



Assemblymember
Jo Anne Simon

52nd District



Announcements & Upcoming Events

April 2019

A Message from Jo Anne...

The final 2019-20 New York State budget bills were recently passed, enacting a \$175.5 billion state budget. I'm pleased to report that the budget builds on some of the historic accomplishments that we have already made this session, and makes significant reforms to our criminal justice system, protects our environment through a ban on plastic bags, funds voting reforms, and creates a sustainable revenue source for our public transit system by making New York City the first in the nation to enact a congestion pricing plan.

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There were some aspects of this budget that were troubling and issues that I fought for that did not make it into the final budget. In Albany, there is a term for a bill that has both plenty of things you support and things you don't support – "the big ugly." The revenue bill, for example, included critical criminal justice reforms and congestion pricing, but it included a lousy level of foundation aid for schools and it created a commission to develop a plan for public financing of campaigns, as opposed to working out the plan through the legislature.

An unexpected budget deficit posed some challenges, but we worked hard to craft a budget that delivers for New Yorkers. The budget protects and expands affordable housing statewide, including increased funding to help enforce rent regulations and protect tenants from landlord harassment. It also allocates \$832 million for child care subsidies for lower-income families, an increase of \$26 million over last year's budget. The budget also makes the 2% property tax cap permanent and continues the phase-in of middle-class tax cuts.

The budget also includes \$20 million to promote the census and to assist with funding for local outreach efforts. Each uncounted person costs New York thousands of dollars in federal aid, putting the funding for hospitals, schools and transit at risk, as well as the size of our congressional representation.

I am also pleased that the budget includes \$250,000 as a starting point to partially fund my bill to create a firearm violence research institute. New York has worked hard to prevent gun violence, but we must lead the way in conducting scientific research to better understand and prevent the gun violence that is plaguing the nation. While the institute requires a few million dollars, this is an important step forward.

To support the selfless and hardworking professionals who care for New York's most vulnerable, the budget provides a 2% salary increase for direct support professionals and clinical staff at our social service agencies.

Please see inside for more budget highlights, and contact my staff with other budget questions.

Sincerely,

Jo Anne Simon

Summary of Key Budget Issues:

Transformational Criminal Justice Reforms. The 2019-20 state budget includes sweeping criminal justice reforms to ensure New York treats all defendants fairly and equally. Our current criminal system is deeply flawed, perpetuating racial bias and economic bias, leaving individuals who can't afford bail behind bars for months or even years. To remedy this, the state budget **eliminates cash bail** for misdemeanors, excluding sex offense misdemeanors, and non-violent felonies, so that we no longer criminalize poverty. The budget also **reforms New York's discovery procedures** to move away from our current Kafkaesque discovery laws to assure the expeditious and fair exchange of information in criminal cases. The legislation removes the requirement for the prosecution or defense to make a demand for discovery, instead providing automatic, routine and scheduled disclosure. This budget also ensures that the **right to a speedy trial** is upheld. We also need to redouble our efforts to put an end to solitary confinement by the end of this session, and I'm the cosponsor of a bill to do so.

Voting Reforms. In the beginning of this legislative session, we passed a package of historic voter and election reform laws, including my bill to close the notorious Limited Liability Loophole that allowed the wealthy and special interest groups to anonymously pour unlimited amounts of corporate money into campaigns in the hopes of influencing preferred candidates. The 2019-20 enacted budget includes \$24.7 million in funding for updates to the local and state boards of elections to implement this election reform package. This includes \$14.7 million in capital funds and \$10 million to implement early voting (including the purchase of electronic poll books and on-demand ballot printers), fund additional poll hours to ensure that primary voting hours are consistent statewide and that all sites are open from 6a.m. to 9p.m., and fund an electronic voter registration system. The budget also ensures that workers can receive 3 hours of paid time off on Election Day in order to exercise their franchise.

Campaign Finance Reform. The state budget also establishes a commission that will examine, evaluate, and make recommendations regarding a small donor matching system for public financing of campaigns. Although this is a step in the right direction, I strongly believe that the details of this system should have been worked out directly by the legislators instead of through a commission. The commission will gather data on best practices and will examine ways that our New York City public financing model can be improved upon to meet statewide needs. The commission's findings are to be reported by December 1, 2019, and will be binding unless modified by the legislature by December 22, 2019.

