



Assemblymember Jo Anne Simon



Reports to the People

Winter 2024

Dear Neighbors and Friends,

I'm excited to be back to Albany fighting for a New York that is greener, more affordable, and more just. I'm working on several initiatives to fight climate change, expand access to affordable housing, equitably fund our schools, ensure economic security for our workers, and more.

Since the Governor introduced her budget proposal in January, I have participated in budget hearings and meetings to review the needs of New Yorkers and the agencies and nonprofits that serve them. One thing is clear: New Yorkers have been strong in the face of adversity, whether recovering from a pandemic to dealing with supply shortages to stagnating wages that made day-to-day life harder. The state budget is a critical opportunity to pass a smart budget and policies to bring costs down and provide relief to keep New Yorkers healthy and our economy running.

Revenue is needed to breathe real life into our priorities. I am pushing for two of my revenue-raising initiatives to be included in the budget. One would stop taxpayer handouts to the fossil fuel industry, and the other would stop wage theft from workers and generate funds for our Labor Department workforce. We must ensure that we have enough to fairly pay our home care workers who care for older people and people with disabilities. Our budget must ensure we have enough funds to support outreach efforts to enroll people in SNAP so they can put food on the table for their families - and generate matching federal funds which are used right in our communities.

I'm also laser-focused on the work of serving this district. My office has teamed up with our partners to conduct mammogram screenings, flu shot clinics, and workshops on student loan repayments. We've distributed leaf bags and Covid-19 tests, and conducted voter registration efforts and a summer reading challenge for kids. We've held Java with Jo Anne (our coffee talks!) at local businesses to connect with neighbors. We've partnered with mutual aid groups to conduct school supply, clothing, and holiday drives. I'm continually inspired by the generosity and resiliency of the people in this city.

Looking back at this last year, I'm proud that the State Legislature passed historic reforms on voting rights, gun violence prevention, and abortion. We made record investments in child care, education, and the environment. We have much work ahead of us, but we are moving in a good direction for 2024.

I also want to thank my incredible staff for the work they do day in and day out serving this district. You can contact my office with questions on unemployment, SNAP, HEAP, housing, healthcare, transit, and more.

It is truly my privilege to serve you.

Sincerely,

Jo Anne Simon

Sign up for my Email Alerts. Email simonj@nyassembly.gov to learn about community events and policy alerts.

Stopping Wage Theft

It should be a given that workers are paid for the wages they have earned, but there is an unconscionable amount of wage theft in New York. Wage theft impacts so many hard-working New Yorkers, particularly lower wage workers, people of color, and women.

I'm proud to have introduced the Empire Worker Protection Act (A.9012), which will empower affected workers to initiate public enforcement actions on behalf of the NYS Department of Labor (DOL). Workers can help recover civil penalties as private attorneys general, a common mechanism in civil rights laws. The bill will encourage labor organizations to support members in filing violations, and bring over \$100 million to the DOL annually, enabling it to hire more enforcement and other staff.

Wage theft dwarfs other types of theft, with one estimate putting the amount owed New York workers at \$3 billion per year. Our DOL is understaffed and underfunded, which leads unscrupulous employers - who bet on the low likelihood of getting caught and penalized - to violate workers' rights to pad their profits. This bill is estimated to generate over \$100 million every year for the DOL.



Simon introduces bill to stop wage theft.

Bill to Reform School Shooter Lockdown Drills

I introduced a new bill (A.6665) with Senator Andrew Gounardes to ensure that New York schools are conducting at least one effective, trauma-informed lockdown drill, rather than the current mandate of 4 drills which are highly problematic because they are not guided by evidence-based procedures. Lockdown drills to prepare schools for school shooters have proven to be ineffective and stressful for students and are associated with increased anxiety and depression among schoolchildren. Some children even fear for their lives not understanding their drill was a simulation.

