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RMS End of Week Update 9/3/2026



Federal Judge Strikes Down New York's Climate Superfund Law

A federal judge has struck down New York's Climate Change Superfund Act, dealing a setback to the state's effort to require major fossil-fuel companies to help pay for climate-related infrastructure costs.

The law, signed by Governor Kathy Hochul in 2024, would have required large fossil-fuel producers to collectively pay \$75 billion over 25 years. The funding was intended for climate resiliency projects, including infrastructure improvements addressing flooding, severe weather and other climate impacts.

U.S. District Court Chief Judge Brenda K. Sannes ruled that New York's law improperly sought to impose liability for greenhouse-gas emissions associated with activity occurring across the country and internationally. The court found that the law was preempted by federal law and also raised concerns about interference with federal authority over foreign affairs.

The ruling means New York cannot collect the assessments unless the decision is reversed on appeal. The Hochul administration is reviewing the decision and considering its next steps, which could include an appeal to the U.S. Court of Appeals for the Second Circuit.

Importantly, the decision does not overturn New York's Climate Leadership and Community Protection Act (CLCPA) or the state's broader climate goals. It specifically strikes down the mechanism created to collect \$75 billion from fossil-fuel companies.

The ruling nevertheless creates a significant fiscal and policy question for Albany: If the Superfund assessment cannot be used, how will New York pay for increasingly expensive climate-resiliency projects?

The decision is also likely to have national implications, as Vermont has enacted a similar program and other states have considered legislation requiring fossil-fuel companies to contribute toward climate-related costs.

For New York policymakers, the issue now moves from the federal courthouse back toward Albany — and potentially to the Second Circuit — as the state considers whether to appeal, rewrite the law, or pursue another mechanism for financing climate resiliency.

Doctors Push Back Against Kennedy's Changes to U.S. Vaccine Policy

A growing divide has emerged between the nation's medical community and the federal government over Health and Human Services Secretary Robert F. Kennedy Jr.'s changes to U.S. vaccine policy, with major physician organizations increasingly issuing their own recommendations rather than relying solely on federal guidance.

The American Medical Association (AMA), American Academy of Pediatrics (AAP) and other medical organizations have objected to changes in the federal childhood immunization schedule and the process used to develop vaccine recommendations. The AMA recently warned that altering the childhood vaccine schedule without credible scientific evidence could undermine public confidence and put children at greater risk from vaccine-preventable diseases.

The disagreement has moved beyond public criticism. The AAP and other medical organizations sued Kennedy and HHS, challenging changes to the federal vaccine advisory process and childhood immunization recommendations. In March, a federal judge blocked implementation of the administration's revised 2026 childhood vaccine schedule while the litigation proceeds.

Physicians are also developing an alternative system of vaccine guidance. The AAP continues to recommend routine childhood vaccination against 18 diseases, while several leading medical organizations have now issued their own recommendations for the 2026–27 respiratory virus season, including guidance for influenza, COVID-19 and RSV.

The result is an unusual situation in American health care: doctors and federal health officials are no longer necessarily providing the same vaccine recommendations. Some physicians and major health systems have

indicated that they will continue following recommendations from professional medical societies rather than the narrower federal guidance.

The dispute is likely to continue into 2027. More than 200 medical, public health and patient organizations have backed the AAP's approach, while Kennedy has argued that changes to federal vaccine policy are necessary to restore public confidence and more closely scrutinize vaccine safety.

For patients and policymakers, the larger issue is whether the traditional system — in which federal health agencies and major medical organizations generally spoke with one voice on vaccination — is being replaced by competing federal and physician-led vaccine recommendations. That could have significant implications for patient decisions, insurance coverage, school vaccination policies and public confidence in the nation's immunization system.

New York Governor's Race Heads into the Fall: Hochul vs. Blakeman

With Election Day now just two months away, New York's race for governor is beginning to tighten. Democratic Governor Kathy Hochul is seeking another term against Republican Nassau County Executive Bruce Blakeman, with affordability, energy costs, public safety, immigration and President Donald Trump emerging as central issues.

