



2020 New York State Environmental Scorecard

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

Environmental
Advocates

Action ✓

A Cluster of Crises

The 2020 legislative session was wrought by global and national crises, which not only affected how and when the legislature convened, but also the content and scope of legislative policymaking. These events provide valuable context for understanding this year's 2020 Scorecard.

The spring of 2020 saw New York State, and New York City in particular, at the epicenter of the COVID-19 crisis. We mourn the more than 30,000 New Yorkers that have lost their lives and the tens of thousands who were also sickened by this virus. New York took steps to combat the virus by putting the state on pause. This disrupted the normal state budget process and forced the Legislature to convene virtually and pass a budget in the height of the pandemic.

This year also saw the human costs of racial injustice as our nation hit a breaking point after the tragic killing of George Floyd, Breonna Taylor, Ahmaud Arbery, and many other Black lives. This led to righteous anger, massive public protest, and a heightened focus on issues of justice.



These two crises displayed to the world the disproportionate impacts on Black and Brown people and communities. A study released this spring found that those living in areas with the poorest air quality zones died at a greater rate from COVID-19 than those living elsewhere. For years, those fighting for environmental justice have known that bad air will compromise immune systems. The coronavirus took full advantage. And the Black Lives Matter movement drew much needed attention to systemic racism and the undeniable existence of environmental racism.

And during all of this, the climate alarm bells continued to echo, from historic wildfires, unprecedented flooding, extreme droughts, severe storms, and the loss of more arctic ice. The climate crisis is no longer a threat, it is here now, and we must fight it with all we have got. Failure to do so means we continue to lose species and that the planet becomes uninhabitable for humans.

These crises have been aggravated by the Trump Administration's on-going attacks and rollbacks on policies and programs that protect our environment. Like it's been with the COVID-19 response, it is up to the states to protect our air, land, wildlife, and water. But in light of these pressing issues, the Legislature continued to protect the environment and fight the climate crisis.

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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 to get started.

How to Read the Scorecard

Assembly Scores

Party & District	Member	District	Bill Description		Incorrect Environmental Vote		
			2020 Score	2019 Score	1	2	3
	Peter J. Abbate, Jr.	(D-49/Brooklyn)	100%	100%	✓	✓	✓
	Thomas J. Abinanti	(D-92/Tarrytown)	100%	100%	✓	✓	✓
	Carmen E. Arroyo	(D-84/Bronx)	100%	96%	✓	✓	✓
	Jacob Ashby	(R-107/Troy)	71%	77%	✓	X	✓
	Jeffrion L. Aubry	(D-35/Corona)	100%	100%	✓	✓	✓
	Will Barclay	(R-120/Fulton)	43%	60%	X	X	✓
	Brian Barnwell	(D-30/Maspeth)	95%	100%	✓	✓	✓
	Didi Barrett	(D-106/Poughkeepsie)	100%	100%	✓	✓	✓
	Charles Barron	(D-60/Brooklyn)	100%	100%	✓	✓	✓
	Michael R. Benedetto	(D-82/Bronx)	100%	100%	✓	✓	✓
	Rodneyse Bichotte	(D-42/Brooklyn)	100%	100%	✓	✓	✓
	Michael Blake	(D-79/Bronx)	100%	100%	✓	✓	✓
	Kenneth D. Blankenbush	(R-117/Carthage)	43%	63%	X	X	X
	Mark B. Breslin	(D-62/Albany)	20%	20%	✗	✗	✗

Not in office/Excused absence/Not scored

2020 Overview

In 2019, the Environmental Scorecard described that legislative session as the greatest for the environment in a generation, born out of new leadership in the New York State Senate joining the long-standing environmental ethos of the Assembly. The 2020 legislative session, marked by the world's challenges, has been like no other in history. But despite the challenges, New York has continued to make significant environmental progress.

This progress can be broken down into two main events: the enactment of the New York State budget and a highly effective one-week “pop-up” session this summer.

This year's budget contained many positive items for the environment. First, it addressed the plastic pollution crisis by banning polystyrene food packaging and packing materials. It advanced clean water for all by appropriating another \$500 million for clean water infrastructure and also included a new law codifying the ban on fracking. And finally, the budget tackled clean air and climate change by legalizing the use of e-scooters and e-bikes and reforming the renewable energy siting process—finally breaking the backlog of wind and solar projects across the state and injecting hundreds of millions into local economies.

