



TESTIMONY TO THE JOINT SENATE AND ASSEMBLY HEALTH COMMITTEES February 11, 2025

Dear Senators and Assembly members of the Joint Budget Hearing on Health,

I am writing on behalf of WE ACT for Environmental Justice. Over the past 36 years, WE ACT has been combating environmental racism through community organizing in Northern Manhattan, and policy advocacy at the City, State and National levels. WE ACT is a co-leader of the [Lead Free Kids New York](#) coalition.

We appreciate that the governor's budget clearly pointed out money for lead service line removal, but we were disappointed to not see more funding for lead programs.

Background

In 1978, the use of lead-based household paints was banned in the United States¹, and New York City led the way with restrictions starting in 1976 and New York State in 1970. Disappointingly though, New York has the highest number of lead poisoned children in the United States.²

Communities of color are among the highest demographics that are being found with elevated blood lead levels (EBLLs).³ Upstate cities such as Buffalo, are facing extreme levels of lead poisoning and require more than just federal and state initiatives to drive the rates down. Buffalo has one of the most decrepit housing stock in the United States due to segregation, disinvestment, and depopulation. In 2016, about 40% of the tested children in Buffalo had EBLLs.⁴ Other communities upstate are being hit hard with the lead crisis as well, such as Syracuse and smaller rural communities.

Long-term health impacts of lead exposure for children can include damage to the brain and nervous system, behavioral and learning problems, stunted growth and development, and difficulties with hearing and speech. Results of lead poisoning as an adult can present itself as fatigue, irritability, troubles concentrating, seizures, anemia, hypertension, nausea, miscarriages or stillbirths, and reduced sperm count and motility.⁵ More than 90% of the total body burden

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<https://www.cdc.gov/nceh/lead/prevention/sources/paint.htm#:~:text=Lead%2Dbased%20paints%20were%20banned,lead%20paint%20chips%20and%20dust>.

2 <https://www.cdc.gov/nceh/lead/docs/cbls-national-data-table-508.pdf>

3 [DOI: 10.1097/PHH.0000000000000891](DOI:10.1097/PHH.0000000000000891)

4 <https://www.dw.com/en/lead-poisoning-reveals-environmental-racism-in-the-us/a-53335395>

5 <https://www.health.ny.gov/publications/2584.pdf>

of lead is stored and accumulated in the bones, which becomes problematic when the bone's metabolism increases during pregnancy and postmenopausal osteoporosis. During pregnancy and lactation, the body's calcium homeostasis is significantly altered.⁶ The high calcium demand during pregnancy results in intestinal calcium reabsorption and bone turnover increases. Once postmenopausal osteoporosis starts, the bones start to naturally break down and lead is released into the blood and re-exposes the organ systems in adults. Other factors such as malnutrition, physiological stress and illness, advanced age, hyperthyroidism, kidney disease, and calcium deficiency all force the body to reintroduce the lead back into the bloodstream.⁷ Lead is also stored in the soft tissue of the body, primarily in the liver.⁸

Lead poisoning can occur from acute or chronic exposure to lead. Acute lead poisoning is intense exposure over a short period of time, such as in the workplace or eating a lot of lead paint chips. Chronic exposure is small amounts over a long period of time, such as being in a home with lead dust or a child drinking from a bottle that has lead paint on it. The latter is the more common route.⁹ Regardless of the duration of the exposure, if there is exposure to lead then there will be irreversible damage to the body. If one's EBLL is over 45 µg per dL, chelation is recommended by the Centers for Disease Control and Prevention. This is an extremely uncomfortable treatment route that does not fully take the lead out of the system.

For these reasons, we need to protect the health of New Yorkers and create policies that fully protect our most vulnerable communities. Lead paint is an expensive and time intensive task to remove in the short term, but ensuring that it happens will financially and socially benefit the whole state in the long term.

Budget and Legislative Recommendations

There is no safe level of lead in the body. New York State has the most children with elevated blood lead levels in any state in the nation, and in addition to all the health problems lead-exposed people face, taxpayers bear over \$200M in related costs annually. State action must continue to expand to prevent lead poisoning. Financial investments described below can help prevent the lifetime impacts that lead exposure can mean for a child - now, and into the future.

	FY 2023-2024	FY 2024-2025	FY 2025-2026
Lead poisoning Prevention Programs			
Primary & Secondary Prevention	Ask: \$50,00,000	Ask: \$38,796,448	Ask: \$40,000,000

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4266784/pdf/JFRH-8-135.pdf>

⁷ <https://smri.scholasticahq.com/article/35880-association-between-covid-19-severity-and-residing-in-high-lead-level-locations>

⁸ <https://www.sciencedirect.com/science/article/abs/pii/S0976288418300638>

⁹

https://www.researchgate.net/profile/Shikha-Bathla/publication/333210728_Heavy_Metals_Toxicity/links/5ce27d1992851c4eabafc000/Heavy-Metals-Toxicity.pdf

