



2022 New York State  
**Environmental  
Scorecard:  
Senate Edition**

An Insider's Guide to the  
Environmental Records of  
New York State Lawmakers

Environmental  
Advocates

Action ✓

# Table of Contents

2022 Senate Session Overview	3
Senate Scores	4
Bill Summaries	11
How to Support Our Work	16

Environmental Advocates Action  
353 Hamilton Street  
Albany, NY 12210

[www.eaaction.org](http://www.eaaction.org)

Twitter: @EA\_Action

Facebook:  
@EnvironmentalAdvocatesAction

## About Environmental Advocates Action

Environmental Advocates Action was formed in 1969 as one of the first organizations in the nation to advocate for the future of a state's environment and the health of its citizens. As the environmental conscience of New York, Environmental Advocates Action through its advocacy, watchdogging, coalition building, education, and policy expertise, has been ensuring that environmental laws are enacted and enforced, anti-environmental laws are defeated, and the public participation in environmental policy debate occurs in a meaningful way. Environmental Advocates Action is a non-profit corporation tax exempt under section 501(c)(4) of the Internal Revenue Code. Visit us online: You can access past editions of the Scorecard for the complete environmental voting record of every member of the New York State Assembly and Senate. Visit [www.eaaction.org](http://www.eaaction.org) to get started.

## How to Read the Scorecard

*Incomplete, voted on less than 20% of scored bills*

*Bill Description*

*Correct Environmental Vote*

### Senate Scores

Member	District	2021 Score	2022 Score	1	2	3	4	5	6	7	8	9	10
Addabbo, Joseph	15	100	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Akshar II, Frederick J.	52	30	39	X	X	X	X	X	✓	X	X	X	X
Bailey, Jamaal	36	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Biaggi, Alessandra	34	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Borrello, George	57	34	35	X	X	X	X	X	✓	X	X	X	X
Boyle, Philip	4	90	78	X	✓	X	✓	✓	✓	X	✓	✓	X
Breslin, Neil	44	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brisport, Jabari	25	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brooks, John	8	100	100	✓	ER	✓	✓	✓	✓	✓	ER	✓	✓
Brouk, Samra	55	100	INC	ER	✓	✓	ER	✓	ER	✓	✓	✓	✓
Cleare, Cordell	30	N/A	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Comrie, Leroy	14	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cooney, Jeremy	56	96	90	X	✓	✓	✓	✓	✓	X	✓	✓	✓
Felder, Simcha	17	90	92	X	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gallivan, Patrick	59	46	51	✓	X	X	X	X	✓	X	X	X	X

*District*

*Incorrect Environmental Vote*

*Excused absence/No vote*

## 2022 Senate Session Overview

---

Since 2019, the first year the New York Senate Majority was led by Senator Andrea Stewart-Cousins, and every year since, the New York State Senate Environmental Scorecard has been devoid of bills detrimental to the environment.

After attending to many landmark measures in 2019 that were ignored by the past Senate leadership, the Senate Majority has settled into the role of environmental leader.

### **This year, the Senate advanced measures that:**

- Protect streams and wetlands to ensure that wildlife has protected habitats and that all New Yorkers can have access to clean water;
- Addressed the climate crisis by:
  - Cutting energy waste in our homes and business with new codes and standards for appliances;
  - Requiring all school buses to be zero-emission by 2035;
  - Requiring all vehicles, including the state's fleet to be electric no later than 2035; and
  - Putting a moratorium on the conversion of shuttered power plants to cryptocurrency "mining" facilities.
- Reduce solid waste by supporting recycling programs and requiring carpet manufacturers to take their products back instead of being disposed in a landfill or burned in an incinerator;
- Assess the cumulative impacts of projects to reverse the awful history of environmental racism;
- Clear the air of toxics particularly in low-income communities and communities of color;
- Protect pollinators from dangerous pesticides and allowed local governments the ability to ban pesticide use near wetlands in their communities;
- Increase funding in the state budget for land protection, climate action, children's environmental health programs, and clean water infrastructure; and
- Increase the size and scope of the proposed environmental bond act to ensure funding for environmental justice and strong labor standards for the people who will do the work.

Without a smokestack rated bill to come before the full Senate for a vote, we highlight for voters the Senators who chose to be recorded as NO when it came to bills that have an environmental benefit.

Reflecting trends nationally where protecting the environment has become a partisan issue, for the most part, Majority members (Democrats) score well, while Minority (Republicans) score poorly. The members are following their leadership: Majority Leader Stewart Cousins has a perfect 100%, Minority Leader Ortt scored a 51%.

