



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' ~ for the week of January 18, 2021 ~ 'A state-local partnership in peril'

THOMAS F. O'MARA January 19, 2021

| ISSUE: **LOCAL GOVERNMENTS**



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Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, "A state-local partnership in peril"

I have worked very hard over my time in the State Legislature to maintain a positive working relationship with our local governments, particularly those within the 58th Senate District. Throughout the past decade that I've served in the Senate, I have stressed that one of the state's overriding shortcomings was not taking steps to strengthen the state-local partnership.

Prior to COVID-19, this was especially true when it came to addressing unfunded state mandates and Medicaid reform, to name two.

To put it mildly over the last 10 years, the Cuomo administration has too often passed the buck or failed to live up to a promise to localities.

It's worsened over the past 10 months of the COVID-19 response. State government has largely been dictated by Cuomo executive order and the state-local partnership has suffered. We face serious long-term consequences in numerous areas because of it, including the reopening of local economies, numerous instances of critical state aid to localities being withheld, the nursing homes tragedy and, now, the ill-coordinated rollout of the COVID-19 vaccination program. Our county governments have been charged for years to have emergency mass inoculation plans at the ready, yet Governor Cuomo has largely ignored counties in this critical effort.

Yet another example surfaced last week. In the third of the governor's four "State of the State" messages, he advanced a far-reaching agenda to accelerate the siting of renewable energy projects statewide (including large-scale wind and solar). These will be accompanied by a massive expansion of the transmission grid. This agenda is being rolled out after the governor pushed through a new law, currently being implemented, essentially allowing the state to disregard local input in the siting process. Many of these large-scale solar and wind developments, by necessity, will be placed in rural, Upstate regions. Likewise, the expansion of the transmission grid centers on moving this Upstate-produced power downstate, thereby greatly impacting Upstate regions.

Once again, the Upstate local voice is diminished.

In short, the state-local partnership is in a state of crisis. Fixing it requires, for starters, bringing an end to the Governor's unlimited, unilateral COVID-19 emergency executive powers. This Legislature must restore its decision-making authority as a fundamentally strong, locally based voice in state government.

That's exactly what our Senate Republican conference tried to do last week, and not for the first time. Our proposal would put New York's disaster emergency control policy in line with other states that limit an Executive's powers to 30 days and require legislative approval for extending them. Republican-sponsored amendments and resolutions have been unanimously rejected by the

Democrat-led majorities in the Senate and Assembly since last May. Our amendments were rejected again along party lines last week.

Over the past ten months, Governor Cuomo has issued dozens of executive orders allowing him to unilaterally change hundreds of state laws -- and implement rules and regulations, and spending decisions -- without legislative approval.

Many of the governor's actions have gone well beyond the necessary scope of the COVID-19 response. Emergency executive powers were necessary at the outset when quick decisions were required on a rapidly changing public health crisis. Now, however, endless executive orders become a recipe for failure and, in fact, are failing in fundamental ways.

The Legislature needs to step in here. The agonizing move into reopening Upstate New York, for example, has caused unnecessary anger, exasperation, and frustration, not to mention the prolonged hit delivered to livelihoods and local economies. A government without checks and balances goes too far and fails to be effective. The same goes for a government under one-party control.

The current example centers on COVID-19 vaccines. We're seeing how the governor's unilateral decision to largely bypass our local governments as focal points in the administration of the vaccinations is producing confusion, frustration and worse, with consequences for all New Yorkers

Governor Cuomo can no longer be allowed to just issue another directive or another unfunded state mandate out of Albany and callously disregard local input. We shouldn't allow it to keep going unchecked. It could mean paying an enormous price today and well into the future.

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