

EXECUTIVE ORDERS

Executive Order No. 113.92: Continuing the Suspension of Certain Provisions of Law.

WHEREAS, on September 11, 2001, I issued Executive Order No. 113 declaring a disaster emergency in the State of New York;

WHEREAS, Executive Law §29-a authorizes the suspension, alteration and modification of statutes, local laws, ordinances, orders, rules or regulations, or parts thereof, if compliance with such provisions would prevent, hinder or delay action necessary to cope with a disaster emergency;

WHEREAS, beginning on September 11, 2001 and continuing, I issued a series of Executive Orders to help victims and their families, expedite rescue and recovery efforts and assist state agencies and local governments in responding to the disaster caused by the attack on World Trade Center;

WHEREAS, Executive Law §29-a provides that no suspension shall be made for a period in excess of thirty days, provided however, that upon reconsideration of all the relevant facts and circumstances, the suspension may be extended for additional periods not to exceed thirty days each;

NOW, THEREFORE, I GEORGE E. PATAKI, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby order that the suspension, alteration or modification of provisions of law ordered by Executive Order Nos. 113.5, 113.30, 113.31, 113.36-A as modified by Executive Order Nos. 113.51, and 113.45 shall continue through January 23, 2005.

FURTHER, I do hereby order that the suspension, alteration or modification of Sections 2401 and 2402 of the Surrogate's Court Procedure Act, as ordered by the fourth paragraph of Executive Order No. 113.24, dated September 24, 2001, shall continue through January 23, 2005.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this twenty-fourth day of December in the year two thousand four.

BY THE GOVERNOR

/S/ George E. Pataki

/s/ John C. Cahill

Secretary to the Governor

Executive Order No. 134: Directing State Agencies to Reduce the Environmental Impact of Cleaning of State Facilities.

WHEREAS, cleaning products are necessary for creating and maintaining sanitary conditions in State facilities and workplaces;

WHEREAS, chemicals contained in cleaning products can be released to the environment during normal use by evaporation of volatile components or by leaving residue on cleaned surfaces;

WHEREAS, choosing less hazardous cleaning products for use in our workplaces and our facilities and taking steps to reduce exposure

can minimize harmful impacts to office and custodial workers, improve indoor air quality and reduce water and ambient air pollution;

WHEREAS, the purchasing and appropriate use of products that perform well and that have positive environmental attributes such as biodegradability, low toxicity, low volatile organic compound content, reduced packaging, and low life cycle energy use can reduce the environmental impact of routine cleaning activities while also ensuring cleaning effectiveness;

WHEREAS, assessment and adoption of practices to select, procure and use environmentally preferred products will benefit the environment and the health and safety of workers and occupants of and visitors to state facilities;

NOW, THEREFORE, I, GEORGE E. PATAKI, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby direct as follows:

I. Scope

This Executive Order applies to all State agencies, departments and public benefit corporations and public authorities the heads of which are appointed by the Governor (hereinafter referred to as "State Agencies").

II. Directive

All State Agencies shall procure and use cleaning products having properties that minimize potential impacts to human health and the environment consistent with maintenance of the effectiveness of these products for the protection of public health and safety. The Commissioner of the Office of General Services (OGS), in consultation with the Commissioner of the Department of Health (DOH) and the Commissioner of the Department of Environmental Conservation (DEC), shall provide consultation and guidance to State Agencies to: (i) select and procure products and use practices that reduce or minimize the risks of harmful effects to employees, custodial workers, visitors and other building occupants and to the environment; (ii) promote adoption of practices endorsed by this Order; (iii) recognize State Agencies that adopt and implement environmentally beneficial facility and workplace management policies and practices; (iv) encourage contractors supplying goods and services to State Agencies to select and procure such products; and (v) encourage lessors and building managers who provide leased space to State Agencies to select and procure such products.

III. Procurement Decisions with Respect to Cleaning Products

When procuring cleaning products, State Agencies shall purchase environmentally preferred products or document the reasons for selecting alternative products. Such products shall conform to guidance for environmentally preferred purchasing of cleaning products that may be provided pursuant to Section II above, or shall be products that have been identified by OGS as compliant with this order and made available through a central purchasing contract.

IV. Delegation

Each State Agency shall assign an individual within such agency who shall:

- (i) assess current facility management practices and use of cleaning products;
- (ii) evaluate whether these products conform to Section III above;
- (iii) identify and procure conforming cleaning products;
- (iv) document the reasons for selecting products that do not conform to Section III above and include these reasons in the report required by Section V below.

V. Reporting

Within one year of the effective date hereof, the chief executive of each State Agency shall prepare or cause to be prepared an assessment, which shall be retained as a document available to employees and the general public, of the efforts undertaken by such State Agency to comply with this Order. This document shall be reviewed and updated biennially.

VI. Participation of other governmental entities

Local governments and school districts that are not subject to the requirements of this Executive Order are encouraged to review their purchasing and use of cleaning products and select those having properties that minimize potential impacts to human health and the environment. OGS is hereby directed to offer any assistance as may be appropriate to assist local governments and school districts to achieve the goals of this Order, including, but not limited to, assistance with procurement.

VII. Effective Date

This Order shall be effective immediately, provided, however, that State Agencies shall transition to cleaning products having properties that minimize potential impacts to human health and the environment within the next six months in a manner that avoids waste of existing inventories, accommodates establishment of supply chains for new products, enables the training of personnel in appropriate work practices, and allows the phase out of products and practices inconsistent herewith.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this fifth day of January in the year two thousand five.

BY THE GOVERNOR
/S/ George E. Pataki
/s/ John C. Cahill
Secretary to the Governor