So, our simple advice then for voters using this guide, please return members to office if they have scored a 95% or above. Their words match their actions, and they consistently demonstrate the commitment to making New York a better place in which people and wildlife can live.

# Senate Scores



Member	District	2021 Score	2022 Score	1	2	3	4	5	6	7	8	9	10
				Carpet Recycling A.9279-A / S.5027-C	ABCs of Stream Protection A.6652 / S.4162	Advanced Building Codes Appliance and Equipment Efficiency Standards A.10439 / S.9405	State EV Procurement A.2412-B / S.2838-C	Clearing the Toxic Air A.6150-B / S.4371-D	Equitable Siting A.2103-D / S.8830	No Crypto with Environmental Impacts A.7389-C / S.6486-D	PFAS in Apparel A.7063-A / S.6291-A	Protecting Wetlands from Pesticides A.9079-B / S.6378-C	EV Capable Parking Spaces A.3179-D / S.7406-C
Addabbo, Joseph	15	100	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Akshar II, Frederick J.	52	30	39	X	X	X	X	X	✓	X	X	X	X
Bailey, Jamaal	36	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Biaggi, Alessandra	34	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Borrello, George	57	34	35	X	X	X	X	X	✓	X	X	X	X
Boyle, Philip	4	90	78	X	✓	X	✓	✓	✓	X	✓	✓	X
Breslin, Neil	44	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brisport, Jabari	25	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brooks, John	8	100	100	✓	ER	✓	✓	✓	✓	✓	ER	✓	✓
Brouk, Samra	55	100	INC	ER	✓	✓	ER	✓	ER	✓	✓	✓	✓
Cleare, Cordell	30	N/A	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Comrie, Leroy	14	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cooney, Jeremy	56	96	90	X	✓	✓	✓	✓	✓	X	✓	✓	✓
Felder, Simcha	17	90	92	X	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gallivan, Patrick	59	46	51	✓	X	X	X	X	✓	X	X	X	X
Gaughran, James	5	93	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Gianaris, Michael	12	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gouardes, Andrew	22	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Griffo, Joseph	47	40	47	X	X	✓	X	X	✓	X	X	X	X
Harckham, Peter	40	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Helming, Pamela	54	53	61	X	X	X	✓	X	✓	X	✓	X	X
Hinchey, Michelle	46	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoylman, Brad	27	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jackson, Robert	31	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jordan, Daphne	43	37	57	✓	X	X	X	X	✓	X	X	✓	X
Kaminsky, Todd	9	100	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Kaplan, Anna	7	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kavanagh, Brian	26	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kennedy, Timothy M.	63	96	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Krueger, Liz	28	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Lanza, Andrew	24	59	55	X	X	X	X	X	✓	✓	X	✓	X
Liu, John	11	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

**KEY:** ✓ - Correct environmental vote      X - Incorrect environmental vote      N/A - Not in office      🌳 - Positive Environmental Impact  
 ER - Excused absence/no vote      INC - Incomplete score      \* Member either joined or left Assembly mid-session



# Senate Scores



Member	District	2021 Score	2022 Score	1 Carpet Recycling A.9279-A / S.5027-C	2 ABCs of Stream Protection A.6652 / S.4162	3 Advanced Building Codes Appliance and Equipment Efficiency Standards A.10439 / S.9405	4 State EV Procurement A.2412-B / S.2838-C	5 Clearing the Toxic Air A.6150-B / S.4371-D	6 Equitable Siting A.2103-D / S.8830	7 No Crypto with Environmental Impacts A.7389-C / S.6486-D	8 PFAS in Apparel A.7063-A / S.6291-A	9 Protecting Wetlands from Pesticides A.9079-B / S.8378-C	10 EV Capable Parking Spaces A.3179-D / S.7406-C
Mannion, John	50	93	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Martucci, Mike	42	68	71	✓	✓	X	X	✓	✓	X	✓	✓	X
Mattera, Mario	2	87	86	✓	✓	X	✓	✓	✓	X	✓	✓	X
May, Rachel	53	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mayer, Shelley	37	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Myrie, Zellnor	20	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Oberacker, Peter	51	33	41	X	X	X	X	X	✓	X	X	X	X
O'Mara, Thomas	58	34	49	✓	X	X	X	X	✓	X	X	X	X
Ortt, Robert	62	37	51	✓	X	X	X	X	✓	X	X	X	X
Palumbo, Anthony	1	69	82	✓	✓	X	✓	✓	✓	X	✓	✓	X
Parker, Kevin	21	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Persaud, Roxanne J.	19	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ramos, Jessica	13	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rath, Edward	61	33	49	X	X	X	X	X	✓	X	X	✓	X
Reichlin-Melnick, Elijah	38	96	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ritchie, Patricia	48	42	49	X	X	X	X	X	✓	X	X	X	X
Rivera, Gustavo	33	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ryan, Sean	60	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Salazar, Julia	18	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sanders, James	10	INC	100	✓	ER	✓	✓	✓	✓	✓	ER	✓	✓
Savino, Diane	23	96	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Sepulveda, Luis	32	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Serino, Susan	41	57	67	X	✓	X	✓	X	✓	X	✓	X	X
Serrano, Jose	29	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Skoufis, James	39	93	94	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Stavisky, Toby Ann	16	96	96	✓	✓	✓	✓	✓	✓	X	✓	✓	✓
Stec, Dan	45	39	47	X	X	X	X	X	✓	X	X	X	X
Stewart-Cousins, Andrea	35	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tedisco, James	49	59	59	X	X	X	✓	X	✓	X	✓	X	X
Thomas, Kevin	6	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Weik, Alexis	3	63	73	X	✓	X	✓	✓	✓	X	✓	✓	X

