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Committee Assignment: Assembly Freedom 2

Bill #:AF-09

Sponsors: Cael Hamel, Aaron Mattupurath, Kendrick McCann and Jon Thibodeau

An Act To Amend the New York State Environmental Conservation Law, Article 75, Section 75-0107 and the New York Public Service Law Section 66-p to set the State's goals of achieving 100 percent carbon-free electricity by 2030 and 80 percent of electricity from renewable sources by 2030.

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

Purpose

This legislation will amend the New York State Environmental Conservation Law. Article 75, known as the Climate Leadership and Community Protection Act to set the state's goals of achieving 100 percent carbon-free electricity by 2030 and 80 percent of electricity from renewable sources by 2030 to reduce the severity of climate change.

Summary of Provisions

Section 1

Greenhouse Gas Emissions: the release of greenhouse gases and/or their precursors into the atmosphere over a specified area and period of time.

Renewable Resources: a resource is a natural resource which will replenish to replace the portion depleted by usage and consumption, either through natural reproduction or other recurring processes in a finite amount of time in a human time scale.

Section 2

New York State Environmental Conservation Law

§ 75-0107. Statewide greenhouse gas emissions limits.

1. No later than one year after the effective date of this article, the department shall, pursuant to rules and regulations promulgated after at least one public hearing, establish a statewide greenhouse gas emissions limit as a percentage of 1990 emissions, as estimated pursuant to section 75-0105 of this article, as follows:

a. 2030: 0% of 1990 emissions.

New York State Public Service Law

§ 66-p. Establishment of a renewable energy program.

1. As used in this section:

(a) "jurisdictional load serving entity" means any entity subject to the jurisdiction of the commission that secures energy to serve the electrical energy requirements of end-user customers in New York state;

(b) "renewable energy systems" means systems that generate electricity or thermal energy through the use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

2. No later than June thirtieth, two thousand twenty-one, the commission shall establish a program to require that: (a) a minimum of eighty percent of the statewide electric generation secured by jurisdictional load serving entities to meet the electrical energy requirements of all end-user customers in New York state in



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46 two thousand and thirty shall be generated by renewable energy systems; and (b)
47 that by the year two thousand forty (collectively, the "targets") the statewide
48 electrical demand system will be zero emissions. In establishing such programs, the
49 commission shall consider and where applicable formulate the program to address
50 impacts of the program on safe and adequate electric service in the state under
51 reasonably foreseeable conditions. The commission may, in designing the program,
52 modify the obligations of jurisdictional load serving entities and/or the targets upon
53 consideration of the factors described in this subdivision.

54 **Justification**

55 The average temperature in New York State has risen by 2.4 degrees Fahrenheit for
56 the summer months and 4.4 degrees Fahrenheit in the winter months since
57 1970. These numbers only continue to rise. By 2080, the temperature is
58 calculated to be 10 degrees warmer. This temperature increase will have
59 catastrophic effects on our state's agriculture and animals. Changes will occur in
60 the migration patterns and gestation periods for species. Food production and
61 availability of natural resources will be negatively impacted. Fish and bird
62 populations will shift northward and pollinating spring bees will arrive 10 days
63 earlier than they did in the 1880's, directly and negatively impacting the food
64 chain. The adverse effects of climate change are already being seen all around New
65 York State from our great Adirondacks to major cities in the form of annual
66 flooding, storms and heat waves which cause direct human death, injury to
67 property and ecological damage. Mitigating the impacts of climate change is vital to
68 the future of New York State. The recently enacted Climate Leadership and
69 Community Protection Act set admirable goals to reduce emissions and increase
70 renewable energy goals, but they were not enough. This bill seeks to reassess
71 those aspirational goals to more aggressively counteract the impact of emissions on
72 climate change and to more fully commit to renewable energy efforts. As Governor
73 Andrew Cuomo noted when the original Climate Leadership and Community
74 Protection Act was passed, the passage of this bill will solidify New York State's
75 undisputed position as a global leader in climate and clean energy".

76 **Fiscal Implications**

77 There are no known negative fiscal implications to the State. This bill provides a
78 slight increase to the aspirational goals set forth in the Climate Leadership and
79 Community Protection Act recently passed to more aggressively combat climate
80 change. Although there may be a slight increase in cost to meet the goals set forth
81 but the savings on environmental cleanup costs will offset any increased expenses
82 and will save the state funds over the long term.

83 **Environmental Implications**

84 The state and its communities will benefit from this bill. This bill will bring many
85 positive effects to health for the citizens of our state by ensuring that they have
86 safe and healthy water and air. This commitment will induce individuals to want to
87 move to New York State to take advantage of the clean air and water.

88 **Effective Date**

89 The law will go into effect one year following the date of its passage.