



# Assemblywoman Jo Anne Simon

Reports to the People

Fall 2015

*I wrote the following article, which was published in the Brooklyn Daily Eagle on September 3, 2015*

## Reflections on my first 'semester' as a freshman legislator

From “So, how was it in Albany? Are you loving it? Is it everything you expected/hoped it would be?” to “Tell me, how awful is it up there?” and “Who’s the next indictment?” I have been getting lots of questions. Many are well meaning, others not so much. These questions raise issues my constituents care about. They are questions upon which I reflect often, but I focus my reflections on the following two questions:

1. **What impressed you most about the state Assembly?** The rank and file members’ love and respect for the Assembly as an institution. The session had barely begun when we learned that the speaker was facing serious criminal charges. This was distressing and disturbing on many levels. Some of my colleagues had served with Speaker Silver for decades and were very loyal to him.

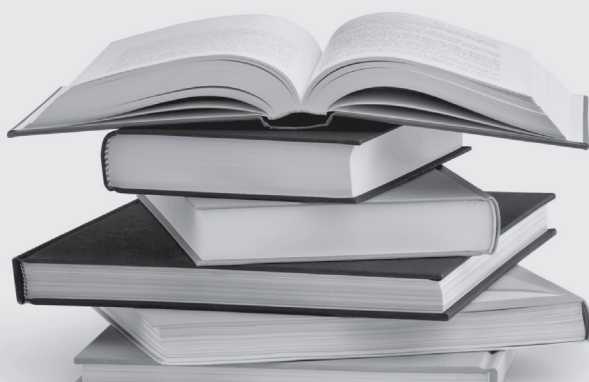
The [Assembly Majority] met and discussed their concerns, their relationships to the former speaker, their experiences and their personal stories and angst over this situation with great candor. As Yogi Berra used to say, “You can observe a lot just by watching.” To that I would add listening carefully. I observed and listened. I learned more about my colleagues and the institution of the Assembly in a few short days than I might normally have learned over a few years.

The Assembly was faced with a great and historic task. We took this responsibility very seriously. While varying loyalties and personal anguish and political considerations were evident, the overwhelming and unifying force was that the institution — the integrity of the Assembly as the people’s house — outweighed all. In the end, regardless of differing personal preferences, the body came together to put into place an approach for new leadership to emerge and a date certain for the discussion to be over and get on with the business of the people.

2. **What surprised you most about being in the state Legislature?** The constitutional supremacy of the Executive in the budget process. This is something I knew academically. The legislature seems perennially between the proverbial rock and a hard place. This became much more real as a member of the legislature. As I noted in previous commentary on this subject, under New York’s constitution, the governor has enormous powers — and the legislature has but two choices: accept or reject.

The governor has increasingly put policy proposals in his appropriation bills. This raises the possibility of either a government shutdown or the governor’s enacting his original proposal unilaterally through budget extender bills, which could be far more problematic. For example, this year the governor submitted radical changes to educational and other appropriations. He tied any school aid increase to the legislature’s approving proposals that I firmly believe would have further compromised student learning and achievement. The legislature made the best deal it could, but I was left with a pervasive sense that there ought to be a better way.

All in all, my first session was a great experience. I was able to pass five bills in the Assembly, two of which will likely be signed by the Governor. Which was most important to me? Passing the LICH [named for Long Island College Hospital] Act in the Assembly. This was also my first floor debate. I can’t describe how good it felt to speak on the floor about the true measure of LICH’s loss to our community and to know that by passing this bill I will have been part of ensuring that no community will have to go through this again.



### It’s Back to School Season!

This year Assemblymember Simon sponsored locally the NYS Student Summer Reading Challenge. Children have been returning their completed summer reading program forms to the District Office. It’s good to see a great response, but what’s most important is that children were reading though their summer vacations! Our office will be sending them certificates soon.

In reviewing the reading list from this past summer, some of our favorites weren’t there. Help us build a new and better list for next year by sending us your children’s favorites!

## College Campus Sexual Assault

Assemblymember Simon recently appeared on Capital Tonight to discuss New York State's new Enough is Enough law. This new law combats sexual assault on college and university campuses statewide. Among other things the new law requires all colleges to adopt a set of comprehensive procedures and guidelines, including:

- a uniform definition of affirmative consent;
- a statewide amnesty policy for witnesses and victims; and
- expanded access to law enforcement.