This year's state budget also authorized the first environmental bond act in a quarter of a century. The proposal would have directed \$3 billion toward improvements to preserve, enhance, and restore New York's natural resources and reduce the impact of climate change. It would have provided a desperately needed boost to our crumbling water infrastructure and jumpstarted innovative energy programs, all while stimulating our economy just when we really need it. Unfortunately, Governor Cuomo exercised a provision in this law that allowed him to withdraw it from voter consideration this year. It was a shortsighted move that blemished a very good budget for the environment.

In July, the Legislature convened a one-week “pop-up” session, during which it demonstrated a commitment to our environment by passing several key bills that will protect New York's water and our health from toxic chemicals. In particular, the Legislature passed two measures that will provide significant protections to our waterways.

First is a bill that will expand protections for thousands of miles of Class C streams under the state regulatory program. Since the Trump Administration has gutted the previous administration's effort to protect these streams, it has been left up to the state to fill the void and protect our waters. The second bill, already signed into law, ends a long-standing fight to ensure a holistic fracking ban. For years, we have called for a ban on the dumping of out-of-state fracking waste in municipal landfills. Waste from oil and gas is hazardous and requires disposal like any other hazardous material. If not disposed of properly, our waterways and health are threatened. This loophole is now closed and New York's ban on fracking is complete.

The Legislature also took several steps to reduce exposure pathways to dangerous PFAS chemicals. The Legislature passed bills to expand the use restrictions of PFAS in firefighting foam, ban PFAS chemicals from food packaging, and even passed a bill to ban the burning of PFAS laden firefighting foam at a Capital Region incinerator.

Also, notably, the Legislature passed legislation to ban most uses of the toxic chemical TCE and the use of the herbicide glyphosate (known more commonly as Roundup) on state property, passed a bill to help combat food insecurity, and passed legislation to keep electric vehicle (EV) parking spaces only available to EV drivers.

This is the second year in a row where there were no bills brought to a vote in either the Assembly or Senate that carried our smokestack rating. Smokestack-rated bills are those that will have a detrimental environmental impact.

The Assembly

The Assembly's commitment to environmental issues under the leadership of **Speaker Carl Heastie** and **Assembly Member Steve Englebright, Chair of the Environmental Conservation Committee**, is unwavering. The Assembly prioritizes taking bold action to keep New Yorkers safe and healthy, knowing that good-paying jobs accompany investments in water infrastructure and fighting the climate crisis. Time after time they advance and vote on measures that will have a lasting impact for current and future generations.



Assembly Member Pat Fahy. New York's Capital Region has been rocked by PFAS contamination over the last several years, starting with the water crisis in Hoosick Falls and continuing with the dangerous incineration of PFAS waste in Cohoes. Assembly Member Fahy has stood up time and time again for all New Yorker's health, including by sponsoring the bill to ban the use of PFAS in food packaging. When signed into law there will be less toxics in the waste stream and fewer dangerous chemicals entering our bodies.

We also bid a very fond farewell to retiring **Assembly Member Barbara Lifton**. In 2011, when she was awarded "Legislator of the Year," we wrote, "Assembly Member Barbara Lifton is among New York's most steadfast environmental champions." In the years that have passed, that fact has not changed. An early and outspoken opponent of fracking, New York's ban on this dangerous practice owes much of its existence to her constant efforts. For the past five years, she has been a member of the Assembly Climate Change Taskforce, the body that gave life to a law The New York Times called "one of the world's most ambitious climate plans." She also authored the 2019 law that would ban a solid waste incinerator from being built in the Finger Lakes region. We owe Assembly Member Lifton a huge debt of gratitude for all that she did to protect clean water, to fight the climate crisis, and to block attempts to weaken or delay environmental protections. Her leadership and advocacy in the Assembly will be missed.



The Senate



Senate Majority Leader Andrea Stewart-Cousins and **Senator Todd Kaminsky**, **Chair of the Environmental Conservation Committee**, recognize that clean air and water are more important than ever, and that policies to protect public health and the environment are essential components to the COVID-19 response. They followed up a tremendous first year in power with another year of strong environmental policies.

Senator Peter Harckham. The 40th Senate District, made up of Westchester, Dutchess, and parts of Putnam County, includes a wide diversity of drinking water sources, from private wells to the Hudson River to reservoirs that deliver water to 8 million people in New York City. Senator Harckham has been a strong champion for protecting our water resources. His sponsorship of the Class C streams bill (S.5612-A) protects 40,000 miles of New York streams. These streams play a critical role in the health of our watersheds, drinking water supplies, and downstream communities, which filter out pollutants *before* they reach our drinking water sources.