My bill will ensure parents are notified in advance of these drills. We must not do more harm than good to our students, and this legislation looks to evidence-based solutions to address gun violence in our state. We must take the onus off our kids to keep themselves safe from gun violence.

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This bill idea was brought to me by local parents and is supported by the American Academy of Pediatrics-NY Chapter, March for our Lives (national student group), and gun violence prevention experts. The Daily News' editorial board also wrote in support of my bill.



Simon with NYU Student rallying on gun violence prevention bills.

Fighting Climate Change

I am pleased to have introduced a bill to fight climate change and eliminate state tax handouts to fossil fuel industries (A.7949) - the Stop Climate Polluter Handouts Act.

The climate crisis - caused primarily by fossil fuel pollution - is the greatest threat before us. Greenhouse gas emissions from the fossil fuel industry warm the planet and pollute communities while oil companies reap enormous profits and are among the most profitable industries in the world'. Shockingly, New York State currently supports the fossil fuel industry with over \$1.6 billion in handouts every year (New York State's FY2020 Tax Expenditure Report). That's taxpayer money wasted on supporting Big Oil (companies like Exxon, BP, and Chevron) to destroy the planet.

The Stop Climate Polluter Handouts Act eliminates the tax handouts that prop up the most egregious parts of the fossil fuel industry. It pinpoints and eliminates the worst handouts to polluters: incentives that support research and development within the fossil fuel industry, the use of highly polluting airline fuel and commercial shipping "bunker" fuel, and the operation of fracked gas infrastructure, among many others. The bill does not touch the tax breaks that benefit low- and mid-income earners.

New Yorkers already experience the effects of climate change: heat waves, floods, and intense storms wreak havoc on our communities. We cannot risk normalizing the increase in such extreme weather events from climate change. By offering tax handouts, we effectively use taxpayer money to pay companies to put New Yorkers' lives at risk.

In total, the bill raises \$330 million for the state by making polluters pay their fair share of taxes. This bill aligns our state spending with the climate goals to which NY has already committed. New York's 2019 "green new deal" set ambitious targets for reducing emissions, which can only be reached by ending our reliance on fossil fuels.

I also sponsor a climate education bill (A.1559) which would establish instruction on climate change for pre-K through high school. This bill was just revised with input from young people around the state (how cool is that?). There are several other key initiatives which would make a real difference in fighting climate change like the Climate Superfund Act and the NY HEAT Act.

I will continue to make fighting climate change a top priority.

<https://www.cbsnews.com/news/exxon-chevron-shell-conocophillips-record-profits-earnings-oil-companies-most-profitable-year/>

Gowanus Cleanup

The Gowanus Canal cleanup is well underway. The canal was designated a superfund site in 2010 by the federal Environmental Protection Agency (EPA). The cleanup plan includes dredging and capping the canal floor and installing controls to prevent combined sewer overflows and other contamination from compromising the cleanup. The EPA is putting the final armor layer on the newly cleaned bottom of the northern stretch of the canal. The contractors will then place clean sand on top of the armor layer to fill in the gaps and restore the canal bottom as a habitat for plant and animal life.

Another aspect of the cleanup of the area near the canal is run by the NY State Department of Environmental Conservation (DEC), which is the agency in charge of the Brownfields Cleanup Program (BCP). The BCP was created to encourage private-sector cleanups of sites with industrial legacies so as to promote their redevelopment as a means to revitalize economically blighted communities. Brownfield sites are land where contaminant(s) are



present at levels exceeding the soil cleanup objectives or other health-based or environmental standards.

I recently held a large community forum during which DEC and State Department of Health (DOH) presented on the BCP and the Soil Vapor Intrusion testing (SVI). DEC is surveying indoor air quality to ensure no public health concerns are found inside people's homes. If you

recently received a letter from DEC requesting access to your property to conduct the SVI testing, I recommend that you sign up. If they find that cleanup is necessary, they will work with the property owner to clean up the area at no cost to the property owner. Please visit my YouTube page to watch a recording of the forum.

