

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

----- X

April 22, 2021
Start: 10:34 a.m.
Recess: 10:52 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Mark Levine
CHAIRPERSON

COUNCIL MEMBERS:
Alika Ampry-Samuel
Inez Barron
Selvena Brooks-Powers
Dharma Diaz
Mathieu Eugene
Robert Holden
Keith Powers

A P P E A R A N C E S (CONTINUED)

2 SERGEANT-AT-ARMS: Cloud is up.

3 SERGEANT-AT-ARMS: Backup is rolling.

4 SERGEANT-AT-ARMS: Thank you. Sergeant
5 Kowalski, you may begin the opening.

6 SERGEANT-AT-ARMS: Good morning and welcome
7 to today's remote New York City Council hearing of
8 the Committee on Health. At this time, would Council
9 staff please turn on their videos? Please place
10 electronic devices on vibrate or silent. Thank you.
11 Chair, we are ready to begin.

12 CHAIRPERSON LEVINE: Thank you so much.
13 Good morning, everybody. I am Mark Levine, Chair of
14 the city councils Committee on Health. Today, we are
15 holding an important vote on two pieces of
16 legislation. The first is Interest 1748-A, sponsored
17 by Council member Dromm, which will require that
18 Department of Health and Mental Hygiene to conduct
19 the public information and outreach campaign
20 regarding the provision of medically unnecessary
21 treatments and interventions performed on individuals
22 born with intersex traits or variations in sex
23 characteristics. As part of this campaign, the
24 Department of Health and Mental Hygiene will create
25 and distribute educational materials and resources

2 for parents and guardians of individuals born with
3 intersex traits or variations in sex characteristics.
4 Great resources for medical practitioners and
5 identified community outreach partners and
6 stakeholders. Children born with variations in their
7 sex characteristics are often subjected to, quote,
8 normalizing surgery that are you reversible, risky,
9 and medically unnecessary. Such procedures can cause
10 permanent infertility, pain, incontinence, loss of
11 sexual sensation, and lifelong mental suffering,
12 including depression. The surgeries are often
13 performed within the child is too young to consent.
14 Despite their risk and lack of medical necessity, the
15 surgeries continue to date, including in New York
16 City. This bill will help promote education and
17 awareness of the potential risks and harmfulness of
18 these medically unnecessary treatments and
19 interventions. We will also be voting today on Intro
20 1524-A, sponsored by Council member Kallos. This
21 bill bans the use of any nonbiological pesticide such
22 as glyphosate on any playground, park, and any other
23 property under the jurisdiction of the part of the
24 Department of Parks and Recreation. Pesticides can
25 pose significant risks to humans, animals, and the

2 environment if not properly used and regulated. The
3 legislation would expand the list of prohibited
4 pesticides to also include pesticides classified as a
5 human carcinogen by the Office of Pesticide Programs
6 of the United States Environmental Protection Agency,
7 pesticides classified by the California Office of
8 Environmental Hazard Association as a development
9 tocsin, and pesticides containing active ingredients
10 listed as carcinogenic by the International Agency
11 for Research on Cancer, over the World Health
12 Organization. This bill is critical to protecting
13 all New Yorkers, but particularly our children. I
14 want to thank my colleagues from the Committee for
15 being here today and the staff of the Health
16 Committee, counsel Sara Liss and Harbani Ahuja,
17 policy analyst Emily Balkan, and finance analyst
18 Laurent Hunt for their work on this legislation and
19 in preparing for this hearing and I do want to offer
20 a change for our bill sponsors to say a few words.
21 Council member Dromm, are you with us and would you
22 like to speak? Okay. Let's see if Council member
23 Kallos would like to speak.

24 COUNCIL MEMBER KALLOS: Thank you. Today
25 is Earth Day. Perfect Day is the day that we will

2 ban toxic pesticides from our parks. We will stop
3 poisoning our children, we will stop poisoning our
4 workers, we will stop poisoning mother Earth. We
5 will stop choosing cancer over weeds. I would take
6 weeds any day over cancer. I have to admit, I love
7 dandelions. I love to blow their seeds everywhere.
8 I love sharing that with my daughter as we picked
9 everyone we could find in Central Park and blew the
10 seeds everywhere as she watched in amazement, even
11 confusing them with bubbles. If this isn't already
12 clear, this is personal for me and countless families
13 like mine who went through this pandemic in a
14 cramped, one-bedroom apartments that weren't designed
15 for sheltering in place and who relied on our parks
16 as a refuge. But with a toddler who touches
17 everything, puts her hands in her mouth, the parks
18 were scary knowing just how much pesticides they were
19 sprayed everywhere. When you think pesticides,
20 people think [inaudible 00:04:58] and that is because
21 Roundup is always advertised with a long-- I don't
22 think I've ever seen a Roundup at with a woman. It's
23 always a man and it's always them spraying down their
24 lawn. And thanks to the work of the Black Institute,
25 we learned that pesticides are being sprayed in

