015,920.55  | 12,015,920.55  | -             | 12,015,920.55  |
| 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                          | 1,005.69          | 1,008.16       | 1,013.15       | 4.04          | 1,017.19       |

APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

| SFS Fund | ACCOUNT TITLE                                   | February 28, 2023 | March 31, 2023   | April 30, 2023   | Change          | May 31, 2023     |
|----------|---|-------------------|------------------|------------------|-----------------|------------------|
| 32219    | NY ENVIRONMENTAL PROTECTION & SPILL REMEDIATION |                   |                  |                  |                 |                  |
| 32301    | OPWDD-STATE FACILITIES PRE 1289                 |                   |                  |                  |                 |                  |
| 32302    | DSAS-COMMUNITY FACILITIES                       |                   |                  |                  | (10,367,391.59) | 95,646,508.69    |
| 32303    | OMH-COMMUNITY FACILITIES                        | 119,101,943.03    | 121,043,240.46   | 106,213,900.47   |                 |                  |
| 32304    | OPWDD-COMMUNITY FACILITIES                      | 220,456,805.17    | 224,204,164.06   | 226,579,164.06   | 1,342,375.03    | 227,921,639.09   |
| 32305    | OASAS-COMMUNITY FACILITIES                      |                   |                  |                  |                 |                  |
| 32306    | DASNY - OMH ADMIN                               | 9,885,902.04      | 9,885,902.04     | 13,238,402.04    |                 | 13,238,402.04    |
| 32307    | DASNY - OPWDD ADMIN                             | 652,133.16        | 652,133.16       | 1,279,633.16     |                 | 1,279,633.16     |
| 32308    | DASNY - OASAS ADMIN                             | 281,165,461.89    | 289,198,488.75   | 283,499,156.08   | 11,759,650.95   | 305,258,807.03   |
| 32309    | OMH-STATE FACILITIES                            | 50,329,271.03     | 52,976,161.71    | 54,514,741.49    | 1,633,444.42    | 56,318,185.91    |
| 32310    | OPWDD-STATE FACILITIES                          | 7,605,395.36      | 8,384,073.39     | 8,384,073.39     | 1,161,034.87    | 9,571,108.26     |
| 32311    | OASAS-STATE FACILITIES                          |                   |                  |                  |                 |                  |
| 32312    | CORR. FACILITIES CAPITAL IMPROVEMENT            | 270,389,227.49    | 238,856,263.39   | 257,987,211.30   | 31,789,546.78   | 289,776,759.78   |
| 32352    | DOCS-REHABILITATION PROJECTS                    |                   |                  |                  |                 |                  |
| 32353    | CORR. FACILITIES CAPITAL CLOSURE                | 70,703,932.61     | 53,626,231.61    | 48,863,997.95    | 598,447.71      | 49,481,445.66    |
| 32354    | STORM RECOVERY ACCOUNT                          |                   |                  |                  |                 |                  |
| 33001    | TOTAL CAPITAL AND BOND REIMBURSABLE FUNDS       | 1,821,038,034.09  | 1,938,128,291.24 | 2,025,032,177.02 | 88,522,946.58   | 2,113,385,123.40 |
|          | <b>STATE SPECIAL REVENUE FUNDS</b>              |                   |                  |                  |                 |                  |
| 20401    | DOL-CHILD PERFORMER PROTECTION ACCOUNT          |                   |                  |                  |                 |                  |
| 20501    | LOCAL GOVERNMENT RECURSUS MGMT                  |                   |                  |                  |                 |                  |
| 20610    | CHILD HEALTH INSURANCE                          | 61,819,702.11     |                  | 37,874,928.45    | 35,978,080.61   | 73,863,019.26    |
| 20616    | EPIC PREMIUM ACCOUNT                            | 8,251,146.71      |                  |                  | 2,646,951.09    | 2,646,951.09     |
| 20801    | LOTTERY-EDUCATION                               | 435,302,104.89    |                  |                  |                 |                  |
| 20864    | VLT EDUCATION                                   |                   |                  |                  |                 |                  |
| 21001    | ENVIR PAC CORP ADM ACCT                         |                   |                  |                  |                 |                  |
| 21002    | ENCON ADMIN ACCT                                | 585,148.89        |                  |                  |                 |                  |
| 21061    | HAZARDOUS BULK STORAGE                          |                   |                  |                  |                 |                  |
| 21064    | UTILITY ENVIRONMENTAL REGULATORY ACCOUNT        | 1,650,616.66      | 618.86           | 618.86           | 575,989.73      | 618.86           |
| 21065    | FEDERAL GRANTS INDIRECT COST RECOVERY ACCOUNT   |                   |                  | 26,238.12        | 160,750.10      | 604,207.85       |
| 21069    | ENCON-LOW LEVEL RADIOACTIVE WASTE SITING        |                   |                  | 631,321.68       |                 | 822,071.78       |
| 21067    | ENCON-RECREATION                                |                   |                  |                  |                 |                  |
| 21077    | PUBLIC SAFETY RECOVERY ACCOUNT                  | 79,539,887.42     | 79,216,074.07    | 79,763,874.23    | 2,294,243.75    | 82,078,117.96    |
| 21081    | ENVIRONMENTAL REGULATORY                        | 2,426,038.18      | 2,436,479.36     | 2,399,584.46     | 186,301.78      | 2,586,886.24     |
| 21082    | NATURAL RESOURCES ACCOUNT                       |                   |                  |                  |                 |                  |
| 21084    | MINED LAND RECLAMATION ACCT                     |                   |                  |                  |                 |                  |