The latest [Siena College poll](#) shows Hochul leading Blakeman 49% to 39% among likely voters, a 10-point advantage. That is substantially narrower than Siena's June poll, when Hochul led 52% to 32% among registered voters. The tightening margin is getting attention because New York's last gubernatorial election was considerably closer than many initially expected. Hochul defeated Republican Lee Zeldin in 2022 by roughly six percentage points.

Hochul: Affordability and Opposition to Trump

Hochul is campaigning heavily on affordability, highlighting tax relief, child care, economic development and efforts to lower costs. At the same time, she is increasingly portraying the election as a choice between her administration and the policies of President Trump. That strategy was evident during Hochul's recent appearances at the New York State Fair, where she criticized Trump administration tariffs and their impact on New York farmers and consumers. Her first television advertisements similarly emphasize affordability while attempting to link Blakeman closely to Trump.

Blakeman: Costs, Energy and Public Safety

Blakeman is trying to make the election a referendum on Hochul's record in Albany. His campaign has focused particularly on high taxes, utility and energy costs, crime and immigration, arguing that Democratic control of state government has made New York less affordable.

The Nassau County executive has also embraced his relationship with Trump while criticizing Hochul's climate and energy policies. Blakeman argues that state energy mandates are contributing to higher utility costs and has pledged to expand the availability of natural gas if elected.

Although Trump is not on the ballot, both campaigns are making him a central figure in the contest. Hochul wants voters — particularly Democrats and independents — to associate Blakeman with the president. Blakeman, meanwhile, is betting that concerns over affordability, crime and immigration can overcome New York's Democratic enrollment advantage. Political observers expect that dynamic to intensify during the final weeks of the campaign.

A Race Worth Watching

Hochul remains the favorite, and independent race assessments continue to rate the contest as favoring Democrats. But the movement from a 20-point Siena advantage in June to 10 points in August gives Republicans reason to argue that the race is becoming competitive. The key question heading into the fall is whether Blakeman can continue closing that gap — particularly in the New York City suburbs and among voters concerned about the cost of living — or whether Hochul can use New York's substantial Democratic advantage and opposition to Trump to rebuild a comfortable lead before Election Day on November 3rd.

Utility rebate checks for NY residents set to roll out

New York State is kicking off a \$1 billion utility relief program this month, sending direct rebate checks to millions of residents across the state to help offset high energy costs. Part of the newly enacted [Protecting Our Wallets Energy Rebate \(POWER\) program](#), these one-time payments are designed to put money back into the pockets of middle-class households and low-income families.

According to guidelines released by the New York State Department of Taxation and Finance, the POWER program provides three main tiers of one-time payout amounts based on 2024 tax filing status and reported gross income:

- Joint Filers (Income under \$150,000): \$200 check
- Joint Filers (Income between \$150,000 and \$300,000): \$150 check
- Single Filers (Income under \$150,000): \$100 check

Those eligible will receive rebate checks automatically, and no application is required. The state is pulling eligibility data directly from income tax filings. To qualify for a check, New Yorkers must meet the following criteria:

- Have filed a timely 2024 New York State resident income tax return.
- Have been a full-time New York State resident during the 2024 tax year.
- Meet the income requirements listed above.
- Not have been claimed as a dependent on someone else's tax return.

Governor Hochul's office announced that the NYS Department of Taxation and Finance will begin rolling out the physical rebate checks in September, with distributions continuing in scheduled batches through December 2026.

Helpful Links and Resources

[2026 RMS HMH End of Session Update](#)

[RMS Revenue and Tax Final Budget Table](#)

[RMS Health/Mental Hygiene Final Budget Table](#)

[FY 2027 Enacted Budget Financial Plan](#)

[Empire State Development Tariff Resource Guide](#)

[Eliminating Distractions in Schools Resource](#)

Department of Health – COVID-19 Resources & Monitoring

[New York COVID-19 Vaccine Information Page](#)

[COVID-19 Guidance for Medicaid Providers](#)

[NYS COVID-19 Monitoring Dashboard](#)

[NYS COVID-19 Fatalities Tracker](#)