2 communities of color at a greater rate than anywhere
3 else in our city, and parks that don't have lawns,
4 but have black tops where kids are playing sports
5 like basketball and they are touching the court in
6 their hands are touching the ball which is touching
7 the court and you are sitting down not thinking that
8 they have the temerity to be spraying pesticides all
9 over the court because, God forbid, there be a small
10 we did that pops up through a crack in the court.
11 And so, we learned that this wasn't only an issue of
12 poisoning our children and our workers, but in
13 environmental Justice initiative. This bill will
14 prohibit city agencies from applying to any property
15 owned or leased by the city, any chemically based
16 pesticide with very limited exceptions. This
17 legislation will put New York City at the forefront
18 nationally at addressing this important issue. I
19 want to acknowledge some folks who have worked for
20 years to make today possible. The fight began in
21 2005 with the passing of local law 37 by our
22 colleague, once again, Council member James Gennaro
23 which band toxic pesticides used on city land and
24 leased land. That law banned toxic pesticide use on
25 city land and leased land and, unfortunately, it

2 turns out that the same-- some of those pesticides
3 known to be hazardous, including glyphosate, were not
4 captured by the law. In 2015, what group of
5 precocious kindergarten students that PS 290 brought
6 this issue to my attention. They sang and you can
7 watch the videos online from the hearing. They sang,
8 band toxic pesticides. Use only nature's pesticide.
9 And they repeated it and they concluded with passed a
10 law. I introduced the legislation banning the use of
11 these pesticides, including Roundup and glyphosate,
12 and all of New York City Parks and open spaces on the
13 heels of the World Health Organization declaring
14 glyphosate a probable carcinogen. I would like to
15 thank the students and their teacher, Paula Rogovin
16 [sp?], for their courage and endless advocacy. If
17 you haven't passed a law by middle school, you might
18 be an underachiever in my district. I also want to
19 thank Bertha Lewis and the Black Institute for their
20 thorough reporting, analysis, and advocacy for
21 communities of color, for environmental justice on
22 this issue and so many others. Jay Feldman from
23 Beyond Pesticide who provided us with the expertise
24 and helped guide us through the science behind this
25 issue. I would also like to thank Doug and Patty

2 Wood of Grassroots Environmental Education who helped
3 to get this bill the necessary costars who have been
4 told more advocates on many environmental issues.
5 This bill has the vetoproof majority because the
6 advocates like the. Lastly, I would like to thank
7 Speaker Johnson for his leadership on this and
8 commitment to pass this legislation. Going back to
9 the previous session to today, if he wasn't Speaker,
10 I don't think this would ever be passing. Thank you
11 to everyone involved and I vote yes for our
12 environment for our children and for all of us.

13 CHAIRPERSON LEVINE: Thank you, Council
14 member Kallos. And I think now we will call the
15 committee to vote. I will our committee counsel,
16 Billy Martin, to start the role.

17 COMMITTEE CLERK: Good morning. William
18 Martin, Committee Clerk. Roll call vote Committee on
19 How. Proposed introductions 1524-A and 1748-A. Both
20 items are coupled. Chair Levine?

21 CHAIRPERSON LEVINE: I vote aye.

22 COMMITTEE CLERK: Thank you. Barron?

23 COUNCIL MEMBER BARRON: I vote aye.

24 COMMITTEE CLERK: Ampry-Samuel?

1 COMMITTEE ON HEALTH 10

2 COUNCIL MEMBER AMPRY-SAMUEL: I vote
3 aye.

4 COMMITTEE CLERK: Holden?

5 COUNCIL MEMBER HOLDEN: I vote aye.

6 COMMITTEE CLERK: Powers?

7 COUNCIL MEMBER POWERS: I vote aye.

8 COMMITTEE CLERK: Dharma Diaz? I believe
9 you are muted, Council member Diaz.

10 COUNCIL MEMBER DIAZ: I said aye.

11 COMMITTEE CLERK: Thank you. By a vote of
12 six in the affirmative, zero in the negative, and no
13 abstentions, both items have been adopted by the
14 committee.

15 CHAIRPERSON LEVINE: Thank you, Billy,
16 and I think we will hold the vote open for just a few
17 more minutes. Thank you all for participating.