KEY: ✓ - Correct environmental vote      X - Incorrect environmental vote      N/A - Not in office      🌳 - Positive Environmental Impact  
 ER - Excused absence/no vote      INC - Incomplete score      \* Member either joined or left Assembly mid-session



# Senate Scores

Member	District	2021 Score	2022 Score	28	29	30	31	32	33	34	35	36
				Equity in the ECL A.9057 / S.1232	Scaling-up Solar A.6838 / S.2995	Lead-Free Parks A.4551-B / S.1256-B	Strengthen NYS Coal Standard A.9178 / S.8474	Lowering the Fixed Fees on Energy Bills A.1384 / S.2837	Renewables for Reforestation Areas A.3874 / S.659	Enforcement Tools no same as / S.1237	Fossil Fuel Phaseout A.5043 / S.2937	Banning Emissions Tampering A.10351 / S.6172-A
Addabbo, Joseph	15	100	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Akshar II, Frederick J.	52	30	39	X	✓	✓	X	✓	X	X	X	✓
Bailey, Jamaal	36	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Biaggi, Alessandra	34	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Borrello, George	57	34	35	X	✓	✓	X	X	X	X	X	✓
Boyle, Philip	4	90	78	✓	✓	✓	✓	X	✓	✓	✓	✓
Breslin, Neil	44	100	100	✓	✓	ER	✓	✓	✓	✓	✓	ER
Brisport, Jabari	25	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brooks, John	8	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brouk, Samra	55	100	INC	ER	ER	✓	✓	✓	ER	ER	ER	✓
Cleare, Cordell	30	N/A	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Comrie, Leroy	14	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cooney, Jeremy	56	96	90	✓	✓	✓	✓	✓	✓	✓	✓	✓
Felder, Simcha	17	90	92	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gallivan, Patrick	59	46	51	✓	✓	✓	X	✓	✓	X	X	✓
Gaughran, James	5	93	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gianaris, Michael	12	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gouardes, Andrew	22	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Griffo, Joseph	47	40	47	X	✓	✓	X	X	✓	X	X	✓
Harckham, Peter	40	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Helming, Pamela	54	53	61	✓	✓	✓	✓	✓	X	✓	X	✓
Hinchey, Michelle	46	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoylman, Brad	27	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jackson, Robert	31	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jordan, Daphne	43	37	57	X	✓	✓	X	✓	✓	X	X	✓
Kaminsky, Todd	9	100	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kaplan, Anna	7	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kavanagh, Brian	26	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kennedy, Timothy M.	63	96	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Krueger, Liz	28	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Lanza, Andrew	24	59	55	✓	✓	✓	X	✓	X	X	X	✓
Liu, John	11	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓

KEY: ✓ - Correct environmental vote      X - Incorrect environmental vote      N/A - Not in office      🌲 - Positive Environmental Impact  
 ER - Excused absence/no vote      INC - Incomplete score      \* Member either joined or left Assembly mid-session

Heading numbers correspond to the bill summaries starting on page 11.

