



Assemblymember Linda B. Rosenthal

Reports to the People • 67th Assembly District • Fall 2018

Don't Stop Believing: The Bus is Coming, Eventually

For years, I have heard complaints from many of you about the bus service on the Upper West Side. Though every line has generated complaints, no single line has inspired the neighborhood's ire more than the M104, which is a vital connection between Harlem and Midtown. Since 2010, the route has been cut at least three times, and with each round of cuts, service on the M104 becomes more unreliable. Buses are late, bunched with other buses or don't show up at all, and the poor service results in reduced ridership. Counter-intuitively, the New York City Transit (NYCT) has used the reduced ridership, caused by its repeated service cuts, to justify more service cuts. We are caught in a perpetual cycle of cuts and dwindling ridership, followed by more cuts and fewer riders.

You and I both know that if the M104, and the other buses in the area were more reliable, more people would use them. Public bus service is always vital, but when subway service is as poor as it has been, a well-functioning surface transportation system is a necessity to keep us going where we need to go when we need to get there.

The bus is a particularly critical lifeline for mobility-impaired riders. Many of these individuals do not even have the luxury of being packed into subway cars like sardines because the vast majority of subway stations – a full 76% – are not accessible. And, a report by New York City Comptroller Scott M. Stringer found that proactive, preventive maintenance on many existing elevators is not completed on time, and that when defects are found during inspections, they were often not addressed.

Given this, I was particularly concerned when it was announced that the subway stations along the B/C lines on Central Park West at West 72nd Street, 86th Street, 110th Street and 163rd Street would be temporarily closed for six months for improvements with no plans to install elevators at any of those stations.

It was with this in mind, and nearly 1,000 petition signatures demanding better M104 bus service in hand, that I decided to organize a town hall meeting on public transportation and invite the new NYCT President Andrew Byford to attend.

My constituents have every right to demand a transit system that is designed to meet their needs. In order to do so, NYCT leadership must better understand our community and the ways in which we use public transit. It was important that President Byford had the opportunity to hear from you directly, and I am certain that we impressed upon him the importance of improving reliability and accessibility.

At the town hall, President Byford agreed to reevaluate the M104. The Bus Action Plan, which was released shortly after the town hall, represents the first effort in decades to modernize the antiquated system, and will focus on expanding off-peak service on certain bus routes, utilizing transit signal priority on additional bus routes, expanding dedicated bus lanes and implementing all-door boarding. This is an important first step in the fight for better bus service, and I am confident that together we will continue to hold Mr. Byford's feet to the fire.



Assemblymember Linda B. Rosenthal rallies with community members and advocates for the rights of people with disabilities to demand that the New York City Transit Authority make the subway stations at Central Park West 72nd, 86th, 110th and 163rd Streets, which are undergoing renovations, as well as citywide, accessible to mobility-impaired people by adding elevators. NYC Transit has shuttered those four stations for six months to make repairs and other improvements, but will not make the stations accessible to elderly, pregnant or disabled riders. According to a report by Comptroller Stringer, a mere 23% of subway stations include elevators, and a large number of those frequently are not working. A world-class city needs a world-class transit system that serves the needs of all New Yorkers, regardless of their ability.

Patient Brokering is Now Illegal in New York

The opioid epidemic has sent families scrambling to find safe and effective treatment for loved ones struggling with addiction. Unsurprisingly, there are individuals, known as patient brokers, who prey on their desperation. Some treatment facilities pay patient brokers a fee, better known as a kickback, to refer people grappling with addiction to their facilities. Referrals are not made with the patient's best interests in mind, and often, patients are referred to unregulated and disreputable facilities that do not provide safe or supportive services.

As Chair of the Assembly Committee on Alcoholism and Drug Abuse, I work to help protect families desperately searching for supportive treatment services. The law I passed will prohibit cash exchanges or referral fees in exchange for placement in a particular substance abuse program. Treatment decisions should be tailored to meet the needs of the patient, not to generate the most money for the patient broker or treatment facility. Removing the profit motive from treatment referral decisions will help ensure that people receive appropriate care at facilities that are best designed to meet their needs.

