



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column ~ for the week of July 6, 2020 ~ 'Never give away legislative checks and balances'

THOMAS F. O'MARA July 6, 2020

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Senator O'Mara shares his weekly perspective on issues facing New York State government.

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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, "Never give away legislative checks and balances"

Let's stay on a topic that as much as any other harbors enormous consequences for our region and how it's impacted by New York State government in the short term, as well as over the long run.

There are countless pitfalls when government is controlled by one party. That statement holds true, by the way, regardless of what party happens to be in control.

The most serious shortcoming is the lack of legislative checks and balances.

While varying points of view exist within any particular party, in the end an underlying, foundational mindset usually carries the day on the most impactful decisions. We're already seeing this play out here in New York State in many policy arenas, from agriculture to criminal justice to taxes, highlighting just a few.

So it's important, in my view, for an opposing party in any government to have some ability to pump the brakes within the legislative process.

Unfortunately in New York State at the moment, that's not the case. Governor Cuomo and a state Legislature under the control of one party essentially gets to make the decisions that wind up having such an impact across our region – and too often a decidedly negative impact.

For example, I have stated the new state budget is, at its core, not responsible, fair or sensible. Most troubling of all, especially in the context of a COVID-19 response that has brought this state and nation to its economic knees, the potential long-term negative impacts for this region are great.

One of this new budget's most egregious actions was giving Governor Cuomo unprecedented, unilateral powers to revise the state's fiscal plan. It is a stunning relinquishment of legislative checks and balances.

In short, Governor Cuomo alone gets to decide who wins or loses in the critical weeks and months ahead, particularly in the aftermath of whatever federal COVID-19 relief aid will be distributed to the state and local governments.

But in addition to granting the governor unprecedented fiscal decision making, the new state budget also continued too much business as usual, questionable spending and borrowing, and policies in pursuit of a so-called “progressive” political agenda that had nothing to do with the budget and shouldn't be included in it. It unfairly and unnecessarily moves us toward fiscal and economic burdens and uncertainties for local governments, local schools, local businesses and industries, local taxpayers, local workers, and local economies and communities overall.

These fiscal and economic burdens and uncertainties, by the way, will last long, long after the COVID-19 response mission is complete. If you thought future generations of state and local taxpayers already faced having to bear the burden of one of America's highest debt loads, this budget makes it even worse.

One of the state's prominent fiscal and governmental watchdogs, the Albany-based Empire Center for Public Policy, recently raised the alarm on the short- and long-term fiscal storms on the horizon for state and local taxpayers.

The Center's E.J. McMahon wrote, “Cuomo has an even bigger problem: a current budget gap of roughly \$8 billion, which he has threatened to close with local aid cuts of up to 20 percent if he doesn't get it from Washington. The state's fiscal 2022 budget gap is roughly \$17 billion — but - Albany's red ink tends to flow downhill.”

“Flow downhill” as in Albany having a bad habit of closing its budget gaps on the backs of already hard-pressed localities and local property taxpayers.

McMahon further wrote that there’s an urgent need for New York State to “reorder priorities, restructure operations and reduce spending.”

I agree, however at the moment (and for the foreseeable future), Governor Cuomo alone gets to decide how to “reorder priorities, restructure operations and reduce spending.”

If the past can predict the future, I don’t like our odds in this arrangement. And if you think the current state Legislature under one party control is waiting in the wings to look out for the Southern Tier and Finger Lakes, well, there’s a bridge in Brooklyn for sale, as they say.

The Republican leaders of the state Senate and Assembly recent wrote, “The opportunities to rein in the governor’s unilateral authority have been numerous. But the number of Democrat lawmakers willing to do so has not. While there are merits to utilizing emergency powers for short periods of time, the governor’s extended authority is no longer necessary, and it is not how state government was built to function. As legislators, we are elected to make difficult decisions on behalf of our constituents. As more time passes, it becomes clearer that our colleagues on the other side of the aisle are willing to shirk that responsibility in favor of Gov. Cuomo’s one-person rule.

“Hardworking New Yorkers deserve better.”