



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senator O'Mara's weekly column 'From the Capitol' ~ for the week of March 8, 2021 ~ 'A year of dark days just got darker'

THOMAS F. O'MARA March 8, 2021

| ISSUE: **CORONAVIRUS PANDEMIC; COVID-19: GOVERNOR; EXTRAORDINARY POWERS**



The devil is always in the details around here and the details of this new law will indefinitely continue every one of the restrictions the governor currently has in place and allow him to unilaterally make them more restrictive, which will just 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.

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, "A year of dark days just got darker"

In a year of dark days everywhere across New York, we sadly saw one of the darkest days yet at the State Capitol last Friday.

On a day when news reports continued to raise suspicions over the Cuomo administration's handling of the COVID-19 response in nursing homes, the Democrat supermajorities in the Senate and Assembly still went ahead and approved a new law that will keep Cuomo's COVID-19 emergency powers in place indefinitely.

On a day when it was shown, once again, with scathing reports in both the *New York Times* and *Wall Street Journal*, 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, Albany's legislative Democrats in the Senate and Assembly still struck a deal with Governor Cuomo that gives him the continued go-ahead.

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.

They have protected Governor Cuomo and his inner circle every step of the way.

They protected him again last Friday.

Albany's legislative 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 and local communities at risk for years to come.

On Friday, the Senate and Assembly approved legislation, agreed to by Governor Cuomo, that the Democrat supermajorities billed as rescinding Cuomo's unlimited, unilateral COVID-19 emergency executive powers, powers that have been in place since last March and were scheduled to sunset on April 30.

In fact, the new law extends these powers until who knows when.

The very same day, the *New York Times* and *Wall Street Journal* were just reporting that Governor Cuomo and his inner circle, 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 data on the crisis for political and personal gain.

According to the *Times*, “The central role played by the governor’s top aides reflected the lengths to which Mr. Cuomo has gone in the middle of a deadly pandemic to control data, brush aside public health expertise and bolster his position as a national leader in the fight against the coronavirus.”

Of course, I voted against this extension of the governor’s powers. Senate Republicans also last week advanced another legislative amendment, for the 21st time since last May, to implement an immediate, straight-out repeal of Cuomo’s emergency powers. Republican efforts have been rejected along party lines every single time.

It’s another Albany scam. The devil is always in the details around here and the details of this new law will indefinitely continue every one of the restrictions the governor currently has in place and allow him to unilaterally make them more restrictive, which will just 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 touting this agreement as repealing “government by Cuomo executive order.”

Just the opposite, it lets Governor Cuomo keep laughing all the way to his next executive order. At a Capitol briefing earlier in the week, the governor confirmed that under this new law, his emergency powers will stay in effect until the time the federal government declares the end of the pandemic. The new law allows the Cuomo administration to extend or modify Executive Orders he has instituted since the start of the pandemic, as long as certain Democrats are allowed to review and comment. It allows Governor Cuomo to remain in control with little more than a request for comment to the Legislature – comments, by the way, that the governor can unilaterally dismiss without the Legislature’s approval.

Keep in mind that since the onset of the pandemic nearly one year ago, when Governor Cuomo was first granted the emergency authorization, the governor has issued nearly 100 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.

What will it take for the Legislature’s Democrat supermajorities to stop cowering to, hiding behind and protecting this governor?

Maybe the bigger and more serious question is this one: Why do they keep doing it?

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