“No Pet Left Behind” Law Will Protect Pets If Their Owners Are Evicted

As a result of legislation I passed into law, pets will now be accounted for in eviction. I introduced the bill after I heard the outrageous story of a Brooklyn family that was evicted and locked out of their apartment while their two-year-old pit bull rescue, Tori, was left inside in a small cage with no food or place to relieve herself. The family was not allowed to enter the apartment to retrieve Tori, who they had saved from an abusive situation. It took the family two days to obtain a court order allowing them to enter the apartment and get the dog.

New York State law treats animals like property, but cats are not like couches and dogs are not like dining tables. Animals are sentient beings, members of the family who rely on human care for survival. Plans must be made for their care if their owners are evicted, and this new law will ensure that they are.

The law now requires a marshal who executes an eviction order to check the premises for companion animals and to coordinate with the person getting evicted for care of the animal. If that person cannot be found, the marshal would be required to get the animal to the local municipal animal shelter or society for the prevention of cruelty.



Assemblymember Linda B. Rosenthal cuddles with Frankie, a dog available for adoption at the Humane Society of New York, at her Annual Be Kind to Animals Poster and Essay Contest. Congratulations to all the winners and participants from P.S. 199, Stephen Gaynor School, P.S. 87, Special Music School, P.S. 334, the Parkside School, P.S. M811, P.S. 452 and P.S. 111, who demonstrated through their artwork that a more humane future is possible.

Disappearing Trash Cans

As a result of the many complaints my office received about missing garbage cans and unsanitary conditions in our neighborhood, we conducted a district-wide trash survey, and walked the streets to identify the trash hotspots. From overflowing trash bins, to litter-strewn sidewalks and streets, to garbage cans missing altogether, we documented the increasingly poor state of sanitation on the Upper West Side.

I also learned that the New York City Department of Sanitation (DSNY) had deliberately removed trash cans from numerous corners on the West Side (and throughout the Bronx, Brooklyn and Queens) based on the assumption that people were using them for household refuse. The remaining cans are simply insufficient to hold garbage that visitors and residents generate as they walk through the city. One of the intersections we surveyed had no trash cans at all, and many had just one.

This ill-advised approach has led to unsightly trash heaps, attracted disease-carrying rodents and contributed to a decline in cleanliness and quality of life in our neighborhoods. I asked DSNY to replace the missing cans so there are a sufficient number and also asked it to monitor the streets more aggressively for garbage that is not cleared from the sidewalks.

I will continue to watch this situation closely, and I encourage you to report trash conditions on your block to me. Please be in touch by calling my office at 212.873.6368 or emailing to rosenthal@nyassembly.gov.

Stop Spraying Dangerous Glyphosate in Our Parks and Playgrounds

For years, people have had concerns about the safety of glyphosate, the active ingredient in the popular and widely used weed killer manufactured by Monsanto, Roundup. National and international bodies that regulate chemicals are split on the dangers associated with various types of exposure to glyphosate. Some have concluded that the chemical is safe, while others have labeled glyphosate a probable human carcinogen.

The World Health Organization's International Agency for Research on Cancer labeled glyphosate a probable human carcinogen back in 2015. A 2013 scientific study linked glyphosate with increased growth of breast cancer cells in humans. A 2017 study found no association between glyphosate and lymphoid tumors; the same study did note an increased risk of certain types of leukemias.

Based on the testimony of nearly a dozen medical and scientific experts, in August a California jury found that Monsanto was responsible for causing the cancer of a man named Dewayne Johnson, and awarded him \$289 million in damages. Johnson was a groundskeeper at a California school district, and part of his job was spraying Roundup to kill weeds. He was diagnosed with non-Hodgkin's lymphoma, which has been linked to glyphosate exposure, and has only a few months to live.

Hundreds of similar cases are pending against Monsanto in which people allege that their professional use of Roundup caused them to develop non-Hodgkin's lymphoma.

