

STATE OF NEW YORK

6987

2021-2022 Regular Sessions

IN ASSEMBLY

April 19, 2021

Introduced by M. of A. LALOR -- read once and referred to the Committee on Judiciary

AN ACT to establish a bipartisan committee to investigate and make recommendations as to whether Governor Andrew Cuomo committed acts for which impeachment is warranted with respect to certain actions relating to the admission of COVID-19 patients to nursing homes; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. (a) No later than fifteen days after the effective date of
2 this act, a bipartisan committee shall be formed for the purpose of
3 determining if Governor Andrew Cuomo committed acts for which impeach-
4 ment is warranted:

5 (i) in the issuance of a mandate forcing nursing homes in the state to
6 admit COVID-19 positive patients during the 2020 COVID-19 pandemic;

7 (ii) in failing to disclose accurate data on nursing home deaths in a
8 timely manner to the Legislature, watchdog groups, the US Department of
9 Justice, and the public;

10 (iii) in surreptitiously inserting into the 2020-2021 budget language
11 that gave legal immunity to hospital executives and for-profit nursing
12 homes at the request of lobbyists and donors to his campaign committee;

13 (iv) in threatening a legislator or legislators who question the
14 governor's handling of nursing homes and lack of transparency on nurs-
15 ing home fatality data; or

16 (v) in demanding that a legislator or legislators publicly corrob-
17 orate all or part of the governor's claims about the US Department of
18 Justice investigation into nursing home fatalities.

19 (b) The committee shall be comprised of eleven members of the assembly
20 to be appointed as follows:

21 (i) 8 members to be selected by the speaker of the assembly; and

22 (ii) 3 members to be selected by the minority leader of the assembly.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (c) If any vacancy occurs on the committee, such vacancy shall be
2 filled by appointment for the unexpired term by the appointing authority
3 initially appointing such member.

4 (d) The members shall select a chair and a vice-chair of the committee
5 from their number.

6 (e) Members of the board of directors shall serve without compensation
7 but shall be reimbursed for actual expenses reasonably incurred in the
8 performance of their duties.

9 (f) The committee shall meet at least four times monthly at the call
10 of the chair, or in his or her absence, the vice chair, or on petition
11 of any three members. A majority of the members of the committee shall
12 constitute a quorum for the transaction of any business.

13 (g) No later than sixty days after the formation of the committee, the
14 chair of the committee shall deliver a report of the committee's find-
15 ings and recommendations as to impeachment to the Legislature.

16 § 2. This act shall take effect immediately and shall expire and be
17 deemed repealed thirty days after the committee's report and recommenda-
18 tions are delivered to the legislature. The speaker of the assembly
19 shall notify the legislative bill drafting commission when the recommen-
20 dations of the committee are delivered to the legislature as provided in
21 section one of this act in order that the commission may maintain an
22 accurate and timely effective data base of the official text of laws of
23 the state of New York in furtherance of effectuating the provisions of
24 section 44 of the legislative law and section 70-b of the public offi-
25 cers law.