

EXECUTIVE ORDERS

Executive Order No. 113.119: 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 the 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 Orders Nos. 113.5 and 113.31 as modified by Executive Order Nos. 113.51 and 113.45, shall continue through November 11, 2006.

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 November 11, 2006.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this eleventh day of October in the year two thousand six.

BY THE GOVERNOR

/S/ George E. Pataki

/s/ John C. Cahill

Secretary to the Governor

Executive Order No. 146: Declaring a Disaster in Erie, Niagara and Orleans Counties and Contiguous Areas.

WHEREAS, beginning on October 12, 2006, and continuing thereafter, severe storms with heavy snow have disrupted vital public transportation, utility service, public health and public safety systems within Erie, Genesee, Niagara and Orleans Counties and contiguous area; and

WHEREAS, this event has resulted in personal hardships, caused widespread power outages, hampered the movement of medical personnel, stranded motorists and 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, by virtue of the authority vested in me by the Constitution and Laws 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 of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby declare a State Disaster Emergency, effective October 13, 2006, within the territorial boundaries of Erie, Genesee, Niagara and Orleans Counties and contiguous area; and

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 October 13, 2006, the State Emergency Management Office, the Department of Health, the Department of Transportation, the State Police, the Division of Military and Naval Affairs, the Department of Environmental Conservation, the State Department of Correctional Services, the Public Services Commission, the Office of Fire Prevention and Control, the Department of Labor, the Office of Parks, Recreation and Historic Preservation and other State agencies as necessary, 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, I have designated John R. Gibb, Director of the State Emergency Management Office (SEMO) as th State Coordinating Officer for this event.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this thirteenth day of October in the year two thousand six.

BY THE GOVERNOR

/S/ George E. Pataki

/s/ John C. Cahill

Secretary to the Governor

Executive Order No. 146.1: Extending the Period for Paying School District Taxes without Interest Levied on Real Property in Erie County due to a Disaster Emergency.

WHEREAS, beginning on October 12, 2006, and continuing thereafter, severe storms with heavy snow have disrupted vital public transportation, utility service, public health and public safety systems within Erie, Genesee, Niagara and Orleans Counties and contiguous

areas;
 WHEREAS, this event has resulted in personal hardships, caused widespread power outages, hampered the movement of medical personnel, stranded motorists and travelers, and continues to pose a threat to public health and safety;
 WHEREAS, by Executive Order Number 146, I declared a State Disaster Emergency in the affected counties and directed State agencies to respond as necessary to assist those affected counties in restoring public transportation systems and to provide such other assistance as necessary to protect the public health and safety;
 WHEREAS, by virtue of section 5-2.0 of the Erie County Tax Act, school district taxes levied upon real property located in Erie County for the 2006-2007 school year would normally be payable without interest only through October 15th, or as set forth in section 5-2.0, if such date falls on a Sunday, on the next business day succeeding such Sunday;
 WHEREAS, such taxes would normally be subject to interest if paid after that date;
 WHEREAS, section 925-a(2) of the Real Property Tax Law authorizes the Governor to issue an Executive Order during a State Disaster Emergency, extending the period for paying real property taxes without interest by up to seven days in a county, city, town, village or school district in the affected area, if the Chief Executive Officer of the county, city, town, village or school district requests such an extension;
 WHEREAS, a request for an extension for the payment of school district taxes levied upon real property located in Erie County for the 2006-2007 school year has been received from the Chief Executive Officer of Erie County; and
 WHEREAS, given the hardships continuing to face the people of Erie County as a result of the State Disaster Emergency, such an extension is warranted,
 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 the Laws of the State of New York, pursuant to section 925-a(2) of the Real Property Tax Law, do hereby extend by seven days, the period for paying school district taxes for the 2006-2007 school year without interest that are currently due in Erie County as of October 16, 2006, so that such taxes shall be payable without interest through October 23, 2006.
 FURTHER, by virtue of the same section 925-a(2) of the Real Property Tax Law, any taxes not paid by such date shall be subject to the same penalties and interest that would have applied if no such extension had been granted.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this sixteenth day of October in the year two thousand six.
 BY THE GOVERNOR
 /S/ George E. Pataki
 /s/ John C. Cahill
 Secretary to the Governor

Executive Order No. 146.2: Extending the Period for Paying School District Taxes Without Interest Levied on Real Property in the Lockport City School District Due to a Disaster Emergency.

WHEREAS, beginning on October 12, 2006, and continuing thereafter, severe storms with heavy snow have disrupted vital public transportation, utility service, public health and public safety systems within Erie, Genesee, Niagara and Orleans Counties and contiguous

areas;
 WHEREAS, this event has resulted in personal hardships, caused widespread power outages, hampered the movement of medical personnel, stranded motorists and travelers, and continues to pose a threat to public health and safety;
 WHEREAS, by Executive Order Number 146, I declared a State Disaster Emergency in the affected counties and directed State agencies to respond as necessary to assist those affected counties in restoring public transportation systems and to provide such other assistance as necessary to protect the public health and safety;
 WHEREAS, school district taxes for the 2006-2007 school year are currently due in the Lockport City School District which encompasses all or part of the City of Lockport, Town of Lockport, Town of Cambria and the Town of Pendleton, each within the County of Niagara;
 WHEREAS, by virtue of the application of section 1324 of the Real Property Tax Law, such Lockport City School District taxes would normally be payable without interest only through October 13, 2006;
 WHEREAS, such taxes would normally be subject to interest if paid after that date;
 WHEREAS, section 925-a(2) of the Real Property Tax Law authorizes the Governor to issue an Executive Order during a State Disaster Emergency, extending the period for paying real property taxes without interest by up to seven days in a county, city, town, village or school district in the affected area, if the Chief Executive Officer of the county, city, town, village or school district requests such an extension;
 WHEREAS, a request for an extension for the payment of school district taxes levied upon real property located in the Lockport City School District for the 2006-2007 school year has been received from the Chief Executive Officer of the Lockport City School District; and
 WHEREAS, given the hardships continuing to face the people of the Lockport City School District in Niagara County as a result of the State Disaster Emergency, such an extension is warranted,
 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 the Laws of the State of New York, pursuant to section 925-a(2) of the Real Property Tax Law, do hereby retroactively extend by seven days, the period for paying school district taxes for the 2006-2007 school year without interest that are currently due in the Lockport City School District in Niagara County as of October 13, 2006, so that such taxes shall be payable without interest through October 20, 2006.
 FURTHER, by virtue of the same section 925-a(2) of the Real Property Tax Law, any taxes not paid by such date shall be subject to the same penalties and interest that would have applied if no such extension had been granted.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this sixteenth day of October in the year two thousand six.
 BY THE GOVERNOR
 /S/ George E. Pataki
 /s/ John C. Cahill
 Secretary to the Governor