

February 7, 2024

I am Devana Cohen, co-chair of the Legislative Unit of the Strategy Team of RAC-NY, the social justice advocacy arm of the Reform Jewish movement here in New York State. RAC-NY is comprised of 99 synagogues and more than 125,000 congregants throughout our state.

This written testimony, submitted to the joint legislative hearings on the fiscal 2025 New York State Budget, urges both houses of the legislature to include in their one-house budget proposals the provisions of two bills: the HEAT Act (S-2016B/A-4592B) and the Climate Change Superfund Act (S-2129A/A-3351A). We also urge the legislature and the Governor to include both bills in the final '25 New York State budget.

Last year RAC-NY submitted testimony urging that the fiscal '24 budget include the provisions of the All-Electric Building Act. We are very grateful that a version of that bill was included and enacted as part of the budget. In advocating inclusion, we explained that, as Jews, we are motivated in large measure by the teachings of our sage, Rabbi Hillel, who taught us the urgency of now, "If not now, when?" And, all of us know from many scientific sources - including, most notably, the reports of the UN's International Panel on Climate Change, a world-wide consortium of over seven hundred climate scientists - that there is a desperate need to reduce greenhouse gas emissions in order to mitigate effectively the devastating effects of climate change.

The all-electric building act applies to future construction only. The HEAT act is focused on the energy needs of the existing building sector, responsible for nearly a third of greenhouse gas emissions in New York State. Its purpose is to align the policy and practice of the Public Service Commission with the goals of the Climate Leadership and Community Protection Act (hereinafter, "CLCPA"), enacted in 2019, which envisions a transition from fossil fuels to electricity created by renewable energy in order to decarbonize the building sector.

By amending the Public Service Law (section 30), in essence, to declare that the provision of gas to residential customers is no longer in the public interest, the HEAT act eliminates the obligation of the state to support the gas service to utility customers. The Act would also empower the state to reduce emissions from gas companies, by directing NYS agencies to establish and enforce CLCPA-compliant building sector emission limits, ensuring that gas utilities play a significant role in reducing climate and air pollution. Importantly, especially given the fact that, as more residents

transition to renewable sources of electricity to power their homes, the remaining customers will have to shoulder a larger share of the gas utility infrastructure and delivery costs, the HEAT act would ensure energy bills are affordable and equitable, by setting as a goal of the Public Service Commission that no residential customer pays more than 6% of their income for energy and giving special priority for such a limit to low and moderate income customers.

The failure to transition away from fossil fuels will have unspeakable consequences for our world. As our Jewish tradition teaches us, we have a responsibility to look after the earth and to preserve the planet for future generations. A midrash teaches, "Do not destroy My world, for if you do, there will be nobody after you to make it right again."

That teaching particularly resonates with RAC-NY in our support of the Climate Change Superfund Act (hereinafter, "Superfund act") which would use funds from the largest emitters of greenhouse gases to provide much better protection for our state and its residents from the devastating effects of climate change that has already been caused by fossil fuel companies.

The Superfund act would prepare New York for extreme weather events caused by climate change by establishing a fund to be used for new or upgraded infrastructure investments, including storm water drainage system upgrades, energy efficient cooling systems in public and private buildings, and responses to extreme weather events. The Superfund act has the following goals:

1. Require polluters to bear their share of costs: Fossil fuel companies that have significantly contributed to greenhouse gas emissions would be required to pay into this program. No finding of wrongdoing is required.
2. Subsidize the costs for investments needed to adapt to the effects of climate change in New York State: The cost to the state of climate adaptation investments already needed will easily exceed \$150 billion, far more than the \$75 billion being assessed on the fossil fuel industry.
3. Protect vulnerable communities: Disadvantaged communities would receive at least 35%, with a goal of at least 40%, of the overall benefits of program spending.
4. Ensure that the labor force that will build this resiliency will be fairly treated and receive prevailing wages.

The need for these funds cannot be overstated. These resiliency projects have to begin now, and the work must proceed unabated. The funds the Superfund will collect are crucial to our obligation to protect the state and its residents. Moreover, if you do not seek funds from those who were responsible (both because they emitted greenhouse gases and lied about the negative consequences), what will you say to your constituents who want to

know why taxpayers alone have to pay the bills? And, what will you say to those come to you for funds the state will not have for neighborhood schools or health facilities because, for example, state funds needed to be redirected to address the consequences of a catastrophic flood on Long Island or wildfire upstate?

As a reform Jew and resident of New York, I know that our state can lead the way in repairing a world that has been badly damaged by climate change. These two bills would enable us to do so.

Please include both bills in the State's fiscal '25 budget.

Thank you for your attention to these urgent matters and your dedication to our state and its residents. We at RAC-NY look forward to your continued leadership in addressing these critical issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Devana Cohen', with a stylized, flowing script.

Devana Cohen
Volunteer for RAC-NY