

PROGRAM BILL #8

Legislative Bill Drafting Commission
12048-08-0

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

APPR
EXECLA
(Relates to issuing by the governor
of any directive necessary to
respond to a state disaster emergen-
cy; appropriation)

Exec. emergency directives

AN ACT

to amend the executive law, in
relation to issuing by the governor
of any directive necessary to
respond to a state disaster emergen-
cy; making an appropriation there-
for; and providing for the repeal of
certain provisions upon expiration
thereof

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s02 Flanagan	s09 Kaminsky	s25 Montgomery	s23 Savino
s52 Akshar	s55 Funke	s07 Kaplan	s20 Myrie	s32 Sepulveda
s46 Amedore	s59 Gallivan	s26 Kavanagh	s58 O'Mara	s41 Serino
s36 Bailey	s05 Gaughran	s63 Kennedy	s62 Ortt	s29 Serrano
s30 Benjamin	s12 Gianaris	s28 Krueger	s21 Parker	s51 Seward
s34 Biaggi	s22 Gounardes	s24 Lanza	s19 Persaud	s39 Skoufis
s57 Borrello	s47 Griffo	s01 LaValle	s13 Ramos	s16 Stavisky
s04 Boyle	s40 Harckham	s45 Little	s61 Ranzenhofer	s35 Stewart- Cousins
s44 Breslin	s54 Helming	s11 Liu	s48 Ritchie	s49 Tedisco
s08 Brooks	s27 Hoylman	s03 Martinez	s33 Rivera	s06 Thomas
s38 Carlucci	s31 Jackson	s53 May	s56 Robach	s50
s14 Comrie	s60 Jacobs	s37 Mayer	s18 Salazar	
s17 Felder	s43 Jordan	s42 Metzger	s10 Sanders	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a053 Davila	a128 Hunter	a037 Nolan	a099 Schmitt
a092 Abinanti	a072 De La Rosa	a029 Hyndman	a144 Norris	a076 Seawright
a084 Arroyo	a034 DenDekker	a104 Jacobson	a069 O'Donnell	a052 Simon
a107 Ashby	a003 DeStefano	a097 Jaffee	a051 Ortiz	a036 Simotas
a035 Aubry	a070 Dickens	a011 Jean-Pierre	a091 Otis	a005 Smith
a120 Barclay	a054 Dilan	a135 Johns	a132 Palmesano	a118 Smullen
a030 Barnwell	a081 Dinowitz	a115 Jones	a002 Palumbo	a022 Solages
a106 Barrett	a147 DiPietro	a077 Joyner	a088 Paulin	a114 Stec
a060 Barron	a016 D'Urso	a040 Kim	a141 Peoples- Stokes	a110 Steck
a082 Benedetto	a048 Eichenstein	a131 Kolb	a058 Perry	a010 Stern
a042 Bichotte	a004 Englebright	a105 Lalor	a023 Pheffer	a127 Stirpe
a079 Blake	a074 Epstein	a013 Lavine	Amato	a102 Tague
a117 Blankenbush	a109 Fahy	a134 Lawrence	a086 Pichardo	a071 Taylor
a098 Brabenec	a061 Fall	a050 Lentol	a089 Pretlow	a001 Thiele
a026 Braunstein	a080 Fernandez	a125 Lifton	a073 Quart	a033 Vanel
a138 Bronson	a126 Finch	a009 LiPetri	a019 Ra	a116 Walczyk
a093 Buchwald	a008 Fitzpatrick	a123 Lupardo	a006 Ramos	a055 Walker
a142 Burke	a124 Friend	a129 Magnarelli	a062 Reilly	a143 Wallace
a119 Buttenschon	a046 Frontus	a064 Malliotakis	a087 Reyes	a112 Walsh
a094 Byrne	a095 Galef	a130 Manktelow	a043 Richardson	a041 Weinstein
a133 Bymes	a137 Gantt	a108 McDonald	a078 Rivera	a024 Weprin
a103 Cahill	a007 Garbarino	a014 McDonough	a068 Rodriguez	a059 Williams
a044 Carroll	a148 Giglio	a146 McMahan	a027 Rosenthal, D.	a113 Woerner
a047 Colton	a066 Glick	a017 Mikulin	a067 Rosenthal, L.	a056 Wright
a032 Cook	a150 Goodell	a101 Miller, B.	a025 Rozic	a096 Zebrowski
a085 Crespo	a075 Gottfried	a038 Miller, M. G.	a149 Ryan	a012
a122 Crouch	a021 Griffin	a020 Miller, M. L.	a121 Salka	a031
a039 Cruz	a100 Gunther	a015 Montesano	a111 Santabarbara	a136
a063 Cusick	a139 Hawley	a145 Morinello	a090 Sayegh	
a045 Cymbrowitz	a083 Heastie	a057 Mosley	a065 Nicou	
a018 Darling	a028 Hevesi			

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and: in Assembly 2 copies of memorandum in support, in
Senate 4 copies of memorandum in support (single house); or 4 signed copies
of bill and 8 copies of memorandum in support (uni-bill).

