



NEW YORK STATE SENATOR

George M. Borrello

Senator Borrello Requests Governor's Legally-Required Notification of Executive Order Extensions

GEORGE M. BORRELLO April 9, 2021

| ISSUE: **COVID-19, EXECUTIVE ORDERS, RESTAURANTS AND HOSPITALITY INDUSTRY**



ALBANY – Following Governor Cuomo's issuance of Executive Order 202.101 extending and modifying several existing mandates, Senator George Borrello has sent a letter to the Senate Majority Leader requesting a copy of the written notification the Governor is legally required to provide five days in advance of any such actions.

Senator Borrello condemned the Governor's actions, which were executed behind the scenes as legislators and the media were focused on the passage of the state budget. Among the directives extended by the Executive Order were those mandating the 11 p.m. restaurant curfew and requiring patrons to purchase food with alcohol. The EO extended those rules until May 6.

"Despite the Senate Majority's insistence that they repealed the Governor's emergency powers, his actions this week only reinforce the fact that he is still pulling the strings when it comes to these harmful COVID restrictions on our small business," said Senator Borrello.

"There was zero transparency by the Governor or the Legislative Majorities concerning EO 202.101, and I expect the convenient excuse will be that everyone was focused on finalizing the budget."

"These restrictions have contributed to the devastation of New York's restaurant and hospitality industry. According to the New York State Restaurant Association, to date, 20% of restaurants in New York have closed and many of them will never reopen. The continuation of this directive will cause more pain for these restaurants and the families they support."

"As it has been since the beginning of the pandemic, our restaurants, bars and hospitality businesses continue to bear the brunt of these arbitrary mandates. There isn't a shred of science supporting the 11 p.m. curfew or the ridiculous requirement that patrons must order food with an alcoholic beverage," Borrello said. "Many in this industry are understandably feeling unjustly persecuted by these continuing restrictions on their businesses, even as other venues, including gyms, movie theaters and bowling alleys, had their 11 p.m. curfew lifted."

"The Senate Democrats' failure to truly repeal his emergency powers, as well as their rejection of Senate Republican efforts to roll back each senseless directive, makes them

complicit in the damage being needlessly inflicted on this already-devastated industry,” he added. “The fact they let this slide under the radar only underscores that the ‘repeal’ was theater for political cover, not a genuine commitment to rein in the Governor’s abuse of his authority. By their own words, members of the majority leadership have called these executive orders unscientific and harmful, and yet they have allowed them to be renewed.”

“Our request for a copy of the required notification is an effort to bring the greatest measure of transparency and accountability possible to this flawed process. We will not be silent bystanders to the continuing damage being inflicted on our small businesses by these senseless Executive Orders.”

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