



**2019 New York State YMCA
Youth And Government**

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FOR SOCIAL RESPONSIBILITY**

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Committee Assignment: Assembly Freedom 6

Bill #: AF-42

Sponsors: Kenan Kapetanovic, Marco Reggiardo, Julian Brooks, Aidan Knoebel

1 **An Act To**

2 Amend Article 72 § 72-0302 of the Environmental Conservation Law by adding
3 paragraph h. to subsection 1 to add a fee for Carbon Dioxide Emissions.

4

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

6

7 **Purpose**

8 To reduce the amount of carbon dioxide concentration levels in the atmosphere by
9 implementing a \$50.00 per ton tax of carbon dioxide over an extended period of
10 time to large industries that decreases their carbon output.

11

12 **Summary of Provisions**

13 **Section 1**

14 **Commercial Building:** buildings that are used for commercial purposes, and include
15 office buildings, warehouses, and retail buildings.

16 **NYSERDA:** New York State Energy Research and Development Authority advancing
17 innovative energy solutions in ways that improve New York's economy and
18 environment.

19 **Carbon Dioxide Emission Tax:** a tax imposed on each ton of carbon dioxide emitted
20 equally.

21 **Section 2**

22 § 72-0302. State air quality control fees.

23 1. All persons, except those required to pay a fee under section 72-0303 of this
24 article, who are required to obtain a permit, certificate or approval pursuant to the
25 state air quality control program shall submit to the department a per emission
26 point fee in an amount established as follows:

27 a. \$11,000.00 for a stationary combustion installation having a maximum
28 operating heat input equal to or greater than fifty million British thermal units per
29 hour as stated on the most recent application for a permit to construct or
30 application for a certificate to operate and which emits or has the potential to emit
31 equal to or greater than any one of the following:...

32 b. \$2,000.00 for all stationary combustion installations which are not included
33 under paragraph a of this subdivision and which have a maximum operating heat
34 input greater than fifty million British thermal units per hour as stated on the most
35 recent application for a certificate to operate.

36 c. \$100.00 for a stationary combustion installation having a maximum operating
37 heat input less than fifty million British thermal units per hour as stated on the
38 most recent application for a certificate to operate.

39 d. \$2,000.00 for a process air contamination source for an annual emission rate
40 equal to or greater than twenty-five tons per year of any one of the following:
41 sulfur dioxide, nitrogen dioxide, total particulates, carbon monoxide, total volatile



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42 organic compounds and other specific air contaminants...

43 e. \$160.00 for a process air contamination source, except a gasoline dispensing
44 site, for an annual emission rate less than twenty-five tons per year of any one of
45 the following: sulfur dioxide, nitrogen dioxide, total particulates, carbon monoxide,
46 total volatile organic compounds and other specific air contaminants...

47 f. \$2,000.00 for an incinerator capable of charging two thousand pounds of refuse
48 per hour or greater...

49 g. \$160.00 for an incinerator with a maximum design charge rate of less than two
50 thousand pounds of refuse per hour...

51 h. A tax on carbon dioxide produced and emitted into the atmosphere is placed
52 onto all commercial buildings. The tax shall be initiated on Tax Day in the year after
53 passage and shall start at a price of \$30.00 per ton of carbon. This price shall
54 increase by \$10.00 per ton of carbon dioxide every three years until the price
55 reaches \$50.00 per ton of carbon dioxide. The tax will be collected by The State of
56 New York anytime before the extended tax return date. With this increase in profit
57 for the state, the state will then distribute the money to the NYSERDA. Allowing the
58 money to be put towards environmental sustainability efforts, ultimately decreasing
59 carbon dioxide emissions into the atmosphere.

60

61 **Justification**

62 In 2010 (the latest year for which data is available) New York City added 54,349,650
63 metric tons of carbon dioxide to the atmosphere and that is just New York City alone.
64 Carbon dioxide levels have been increasing exponentially over a long period of time,
65 and now we are beginning to feel the effects, with increased sea levels, increased
66 droughts, and increased global temperatures nationwide. The State will be able to
67 calculate the amount of carbon dioxide emitted per facility by using the amount of
68 fuel consumed and burned and using a conversion factor to calculate the amount of
69 carbon dioxide emitted. This tax will not only bring money to the state, but will also
70 be an incentive for companies to begin to switch to renewable means of energy
71 production, which will lower the amount of atmospheric carbon dioxide levels. No
72 such proceeds shall fund government operations of the State, other than to pay for
73 reasonable administrative costs for funding. The conversion to renewable energy will
74 provide a better environmental and economic standing and lifestyle throughout New
75 York State.

76

77 **Fiscal Implications**

78 This bill has no fiscal implications. It will have a neutral tax revenue and New York
79 State will be collecting taxes from increased carbon dioxide production, which will
80 be back in the form of a reduction on the state income tax to keep energy costs
81 from rising.

82

83 **Effective Date**

84 This bill will go immediately into effect on Tax Day (April 15th) of the year after
85 passage. (April 15th, 2020).