Senate Resolution No. 2882

BY: Senator ORTT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY
terminating the provisions of executive order 11.8
of 2022 issued by the Governor pursuant to section
29-a of the Executive Law thus ending the COVID-19
state disaster emergency

WHEREAS, The Governor was given the authority pursuant to section
29-a of the Executive Law by Executive Order to temporarily suspend or
modify any statute, local law, ordinance, order, rule or regulation, or
parts thereof, of any agency during a state disaster emergency if
compliance with such statute, local law, ordinance, order, rule or
regulation would prevent, hinder, or delay action necessary to cope with
the disaster emergency or if necessary to assist or aid in coping with
such disaster, and to issue any directive during such disaster emergency
necessary to cope with the disaster; and

WHEREAS, Executive Order number 11.8 of 2022 continues the state
disaster emergency as set forth in Executive Order 11, and continues the
suspensions and modifications of law contained in Executive Order
numbers 11, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and 11.7 through August
13, 2022; and

WHEREAS, The Governor subsequently issued eight successor Executive
Orders to Executive Order 11 modifying and suspending statutes, local
laws, ordinances, orders, rules and regulations; and

WHEREAS, The country is in year three of experiencing the COVID-19
virus and the country's understanding of the virus is at a point where
life has moved back to normal; and

WHEREAS, COVID-19 vaccines, therapeutics and prior infections have
led to much milder cases than experienced early on in the pandemic and
thankfully, a far lower death rate; and

WHEREAS, The purpose of the State of Emergency provision is to
provide the Governor with power to act quickly when local governments
are not able to; and

WHEREAS, The state and localities have adequate resources to deal
with combatting the ongoing COVID-19 virus; and

WHEREAS, Thirty-seven states have ended their declared states of
emergency; and

WHEREAS, The State Legislature has the authority to terminate by
concurrent resolution a state disaster emergency issued under section 28
of the Executive Law, chapter 23 of the laws of 2020 and chapter 71 of
the laws of 2021; now, therefore, be it

RESOLVED, (if the &HOUSE concur), That Executive Order number 11.8
of 2022, which continues the state disaster emergency set forth in Executive Order 11 and continues the suspensions and modifications of law contained in Executive Order numbers 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and 11.7 through August 13, 2022 is hereby terminated.