Senator Ramos. In last year's Scorecard, we wrote that we expected "great things" from Senator Jessica Ramos in the future. And we were right. Senator Ramos has continued to be a champion for the environment — her persistence in getting e-bikes and e-scooters legislation over the finish line, along with her strong voice for the equity provisions of the climate law have made her a standout once again.

Oil Slick Award: Senator Daphne Jordan (R-Halfmoon)



Environmental bills that come before the Legislature are an opportunity for members to show what side they are on. For example, the Legislature passed a bill to ban dangerous PFAS chemicals from food packaging. These are the same chemicals that have contaminated the drinking water of Senator Jordan's constituents in Hoosick Falls, creating a years-long struggle to provide clean and safe water for its residents. Voting on legislation that rids PFAS chemicals from our environment means standing with communities like Hoosick Falls who have suffered from devastating PFAS contamination issues. Voting no means standing with polluting corporations that profit while the public gets sick. Senator Daphne Jordan sided with the polluters, not her constituents.

Protecting streams for sportsmen and boaters? Senator Jordan voted no (S.5612-A 2020).

Protecting kids from dangerous chemicals in toys? Senator Jordan voted no (S.501-B 2019).

Protecting our waterways from toxic fracking waste dumped here by Pennsylvania gas and oil drillers? Senator Jordan voted no (S.3392 2020).

Protecting endangered species? Senator Jordan voted no (S.8750 2020).

Anyone else seeing a pattern here?

It should come as no surprise really that Senator Jordan has such an awful record. Before she was elected, she served as a top aide to Senator Kathy Marchione, who earned the 2014 Oil Slick award for "her disregard for public health and holding industry accountable." The apple never does fall far from the tree. Speaking of apples, last year Senator Jordan also voted against the ban on chlorpyrifos; a highly toxic pesticide often sprayed in apple trees that poses significant risks for children.

In just the first two years of her tenure, Senator Jordan achieved some of the lowest scores in the Senate and she regularly stands with polluters and against the health of her constituents. For these reasons, Senator Daphne Jordan is our 2020 Oil Slick Award recipient. The people in her district would be better off if she were not returned to office.

Legislator of the Year: Senator Rachel May



Senator May has only been in office since 2019, but she has already distinguished herself as an environmental leader. Formerly the Director of Sustainability Education at Syracuse University, Senator May brought that deep commitment and expertise to the State Capitol. She was a key player in generating Senate support for the climate law and a tireless advocate for clean water and air. With a perfect score on the Environmental Scorecard for the two years she has served thus far, it's easy for voters to see that commitment in action in Albany.

Her environmental expertise has translated into major legislative victories that will safeguard public health for generations to come. Senator May was the lead sponsor of the law that bans incinerators in the Finger Lakes region. She is also the lead sponsor of the new law that classifies fracking

waste as hazardous. Her leadership breathed life into a 10-year-old effort to stop this radioactive substance from entering our state and polluting our ground and water. As a new representative from Central New York, she has been a powerful voice for communities most harmed by the dangerous dumping that was occurring in local landfills near the Finger Lakes. Thanks to her tireless efforts to push her bill over the finish line, New York is once again leading the nation in guarding against the dangers of fracking.

Senator May is also committed to centering environmental justice in her policy proposals. When the COVID-19 pandemic hit, Senator May quickly took action to ensure that every New Yorker had clean water to wash their hands and stay safe and healthy. She organized her colleagues in support of a bill to create a water shut-off moratorium to ensure the most economically vulnerable, especially those living in low-income communities and communities of color, would not have their water shut off.

Senator Rachel May @RachelMayNY · Jul 18, 2019
The moment!

Nick Reisman @NickReisman · Jul 18, 2019
Cuomo, with Gore and lawmakers, sign the climate change bill
enacting new emissions standards and boosting renewable energy
[Show this thread](#)

For her principled and effective legislating, her willingness to listen to and stand in solidarity with advocates, and her commitment to clean air and water for all, we are pleased to present Senator Rachel May with our Legislator of the Year award. The voters should make sure she returns to the Senate.



