

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

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OCTOBER 29, 2013
Start: 10:35 a.m.
Recess: 10:41 a.m.

HELD AT: 250 Broadway - Committee Rm,
14th Fl.

B E F O R E:
MARIA DEL CARMEN ARROYO
Chairperson

COUNCIL MEMBERS:

INEZ E. DICKENS
MATHIEU EUGENE
JULISSA FERRERAS
ROSIE MENDEZ
JOEL RIVERA
DEBORAH L. ROSE
PETER F. VALLONE, JR.
JAMES G. VAN BRAMER
ALBERT VANN

[gavel]

CHAIRPERSON ARROYO: Good afternoon

everyone although my opening statement says good morning. My name is Maria Del Carmen Arroyo and I'm Chair of the Committee on Health. And today the committee is voting on two pieces of legislation which all share a goal of reducing the prevalence of youth smoking. The first piece, proposed intro 250-A which is sponsored by Councilmember Gennaro would raise the legal age to sell cigarettes, tobacco products, and electronic cigarettes to 21. Under this bill the minimum legal sales age for herbal cigarettes would remain at 18 pursuant to section 17-714 of the administrative code.

The second piece of legislation intro 1021 introduced by the request of the mayor has several components including increasing fines and penalties for selling illegal and untaxed tobacco, prohibiting coupons and discounts on cigarettes, setting a price floor of \$10.50 per pack of cigarettes and little cigars, and requiring that cigars be sold in packs of four and little cigars be sold in packs of 20 at a minimum. The prevalence of smoking among youth has declined dramatically in

1
2 New York City from 17.6 percent in 2001 to 8.5
3 percent in 2007. However the problem of youth
4 smoking is acute with approximately 100 thousand
5 young persons between 18 and 24 years of age
6 currently smoking. Additionally, an estimated 19
7 thousand New York City public high school students
8 smoke. There is an overwhelming, overwhelming
9 scientific evidence that lifelong smokers start at
10 a very young age. By making tobacco products harder
11 to get, preventing access to cheap tobacco
12 products, and putting them out of sight and
13 hopefully out of mind, these three bills, these two
14 bills aim to reduce the prevalence of youth smoking
15 in our city. And I want to correct this statement
16 by indicating that we are only voting on two pieces
17 of legislation, the 'Out of Sight' tobacco bill has
18 been withdrawn and it's not part of this package. I
19 will urge my colleagues to vote yes on both and ask
20 the clerk to call the roll.

21 Before you do that, I want to
22 acknowledge the members that are here.
23 Councilmember Vallone, and we'll do the V's first,
24 Councilmember Vann, Councilmember Van Bramer,
25 Councilmember Rose, Councilmember Eugene,

1 Councilmember Mendez, and Councilmember Dickens.

2 Clerk if you can call the roll I recommend an aye
3 vote on both.
4

5 WILLIAM MARTIN: William Martin,
6 Committee, Committee Clerk roll call... William
7 Martin Committee Clerk roll call vote Committee on
8 Health. Councilmember Arroyo?

9 CHAIRPERSON ARROYO: Aye.

10 WILLIAM MARTIN: Vallone?

11 COUNCILMEMBER VALLONE: May I be briefly
12 excused...

13 CHAIRPERSON ARROYO: [interpose] Yes.

14 COUNCILMEMBER VALLONE: ...to explain?
15 First of all it took 12 years to get to the V's
16 first so I'm very happy about that.

17 CHAIRPERSON ARROYO: I'm happy to
18 accommodate that.

19 COUNCILMEMBER VALLONE: I'm conflicted
20 on this. I'm a very vehement anti smoker but I'm
21 also a small business person very concerned about
22 our small businesses. I would have preferred this
23 bill raise the age to 19 because of the fact that
24 that's the age in Jersey and that's the age in
25 Nassau and it wouldn't hurt our small businesses as

1
2 bad. However, I mean I do support the goals of this
3 bill. I think getting it out of high school and for
4 the most part college is paramount. And I also led
5 the fight in this room against the ill-conceived
6 bill which would have created fines for businesses
7 regarding the display of these items which I
8 thought was just another excuse to fine our small
9 businesses two thousand dollars and I'm very glad
10 that we are not moving forward on that. So I think
11 that's a good compromise for our small businesses,
12 to not have passed that legislation but to save
13 some lives by passing this one. So I am going to
14 vote aye on both. Thank you.

15 WILLIAM MARTIN: Vann?

16 COUNCILMEMBER VANN: Aye. Aye on both.

17 WILLIAM MARTIN: Dickens?

18 COUNCILMEMBER DICKENS: Aye on both.

19 WILLIAM MARTIN: Mendez?

20 COUNCILMEMBER MENDEZ: Aye on both.

21 WILLIAM MARTIN: Eugene?

22 COUNCILMEMBER EUGENE: Aye on both.

23 WILLIAM MARTIN: Rose?

24 COUNCILMEMBER ROSE: Permission to

25 explain my vote? I am able to vote aye on 1021-A

1
2 and I have to say I'm really ambivalent on what is
3 it, 250-A for a number of reasons but in order to
4 get it out of committee so that the full body can
5 have the opportunity to vote, I'm going to vote aye
6 on both. And I will reserve, I guess, my real vote
7 for the full stated meeting when I resolve my inner
8 conflicts.

9 CHAIRPERSON ARROYO: And I'm sure you
10 will by the time we get there.

11 WILLIAM MARTIN: Van Bramer?

12 COUNCILMEMBER VAN BRAMER: Aye on both.

13 WILLIAM MARTIN: By a vote of eight in
14 the affirmative, zero in the negative, and no
15 abstentions both items have been adopted. Members
16 please sign the committee reports.

17 CHAIRPERSON ARROYO: The Health
18 Committee hearing Tuesday, October 29th is now
19 adjourned.

20 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date _____ November 7, 2013 _____