State of New York

Executive Chamber

No. 94

EXECUTIVE ORDER

CONTINUING THE SUSPENSION OR MODIFICATION OF CERTAIN PROVISIONS OF LAW AND REGULATIONS

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, 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 October 31, 2012, I issued Executive Order Number 50 to, among other things, suspend provisions of the law to facilitate transportation infrastructure recovery; and

WHEREAS, on November 5, 2012, I issued Executive Order Number 64 to suspend and modify statutory and regulatory provisions regarding home health care; and

WHEREAS, on November 7, 2012, I issued Executive Order Number 65 to suspend and modify statutory provisions relating to the transportation of school children in the City of New York; and

WHEREAS, on November 9, 2012, I issued Executive Order Number 69 to suspend and modify statutory and regulatory provisions relating to payment of fees for duplicate state-issued documents and to extend expiration dates of certain state-issued documents; and

WHEREAS, on November 11, 2012, I issued Executive Order Number 71 to suspend and modify statutory and regulatory provisions relating to services provided to individuals with developmental disabilities, mental illness and alcohol and substance abuse disorders; and

WHEREAS, on November 11, 2012, I issued Executive Order Number 72 to suspend and modify provisions of the Health Law and related provisions of the New York Codes, Rules and Regulations ("NYCRR"); and

WHEREAS, on November 20, 2012, I issued Executive Order Number 78 to suspend statutory provisions related to child and family welfare, child day care, juvenile justice, runaway and homeless youth, adult protective services, and residential and non-residential care for victims of domestic violence; and

WHEREAS, on November 20, 2012, I issued Executive Order Number 79 to suspend statutory provisions relating to state contracts and the repair of state facilities; and

WHEREAS, on November 20, 2012, I issued Executive Order Number 81 to, among other things, continue the suspension and modification of provisions of law and regulations ordered by Executive Order Numbers 64, 71, 72, 78 and 79 through December 25, 2012, by Executive Order Number 50 through December 30, 2012, and by Executive Order Number 65 through January 7, 2013; and

WHEREAS, on December 4, 2012, I issued Executive Order Number 85 to continue the suspension of certain provisions of law and regulations ordered by Executive Order Number 69 through January 8, 2013, and to suspend provisions of law relating to fees for duplicate teaching certificates; and

WHEREAS, on December 21, 2012, I issued Executive Order Number 87 to, among other things, continue the suspension and modification of certain provisions of law and regulations ordered by Executive Order Numbers 64, 71, 72, 78 and 79, as continued by Executive Order Number 81, through January 24, 2013, by Executive Order Number 50, as continued by Executive Order Number 81, through January 29, 2013, by Executive Order Number 65, as continued by Executive Order Number 81, through February 2, 2013, by Executive Order Number 69 as continued by Executive Order Number 85, through February 7, 2013, and to continue the suspension of a provision of the Education Law ordered by Executive Order Number 85 through February 2, 2013; and

WHEREAS, on January 24, 2012, I issued Executive Order Number 91 to, among other things, continue the suspension and modification of certain provisions of law and regulations ordered by Executive Order Numbers 64, 71, 72, 78 and 79, as continued by Executive Order Number 87, through February 23, 2013, by Executive Order Number 50, as continued by Executive Order Number 87, through February 28, 2013, by Executive Order Number 85, as continued by Executive Order Number 87, through March 3, 2013, by Executive Order Numbers 65 and 69, as continued by Executive Order Number 87, through March 9, 2013; 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 the following:

1. The suspension and modification of statutory and regulatory provisions ordered by Executive Order Numbers 64, 71, 72, 78 and 79, as continued by Executive Order Number 91, shall be continued, retroactive to their expiration date of February 23, 2013, through March 25, 2013;

2. The suspension of statutory provisions ordered by Executive Order Number 50, as continued by Executive Order Number 91, shall be continued through March 30, 2013;

3. The suspension of statutory provisions ordered by Executive Order Number 85, as continued by Executive Order Number 91, shall be continued through April 2, 2013;

4. The suspension of provisions of law ordered by Executive Order Numbers 65 and 69, as continued by Executive Order Number 91, shall continue through April 8, 2013.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-eighth day of February in the year two thousand thirteen.

BY THE GOVERNOR

Secretary to the Governor