

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

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June 15, 2017  
Start: 10:32 a.m.  
Recess: 11:20 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: COREY D. JOHNSON  
Chairperson

COUNCIL MEMBERS: Rosie Mendez  
Mathieu Eugene  
Peter A. Koo  
James Vacca  
James G. Van Bramer  
Inez D. Barron  
Robert E. Cornegy, Jr.  
Rafael L. Espinal, Jr.

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

2 [sound check, pause]

3 COREY JOHNSON: Good morning everyone.

4 I'm Council Member Corey Johnson, Chair of the New  
5 York City Council's Committee on Health. Today, the  
6 committee will be voting on a bill related to keeping  
7 exotic and wild animals out of circuses, and a bill  
8 to increase transparency in the School Food  
9 Inspection system. Proposition—Proposed Introduction  
10 No. 1233-A would prohibit the use of a variety of  
11 exotic and wild animals in circuses. Keeping exotic  
12 animals in captivity, transporting them around the  
13 country, and requiring them to perform—to perform  
14 tricks night after night for human amusement is in  
15 view inherently inhumane. I believe it is time for  
16 New York City to join the growing number of  
17 municipalities around the country that have protected  
18 exotic animals from this unnatural and often abusive  
19 environment. I am excited to co-sponsor this  
20 legislation with Council Member Rosie Mendez, and I  
21 would like to thank her for introducing this  
22 important piece of legislation. It's been a labor of  
23 love. She's been doing this for many years, and  
24 she's going to make some comments in a few minutes.  
25 We're also voting on Proposed Introduction No. 1263-

2 A, sponsored by Council Member Danny Dromm to require  
3 school cafeteria health inspection results to be  
4 posted online. School cafeterias are inspected by  
5 the Department of Health and Mental Hygiene just like  
6 restaurants are, and parents should be able to access  
7 the results of these inspections to feel confident  
8 that the food in their children's school is safe. I  
9 want to thank Council Member Dromm for his leadership  
10 on introducing this bill that will increase  
11 transparency in the inspection system that is  
12 currently obscured from the public eye, and I want to  
13 say this is a city issue. It's not a state issue.  
14 This is a city issue. This has to do with the local  
15 Department of Education. The state can continue to  
16 try to take away bills from us, but I'm glad that we  
17 heard this bill a long time ago. You brought this to  
18 the Council long before it was even discussed in the  
19 State Legislature, and I'm glad that we're passing  
20 this today before Albany can try to pass something on  
21 us.

22 I want to thank the former Committee  
23 Counsel, though he's here today because he worked so  
24 hard on this, David Seitzer, who has worked a long  
25 time on the circus bill. I also want to thank my

2 Deputy Chief of Staff Louis Cholden Brown, and I want  
3 to thank Rosie Mendez's amazing John Blasco for his  
4 work on this as well, and lastly, I want to thank the  
5 advocates because this is an issue that can be  
6 difficult in many ways, and John Phillips has worked  
7 so hard on this for so long. He has been here every  
8 single day, and the new organization that he and  
9 Allie have put together just have put an enormous  
10 amount of time and energy on this. I'm really  
11 grateful for their leadership as well as Joyce for  
12 her help on this as well. So, with that, I want to  
13 turn it over to Council Member Rose Mendez first  
14 followed by Council Member Daniel Dromm.

15 COUNCIL MEMBER MENDEZ: Thank you, Mr.  
16 Chair, and thank you for all your work in helping me  
17 get this bill to the finish line. I introduced this  
18 bill originally in April of 2006, and have  
19 reintroduced it twice since, and during the years the  
20 bill has changed in forms and in categories sometimes  
21 adding groups and deleting groups, but after the—the  
22 October hearing I listened very closely to the  
23 testimony. We took into consideration a lot of what  
24 was being said by the public, and we made some  
25 additional changes to this bill. I want to thank

2 David Seitzer for all of his work on this piece of  
3 legislation, and through the years all of my  
4 different staff members Lisa Kaplan, Jasmine Torres.  
5 Well, there's two people I'm forgetting in between  
6 there who worked on this as well, and—and, of course,  
7 now John Balasco who has helped me get this here  
8 today. Lastly, I want to thank John Phillips. In  
9 the interest of disclosure he happens to be  
10 coincidentally my constituent, but he's been my  
11 friend for a long, long time, and this is something  
12 we discussed before I got elected, and thank you—  
13 thank you for trusting me to carry this bill. Eleven  
14 years in coming, but we're finally going to make this  
15 a reality. Thank you so much, John, and thank you to  
16 the chair and to the committee.

