NEW YORK STATE SENATOR

Thomas F. O'Mara

# Senator O'Mara's weekly column 'From the Capitol' -- for the week of January 6, 2025 -- 'New York's ever-changing response to affordability'

THOMAS F. O'MARA January 6, 2025

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Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more.  Stop back every Monday for Senator O'Mara's latest column...

This week, **"New York's ever-changing response to affordability"**

**In early December, Governor Kathy Hochul said, "My agenda for the coming year will be laser-focused on putting money back in your pockets."**

**A few weeks later, the governor signed into law what's known as the "Climate Change Superfund Act," the latest step in the ongoing implementation of a radical agenda of energy mandates that many of us believe will do next to nothing to address climate challenges we experience here locally as New York only accounts for 0.4% of global emissions, but will wind up imposing huge costs on our state's consumers, industries, taxpayers, and local economies.**

**Welcome to the current state of New York, where one week the governor pledges to be "laser-focused" on affordability and a few weeks later signs into law yet another mandate that will cost all of us a bundle.**

**Following Governor Hochul's recent signing of the new climate law, Upstate United summed it up as "a misguided move" that "fails to consider the practical realities faced by residents across the state."**

**Upstate United Executive Director Justin Wilcox said, "New Yorkers will STILL rely on fossil fuels to get to work and heat their homes, and in upstate New York, having the ability to do just that, with heating oil, natural gas, and propane, is the difference between life and death. This ill-advised decision is guaranteed to be quickly met with a host of lawsuits and legal challenges, further burdening New York taxpayers with the responsibility to foot the bill."**

**Footing the bill has become a guaranteed way of life for all New Yorkers.**

**The newly signed Superfund Act seeks to collect $3 billion annually for the next 25 years -- a total of $75 billion -- from gas and oil companies that Governor Hochul, the Legislature's Democrat-led majorities, and other supporters believe "contributed significantly to the buildup of greenhouse gases in the atmosphere."**

**The new law targets New York-based industries for a "buildup of greenhouse gases" for which these industries may only be minutely responsible in a global context. Its true aim, in the view of many opponents, is simply the continued elimination of the use of gasoline, natural gas, and other fossil fuel-based products without -- and here's the great danger -- any currently realistic strategy or plan**

**to provide affordable and cost-effective, efficient, feasible, or reliable alternatives to meet the electric, heating, and transportation needs of all New Yorkers.**

**And it will continue to do so at great cost and significant risk to our state and local economies as well as to individual ratepayers and taxpayers already paying some of the highest utility costs in the nation. Utility companies across the state have in the past year received Public Service Commission-approved rate increases in excess of 30% when fully phased in. Much of these increases, which are just the tip of the iceberg, are byproducts of the 2019 "Climate Leadership and Community Protection Act" (CLCPA) requirements.**

**A broad coalition opposed to the Superfund Act had urged the governor to veto it. The coalition included the New York Farm Bureau, Business Council of New York, numerous regional chambers of commerce and manufacturing associations, Empire State Forest Products Association, New York State Agribusiness Association, New York State Economic Development Council, New Yorkers for Affordable Energy, and many others.**

**The coalition stated, in a letter to the governor, "This legislation is bad public policy that raises significant implementation questions and constitutional concerns. Moreover, its $75 billion price tag will result in unintended consequences and increased costs for households and businesses."**

**The coalition further noted, rightly so, that it wasn't long ago that the state fully recognized the uses and benefits of fossil fuel to public safety and security, as well as to job security and economic strength. In fact, the state took necessary steps to shore up the undeniable need to ensure adequate fuel supplies through the creation of "the FUEL NY Initiative establishing a strategic fuel reserve 'to maintain public safety, commerce and the well-being and economic vitality of its residents, businesses and governments.' Now, this (Superfund Act) is proposing to penalize the very same suppliers of gasoline, natural gas, and other fossil fuel-based products. In most situations during the bill's applicability period, no realistic alternatives were available to fully serve the electric, heating and transportation needs of the state."**

**It makes no sense but that's been true throughout New York's haphazard, irresponsible, politically driven, unaffordable approach to energy policy over the past several years. The Albany Democrats driving this policy act as though adding billions of dollars in penalties to businesses across the state won't be passed on to consumers. They're wrong. While this Act will most certainly be tied up in court for many years, if and when it ultimately hits consumers it will undoubtedly make New York State a more expensive place to live and do business.**

**"My agenda for the coming year will be laser-focused on putting money back in your pockets," Governor Hochul said in early December.**

**She was already throwing that promise of affordability out the window before this new year even began.**

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