Last year, the New York City Department of Parks and Recreation dumped more than 500 gallons of glyphosate in over 28,000 acres of city parks, playgrounds, athletic fields, recreational facilities, beaches and parkways to control the growth of weeds. Across the State, more than 50,000 gallons of liquid herbicide containing glyphosate were applied in public spaces.

Experts at the Icahn School of Medicine at Mount Sinai's Children's Environmental Health Center recommend that children should not be exposed to glyphosate-based herbicides because of the growing concern. Children naturally spend more time close to the ground in parks and playgrounds, where they are more likely to inhale, ingest or otherwise be exposed to dangerously high levels of glyphosate on the grass or in the soil. The same goes for our pets, who walk in the park, sniffing at the grass and trees.

Though glyphosate may not yet be universally considered harmful to health, there is enough worrisome evidence to proceed with caution. I am the sponsor of legislation to ban its use in parks and playgrounds statewide. We must join France, Germany, Brazil, Portugal, Greece and Italy, and municipalities like Chicago, Boulder, New Paltz and others that already prohibit the use of glyphosate in all or some public spaces. Weeds are unsightly, but cancer is a killer, and we shouldn't wait for a child to become sick to take action to protect them against a known risk.



Speed Cameras

After the New York State Senate allowed the New York City speed safety camera program to expire, leaving thousands of New York City public school students vulnerable to speeding near their schools, I was thrilled that the State was able to strike a deal that had the cameras up and running in time for the first day of school. Speed safety cameras are proven to save lives, and it was outrageous that the Senate leadership would play politics with children's lives.



Assemblymember Linda B. Rosenthal stands with advocates and people in recovery to call attention to the plight of families struggling with substance use disorder. Across the state, tens of thousands of lives have been lost already, and we must take decisive action to ensure that there are adequate resources to meet the growing need.

Free Tampons in Schools and Correctional Facilities; Next Goal: Every Bathroom Statewide

After axing the state and local sales tax on menstrual hygiene products, like tampons and sanitary napkins, in 2016, I am thrilled to report that the enacted 2018-2019 State budget included my bill to provide free menstrual products to students in secondary schools statewide. Every student in grades 6–12 who needs it now has access to free menstrual hygiene products in school. This is a game changer for any young person who has ever felt ashamed because they did not have tampons when they needed them or because they were too costly to buy.

Following that, we passed my bill to require all correctional facilities statewide to provide free menstrual hygiene products to incarcerated individuals. There have been frequent reports about these basic medical necessities being used to manipulate or control women, and this measure will eliminate the opportunity to deny them dignity and basic hygiene.

We have made remarkable progress: people have finally begun to recognize that guaranteeing menstrual equity is a distinct and critically important component in the fight to protect women’s health.

But it is not enough. Let’s be honest: it won’t be enough until the expectation of access to tampons is the same as it is for toilet paper.

I have introduced the TAMP ACT (Total Access to Menstrual Products), which would require every restroom in the State of New York – from fast food restaurants to colleges, to government facilities and office buildings – to make menstrual hygiene products available in the same way they do toilet paper.

Most people do not walk around with a personal roll of toilet paper for public emergencies or expect to put a quarter into a machine in exchange for a square of toilet paper in a public restroom. The need for tampons and sanitary napkins is no different than the need for toilet paper.

I have also introduced legislation that would require ingredient labeling on tampon and sanitary napkin packaging. Unlike the vast majority of consumer products and medical devices available for use to the public, menstrual hygiene products do not contain a specific list of ingredients and do not spell out if and which chemicals are used.

Everyone who menstruates uses menstrual hygiene products for one week a month, every month, for an average of 40 years. We have a right to know what we put in and on our bodies, and to better understand how the ingredients in those products interact with each other.

Is Your Child Juuling?