17 COREY JOHNSON: Thank you, Council Member  
18 Mendez. I forgot to mention that yesterday the  
19 Wildlife Conservation Society, which helps run the  
20 zoos in New York City and Central Park, in the Bronx  
21 and other places put together a memorandum of support  
22 of this piece of legislation. I want to turn it over  
23 to Council Member Daniel Dromm.

24 COUNCIL MEMBER MENDEZ: Hold on one  
25 second. I just remember Janice Martin and

2 Christopher La Barge, my other two legislative  
3 directors who worked on this. Thank you very much.

4 COREY JOHNSON: You have great staff.  
5 Daniel Dromm.

6 COUNCIL MEMBER DROMM: Thank you very  
7 much, and it's very important, Council Member Mendez,  
8 and thank you Chair Johnson for holding this initial-  
9 for holding the initial hearing, and now there's a  
10 vote. I also want to thank Alexis Wassenberg (sp?)  
11 and committee counsel David Seitzer for their work on  
12 Intro 1263-A. I view our efforts as ensuring  
13 transparency in a vitally important area of health.  
14 Students and their families are entitled to know the  
15 results of health safety inspections when they eat  
16 out at restaurants and now food carts. It is only  
17 right that this information be available for the  
18 city's largest prepared food provider, our schools.  
19 My hope for this legislation is that twofold. First,  
20 I hope the sunshine will encourage better practices  
21 in school kitchens. Publicly accessible information  
22 has certainly seemed to have this affect on other  
23 food service establishments. Second, healthy habits  
24 start young, and I hope that this measure will be  
25 viewed as part of a broader push around the health

2 education and awareness in our schools. I was very  
3 happy to work with the advocates from early on to  
4 initiate the public dialogue in New York City on  
5 school cafeteria health inspection reporting. As  
6 always, thanks to Speaker Melissa Mark-Viverito for  
7 making sure the Council continues to take the lead on  
8 this and other food related issues. I encourage the  
9 members of the Health Committee to vote yes on this  
10 Introduction 1263-A, and attain, thank you, Chair  
11 Johnson.

12 COREY JOHNSON: Thank you, Danny. With  
13 that, I—I believe that there are—there's a members of  
14 the—who is not of the committee who wanted to make a  
15 comment. So, I'm going to call on my colleague  
16 Council Member Andy King.

17 COUNCIL MEMBER KING: Good morning and  
18 thank you, Mr. Chair. I appreciate the time and  
19 effort to come and address the committee prior to  
20 today's vote. I do have some concerns and I wanted  
21 to just have a place on the record with the hopes  
22 that the board takes them—this committee takes into  
23 consideration what I'm about to share. I first want  
24 to ask us all here sitting on the committee even  
25 those sitting out here, how many of us have been to a

2 circus growing up? I know I have. By a show of  
3 hands, how many of you have been to a circus growing  
4 up? And I think us who don't have an opportunity to  
5 go to a circus as a child exposed us to elements of  
6 animals that we may have never, ever get an  
7 opportunity. I know personally, I'll probably get to  
8 the Serengeti to ever see an elephant or a lion run  
9 around, and I'm pretty sure many of us probably won't  
10 either. And I think that to deny a generation of  
11 children the opportunity of the experiences that we  
12 witnessed as children, I think is not fair to them.  
13 It's not fair to our generations that are coming up.  
14 I also believe that while we might believe that  
15 animals are being treated mis-fairly, I would like to  
16 subscribe that if the city believes that, then there  
17 should be some rules that people apply whether  
18 they're circuses or they move animals in and out,  
19 that they must supply by. But to say that they  
20 should be extinct, is almost like every adult who  
21 might have mistreated a child, do we get rid of our  
22 children because they were mistreated by adults. I  
23 don't know if animals in the circus who have been  
24 mistreated or being abused, and if that was the case,  
25 then there would be a long list of abuse cases that

