



NEW YORK STATE SENATOR

Alessandra Biaggi

SENATOR BIAGGI ISSUES STATEMENT REGARDING THE SENATE'S VOTE TO LIMIT THE GOVERNOR'S EMERGENCY POWERS

ALESSANDRA BIAGGI March 5, 2021

ALBANY, NY – On March 5th, 2021 New York State Senator Alessandra Biaggi issued a statement regarding the New York State Senate's vote to limit the Governor's expanded emergency powers. The legislation (**S5357**), introduced by Majority Leader Andrea Stewart-Cousins, prevents the Governor from issuing any further directives, restoring the role of the Legislature in New York's response to the COVID-19 crisis.

State Senator Alessandra Biaggi (D-Bronx/Westchester) issued the following statement:

"One year ago, our state entered one of the darkest periods we have experienced. In a time of such fear and uncertainty, the Executive requested, and was granted expanded emergency powers to lead our state through this crisis.

Over the last year, the Governor and his administration have taken extraordinary advantage of their expanded powers, issuing countless directives with minimal warnings or input from the Legislature. The Executive's unilateral directives demonstrated an overreach of power and lack of willingness to lead with transparency and integrity in this time of crisis. The Legislature — and the voices of the constituents we represent — have been absent from decision making, resulting in dire consequences. For this reason, I am proud to vote in

support of the legislation introduced by Majority Leader Andrea Stewart-Cousins today, which limits the Governor's emergency powers.

To be clear, this legislation falls short of a full repeal of the Governor's expanded emergency powers, and it must be noted that the expiration date of this bill is tied to the end of the declared state disaster emergency. Despite these shortcomings, it is in the best interest of New Yorkers to take immediate action to end the Governor's ability to unilaterally issue new directives in the wake of our state's COVID-19 recovery.

Our democracy is reliant upon three co-equal branches of government, and as we lead our communities into recovery, it is imperative that we act with the transparency New Yorkers deserve.”

The legislation passed today reserves the Governor's ability to extend or modify existing directives regarding the COVID-19 pandemic. However, the Executive must provide five days notice to the Legislature, as well as notice to municipalities, before issuing an extension, and respond publicly to any questions or comments regarding the extension.

This legislation also provides that the Legislature may terminate a state disaster emergency by concurrent resolution, ensuring a new check by the Legislature on the authority of a Governor during a declared state of emergency. Pre-existing directives that have nothing to do with COVID-19 will no longer be allowed, and the Commissioner of Health will be responsible for certifying that continuing directives are necessary to fight the pandemic.

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