(To DOH, Aid to Localities Budget)	Actual: \$14,604,000¹⁰	Actual: \$14,604 000	Actual: \$14,604,000
Implementation of Public Health Law 1377 (Part T of HMM Title VII Budget Bill)	Ask: - Actual: \$18,536,000 (DOH, Aid to Localities)	Ask: \$18,536,00 Actual: \$18,536,000 \$16,816,000 (DOH, Aid to Localities) \$1,720,000 (DOH, State Operations)	Ask: \$20,00,000 Gov's Budget: \$18,536,000 \$16,816,000 (DOH, Aid to Localities) \$1,720,000 (DOH, State Operations)
Lead Abatement	Ask: Actual: \$20,268,000 \$268,000 (DHCR, State Operations) \$20,000,000 (Housing Trust, Capital Projects)	Ask: \$20,268,000 Actual: \$20,268,000 \$268,000 (DHCR, State Operations) \$20,000,000 (Housing Trust, Capital Projects)	Ask: \$20,268,000 Gov's Budget: \$20,268,000 \$268,000 (DHCR, State Operations) \$20,000,000 (Housing Trust, Capital Projects)
NYS Children's Environmental Health Centers	Ask: \$5,000,000 Actual: \$4,000,000 (Environmental Protection Fund, Capital Projects Budget)	Ask: \$5,000,000 Actual: \$4,000,000 (Environmental Protection Fund, Capital Projects Budget)	Ask: \$5,000,000 (Environmental Protection Fund, Capital Projects Budget) Gov's Budget: \$4,000,000 (Environmental Protection Fund, Capital Projects Budget)
Lead in Drinking Water			
Lead Service Line Replacement Funding (Clean Water and Infrastructure Program)		\$450M over 10 years from existing state and federal funding streams as described below.	\$450M over 10 years from existing state and federal funding streams as described below.
Energy Retrofitting and Green Renovations, Including Lead Remediation			
Green Affordable Pre-Electrification Program (Capital Programs, NYSERDA)		\$200 million for a GAP Program	\$200 million for a GAP Program

Lead Free Kids NY recommends the following within the Budget:

- Lead Poisoning Prevention Programming Funding:
 - \$40M for the county health department lead programs in the Aid to Localities budget

¹⁰ <https://www.nysenate.gov/legislation/bills/2021/S8003>

- \$20M to implement Public Health Law 1377: the New York State Rental Registry and Proactive Inspection Program in the Aid to Localities and State Operations budget
- \$20M+ for the lead abatement program in the Capital Projects and State Operations budget
- \$5M for NYSHECK in the Capital Projects budget (Environmental Protection Fund)
- Clean Water and Infrastructure Funding:
 - \$450M over 10 years (from various funding streams) for lead service line replacement
- Energy Retrofitting and Green Renovations, Including Lead Remediation:
 - Include the Green Affordable Pre-Electrification Fund bill language in the Transportation, Economic Development and Environmental Conservation Article VII bill
 - \$200M for the GAP Fund for NYSERDA in the Capital Projects budget

The legislation we propose will start us on a path of working towards a lead free New York State includes:

Lead Paint Right to Know Act (S.4265 Kavanagh / A.1529 Rivera)

This act will complement existing state and local laws on lead poisoning prevention. Section 1377 of the public health law, enacted in 2023, requires DOH to develop a registry of all rental residential dwellings with two or more units built before 1980 within communities of concern outside of NYC, and require they be inspected for lead hazards at least every 3 years. The Lead Paint Right to Know Act will require lead inspection reports that must be shared with buyers of residential dwellings and subsequently included in the new DOH registry.

Renovation, Repair, and Painting Act (not introduced yet / A.2749 Bronson)

Given the current federal administration, we see this as an important step for New York State to take charge of its own lead abatement programs and codify the RRP rules. Due to the old housing stock throughout the state, practicing healthy lead removal standards is extremely important. We do not want adults to get poisoned and then bring home lead dust to the rest of their children.

Find Lead Pipes Faster Act (S.3581 Rivera / A.2181 Paulin)

This legislation does not have an additional fiscal impact on the state budget because there are already funds that could be pulled down from the pot of funding for clean water infrastructure. This legislation would ensure that water customers or non-owner adult occupants of real property respond to a request by covered water systems serving water to the property to grant access for free water service line inspections within the property for the purpose of completing lead service line inventories.

Green Affordable Pre-Electrification Fund (GAP Fund) (S.3315 Gonzalez / A.2101 Kelles)

This legislation adds a new public authorities law section 1872-b to establish a green affordable pre- electrification program (“GAP Program”) to be administered in consultation with the Division of Housing and Community Renewal, to fund and provide technical assistance for homes and buildings in need of a wide-range of currently unfunded retrofits that are necessary for healthy buildings and achievement of New York’s climate mandates. These unfunded retrofits prevent many households and building owners from being able to participate in energy efficiency and weatherization programs, because some residential buildings need certain types of rehabilitation work before they can do so. This pre-electrification work is usually too costly for homeowners and building owners to take on themselves.

If you have any questions, please contact Briana Carbajal at briana.carbajal@weact.org.

Sincerely,

Briana Carbajal
State Legislative Manager
WE ACT for Environmental Justice