Senate Scores

Member	District	2020 Score	2019 Score	Stream Protection	Hazardous Waste Loophole	Ban Toxic Coal Tar	Keep Water On	Toxic-Free Food Packaging	Travel Without Plastic
Joseph P. Addabbo, Jr.	(D-15/Howard Beach)	100	100	✓	✓	✓	✓	✓	✓
Fredrick J. Akshar II	(R-52/Binghamton)	54	61	X	✓	X	✓	✓	X
George A. Amedore, Jr.	(R-46/Kingston)	50	49	✓	X	X	✓	X	X
Jamaal T. Bailey	(D-36/Bronx)	100	100	✓	✓	✓	✓	✓	✓
Brian A. Benjamin	(D-30/Manhattan)	100	100	✓	✓	✓	✓	✓	✓
Alessandra Biaggi	(D-34/Bronx)	100	100	✓	✓	✓	✓	✓	✓
George Borrello	(R-57 Jamestown)	38	N/A	X	X	X	✓	X	X
Phillip M. Boyle	(R-4/Bay Shore)	96	100	✓	✓	✓	✓	✓	✓
Neil D. Breslin	(D-44/Albany)	100	100	✓	✓	✓	✓	✓	✓
John E. Brooks	(D-8/Massapequa)	100	100	✓	✓	✓	✓	✓	✓
David Carlucci	(D-38/New City)	100	100	✓	✓	✓	✓	✓	✓
Leroy G. Comrie, Jr.	(D-14/St. Albans)	100	100	✓	✓	✓	✓	✓	✓
Simcha Felder	(D-17/Brooklyn)	92	93	✓	✓	✓	✓	✓	X
John J. Flanagan	(R-2/Smithtown)	INC	61	✓	N	N	✓	N	N
Rich Funke	(R-55/Fairport)	31	55	X	X	X	X	X	X
Patrick M. Gallivan	(R-59/Elma)	31	59	X	X	X	✓	X	X
James F. Gaughran	(D-5/Oyster Bay)	100	100	✓	✓	✓	✓	✓	✓
Michael N. Gianaris	(D-12/Astoria)	100	100	✓	✓	✓	✓	✓	✓
Andrew S. Gounardes	(D-22/Brooklyn)	100	100	✓	✓	✓	✓	✓	✓
Joseph A. Griffo	(R-47/Utica)	38	63	X	X	X	✓	✓	X
Peter B. Harckham	(D-40/Carmel)	100	100	✓	✓	✓	✓	✓	✓
Pamela A. Helming	(R-54/Geneva)	50	63	✓	X	✓	X	X	X
Brad Hoylman	(D-27/Manhattan)	100	100	✓	✓	✓	✓	✓	✓
Robert Jackson	(D-31/Manhattan)	100	100	✓	✓	✓	✓	✓	✓
Christopher L. Jacobs	(R-60/Buffalo)	INC	68	✓	N	N	✓	N	N
Daphne Jordan	(R-43/Castleton-On-Hudson)	38	49	X	X	X	✓	X	X
Todd D. Kaminsky	(D-9/Rockville Centre)	100	100	✓	✓	✓	✓	✓	✓
Anna M. Kaplan	(D-7/Mineola)	100	100	✓	✓	✓	✓	✓	✓
Brian P. Kavanagh	(D-26/Manhattan)	100	100	✓	✓	✓	✓	✓	✓
Timothy Kennedy	(D-63/Buffalo)	100	100	✓	✓	✓	✓	✓	✓
Liz Krueger	(D-28/Manhattan)	100	98	✓	✓	✓	✓	✓	✓
Andrew J. Lanza	(R-24/Staten Island)	42	73	✓	X	X	X	✓	X
Kenneth P. LaValle	(R-1/Mount Sinai)	96	96	✓	✓	✓	✓	✓	✓

KEY: ✓ - Correct environmental vote, X - Incorrect environmental vote (includes unexcused absences),

N - Not in office/excused (not scored),

INC - Incomplete score, N/A - Not in Office.

