



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara blasts Senate approval of legislation to keep Cuomo emergency powers in place: Even with additional news reports on Cuomo's abuse of powers, legislative Democrats strike a deal to extend 'government by Cuomo executive order' beyond April 30

THOMAS F. O'MARA March 5, 2021

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Albany, N.Y., March 5—On a day when news reports continue to raise suspicions over the Cuomo administration's handling of the COVID-19 response in nursing homes, State Senator Tom O'Mara (R,C,I-Big Flats) today blasted the Democrat supermajorities in the Senate and Assembly for approving legislation that O'Mara says will keep Cuomo's COVID-19 emergency powers in place indefinitely.

O'Mara, the ranking member on the Senate Investigations and Finance committees, said, "On a day when it is shown once again that Governor Cuomo and his inner circle have abused their emergency pandemic powers for political gain in a disgusting cover-up of nursing homes deaths, the Senate Democrats still strike a deal with Governor Cuomo that gives him

the go-ahead. They acknowledge that the governor has repeatedly lied to them, yet they continue, indeed extend indefinitely with this law, his extraordinary powers. For over a year, Albany's legislative Democrats have abandoned their legislative responsibility, refused to issue subpoenas, ignored the facts and paid lip service to the need for serious oversight hearings. The Senate Democrats have protected Governor Cuomo and his inner circle every step of the way. They are protecting him again today. The Senate Democrats are complicit with Governor Cuomo in what is being revealed as tragic, unforgivable, politically motivated and, in my view, criminal decisions during this COVID-19 pandemic that cost lives, devastated families, destroyed livelihoods and will keep this state at risk for years to come. This latest Albany Democrat scam keeps it all in place until who knows when."

O'Mara made his comments after the Senate approved legislation that legislative Democrats have billed as a plan to rescind Cuomo's unlimited, unilateral COVID-19 emergency executive powers that have been in place since last March. The legislation is expected to be approved by the Assembly later today and will be signed into law by Cuomo.

The *New York Times* and *Wall Street Journal* each reported in today's editions that Cuomo and his top aides, beginning early last year, engaged in a monthslong cover-up of the actual number of COVID-19 deaths in nursing homes, ignoring public health experts and doctoring public health data on the crisis for political and personal gain.

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O'Mara voted against today's legislation. [Watch Senator O'Mara's remarks on the Senate floor today **HERE**.]

Senate Republicans also advanced another legislative amendment, for the 22nd time since last May, to implement an immediate, straight-out repeal of Cuomo's emergency powers. Republican efforts have been rejected along party lines each time.

O'Mara said, "The devil is always in the details around here and the details of this new law will keep far too many New Yorkers suffering, out of work, out of school, on the brink of bankruptcy, overburdened and overwhelmed for many more months down the road. The Albany Democrats are lying through their teeth praising this agreement. It lets Governor Cuomo keep laughing all the way to his next executive order."

O'Mara and Senate and Assembly GOP colleagues charge that the legislation being approved today by the Senate and Assembly Democrat supermajorities will keep all of the executive orders Cuomo has issued to date in place and even allow them to be broadened. Instead of immediately revoking the Governor's emergency powers, as Republican members of the Senate and Assembly have repeatedly called for, this bill -- which has been given the Governor's stamp of approval -- would:

Remove the current expiration date of the Governor's emergency powers, currently set to expire on April 30, 2021 -- instead, that expiration date is now gone; and

Allow the Governor to extend or modify the nearly 100 Executive Orders he has instituted since the start of the pandemic, as long as certain Democrats are allowed to review and comment. This proposal allows him to do so with little more than a courtesy call to the Legislature because those comments will be accepted even after an order takes effect.

At a Capitol briefing earlier this week, Cuomo confirmed that under the new law, his emergency powers will stay in effect until the time the federal government declares the end of the pandemic.

Since the onset of the pandemic nearly one year ago, when Cuomo was first granted the emergency authorization, the governor's Executive Orders have allowed him to unilaterally change hundreds of state laws, as well as implement rules and regulations and make spending decisions, without legislative approval.