

EXECUTIVE ORDERS

Executive Order No. 70: Extending the Period for Paying School District Taxes in Certain School Districts Within the Counties of Nassau and Orange.

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, beginning on October 29, 2012, and continuing thereafter, Hurricane Sandy brought damaging winds and torrential rainfall, causing record flooding and severe storm surge throughout the State, severely devastating numerous counties, including the counties of Nassau and Orange; and

WHEREAS, school district taxes for the 2012-2013 school year are currently due on or about November 10, 2012, in the school districts located within Nassau County; and

WHEREAS, school district taxes for the 2012-2013 school year were due on or about October 31, 2012, in the school districts located within Orange County; and

WHEREAS, Section 925-a of the Real Property Tax Law authorizes the Governor to extend the period for paying such taxes without interest or penalty upon request of the chief executive officer of an affected county, city, town, village or school district during a State disaster emergency by up to twenty-one days from the final date such taxes are currently due; and

WHEREAS, a request for such an extension has been received by the Governor's Office on behalf of the following school districts within the below-listed counties: Nassau County: (1) Manhasset Union Free School District, (2) Herricks Union Free School District, (3) Mineola Union Free School District, (4) Carle Place Union Free School District, (5) Seaford Union Free School District, (6) Bethpage Union Free School District, (7) Port Washington Union Free School District, (8) Hempstead Union Free School District, (9) Levittown Union Free School District, (10) Bellmore Union Free School District, (11) Freeport Union Free School District, (12) Hewlett-Woodmere Public School District, (13) Island Trees Union Free School District, (14) North Merrick Union Free School District, (15) Westbury Union Free School District, (16) Long Beach City School District, (17) Uniondale Public Schools, (18) East Meadow Union Free School District, (19) North Bellmore Union Free School District, (20) West Hempstead Union Free School District, (21) Hicksville Public School District, (22) Wantagh Union Free School District, (23) Great Neck Union Free School District, (24) Syosset Central School District, (25) Locust Valley Central School District, (26) Plainview-Old Bethpage Central School District, (27) Oyster Bay-East Norwich Central School District, (28) Jericho Union Free School District, (29) Plainedge Union Free School District, (30) Farmingdale Union Free School District, (31) Massapequa Public School District, (32) Amityville Union Free School District, (33) Cold Spring Harbor School District, and (34) Oceanside Union Free School District; Orange County: (35) Enlarged City of Middletown School District; and

WHEREAS, given the difficulties continuing to confront the people of the aforementioned counties, such an extension is eminently warranted;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law do hereby extend the period for paying without interest or penalty the school district taxes that are due on or about November 10, 2012, in the aforementioned school districts

within Nassau County for twenty-one days from the final date such taxes are currently due; and

FURTHER, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law do hereby retroactively extend the period for paying without interest or penalty the school district taxes that were due on or about October 31, 2012, in the aforementioned school district within Orange County twenty-one days from the final date such taxes are currently due;

FURTHER, this Executive Order may be revised and amended to extend the period for paying school taxes for additional school districts within the counties adversely affected by Hurricane Sandy.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this ninth day of November in the year two thousand twelve.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Lawrence Schwartz

Secretary to the Governor

Executive Order No. 71: Temporary Suspension and Modification of Statutes and Regulations Regarding Services Provided to Individuals With Developmental Disabilities, Mental Illnesses and Alcohol and Substance Abuse Disorders During the State Disaster Emergency.

