



NEW YORK STATE SENATOR
Patrick M. Gallivan

Senator Gallivan Co-Sponsors Legislation to Revoke Governor's Executive Powers

JIM RANNEY February 22, 2021

| ISSUE: **NYS LEGISLATURE**, **NYS GOVERNOR**



Senator Patrick M. Gallivan (R-C-I, Elma) is co-sponsoring a bill (S.4888) to revoke the emergency powers granted to the governor in relation to the COVID-19 pandemic. The legislation would amend the state's executive law and take effect immediately.

"The governor's extensive use of emergency powers has circumvented the legislative process and our system of checks and balances in state government," Senator Gallivan said.

"Allowing one person to have such unilateral control was never the intent of our Constitution and I once again call on my colleagues to take action to restore our democratic process."

In March 2020, the Legislature passed a bill expanding the governor's emergency powers to deal with the COVID-19 pandemic. Since then, the governor has issued dozens of executive orders and suspended more than 250 laws. The extensive nature of these directives is alarming, as the duty of passing laws belongs to the legislature.

Under the current emergency measures, the executive branch is undermining the role of the State Legislature, and the role of the public by leaving no opportunity for basic legislative procedures like public hearings, debate and deliberation.

The COVID-19 state of emergency has necessitated certain, expedited directives by the executive, but it is no longer reasonable for the governor to continue to operate with such unbridled power. This bill would repeal the governor's expanded emergency powers effective immediately.

The governor would still retain the ability to suspend laws if necessary, as was allowed previously under emergency declarations.

RELATED LEGISLATION

2021-S4888

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor
- Signed By Governor
-

Revokes the extension of emergency powers granted to the governor related to the outbreak of coronavirus disease 2019

February 17, 2021

Stricken

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Do you support this bill?