| 21087    | GREAT LAKES RESTORATION INITIATIVE              |                   |                  |                  |                 |                  |
| 21201    | AUDIT AND CONTROL OIL SPILL                     |                   |                  | 451.62           |                 | 13,919.75        |
| 21202    | HEALTH AND CONTROL OIL SPILL                    |                   |                  |                  |                 | 4,313.97         |
| 21203    | DEPT OF ENVIRONMENTAL CONSERVATION OIL SPILL    | 105.33            |                  |                  | 235,172.67      | 235,172.67       |
| 21204    | OIL SPILL COMPENSATION                          |                   |                  |                  |                 |                  |
| 21205    | LICENSE FEE SURCHARGES                          |                   |                  |                  |                 |                  |
| 21206    | DEPT OF LAW OIL SPILL                           |                   |                  |                  |                 |                  |
| 21401    | PUBLIC TRANSPORTATION SYSTEMS                   | 7,875,995.80      |                  |                  | 34,988.79       | 34,988.79        |
| 21402    | METROPOLITAN MASS TRANSPORTATION                |                   |                  |                  | 5,546,286.74    | 5,546,286.74     |
| 21451    | OPERATING PERMIT PROGRAM                        | 40,645,782.63     | 41,447,773.31    | 41,887,820.20    | 632,828.03      | 42,730,646.23    |
| 21452    | MOBILE SOURCE                                   |                   |                  |                  |                 |                  |
| 21502    | HEALTH-SPARC'S                                  | 542,072.68        | 1,756,886.56     |                  | 6,787,887.43    | 6,787,887.43     |
| 21507    | THRUWAY AUTHORITY ACCT                          |                   |                  |                  |                 |                  |
| 21509    | MENTAL HYGIENE PROGRAM                          |                   |                  |                  |                 |                  |
| 21511    | FINANCIAL CONTROL BOARD                         | 398,769.50        | 701,926.17       | 94,011.59        | 247,986.18      | 342,007.77       |
| 21512    | RACING REGULATION BOARD                         | 4,211,972.22      | 4,408,214.17     | 4,244,769.43     | (235,236.25)    | 4,009,501.16     |
| 21537    | SO DOWN INCOME REIMBURSE                        | 1,100,116.80      | 0.01             |                  | (25,910,171.76) | 959,753.61       |
| 21545    | CRIMINAL JUSTICE IMPROVEMENT                    |                   |                  |                  |                 |                  |
| 21549    | TRAIL LAB FEE                                   |                   |                  |                  |                 |                  |
| 21591    | TRAINING MANAGEMENT AND EVALUATION ACCOUNT      | 8,905.96          | 140,291.49       | 213,683.48       | 188,022.82      | 401,705.10       |
| 21592    | CLINICAL LAB FEE                                | 9,798,631.04      | 11,211,440.71    | 11,186,955.86    | 220,633.44      | 11,407,587.10    |
| 21593    | INDIRECT COST RECOVERY                          |                   |                  |                  |                 |                  |
| 21599    | BULLY-BEAT TRAINING ACCOUNT                     |                   |                  |                  |                 |                  |
| 22003    | RELIABILITY AUDITIVITY SERVICE                  |                   |                  |                  |                 |                  |
| 22004    | RELIABILITY AUDITIVITY SERVICE                  |                   |                  |                  |                 |                  |
| 22005    | PARKING ACCOUNT                                 |                   |                  |                  |                 |                  |
| 22007    | COURTS SPECIAL GRANTS                           | 2,582,860.08      | 2,729,378.22     | 2,590,706.45     | 315,738.82      | 2,906,445.37     |
| 22008    | ASBESTOS SAFETY TRAINING                        |                   |                  |                  |                 |                  |
| 22009    | CAMP SMITH-BULLETING ACCOUNT                    |                   |                  |                  |                 |                  |
| 22017    | BATAVIA SCHOOL FOR THE BLIND                    | 14,186,665.14     | 9,372,705.33     | 8,925,072.30     | 919,849.27      | 9,843,921.57     |
| 22032    | INVESTMENT SERVICES                             |                   |                  |                  |                 |                  |
| 22034    | SUBRUS PROPERTY ACCOUNT                         |                   |                  |                  |                 |                  |
| 22038    | FINANCIAL OVERSIGHT                             | 607,918.39        | 1,012,993.81     | 162,201.47       | 482,283.69      | 644,485.16       |
| 22048    | REGULATION INDIAN GAMING                        | 115,663,056.30    | 116,296,283.89   | 116,296,283.89   | 1,951,814.90    | 117,350,998.77   |
| 22054    | ROME SCHOOL FOR THE DEAF                        | 8,052,345.76      | 4,748,789.02     | 5,210,452.73     | 688,088.17      | 5,898,540.90     |
| 22065    | DSR-SIZED ASSETS                                |                   |                  |                  |                 |                  |
| 22065    | ADMINISTRATIVE ADJUDICATION                     | 57,372,892.72     | 58,989,628.98    | 54,284,686.90    | 138,546.21      | 54,421,213.11    |
| 22065    | NYC ASSESSMENT ACCT                             |                   |                  |                  |                 |                  |
| 22063    | CULTURAL EDUCATION ACCOUNT                      |                   |                  |                  |                 |                  |

APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

| SFS Fund    | ACCOUNT TITLE                                  | February 28, 2023 | March 31, 2023   | April 30, 2023   | Change           | May 31, 2023     |
|-------------|--|-------------------|------------------|------------------|------------------|------------------|
| Z2078       | LOCAL SERVICE ACCOUNT                          | -                 | -                | -                | -                | -                |
| Z2085       | DPCR MORTGAGE SERVICES                         | -                 | -                | 88,516.79        | (88,516.79)      | -                |
| Z2089       | VOTING INDIRECT COST RECOVERY                  | 155,211.01        | -                | -                | -                | -                |
| Z2100       | DPHCR MACHINERY EXAMINATIONS ACCOUNT           | -                 | -                | -                | -                | -                |
| Z2100       | DPHCR HOUSING CREDIT AGENCY APPLY FEE          | 16,237,205.11     | 15,640,789.75    | 15,366,554.22    | 20,698.08        | 15,387,252.30    |
| Z2130       | LOW INCOME HOUSING CREDIT MONITORING           | -                 | -                | -                | -                | -                |
| Z2134       | RESTITUTION ACCOUNT                            | -                 | -                | -                | -                | -                |
| Z2135       | EPC-CORPORATION ADMINISTRATION                 | -                 | -                | -                | -                | -                |
| Z2144       | MONTROSE VETERAN'S HOME                        | 247,742.54        | 335,954.14       | 358,141.87       | (308,929.45)     | 48,212.42        |
| Z2151       | DEFERRED COMPENSATION ADMIN                    | -                 | -                | -                | -                | -                |
| Z2158       | RENT REVENUE OTHER - NYC                       | -                 | -                | -                | -                | -                |
| Z2168       | TRANSPORTATION AVIATION ACCOUNT                | -                 | -                | -                | -                | -                |
| Z2168       | TAX REVENUE ARREARAGE ACCOUNT                  | -                 | -                | -                | -                | -                |
| Z2211       | NEW YORK STATE CAMPAIGN FINANCE FUND ACCOUNT   | 3,280,331.78      | 2,546,055.35     | 2,606,115.65     | 144,984.20       | 2,751,069.85     |
| Z2240       | BFS MEDICAL INDEMNITY FUND ACCOUNT             | -                 | -                | -                | -                | -                |
| Z2246       | BEHAVORAL HEALTH PARTNERS COMPLIANCE FUND      | -                 | -                | 51,312.82        | 98,280.80        | 148,963.62       |
| Z2285       | FRANCHISEE MANAGER REGULATORY FUND             | -                 | 21,162,907.15    | 21,246,251.88    | 84,858.92        | 21,331,110.60    |
| Z2384       | S.U. INCUMBENT REV. FIFTEEN                    | 21,080,501.82     | -                | -                | -                | -                |
| Z2751       | STATE POLICE MARKET FUND                       | -                 | -                | -                | -                | -                |
| Z2802       | STATE POLICE EMPLOYEE                          | -                 | -                | -                | -                | -                |
| Z3001       | DOT HIGHWAY SAFETY FUND                        | 21,707,189.10     | 22,217,647.52    | 22,543,695.01    | 331,926.22       | 22,875,621.23    |
| Z3102       | NYC CONDOMINIUM WATER PROGRAM                  | 23,683,861.53     | 28,771,205.11    | 32,566,789.42    | 2,118,216.50     | 34,685,005.92    |
| Z3101       | NYCD OPERATING FESF                            | -                 | -                | -                | -                | -                |
| Z3101       | COMMERCIAL GAMING REVENUE ACCOUNT              | 25,784,241.51     | 26,288,138.65    | 26,214,417.15    | 525,103.37       | 26,739,520.52    |
| Z3202       | HIGHWAY USE AND MAINT.                         | -                 | -                | -                | -                | -                |
| Z3301       | NYC SECURE CHOICE ADMIN                        | 315,723.06        | 373,213.95       | 380,108.68       | 83,372.30        | 463,480.88       |
| Z3809       | NEW YORK STATE ANALYSIS REVENUE FUND           | 6,686,235.41      | 12,851,237.51    | 13,046,728.88    | 3,871,341.71     | 16,920,069.59    |
| Z4000       | FANTASY SPORTS ADMINISTRATION                  | 30,789.15         | 46,602.65        | 48,556.23        | -                | 48,556.25        |
| Z4651       | MOBILE SPORTS WAGERING FUND                    | -                 | -                | -                | -                | -                |
| Z4655       | TOTAL STATE SPECIAL REVENUE FUNDS              | 989,857,238.13    | 463,580,881.90   | 526,748,798.21   | 41,014,679.24    | 567,731,475.46   |
| 25000-25086 | FEDERAL USDA FOOD AND NUTRITION SERVICES FUND  | 55,885,977.54     | 44,180,388.18    | 88,951,917.62    | (24,925,188.39)  | 65,025,749.23    |
| 25100-25169 | FEDERAL HEALTH AND HUMAN SERVICES FUND         | 2,468,082,514.22  | 2,058,529,885.23 | 306,852,783.62   | 1,845,873,384.31 | 2,152,726,147.93 |
| 25200-25249 | FEDERAL EDUCATION GRANTS FUND                  | 82,748,360.82     | 51,150,951.05    | 120,763,871.17   | (24,024,330.05)  | 96,738,941.12    |