 - Positive Environmental Impact





Senate Scores

1	2	4	5	6	7
Stream Protection	Hazardous Waste Loophole	Ban Toxic Coal Tar	Keep Water On	Toxic-Free Food Packaging	Travel Without Plastic

Member	District	2020 Score	2019 Score	S.5612-A	S.3392	S.6308	S.8113-A	S.8817	S.5282-A
Elizabeth O'C. Little	(R-45/Glens Falls)	58	63	X	✓	X	✓	X	X
John C. Liu	(D-11/Bayside)	100	100	✓	✓	✓	✓	✓	✓
Monica R. Martinez	(D-3/Hauppauge)	96	100	✓	✓	✓	✓	✓	✓
Rachel May	(D-53/Syracuse)	100	100	✓	✓	✓	✓	✓	✓
Shelley Mayer	(D-37/Port Chester)	100	100	✓	✓	✓	✓	✓	✓
Jen Metzger	(D-42/Middletown)	100	100	✓	✓	✓	✓	✓	✓
Velmanette Montgomery	(D-25/Brooklyn)	100	100	✓	✓	✓	✓	✓	✓
Zellnor Y. Myrie	(D-20/Brooklyn)	100	100	✓	✓	✓	✓	✓	✓
Thomas F. O'Mara	(R-58/Elmira)	46	58	X	X	✓	✓	X	X
Robert G. Ortt	(R-62/Lockport)	23	49	X	X	X	X	X	X
Kevin S. Parker	(D-21/Brooklyn)	100	100	✓	✓	✓	✓	✓	✓
Roxanne J. Persaud	(D-19/Brooklyn)	100	100	✓	✓	✓	✓	✓	✓
Jessica Ramos	(D-13/East Elmhurst)	100	100	✓	✓	✓	✓	✓	✓
Michael H. Ranzenhofer	(R-61/Williamsville)	58	56	✓	X	X	✓	X	X
Patricia A. Ritchie	(R-48/Watertown)	50	66	✓	X	X	✓	✓	X
Gustavo Rivera	(D-33/Bronx)	100	100	✓	✓	✓	✓	✓	✓
Joseph E. Robach	(R-56/Rochester)	46	76	X	X	X	✓	X	X
Julia C. Salazar	(D-18/Brooklyn)	100	100	✓	✓	✓	✓	✓	✓
James Sanders, Jr.	(D-10/South Ozone Park)	100	100	✓	✓	✓	✓	✓	✓
Diane J. Savino	(D-23/Staten Island)	100	100	✓	✓	✓	✓	✓	✓
Luis Sepulveda	(D-32/Bronx)	100	97	✓	✓	✓	✓	✓	✓
Susan J. Serino	(R-41/Hyde Park)	81	74	✓	✓	X	✓	✓	✓
José Serrano	(D-29/Manhattan)	100	100	✓	✓	✓	✓	✓	✓
James L. Seward	(R-51/Oneonta)	56	62	✓	X	X	✓	X	X
James Skoufis	(D-39/New Windsor)	100	97	✓	✓	✓	✓	✓	✓
Toby Ann Stavisky	(D-16/Flushing)	100	100	✓	✓	✓	✓	✓	✓
Andrea Stewart-Cousins	(D-35/Yonkers)	100	100	✓	✓	✓	✓	✓	✓
James N. Tedisco	(R-49/Clifton Park)	62	68	✓	X	X	✓	✓	X
Kevin M. Thomas	(D-6/Garden City)	100	INC	✓	✓	✓	✓	✓	✓

KEY: ✓ - Correct environmental vote, X - Incorrect environmental vote (includes unexcused absences),

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Assembly Scores

1	2	3	5
Stream Protection	Hazardous Waste Loophole	Preserving Open Land (Orange County)	Keep Water On
A.8349	A.2655	A.7699-B	A.10521
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	N
✓	X	✓	X
✓	✓	✓	✓
X	X	✓	X
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
X	X	✓	X
X	X	✓	X
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	N	✓	✓
X	X	✓	X
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
N	✓	✓	✓
✓	✓	✓	X
✓	✓	✓	✓
✓	✓	✓	✓

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→ - Positive Environmental Impact





