

EXECUTIVE ORDERS

Executive Order No. 29: Continuing the Suspension of Certain Provisions of Law.

WHEREAS, on August 25, 2011, I issued Executive Order Number 17 declaring a disaster emergency in the Counties of Bronx, Kings, New York, Queens, Richmond, Nassau, Suffolk and contiguous areas in the State of New York; and

WHEREAS, on September 15, 2011, I issued Executive Order Number 22 in order to amend Executive Order Number 17 to declare a State disaster emergency, effective September 12, 2011, within the territorial boundaries of the following additional Counties: Albany, Broome, Chenango, Chemung, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Herkimer, Montgomery, Oneida, Orange, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Ulster, Warren, Washington and Westchester; and

WHEREAS, Section 29-a of the Executive Law authorizes the suspension, alteration or 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; and

WHEREAS, on September 15, 2011, I issued Executive Order Number 21 to suspend certain provisions of law to allow replacement of state-issued documents lost in the State disaster emergency without payment of mandated fees; and

WHEREAS, on September 15, 2011, I issued Executive Order Number 22 to suspend provisions of law to facilitate and address agricultural and natural resource infrastructure recovery and the immediate capital needs of local farms affected by the State disaster emergency; and

WHEREAS, Section 29-a of the Executive Law provides that no suspension of laws shall be made for a period in excess of thirty days, provided, however, that upon reconsideration of all of the relevant facts and circumstances, the suspension may be extended for additional thirty-day periods;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law, and after having reconsidered all of the relevant facts and circumstances, do hereby order that the suspension of provisions of law ordered by Executive Order Numbers 21 and 22 shall continue through November 13, 2011.

(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 eleven.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Lawrence Schwartz
Secretary to the Governor

Executive Order No. 30: Continuing the Suspension of Certain Provisions of Law.

WHEREAS, on August 25, 2011, I issued Executive Order Number 17 declaring a disaster emergency in the Counties of Bronx, Kings, New York, Queens, Richmond, Nassau, Suffolk and contiguous areas in the State of New York; and

WHEREAS, on September 15, 2011, I issued Executive Order Number 22 in order to amend Executive Order Number 17 to declare a State Disaster Emergency, effective September 12, 2011, within the territorial boundaries of the following additional Counties: Albany, Broome, Chenango, Chemung, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Herkimer, Montgomery, Oneida, Orange, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Ulster, Warren, Washington and Westchester; and

WHEREAS, Section 29-a of the Executive Law authorizes the suspension, alteration or 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; and

WHEREAS, on September 2, 2011, I issued Executive Order Number 20 to suspend certain provisions of the New York Code of Rules and Regulations to allow residential programs for victims of domestic violence in Schoharie County to provide emergency shelter to women and children who are homeless as a result of the disaster emergency;

WHEREAS, Section 29-a of the Executive Law provides that no suspension of laws shall be made for a period in excess of thirty days, provided, however, that upon reconsideration of all of the relevant facts and circumstances, the suspension may be extended for additional thirty-day periods; and

WHEREAS, on September 29, 2011, I issued Executive Order Number 25 to continue the suspension of laws as ordered by Executive Order Number 20 through October 31, 2011;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law, and after having reconsidered all of the relevant facts and circumstances, do hereby order that the suspension of provisions of law ordered by Executive Order Number 20 shall continue through November 30, 2011.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this twenty-eighth day of October in the year two thousand eleven.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Lawrence Schwartz
Secretary to the Governor

Executive Order No. 31: Declaring a Disaster in the Counties of Albany, Columbia, Delaware, Dutchess, Greene, Orange, Putnam, Rensselaer, Richmond, Rockland, Sullivan, Ulster and Westchester, and Contiguous Areas.

WHEREAS, beginning on October 29, 2011, and continuing thereafter, a Nor'easter has disrupted vital public transportation, utility service, and threatens public health and public safety systems within the Counties of Albany, Columbia, Delaware, Dutchess, Greene, Orange, Putnam, Rensselaer, Richmond, Rockland, Sullivan, Ulster and Westchester, and contiguous areas; and

WHEREAS, this event has caused widespread power outages,

downed trees, damage to homes and businesses, and may result in personal hardships, significant flooding, hamper the movement of medical personnel, strand motorists and travelers, and will continue to pose a threat to the public health and safety;

NOW, THEREFORE, I, ANDREW M. CUOMO, 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, 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 29, 2011, within the territorial boundaries of the Counties of Albany, Columbia, Delaware, Dutchess, Greene, Orange, Putnam, Rensselaer, Richmond, Rockland, Sullivan, Ulster and Westchester, and contiguous areas; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize, effective October 29, 2011, the State Office of Emergency Management, the Department of Health, the Department of Transportation, the Division of State Police, the Division of Military and Naval Affairs, the Department of Environmental Conservation, the State Department of Corrections and Community Supervision, the Public Service Commission, the Office of Fire Prevention and Control, the Department of Labor, the Office of Parks, Recreation and Historic Preservation, the Office of General Services, the State University of New York, the Thruway Authority, the American Red Cross 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.

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. § 390.23(a)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary in order to hasten the movement of utility power restoration crews into New York State.

IN ADDITION, by virtue of 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 any parts thereof, of any agency during a State Disaster Emergency, if compliance with such provisions would prevent, hinder or delay any 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 laws:

Sections 375, 385, and 401 of the Vehicle and Traffic Law, to the extent that exemption from the vehicle registration, equipment, and dimension requirements for vehicles validly registered in other jurisdictions is necessary to assist in disaster preparedness and recovery efforts.

FURTHER, I have designated Andrew X. Feeney, Director of the State Office of Emergency Management as the 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 thirtieth day of October in the year two thousand eleven.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Lawrence Schwartz
Secretary to the Governor