# Senate Scores

Member	District	2021 Score	2022 Score	28	29	30	31	32	33	34	35	36
				Equity in the ECL A. 9057 / S. 1232	Scaling-up Solar A. 6838 / S. 2995	Lead Free Parks A. 4551-B / S. 1256-B	Strengthen NYS Coal Standard A. 9778 / S. 8474	Lowering the Fixed Fees on Energy Bills A. 1384 / S. 2837	Renewables for Reforestation Areas A. 3874 / S. 659	Enforcement Tools no same as / S. 1237	Fossil Fuel Phaseout A. 5043 / S. 2937	Banning Emissions Tampering A. 10351 / S. 6172-A
Mannion, John	50	93	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Martucci, Mike	42	68	71	✓	✓	✓	X	X	✓	✓	X	✓
Mattera, Mario	2	87	86	✓	✓	✓	✓	✓	✓	✓	X	✓
May, Rachel	53	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mayer, Shelley	37	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Myrie, Zellnor	20	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Oberacker, Peter	51	33	41	X	✓	✓	X	X	✓	X	X	X
O'Mara, Thomas	58	34	49	X	✓	✓	X	X	X	X	X	✓
Ortt, Robert	62	37	51	✓	X	✓	X	X	✓	X	X	✓
Palumbo, Anthony	1	69	82	✓	✓	✓	✓	✓	✓	X	✓	✓
Parker, Kevin	21	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Persaud, Roxanne J.	19	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ramos, Jessica	13	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rath, Edward	61	33	49	X	✓	✓	X	X	✓	X	X	✓
Reichlin-Melnick, Elijah	38	96	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ritchie, Patricia	48	42	49	✓	X	✓	X	✓	✓	X	X	✓
Rivera, Gustavo	33	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ryan, Sean	60	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Salazar, Julia	18	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sanders, James	10	INC	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Savino, Diane	23	96	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sepulveda, Luis	32	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Serino, Susan	41	57	67	✓	✓	✓	X	✓	✓	X	X	✓
Serrano, Jose	29	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Skoufis, James	39	93	94	✓	✓	✓	✓	✓	✓	✓	✓	✓
Stavisky, Toby Ann	16	96	96	✓	✓	✓	✓	✓	✓	✓	✓	✓
Stec, Dan	45	39	47	X	✓	✓	X	✓	✓	X	X	✓
Stewart-Cousins, Andrea	35	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tedisco, James	49	59	59	X	✓	✓	X	✓	✓	X	X	✓
Thomas, Kevin	6	100	100	✓	✓	✓	✓	✓	✓	✓	✓	✓
Weik, Alexis	3	63	73	✓	✓	✓	✓	✓	✓	✓	X	✓

KEY: ✓ - Correct environmental vote      X - Incorrect environmental vote      N/A - Not in office      🌳 - Positive Environmental Impact  
 ER - Excused absence/no vote      INC - Incomplete score      \* Member either joined or left Assembly mid-session

Heading numbers correspond to the bill summaries starting on page 11.

## How Scores Are Calculated

---

To calculate legislators' scores, Environmental Advocates Action uses ratings developed by our sister organization, Environmental Advocates NY.

Legislators earn between 1 and 3 points respectively for votes in support of bills rated by Environmental Advocates NY as 1, 2, or 3 "tree" bills. Tree-rated bills are those that will benefit the environment.

Legislators earn between 1 and 3 points respectively for votes against bills that are given a rating of 1, 2, or 3 "smokestacks." Smokestack-rated bills are those that will harm the environment.

Incompletes: Legislators who miss more than 20 percent of votes receive a score of incomplete (INC).

## What You Can Do Now That You Know the Score

---

### **Find out who represents you.**

Visit [www.nysenate.gov](http://www.nysenate.gov) or call the New York State Senate at (518) 455-2800.

### **Vote at the local, state, & federal levels.**

Your vote is critical when it comes to whether or not New York State protects the air we breathe, the water we drink, and the health of our families.

### **Contact your lawmakers.**

Write to your legislators at New York State Senate, Albany, NY 12247.

### **Hold legislators accountable.**

If they voted to weaken New York's environmental safeguards, send lawmakers a note expressing your disapproval. If your legislators are working to protect New York's environment, write to thank them.

### **Support our work.**

Visit [www.eaaction.org](http://www.eaaction.org) to support our work in the State Capitol. You can also find us online on Twitter: [@EA\\_Action](https://twitter.com/EA_Action) or Facebook: [@EnvironmentalAdvocatesAction](https://www.facebook.com/EnvironmentalAdvocatesAction).

# Bill Summaries

To score legislation, Environmental Advocates Action uses ratings developed by our sister organization, Environmental Advocates NY.



Bills with 3 trees will bring major benefits to New York's environment.



Bills with 2 trees will bring substantial benefits to New York's environment.



Bills with 1 tree will benefit New York's environment.



Bills with 1 smokestack will be detrimental to New York's environment.



Bills with 2 smokestacks will be seriously detrimental to New York's environment.



Bills with 3 smokestacks would likely result in major or lasting harm to some aspect of New York's environment.