Assembly Scores

1	2	3	5
Stream Protection	Hazardous Waste Loophole	Preserving Open Land (Orange County)	Keep Water On
Member	District	2020 Score	2019 Score
Jeffrey Dinowitz	(D-81/Bronx)	100	100
David J. DiPietro	(R-147/East Aurora)	24	50
Anthony D'Urso	(D-16/Great Neck)	100	100
Simcha Eichenstein	(D-48/Brooklyn)	100	100
Steven Englebright	(D-48/Brooklyn)	100	100
Harvey Epstein	(D-48/Brooklyn)	100	100
Patricia A. Fahy	(D-48/Brooklyn)	100	94
Charles Fall	(D-48/Brooklyn)	100	100
Nathalia Fernandez	(D-48/Brooklyn)	100	100
Gary D. Finch	(D-48/Brooklyn)	INC	63
Michael J. Fitzpatrick	(D-48/Brooklyn)	48	76
Christopher S. Friend	(D-48/Brooklyn)	24	30
Mathylde Frontus	(D-48/Brooklyn)	100	100
Sandra R. Galef	(D-48/Brooklyn)	100	100
David F. Gantt	(D-48/Brooklyn)	INC	INC
Andrew R. Garbarino	(D-48/Brooklyn)	81	72
Joseph M. Giglio	(D-48/Brooklyn)	67	73
Deborah J. Glick	(D-48/Brooklyn)	100	100
Andrew Goodell	(D-48/Brooklyn)	43	60
Richard N. Gottfried	(D-48/Brooklyn)	100	100
Judy Griffin	(D-48/Brooklyn)	100	100
Aileen M. Gunther	(D-48/Brooklyn)	95	100
Steve M. Hawley	(D-48/Brooklyn)	43	56
Carl E. Heastie	(D-48/Brooklyn)	100	100
Andrew D. Hevesi	(D-48/Brooklyn)	100	100
Pamela J. Hunter	(D-48/Brooklyn)	100	100
Alicia L. Hyndman	(D-48/Brooklyn)	100	100
Jonathan G. Jacobson	(D-48/Brooklyn)	100	100
Ellen C. Jaffee	(D-48/Brooklyn)	100	100
Kimberly Jean-Pierre	(D-48/Brooklyn)	100	100
Mark C. Johns	(D-48/Brooklyn)	86	88
Billy Jones	(D-48/Brooklyn)	81	94
Latoya Joyner	(D-48/Brooklyn)	100	100
Ron Kim	(D-40/Flushing)	100	100
Brian M. Kolb	(R-131/Geneva)	43	63
Kieran Michael Lalor	(R-105/Hopewell Junction)	33	47
Charles D. Lavine	(D-13/Glen Cove)	100	100
Peter A. Lawrence	(R-134/Rochester)	40	52

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 - Positive Environmental Impact

6	8	9	10	11	12	13	14	15	16
Toxic-Free Food Packaging	PFAS-Free Firefighting Foam	TCE Free	Clean Air for Cohoes	Weed Killers Not Welcome	Save Our Species	What's in Your Water	Waste Not Want Not	Anti-ICEing	Reducing Road Salt in the Adirondacks
A.4739-C	A.8979	A.8829-A	A.9952-B	A.732-B	A.4077-A	A.3040-A	A.4398-A	A.8608	A.8767-A
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
X	X	X	✓	X	✓	✓	X	✓	✓
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
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N	N	N	N	N	N	N	N	N	N
X	✓	✓	✓	X	✓	✓	✓	✓	✓
X	X	X	✓	X	X	✓	✓	✓	✓
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N	✓	N	N	N	✓	N	✓	N	✓
X	✓	✓	✓	X	✓	✓	✓	N	✓
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X	✓	X	✓	X	✓	✓	✓	✓	✓
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X	✓	X	✓	X	✓	✓	✓	✓	✓
X	✓	X	✓	X	✓	✓	✓	✓	✓
✓	N	✓	✓	✓	✓	✓	✓	✓	✓
X	✓	X	✓	X	✓	✓	✓	N	✓



Assembly Scores

KEY: ✓ - Correct environmental vote, X - Incorrect environmental vote (includes unexcused absences),

N - Not in office/excused (not scored),

INC - Incomplete score, **N/A** - Not in Office.

- Positive Environmental Impact





Assembly Scores

1	2	3	5
Stream Protection	Hazardous Waste Loophole	Preserving Open Land (Orange County)	Keep Water On
A.8349	A.2655	A.7699-B	A.10521
INC	100	✓	✓
100	100	✓	✓
100	INC	✓	✓
INC	100	N	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
57	72	X	X
94	94	✓	✓
100	80	✓	✓
INC	68	✓	N
100	88	✓	✓
100	98	✓	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
43	73	X	X
100	100	✓	✓
57	72	X	X
100	100	✓	✓
100	100	✓	✓
95	94	✓	✓
43	52	X	X
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
67	80	N	X
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
57	68	X	X
100	98	✓	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
100	100	✓	✓
100	INC	✓	✓

KEY: ✓ - Correct environmental vote, X - Incorrect environmental vote (includes unexcused absences),

N - Not in office/excused (not scored),

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 - Positive Environmental Impact



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.assembly.state.ny.us and www.nysenate.gov or call the New York State Assembly at (518) 455-4100 and 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 Assembly, Albany, NY 12248 or 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 to support our work in the State Capitol. You can also find us online on Twitter: [@EA_Action](#) or Facebook: [@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.



