EXECUTIVE ORDERS

ERRATUM

Executive Order No. 143: Declaring a Disaster and a Temporary Suspension of Provisions Relating to State Contracts to Expedite the Repair of a Portion of Old Croton Aqueduct State Historic Park; Executive Order No. 144: Prohibiting State Funded or State Sponsored Travel to Indiana; Executive Order No. 145: Continuing the Temporary Suspension of Provisions Relating to Recovery From a State Disaster Emergency in City of Yonkers; Executive Order No. 146: Continuing the Suspension of Provisions Relating to Recovery From a State Disaster Emergency; Executive Order No. 147: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers; and Executive Order No. 147.1: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers were filed with the Department of State and reflected the correct name of the Secretary to the Governor, William J. Mulrow.

Due to an administrative oversight, however, the Executive Orders as printed in the State Register cited an incorrect name for the Secretary to the Governor.

Following are the above Executive Orders reprinted in their entirety with the correct Secretary to the Governor:

Executive Order No. 143: Declaring a Disaster and a Temporary Suspension of Provisions Relating to State Contracts to Expedite the Repair of a Portion of Old Croton Aqueduct State Historic Park.

WHEREAS, on March 11, 2015, a portion of a stone retaining wall in Old Croton Aqueduct State Historic Park collapsed in a landslide, sending mud and debris against a senior housing complex owned by the Municipal Housing Authority of the City of Yonkers (the "Housing Authority") at 95-97 Walsh Road in the City of Yonkers, Westchester County; and

WHEREAS, because of the uncertainty of the stability of other portions of the retaining wall and the consequent threat to public safety, the Housing Authority ordered the complete evacuation of the housing complex on March 11, 2015; and

WHEREAS, evacuation of the housing complex at 95-97 Walsh Road in the City of Yonkers resulted in the dislocation of approximately 110 residents, who may not be able to return to their homes until the retaining wall is permanently repaired;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and the Laws of the State, do hereby find that a disaster has occurred for which the affected local governments are unable to respond adequately without assistance. 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 March 11, 2015 within the City of Yonkers; and

FURTHER, I direct the Commissioner of Parks, Recreation and Historic Preservation and the Commissioner of General Services to expedite all repairs to the retaining wall and associated structures in and around Old Croton Aqueduct State Historic Park and the Housing Authority property so that, as soon as possible, State property can be restored and the housing complex at 95-97 Walsh Road in the City of Yonkers can be secured and the residents can safely return to their homes; and

FURTHER, 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, or 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 March 11, 2015 until further notice, the following laws:

Section 9(2) and (4) of the Public Buildings Law, to the extent the Commissioner of General Services determines it necessary to authorize the award of emergency contracts and/or to combine design and construction services in contracts and/or to use such contracts and services when needed at a threshold above three hundred thousand dollars;

Section 112 of the State Finance Law, to the extent consistent with Article V, Section 1 of the State Constitution, and to the extent that the Commissioner of Parks, Recreation and Historic Preservation or the Commissioner of General Services determines it necessary to add additional work, sites, and time to State contracts or award emergency contracts, to award leases for relocation and support of State operations under Section 3 of the Public Buildings Law, to award emergency contracts under Section 9 of the Public Buildings Law, to award emergency contracts for professional services under Section 136-a of the State Finance Law or to award emergency contracts for commodities, services, technology, and materials pursuant to Section 163 of the State Finance Law;

Section 136-a of the State Finance Law, to the extent that the Commissioner of Parks, Recreation and Historic Preservation or the Commissioner of General Services determines it necessary to combine design and construction services in one contract and/or to obtain design and construction inspection services;

Section 163 of the State Finance Law, to the extent necessary to allow the Commissioner of Parks, Recreation and Historic Preservation or the Commissioner of General Services to purchase necessary commodities, services, technology, and materials without following the standard procurement processes;

Article 8 of the Environmental Conservation Law, and Part 15 of Title 17 and Part 617 of Title 6 of the New York Code of Rules and Regulations, and Section 14.09 of the Parks, Recreation and Historic Preservation Law and Part 428 of Title 9 of the New York Code of Rules and Regulations to the extent that the Commissioner of Parks, Recreation and Historic Preservation or the Commissioner of General Services determines that work is immediately necessary for the replacement, rehabilitation, or reconstruction of structures; and

Section 97-G of the State Finance Law, to the extent that the Commissioner of General Services determines it necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services, including but not limited to, building design and construction services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this thirty-first day of March in the year two thousand fifteen.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ William J. Mulrow
Secretary to the Governor

Executive Order No. 144: Prohibiting State Funded or State Sponsored Travel to Indiana.

