



WILL BARCLAY
Minority Leader

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

April 13, 2021

Hon. Carl Heastie
Speaker, New York State Assembly
Legislative Office Building, Room 932
Albany, NY 12248

Hon. Harry B. Bronson, Chairman
Assembly Committee on Economic Development, Job Creation, Commerce & Industry
Legislative Office Building, Room 846
Albany, NY 12248

Hon. Richard Gottfried, Chairman
Assembly Committee on Health
Legislative Office Building, Room 822
Albany, NY 12248

Dear Legislative Colleagues:

On March 5, the Legislature passed a measure to address the expanded powers granted to Gov. Cuomo during the COVID-19 emergency declaration. Pursuant to Chapter 71 of the laws of 2021, the governor is now required to inform legislative leaders and relevant committee chairs of any extension, modification or alteration to existing executive orders related to the pandemic. In addition, the Commissioner of Health must certify that any actions are due to an imminent threat to public health or safety.

Executive Order 202.101, adopted on April 6, extended all prior orders that were not superseded, modified or otherwise expired until May 6. As you are aware, this includes the directive implementing an 11 p.m. curfew on the state's bars and restaurants. While curfews were lifted last week for establishments such as pool halls, bowling alleys, casinos and fitness centers, the thousands of small businesses that make up the majority of our restaurant industry are forced to continue under this arbitrary rule.

The Assembly Minority Conference is formally requesting to be provided copies of the required notices and justifications from the governor's office and Commissioner of Health to the Legislature regarding the extension of this executive order. As you can imagine, members of our Conference have heard from countless business owners, employees and constituents who have questioned the need and subjectivity of a prolonged curfew.

The administration has a legal obligation to inform the Legislature and, in turn, the public, of the reasoning behind executive orders that carry such wide-ranging impacts on our communities. We hope that Gov. Cuomo and his administration are meeting that requirement.

Thank you. We look forward to hearing from you.

Sincerely,



Will Barclay
Assembly Minority Leader



Christopher S. Friend
124th Assembly District



Kevin M. Byrne
94th Assembly District



Edward P. Ra
19th Assembly District



Joseph Angelino
122nd Assembly District



Jacob Ashby
107th Assembly District



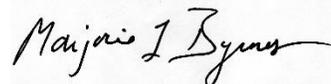
Kenneth D. Blankenbush
117th Assembly District



Karl Brabenec
98th Assembly District



Keith P. Brown
12th Assembly District



Marjorie L. Byrnes
133rd Assembly District



Joseph P. DeStefano
3rd Assembly District



David J. DiPietro
147th Assembly District



Michael Durso
9th Assembly District



Michael J. Fitzpatrick
8th Assembly District



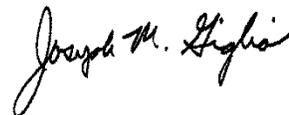
Jeffery Gallahan
131st Assembly District



Jarett Gandolfo
7th Assembly District



Jodi Giglio
2nd Assembly District



Joseph M. Giglio
148th Assembly District



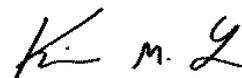
Andrew Goodell
150th Assembly District



Stephen M. Hawley
139th Assembly District



Joshua T. Jensen
134th Assembly District



Kieran Michael Lalor
105th Assembly District



Michael Lawler
97th Assembly District



John Lemondes, Jr.
126th Assembly District



Brian D. Manktelow
130th Assembly District



David G. McDonough
14th Assembly District

John Mikulin
17th Assembly District

Brian D. Miller
101st Assembly District

Melissa "Missy" Miller
20th Assembly District

Michael A. Montesano
15th Assembly District

Angelo J. Morinello
145th Assembly District

Michael J. Norris
144th Assembly District

Philip A. Palmesano
132nd Assembly District

Michael W. Reilly, Jr.
62nd Assembly District

John J. Salka
121st Assembly District

Colin J. Schmitt
99th Assembly District

Matthew Simpson
114th Assembly District

Douglas M. Smith
5th Assembly District

Robert J. Smullen
118th Assembly District

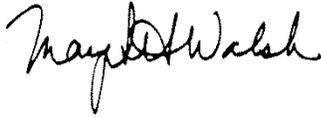
Christopher Tague
102nd Assembly District



Michael Tannousis
64th Assembly District



Mark C. Walczyk
116th Assembly District



Mary Beth Walsh
112th Assembly District