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, on October 30, 2012, the President issued a major disaster declaration for Bronx, Kings, Nassau, New York, Queens, Richmond and Suffolk Counties, and on November 2, 2012, extended such declaration to include Rockland and Westchester Counties; and

WHEREAS, many New Yorkers with developmental disabilities, mental illnesses and alcohol and substance abuse disorders have experienced service disruptions, many such individuals have been displaced from their residences and programs, and the State offices and providers serving these individuals have been severely impacted by Hurricane Sandy; and

WHEREAS, it is incumbent upon the State to ensure, to the maximum extent feasible, that the provision of services to these individuals continues with minimal disruption; and

WHEREAS, full compliance with certain statutory and regulatory requirements may delay or impede the ability of providers to furnish such services;

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 to temporarily suspend or modify 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, hereby temporarily suspend or modify, as the case may be, during the period from the date that the disaster emergency was declared pursuant to Executive Order Number 47, issued on October 26, 2012, until further notice, the following:

A. With respect to programs and providers in the federally-declared counties that are under the jurisdiction of the Office for People With Developmental Disabilities (“OPWDD”), the Office of Mental Health (“OMH”) and the Office of Alcoholism and Substance Abuse Services (“OASAS”):

1. Mental Hygiene Law Section 33.17, and any associated regulations, to the extent they limit who may accompany certain patients during transport to or from a facility, so that staff members can be utilized in the most effective manner in aiding in recovery from Hurricane Sandy;

B. With respect to programs and providers in the federally-declared counties that are under the jurisdiction of OPWDD or OMH:

1. Subdivision (d) of section 33.13 of the Mental Hygiene Law, and any associated regulations, to the extent that they would limit providers of mental hygiene services from disclosing information from a clinical record to another treatment provider for treatment purposes, as long as such disclosure is permitted by 45 C.F.R. Parts 160 and 164; and

2. Section 29.13 of the Mental Hygiene Law, and any associated regulations, to the extent that they require a new or revised treatment plan for individuals in the federally-declared counties who are temporarily receiving services from a different provider, in a situation in which it is not reasonably possible to comply with all of the development, assessment, scope, frequency and documentation requirements for treatment plans, and the provider makes reasonable, good faith efforts to comply with the individual’s existing treatment plan, if any;

C. With respect to programs and providers that are under the jurisdiction of OPWDD:

1. Sections 16.03 and 16.05 of the Mental Hygiene Law, and any associated regulations, to the extent that they require a provider of services in a federally-declared county to provide such services only in a certified setting, provided that the Commissioner of OPWDD must approve the use of any uncertified setting;

2. Sections 633.8, 633.14 and 633.17 of Title 14 of the New York Code, Rules and Regulations (“NYCRR”), to the extent that any required training for employees of providers in the federally-declared counties and for employees of providers serving individuals displaced into other counties as a result of Hurricane Sandy may be delayed while such providers are coping with the recovery from Hurricane Sandy, provided that such training shall be held as soon as practicable, and provided further that such employees have sufficient competence to serve such individuals in the interim;

3. Sections 635-7.3 and 635-7.4 of Title 14 of the NYCRR, for programs and providers operating in the federally-declared counties and for programs and providers serving individuals displaced by Hurricane Sandy, to the extent that such regulations contain certain physical plant and environmental requirements for residential settings, provided that any setting used for housing for individuals meets basic health and safety requirements;

4. Sections 671.4, 635-99.1 and 686.99 of Title 14 of the NYCRR, for programs and providers operating in the federally-declared counties and for programs and providers serving individuals displaced by Hurricane Sandy, to the extent that such regulations require an annual renewal of a level of care eligibility determination or a semi-annual review of an individual’s individualized service plan, provided that such programs and providers shall make a good faith effort to complete such renewals and reviews as soon as practicable;

5. Section 686.3 of Title 14 of the NYCRR, for programs and providers operating in the federally-declared counties and for programs and providers serving individuals displaced by Hurricane Sandy, to the extent that such programs and providers may exceed the capacity limits for community residences imposed by such regulation, upon approval of the Commissioner;

6. Section 686.15 of Title 14 of the NYCRR, for programs and providers operating in the federally-declared counties and for programs and providers serving individuals displaced by Hurricane Sandy, to the extent that such regulation limits the number of days respite can be provided; and

7. Section 635-10.5 of Title 14 of the NYCRR, to the extent that such regulation requires documentation of services provided for countable service days or contains other documentation requirements and a provider located in a federally-declared county is unable to document the provision of such services due to loss of records based on damage sustained in Hurricane Sandy, provided that such provider must give reasonable assurances that the services sought to be reimbursed were in fact provided;

