



NEW YORK STATE SENATOR

Robert G. Ortt

Senate Republicans Unveil Legislation to Improve Nomination Process

ROBERT G. ORTT June 8, 2021

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ALBANY, NY -- Senate Republican Leader Rob Ortt and members of the Senate Republican Conference today announced a comprehensive package of legislation to improve the process of nominations made by the Executive to serve in a variety of positions throughout New York State.

Each year, in the final days of session, the Governor sends scores of nominations for a variety of positions -- including judgeships, and board members for many state boards and entities -- to the State Senate for confirmation. Currently, Senators have little information and time to properly vet the nominations.

“Nominations made by the Governor to various positions can have a tremendous impact on the lives of everyday New Yorkers but they are traditionally rushed through, often in the dead of night, with little time and information for members of the Senate to review and properly vet the nominees. This package of bills will streamline the process and make improvements to provide greater accountability and transparency to the process,” said Senate Republican Leader Rob Ortt.

The package includes proposals that would:

- > Require at least 30 days from the date the Governor communicates a nomination for consideration by the Senate before such nomination occurs, and requires a public hearing within 15 days of such communication. (Senator Andrew Lanza);
- > Require the Governor, Majority Leader and Minority Leader in the Senate to create a streamlined disclosure form/questionnaire that nominees for appointment by the Governor must fill out to provide relevant information (Senator Joseph Griffo);
- > Create a non-partisan Senate Background Review Commission to review and verify the completeness and veracity of background investigations and disclosure requirements (S.7214, Senator Mike Martucci);
- > Prohibit the Governor from making appointments to the Court of Appeals when subject to an impeachment investigation (S.7216, Senator Sue Serino); and

> Limit the length of time an individual may head an agency in an acting capacity while the Legislature is in session to ninety days, or thirty days after the first day of the succeeding session if the Legislature is not in session (S.3779, Senator Joseph Griffo).

“For far too long NY Governors have jammed the Senate with scores of last minute nominations, leaving no time for a proper vetting. This Republican proposed legislation will fix that by requiring that the governor must make such nominations at least 30 days before any Senate confirmation vote shall take place. The result will be a better government for all New Yorkers,” said Deputy Republican Leader Andrew Lanza.

“Once again we are seeing the Governor hand down hundreds of nominations at the end of the legislative session, including nominees for many important and significant positions such as the Court of Appeals, the highest court in the state. This rushed process does not give the Senate sufficient time to properly and thoroughly vet those who had been nominated under the constitutional provisions of advice and consent before they are potentially confirmed, as is the Senate’s constitutional duty. There is no reason for these nominations to be dumped on the Senate now, which is why I have introduced legislation to improve the nomination and confirmation process and ensure that those selected by the Governor are truly the right people for the job and not merely confirmed because we are at the eleventh hour of session,” said Senator Joseph Griffo.

“As a new Senator, this is my first time participating in the process of vetting and voting on nominees for various Executive positions and I’ve found it seriously lacking. We are given almost no information about the nominees and no time to properly meet with them, ask them questions and get a grasp on whether or not they are qualified before a vote is held. That’s outrageous, particularly when the nominations are being made by someone who famously lied to cover up deaths in our nursing homes. The Legislation I sponsor would create a non-partisan commission on these appointments that could provide every member

with full background information in advance of having to cast a vote. I take the Senate's power to provide advice and consent on appointments very seriously. Jamming dozens of nominees through with little information at the very end of sessions makes a mockery of an important legislative process," said Senator Mike Martucci.

"No one accused of a crime gets to hand-pick their own jurors and a Governor facing impeachment should not get to either. Governor Cuomo's own indiscretions have exposed a number of flaws in our laws and our impeachment process, and we have a duty to take steps immediately to ensure any future impeachment process is truly independent and free from the undue influence of a scandal-scarred Governor. This package is about preserving the integrity of our system and restoring the public's trust, and I urge my colleagues not to adjourn the session without taking these measures up," said Senator Sue Serino.

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