



State of New York

MAR 02 2011

Department of State
Secretary of State

State of New York

Executive Chamber

No. 12

EXECUTIVE ORDER

REVOCATION OF PRIOR EXECUTIVE ORDERS

WHEREAS, pursuant to Executive Order No. 2, issued on January 1, 2011, further review has been completed of those Executive Orders and amendments thereto that are in effect as of this date;

WHEREAS, during the course of that review, it has been determined that certain Executive Orders are unnecessary, outdated, or otherwise should not be continued, as detailed below; and

WHEREAS, the Co-Chair of the Spending and Government Efficiency ("SAGE") Commission, established pursuant to Executive Order No. 4, issued on January 5, 2011, in furtherance of the goal of reducing New York State government by 20 percent, has reviewed and recommended that the following Executive Orders be discontinued;

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 that upon due consideration, deliberation and review, the below Executive Orders issued by previous Governors are hereby repealed, cancelled and revoked in their entirety.

Executive Orders of Governor David A. Paterson

WHEREAS, the State Energy Planning Board created by Executive Order No. 2, issued April 9, 2008, fulfilled its mission and published a comprehensive State Energy Plan in December, 2009; and whereas a new Energy Planning Board was created by chapter 433 of the laws of 2009 to adopt a new State Energy Plan on or before March 15, 2013;

NOW, THEREFORE, Executive Order No. 2, issued April 9, 2008 (Establishing a State Energy Planning Board and Authorizing the Creation and Implementation of a State Energy Plan), is hereby revoked.

WHEREAS, Inspector General Ellen Biben has been appointed to study, examine, investigate and review the management and affairs of the Waterfront Commission of New York Harbor;

NOW, THEREFORE, Executive Order No. 5, issued May 27, 2008 (Appointing a prior Commissioner to Study, Examine, Investigate and Review the Management and Affairs of the Waterfront Commission of New York Harbor), is hereby revoked.

WHEREAS, all State agencies have completed the solicitation of public comment and review of their regulations pursuant to the Regulatory Review and Reform Program created by Executive Order No. 25; and whereas those recommendations will be reviewed by the SAGE Commission consistent with the goal of creating a more efficient and effective State government;

NOW, THEREFORE, Executive Order No. 25, issued August 6, 2009 (Establishing a Regulatory Review and Reform Program), is hereby revoked.

WHEREAS, Executive Order No. 27 authorized the New York City Off-Track Betting Corporation ("NYC OTB") to file a petition under provisions of the laws of the United States for composition or adjustment of municipal indebtedness; and whereas NYC OTB has filed such petition;

NOW, THEREFORE, Executive Order No. 27, issued September 1, 2009 (Authorizing New York City Off-Track Betting Corporation to File Petition Under Provisions of the Laws of the United States for Composition or Adjustment of Municipal Indebtedness), is hereby revoked.

WHEREAS, Executive Order No. 44 provided for the reallocation of unused Recovery Zone Facility Bond ("RZFB") authorizations to the Empire State Development Corporation prior to the federally mandated date of January 1, 2011 by which all RZFBs had to have been issued;

NOW, THEREFORE, Executive Order No. 44, issued December 17, 2010 (Directing the Reallocation of Deemed Waived Recovery Zone Facility Bond Allocations), is hereby revoked.

Executive Orders of Governor Eliot L. Spitzer

WHEREAS, Executive Order No. 8, Establishing the MWBE Executive Leadership Council and the MWBE Corporate Roundtable is superseded by Executive Order 8, issued on February 17, 2011, Establishing a Task Force Removing Barriers to Minority and Women Business Enterprises' Participation in State Contracting;

NOW, THEREFORE, Executive Order No. 8, issued February 18, 2007 (Establishing the MWBE Executive Leadership Council and the MWBE Corporate Roundtable), is hereby revoked.

WHEREAS, the Governor's Children's Cabinet established pursuant to Executive Order No. 16 has completed its work as set forth in the Executive Order;

NOW, THEREFORE, Executive Order No. 16, issued June 12, 2007 (Establishing the Governor's Children's Cabinet), is hereby revoked.

WHEREAS, the Governor's Smart Growth Cabinet ("Cabinet") created by Executive Order No. 20, fulfilled its mission by recommending effective mechanisms to incorporate "smart growth" principles into State policies; and whereas, with the recommendation of the Cabinet, the State Smart Growth Public Infrastructure Policy Act was enacted into law as chapter 433 of the laws of 2010, to promote "smart growth";

NOW, THEREFORE, Executive Order No. 20, issued December 4, 2007 (Establishing the Governor's Smart Growth Cabinet), is hereby revoked.

Executive Orders of Governor George E. Pataki

WHEREAS, the services of the Governmental Commission to Investigate the Recovery of Holocaust Victims' Assets, established pursuant to Executive Order No. 50, are now provided by the Holocaust Claims Processing Office established in 1997 within the Banking Department;

NOW, THEREFORE, Executive Order No. 50, issued October 1, 1996 (Establishing a Governmental Commission to Investigate the Recovery of Holocaust Victims' Assets), is hereby revoked.

Executive Orders of Governor Mario M. Cuomo

WHEREAS, the functions and responsibilities formerly performed by the State Director of Criminal Justice, as established by Executive Order No. 2, are now performed by the Deputy Secretary for Public Safety;

NOW, THEREFORE, Executive Order No. 2, issued January 11, 1983 (Establishing the position of State Director of Criminal Justice), is hereby revoked.

IT IS FURTHER ORDERED, with the exception of the Executive Orders revoked pursuant to this order, all Executive Orders continued pursuant to Executive Order No. 2, issued on January 1, 2011, shall be continued and remain in full force and effect until otherwise revoked, superseded or modified.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this second
day of March in the year two thousand
eleven.

BY THE GOVERNOR

A handwritten signature in black ink, appearing to read "Andrew Cuomo".

A handwritten signature in black ink, appearing to read "M. Kelly".

Secretary to the Governor