| 25300-25689 | FEDERAL OPERATING GRANTS FUND                  | 589,531,274.62    | 489,849,878.14   | 467,921,062.23   | 14,568,310.94    | 502,508,372.77   |
| 31351       | MILITARY AND NAVAL AFFAIRS                     | 8,753,932.66      | 8,753,932.66     | -                | -                | -                |
| 31354       | DEPARTMENT OF TRANSPORTATION                   | 386,564,015.44    | 389,885,942.07   | 382,051,005.00   | (4,563,803.59)   | 377,487,201.07   |
| 31350-31449 | FEDERAL CAPITAL PROJECTS FUND (ALL OTHER)      | 108,281,357.53    | 102,203,442.31   | 113,017,248.36   | 4,994,949.36     | 117,962,197.72   |
| 25900-25949 | UNEMPLOYMENT INSURANCE ADMINISTRATION          | 35,285,165.46     | 38,619,805.91    | 46,871,688.71    | 14,019.53        | 46,885,868.04    |
| 25950       | FEDERAL UNEMPLOYMENT INS OCCUPATIONAL TRAINING | 508,351.50        | 520,646.50       | 431,659.50       | 25,219.00        | 456,878.50       |
| 26001-26049 | DOL EMPLOYMENT AND TRAINING GRANTS             | 7,438,108.98      | 1,923,429.75     | 13,022,343.05    | (4,535,222.81)   | 8,517,330.24     |
|             | TOTAL FEDERAL FUNDS                            | 3,673,274,677.77  | 3,172,198,969.30 | 3,560,683,938.28 | 1,807,426,357.36 | 3,368,110,246.62 |
| 60201       | AGENCY FUNDS                                   | -                 | -                | -                | 33,980,259.41    | 33,980,259.41    |
| 60301       | EMPLOYEES HEALTH INSURANCE ACCT                | -                 | -                | -                | 33,980,259.41    | 33,980,259.41    |
|             | MIMIS - STATE AND FEDERAL                      | -                 | -                | -                | -                | -                |
|             | TOTAL AGENCY FUNDS                             | -                 | -                | -                | 33,980,259.41    | 33,980,259.41    |
| 50318       | OGS CONVENTION CENTER ACCOUNT                  | 877,890.47        | 528,398.15       | 520,835.57       | 85,616.63        | 606,452.20       |
| 50327       | EMPIRE PLAZA GIFT SHOP                         | 416,374.96        | 330,927.71       | 316,301.60       | (2,357.75)       | 313,943.85       |
| 50051       | INTEREST ASSESSMENT ACCOUNT                    | -                 | -                | -                | -                | -                |
|             | TOTAL ENTERPRISE FUND                          | 1,294,235.43      | 859,313.86       | 837,137.17       | 83,268.88        | 920,396.05       |
| 55001       | INTERNAL SERVICE FUNDS                         | -                 | -                | -                | -                | -                |
| 55002       | CENTRALIZED SERVICES-FLEET MGMT                | -                 | -                | -                | -                | -                |
| 55003       | CENTRALIZED SERVICES-DATA PROCESSING           | -                 | -                | -                | -                | -                |
| 55004       | CENTRALIZED SERVICES-PRINTING                  | 577,560.71        | 251,790.68       | 282,214.18       | 56,290.80        | 340,505.08       |
| 55005       | CENTRALIZED SERVICES-REAL PROPERTY-LABOR       | 407,548.67        | 261,083.73       | 265,995.46       | (235,902.72)     | 30,092.74        |
| 55006       | CENTRALIZED SERVICES-DONATED FOODS             | -                 | -                | -                | -                | -                |
| 55007       | CENTRALIZED SERVICES-PERSONAL PROPERTY         | 116,383.73        | 54,280.12        | 56,603.62        | 2,340.22         | 58,943.84        |
| 55008       | CENTRALIZED SERVICES-CONSTRUCTION SERVICES     | 1,798,854.04      | 1,828,618.33     | 1,748,732.70     | 280,673.18       | 2,029,405.88     |
| 55009       | CENTRALIZED SERVICES-PASNY                     | 9,988,039.91      | -                | 3,301,446.50     | 1,138,712.21     | 4,440,157.71     |
| 55010       | CENTRALIZED SERVICES-ADMIN SUPPORT             | -                 | -                | -                | -                | -                |
| 55011       | CENTRALIZED SERVICES-DESIGN AND CONSTR         | 13,574,131.29     | 18,750,106.09    | 21,401,378.87    | 4,213,329.39     | 25,614,708.26    |
| 55012       | CENTRALIZED SERVICES-INSURANCE                 | 3,894,371.59      | 4,170,041.24     | 2,145,869.19     | 3,755,676.42     | 2,521,445.61     |
| 55013       | CENTRALIZED SERVICES-SECURITY CARD ACCESS      | 240,114.83        | 219,253.98       | 202,898.98       | (6,792.00)       | 194,136.98       |
| 55014       | CENTRALIZED SERVICES-COPS                      | -                 | -                | -                | -                | -                |
| 55015       | CENTRALIZED SERVICES-FOOD SERVICES             | -                 | -                | -                | -                | -                |
| 55016       | CENTRALIZED SERVICES-HOMER FOLKS               | -                 | -                | -                | -                | -                |
| 55017       | CENTRALIZED SERVICES-IMMICS                    | 509,264.32        | 295,685.81       | 341,633.32       | 27,264.20        | 613,287.52       |
| 55018       | DOWNSTATE WAREHOUSE                            | -                 | 353,968.99       | 168,024.06       | 40,284.96        | 209,309.04       |
| 55018       | BUILDING ADMINISTRATION                        | -                 | -                | -                | -                | -                |