*Please note: no smokestack bills were voted on by the Legislature this year.*

## ▲▲▲ 1. Carpet Recycling

This bill creates an Extended Producer Responsibility (EPR) program for carpet, which will help tackle our solid waste crisis, reduce our demand for fossil fuels, and reduce toxic chemicals in our homes. EPR programs shift the burden of recycling materials from taxpayers to the producers of those materials. Recovered carpet can be recycled into a range of products such as textiles, automotive parts, composite lumber, and new carpets. This bill also phases out toxic PFAS “forever chemicals”, which are used on carpet as stain repellents, and have been linked to developmental and reproductive disorders and cancer.

## ▲▲▲ 2. A-B-Cs of Stream Protection

This bill provides protections to 41,000 miles of class C streams in New York. Any development that might affect class C streams will have to apply for a permit and take the proper steps to ensure these critical waterways are not harmed or degraded. The health of our streams is directly linked to the safety of our drinking water and the vitality of these freshwater resources is essential to maintaining a recreation economy that supports thousands of jobs across the state. Proactively protecting streams is far cheaper and a more sensible environmental investment

than cleaning up water pollution and restoring degraded natural resources.

## ▲▲ 3. Advanced Building Codes, Appliance and Equipment Efficiency Standards Act

This bill establishes new criteria for updating the state building code to align it with New York's Climate Law, eliminates automatic exemptions from the code, and adopts a lifecycle cost-benefit analysis for new construction and renovations to existing structures. The bill also establishes new energy and water standards for appliances and products, including commonly used products such as televisions, computers and lighting used to illuminate large public areas. This legislation will help households and businesses save money, cut back on wasted energy and water, and improve air quality indoors and out. Updated energy building codes and appliance standards are critical tools to meet our climate goals.

## ▲▲ 4. State EV Procurement

This bill helps facilitate a state fleet procurement plan requiring that at least 25-percent of the state's vehicle fleet are zero emission vehicles (ZEV) by 2025 and 50-percent by 2030. Nearly all the major global automakers have made commitments to transform their platforms to focus on new lines of electric vehicles over the course of the next few years, and New York State has made the commitment to have electric vehicles account for all new car sales starting in 2035. Transitioning from vehicles powered by internal combustion engines to a transportation system powered by electricity will take careful planning and preparation, the state vehicle fleet sets an example to New Yorkers that EV technology is ready for use.

## ▲▲ 5. Clearing the Toxic Air

This bill directs the Department of Environmental Conservation (DEC) to establish air quality standards for toxic air contaminants, while requiring enhanced air monitoring by major stationary sources of pollution located in or adjacent to a disadvantaged community. Exposure to toxic air pollution can have serious health implications, including links to various forms of cancer, cardiovascular and pulmonary disease, damage to the nervous system and brain, birth defects, and increased mortality. Major stationary sources of air pollution are often concentrated in environmental justice communities and the impacts of these contaminants are also exacerbated by high

concentrations of vehicle traffic. This legislation helps address the disproportionate impacts contaminated and dirty air has on disadvantaged communities.

### 🌱🌱 6. Equitable Siting

Low-income communities and communities of color have notoriously been disproportionately impacted by industrial facilities, pollution, and other toxins that degrade communities' water, air, and soil. This bill calls for the Department of Environmental Conservation (DEC) to prepare an existing burden report before issuing or renewing a permit. If the report finds the project will pose either a direct or indirect disproportionate or inequitable pollution burden on a disadvantaged community, then the permit cannot be granted.

### 🌱🌱 7. No Crypto with Environmental Impacts

This bill will place a two-year moratorium on cryptocurrency mining operations that use proof-of-work (PoW) — a method of verifying and tracking the creation of new cryptocurrency and transactions. The problem with this method is that it is energy-intensive and most of the energy generated is fossil fuel-based. Unless a PoW mining company uses 100% renewable energy, it would not be allowed to expand or renew permits. The PoW method for each Bitcoin transaction consumes 1,173 kilowatt-hours—more than the average American uses in a month. The process creates very few high-paying jobs while polluting nearby communities and making reaching our climate goals more difficult. A moratorium on fossil fuel energy generation for this particular PoW process is necessary to assess environmental and climate impacts to ensure New York toward a cleaner and healthier future.