3 TREES

1. A-B-Cs of Stream Protection

This bill adds class C streams to the list of those included under the Protection of Waters Regulatory Program within the NYS DEC. Class C streams are classified as being used for non-contact recreation and fisheries. Small ponds and lakes with a surface area of 10 acres or less, located within the course of a stream, are also subject to protection. A.8349 (Ryan, et al.)/S.5612-A (Harckham, et al.) passed both the Assembly and Senate.

2. Closing the Hazardous Waste Loophole

This legislation closes New York's hazardous waste loophole, which allows waste produced from the exploration, development, extraction, or production of crude oil or natural gas to escape the regulatory framework applied to hazardous waste. This legislation makes this waste subject to the same hazardous waste management regulations that apply to other New York industries.

A.2655 (Englebright, et al.)/S.3392 (May, et al.) passed both the Assembly and Senate and was signed into law by Governor Cuomo.



2 TREES

3. Preserving Communities from Overdevelopment and Sprawl (Orange County)

This bill amends the General Municipal Law and the Tax Law to give Orange County the authority to set up a Community Preservation Fund and raise money, if approved by voter referendum, through a real estate transfer tax. A.7699-B (Gunther, et al.)/S.6224-B (Metzger, et al.) passed the Assembly, but did not move beyond the Senate Local Government Committee.

4. Ban on Toxic Coal Tar

This bill bans the sale and use of coal tar pavement products with high levels of polycyclic aromatic hydrocarbons (PAHs). Coal tar pavement sealants are used on driveways and parking lots and contain harmful chemicals like PAHs in extremely high concentrations. Runoff from PAHs impact our waterbodies and soils, and PAH dust can be blown into the air. A.1304-A (Rosenthal, et al.)/S.6308-A (Metzger, et al.) passed the Senate, but was not brought to a vote in the Assembly.

5. Keep the Water On

This legislation protects the health and safety of residents by prohibiting utility companies from shutting off water during a state of emergency. It is common practice for water companies to shut off water when households are unable to afford their water bills. Not having access to clean running water is a health risk, especially during the COVID-19 pandemic. A.10521 (Mosley, et al.)/S.8113-A (Parker, et al.) passed both the Assembly and Senate and was signed into law by Governor Cuomo.

6. Toxic-Free Food Packaging

This bill bans PFAS substances in packaging, helping to protect residents from this dangerous substance in our food and water. PFAS are dangerous chemicals that can leak from food packaging into food products or water sources and have been linked to health impacts such as reduced fertility, immune suppression and thyroid disease. PFAS chemicals have already contaminated drinking water in a number of communities across the state. A.4739-C (Fahy, et al.)/S.8817 (Hoyleman, et al.) passed both the Assembly and the Senate.

7. Travel Without Plastic

This bill prohibits hotels from providing small plastic bottles containing hospitality personal care products. Plastic pollution plagues our environment as it takes hundreds of years to break down into microplastics that pollute our waterways. Hotels supply thousands of small plastic bottles every year in the form of personal care products. By restricting hotels from providing personal care products in plastic bottles, this legislation is a step in the right direction in addressing the plastic pollution crisis. A.7662-B (Englebright, et al.)/S.5282-B (Kaminsky, et al.) passed the Senate, but was not brought to a vote in the Assembly.



8. Amendment- PFAS Free Firefighting Foam

This legislation provided an amendment to the chapter of the laws of 2019 in relation to reducing the use of PFAS chemicals in firefighting activities. This amendment expands the restrictions on cancer-causing PFAS in firefighting foam. PFAS foam has contaminated drinking water supplies across the state. This bill requires chemical plants, oil refineries, and fuel storage and distribution facilities to phase out their use of PFAS foam. A.8979 (Steck, et al.)/S.7167 (Hoyleman) passed both the Assembly and the Senate and was signed into law by Governor Cuomo.

9. TCE Free

This bill prohibits the use of TCE in most cases by December 1, 2021. Trichlorethylene is a toxic chemical that is used primarily for grease removal and has been found to contaminate air, soil and water. Exposure to TCE can cause headaches and dizziness along with many other symptoms and is strongly linked to various cancers. A.8829-A (Englebright, et al.)/S.6829-B (Kaminsky, et al.) passed both the Assembly and the Senate.