APPENDIX F

STATE OF NEW YORK  
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(\*)

| SFS Fund   | ACCOUNT TITLE                                    | February 28, 2023          | March 31, 2023             | April 30, 2023             | Change                     | May 31, 2023               |
|--|--|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| 56019  | LEASE SPACE INITIATIVE                           |                            |                            |                            |                            |                            |
| 56020  | OCS ENTERPRISE CONTRACTING ACCT                  | 20,145,589.67              | 19,775,480.28              | 17,140,758.85              | (1,371,198.69)             | 15,769,560.16              |
| 56021  | NYS MEDIA CENTER                                 | 8,315,560.12               | 7,373,592.15               | 7,525,552.93               | 428,270.03                 | 7,954,822.96               |
| 56022  | BUSINESS SERVICES CENTER                         | 25,622,018.23              | 22,599,178.23              | 23,926,239.27              | 2,322,350.95               | 5,246,369.92               |
| 56023  | ARCHIVES RECORD MGMT I.S.                        | 22,599,178.23              | 128,031.22                 | 221,132.35                 | 187,926.74                 | 409,259.09                 |
| 56053  | FEDERAL SINGLE AUDIT                             |                            |                            |                            |                            |                            |
| 56055  | CIVIL SERVICE ADMINISTRATION ACCOUNT             | 1,460,445.40               |                            |                            |                            |                            |
| 56056  | CIVIL SERVICE EHS OCCUP HEALTH PROG              |                            |                            |                            |                            |                            |
| 56057  | BANKING SERVICES ACCOUNT                         | 2,627,746.42               |                            | 1,459,470.58               | (1,445,675.03)             | 13,795.55                  |
| 56058  | CULTURAL RESOURCE SURVEY                         | 4,985,632.57               | 5,331,714.65               | 5,471,164.16               | 321,023.74                 | 5,792,207.90               |
| 56059  | NEIGHBOR WORK PROJECT                            | 10,669,670.39              | 10,662,477.40              | 10,449,037.36              | 1,163,322.95               | 11,642,360.33              |
| 56060  | AUTOMATIC PRINT CHARGEBACKS                      | 1,367,819.45               | 133,940.15                 | 743,313.22                 | 1,757,167.48               | 2,500,500.70               |
| 56061  | OPT NNT ACCT                                     |                            |                            |                            |                            |                            |
| 56062  | DATA CENTER ACCOUNT                              | 25,939,876.88              | 14,546,649.12              | 14,546,648.12              | (522,174.60)               | 14,024,373.52              |
| 56066  | CYBER SECURITY INTRUSION ACCT                    | 1,261,584.27               | 1,261,584.27               | 1,261,584.27               |                            | 1,261,584.27               |
| 56067  | COMESTIC COLENCE GRANT                           | 238,971.20                 | 282,428.60                 | 326,919.64                 | 33,878.14                  | 360,897.96                 |
| 56069  | CENTRALIZED TECHNOLOGI SERVICES                  | 44,232,782.62              | 28,404,657.65              | 28,404,657.65              | (828,169.42)               | 27,576,488.21              |
| 56071  | LABOR CONTACT CENTER ACCT                        | 616,580.95                 | 180,606.69                 | 328,381.53                 | 351,948.39                 | 679,329.92                 |
| 56072  | HUMAN SERVICES CONTACT CNTR ACCT                 | 1,100,490.09               | 2,440,951.77               | 2,770,382.76               | 2,338,796.27               | 5,110,169.03               |
| 56073  | TAX COLLECTOR CENTER ACCT                        |                            |                            |                            |                            |                            |
| 56074  | CIVIL SERVICES ACCOUNT                           |                            |                            |                            |                            |                            |
| 56075  | EXECUTIVE DIRECTOR INTERNAL AUDIT                | 9,520,951.03               | 6,384,085.76               | 6,511,178.25               | 304,293.06                 | 6,815,461.31               |
| 56076  | COMPUTER NETWORK TECHNOLOGY CENTRALIZED SERVICES | 48,729,013.64              | 42,987,330.69              | 44,923,254.40              | 3,863,853.18               | 48,507,269.58              |
| 56252  | HEALTH SURVIVANCE FEDERAL SERVICE                | 8,682,823.38               | 233,730.17                 | 779,688.21                 | 1,245,974.18               | 2,025,662.39               |
| 56300  | CIVIL SERVICE EMPLOYEE BENEFITS DIV ADM          | 38,654,973.39              |                            | 885,338.30                 | 2,718,797.16               | 3,844,872.84               |
| 56301  | CORR INDUSTRIES INTERNAL SERVICE                 |                            |                            |                            |                            |                            |
| 56350  | TOTAL INTERNAL SERVICE FUNDS                     | 285,221,632.08             | 138,116,516.89             | 176,337,686.34             | 13,260,330.49              | 195,598,026.83             |
| <b>GRAND TOTAL - TEMPORARY LOANS OUTSTANDING</b> |  | <b>\$ 6,788,628,836.48</b> | <b>\$ 5,711,482,949.39</b> | <b>\$ 4,289,807,746.00</b> | <b>\$ 1,980,087,831.76</b> | <b>\$ 6,279,695,577.76</b> |

(\*) Temporary Loans are authorized pursuant to Subdivision 5 of Section 4 of the State Finance Law and Chapter 56, Part PP, Section 1, of the Laws of 2023-24. Such 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).