This sweeping legislation gives all members of college communities a role in combating sexual assault. If your child is attending a college in New York State, you will want to know about the law's protections. If you work for a college or university in New York State, you'll also want

to know about the rights and responsibilities conferred by the statute. You can view the video at <http://www.twcnews.com/nys/capital-region/capital-tonight-interviews/2015/09/2/jo-anne-simon-090215.html>.

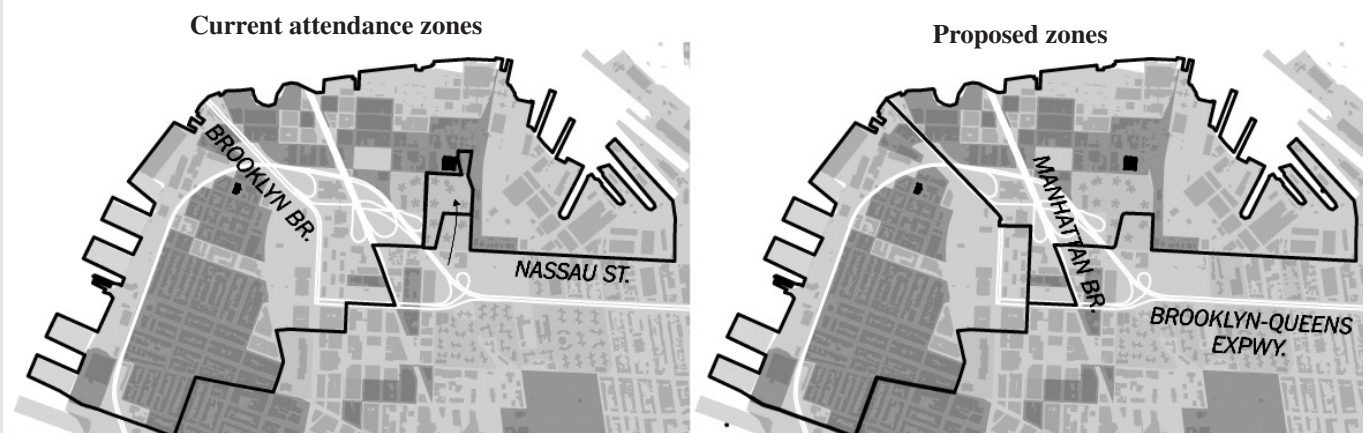


## School Overcrowding in District 13

This year's kindergarten applicants for PS 8 in Brooklyn Heights outnumbered the available seats by 40%. Scores of in-zone kindergarten students are unable to attend PS 8 this fall. Parents of 4 year olds from Brooklyn Heights, DUMBO, Vinegar Hill and Concord Village have been on pins and needles, worried sick about where their children will be attending school next year. On September 1, the City Department of Education presented a

draft scenario for a re-zoning of the PS 8 zone for the 2016-17 school year. This rezoning envisions students from DUMBO and Vinegar Hill being re-zoned to attend school at PS 307. You can view the proposed rezoning plan at [https://cec13brooklyn.files.wordpress.com/2015/09/d13\\_cec\\_business-meeting\\_9-1-15.pdf](https://cec13brooklyn.files.wordpress.com/2015/09/d13_cec_business-meeting_9-1-15.pdf). It is expected that the Department of education will submit a formal rezoning application on or about September 30, 2015.

### Percentage of population that is black or Hispanic, by block



## "Boss Bill" Protects Employees' Reproductive Health Rights, Privacy

This legislation is a response to the 2014 Hobby Lobby case, where the Supreme Court ruled that corporations can have religious beliefs of their own and, further, that these beliefs can be used to deny women health coverage for contraceptives based on those beliefs. New York can do better and ensure that women are free from discrimination in the workplace. Unfortunately, some employers are under the impression that their personal beliefs grant them the authority to interfere with women's health and reproductive care. This bill puts an end to this confusion and make clear that a boss' opinion on a woman's personal health choices should not be grounds for discrimination.