D. With respect to programs and providers in the federally-declared counties that are under the jurisdiction of OMH:

1. Sections 31.02 and 31.05 of the Mental Hygiene Law, and corresponding implementing regulations in Sections 551, 580, 582, 585, 587, 589, 590, 594, 595 and 599 of Title 14 of the NYCRR, to the extent that they require a provider of mental health services to: (a) provide such services only at a licensed site and (b) set maximum authorized capacities, provided that the Commissioner of Mental Health must approve any unlicensed site; and

2. Section 31.27 of the Mental Hygiene Law, and corresponding implementing regulations at sections 590.9 and 590.13 of Title 14 of the NYCRR, to the extent necessary to give comprehensive psychiatric emergency programs flexibility in terms of the location in which emergency psychiatric services may be provided, and time frames in which doctors must see and observe patients and patients must be moved to extended observation beds, without compromising the due process rights of patients.

(L.S.)

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

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Lawrence Schwartz

Secretary to the Governor

Executive Order No. 72: Temporary Suspension and Modification of Health Statutes and Regulations During the State Disaster Emergency.

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, on October 30, 2012, the President issued a major disaster declaration for the counties of Bronx, Kings, Nassau, New York, Queens, Richmond and Suffolk, and on November 2, 2012, extended such declaration to include Rockland and Westchester Counties; and

WHEREAS, Hurricane Sandy necessitated the evacuation of numerous health care facilities while simultaneously increasing the threat of injury and disease in the impacted areas, and resulted in power outages and shortages of fuel that have complicated the efforts of health care providers to serve their patients; and

WHEREAS, it is incumbent upon the State to ensure that the provision of health care services to New Yorkers continues with minimal disruption to the maximum extent feasible; and

WHEREAS, full compliance with certain statutory and regulatory requirements may delay or impede the ability of providers to furnish such services;

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 to temporarily suspend or modify 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 emergency, hereby temporarily suspend or modify, as the case may be, during the period from the date that the disaster emergency was declared pursuant to Executive Order Number 47, issued on October 26, 2012, until further notice, the following:

Subdivision (2) of section 3320 of the Public Health Law, and any

associated regulations, to the extent necessary to allow licensed facilities, including but not limited to hospitals, nursing homes, and institutional dispensers, to temporarily accept, store and administer those controlled substances lawfully prescribed to patients and residents affected by the disaster emergency, while maintaining appropriate patient specific record-keeping and diversion prevention practices, and subject to any terms and conditions that the Commissioner of Health may deem appropriate;

Subdivision (1) of section 3333 and subdivision (2) of section 3338 of the Public Health Law, and any associated regulations, to the extent necessary to allow a licensed pharmacist to dispense a controlled substance to a patient whose access to prescriptions or previously dispensed controlled substances has been directly affected by the disaster emergency, if the pharmacist, through the use of a shared database can verify the authenticity of the prescription and the prescription indicates authorized refills;

Subdivision (3) of section 3332, subdivision (1) of section 3333 and subdivision (3) of section 3339 of the Public Health Law, and any associated regulations, to the extent necessary to allow a licensed practitioner to prescribe and a licensed pharmacist to dispense a controlled substance more than seven days prior to the date the previously dispensed supply would have been exhausted if the patient's supply has been destroyed, made unusable or made inaccessible due to the disaster emergency;

Subpart 58-1 of Title 10 of the New York Codes, Rules and Regulations ("NYCRR"), to the extent necessary to permit the Commissioner of Health to issue provisional permits to laboratories or blood banks for the purpose of conducting permitted categories of tests at alternate locations or conducting categories of tests not listed in the laboratory's permit if, in the discretion of the Commissioner, the laboratory has provided sufficient information to show that such testing can be conducted safely and accurately so as not to present an undue risk to patient health and fills a need for testing created by the disaster emergency to protect the public health and safety;