(\*\*\*\*) Temporary Loans are authorized pursuant to Subdivision 5 of Section 4 of the State Finance Law and Chapter 36, Part PFF, Section 1, of the Laws of 2022-23. Beginning in Fiscal Year 2024, Military and Naval Affairs Fund (31351) will be included as part of Federal Capital Projects Funds (All Other).

STATE OF NEW YORK  
 DEDICATED INFRASTRUCTURE INVESTMENT FUND(\*)  
 STATEMENT OF RECEIPTS AND DISBURSEMENTS  
 FISCAL YEAR 2023-2024

APPENDIX G

|   | 2023 | APRIL                | MAY                  | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | 2024 | JANUARY | FEBRUARY | MARCH | 2 Months Ended<br>May 31 2023 |
|---|------|----------------------|----------------------|------|------|--------|-----------|---------|----------|----------|------|---------|----------|-------|-------------------------------|
| <b>OPENING CASH BALANCE</b>                             |      |                      |                      |      |      |        |           |         |          |          |      |         |          |       |                               |
| <b>RECEIPTS:</b>  |      |                      |                      |      |      |        |           |         |          |          |      |         |          |       |                               |
| Transfers from General Fund (**)                        | \$   | 38,968,871           | \$ 78,341,297        |      |      |        |           |         |          |          |      |         |          |       | \$ 38,968,871                 |
| Other   |      | 80,000,000           | -                    |      |      |        |           |         |          |          |      |         |          |       | 80,000,000                    |
| <b>Total Receipts</b>                                   |      | <b>80,000,000</b>    |                      |      |      |        |           |         |          |          |      |         |          |       | <b>80,000,000</b>             |
| <b>DISBURSEMENTS:</b>                                   |      |                      |                      |      |      |        |           |         |          |          |      |         |          |       |                               |
| Affordable and Homeless Housing                         |      | 237,597              | 139,657              |      |      |        |           |         |          |          |      |         |          |       | 377,654                       |
| Broadband Initiative                                    |      | 14,183,473           | 3,229,460            |      |      |        |           |         |          |          |      |         |          |       | 17,413,933                    |
| Downtown Revitalization                                 |      | -                    | 250,000              |      |      |        |           |         |          |          |      |         |          |       | 250,000                       |
| Empire State Poverty Reduction Initiatives              |      | -                    | -                    |      |      |        |           |         |          |          |      |         |          |       | -                             |
| Health Care / Hospital Initiatives                      |      | -                    | -                    |      |      |        |           |         |          |          |      |         |          |       | -                             |
| Infrastructure Improvements                             |      | -                    | -                    |      |      |        |           |         |          |          |      |         |          |       | -                             |
| Municipal Infrastructure / Consolidation Competition    |      | 888,453              | 7,060                |      |      |        |           |         |          |          |      |         |          |       | 895,513                       |
| Municipal Restructuring / Consolidation Competition     |      | -                    | (1,600,602)          |      |      |        |           |         |          |          |      |         |          |       | (1,600,602)                   |
| Resiliency, Mitigation, Security and Emergency Response |      | 12,785               | 121,751              |      |      |        |           |         |          |          |      |         |          |       | 134,536                       |
| Southern Tier / Hudson Valley Farm Initiative           |      | 1,728,541            | 7,893,611            |      |      |        |           |         |          |          |      |         |          |       | 9,622,152                     |
| Transformative Economic Development Projects            |      | 23,576,325           | 2,364,429            |      |      |        |           |         |          |          |      |         |          |       | 25,940,754                    |
| Upstate Revitalization Program                          |      | -                    | -                    |      |      |        |           |         |          |          |      |         |          |       | -                             |
| <b>Total Disbursements</b>                              |      | <b>40,627,574</b>    | <b>12,405,366</b>    |      |      |        |           |         |          |          |      |         |          |       | <b>53,032,940</b>             |
| <b>OPERATING TRANSFERS:</b>                             |      |                      |                      |      |      |        |           |         |          |          |      |         |          |       |                               |
| Transfers to General Fund                               |      | -                    | -                    |      |      |        |           |         |          |          |      |         |          |       | -                             |
| <b>Total Operating Transfers</b>                        |      | <b>-</b>             | <b>-</b>             |      |      |        |           |         |          |          |      |         |          |       | <b>-</b>                      |
| <b>Total Disbursements and Transfers</b>                |      | <b>40,627,574</b>    | <b>12,405,366</b>    |      |      |        |           |         |          |          |      |         |          |       | <b>53,032,940</b>             |
| <b>CLOSING CASH BALANCE</b>                             |      | <b>\$ 78,341,297</b> | <b>\$ 65,935,931</b> |      |      |        |           |         |          |          |      |         |          |       | <b>\$ 65,935,931</b>          |

(\*) Fund created pursuant to Chapter 60, Laws of 2015-16, Part H and SFL § 83-b  
 (\*\*) Pursuant to Section 93(b) of the State Finance Law