### 🌱🌱 8. PFAS in Apparel

This legislation bans the use of Per- and Polyfluoroalkyl substances (PFAS) in clothing. PFAS substances are ubiquitous in our homes, and in addition to being widely used in kitchen goods and cosmetics, they can be applied to clothes, shoes, and accessories like purses and backpacks to make them more water and stain resistant. They are known as “forever chemicals” because they do not naturally break down and have been found to accumulate in the human body and the environment. The dangers that PFAS chemicals pose to human health are well-known. According to the EPA, exposure to PFOA and PFOS, the most studied PFAS chemicals,

has been linked to high rates of thyroid disease, immune suppression, and reduced fertility.

### 🌱🌱 9. Protecting Wetlands from Pesticides

This bill would allow local governments with local wetland laws or ordinances to prohibit the use of pesticides in wetlands under their jurisdiction. Wetlands provide many benefits to people and the environment; They filter out pollutants, slow erosion, and serve as natural buffers against increasingly extreme flooding caused by climate change. They also provide important habitat and spawning and nesting grounds for fish, birds and other wildlife. This bill will ensure that if local governments conclude it is necessary to further restrict pesticide use or to expand the list of pesticides subject to regulation, they will have the full legal authority to do so.

### 🌱🌱 10. EV-Capable Parking Spaces

This legislation requires that electric vehicle charging infrastructure be incorporated into residential and commercial new construction projects with dedicated off-street parking, as well as renovation projects with driveways, garages, or parking lots. New York State has already mandated that all new vehicles sold in the state must be electric by 2035. The next step must be to ensure that new infrastructure, including parking infrastructure, be compatible with this electric vehicle future in order to make owning an EV more convenient.

### 🌱🌱 11. Expanded Public Participation

This bill proposes a public participation process, including the preparation and implementation of an “enhanced public participation plan” for major projects located within or adjacent to disadvantaged communities. Inadequate opportunities for community input and participation during the environmental permit process has played a role in disproportionate and inequitable siting of pollution sources and cumulative impacts on already vulnerable communities. This legislation seeks to achieve this enhanced participation by ensuring residents of disadvantaged communities have meaningful opportunities for public engagement and comment, such as power to require revisions to permit applications or impose conditions based on community input.

### **🌱🌱 12. Renewable Energy Retention**

This bill directs the Public Service Commission to establish a renewable energy credit program and targets for existing large-scale renewable energy resources. An incentive program that properly values the climate, health, environmental, and economic benefits of existing renewable energy facilities contribute to the state, would help ensure that New York maintains the renewable energy resources it needs to meet the 2030 mandate.

### **🌱🌱 13. Green Transit**

This bill requires that starting in 2029, when purchasing new buses, public transportation systems must purchase zero-emission buses and related equipment. The bill requires that the Department of Transportation consider this requirement when formulating and dispersing its capital plans. Notably, the bill also provides labor protections to existing transit employees with collective bargaining agreements.

### **🌱 14. Intervenor Reimbursement**

For low-income customers who wish to intervene in proceedings, it can be a significant burden to take time off work or find childcare to participate meaningfully. As the State implements the Climate Leadership and Community Protection Act, the PSC will be at the center as they regulate electricity, natural gas and steam. This legislation allows individuals and small business customers the opportunity to apply for an award of compensation if they want to participate in proceedings of the Public Service Commission (PSC). Ensuring that all communities and stakeholders can weigh in as we transition to a future with cleaner energy is a critical component of a just transition. This legislation provides assurance through the establishment of intervenor reimbursements.

### **🌱 15. Make New York EV Ready**

This bill mandates that any construction project funded by the State that include a parking facility with 50 or more spaces must support electric vehicle charging stations. With the aggressive goals New York State has set to reduce emissions 85% by 2050, parking facilities must become electric vehicle ready. Encouragement of electric vehicle ownership and expanding public charging options go hand in hand and will help increase public comfort with the transition to electric vehicles.

### **🌱 16. Electric Landscaping Equipment Rebate**

This bill incentivizes the transition from gas powered to electric powered landscaping equipment through a rebate program for electric landscaping equipment. Electric landscaping equipment is now a viable option for landscaping company fleets and households; however, gas powered equipment's competitive edge lies in the cheaper upfront cost. The bill would allow institutions or businesses to be eligible for annual rebates up to \$15,000, and individuals to be eligible for annual rebates up to \$300.

### **🌱 17. Collecting Utility Affordability Data**

This bill requires the Department of Public Service to collect data from electric, gas, water, wastewater, and telephone utilities and create quarterly reports on the affordability of utility service across the state as well as at least one public hearing in eight different regions of the state on the issue of utility affordability. The limited data available suggests that many New Yorkers are at risk of losing essential services now that New York's moratorium on utility shut offs has expired. Without a complete understanding of the scale and extent of the affordability crisis facing New Yorkers, lawmakers cannot effectively develop policies to help customers and utilities recover from the pandemic.

