



NEW YORK STATE SENATOR

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NY State Legislature Must Reassert Itself in Albany

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Just like our federal government, New York State has three co-equal branches, the executive, legislative and judicial. This system is intended to ensure there are appropriate “checks and balances” so that power is not concentrated in one area or with one individual. As the state continues to deal with the many challenges the ongoing coronavirus pandemic presents, the time for the state legislature to reassert itself in the decision-making process is long overdue.

For all intents and purposes, New York State has been under executive rule since mid-March.

In a crisis, it is often necessary for the chief executive to exercise emergency powers to protect citizens and property. Over the years, we have seen such action in response to natural disasters, severe weather and even terrorist attacks. Such power was appropriately exercised in the early days and weeks of the COVID-19 pandemic. However, this extraordinary authority was always intended to be temporary and was not designed to dismiss the Constitutional role of the legislature.

Over the past eight months, the executive branch has issued more than 75 executive orders and mandates, without input from duly elected members of the Senate and Assembly. Such unilateral control and decision-making were not the intent of our Constitution.

New York faces enormous challenges related to this pandemic. While the health and safety of residents is paramount, the state must also deal with its growing budget deficit and a significant loss of revenue. Businesses across the state are struggling through no fault of their own, many of our citizens are unemployed and students are coping with an education system under constant pressure. Important decisions must be made, and the legislature must be part of the process. The Senate and Assembly should return to Albany, or meet remotely, to examine, debate and vote on these and other issues as soon as possible, in special session if necessary.

This is not about agreeing or disagreeing with individual actions taken by the executive branch. This is about the legislative branch doing its duty. The crisis is far from over and we must work together to bring this pandemic under control and restore our economy.

Members of the legislature have been elected to represent the citizens of their district and to ensure they have a voice in how our state operates. It is the branch of government closest to the people. Executive orders and endless emergency declarations should never be used to circumvent the role and responsibility of the legislative branch.

It is time for all duly elected legislators to fulfill their Constitutional obligation.