

EXECUTIVE ORDERS

Executive Order No. 147.22: 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 Letitia James, 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 the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.21 to read as follows:

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

(f) 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 Michael Rizzetta on November 17, 2018, in Rockland County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of May in the year two thousand nineteen.
BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

Executive Order No. 147.23: 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 Letitia James, 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 the penultimate paragraph as amended by Executive Order Numbers 147.1 - 147.22 to read as follows:

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

(f) 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 Lillian Weyanna on December 8, 2018, in Monroe County.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of May in the year two thousand nineteen.
BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

Executive Order No. 168.24: Continuing the Declaration of a Disaster Emergency in the Five Boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that Incorporate the MTA Region in the

State of New York.

WHEREAS, pursuant to Executive Order No. 168, a disaster has heretofore been declared in the five boroughs of New York City and the Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester that incorporate the Metropolitan Transportation Authority (MTA) Region in the State of New York due to increasingly constant and continuing failures of the tracks, signals, switches and other transportation infrastructure throughout the system including at Pennsylvania Station located in the County of New York (Penn Station), that have resulted in various subway derailments, extensive track outages, and substantial service disruptions impacting the health and safety of hundreds of thousands of riders;

WHEREAS, the ongoing failures of the tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to pose an imminent threat and have a vast and deleterious impact on the health, safety, and livelihood of commuters, tourists, resident New Yorkers, as well as business and commerce in the Metropolitan Commuter Transportation District (MCTD), which is the recognized economic engine of the State of New York, and thereby have adversely affected the New York State economy;

WHEREAS, the track outages and service disruption necessary to implement the Amtrak Repair Program, and other repairs necessary to fix tracks, signals, switches and other transportation infrastructure throughout the MTA's rail and subway system continue to be necessary to protect the public, health and safety of commuters, tourists, resident New Yorkers, and will continue to worsen the transportation disaster emergency that currently exists due to the condition of Penn Station and the MTA's rail and subway system as a whole; and,

WHEREAS, it continues to be necessary for the MTA and its subsidiaries and affiliates to take significant and immediate action to assist in the repair of the tracks, signals, switches and other transportation infrastructure and in the mediation of such track outages and service disruptions due to this disaster emergency;

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 extend the state disaster emergency declared pursuant to Executive Order No. 168 and extend all of the terms, conditions, and directives of Executive Order No. 168 and the terms, conditions, and directives for any extensions of the same for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 168 until June 11, 2019; provided that the temporary suspension of any laws, rules, regulations or guidelines pursuant to this and any future extensions of Executive Order 168 shall apply to the extent the Chairman of the MTA or his designee, which shall only include the MTA's President or Managing Director, determines it necessary for the purposes of awarding any contracts, leases, licenses, permits or any other written agreement that may be entered into to mitigate such disaster emergency.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twelfth day of May in the year two thousand nineteen.
BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 188.9: Extending the Protection of School Children From Speeding Vehicles in School Zones Within the City of New York.

WHEREAS, in 2013 I signed into law Chapter 189 of the Laws of 2013, codified at N.Y. Vehicle and Traffic Law § 1180-b, to develop a system to advance school zone highway safety by use of camera technology to record and enforce speeding violations;

WHEREAS, in 2014, I signed into law an amendment to the above-referenced law authorizing the deployment of speed cameras in 140 school zones throughout the City of New York;

WHEREAS, the New York State Senate adjourned the 2018 legislative session without having acted to extend the aforementioned laws, and has yet to return to act on the same, which, without necessary emergency action taken by the NYC Council, NYC Mayor and the Executive, would have ended a program that has demonstratively and successfully protected school children, families and educators through the use of camera technology to record and enforce speeding violations in school zones;

WHEREAS, it is unacceptable to place school children at risk of serious physical harm and death in the very same places where they are to be educated, cared for, and protected, and that such school children have the right to safely access schools for the purposes of education and enrichment;

WHEREAS, based upon the foregoing, the New York State Police and the New York State Department of Transportation believe that the termination of New York City's speed camera program would result in an eminent disaster emergency that places at risk the health and safety of school children, parents, educators, school employees and volunteers within the City of New York, as well as other pedestrians, and will result in a needless increase in pedestrian fatalities and serious injuries;

WHEREAS, New York City schools are now open and have thus experienced a dramatic increase in the number of children and pedestrians in their zones; and

WHEREAS, the Mayor of New York and City Council have taken actions evidencing the local government's belief that children are in imminent danger and that a public safety emergency exist without this respective program.

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 extend the state of disaster emergency declared pursuant to Executive Order No. 188 and extend all of the terms, conditions, and directives of Executive Order No. 188 for the period from the date that the disaster emergency was declared pursuant to Executive Order No. 188 until June 17, 2019.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this eighteenth day of May in the year two thousand nineteen.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 195: Declaring a Disaster in the Counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne.

WHEREAS, high water levels on Lake Ontario and the St. Lawrence River, due to above average precipitation and snow melt throughout April and into May, continue to rise causing the potential for lakeshore flooding, widespread erosion, and water damage within the counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne.

WHEREAS, this flooding event has the potential to cause damage

to homes and other residential structures, businesses, public and private property, and public infrastructure, and poses a threat to 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 is imminent 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 May 20, 2019 within the territorial boundaries of the counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne. This Executive Order shall be in effect until September 1, 2019; 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 May 20, 2019, 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 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 Thruway Authority, the Division of Homeland Security and Emergency Services, other State agencies as necessary, and the American Red Cross 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 to hasten the movement of crews into New York State.

FURTHER, I have designated Michael Kopy, Director of Emergency Management for the Office of the Governor, as the State Coordinating Officer for this event.

FURTHER, 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 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, for the period from the date of this Executive Order through June 20, 2019, the following laws:

Section 38(1), (2) and (3) of the Highway Law to the extent that the Commissioner of Transportation determines it necessary to authorize the award of emergency contracts and/or to combine design and construction services in contracts and to use such services when needed;

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 six hundred thousand dollars;

Section 97-G of the State Finance Law, to the extent that the Commissioner of General Services or the Commissioner of the Division of Homeland Security and Emergency 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;

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 Transportation, the Commissioner of General Services, or the Commissioner of the Division of Homeland Security and Emergency Services determines it necessary to add additional work,

sites and time to State contracts, to award emergency contracts or 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 and 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 Transportation 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 and Article 4-C of the Economic Development Law, to the extent of allowing the Commissioner of Transportation, the Commissioner of General Services, or the Commissioner of the Division of Homeland Security and Emergency Services to purchase necessary commodities, services, technology and materials without following the standard notice and procurement processes;

Part F of Chapter 60 of the Laws of 2015, and Part RRR of Chapter 59 of the Laws of 2017, to the extent of allowing the Commissioner of Transportation or the Commissioner of General Services to award design-build and best value contracts without following the proscribed procurement process.

FURTHER, I hereby temporarily modify, for the period from the date of this Executive Order through June 20, 2019, the following laws:

Navigation Law Section 45(1)(b), and the regulations promulgated thereunder, so as to provide specific authority and direction to the Acting Commissioner of Parks, Recreation and Historic Preservation to establish speed limits of five (5) miles per hour within one thousand (1,000) feet of shore in the affected counties where he deems it appropriate and necessary.

Section 24 of the Executive Law; Sections 104 and 346 of the Highway Law; Sections 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; Section 14(16) of the Transportation Law; Sections 6-602 and 17-1706 of the Village Law; Section 20(32) of the General City Law; and Section 91 of the Second Class Cities Law, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles on roads, highways, and streets.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twentieth day of May in the year two thousand nineteen.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