Section 400.9 and paragraph (7) of subdivision (f) of section 405.9 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals and nursing homes licensed pursuant to Article 28 of the Public Health Law ("Article 28 facilities") and affected by the disaster emergency to rapidly discharge, transfer or receive patients, as authorized by the Commissioner of Health, provided that such facilities take all reasonable measures to protect the health and safety of patients and residents, including safe transfer and discharge practices, and comply with the Emergency Medical Treatment and Active Labor Act (42 U.S.C. § 1395dd) and any associated regulations;

Section 400.11 of Title 10 of the NYCRR, to the extent necessary to permit Article 28 facilities receiving patients evacuated from other Article 28 facilities due to the disaster emergency to complete patient review instruments as soon as practicable;

Section 400.12 of Title 10 of the NYCRR, to the extent necessary to allow patients affected by the disaster emergency to be transferred to receiving Article 28 facilities as authorized by the Commissioner of Health;

Subdivision (e) of section 405.2 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals affected by the disaster emergency to maintain adequate staffing;

Subdivision (b) of section 405.3 of Title 10 of the NYCRR, to the extent necessary to allow general hospitals affected by the disaster emergency to use qualified volunteers or personnel affiliated with different hospitals, subject to terms and conditions established by the Commissioner of Health;

Paragraph (6) of subdivision (b) of section 405.4 of Title 10 of the NYCRR, to the extent necessary to allow general hospitals affected by the disaster emergency to assess the fitness of medical postgraduate trainees and attending physicians to continue working without a specific hourly limit;

Paragraph (1) of subdivision (e) of section 405.4 and subdivision (b) of section 707.3 of Title 10 of the NYCRR, to the extent necessary to permit physicians to supervise up to ten physician assistants and registered specialist assistants in general hospitals affected by the disaster emergency;

Paragraph (12) of subdivision (b) of section 405.9 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals receiving patients transferred from Article 28 facilities evacuated as a result of the disaster emergency to arrange for the performance of histories and physical examinations of the evacuated patients as soon as practicable following admission;

Subdivision (d) of section 405.19 of Title 10 of NYCRR, to the extent necessary to allow general hospitals affected by the disaster emergency to staff their emergency departments as needed;

Subdivision (a) of section 405.28 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals receiving individuals affected by the disaster emergency to provide social services screenings as soon as practicable following admission or to forego such screenings for individuals returned to facilities from which they were evacuated;

Section 415.11 of Title 10 of the NYCRR, to the extent necessary to permit nursing homes receiving individuals affected by the disaster emergency to perform comprehensive assessments of those residents temporarily evacuated to such nursing homes as soon as practicable following admission or to forego such assessments for individuals returned to facilities from which they were evacuated;

Subdivision (b) of section 415.15 of Title 10 of the NYCRR, to the extent necessary to permit nursing homes receiving individuals affected by the disaster emergency to obtain physician approvals for admission as soon as practicable following admission or to forego such approval for individuals returned to facilities from which they were evacuated;

Subdivision (i) of section 415.26 of Title 10 of the NYCRR, to the extent necessary to permit nursing homes receiving individuals affected by the disaster emergency to comply with admission procedures as soon as practicable following admission or to forego such procedures for individuals returned to facilities from which they were evacuated;

Paragraph (7) of subdivision (h) of section 763.4 and paragraph (1) of subdivision (d) of section 766.5 of Title 10 of the NYCRR, to the extent necessary to permit certified home health agencies, long term home health care programs, AIDS home care programs, and licensed home care services agencies serving individuals affected by the disaster emergency to conduct in-home supervision of home health aides and personal care aides as soon as practicable after the initial service visit;

Subdivision (a) of section 763.5 of Title 10 of the NYCRR, to the extent necessary to permit initial patient visits for certified home health agencies, long term home health care programs and AIDS home care programs serving individuals affected by the disaster emergency to be made within 48 hours of receipt and acceptance of a community referral or return home from institutional placement;