STATE OF NEW YORK  
 MEDICAL ASSISTANCE DISBURSEMENTS - STATE FUNDS (\*)  
 FISCAL YEAR 2023-2024

APPENDIX H

|   | MAY 2023                   |                         |                            | 2 MONTHS ENDED MAY 31      |                         |                            | Year to Date |
|---|----------------------------|-------------------------|----------------------------|----------------------------|-------------------------|----------------------------|--------------|
|   | Department of Health       | Other State Agencies    | May                        | Department of Health       | Other State Agencies    |                            |              |
| Adult State Share/Medicaid  | \$ -                       | \$ -                    | \$ 981,029.71              | \$ -                       | \$ -                    | \$ 2,161,297.42            | 2,161,297.42 |
| State Share/Medicaid  | -                          | -                       | -                          | -                          | -                       | -                          | -            |
| Medical Assistance (OPWDD)  | -                          | -                       | -                          | -                          | -                       | -                          | -            |
| Medical Assistance Administration   | 10,914,625.12              | 56,085,427.00           | 67,000,052.12              | 21,408,969.69              | 56,085,427.00           | 77,494,396.69              |              |
| Traumatic Brain Injury Services   | 1,913,404.77               | -                       | 1,913,404.77               | 1,972,606.42               | -                       | 1,972,606.42               |              |
| Nursing Home Transition & Diversion   | 54,852.19                  | -                       | 54,852.19                  | 54,852.19                  | -                       | 54,852.19                  |              |
| Reducing Maternal Mortality   | 47,310.49                  | -                       | 47,310.49                  | 47,310.49                  | -                       | 47,310.49                  |              |
| New York Connects   | -                          | 625,836.23              | 625,836.23                 | -                          | 804,418.37              | 804,418.37                 |              |
| Vital Access Provider Services  | -                          | -                       | -                          | -                          | -                       | -                          |              |
| Facilitated Enrollment  | 398,734.04                 | -                       | 398,734.04                 | 398,734.04                 | -                       | 398,734.04                 |              |
| Managed Long-Term Care Ombudsman  | 543,651.04                 | -                       | 543,651.04                 | 543,651.04                 | -                       | 543,651.04                 |              |
| General Hospitals Safety-Net Providers  | 194,944,753.23             | -                       | 194,944,753.23             | 261,942,485.00             | -                       | 261,942,485.00             |              |
| AIDS Epidemic   | 649,296.49                 | -                       | 649,296.49                 | 980,524.41                 | -                       | 980,524.41                 |              |
| Expanding Caregiver Support Services  | 2,420,005.34               | -                       | 2,420,005.34               | 2,642,125.89               | -                       | 2,642,125.89               |              |
| Provide Affordable Housing  | 2,590,201.12               | 543,931.96              | 3,134,133.08               | 2,619,794.85               | 906,729.30              | 3,526,524.15               |              |
| Community Provider Network  | -                          | -                       | -                          | 154,500.00                 | -                       | 154,500.00                 |              |
| Inpatient Services  | 104,987,138.97             | -                       | 104,987,138.97             | 158,357,931.99             | -                       | 158,357,931.99             |              |
| Patient Centered Medical Homes  | -                          | -                       | -                          | 117,475,516.97             | -                       | 117,475,516.97             |              |
| Outpatient & Emergency Room Services  | 18,977,900.59              | -                       | 18,977,900.59              | 30,923,525.31              | -                       | 30,923,525.31              |              |
| Clinic Services   | 31,385,154.73              | -                       | 31,385,154.73              | 48,222,899.29              | -                       | 48,222,899.29              |              |
| Nursing Home Services   | 117,693,793.97             | -                       | 117,693,793.97             | 202,687,194.39             | -                       | 202,687,194.39             |              |
| Other Long Term Care Services   | 589,976,926.19             | -                       | 589,976,926.19             | 2,335,101,205.72           | -                       | 2,335,101,205.72           |              |
| Managed Care Services   | 1,408,269,084.19           | -                       | 1,408,269,084.19           | 2,178,922,948.01           | -                       | 2,178,922,948.01           |              |
| Pharmacy Services   | 168,404,270.34             | -                       | 168,404,270.34             | 203,770,057.82             | -                       | 203,770,057.82             |              |
| Transportation Services   | 16,282,045.28              | -                       | 16,282,045.28              | 27,042,821.57              | -                       | 27,042,821.57              |              |
| Dental Services   | 497,073.68                 | -                       | 497,073.68                 | 688,072.78                 | -                       | 688,072.78                 |              |
| Non-institutional & Other   | 82,210,535.02              | 412,177.00              | 82,622,712.02              | 633,679,454.33             | 614,264.00              | 634,293,718.33             |              |
| Medical Services State Facilities   | 156,350,021.35             | -                       | 156,350,021.35             | 244,097,538.25             | -                       | 244,097,538.25             |              |
| CSEA Family Health Plus Buy In  | 186,180.00                 | -                       | 186,180.00                 | 186,180.00                 | -                       | 186,180.00                 |              |
| Medical Assistance (HCRA)   | 350,000,000.00             | -                       | 350,000,000.00             | 650,000,000.00             | -                       | 650,000,000.00             |              |
| Personal Care Workforce Recruitment and Retention   | -                          | -                       | -                          | -                          | -                       | -                          |              |
| Healthcare Worker Bonuses   | 28,399,146.50              | -                       | 28,399,146.50              | 28,399,146.50              | -                       | 28,399,146.50              |              |
| Home Health Rate Increase   | -                          | -                       | -                          | -                          | -                       | -                          |              |
| DC37 & Teamster Local 858   | -                          | -                       | -                          | -                          | -                       | -                          |              |
| Indigent Care   | 48,316,795.41              | -                       | 48,316,795.41              | 96,488,477.44              | -                       | 96,488,477.44              |              |
| Provider Assessments  | 75,000,000.00              | -                       | 75,000,000.00              | 150,000,000.00             | -                       | 150,000,000.00             |              |
| Additional DSH Payments SUNY  | 233,793,701.98             | -                       | 233,793,701.98             | 233,793,701.98             | -                       | 233,793,701.98             |              |
| <b>TOTAL (*)</b>  | <b>3,645,206,602.03</b>    | <b>58,648,401.90</b>    | <b>3,703,855,003.93</b>    | <b>7,632,602,226.37</b>    | <b>60,572,136.09</b>    | <b>7,693,174,362.46</b>    |              |
| Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers. | (404,011,308.66)           | -                       | (404,011,308.66)           | (495,846,990.05)           | -                       | (495,846,990.05)           |              |
| <b>TOTAL REPORTED MEDICAID</b>  | <b>\$ 3,241,195,293.37</b> | <b>\$ 58,648,401.90</b> | <b>\$ 3,299,843,695.27</b> | <b>\$ 7,136,755,236.32</b> | <b>\$ 60,572,136.09</b> | <b>\$ 7,197,327,372.41</b> |              |