18 COMMITTEE COUNSEL: Chair, we been
19 joined by Council member Dromm who, I believe, will
20 be making an opening now.

21 CHAIRPERSON LEVINE: Wonderful. Thank
22 you, Council member. Please, we would love to hear
23 from you.

24 COUNCIL MEMBER DROMM: Thank you very
25 much, Chair Levine, for holding the vote open. I was

2 on a press conference with the Mayor. So, I
3 appreciate you giving me the opportunity to make this
4 statement. First, as my time in the Council winds
5 down, I want to place legislation you're aware we are
6 voting on today in context. As Chair of the LGBT
7 Caucus, I have been so happy to have worked with you,
8 my colleagues, to make New York City as open and
9 affirming as possible. This Council especially has
10 helped the LGBTQIA+ rights movement move forward from
11 Speaker Johnson's efforts to update gender
12 designation options on birth certificates to Intro
13 1748's groundbreaking advance for the intersex
14 community. I am proud to say that New York City has
15 become a leader that other cities and states look to
16 on LGBTQIA+ policy. As for the legislation the
17 Committee is considering today, it came down to this
18 for me. We cannot, as a movement for as a society,
19 for that matter, say that we respect the right to
20 bodily integrity and the foundational concept of
21 consent, yet ignore the injustices perpetrated by the
22 meta-establishment against our intersex siblings.
23 Intro 1748 does not make any decisions for anyone.
24 It simply to share accurate information about
25 intersex traits and variations and sex

2 characteristics. It is significant that this
3 legislation specifically required the Department of
4 Health and Mental Health to include the input of the
5 intersex community. After that compelling testimony
6 from last October's hearing, I felt it necessary to
7 include these voices in the bill. I want to
8 recognize Chair Levine for always making sure LGBTQIA
9 health issues are on your agenda. You have been a
10 fantastic leader on this, Chair Levine, and I am most
11 grateful to you. For the Chair of the Committee on
12 Women and gender equality, Helen Rosenthal, also
13 deserves recognition. Her incisive questions during
14 the hearing helped our colleagues and the public
15 understand what this is about. As always, I am
16 grateful to the central staff for their work. Sarah
17 Ginsberg, Harbani Ahuja. Sara Liss, Emily Balkan,
18 and Brenda McKinney. Finally, thanks to the
19 advocates whose work paved the way, especially
20 Cecelia Gentilly, Scout Silverstein, Alistair
21 Idelson, and everyone at Interact. My hope is that
22 our efforts today will soon lead to quality and
23 respect across this country for individuals with
24 intersex traits for variations in sex characteristics.
25 Again, thank you, Chair Levine, for your leadership

2 on this, and I appreciate you allowing me to speak on
3 this issue.

4 CHAIRPERSON LEVINE: Thank you, Chair
5 Dromm, for your relentless activism on behalf of this
6 critical community in New York City. You've done so
7 much to elevate this issue and to push this
8 legislation forward and I'm absolutely grateful for
9 your leadership on this. Congratulations. And I
10 think I'll ask our committee counsel whether we can
11 wrap up now or whether we are going to--

12 COMMITTEE COUNSEL: I believe we are
13 going to be holding the vote open for just another
14 few moments.

15 CHAIRPERSON LEVINE: Wonderful. Okay.
16 Thank you so much.

17 SERGEANT-AT-ARMS: Chair Levine, we have
18 been joined by Council member Eugene.

19 CHAIRPERSON LEVINE: Wonderful.
20 Welcome, Council member Eugene. Dr. Eugene. And,
21 Billy, if you would like to ride us to the vote.

22 COMMITTEE CLERK: Right. Council member
23 Eugene, proposed Introductions 1524-A and 1748-A? If
24 you would like to vote now, sir. You're muted,
25 Council member.

1 COMMITTEE ON HEALTH

14

2 COUNCIL MEMBER EUGENE: Yes. can you hear
3 me?

4 COMMITTEE CLERK: Yes. Yes, sir.

5 COUNCIL MEMBER EUGENE: Yes. I vote aye.

6 COMMITTEE CLERK: Thank you.

7 COUNCIL MEMBER EUGENE: Thank you so very
8 much.

9 COMMITTEE CLERK: The vote is currently
10 now at seven in the affirmative. There is still one
11 member outstanding, Mr. Chair.

12 CHAIRPERSON LEVINE: Okay. We'll hold
13 the vote open for a few more minutes.

14 COMMITTEE CLERK: Chair Levine, we have
15 been joined by Council member Brooks-Powers.

16 CHAIRPERSON LEVINE: Wonderful. And
17 welcome to our newest Health Committee member,
18 Council member Brooks-Powers. We are happy to have
19 you and, Billy, if you could please call the vote.

20 COMMITTEE CLERK: Sure. Proposed
21 Introductions 1524-A and 1748-A. Council member
22 Brooks-Powers?

23 COUNCIL MEMBER BROOKS-POWERS: Yes.
24 Sorry about being late. I vote aye.

25

2 COMMITTEE CLERK: Thank you. Final vote
3 on the two items are now eight in the affirmative,
4 zero in the negative, and no abstentions.

5 CHAIRPERSON LEVINE: Wonderful. Thank
6 you so much. And this concludes our Health Committee
7 hearing. Thank you, everybody.

8 SERGEANT-AT-ARMS: Thank you.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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 May 30, 2021