



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara, Senate GOP call for end to Cuomo's emergency executive powers: Point to confusing and failing COVID-19 vaccination program as latest example of shortcomings of 'government by executive order'

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| ISSUE: [COVID-19 RESPONSE](#)



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**Albany, N.Y., January 14**—Kicking off the first full week of the new session of the State Legislature, Senator Tom O'Mara (R,C,I-Big Flats) and members of the Senate Republican conference this week called for the approval of a legislative amendment bringing an end to Governor Andrew Cuomo's unlimited, unilateral COVID-19 emergency executive powers.

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.

O'Mara said, "Emergency executive powers were necessary at the outset of the COVID-19 response, which required quick decisions on an unknown and rapidly changing public health crisis. The scope of this public health response has been carried out diligently and tirelessly across the state and local spectrum of agencies and organizations, public and private. Nearly ten months down this hard road, however, it's time to end government by Cuomo executive order. Endless executive orders are a recipe for failure and, in fact, are failing in some fundamental ways."

O'Mara and his Senate Republican colleagues first introduced legislation in May that would have immediately ended the governor's unilateral emergency powers – and they have tried to rein in Cuomo's emergency executive authority several times since then, including twice this week.

Their proposal would 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.

Republican-sponsored amendments and resolutions have been unanimously rejected by the Democrat-led majorities in the Senate and Assembly. This week's Senate GOP amendments were once again rejected along party lines.

O'Mara stressed that Cuomo's unilateral executive 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 first order of business for this Legislature — and the sooner, the better that it's acted on — is to restore the Legislature's decision-making authority as a fundamentally strong, locally based voice in state government."