### **🌱 18. Education on the Impacts of Idling**

This bill makes it more accessible for residential or small business customers that want to participate in Public Service Commission proceedings to have the ability to do so. The customers will have to seek active party status and demonstrate that participating in proceedings will cause them financial hardship, however this bill makes it possible for them to engage in the regulatory process by proving the opportunity for financial compensation for the burden of missing work or coordinating childcare to participate in a proceeding.

### **🌱 19. Addressing Asthma in Communities of Color**

This bill will help address the long-standing and chronic issue of disproportionate rates of asthma in communities of color by requiring the Department of Health to create a Minority Coordinating Council on Asthmatic Affairs. The Council will be charged with assessing asthma risk factors in communities of color, identifying existing treatment barriers in these communities, developing intervention strategies, and implementing an asthma awareness campaign.

### ▲ 20. Zero Emission Engines

This bill is a chapter amendment to Chapter 423 of the Laws of 2021 that requires that the engines of new off-road vehicles are zero emissions by 2035. The chapter amendment clarifies the zero emission standard only applies to new vehicles. The chapter amendment also amends the law placing the New York State Energy Research and Development Authority (NYSERDA) into the primary role for development of the zero-emissions market development strategy.

### ▲ 21. Energy Credit Donation

This legislation would create a low-income energy assistance credit program allowing customers who generate excess on-site electricity to donate their excess energy credits to low-income customers. This will provide relief to low-income customers and help to protect them from fluctuations in energy prices.

### ▲ 22. Examining Urban Heat in Disadvantaged Communities

The urban heat island effect is a phenomenon in which infrastructure absorbs and stores large quantities of solar radiation during the day and releases it during the nighttime, leading to an increase in the surface temperatures of the immediate area. This phenomenon is prominent in low-income communities and communities of color and is expected to worsen over time as “locked in” climate change impacts worsen in the immediate future. The bill’s study is meant to identify urban disadvantaged communities with concentrations of heat islands, include recommendations on how to identify, prevent, and address adverse health and environmental impacts from urban heat island effects, and include existing or recommended funding to address the impacts.

### ▲ 23. Mercury-Free Skin Care

This legislation would ban the sale of personal care products containing the toxic chemical mercury. Mercury is often a main ingredient in skin lightening cream, which disproportionately harm people of color. Advertisers and marketers often target these products to people of color in an attempt to promote a bias toward more Caucasian skin tones, which perpetuates colorism. Mercury exposure can cause kidney damage, skin scarring, as well as a reduction in the skin’s resistance to infections. Other effects include anxiety, depression, psychosis and nerve damage.

### ▲ 24. Right to Repair

This bill requires that electronic companies provide consumers and local repair shops with the necessary information to repair their devices. Thousands of digital devices are created by manufacturers and thrown out every year by consumers because companies withhold critical parts and tools that would allow people to fix their own electronics. This bill would help save New Yorkers billions of dollars every year by giving consumers the right and access to fix their electronics and reduce electronic waste, of which New York currently generates 655,000 tons annually.

### ▲ 25. Eco-Friendly Ending

This legislation establishes a program to allow for natural organic reduction as an alternative to cemetery burial or cremation, which are currently the two options for processing human remains after death in New York. Cemetery burial and cremation are both resource-intensive and have undesirable environmental impacts. Natural organic reduction provides an after-death option that is safe, more natural and better for our climate, air, and water sources.

### ▲ 26. Streamlined Weatherization

Weatherization upgrades and improvements are both key climate mitigation measures and greatly reduce energy bills for low-income communities. The legislation would also expand where the projects these funds could be allocated to beyond those explicitly permitted by the Federal WAP program, including various weatherization and energy upgrades that would reduce greenhouse gas emissions and energy costs. These changes allow the program to operate in a more streamlined manner and create flexibility for funds to be administered more efficiently.

### ▲ 27. Electric Vehicle Rights Act

This bill prohibits homeowners’ associations from adopting or enforcing any rules or regulations that would effectively prohibit or impose unreasonable limitations on the installation or use of electric vehicle chargers. Access to at-home charging is often a key factor in the decision to move ahead with the purchase of an electric vehicle. Easing access to charging will help open the EV market to a whole new class of drivers. Increasing access to charging is essential if the state is to meet the EV sales mandates established by the Legislature.

### ▲ 28. Equity in Environmental Conservation Law

This bill codifies the equal treatment of all people regardless of any identity, status, or orientation. Marginalized communities have been subjected to greater environmental harm due to power plants and waste sites all being disproportionately put in low income, immigrant communities, and communities of color. The highest rates of air pollution in New York are concentrated in the communities with high populations of Black and Latino residents and are among the poorest districts. This bill will make it clear that all people must be treated equally under environmental laws.