Banning Plastic Bags & the Environment. A few years ago, I was one of the few Assemblymembers to vote against the bill to override New York City's fee on plastic bags. However, we now know all too well that we can't afford to keep putting off measures to protect our environment. The widespread use of single-use plastic bags is wasteful, unnecessary and puts our marine life and our environment at risk; they also take decades to decompose, if ever. The budget implements a ban on single-use plastic bags given out by grocery stores and other retailers. The proposal also authorizes counties and cities to impose a 5-cent fee on paper carryout bags if they choose to do so, with 40% of the fee going back to the municipalities to help distribute reusable bags and 60% going toward the Environmental Protection Fund (EPF). Certain low-income consumers, like those who receive SNAP or WIC, will be exempt from the paper bag surcharge.

To protect our environment, the budget also renews a record \$300 million for the EPF, includes an additional \$500 million in funding for the Clean Water Infrastructure Act to ensure access to clean

drinking water, and encourages the use of clean and alternative energy by providing \$23 million for clean energy tax credits.

Education. The state budget increases funding for public schools by \$1 billion over last year (for a total of \$27.8 billion) and puts a college degree within reach for more students. However, I am disheartened that the state still has not fully funded the foundation aid owed to our schools through the Campaign for Fiscal Equity's court order. While the budget includes a \$618 million increase in Foundation Aid for a total of \$18.4 billion, I will keep fighting until foundation aid is fully realized.

To ensure local school districts can adopt teacher and principal evaluation systems best suited to their students' needs, the budget includes legislation removing the mandate that state-created or administered assessments be used for evaluations. The Assembly has already passed this measure two times, and I'm glad to see it included in the budget.

The budget continues the Excelsior Scholarship, which was established in 2017 and makes SUNY and CUNY schools tuition-free for eligible New Yorkers. The income eligibility threshold increases this year to \$125,000. Students who attend a private college in New York and have a family income of less than \$125,000 this year would also be eligible for a scholarship award of \$6,000. The budget also includes \$27 million to implement the Jose Peralta NYS DREAM Act to help the children of immigrants achieve their college dreams and fund TAP awards for eligible "Dreamers."

However, the budget also did not adequately fund higher education and fully fill the TAP Gap, caused by the legal requirement that SUNY and CUNY provide eligible students with a "TAP waiver eligible credit," covering the difference between the rate of tuition and the maximum TAP award. Closing the TAP Gap would go a long way in relieving some of the financial stresses on SUNY and CUNY. The budget also did not bring CUNY adjunct salaries out of the ice age, or adequately fund disability services for SUNY/CUNY students.

Revenue. The budget also establishes a new revenue stream for local governments from internet sales tax. The budget extends the millionaires tax by five years to ensure everyone is paying their fair share. It also implements a progressive and supplemental mansion tax on properties valued at more than \$2 million at an additional 0.25% and ending at a top rate of 2.9% for properties of \$25 million or more. The mansion tax is projected to raise \$243 million. The budget also creates a supplemental Real Estate Transfer Tax of 0.25% for residences above \$3 million and commercial properties above \$2 million to raise \$122 million. Together, these taxes will raise \$365 million for the MTA capital lockbox; \$232 million from the internet sales tax revenues will go to the MTA, as well.

Strengthening Public Health Programs. With the federal government actively working to repeal the Affordable Care Act (ACA), the state budget codifies the ACA into state law, protecting our successful health care marketplace and ensuring that New Yorkers have access to quality, affordable health care. The budget strengthens women's reproductive health by requiring insurance coverage for medically necessary fertility preservation and large group insurance policies to provide coverage for in-vitro fertilization. Additionally, there is a measure creating a study of staffing ratios at hospitals and nursing homes to help ensure patient safety, improve health care outcomes, and improve nurses' working conditions. I have fought hard for this measure through the Safe Staffing for Quality Care Act, but this study is a step forward. The state budget also restores \$550 million in Medicaid cuts from the executive's proposal, which would have hurt our hospitals, nursing homes, and Medicaid claims, impacting

vulnerable New Yorkers' access to public health. The budget also included \$4 million for the prevention of maternal mortality.

