



NEW YORK STATE SENATOR

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News Release: NYS Senate Republicans Request Governor Drop Gas Ban In State Budget Proposal

ROBERT G. ORTT April 21, 2023

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ALBANY, NY - NYS Senate Republican Leader Rob Ortt, Senator Mario Mattera, Ranking Member of the Energy and Telecommunications Committee, Senators Thomas O'Mara and Mark Walczyk, Members of the Energy and Telecommunications Committee and other members of the Senate Republican Conference sent a **letter** to Governor Kathy Hochul today requesting that she drop a proposal to ban fossil fuel equipment in residential and commercial buildings and instead implement affordable solutions in pursuing a cleaner energy future.

Citing a recent ruling from the **United States Court of Appeals**, the Senators stated that a locality or state cannot ban natural gas hookups, as it is preempted by federal law. Rather than imposing a

prohibition on natural gas and biofuels, proven to be both affordable and reliable for state residents, the senators propose smarter energy solutions, putting affordability and reliability first for New York ratepayers.

“Instead of trying to push an unconstitutional one size fits all fossil fuel ban in our state’s budget, we request that you instead advocate for affordable solutions in pursuing a cleaner energy future, such as independent cost studies and full transparency; support diverse energy sources; keep needed power supply online to ensure reliability of our grid; and oppose unaffordable mandates on consumers,” the Senators wrote.

“Seeking a cleaner energy future does not have to involve total government control within New Yorkers’ homes. The energy plan that Albany leaders are proposing is far too intrusive, not to mention unaffordable, unsafe, and unrealistic. Our state leaders need to prioritize common-sense policies that ensure affordability and reliability while seeking cleaner options, not costly agendas and aggressive timelines at the taxpayers' expense,” said Senate Republican Leader Rob Ortt.

“The California court decision must finally show New York State that an ideologically driven fuel choice ban is wrong for our residents. It is time for Governor Hochul to accept reality, end the efforts to enact a harmful ban of natural gas and other mixed-use fuels and work with energy experts, labor leaders, residents and elected officials across the state. This will help craft a clear, workable and environmentally friendly plan that will benefit all New Yorkers,” said Senator Mario Mattera, Ranking Member of the Energy and Telecommunications Committee.

“Governor Hochul's radical energy mandates are being rushed forward and imposed on all New Yorkers with no regard to their affordability, feasibility, or reliability, not to mention their constitutionality. Up to now, New Yorkers have been left facing mountainous costs and dire consequences. It's time to pump the brakes on this unrealistic and unsustainable strategy, slow down this process, and rethink the future of these disastrous policies for all New Yorkers,” said Senator Thomas O’Mara, Members of the Energy and Telecommunications Committee.

“The cult of environmental extremism is leading state government by the nose and New Yorkers have had enough. Senate Republicans have been steadfast in providing realistic solutions to address cleaner energy that won't put residents in a financial crisis and it's high time the Governor starts listening to reason,” said Senator Mark Walczyk, Member of the Energy and Telecommunications Committee.

It was reported earlier this month that Governor Hochul’s administration was considering a change in the proposed climate plan due to cost concerns. Department of Environmental Conservation commissioner Basil Seggos and NYSERDA president and CEO Doreen Harris touted the benefits of

the changes in order to contain costs, but the administration quickly caved to the progressive left and flip-flopped, **dropping the proposed cost-containment measures** from negotiations.

Earlier this year, Senate Republicans unveiled a **plan** for ‘Smart Energy Policies’ in New York. Albany’s radical climate agenda would completely prohibit the installation of natural gas, propane and fuel oil hookups in new and existing buildings no later than 2035. These devastating bans on reliable, affordable energy sources includes deadlines of:

- December 31, 2025 for new one family residential buildings of any height or multi-family residential buildings of three stories or fewer;
- December 31, 2028 for new multi-family residential buildings more than three stories or new commercial buildings;
- January 1, 2030 for existing one family residential buildings of any height or multi-family buildings of three stories or fewer; and
- January 1, 2035 for existing multi-family residential buildings more than three stories or commercial buildings.

The New York Senate Republican Conference proposed several affordable solutions in pursuing a cleaner energy future, such as:

- Independent cost studies and full transparency;
- Supporting diverse energy sources;
- Keep needed power supply online to ensure reliability of our grid; and
- Repealing and opposing anti market mandates on consumers.

“As a state representative, I cannot in good conscience support policy that disregards safety, reliability, and affordability for New Yorkers, and that is exactly what the Governor’s energy proposals do. Instituting environmental policy and ensuring affordability and reliability are not mutually exclusive goals; they can and should be done simultaneously, concluded Leader Ortt.