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2009-2010 Regular Sessions

I N S E N A T E

February 2, 2009

Introduced by Sens. DeFRANCISCO, GRIFFO, MORAHAN, VOLKER -- read twice
and ordered printed, and when printed to be committed to the Committee
on Veterans, Homeland Security and Military Affairs

AN ACT to amend the New York state defense emergency act, in relation to
persons eligible to succeed the governor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 5 of chapter 784 of the laws of 1951, constituting
2 the New York state defense emergency act, as amended by chapter 420 of
3 the laws of 1968, is amended to read as follows:
4 S 5. Persons eligible to succeed governor. If, as a result of an
5 attack or a natural or peacetime disaster, the office of governor
6 becomes vacant and each of the lieutenant governor, the temporary presi-
7 dent of the senate and the speaker of the assembly is unable to
8 discharge the powers and duties of the office of governor or is absent
9 from the state, then the officer of the state who is (a) highest in
10 order of the following list, (b) not otherwise unable to discharge such
11 powers and duties, and (c) not absent from the state, shall act as
12 governor: attorney general, comptroller, commissioner of transporta-
13 tion, commissioner of health, commissioner of [commerce] ECONOMIC DEVEL-
14 OPMENT, [industrial] commissioner OF LABOR, chairman of the public
15 service commission, [secertary] SECRETARY of state, COMMISSIONER OF
16 ENVIRONMENTAL CONSERVATION, COMMISSIONER OF EDUCATION, COMMISSIONER OF
17 INSURANCE, COMMISSIONER OF TAXATION AND FINANCE, COMMISSIONER OF THE
18 OFFICE OF CHILDREN AND FAMILY SERVICES, COMMISSIONER OF THE OFFICE OF
19 TEMPORARY AND DISABILITY ASSISTANCE, COMMISSIONER OF CORRECTIONAL
20 SERVICES, COMMISSIONER OF AGRICULTURE AND MARKETS, COMMISSIONER OF
21 MENTAL HEALTH, COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL, COMMIS-
22 SIONER OF MOTOR VEHICLES, COMMISSIONER OF THE OFFICE OF GENERAL
23 SERVICES, COMMISSIONER OF THE STATE OFFICE OF PARKS, RECREATION AND
24 HISTORIC PRESERVATION, COMMISSIONER OF MENTAL RETARDATION AND DEVELOP-
25 MENTAL DISABILITIES, COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND
26 SUBSTANCE ABUSE SERVICES.
27 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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