Paragraph (3) of subdivision (a) of section 763.7 and subdivision (d) of section 766.4 of Title 10 of the NYCRR, to the extent necessary to permit certified home health agencies, long term home health care programs, AIDS home care programs and licensed home care services agencies serving individuals affected by the disaster emergency to obtain medical orders signed by authorized practitioners within 60 days;

Paragraph (3) of subdivision (b) of section 505.14 and paragraph (1) of subdivision (d) of section 505.28 of Title 18 of the NYCRR, to the extent necessary to permit a physician's order to be completed and forwarded to the social services district within 60 days after the medical examination of a patient affected by the disaster emergency;

Subparagraph (ix) of paragraph (5) of subdivision (b) of section 505.14 and subdivision (f) of section 505.28 of Title 18 of the NYCRR, to the extent necessary to permit an additional 30 days for reauthorizations of personal care and consumer directed personal assistance program services for individuals affected by the disaster emergency, where the authorized period of services otherwise would terminate during the period of the disaster emergency declared pursuant to Executive Order Number 47;

Subparagraph (ii) of paragraph (2) of subdivision (e) of section 505.14 of Title 18 of the NYCRR, to the extent necessary to permit

training for personal care workers serving individuals affected by the disaster emergency to be held as soon as practicable after the conclusion of such period, where such training otherwise would be required during the period of the disaster emergency declared pursuant to Executive Order Number 47, provided that such workers have sufficient competence to provide such services; and

Paragraph (3) of subdivision (f) of section 505.14 of Title 18 of the NYCRR, to the extent necessary to permit nursing supervision visits for personal care services provided to individuals affected by the disaster emergency to be made as soon as practicable.

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

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Lawrence Schwartz

Secretary to the Governor

Executive Order No. 73: Designation Pursuant to Section 6 of the Executive Law.

WHEREAS, beginning on October 29, 2012, Hurricane Sandy caused massive power outages throughout Long Island, New York City, Westchester, Rockland and surrounding counties, affecting over two million customers, including ninety percent of customers on Long Island; and

WHEREAS, storm emergencies have effected, as well as thousands of businesses and private and public services providers charged with the protection of the health and safety of New Yorkers, including hospitals, adult homes, nursing homes and other residences serving persons with disabilities and other special needs; and

WHEREAS, storm emergencies crippled major public transportation systems, including mass transportation, bridges, tunnels, roads and several waterways, throughout the region; and

WHEREAS, the loss of power adversely affected a variety of other critical systems including communications services, gasoline terminals and stations, natural gas delivery to residences and steam delivery to large residential and commercial complexes, and

WHEREAS, on November 7, 2012, a Nor'easter with snow exacerbated the suffering, property damage and power outages sustained in some of the same areas affected by Hurricane Sandy; and

WHEREAS, such sustained disruption of the power supply and its cascading damage to other critical systems in many communities, neighborhoods and industrial areas, as well as the continued prevalence of downed utility lines, has jeopardized the health and safety of New Yorkers and undermined public confidence in the public utility service system; and

WHEREAS, in August and September of 2011, as a result of Hurricane Irene and Tropical Storm Lee over one million customers in New York State lost power and some communities suffered prolonged power outages which not only impacted Long Island, New York City, Westchester, Rockland and surrounding counties, but also the counties of Albany, Broome, Chenango, Chemung, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Montgomery, Oneida, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Tioga, Tompkins, Warren and Washington; and

WHEREAS, in December 2008, an ice storm caused over 300,000 power outages in New York State, and many customers were still without power a week after the storm; and

WHEREAS, these recent and past events indicate that utility emergency response planning and procedures must anticipate future emergencies and be prepared; and

WHEREAS, utilities are required to provide safe, adequate and reliable services to the public; and

