

Assemblymember Linda B. Rosenthal Community Report July 2014



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Assemblymember Linda B. Rosenthal Legislative Update

Now that the 2014 Legislative session has ended, I wanted to update you on some notable legislative accomplishments that are awaiting action from the Governor:

Prohibiting the Sale of Liquid Nicotine to Minors - Liquid nicotine or "e-liquid," a key ingredient in the vapor expressed from an e-cigarette, is extracted from tobacco and tintured with various flavoring and other chemicals to restock depleted electronic cigarettes or cartridges. While the sale of e-cigarettes is banned to minors, there is no age restriction to the highly toxic liquid nicotine containers. My bill, which is awaiting the Governor's signature, would prohibit the sale of e-liquids to minors and require electronic liquid manufactures to designed cartridges sold to the consumer to be equipped with child proof packaging.

Extending New York City Solar Tax Abatement Program - Historically, solar power costs more per kilowatt of installed capacity in New York City (NYC) than in other parts of the State of New York because of City requirements and increased complexity of NYC building sites. My bill, would extend and strengthen NYC's solar tax abatement program, which provides tax abatements to most homeowners who install solar panels, and would ensure that New York can continue its longstanding commitment to reduce greenhouse gas emissions and provide cleaner, more reliable power. This bill passed both houses and is awaiting the Governor's signature.

Reducing Light Pollution across the State - For years, I have worked with environmental advocates to pass legislation curbing light pollution. I am pleased to announce that my bill, which would create new lighting standards for state-owned or maintained facilities designed to reduce light pollution and increase efficiency, passed both houses of the Legislature, and is headed to the Governor for approval.

Provide an audio recording of hospital discharge plans to blind and visually-impaired patients - My bill would require hospitals to offer a large print version of discharge documents, or patient's request, an audio recording of their discharge plan. If a patient cannot fully understand the paperwork due to vision impairment, then the purpose and intent of a discharge plan are lost, and the patient's recovery could be in jeopardy. This bill passed both houses and is awaiting the Governor's signature.

Protecting New York's Veterans - In 2005, the State Legislature passed a law to ensure that time served in active military duty counted toward State employees' retirement plans. Unfortunately, a technical error omitted NYC employees from coverage of this critically important law. My bill would rectify this error by granting retirement credits to New York City employees called to active military duty on or after September 11, 2001. This bill passed both houses of the Legislature, and it headed to the Governor for approval.

Protections for Utility Consumers - This bill would create the New York State Office of the Utility Consumer Advocate (UCA) to serve as an independent advocate and appear on behalf of New Yorkers in state and federal regulatory proceedings. The creation of a new Advocate office would give New Yorkers a real voice when it comes to their utility bills, some of which wish dramatically increased this past year. This legislation is long overdue and I proud to be a co-sponsor and have voted for it. This legislation passed the Assembly, but failed in the Senate.



Assemblymember Linda B. Rosenthal discusses the future of our schools as the keynote speaker at the Council of Supervisors and Administrators Retiree Chapter's annual luncheon.

Assemblymember Linda B. Rosenthal Testifies at SLA Hearing on Fairytale's Bar

Since 2010, my constituents in the Hell's Kitchen/Clinton neighborhood have been forced to tolerate continuous noise and daily illegal activity from Fairytale's, a bar located at 500 West 48th Street. I wrote a letter to The State Liquor Authority (SLA) outlining the community's concerns which ultimately led to a \$17,000 fine and the closure of Fairytale's.

On June 20, 2014, I testified on my constituents' behalf to address the numerous criminal, health and safety violations at an SLA hearing. I strongly urged the SLA to revoke Fairytale's' liquor license since the owner refuses to partner with the community board or surrounding block associations to address their concerns. Additionally, the owner has been given ample opportunity to follow the guidelines and regulations that the SLA, Fairytale's and the community board agreed to, yet, the operator continues to disregard those plans and function as an illegal business. Fortunately, the SLA did not accept Fairytale's' offer to settle its fines and instructed the owner to collaborate with the community and my office if Fairytale's wishes to operate in the Hell's Kitchen/Clinton neighborhood.