WHEREAS, New York State is a national leader in protecting the civil rights and liberties of all of its citizens;

WHEREAS, New York State in 1945 enacted the first state law against discrimination in the nation, which now prohibits discrimination on many bases including age, race, creed, color, national origin, sexual orientation, military status, sex, marital status, and disability;

WHEREAS, protecting the civil rights and liberties of lesbian, gay, bi-sexual, and transgender (LGBT) persons is a compelling state sanctioned

government interest;

WHEREAS, protecting New York State from inadvertently financing discrimination against LGBT people is a compelling state sanctioned government interest;

WHEREAS, the State of Indiana has enacted legislation to protect religious freedom, but does not expressly prohibit discrimination against LGBT citizens;

WHEREAS, the exercise of religious freedom should not be a justification for discrimination based upon sex, sexual orientation or gender identity, or other protected classes;

WHEREAS, it is the policy of the state of New York to promote fairness, protect the welfare of the citizens of the state of New York, and combat discrimination;

NOW THEREFORE, I ANDREW M. CUOMO, Governor of the State of New York, by virtue of the power and authority vested in me by my office, the New York State Constitution, and the Statutes of the state of New York, do hereby ORDER AND DIRECT:

• All agencies, departments, boards, authorities and commissions to review all requests for state funded or state sponsored travel to the state of Indiana so long as there is law in effect there that creates the grounds for discrimination against LGBT citizens.

• To bar any such publically funded or publically sponsored travel to such location, unless such travel is necessary for the enforcement of New York State law, to meet prior contractual obligations, or for the protection of public health, welfare, and safety.

• New York State's ban on publically funded travel shall take effect immediately and shall continue while such law remains in effect.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this thirty-first day of March in the year two thousand fifteen.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ William J. Mulrow
Secretary to the Governor

Executive Order No. 145: Continuing the Temporary Suspension of Provisions Relating to Recovery from a State Disaster Emergency in City of Yonkers.

WHEREAS, on March 31, 2015, I issued Executive Order Number 143 declaring a disaster emergency in the City of Yonkers, Westchester County and suspending statutory and regulatory provisions relating to State contracts and the repair of State facilities to allow the Office of Parks, Recreation and Historic Preservation and the Office of General Services to expedite the award of contracts in order to promptly perform critical repairs to the stone retaining wall in Old Croton Aqueduct State Historic Park that partially collapsed on March 11, 2015;

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 the relevant facts and circumstances, do hereby order that the suspension of laws and regulations ordered by Executive Order Number 143 shall be continued through May 30, 2015.

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

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ William J. Mulrow
Secretary to the Governor

Executive Order No. 146: Continuing the Suspension of Provisions Relating to Recovery from a State Disaster Emergency.

WHEREAS, on March 31, 2015, I issued Executive Order Number 143 declaring a disaster emergency in the City of Yonkers, Westchester County and suspending statutory and regulatory provisions relating to State contracts and the repair of State facilities to allow the Office of Parks, Recreation and Historic Preservation and the Office of General Services to expedite the award of contracts in order to promptly perform critical repairs to the stone retaining wall in Old Croton Aqueduct State Historic Park that partially collapsed on March 11, 2015;

WHEREAS, on April 30, 2015, I issued Executive Order Number 145 to continue the suspension of provisions of law and regulations ordered by Executive Order Number 143; 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 the relevant facts and circumstances, do hereby order that the suspension of laws and regulations ordered by Executive Order Number 143 shall be continued through June 29, 2015.

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

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ William J. Mulrow
Secretary to the Governor

Executive Order No. 147: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.