2 we can always—that we can refer to. I'm saddened to  
3 hear that, you know, Ringling Brothers went out of  
4 business. The Big Apple has gone out of business,  
5 and the last circus that allows us to bring some  
6 entertainment to our communities is now being forced  
7 out of the city of New York by this particular  
8 legislation. I don't know where does it end? You  
9 know, is it next the Bronx Zoo because if you want to  
10 talk about cruelty animals, you know, I'm surprised  
11 by the Bronx Zoo due to the fact that you take an  
12 animal out of its natural habitat and you put it in  
13 jail and tell the world that it's okay and say it's  
14 for educational purposes. Because that's what you've  
15 done. Would you put a lion and put him behind a  
16 cage, and all he has to do is roam from ten feet to  
17 ten feet, and that's his natural—that's supposed to  
18 be his natural habitat, but we think that's okay.  
19 So, what is the next step? To ban animals from zoos?  
20 I don't—you know, where are—where are we going next  
21 with all of this. So, I—I say to us all today, I'm  
22 asking us all to reconsider what we're thinking, what  
23 we're getting ready to do to have an impact—that will  
24 have an impact on our children, and have an impact on  
25 our development. But more importantly, no one can say

2 that what circuses provide is no different than us  
3 training our own animals at home. So, if you have a  
4 dog or a cat, you have to go through a training  
5 process to get your animal, your pet to do what you  
6 need it to do. It's not different than what they do  
7 in the circuses, and I'll end with—and I will end  
8 with this: And I go back to the Book of Genesis,  
9 Verse 1 where the Lord said, Let us make mankind in  
10 our image and in our likeness so they may rule over  
11 the fish in the sea and the birds in the sky over the  
12 livestock and all the wild animals and all of the  
13 creatures that move on the grounds. Animals will  
14 always be—will always be guided by mankind because  
15 that's the way the Lord has ordained it. So, how—how  
16 will we treat our animals, this is the way we treat  
17 our animals. But I think this piece of legislation  
18 is not fair, and I don't want to say it's  
19 hypocritical, but I think that, you know, I think  
20 it's an agenda, and I don't think it's something that  
21 improves the lives in—in the city of New York for our  
22 animals and/or our children or those of us here. So,  
23 that's what I wanted to put on the record, and I ask  
24 the committee to reconsider before we vote just to  
25 ban animals who are here just no different than they

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2 are whether they're in an aquarium or they're in the  
3 Bronx Zoo, or if they're a horse riding or a police  
4 officer on a horse. So, I'm asking us all to really  
5 reconsider before we think about voting this out, and  
6 shutting down the young city to an experience that  
7 we've all appreciated when we were growing up. Thank  
8 you.

9 COREY JOHNSON: Thank you, Council Member  
10 King. I would ask the Clerk to call the roll.

11 CLERK: William Martin, Committee Clerk,  
12 roll call vote Committee on Health. The items are  
13 coupled. Chair Johnson.

14 COREY JOHNSON: I vote aye on all and I  
15 would ask to be added as a co-sponsor of Council  
16 Member Dromm's Proposed Introduction No. 1263-A.

17 CLERK: Mendez.

18 COUNCIL MEMBER MENDEZ: I vote aye on  
19 all, and would also like to be added as a co-sponsor  
20 to proposed Intro No. 1263-A.

21 CLERK: Koo.

22 COUNCIL MEMBER KOO: I vote aye on all,  
23 and I would the same thing as all of the other co-  
24 sponsors of 1263-A. Thank you.

25 CLERK: Vacca.

2 COUNCIL MEMBER VACCA: I vote—I vote aye  
3 on all, and I'm already on 1263 because I saw the  
4 wonderful value of Danny's law. Thank you.

5 CLERK: Van Bramer.

6 COUNCIL MEMBER VAN BRAMER: Permission to  
7 briefly explain my vote. (A) I vote aye on—on both,  
8 and would like to be added to 1263, but I did just  
9 want to say a word that the advocates here I met with  
10 and we had some really good meetings and, in fact, we  
11 had a conference call I remember with some experts on  
12 this issue, and it was very persuasive. So, I want  
13 to congratulate all the advocates, which is why I  
14 became a co-sponsor of this bill, and I also just  
15 want to say with all due respect to our colleague who  
16 spoke a little bit earlier, as the Chair of Cultural  
17 Affairs, I think I want to offer a word of defense  
18 for the Wildlife Conservation Society and some of our  
19 other cultural institutions, which I think have a  
20 good record of caring for animals and I think there  
21 is a distinction here. So, I just want to say that  
22 on the record, and—and say that while I, too, did go  
23 to a circus as a child probably as a six or seven-  
24 year-old, I didn't have all the information about  
25 what that experience meant not only for me, but for

2 the animals that were performing. And luckily now I  
3 have a bit more awareness about that experience for  
4 the animals, and that is why today I am proud to take  
5 this vote. So, thank you very much.

