



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara proposes legislative amendment to end Cuomo's 'government by executive order': Calls for restoring legislative checks and balances (WATCH HERE)

THOMAS F. O'MARA January 20, 2021

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Albany, N.Y., January 20—Senator Tom O'Mara (R,C,I-Big Flats) today advanced a legislative amendment on the floor of the New York State Senate to bring an end to Governor Andrew

Cuomo's unlimited, unilateral COVID-19 emergency executive powers.

O'Mara said, "Emergency executive powers were necessary at the outset of the COVID-19 response, which required quick decisions on a rapidly changing public health crisis. Ten months down this hard road, however, it's long past time to end state government by Cuomo executive order. Endless executive orders are a recipe for failure and, in fact, are failing in fundamental ways."

[Watch Senator O'Mara's floor remarks [HERE](#)]

Since the onset of the pandemic ten months ago, when Cuomo was first granted the emergency authorization, the governor has issued dozens of Executive Orders that have allowed him to unilaterally change hundreds of state laws, as well as implement rules and regulations and make spending decisions, without legislative approval.

Many of the governor's actions, O'Mara said, have now gone well beyond the necessary scope of the COVID-19 response. His legislative amendment would have 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.

O'Mara and his Senate Republican colleagues first introduced legislation in May 2020 that would have immediately ended the governor's powers. They have tried to rein in Cuomo's emergency authority several times since then, including on four separate occasions since the new legislative session began in January. Republican-sponsored amendments and resolutions have been unanimously rejected by the Democrat-led majorities in the Senate and Assembly.

O'Mara's amendment was rejected again today along party lines.

O'Mara stressed that Cuomo's emergency powers throughout the COVID-19 response have led to tragic consequences that failed to protect thousands of seniors in nursing homes and, now, a failing COVID-19 vaccination rollout program.

O'Mara said, "The Legislature needs to step in here and deliver not only a strong voice for Upstate regions, but some common sense as well. The agonizing move into the reopening of Upstate New York, for example, has caused unnecessary anger, exasperation, and frustration, not to mention the prolonged hit delivered to our 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. Of course, the most egregious example of the failure of government by executive order occurred within New York's nursing homes, where unilateral decisions by the Cuomo administration have proven tragic. Now we're seeing how the governor's unilateral decision to largely bypass our local governments as focal points in the administration of COVID-19 vaccinations is proving to be a disastrous decision with consequences for all New Yorkers."

He added, "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 and risk our upstate regions, workers, businesses, taxpayers, and communities paying an enormous price today and well into the future. The Legislature's decision-making authority must be restored as a fundamentally strong, locally based voice in state government."