Gowanus Housing

I'm relieved that the Governor stepped in to ensure that 5,300 housing units (1,400 affordable) created through the City's Gowanus rezoning will be built. The developers had relied on the controversial 421-a tax credit and began a project under that program. However, due to supply chain delays and pressure by the lenders to finish a year earlier than was required to receive the tax credit, they would have been left without the ability to build or the time necessary to do the extensive environmental cleanup work. The Governor's initiative provides them with ample time for the comprehensive cleanup of these toxic brownfields. The public's health is paramount, so it's imperative that we prioritize environmental stewardship and adhere to all applicable legal and scientific standards for any new building in Gowanus.

Atlantic Yards: Developer Defaults on Bonds as Housing Remains Unbuilt

As the chronically delayed Atlantic Yards project marked its 20th anniversary, I joined community members and BrooklynSpeaks to call for change in New York State's oversight process, including increased accountability for unfulfilled housing and other commitments made by developers.

Twenty years ago, the public was promised a 'Garden of Eden' above 'blighted' rail yards. Empire State Development (ESD) green-lit the risky project, took private property through eminent domain and now - during an historic housing crisis - the public is left without 40% of the promised affordable housing and nothing above the rail yards.

In addition to the now two decades of delays, the project recently hit a potentially fatal roadblock when the current developer Greenland USA (a subsidiary of China's Greenland Holdings) defaulted on EB-5 debt borrowed to finance the project. Greenland USA may lose control of six development sites over the MTA rail yards between Sixth Avenue and Vanderbilt Avenue in Brooklyn (unless the State and the lenders reach an agreement with them). Originally scheduled for auction on January 11, 2024, that foreclosure sale has been postponed. Stay tuned!

In the wake of the developer's default, I have little confidence that damages owed for missed deadlines will ever be paid, although I have been assured otherwise. By not holding the developers accountable from the onset, ESD encouraged them to take large risks. This default is a direct result of ESD's bungled stewardship over the past 20 years. I will continue to fight for a new oversight process and a more equitable and transparent Atlantic Yards that delivers the public benefits that were promised.

Literacy & Education

We are finally making progress in our goal to use evidence-based approaches to teach and improve literacy rates for all - and that is because of organizing and coalition-building.

Thanks to the growth and advocacy of our coalition, we are seeing action from our City and State leaders. I was proud to join Governor Hochul as she announced a plan to improve reading proficiency and focus on evidence-based best practices (rather than debunked literacy methods that are much too prevalent in NY). The Governor will direct \$10 million to train 20,000 teachers in the science of reading and structured literacy, with additional funding to expand college based micro-credential programs in the science of reading.

This did not happen overnight. I've been hosting dyslexia and literacy events at the Capitol for 8 years and building a coalition of parents, teachers, students, legislators, advocates who have shared their personal stories and advocated for NY to use best practices. This coalition has been working hard locally and statewide to change the conversation and advocate for themselves and their loved ones.

The Mayor of NYC is also pushing his NYC Reads program. I'm a part of Path Forward, a new initiative to transform teacher preparation and teacher licensure programs to include the science of reading. But we must be vigilant and ensure that these initiatives are robust, effective, well-implemented and well-funded. We also must pass my bill A.08924 to audit the higher education literacy programs so we have a better understanding of which ones are using evidence-based literacy teaching methods and which ones are using debunked methods, so we can right this wrong.

Together, we can improve literacy rates, strengthen our educational system, and end the school to prison pipeline.



Simon pushes for literacy bills.