(\*) 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.  
 (\*) Source: Statewide Financial System



APPENDIX I

STATE OF NEW YORK  
 MEDICAL ASSISTANCE DISBURSEMENTS - FEDERAL FUNDS<sup>(\*)</sup>  
 FISCAL YEAR 2023-2024

|   | MAY 2023                   |                         |                            |                         | 2 MONTHS ENDED MAY 31       |                         |                             |              |
|---|----------------------------|-------------------------|----------------------------|-------------------------|-----------------------------|-------------------------|-----------------------------|--------------|
|   | Department of Health       |                         | Other State Agencies       |                         | Department of Health        |                         | Other State Agencies        |              |
|   | May                        | Year to Date            | May                        | Year to Date            | May                         | Year to Date            | May                         | Year to Date |
| Medical Assistance & Survey/Certification Program   | \$ 15,108,092.96           | \$ -                    | \$ 15,108,092.96           | \$ -                    | \$ 25,671,603.51            | \$ -                    | \$ 25,671,603.51            |              |
| Medical Assistance Administration   | 64,159.50                  | 43,441,053.00           | 43,505,212.50              | 78,725.00               | 78,725.00                   | 43,441,053.00           | 43,519,778.00               |              |
| American Rescue Plan Act  | -                          | -                       | -                          | -                       | -                           | -                       | -                           |              |
| Inpatient Services  | 296,096,901.10             | -                       | 296,096,901.10             | -                       | 559,244,984.56              | -                       | 559,244,984.56              |              |
| Outpatient & Emergency Room Services  | 46,249,373.05              | -                       | 46,249,373.05              | -                       | 78,168,157.53               | -                       | 78,168,157.53               |              |
| Clinic Services   | 90,705,080.95              | -                       | 90,705,080.95              | -                       | 146,131,091.33              | -                       | 146,131,091.33              |              |
| Nursing Home Services   | 186,223,147.44             | -                       | 186,223,147.44             | -                       | 314,419,604.19              | -                       | 314,419,604.19              |              |
| Other Long Term Care Services   | 1,742,930,296.60           | -                       | 1,742,930,296.60           | -                       | 3,377,512,001.93            | -                       | 3,377,512,001.93            |              |
| Managed Care Services   | 3,890,823,571.78           | -                       | 3,890,823,571.78           | -                       | 5,894,367,585.31            | -                       | 5,894,367,585.31            |              |
| Pharmacy Services   | 680,668,257.95             | -                       | 680,668,257.95             | -                       | 805,389,289.45              | -                       | 805,389,289.45              |              |
| Transportation Services   | 69,372,968.78              | -                       | 69,372,968.78              | -                       | 127,375,939.26              | -                       | 127,375,939.26              |              |
| Dental Services   | 451,147.03                 | -                       | 451,147.03                 | -                       | 999,821.11                  | -                       | 999,821.11                  |              |
| Non-institutional & Other   | 173,172,994.18             | 5,768,879.00            | 178,941,873.18             | 5,768,879.00            | 52,736,649.14               | 5,768,879.00            | 58,505,528.14               |              |
| Medical Services State Facilities   | 333,078,226.40             | -                       | 333,078,226.40             | -                       | 408,703,226.41              | -                       | 408,703,226.41              |              |
| Additional DSH Payments SUNY  | 285,747,858.02             | -                       | 285,747,858.02             | -                       | 285,747,858.02              | -                       | 285,747,858.02              |              |
| <b>TOTAL <sup>(**)</sup></b>  | <b>7,810,692,075.74</b>    | <b>49,209,932.00</b>    | <b>7,859,902,007.74</b>    | <b>49,209,932.00</b>    | <b>12,076,546,536.75</b>    | <b>49,209,932.00</b>    | <b>12,125,756,468.75</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. | (384,362,706.01)           | -                       | (384,362,706.01)           | -                       | (483,382,736.75)            | -                       | (483,382,736.75)            |              |
| <b>TOTAL REPORTED MEDICAID <sup>(***)</sup></b>   | <b>\$ 7,426,329,369.73</b> | <b>\$ 49,209,932.00</b> | <b>\$ 7,475,539,301.73</b> | <b>\$ 49,209,932.00</b> | <b>\$ 11,593,163,800.00</b> | <b>\$ 49,209,932.00</b> | <b>\$ 11,642,373,732.00</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.