I hope Fairytale's' management has learned that if they wish to operate their business in the neighborhood they must become a community partner and respectfully address the neighborhood's legitimate concerns. The SLA's decision to empower the community by considering its opinion is a major step forward in the right direction for the Hell's Kitchen/Clinton resident. I look forward to working with Community Board 4, block associations and the SLA to encourage other bar operators from excluding community input.

Legislative Update continued

Other Notable Bills that Passed the Assembly in 2014:

Medical Marijuana Passes both the Assembly and Senate - Once signed into law by the Governor, this bill would allow licensed physicians to determine if a patient suffering from a debilitating or life-threatening illness is likely to benefit from the use of medical marijuana. The bill would cap the number of licensed medicinal marijuana growers at five and the number of locations where the drug could be dispensed at 20 statewide.

Heroin and Opioid Abuse Prevention Act - The Legislature passed a package of bills to address the growing heroin and opioid epidemic across New York State. Taken together, these bills would increase awareness and prevention efforts; ensure that the lifesaving antidote naloxone is used safely and effectively; increase access to treatment programs; and strengthen existing state law to prevent the distribution of illegal drugs.

Banning Animal Tattooing and Piercing Of Companion Animals - In June 2011, I introduced a bill to ban tattooing and piercing of companion animals (dogs and cats) after hearing about a woman who was selling "gothic kittens" on the internet with piercings on their necks and down the length of their spines. Tattooing and piercing of companion animals serves no purpose other than to satisfy the aesthetic predilections of the owner, and inflicts unnecessary pain on the animal, pain that they cannot understand or contextualize. This practice should be banned and after passing unanimously in both the Senate and Assembly, I am confident that the Governor will sign this bill into law.

Rent Guidelines Board Rally & Testimony

I was excited to rally with tenants from all over New York City on the night of the Rent Guidelines Board (RGB) vote. I urged the Board to forego any rent increases this year and to roll back the rents for the nearly 44,000 rent stabilized tenants in my district. In my district, I see buildings where rent-stabilized tenants struggle to make ends meet while their landlord converts the tenants' basement storage room into a pool, forbids the rent-regulated tenants from using the pool and then claims to RGB that he cannot possibly maintain his building without astronomical rent increases. Although the new increases are far more moderate than those that the Board has approved in past years, I am disappointed that with a newly constituted board, the RGB could not deliver a rent freeze, at the very least.



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**Assemblymember Linda B. Rosenthal Apthorp
Testimony on Apthorp Rooftop Addition**

The Apthorp is a landmark among landmarks, and one of the only buildings in the City with a separately landmarked courtyard. In recent years, the building has seen a conversion from rental to condominium with a succession of lenders, sponsors and management. The building is an icon of the Upper West Side, and the nature and scope of the proposed rooftop addition would destroy its essential character.

I testified on behalf of my constituents at the New York City Landmarks Preservation Commission's (LPC) hearing for a Certificate of Appropriateness for a two-story rooftop addition at the Apthorp, located at 2211 Broadway. The proposal clearly failed a basic test for appropriateness for rooftop additions: visibility from nearby public thoroughfares. Despite the applicant's revision to its plans and mock-up, residents of the Apthorp have once again presented photographs which conclusively show that the addition is clearly visible from not just one but multiple nearby streets on several avenues.

LPC must take further steps to ensure that no inappropriate addition is approved that would damage the essential character of this historic building. I urged LPC to deny this application in full. In addition, I request that LPC require the applicant to obtain permission from all unit owners before acting on any application for a rooftop addition at this building, that the application be returned to CB 7 and that it be heard at LPC only after another public hearing.

**SCRIE Income Limits Increase to \$50,000 Starting
July 1st**

After tirelessly working with my colleagues in the Assembly, I am pleased to announce that the State has raised the Senior Rent Increase Exemption (SCRIE) income limits. This much needed reform will alleviate the financial burden for thousands of additional senior citizens struggling on fixed incomes.

Starting July 1, 2014, the income limits for SCRIE will increase from \$29,000 to \$50,000. If you are 62 years or older and are a rent-stabilized or rent-controlled tenant or live in a Mitchell-Lama or other subsidized development, you may be eligible to have your rent frozen. Please contact my office at (212) 873-6368 or by email at rosenthal@assembly.state.ny.us to make an appointment with my staff to apply for SCRIE.

Linda B. Rosenthal greets constituents at her annual Seniors Day event at the American Museum of Natural History.