Hold the Date for the 9th Annual Dyslexia Awareness Day: Advocating for Literacy for All

Please join me and our coalition at the Capitol in Albany on **Thursday, March 14, 2024.**

RSVP: <https://bit.ly/DyslexiaDay2024>

Transit Updates

I'm grateful to my constituents who advocate for street safety for pedestrians and cyclists, and a public transit system that is accessible for people with disabilities. Getting around safely and efficiently is such an integral part of our daily lives. Other modes of transit, besides cars, are critical for promoting safety, reducing our carbon footprint, and ensuring equity for those who rely on mass transit.

I'm excited that New York City's congestion pricing plan for lower Manhattan is finally moving forward and could go into effect as early as this spring. The Traffic Mobility Review Board recommended the fee structure for various vehicles, tolls, and bridges. You can view their proposal, along with discounts and exemptions, online. The MTA is reviewing the proposal, and taking comments from the public before they vote on the final plan. I was proud to be an early supporter of this and helped pass the bill in Albany. That's because congestion pricing will help reduce gridlock, improve air quality, and bring in revenue for our public transit system.

There are always so many transit happenings in our area. Here are key updates:

- **NYC DOT installed new mid-block crossings on Atlantic Avenue.** This safety initiative will slow down speeding cars and trucks. It will also help neighbors frequent local businesses by reducing the length of these long blocks and making it safer to cross the street. Atlantic Avenue has long been known as a dangerous corridor for pedestrians and we have witnessed far too many preventable deaths on this notorious stretch. This is a great step forward and I'm looking forward to additional street calming measures.
- The MTA recently installed **new station platform safety barriers at the Clark Street 2/3 station**, which they are piloting at a handful of NYC stations.
- The MTA is relaunching the **Brooklyn Bus Network Redesign project** with a Draft Plan for community input. The Draft Plan includes routes, stops, and generalized frequencies. Please weigh in on the draft plan so that we can take advantage of this opportunity to improve the bus system. **I have continued to advocate for the return of the B71 with some routing changes, and to create bus access from Red Hook to Manhattan.**



Assemblymember Simon fights for subway improvements.

- The B60 bus route is now **Brooklyn's free fare bus pilot program** (1 line per borough as passed in our last state budget).
- The MTA is installing **Communication-Based Trained Controls (CTBC) on the G line.** This will mean better train times and a faster commute. However, I joined local elected officials to express our concerns about the impacts of the multi-week shutdown of the G train this summer. If the MTA has to shut down the G for so long, let's get this right. We asked the MTA to include additional subway cars on G trains and restore service to the Forest Hills station.
- **The Interborough Express Way (IBX) is moving forward!** The IBX is a new public transit option using light rail to connect Brooklyn and Queens. The project will be built along the existing rail line between Bay Ridge and Jackson Heights, via a route to the east of our district through Brownsville. <https://new.mta.info/project/interborough-express>

