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:

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately and shall expire and be deemed repealed thirty days after the committee's report and recommendations are delivered to the legislature. The speaker of the assembly shall notify the legislative bill drafting commission when the recommendations of the committee are delivered to the legislature as provided in section one of this act in order that the commission may maintain an accurate and timely effective data base of the official text of laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.