WHEREAS, while the New York State Public Service Commission

is the regulatory agency charged with oversight of private utilities in the State of New York, there exists a labyrinth of other regulatory bodies, state agencies, authorities and quasi-governmental bodies including but not limited to the New York Power Authority, the Long Island Power Authority, and the New York State Energy and Research Development Authority, whose overlapping mandates, jurisdiction and responsibilities have contributed to a dysfunctional utility system; and

WHEREAS, serious questions have been raised about the adequacy of utility management, structures, resources, the current regulatory framework and oversight to ensure effective preparation for and response to natural disasters by utilities in this State, particularly in light of the increasing frequency and intensity of such disasters as well as the licensing, certification, supervision and regulation of the power industry in New York; and

WHEREAS, to maintain public confidence in the provision of vital services by utilities, it is manifestly in the public interest to study, examine, investigate and review each and every component of the provision of power to New York State; and

WHEREAS, Article IV, Section 3, of the New York Constitution vests the Governor with the obligation to take care that the laws are faithfully executed;

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 laws of the State of New York, do hereby order as follows:

1. Pursuant to Section 6 of the Executive Law, I hereby appoint a Commission to: (A) study, examine, investigate and review: (i) the emergency preparedness and response of utilities during and following emergency weather events, including the performance of the utilities during and following emergency weather events; (ii) the adequacy of present laws, rules, regulations, practices and procedures with respect to utilities' emergency preparedness and response; (iii) the adequacy of existing oversight and enforcement mechanisms; (iv) the structure, organization, ownership, financing, control, management and practices of the utilities as they affect emergency preparedness and response; and (v) the provision of utility services to New York State under the existing legal regulatory framework, including but not limited to the jurisdiction, responsibilities and missions of the New York Power Authority, the Long Island Power Authority, the New York State Energy and Research Development Authority, as well as the Public Service Commission; (B) report and make recommendations for legislative, policy and regulatory changes, as well as reforms as deemed appropriate in utility structure, management and practices, to best protect and serve the public's interest with respect to emergency preparedness and response, and the provision of safe, reliable, responsive utility services; and (C) review any other matters or activities which may affect the issues herein before specified;

2. The Commission is hereby empowered to subpoena and enforce the attendance of witnesses; to administer oaths or affirmations and examine witnesses under oath; to require the production of any books, records or papers deemed relevant or material to any investigation, examination or review; and to perform any other functions that are necessary or appropriate to fulfill the duties and responsibilities of office, and I hereby give and grant to the Commission all powers and authorities which may be given or granted to persons appointed by me for such purpose under authority of Section 6 of the Executive Law. The Commission may exercise any such powers in cooperation with any other body or government agency.

3. I hereby appoint each of the following as a Commissioner of the Commission established pursuant to this Executive Order:

Robert Abrams, Co-Chair

Benjamin Lawsky, Co-Chair

Peter Bradford

Tony Collins

John Dyson

Rev. Floyd Flake

Mark Green

Hon. Joanie Mahoney

Hon. Kathleen Rice
 Dan Tishman

4. The Commission shall provide a report and recommendations at the conclusion of its work, and may issue interim, preliminary and periodic reports and recommendations.

5. Within this Executive Order, “utilities” refers to the entities engaged in the provision of electric, gas and steam services.

6. Every State department, agency, office, division, board, bureau, council, authority and public benefit corporation shall cooperate with the Commission and shall furnish such information and assistance as the Commission determines is reasonably necessary to fulfill its duties.

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

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

Executive Order No. 74: Extending the Period for Paying School District Taxes in Certain School Districts Within the Counties of Nassau and Rockland.