### ▲ 29. Scaling Up Solar

This bill allows for solar energy projects to be installed and operated in the parking lots of municipal parklands without the approval of the legislature. Small-scale renewable energy options, like solar, have the potential to account for a significant portion of energy generation in the coming decades because of their low installation costs and minimal maintenance requirements. This bill will help speed up the timeline of the installation of these projects and bring the State closer to our climate goals.

### ▲ 30. Lead-Free Parks

This bill mandates that state and local parks test for lead in drinking water once every three years, and if the state's lead action level is exceeded, the appropriate authorities must act within 90 days to remediate the contamination. Lead exposure at any level is dangerous and young children are the most at risk of neurological damage and other harmful health effects due to lead exposure. This bill will help New York State take necessary steps to ensure parks are lead-free.

### ▲ 31. Strengthen NYS Coal Standard

This bill would reduce New York State's limit on toxic polycyclic aromatic hydrocarbons (PAH) to align with new, nation-leading standards. PAHs are carcinogenic to humans and highly toxic to aquatic life. For instance, children living in homes near parking lots that are coated with tar-based pavement sealants face a substantial increase in cancer risk compared to those living next to unsealed lots. This legislation would bring New York's state limit of 10,000 ppm down to 1,000 ppm to align with the nation-leading standard.

### ▲ 32. Lowering the Fixed Fees on Energy Bills

This bill would adjust the "residential fixed fee" paid on utility bills to only include the costs associated with operation and maintenance expenses from metering billing, service connections, and customer service. Fixed fees are the flat monthly charges that every customer pays, regardless of the amount of electricity they consume. Over the years utilities have taken advantage of and pushed for high fixed fees because they guarantee a consistent revenue stream even if energy consumption goes down. Limiting the application of fixed fees will allow households to realize the economic benefits of energy conservation.

### ▲ 33. Renewables on Reforestation Areas

This bill allows New York State to enter into lease agreements to facilitate the development of renewable energy facilities on lands acquired for reforestation purposes. This bill will allow the state to take advantage of the 600,000 acres of reforestation areas in the State, if needed, to achieve the target of 70 percent of New York's electricity needs being served by renewables by 2030.

### ▲ 34. Enforcement Tools

This bill expands the civil remedies available for environmental conservation law violations when there is no specific penalty stated in law to include injunctive relief, a remedy to restrain the person from continuing the harmful action. This bill would give DEC more flexibility in enforcing against breaches of the environmental conservation law and allows for more appropriately tailored enforcement tools.

### ▲ 35. Fossil Fuel Phaseout

This bill requires number four fuel oil to be phased out by 2027 in buildings and facilities across New York State. The burning of number four fuel oil emits toxic pollutants that cause poor air quality, and subsequently negative public health impacts. Air pollution has been linked to heart disease, asthma attacks, lung cancer, and reduced life expectancy, with children and older individuals being especially at risk. This bill is critical to protecting public health, lowering greenhouse gas emissions, and reducing air pollution.

### ▲ 36. Banning Emissions Tampering

This legislation prohibits the tampering of emissions control devices of heavy-duty vehicles and establishes a fine of \$1000-5000 for such an offense, with an additional fine of \$750 if the registered owner of a diesel-powered vehicle operates the vehicle with a defective emissions control device. By establishing a penalty for disabling an emissions control device or operating a heavy-duty vehicle without such a device, New York is demonstrating how important tailpipe pollution restrictions are to the health and safety of its communities.

## Visit Us Online:

You can access past editions of the Scorecard for the complete environmental voting record of every member of the New York State Assembly and Senate. Visit [www.eaction.org](http://www.eaction.org) to get started.

## Support Us:



### Yes, I support

**Environmental Advocates Action, the premier environmental organization in New York State tracking the votes of state lawmakers.**

Contributions to Environmental Advocates Action are not tax deductible.

\$25 \$50 \$75 \$100 \$250 \$500 \$1,000 Other \$ \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Credit card type (circle): AMEX MC VISA DISC

Number: \_\_\_\_\_ Exp. date: \_\_\_\_\_

Signature: \_\_\_\_\_

Please make check payable to: Environmental Advocates Action, 353 Hamilton Street, Albany, New York 12210.

**Yes, please sign me up to receive advocacy emails from EA Action's sister organization, Environmental Advocates NY.**

**You didn't vote to pollute New York State.  
Did your Senator?**

**Environmental  
Advocates**

**Action** ✓