WHEREAS, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

WHEREAS, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the office of Governor; and

WHEREAS, there have been recent incidents involving the deaths of unarmed civilians that have challenged the public's confidence and trust in our system of criminal justice; and

WHEREAS, public concerns have been raised that such incidents cannot be prosecuted at the local level without conflict or bias, or the public perception of conflict or bias; and

WHEREAS, it is necessary to ensure that a full, reasoned, and independent investigation and prosecution of any such incident is conducted without conflict or bias, or the perception of conflict or bias; and

WHEREAS, the foregoing compels me to conclude that my constitutional obligations provide that in cases where an issue of a real or perceived conflict of interest exists, and to ensure full confidence in our system of criminal justice, a special prosecutor should be appointed with respect to such incidents. Such appointment of a special prosecutor will supersede in all ways the authority and jurisdiction of a county district attorney to manage, interpret, prosecute or inquire about such incidents; and

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, and particularly by subdivision 2 of section 63 of the Executive Law, hereby require the Attorney General (hereinafter, the "special prosecutor") to investigate, and if warranted, prosecute certain matters involving the death of an unarmed civilian, whether in custody or not, caused by a law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law. The special prosecutor may also investigate and prosecute in such instances where, in his opinion, there is a significant question as to whether the civilian was armed and dangerous at the time of his or her death;

FURTHER, for any matter covered herein, the special prosecutor shall have the powers and duties specified in subdivisions 2 and 8 of section 63 of the Executive Law for purposes of this Order, and shall possess and exercise all the prosecutorial powers necessary to investigate, and if warranted, prosecute the incident. The special prosecutor's jurisdiction will displace and supersede the jurisdiction of the county district attorney where the incident occurred; and such county district attorney shall have only the powers and duties designated to him or her by the special prosecutor as specified in subdivision 2 of section 63 of the Executive Law;

FURTHER, for any matter covered herein, the special prosecutor shall conduct a full, reasoned, and independent investigation including, but not

limited to, (i) gathering and analyzing evidence, (ii) conducting witness interviews, and (iii) reviewing investigative reports, scientific reports, and audio and video recordings;

FURTHER, for any matter covered herein, the special prosecutor shall, (i) attend in person, a term or terms of the County or Supreme Court to be held in and for the County of such appropriate jurisdiction consistent with this Order, (ii) appear in person before any grand jury drawn for any term(s) of said court, for the purpose of conducting any and all proceedings, examinations, and inquiries, and (iii) bring any and all criminal actions and proceedings which may be had or taken before said grand jury and other grand juries concerning or relating to any and all alleged unlawful acts as described by this Order;

FURTHER, for any matter covered herein, the special prosecutor will provide to me, or my designee, a report on all cases where, (i) the special prosecutor declines to present evidence to a grand jury regarding the death of a civilian as described in this Order, whether in custody or not, allegedly caused by a law enforcement officer, or (ii) the grand jury declines to return an indictment on any charges. The report will include, to the extent possible and lawful, an explanation of that outcome and any recommendations for systemic reform arising from the investigation.

This Executive Order shall continue until modified, suspended or terminated by the Governor.

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

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ William J. Mulrow
Secretary to the Governor

Executive Order No. 147.1: A Special Prosecutor to Investigate and Prosecute Matters Relating to the Deaths of Civilians Caused by Law Enforcement Officers.

In view of the request of Attorney General Eric T. Schneiderman, my order and requirement, embodied in Executive Order Number one hundred and forty seven, dated July 8, 2015, is hereby amended to include an additional paragraph, to be the penultimate paragraph, to read as follows:

FURTHER, the requirement imposed on the Special Prosecutor by this Executive Order shall include the investigation, and if warranted, prosecution:

(a) of any and all unlawful acts or omissions or alleged unlawful acts or omissions by any law enforcement officer, as listed in subdivision 34 of section 1.20 of the Criminal Procedure Law, arising out of, relating to or in any way connected with the death of Raynette Turner on July 27, 2015 while in the custody of the Mount Vernon Police Department.

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

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ William J. Mulrow
Secretary to the Governor