Victory on Congestion Pricing! I have long supported toll equalization and congestion pricing as a way to fund our deteriorating mass transit system, improve street safety, and reduce traffic and its negative environmental impacts, shortening commute times for everyone. I am thrilled to announce that I helped pass a budget that will make New York City the first in the nation to implement congestion pricing.

The congestion pricing zone includes 60th Street and south in Manhattan – excluding the FDR Drive and the West Side Highway – and spans Manhattan's Central Business District (CBD). The MTA's Triborough Bridge and Tunnel Authority (TBTA) will oversee the program's creation and operation, working with the NYC Department of Transportation. The Assembly fought to ensure that the TBTA would oversee the program – pursuant to a memorandum of understanding with the City of New York – rejecting an executive proposal that would have bypassed local input. Electronic tolling devices will be installed on the perimeter of the CBD, with dynamic pricing for tolls. Passenger vehicles would only be charged once a day. There are already some agreed upon exemptions, including emergency vehicles, vehicles transporting people with disabilities, and residents of the CBD making less than \$60,000 per year can receive a tax credit equal to the amount paid for tolls.

The TBTA will create a six-member "Traffic Mobility Review Board" tasked with recommending many of the operational details of congestion pricing, including the price of the toll, credits, discounts or exemptions, and peak and off-peak rates. The Board will have six members appointed by the TBTA, which will include one member recommended by the mayor, one member from the Metro North Region, and one member from the Long Island Rail Road Region. The Board will host public hearings, where your input will be critical. To allow time for installation and public input, the program would not go into effect before Dec. 31, 2020.

This program is expected to raise \$15 billion, which the budget ensures goes entirely toward the MTA capital budget and is prohibited from being used for non-capital spending. The budget also takes several steps to improve oversight of the MTA, including requiring the MTA to develop a reorganization plan by June, 2019 and undergo an independent forensic audit and efficiency review.

While I would have preferred if more details of congestion pricing had been worked out through the budget process, our work is just as important as ever because it is imperative that we give feedback to the Board so that we get this right. This is a shift in our transit system, but with our current mass transit funding crisis, timely environmental concerns, and congested streets, I believe it is time to shift away from car culture and towards a future of sustainable and equitable mass transit.

Contact my office with additional questions about the budget.

Brooklyn House of Detention: ULURP & Public Hearing, 4/11/2019, 5pm. The Borough Based Jails project was recently certified by the Department of City Planning, initiating the public review process through the Uniform Land Use Review Procedure (ULURP). For the Scope of work and the draft Environmental Impact Statement, [click here](#). Community Board 2 will hold a public hearing on the proposal on Thurs., April 11, from 5-9PM, at Bishop Loughlin Memorial High School, 357 Clermont Ave., in

the auditorium (doors open at 4:30, enter on Greene Ave.) You may attend, make comments, or submit written testimony by Sat., April 13 to cb2k@nyc.rr.com, fax: 718-852-1461, or mail to Community Board 2, 350 Jay St., 8th Fl., Brooklyn, NY 11201.

Java with Jo Anne - Cobble Hill, 4/17/2019. Is there a community issue or current event you're passionate about? Come and talk about it! Join me for a cup of coffee through my "Java with Jo Anne" series. The next one will take place Wed., April 17th at Brooklyn Farmacy, 513 Henry St., 8:30-10:30 am.

BQE Reconstruction Update: Mayor de Blasio recently announced that he would form a new expert panel to evaluate the Brooklyn-Queens Expressway Reconstruction plans. The panel will be chaired by Carlo Scissura, President & CEO of The New York Building Congress, and will include experts from a range of fields including urban planning, engineering, construction, traffic modeling and historic preservation. This panel will consult with community groups and elected officials to hear feedback and evaluate all of the suggested reconstruction ideas. They will begin meeting this month and we anticipate hearing their conclusions by this summer, before the start of the federal environmental review process. I am encouraged that the City has heard the concerns of the community and that they are pressing the re-set button on the BQE reconstruction plans. From the outset, I have joined my colleagues in government to push for more plans since the first two plans presented by the NYC Department of Transportation (NYCDOT) last September were unacceptable. I look forward to meeting with the panel and community members to ensure that we are evaluating every possible option for this project as it continues.

