
NEW YORK STATE
REGISTER

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

State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA §102(2)(a)(ii); or for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on Sunday, February 27, 2005
- the 45-day period expires on Saturday, February 12, 2005
- the 30-day period expires on Friday, January 28, 2005

company would dismantle or otherwise remove several large bunker silos on the Catskill waterfront and a large, deteriorated hopper at the Hudson dock would be dismantled and removed.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., **30 days from the date of publication of this notice, or January 21, 2005**. Interested parties who have already submitted comments are advised that those comments will be included in the Department's review of the proposed activities.

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Office of Temporary and Disability Assistance
Office of Legal Affairs
Office of Administrative Hearings
Administrative Adjudication Report

Pursuant to Executive Order No. 131 issued by Governor Mario Cuomo on December 4, 1989, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the Order. The report for the period ending November 30, 1990, detailed the initial steps taken to comply with the Order, including changes in organizational structure, Office regulations and practices, and in hearing procedures. Those provisions remain in effect.

The Order (Section V) requires that the report include "statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination." The following statistics on Article 78 proceedings are from the period commencing December 1, 2002 through November 30, 2004.

Cases opened:	135
Cases closed:	208
The closed cases resulted in the following outcomes:	
Stipulation of settlement:	60
Decisions favorable to the Office:	96
Withdrawn or abandoned by the petitioner:	30
Decisions adverse to the Office:	22
Reasons for adverse decisions:	
Mistake of law as applied to facts:	11
Record deficient:	11