

## New Bills: Clean Energy to Cough Syrup

by Courtney Gross

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After sprinting through the approval of [campaign finance reform legislation](#) and its [fiscal '08 budget](#), the City Council has slowed down to a meandering stroll. With more than two weeks before its next stated meeting on July 25, the council isn't slated for much. So far, only three days of meetings are scheduled in July and nothing is on the calendar yet for August.

Nonetheless, in the past month council members made sure to get some new bills and resolutions on the books before the summer hiatus. Some of the proposed legislation is destined to resurface for a debate before the whole body, while other bills are destined for - well, nowhere.

Here are some of the highlights.

### Clean Energy

More than 22 council members have signed onto a bill ( [Intro 594](#) ) that would mandate all heating oil in city-owned buildings contain at least 20 percent biodiesel by 2012. The bill would incorporate clean fuel into city facilities incrementally, with oil containing 5 percent biodiesel required by July of next year.

Biodiesel includes sustainable fuel derived from a natural substance, such as vegetable oil or animal fat.

Councilmember James Gennaro of Fresh Meadows, the primary sponsor of the legislation and chair of the council's Environmental Protection Committee, said, "New York City can make dramatic improvements in its air quality, reduce our dependence on foreign oil, and stimulate local business and job growth, all by encouraging the use of cleaner, renewable heating oil."

While city buildings would be required to use the clean fuel under the legislation, the biodiesel also would be available for purchase by private businesses and residents starting in 2009.

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Councilmember David Yassky of Brooklyn has introduced nearly identical legislation ( [Intro 599](#) ), which would also require 20 percent biodiesel be used in city buildings, but by 2011 - a year earlier than Gennaro's timeline. Yassky has garnered six co-sponsors, all of whom have also signed onto Gennaro's bill.

## Water Rates

Beyond clean energy, both Gennaro and Councilmember David Weprin have proposed a resolution ( [Reso. 933](#) ) calling for the immediate renegotiation of the city's lease with the New York City Water Board, which oversees the city's water rates. The members hope to roll back the 11.5 percent water rate hike [approved by the board](#) in May to approximately 8.5 percent. The approved increase was the highest in 15 years, according to the council members.

Water rates, the resolution says, have increased more than 50 percent in the last decade to cover the cost of operating the wastewater treatment system and other related facilities and projects. This year's water rate hike will increase the average single-family homeowner's annual water and sewer bill by \$72, to about \$700 a year, the resolution states.

Because the water authority's rental payments to the city are projected to triple " from \$102 million in 2003 to approximately \$312 million in 2015 " some council members hope to funnel some of that funding back to the ratepayer. Instead of folding the money into general revenues, they would like to see it used to offset the skyrocketing water rates.

## So-Called Religious Equality

Although the [Department of Education](#) currently allows for the display of certain religious symbols during the holiday season, it prohibits the presentation of a nativity scene or crèche. Councilmember Tony Avella would like to change that.

The councilmember has introduced a resolution ( [Res. 930](#) ) that would incorporate a nativity scene into the department's policy, which now permits religious symbols, such as a menorah, Islamic star and crescent and Christmas tree.

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"This resolution is clearly about equality and inclusion," said Avella in a prepared statement. "By adding a nativity scene/crèche to the holiday display, Christianity will receive equal representation with other religious faiths during the holiday season."

Because the stated purpose of the department's policy is to promote religious understanding, Avella argues excluding a nativity scene is hypocritical. The resolution has garnered support from seven of his colleagues and the [Polish-American Congress](#).

## Defacing American Flags

Last summer, residents at seven homes in Brooklyn [awoke](#) one morning to find their American flags incinerated.

In response, Councilmembers James Oddo and Lewis Fidler introduced legislation ( [Intro 590](#) ) that would impose a fine of up to \$10,000 for anyone who defaces or damages an American flag on private property.

## Prohibiting Toys

New York City could become the second city in the nation after San Francisco to ban the use of [phthalates](#) in toys and childcare products. Under a bill ( [Intro 589](#) ) introduced by Councilmember Eric Gioia, merchants in the city would be banned from selling toys containing more than .1 percent of phthalates.

Several European nations have also enacted phthalates bans.

Phthalates are a group of industrial compounds used for flexibility in plastic products. Although the [Consumer Products Safety Commission](#) found there was [no risk](#) to children under the age of 5 from exposure to products with phthalates, other studies have found some harm to animals. In one study, a pregnant rat exposed to phthalates gave birth to rats that weighed less than normal.

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The bill would require the commissioner of the Department of Health and Mental Hygiene to compile a list of banned products.

### Restricting Cough Syrup

To prevent the abuse of products containing dextromethorphan, Councilmembers Maria Baez and Sara Gonzalez have proposed banning the sale of some medications to minors.

The bill ( [Intro 592](#) ) would ban those under 18 years old from buying medications that contain dextromethorphan. The substance is found in more than 120 medications, such as Alka-Seltzer Plus Cold & Cough Medicine, Dayquil LiquiCaps, Dimetapp DM and Robitussin.

In recent years, teenagers have abused such products to get high. Common side effects from such [abuse are blurred vision](#) , loss of physical coordination, abdominal pain, and rapid heartbeat. According to the [Substance Abuse and Mental Health Services Administration](#), 12,584 emergency department visits were caused by the substance in 2004, with half of those involving teenagers.

The bill would require that medications containing the substance be moved behind the counter. Merchants who sell the product to minors could be subject to a \$250 for the first violation, \$500 for the second violation and a \$750 fine for subsequent violations.

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