

Notice of Continuation

Department of Taxation and Finance
(SUBMITTING AGENCY)

TEXT ATTACHMENT SUBMITTED ELECTRONICALLY YES NO

NOTE: Typing and submission instructions are at the end of this form. Please be sure to COMPLETE ALL ITEMS. Incomplete forms and non-scannable text attachments will be cause for rejection of this notice.

-
1. I.D. number of proposed rule making: TAF-38-03-00017-P
 2. Date notice of proposed rule making was published in the State Register: September 24, 2003
 3. Subject of rule (as published in the original Register notice): Sales on Indian reservations.
 4. Purpose of rule (as published in the original Register notice): To implement the collection of excise taxes and sales and compensating use taxes on retail sales made to non-Indians on New York State Indian reservations, pursuant to L. 2003, chs. 62 (part T3) and 63 (part Z).

5. Public hearings (check box and complete as applicable):
 - A public hearing is required by law and is scheduled below.
 - A public hearing is not required by law, but is scheduled below.
 - A public hearing is not scheduled. (SKIP TO ITEM 8)

Date:

Time:

Location:

_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Interpreter services (check only if a public hearing is scheduled):
 - Interpreter services will be made available to hearing impaired persons, at no charge, upon written request to the agency contact designated in this notice.
7. Accessibility (check appropriate box only if a public hearing is scheduled):
 - All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.
 - Attached is a list of public hearing locations that are **not** reasonably accessible to persons with a mobility impairment. An optional explanation is submitted regarding the nonaccessibility of one or more hearing sites.

8. Substance (in scannable format, attach a description of the substance of the rule): The proposed rule would amend the cigarette tax regulations, the tobacco products tax regulations, the motor fuel and diesel motor fuel tax regulations, the petroleum business tax regulations, and the sales and use tax regulations to implement the collection of excise taxes and sales and compensating use taxes on retail sales made to non-Indians on New York State Indian reservations, pursuant to L. 2003, chs. 62 (part T3) and 63 (part Z).

9. *Changes to rule* (in scannable format, attach a description of any changes that have been made to the proposed rule, including a reference to the appropriate *Register* issue (date) if a notice of revised rule making for this rule has been published):

At this time, no changes have been made to the rule as originally proposed.

10. *The text of the rule and any required statements and analyses may be obtained from:*

Agency contact Diane M. Ohanian, Tax Regulations Specialist 4

Office address Department of Taxation and Finance

Building 9, W.A. Harriman Campus

Albany, NY 12227

Telephone (518) 457-2254 *E-mail* _____

11. *Submit data, views or arguments to* (complete only if different than previously named agency contact):

Agency contact Marilyn M. Kaltenborn, Director, Technical Services Division

Office address Department of Taxation and Finance

Building 9, W. A. Harriman Campus Albany, NY 12227

Telephone (518) 457-1153 *E-mail* _____

AGENCY CERTIFICATION (To be completed by the person who PREPARED the notice)

I have reviewed this form and the information submitted with it. The information contained in this notice is correct to the best of my knowledge.

I have reviewed Article 2 of SAPA and Parts 260 through 263 of 19 NYCRR, and I hereby certify that this notice complies with all applicable provisions.

Name Patricia M. Bouchard *Signature* _____

Address Department of Taxation and Finance, Building. 9, W.A. Harriman Campus, Albany, NY 12227

Telephone (518) 485-6066 *E-mail* patricia_bouchard@tax.state.ny.us

Date February 11, 2004

Please read before submitting this notice:

1. Except for this form itself, all text must be typed in the prescribed format as described in the Department of State's Rule Making Procedures Manual.
2. **Collate the original notice and attachments** as: (1) form; (2) summary of rule; and, **if any**, (3) summary of changes to the rule. Submit the originals, as collated **and ONE copy of that collated set.**
3. **Mail or hand deliver notice to:** Department of State, Division of Administrative Rules, 41 State Street, Suite 330, Albany, NY 12231-0001.