6 CLERK: Espinal.

7 COUNCIL MEMBER ESPINAL: I vote aye on  
8 all.

9 CLERK: By a vote of 6 in the  
10 affirmative—

11 COREY JOHNSON: [interposing] Mr. Clerk,  
12 I want to call—I know we voted, but also my friend  
13 and colleague, Council Member Miller is here, and I  
14 know he had a statement to make before we close out  
15 this hearing. Council Member Miller.

16 COUNCIL MEMBER MILLER: Okay, thank you,  
17 Chair Johnson, and—and I want to thank my colleagues  
18 for allowing me a moment to speak today, and I  
19 respectfully want to talk about this legislation that  
20 was just voted on as it relates to the—the exotic  
21 animals. But despite the best of intentions, I'm—I'm  
22 troubled because of this impact on not just because  
23 of—I think that there's literally one game left in  
24 town and that is the Universal Circus. This is an  
25 institution which is for the past 25 years has

2 brought the circus and cultural institutions to  
3 communities of color throughout not just the city of  
4 New York, the United States but throughout the world,  
5 but it started right here. I had the opportunity to  
6 work with them over the past few years and in  
7 watching, in fact, this year bringing nearly 4,000  
8 sheltered families into the circus three hours before  
9 the circus to watch them perform, to train, to-to-to  
10 feed them, and just the excitement and the joy on  
11 their faces was-was absolutely immeasurable. There  
12 are tens of thousands of school children that  
13 participate each year as well. But I think that the  
14 bigger picture is that we have gone down this road in  
15 industries in the very recent past, and we did not  
16 choose or have the opportunity to legislate those  
17 industries that the impact on-the financial impact on  
18 communities were taken into consideration and  
19 ultimately that stimulated conversations that brought  
20 the op-brought us the opportunity to enhance the  
21 quality of life and-and-and more humane treatment for  
22 the-in that case the horse carriages. And so, I will  
23 be during-when I have the opportunity of voting  
24 against it, and I would ask that my colleagues  
25 consider its impact on communities in which this

2 circus has come in. I did also have the opportunity  
3 to be at the Barclay Center and see the melancholy on  
4 the faces of families will not see the circus come  
5 back to New York City at all, and—and so that is  
6 certainly the impact, the long-term impact in  
7 tradition. And listen, just because something is—has  
8 been here for a long time doesn't make it right, but  
9 I think that in this case that knowing that there's  
10 but one circus in town, knowing that how those are  
11 treated, the animals were treated, I would hope that  
12 it would be able to continue to provide service and  
13 the resources into the communities of color and  
14 opportunities that they have brought. And as I said,  
15 the Council had considered that in the past in—in  
16 making or not making decisions. So, I would ask that  
17 they do the same here. Again, I—I—I am very  
18 respectful that you allow me the opportunity to speak  
19 today, and I thank you for your time and—and  
20 certainly council member I thank you for your  
21 thoughtfulness on this and you know that I am—I  
22 believe in animal rights and—but I also believe that—  
23 that when things are being done properly that they  
24 should have the opportunity to continue. So, thank  
25 you.

2 COREY JOHNSON: Council Member Miller,  
3 you're a gentleman, always a gentleman and I know you  
4 and I had a conversation yesterday about how the  
5 circus that you're concerned about has had a pretty  
6 significant impact on locally in supporting your  
7 community and a local park in your community, and  
8 helping to see that park be rehabilitated. So, I  
9 understand that you have real concerns about this,  
10 and I'm glad that you came today to express them, but  
11 I'm glad that we talk about these things in a  
12 respectful manner. So, we're going to hold the vote  
13 open for about ten minutes, but if the clerk would  
14 please read the results.

15 CLERK: By a vote of 6 in the  
16 affirmative, 0 in the negative and no abstentions,  
17 both items on today's agenda have been adopted by the  
18 committee.

19 COREY JOHNSON: So, these items have been  
20 agenda—they have been adopted and will be voted on at  
21 the full stated. This vote will remain open for 10  
22 minutes. Congratulations Council Member Mendez.  
23 Congratulations Council Member Dromm  
24 [cheers/applause] and congratulations to all the  
25 advocates. [background comments, pause]

2 CLERK: Continuation of roll call the  
3 Committee on Health. Council Member Eugene.

4 COUNCIL MEMBER EUGENE: I vote aye, and  
5 thank you very much.

6 CLERK: The final vote on Introductions  
7 1233-A and 1263-A have now been adopted by the  
8 committee of a vote of 7 in the affirmative, 0 in the  
9 negative and no abstentions. Thank you.

10 COUNCIL MEMBER EUGENE: The meeting is  
11 adjourned. [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 July 9, 2017