For as long as e-cigarettes have been around, I have been taking action to protect children against the dangers associated with their use. In 2012, my bill banning the sale of e-cigarettes to minors became law, and I also passed laws banning the sale of liquid nicotine to minors and requiring that it be sold in child-resistant packaging. I passed a law banning the sale of e-cigarettes to minors under the age of 18. In 2017, my bill to prohibit e-cigarette use on school grounds became law, and this year a bill I passed to prohibit companies from giving free e-cigarette samples to minors is awaiting the Governor’s signature.

Despite all this regulation, a new e-cigarette company, Juul, has grown to become a \$15 billion company, largely as a result of its popularity among young people. Juul’s sleek design resembles a memory stick and comes in a myriad of fruit flavors. Its unique vapor delivery system provides a huge hit of nicotine, the addictive chemical in e-cigarettes, which has led many teenagers to grow dependent on it.

Though the company denies it is targeting young people, there can be no denying that high school students are hooked. A 2017 report concluded that over 2.1 million youth were using e-cigarettes, and a 2018 study found that nearly one-fifth of all kids aged 12 to 17 reported seeing someone “Juul” in their school.

Exasperated principals across the country are banning these products, and schools are struggling to control their use.

Even though it is illegal to sell e-cigarettes to minors, so many kids have access to the internet where a bevy of unscrupulous outlets do not follow the law. I have introduced legislation that would require online merchants to verify the age of the purchaser prior to sale and to require proof of age to be furnished upon delivery of e-cigarettes.

At the same time, I am also the sponsor of legislation that would raise the legal smoking age to 21. Many counties across the state have already increased the legal smoking age, and it is crucial that we have a uniform standard statewide so that kids can’t just drive over to the next county to buy cigarettes.

We must do all we can to protect young people against the dangers associated with tobacco and nicotine, and I will continue to work to educate them about the potential of serious long-term consequences to their health.



Assemblymember Linda B. Rosenthal spends a morning on the Upper West Side with superstar progressive elected officials Congressman Jerry Nadler and New York City Comptroller Scott Stringer. Each represented the 67th Assembly district at one time in their careers.



Keeping Families Together

I was proud to stand with thousands of New Yorkers and hundreds of thousands of Americans across the country to demand an end to the federal Administration's inhumane practice of separating children from their families at the border and then holding them in cages. The trauma done to families seeking refuge is incalculable, and I am ashamed that our country would perpetrate such barbarity against innocent children. Nearly 600 children still have not been reunited with their families despite sustained international outcry and a court order requiring their reunification. We must continue to advocate for these families until every last child is back safe in the arms of their parents. Congressman Jerry Nadler and I marched across the Brooklyn Bridge in the June 30th Keeping Families Together March and Rally.



Assemblymember Rosenthal debating three of her housing bills on the floor of the New York State Assembly. Proving once again that it is truly the house of the people, the Assembly passed three of my bills to protect rent-regulated tenants and preserve affordable housing.

Vacancy deregulation is the single largest cause of the loss of rent-regulated housing, and my bill to repeal it would remove the legal incentive landlords have to harass their tenants into leaving their homes.

Rent-controlled tenants are among the most vulnerable in the city, and my bill would provide them with relief by ending the antiquated MBR rent increase system and pegging rent increases for rent-controlled tenants to those approved by the Rent Guidelines Board for rent-stabilized tenants.

If you think you've been overcharged, the law only allows you to look back four years. My legislation would allow tenants a longer lookback period if they believe their rent was illegally set.

New York State Assembly, Albany, New York 12248



News

from
**Assemblymember
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**FREE NOTARY
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The West Side Campaign Against Hunger (WSCAH), located at 263 West 86 Street, has for years helped provide food and support to hungry and financially insecure New Yorkers. WSCAH's supermarket-model food pantry allows people to access groceries with dignity, and many of the organization's customers volunteer as a way to help others. Last month I was honored to recognize the efforts of Zoila Estrella, who has been a WSCAH customer and volunteer for more than 10 years. She contributed 928 volunteer hours in the food pantry already this year! Congratulations and thank you, Zoila, and all the other volunteers for your help and heart!

