

STATE OF NEW YORK

4657

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to declaring a climate emergency

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The environmental conservation law is amended by adding a new section 1-0103 to read as follows:

§ 1-0103. Climate emergency declaration and policy.

1. The legislature finds and declares the following:

(a) A climate emergency exists that threatens the state of New York, the nation, and the world;

(b) Irrevocable damage to the environment has been caused by global warming of approximately one degree celsius demonstrating that the earth is already too hot for safety and justice, as attested by increased and intensifying wildfires, floods, rising seas, diseases, droughts, and extreme weather;

(c) On April twenty-second, two thousand sixteen, world leaders from one hundred seventy-four countries and the European Union recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to keep warming well below two degrees celsius above pre-industrial levels and to pursue efforts to limit the temperature increase to one and one-half degrees fahrenheit;

(d) On October eighth, two thousand eighteen, the United Nations International Panel on Climate Change ("IPCC") released a special report, which projected that limiting warming to the one and one-half degrees celsius target this century will require an unprecedented transformation of every sector of the global economy over the next twelve years;

(e) On November twenty-third, two thousand eighteen, the United States Fourth National Climate Assessment ("NCA4") was released and detailed

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 the massive threat that climate change poses to the American economy,
2 our environment and climate stability, and underscores the need for
3 immediate climate emergency action at all levels of government;

4 (f) According to the National Aeronautics and Space Administration's
5 (NASA) Goddard Institute for Space Studies (GISS), global temperatures
6 in two thousand eighteen were eighty-three one-hundredths degrees celsi-
7 us (one and one-half degrees fahrenheit) warmer than the nineteen
8 hundred fifty-one to nineteen hundred eighty mean;

9 (g) World Wildlife Fund's 2018 Living Planet report finds that there
10 has been a sixty per centum decline in global wildlife populations
11 between nineteen hundred seventy and two thousand fourteen, with causes
12 including overfishing, pollution and climate change;

13 (h) According to the intergovernmental science-policy platform on
14 biodiversity and ecosystem services, human activity has already severely
15 altered forty per centum of the marine environment, fifty per centum of
16 inland waterways, and seventy-five per centum of the planet's land, and
17 it is projected that five hundred thousand to one million species are
18 threatened with extinction, many within the next few decades;

19 (i) Globally, the following records have been made according to NASA
20 and the National Oceanic and Atmospheric Administration (NOAA): nine-
21 teen of the last twenty years have been the hottest years; the past
22 decade was the world's hottest; 2019 was the second hottest year; and
23 the past five years each rank among the five hottest on record;

24 (j) In November two thousand nineteen, the United Nations Environment
25 Program released the Emissions Gap Report which concluded that to main-
26 tain relatively safe limits, global greenhouse gas emissions must
27 decline significantly, by 7.6 percent every year, between two thousand
28 twenty and two thousand thirty; global greenhouse gas emissions have
29 increased by 1.5 percent every year over the last decade;

30 (k) The state of New York is particularly vulnerable to the effects of
31 climate change and has already been subjected to devastating disasters
32 caused by global warming, including increasing superstorms and severe
33 flooding;

34 (l) Marginalized populations in the state of New York and worldwide,
35 including people of color, immigrants, indigenous communities, low-in-
36 come individuals, people with disabilities, and the unhoused are already
37 disproportionately affected by climate change, and will continue to bear
38 an excess burden as temperatures increase, oceans rise, and disasters
39 worsen;

40 (m) Restoring a safe and stable climate and reversing biodiversity
41 loss requires an emergency mobilization on a scale not seen since World
42 War II to attain zero greenhouse gas emissions across all sectors at
43 wartime speed, to rapidly and safely draw down or remove all excess
44 carbon from the atmosphere, and to implement measures to protect all
45 people and species from the consequences of abrupt climate change and
46 ecological destruction;

47 (n) Building a society that is resilient to the current, expected, and
48 potential effects of climate change will protect health, lives, environ-
49 ments, and economies. Resilience is best achieved by preparing for the
50 most dramatic potential consequences of climate change; and

51 (o) Justice demands climate policy that addresses the specific experi-
52 ences, vulnerabilities, and needs of the marginalized communities most
53 affected by the effects of climate change, and includes those communi-
54 ties in climate and ecological resilience planning, policy and actions.

55 2. It is hereby declared to be the policy of the state of New York to
56 restore an optimal safe climate and to provide maximum protection from

1 climate change to all people and species, globally, including the most
2 vulnerable.

3 3. It is the intent of the legislature that the state do all of the
4 following in furtherance of such policy:

5 (a) Convert the economy to net zero greenhouse gas emissions as quick-
6 ly as possible.

7 (b) Immediately initiate a multigenerational effort to draw down
8 greenhouse gases already in the atmosphere in as short a time as possi-
9 ble, and develop research in support of this goal.

10 (c) Immediately initiate a massive effort to restore ecosystems.

11 (d) Respond to the climate emergency based on a just transition frame-
12 work that focuses on equity, self-determination, culture, tradition,
13 democracy, and the fundamental human right of all people to clean, heal-
14 thy, and adequate air, water, land, food, education, and shelter.

15 (e) Engage the public in climate-emergency-related deliberations so
16 that citizens can see their influence on the policy and resource deci-
17 sions that impact their daily lives and their future.

18 (f) Encourage nongovernment actors to contribute to the development
19 and implementation of solutions.

20 (g) A sweeping overhaul of the economy that centers on equity and
21 justice in its solutions is vital to our future and must include the
22 following goals: dramatically expand existing renewable power sources
23 and deploy new production capacity with the goal of meeting one hundred
24 per centum of national power demand through renewable sources; build a
25 national, energy-efficient, "smart" grid; upgrade every residential and
26 industrial building for state-of-the-art energy efficiency, comfort and
27 safety; eliminate greenhouse gas emissions from manufacturing, agricul-
28 tural and other industries, including by investing in local-scale agri-
29 culture in communities across the country; repair and improve transpor-
30 tation and other infrastructure, and upgrade water infrastructure to
31 ensure universal access to clean water; fund massive investment in the
32 drawdown of greenhouse gases; and make "green" technology, industry,
33 expertise, products and services a major export of the United States,
34 with the aim of becoming the international leader in helping other coun-
35 tries become greenhouse gas neutral economies and bringing about a
36 global transition.

37 (h) Support efforts for an emergency mobilization to restore a safe
38 climate in other states and at the federal and global level.

39 § 2. This act shall take effect immediately.