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, beginning on October 29, 2012, and continuing thereafter, Hurricane Sandy brought damaging winds and torrential rainfall, causing record flooding and severe storm surge throughout the State, severely devastating numerous counties, including the counties of Nassau and Rockland; and

WHEREAS, school district taxes for the 2012-2013 school year were due on or about November 10, 2012, in the school districts located within Nassau County; and

WHEREAS, one installment of school district taxes for the 2012-2013 school year was due on or about November 5, 2012, for the Haverstraw–Stony Point Central School District, located within Rockland County; and

WHEREAS, Section 925-a of the Real Property Tax Law authorizes the Governor to retroactively extend the period for paying such taxes without interest or penalty upon request of the chief executive officer of an affected county, city, town, village or school district during a State disaster emergency by up to twenty-one days from the final date such taxes are currently due; and

WHEREAS, as a result of ongoing disruptions caused by Hurricane Sandy, certain school districts within Nassau and Orange Counties requested an extension of the period for paying school district taxes otherwise due on or about, respectively, October 31, 2012, and November 10, 2012, and such extension was granted by Executive Order Number 70, issued on November 9, 2012; and

WHEREAS, requests for such an extension have also been received by the Governor’s Office on behalf of the following school districts within the below-listed counties: Nassau County: (1) East Williston Union Free School District; (2) Roslyn Union Free School District; (3) Lawrence Union Free School District; (4) Franklin Square Union Free School District; (5) New Hyde Park-Garden City Park Union Free School District; (6) Malverne Union Free School District; (7) Floral Park-Bellerose Union Free School District; (8) Elmont Union Free School District; (9) Lynbrook Union Free School District; (10) North Shore Central School District; (11) Valley Stream Union Free School District 24; (12) Valley Stream Union Free School District 13; (13) Valley Stream Union Free School District 30; (14) Baldwin Union Free School District; (15) Garden City Union Free School District; (16) Rockville Centre Union Free School District; (17) Island Park Union Free School District; Rockland County: (18) Haverstraw-Stony Point Central School District; and

WHEREAS, given the difficulties continuing to confront the people of the aforementioned counties, such an extension is eminently warranted;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law do hereby retroactively extend the period for paying without interest or penalty the school district taxes that are due on or about November 10, 2012, in the aforementioned school districts within Nassau County for twenty-one days from the final date such taxes are currently due;

FURTHER, by virtue of the authority vested in me by Section 925-a of the Real Property Tax Law do hereby retroactively extend the period for paying without interest or penalty the school district taxes that were due on or about November 5, 2012, in the aforementioned school district within Rockland County twenty-one days from the final date such taxes are currently due; and

FURTHER, this Executive Order may be revised and amended to extend the period for paying school taxes for additional school districts within the counties adversely affected by Hurricane Sandy.

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

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

Executive Order No. 75: Temporary Suspension of Provisions Relating to Contracts to Conduct Surveys of Electrical Systems in Residences and Buildings on Long Island.

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, Hurricane Sandy caused significant flood damage to certain homes and buildings located in Nassau and Suffolk Counties and on the Rockaway Peninsula in Queens County (collectively, “impacted area”), including water damage to electrical panels, wires, outlets, and appliances, making it potentially unsafe to restore electricity; and

WHEREAS, in order to determine if it is safe to restore electricity to certain homes and buildings in the impacted area, the Long Island Power Authority (“LIPA”) is undertaking a survey of such residences and buildings to determine whether there is visual evidence of flood damage that would affect the electrical equipment in homes and buildings and whether an electrical inspection certificate from either a licensed electrician or an electrical inspection agency would be required before the restoration of power; and

WHEREAS, LIPA must therefore enter into contracts for such survey in an expedited manner and full compliance with certain statutory and regulatory requirements may delay or impede LIPA’s ability to do so;

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 to temporarily suspend or modify 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 emergency, hereby temporarily suspend or modify, as the case may be, during the period from the date that the disaster emergency was declared pursuant to Executive Order Number 47, issued on October 26, 2012, until further notice, the following laws and any rules and regulations associated therewith, as they apply to contracts to undertake the survey contemplated by this order:

Section 1020-cc of the Public Authorities Law and Section 112 of the State Finance Law to the extent they require approval of such

contracts; Section 138 of the State Finance Law to the extent it prohibits the assignment of such contracts; and Section 142 of the State Finance Law.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this fourteenth day of November in the year two thousand twelve.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Lawrence Schwartz

Secretary to the Governor