10. Clean Air for Cohoes

This bill bans incineration of PFAS firefighting foam in certain cities with environmental justice area designations. PFAS is a dangerous and persistent chemical that is used in firefighting foam, and is incinerated after use. The burning of PFAS chemicals poses a serious threat once it is released into the air and subsequently deposits into waters and soil of surrounding communities. A.9952-B (McDonald, et al.)/S.7880-B (Breslin) passed both the Assembly and the Senate.

11. Weed Killers Not Welcome

This bill prohibits the use of glyphosate on state property. Glyphosate is a commonly used herbicide that has environmental and health impacts. The World Health Organization concluded that glyphosate is "probably carcinogenic to humans," and is on California's list of chemicals known to cause cancer. Prohibiting the use of this dangerous chemical on state property is a good first step to protecting the health of New Yorkers. A.732-B (Rosenthal, et al.)/S.6502-A (Serrano, et al.) passed both the Assembly and the Senate.

12. Save Our Species

This legislation amends the Environmental Conservation Law to expand protections for endangered species. Should the federal government de-list a species, this legislation ensures that the taking, importation, transportation, possession or sale of that species will continue to be prohibited in New York State until a thorough investigation is conducted by the NYS Department of Environmental Conservation. A.4077-A (Barrett, et al.)/S.8750 (Kaminsky, et al.) passed both the Assembly and the Senate and was signed into law by Governor Cuomo.

13. What's in Your Water?

This legislation amends the Public Health Law to require certain water works corporations to post their annual water supply statements, now requiring companies with 1000 or more service connections to post annual water supply statements online. A.3040-A (Vanel, et al.)/S.8723 (Sanders) passed both the Assembly and the Senate and was signed into law by Governor Cuomo.

14. Waste Not, Want Not

This bill is meant to help combat food insecurity by increasing donations to food banks and other charitable entities by requiring supermarkets to donate excess food "from time to time" to qualifying entities. A.4398-A (Abinanti, et al.)/S.4176-A (Harckham, et al.) passed both the Assembly and the Senate.

15. Anti-ICEing

While the use of electric vehicles (EV) is increasing, charging spaces are limited and owners of traditional vehicles have been found to occupy EV charging stations in parking lots. This bill prohibits non-electric motor vehicles from parking in EV charging spaces. A.8608 (Paulin, et al.)/S.6836 (Metzger, et al.) passed both the Assembly and the Senate and was signed into law by Governor Cuomo.

16. Reducing Road Salt in the Adirondacks

Road salts, commonly used in the winter months to melt ice and snow, threaten water quality. Road salts can leach into groundwater, negatively impact drinking water, and can accumulate in the environment and cause harm to soils, wildlife and aquatic life. This bill will begin to address this problem by exploring alternative options to salting roads during the winter in the Adirondack National Park. A.8767-A (Jones, et al.)/S.8663-A (Kennedy, et al.) passed both the Assembly and the Senate.

17. Fossil Fuel Facts

New York State provides tax exemptions to a number of industries, including many fossil fuel providers. Continuing to support the fossil fuel industry through tax exemptions does not support the long-term goals of reducing carbon emissions and transitioning to an energy system powered completely by renewable energy. This bill will require the state to reassess its relationship with the fossil fuel industry by requiring the Governor's tax expenditure reporting to include all fossil fuel related tax expenditures and sets a 5-year expiration date on fossil fuel tax expenditures. A.257-C (Cahill, et al.)/S.2649-C (Krueger, et al.) passed the Senate but did not move beyond the Assembly Governmental Operations Committee.

18. Reducing Road Salt in NYC

Road salts, commonly used in the winter months, threaten water quality. In particular road salts can leach into groundwater, impact drinking water, accumulate in the environment and cause harm to soils, wildlife and aquatic life. This bill will begin to address this problem by exploring alternative options to salting the road during the winter in New York City. A.9825-A (Abinanti)/S.7367-A (Harckham, et al.) passed the Senate but did not move beyond the Assembly Transportation Committee.

19. Scaling Up Solar

As the state moves towards a 100% fossil fuel free energy grid, the need for solar generating capacity is increasing. This bill helps the state achieve a clean energy grid by making it easier for municipalities to deploy solar units on parking lots in parkland spaces. S.8635 (Harckham) passed the Senate, but no Same As bill was introduced in the Assembly.

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