

2021-J2882

Senate Resolution No. 2882

BY: Senator ORTT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

terminating the provisions of executive order 11.8
of 2022 issued by the Governor pursuant to section
29-a of the Executive Law thus ending the COVID-19
state disaster emergency

WHEREAS, The Governor was given the authority pursuant to section 29-a of the Executive Law by Executive Order to temporarily suspend or modify any statute, local law, ordinance, order, rule or regulation, or parts thereof, of any agency during a state disaster emergency if compliance with such statute, local law, ordinance, order, rule or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, and to issue any directive during such disaster emergency necessary to cope with the disaster; and

WHEREAS, Executive Order number 11.8 of 2022 continues the state disaster emergency as set forth in Executive Order 11, and continues the suspensions and modifications of law contained in Executive Order numbers 11, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and 11.7 through August 13, 2022; and

WHEREAS, The Governor subsequently issued eight successor Executive Orders to Executive Order 11 modifying and suspending statutes, local laws, ordinances, orders, rules and regulations; and

WHEREAS, The country is in year three of experiencing the COVID-19 virus and the country's understanding of the virus is at a point where life has moved back to normal; and

WHEREAS, COVID-19 vaccines, therapeutics and prior infections have led to much milder cases than experienced early on in the pandemic and thankfully, a far lower death rate; and

WHEREAS, The purpose of the State of Emergency provision is to provide the Governor with power to act quickly when local governments are not able to; and

WHEREAS, The state and localities have adequate resources to deal with combatting the ongoing COVID-19 virus; and

WHEREAS, Thirty-seven states have ended their declared states of emergency; and

WHEREAS, The State Legislature has the authority to terminate by concurrent resolution a state disaster emergency issued under section 28 of the Executive Law, chapter 23 of the laws of 2020 and chapter 71 of the laws of 2021; now, therefore, be it

RESOLVED, (if the &HOUSE concur), That Executive Order number 11.8 of 2022, which continues the state disaster emergency set forth in Executive Order 11 and continues the suspensions and modifications of

law contained in Executive Order numbers 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and 11.7 through August 13, 2022 is hereby terminated.