

EXECUTIVE ORDERS

Executive Order No. 130: Declaring a Disaster in the State of New York.

WHEREAS, beginning on August 14, 2003, a system-wide disruption of the statewide power system occurred across New York State, including New York City, Long Island and Upstate, and has caused countless numbers of New Yorkers, communities and businesses across the State to lose electrical power;

WHEREAS, this system-wide disruption has resulted in the loss of power to numerous other states in the region, including Connecticut, Michigan, New Jersey, Ohio and Vermont, as well as the province of Ontario in Canada;

WHEREAS, this event has resulted in personal hardships, hampered the movement of medical and emergency personnel, stranded travelers, and continues to pose a threat to the public health and safety;

NOW, THEREFORE, I, GEORGE E. PATAKI, Governor of the State of New York, do hereby find that a disaster has occurred for which the affected local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution and the Laws of the State of New York, including Section 28 of Article 2-B of the Executive Law, I hereby declare a State Disaster Emergency effective August 14, 2003 within the territorial boundaries of the State of New York;

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Disaster Preparedness Plan and authorize, effective August 14, 2003 and continuing, the State Emergency Management Office, the Department of Transportation, the New York State Thruway Authority, the State Police, the Division of Military and Naval Affairs, the Department of Environmental Conservation, the Department of Health, the Office of Mental Health, the State Department of Correctional Services, the Public Service Commission, the Office of Fire Prevention and Control, the Department of Labor, the Office of Parks, Recreation and Historic Preservation and all other State agencies and authorities over which I exercise Executive authority to take appropriate action to protect state property and to assist those 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, I have designated Edward F. Jacoby, Jr., Director of the State Emergency Management Office (SEMO) as the State Coordinating Officer for this disaster.

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

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

Executive Order No. 130.1: Temporary Suspension of Provisions Relating to the Generation of Electricity.

WHEREAS, on August 14, 2003, I issued Executive Order Number 130 declaring a disaster emergency in the State of New York;

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 continue Executive Order No. 130, dated August 14, 2003, except that such Executive Order is amended to read as follows:

FURTHER, pursuant to the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend, for the period from the date of this Executive Order until further notice, the following law:

Subdivision 2 of section 160 of the Public Service Law, so far as it relates to the definition of "major electric generating facility," and subdivision 1 of section 162 of the Public Service Law so far as it relates to the certification of major electric generating facilities, until power is restored and there is no threat to system reliability in New York State, or until August 25, 2003, whichever occurs first, so long as the Chairman of the New York State Board on Electric Generation Siting and the Environment issues a declaratory ruling or rulings temporarily suspending conditions restricting the electrical output limitation previously imposed on such facilities.

Such declaration of disaster emergency shall remain in effect from the date hereof until further notice.

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

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

Executive Order No. 130.2: Finding of Emergency and Determination that Banking Organizations May, at Their Discretion, Close Certain of Their Places of Business Affected by the Emergency.

WHEREAS, on August 14, 2003, I issued Executive Order Number 130 declaring a disaster emergency in the State of New York;

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 continue Executive Order No. 130, dated August 14, 2003, except that such Executive Order is amended to read as follows:

FURTHER, pursuant to the provisions of Section 24-a of the General Construction Law, and by virtue of the authority vested in me by the Constitution and Laws of the State of New York, I find that an emergency exists and determine that banking organizations may, at their discretion, close certain of their places of business, except offices necessary for and capable of the processing of the transactional activities of the bank relating to its customers and other banking entities, affected by the emergency on Friday, August 15, 2003;

FURTHER, I do hereby encourage all bank offices or principal offices to continue to serve the public by conducting and performing operations and perform banking transactions for the convenience of their customers or relating to transactions between such banks and other banks or persons which have remained opened for business.

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

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

Executive Order No. 130.3: Temporary Suspension of Provisions Relating to the Date for Voters to File Voter Registration Forms in Order to Vote in the Primary Election.

WHEREAS, on August 14, 2003, I issued Executive Order Number 130 declaring a disaster emergency in the State of New York;

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 continue Executive Order No. 130, dated August 14, 2003, except that such Executive Order is amended to read as follows:

FURTHER, pursuant to the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend, for the period from the date of this Executive Order until further notice, the following law:

Subdivision 3 of section 5-210 of the Election Law, so far as it relates to the date that voter registration forms must be received by a county board of elections or postmarked prior to the next ensuing primary election; provided, however, that such date shall be extended until Monday, August 18, 2003 at 5:00 p.m.

Such declaration of disaster emergency shall remain in effect from the date hereof until further notice.

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

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