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

1 Section 1. Paragraph a of subdivision 2 of section 20 of the executive
2 law, as amended by section 1 of part B of chapter 56 of the laws of
3 2010, is amended to read follows:

4 a. "disaster" means occurrence or imminent, impending or urgent threat
5 of wide spread or severe damage, injury, or loss of life or property
6 resulting from any natural or man-made causes, including, but not limit-
7 ed to, fire, flood, earthquake, hurricane, tornado, high water, land-
8 slide, mudslide, wind, storm, wave action, volcanic activity, epidemic,
9 disease outbreak, air contamination, terrorism, cyber event, blight,
10 drought, infestation, explosion, radiological accident, nuclear, chemi-
11 cal, biological, or bacteriological release, water contamination, bridge
12 failure or bridge collapse.

13 § 2. Section 29-a of the executive law, as added by chapter 640 of the
14 laws of 1978, subdivision 1 as amended by section 7 of part G of chapter
15 55 of the laws of 2012, is amended to read as follows:

16 § 29-a. Suspension of other laws. 1. Subject to the state constitu-
17 tion, the federal constitution and federal statutes and regulations, the
18 governor may by executive order temporarily suspend [specific provisions
19 of] any statute, local law, ordinance, or orders, rules or regulations,
20 or parts thereof, of any agency during a state disaster emergency, if
21 compliance with such provisions would prevent, hinder, or delay action
22 necessary to cope with the disaster or if necessary to assist or aid in
23 coping with such disaster. The governor, by executive order, may issue
24 any directive during a state disaster emergency declared in the follow-
25 ing instances: fire, flood, earthquake, hurricane, tornado, high water,
26 landslide, mudslide, wind, storm, wave action, volcanic activity,
27 epidemic, disease outbreak, air contamination, terrorism, cyber event,
28 blight, drought, infestation, explosion, radiological accident, nuclear,

1 chemical, biological, or bacteriological release, water contamination,
2 bridge failure or bridge collapse. Any such directive must be necessary
3 to cope with the disaster and may provide for procedures reasonably
4 necessary to enforce such directive.

5 2. Suspensions pursuant to subdivision one of this section shall be
6 subject to the following standards and limits, which shall apply to any
7 directive where specifically indicated:

8 a. no suspension or directive shall be made for a period in excess of
9 thirty days, provided, however, that upon reconsideration of all of the
10 relevant facts and circumstances, the governor may extend the suspension
11 for additional periods not to exceed thirty days each;

12 b. no suspension or directive shall be made which [does not safeguard
13 the] is not in the interest of the health [and] or welfare of the public
14 and which is not reasonably necessary to aid the disaster effort;

15 c. any such suspension order shall specify the statute, local law,
16 ordinance, order, rule or regulation or part thereof to be suspended and
17 the terms and conditions of the suspension;

18 d. the order may provide for such suspension only under particular
19 circumstances, and may provide for the alteration or modification of the
20 requirements of such statute, local law, ordinance, order, rule or regu-
21 lation suspended, and may include other terms and conditions;

22 e. any such suspension order or directive shall provide for the mini-
23 mum deviation from the requirements of the statute, local law, ordi-
24 nance, order, rule or regulation suspended consistent with the goals of
25 the disaster action deemed necessary; and

26 f. when practicable, specialists shall be assigned to assist with the
27 related emergency actions to avoid needless adverse effects resulting
28 from such suspension.

1 3. Such suspensions or directives shall be effective from the time and
2 in the manner prescribed in such orders and shall be published as soon
3 as practicable in the state bulletin.

4 4. The legislature may terminate by concurrent resolution executive
5 orders issued under this section at any time.

6 § 3. The sum of forty million dollars (\$40,000,000) is hereby appro-
7 priated for transfer by the governor to the general, special revenue,
8 capital projects, proprietary or fiduciary funds of any agency, depart-
9 ment, or authority for services and expenses related to the outbreak of
10 coronavirus disease 2019 (COVID-19). Such funds shall be used for
11 purposes including, but not limited to, additional personnel, equipment
12 and supplies, travel costs, and trainings. A portion of these funds may
13 be made available as state aid to municipalities for services and
14 expenses related to the outbreak of coronavirus disease 2019 (COVID-19).
15 Such funds shall be available for payment of financial assistance here-
16 tofore accrued or hereafter to accrue. Any disbursements from this
17 appropriation shall be distributed pursuant to a plan approved by the
18 director of the budget.

19 § 4. This act shall take effect immediately and sections one and two
20 of this act shall expire and be deemed repealed April 30, 2021.