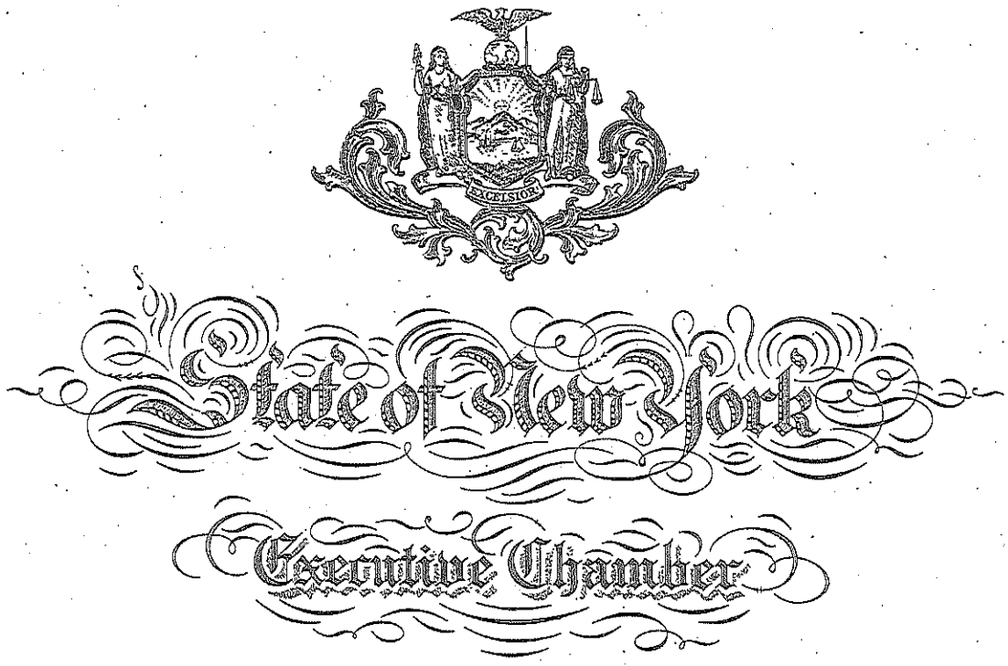

No. 48

EXECUTIVE ORDER

TEMPORARY SUSPENSION OF PROVISIONS RELATING TO AUTHORITY OF POLICE OFFICERS EMPLOYED BY NEW YORK STATE AGENCIES

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

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 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, I hereby temporarily suspend, for the period from the date of this Executive Order until further notice, the following laws:

Sections 9.05 and 13.17 of the Parks, Recreation and Historic Preservation Law and Paragraph (e) of Subdivision 34 of Section 1.20 of the Criminal Procedure Law, to the extent that members of the Regional State Park Police shall report to and be under the authority and command of the Superintendent of State Police;

Paragraph 1 of Subdivision 2 of Section 355 of the Education Law and Paragraph (s) of Subdivision 34 of Section 1.20 of the Criminal Procedure Law, to the extent that members of the University Police Force shall report to and be under the authority and command of the Superintendent of State Police;

Paragraph (d) of Subdivision 34-a of Section 1.20 of the Criminal Procedure Law, so far as it relates to employment limitations of University Police Officers based on geographical area so that such officers may perform police officer duties in any geographical area in the State of New York to which they are deployed by the Superintendent of State Police;

Paragraphs (j) and (v) of Subdivision 34 of Section 1.20 of the Criminal Procedure Law, Articles 9 and 71 of the Environmental Conservation Law and Parts 641 and 642 of Title 6 of the New York Code of Rules and Regulations, to the extent that sworn officers of the Division of Law Enforcement in the Department of Environmental Conservation, supervisors of forest ranger services, assistant supervisors of forest ranger services and forest ranger ones, twos and threes, and sworn officers of the Division of Forest Protection and Fire Management employed by the State Department of Environmental Conservation and responsible for wild land search and rescue and wild land fire management shall report to and be under the authority and command of the Superintendent of State Police and shall have the authority to make arrests and perform police officer duties in any geographical area in the State of New York to which they are deployed by the Superintendent of State Police;

Paragraph (a) of Subdivision 2 of Section 140.10 of the Criminal Procedure Law, so far as it relates to the geographical area of arrest limitation for police officers so that such officers may make arrests and perform police officer duties in any geographical area in the State of New York to which they are deployed by the Superintendent of State Police.

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

BY THE GOVERNOR

Secretary to the Governor