

**Testimony of Michael Seilback, Senior Director of Public Policy & Advocacy of the  
American Lung Association of New York State, Inc. and the  
American Lung Association of the City of New York, Inc.**

**Before the New York State Division of the Budget,  
Public Hearings Regarding the 2008-09 Budget  
November 30, 2007**

Good afternoon. My name is Michael Seilback, Senior Director of Public Policy & Advocacy of the American Lung Association of New York State and the American Lung Association of the City of New York. On behalf of our associations' volunteer boards; it is my pleasure to be here to offer testimony on the Lung Associations' budget priorities.

First, I state the obvious: If you can't breathe – nothing else matters. I say this to draw attention to the very real issues that face our grandparents, parents, siblings, children and most notably our future generations. Air quality is an issue that affects us all – and why we urge you to consider three proposals which would pay dividends in decreased health care costs in New York, while also cleaning our air and reducing the prevalence of lung disease.

Asthma is a disease that exacts a huge toll on New Yorkers and costs the state millions of dollars from indirect and direct medical expenses. Currently, there are 1.6 million New Yorkers with asthma—more than 380,000 of them are children. It is the most common chronic disease among school-aged children and the leading cause of school absenteeism. Measures must be enacted to help clean the air we breathe and reduce the amount of possible triggers leading to asthma attacks.

**BIOHEAT**

Most New Yorkers do not realize that there are alternatives to the dirty home heating oil that they use to heat their homes. Bioheat is a mix of traditional fuel with cleaner biodiesel. We ask you to include in the proposed budget a tax credit for the use of bioheat in home heating fuel. This tax credit is the same as the one proposed for extension during the 2007 legislative session (A.7909/S.5451). It is capped at .20 cents per gallon and would reduce the cost of bioheat to a level that it is competitive with traditional fuel. The tax credit expired on July 1 after only being in place for one year. Renewal of this tax credit will result in better air quality and healthier communities.

**DIESEL**

Emissions from dirty diesel engines remain a threat on the roads of New York -- polluting our air, damaging our lungs and compromising our health as tailpipes of all sorts belch out clouds of black soot. While significant progress has been made in New York on cleaning up public transportation fleets and engines, real challenges remain. Many local government fleets, including school buses, have yet to be addressed. In addition, there is no financial incentive to clean-up diesel engines beyond the typical replacement turnover rate. Three states have dedicated funds of over \$100 million each to help clean up diesel engines: California, Texas and

New Jersey. These states have recognized the cost benefits associated with investing in diesel retrofit technologies – and now - you have the opportunity to make New York State a national leader in reducing deadly diesel emissions. It is time for New York to create our own diesel cleanup fund.

## **TOBACCO CONTROL**

Lastly, we have an opportunity to ensure that New York fully funds our effective tobacco control programs. The Centers for Disease Control and Prevention recently issued new guidelines which recommend that New York State spend a minimum of \$155.1 million annually, up from the current recommended minimum of \$95.8 million. Currently New York State spends \$87.5 million on its tobacco control programs. To provide a funding stream for these efforts, New York State should immediately enact an additional \$1.50 tax to the state tobacco excise tax, and grant localities the ability to also raise their local excise tax on tobacco. Raising the tax will lead to increased state revenue, while at the same time creating an economic incentive for smokers to quit their deadly addiction. Study after study shows that for every 10 percent increase in the price of cigarettes, we will see a 7 percent drop in youth smoking rates and a 4 percent decline in adult smoking rates.

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We hope that you will consider the initiatives that we have outlined for you here today and look forward to fuller discussion of these important issues as we work in partnership to improve the life and breath of all New Yorkers.