



State of New York

MAR 16 2012

Department of State
Secretary of State

State of New York

Executive Chamber

No. 40

EXECUTIVE ORDER

CONTINUING THE SUSPENSION OF CERTAIN PROVISIONS OF LAW

WHEREAS, on August 25, 2011, I issued Executive Order Number 17 declaring a State disaster emergency within the territorial boundaries of the Counties of Bronx, Kings, New York, Queens, Richmond, Nassau, Suffolk and contiguous areas in the State of New York; and

WHEREAS, on September 15, 2011, I issued Executive Order Number 21 in order to amend Executive Order Number 17 to declare a State disaster emergency, effective September 12, 2011, within the territorial boundaries of the following additional Counties: Albany, Broome, Chenango, Chemung, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Herkimer, Montgomery, Oneida, Orange, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Ulster, Warren, Washington and Westchester; 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 September 15, 2011, I issued Executive Order Number 22 to suspend provisions of law to facilitate and address agricultural and natural resource infrastructure recovery and the immediate capital needs of local farms affected by the State disaster emergency; 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; and

WHEREAS, on October 13, 2011, I issued Executive Order Number 29 to, among other things, continue the suspension of laws as ordered by Executive Order Number 22 through November 13, 2011; and

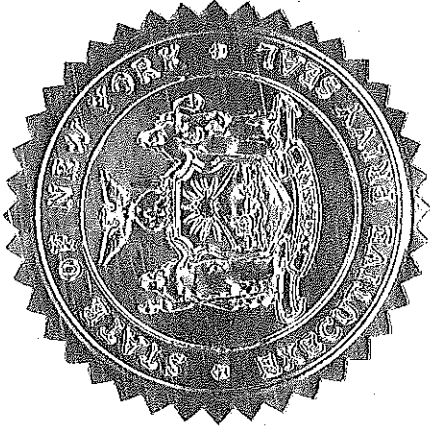
WHEREAS, on November 10, 2011, I issued Executive Order Number 32 to, among other things, continue the suspension of laws as ordered by Executive Order Number 22 through December 13, 2011; and

WHEREAS, on December 16, 2011, I issued Executive Order Number 35 to, among other things, continue the suspension of laws as ordered by Executive Order Number 22 through January 12, 2012; and

WHEREAS, on January 11, 2012, I issued Executive Order Number 37 to continue the suspension of laws as ordered by Executive Order Number 22 through February 12, 2012; and

WHEREAS, on February 14, 2012, I issued Executive Order Number 39 to continue the suspension of laws as ordered by Executive Order Number 22 through March 14, 2012;

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 that the suspension of provisions of law ordered by Executive Order Number 22 shall continue through April 14, 2012.



GIVEN under my hand and the Privy Seal of the

State in the City of Albany this sixteenth
day of March in the year two thousand
twelve.

BY THE GOVERNOR

Handwritten signature of Andrew M. Cuomo.

Handwritten signature of James Schiraldi.

Secretary to the Governor