I enjoyed the opportunity to attend the recent Town Hall, hosted by the Brooklyn Heights Association and A Better Way, at Plymouth Church. It was so heartening to see the community rally together in search of options for this difficult infrastructure project, and I was very excited to see the newest potential plan from [Bjarke Ingels Group](#). I'm so glad to have such an engaged community and I want to personally thank [Marc Wouters](#), [Mark Baker](#), and everyone [else](#) who has spent their valuable time in search of solutions.

I am dedicated to seeing that all feasible construction options are explored before NYCDOT and the panel determines the approach and I look forward to seeing in-depth analysis of all of these plans and hopefully more as we continue to move through this process. I am also still working to bring State DOT and its technical expertise back to the table for this project. I will continue to urge NYCDOT and the new expert panel to engage with the community more regularly on this project.

For more details on the project, contact NYC DOT at 332-999-4520, info@bqe-i278.com. Visit DOT's website on the BQE repairs: <https://www.bqe-i278.com>. Please don't hesitate to contact my office to discuss this issue further, and we will continue to provide updates on this project as it progresses.

Legislation to Expand Speed Cameras in School Zones. I am so pleased that the legislature passed a bill to expand New York City's successful school zone speed camera program to better protect students and their families and hold reckless drivers accountable ([A6449](#)). Parents shouldn't have to wonder if their kids are safe on their way to school. This life-saving legislation expands speed safety cameras near schools, which we know drastically reduces speeding and injuries in those locations. We have seen far too many preventable car-related tragedies in Brooklyn neighborhoods and throughout the state. The legislation allows New York City to expand the program from the 140 current zones to 750 school zones and institute an annual reporting requirement to better assess the program's effectiveness.

I am also pleased that the Assembly passed legislation that would allow the city to implement a school bus photo violation monitoring system ([A4950-A](#)) to ensure that kids get to school safely. Currently, drivers who illegally pass a stopped school bus displaying a red visual signal can only be issued a ticket by a police officer who witnesses the violation. This new program would permit municipalities to install cameras on school buses as well as stationary cameras and issue fines to drivers who illegally pass.

Tenant Rights Forum, 4/11/2019. Southwest Brooklyn Tenant Union is hosting a forum on leases, repairs, harassment, and more. Spanish interpretation, dinner, and childcare provided. The forum is Thurs., April 11th, 6:30-8:30pm, at St. Paul's Episcopal Church, 199 Carroll St., Brooklyn. RSVP: balandaj@cganyc.org.

NYPD Hiring Police Cadets, Orientations 4/12/2019 & 4/26/2019. Are you a college student interested in a career in law enforcement? The Police Cadet Corps is a paid internship with the NYPD. The work schedule is flexible with full-time employment options during the summer, and up to \$20,000 in College Tuition assistance. Upon successful completion of the program, and upon college graduation, you will be promoted to the rank of Police Officer. [Click here for more info.](#)

CCRB Hiring Outreach Coordinators. The Civilian Complaint Review Board (CCRB) is hiring Outreach Coordinators. CCRB investigates and mediates complaints against NYPD officers. For more details, contact Director of Recruitment, Lashawn Lindsey: Lindsey@ccrb.nyc.gov or 212-912-3494.

Apply to the NYC Summer Youth Employment Program (SYEP), 4/26/2019. SYEP is accepting applications for summer 2019. You must be a current NYC resident, legally authorized to work in the US, & 14-24 years old. Apply by 4/26: <https://application.nycsyep.com/> or 1-800-246-4646.

Spark Prize for Brooklyn Nonprofits. The Brooklyn Community Foundation is awarding funds to Brooklyn nonprofits that spark change in the community. All eligible organizations must submit a 1,000 word essay to the Foundation. Five organizations will receive \$100,000 each. Applications are due Fri., May 10th at 5pm. For more information on eligibility and applying: www.bcfny.org/spark/apply.

For community and policy updates, sign up for my email alerts by emailing simonj@nysassembly.gov

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