Helpful Resources

- **Flood Disaster Loans for Residents & Small Businesses.** Eligible NYC residents and businesses whose homes and/or businesses were damaged by the flash flooding event on September 29, 2023, may apply for low-interest disaster loans from the U.S. Small Business Administration. The filing deadline to submit applications for economic injury is September 4, 2024. <https://lending.sba.gov>
- **Covid-19 At-Home Rapid Tests.** Stop by our office weekdays, 9am-5pm, to pick up a free Covid-19 rapid test kit. Use the City's vaccine finder tool to find a vaccination site near you: <https://vaccinefinder.nyc.gov>
- **Home Energy Assistance Program.** HEAP helps people pay the cost of heating their homes. Eligibility is based on income, household size, primary heating source, and if anyone in the home is under age 6, 60 or older, or disabled. Applications will be accepted through March 15, 2024, or until funding is exhausted. For regular or emergency HEAP, apply online at mybenefits.ny.gov, in person, or call 212-331-3126 / 718-557-1399.
- **Help Applying for Student Loan Relief.** The Education Debt Consumer Assistance Program (EDCAP) is a program funded by NY State that helps you navigate the student loan system regardless of the type of education debt, federal or private. This support includes free webinars, email, phone, and 1:1 counseling. edcapny.org, 888-614-5004, edcap@cssny.org
- **Reduced Fares for Subway Riders.** You may be eligible for MTA's Fair Fares reduced-cost subway program depending on your income. There is also a Reduced Fare program for those 65+ and those with a disability. www.nyc.gov/FairFares or call 311 to apply.
- **Free Tax Prep.** NYC offers free tax prep service for families who earned \$85,000 or less in 2023, as well as for single filers who earned \$59,000 or less. You can connect to a free IRS certified VITA/TCE volunteer in person, virtually, and at drop-in locations. Contact 311 or visit nyc.gov/TaxPrep.
- **Rent Freeze Programs for Seniors (SCRIE) and People with Disabilities (DRIE).** These programs help those eligible stay in affordable housing by freezing their rent. Eligibility is based on age, household income, disability status, and the type of building you live in. Many eligible people do not take advantage of this program. It's easy to see if you are eligible: call 311 or visit nyc.gov/freezeyourrent. To search for housing lotteries, visit <https://housingconnect.nyc.gov>
- **Enroll in Health Care for 2024.** New York's Healthcare Marketplace, NY State of Health, is a way for individuals, families, and small businesses to find quality health insurance (Note: the Marketplace is not for people who have Medicare). All plans cover preventive care, such as routine doctor visits and screenings, at no additional cost. You can get free help applying and financial aid is available for most consumers. Apply online at www.nystateofhealth.ny.gov or call 1-855-355-5777.
- **Office Resources.** My office has various resources, including stickers for your garbage and recycling bins, a 2024 parking calendar, women's history brochures for youth, and housing and legal resources. Stop by to take a look and chat with my staff.
- **Dept. of Buildings (DOB) Workshop, 3/5/2024.** You can speak one on one with a DOB representative and have your questions answered about work permits, building code violations, site safety training, and more. The event is 3-6pm at my office on 341 Smith Street. Make an appointment by emailing simonj@nyassembly.gov.
- **OATH Resource Day, 3/7/2024.** I'm partnering with the Office of Administrative Trials and Hearings (OATH) for this event on Thursday, March 7, 11am-3pm, Brooklyn Heights Public Library, 286 Cadman Plaza W. OATH staff will answer your questions on how to respond to summonses, how to schedule hearings, what is the hearing process, and more. No appointment is needed.

New York State Assembly, Albany, New York 12248



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BQE Visioning & Getting Rid of Illegally Overweight Trucks

Our first-in-the-nation Weigh in Motion (WIM) program to electronically ticket overweight trucks on the BQE is in effect! I'm proud to have authored this legislation - these massive illegal trucks have no place in NYC!

I'm pleased that NYC DOT has reported a decrease in the number of overweight trucks on the BQE since WIM took effect. The BQE triple cantilever is deteriorating, and the WIM program will remove these trucks from our streets and extend the life of the BQE. Not only will this reduce the harmful carbon emissions these trucks produce, but it will provide us with more time so that we can reimagine a 21st century transportation corridor.

As you may know, NYC Mayor Eric Adams and NYC Department of Transportation (DOT) have been conducting community engagement to fix and re-imagine the BQE (<https://bqevision.com>). I have also urged City DOT to

listen to the concerns of the community in response to their initial BQE design concepts. The rebuilding of the BQE presents us with a once-in-a-generation opportunity to undo decades of environmental racism and community harm, protect our planet, and provide the 21st century infrastructure Brooklynites deserve. We must explore options that ensure a just transition away from fossil fuels and greenhouse gasses. It's important that DOT explores forward-thinking options that re-imagine the entire BQE corridor for the health and well-being of New Yorkers and our planet.

I have also been working with a coalition of electeds throughout Brooklyn to encourage State DOT to come to the table and meaningfully engage in the city's BQE re-envisioning, since most of the roadway is in the state's purview. This will be a long process and we truly need all levels of government at the table.