## Ensuring Oversight by the State Comptroller

To ensure closer fiscal oversight of payments from the State Insurance Fund, a bill sponsored by Assemblymember Simon ensures these payments are subject to pre-audit by the State Comptroller. The bill has passed both houses and awaits the Governor's signature. (A7505)

## Helping Local Organization Expand Services

Assemblymember Simon authored legislation enabling Dancewave, a non-profit dance education center in the 52nd Assembly District, to expand their facilities with help from the State Dormitory Authority. This will allow them to increase current class offerings in their own space for performances and community events. This bill passed the Assembly and Senator Montgomery is working hard to pass it in the Senate. (A7770)

## The LICH Act Passes the Assembly

When the state decided to close the historic Long Island College Hospital (LICH), no consideration was given to the health needs of the community and our views were not sought. This led to nearly two years of protests, lawsuits in an unprecedented battle with SUNY Downstate and the State Department of Health.

The medically underserved communities of Red Hook and Gowanus that were literally under water during Hurricane Sandy have been left high and dry when it comes to health care when LICH was closed. We learned through that fight that the state need not inform the community or solicit input as to impacts until after a decision is made to close a hospital. That just doesn't make sense.

For that reason, Assemblymember Simon introduced the Local Input in Community Healthcare (LICH) Act (A 6417) which would require that the affected communities and elected officials be notified within 30 days of an application to close a hospital, and would require a community forum within 45 days after the application. It would further require that the hospital's entire application to close be posted online and that the state would have to justify the closure by articulating how the community's health care need can be adequately addressed otherwise.

This important piece of legislation passed the State Assembly. It was her first opportunity to debate a bill on the floor of the Assembly. If you would like to view the proceedings, you can view it on her Assembly webpage at [www.assembly.state.ny.us](http://www.assembly.state.ny.us).

Passing the LICH Act in the Assembly brings our state one step closer to ensuring that when it comes to providing vital healthcare services, the community's voices are heard and their needs address. The public's health should be the primary consideration when deliberating the closure of a hospital.

Senator Daniel Squadron is working hard to pass this bill in the Senate.

## Election Reform Bill Passed by the Assembly

Political parties need funds to conduct business and pay administrative expenses, such as rent for headquarters, staff and other expenses that are essential to carrying on the ordinary activities of the party. These funds are kept in what are commonly called "housekeeping accounts." Housekeeping funds are not to be used for political campaigns. These funds also may not be used to pay for any political communication, such as a television, radio or newspaper ad.

In New York, while housekeeping accounts can't be used to support candidates, they can be used to oppose candidates and are vulnerable to transfers to political candidates' accounts. Assemblymember Simon's bill, (A7392) passed the Assembly and if enacted into law would change that by (1) ensuring that housekeeping funds not be used to promote or oppose the candidacy of any particular candidate; and (2) prohibiting housekeeping funds from being transferred to campaign accounts, or any account other than another housekeeping account.

*This bill would ensure that housekeeping funds are not used for campaigns.*

## Streamlining Government

To help streamline government Assemblymember Simon introduced a bill simplifying New York's Equal Access to Justice Act (EAJA). The EAJA authorizes awards of attorney's fees to litigants who have been wronged by unjustified actions of New York State agencies. These litigants might include not-for-profits, small businesses and individuals of limited means. Simon's bill—which passed the Assembly & Senate and awaits the Governor's signature—cuts through a layer of red tape by repealing the Office of the State Comptroller's need to submit duplicative paperwork. (A6079)

## Announcing our CONSTITUENT CORNER



We're introducing a new feature that will appear in subsequent newsletters. A short time ago, Assemblymember Simon received an email from her alma mater, Fordham Law School, with a video diary of its new Dean, Park Slope resident Matthew Diller. Congratulations, Dean Diller!

Assemblymember Simon has known Dean Diller since she began teaching at Fordham Law School in 1998 and he's an amazing guy. The 52nd AD is blessed with so many talented folks who contribute to our communities, our city and our country in unique—and often unsung—ways. So Assemblymember Simon will be featuring another amazing constituent in each newsletter. Do you know an amazing constituent? Who should be featured next? Let her know your thoughts.



This summer, Assemblymember Simon was pleased to participate in New York City's first Disability Pride Parade with U.S. Senator Tom Harkin, Mayor de Blasio, Commissioner Victor Calise, and countless other disability rights advocates, celebrating the 25th Anniversary of the Americans with Disabilities Act (and NYC Disability Pride Month).



## Vision Zero Mural: “Justice at the Crossroads”

Assemblymember Simon participated in the ceremonial unveiling of a new Groundswell mural entitled “Justice at the Crossroads” on Fifth Avenue at Sterling Place in Park Slope. It teaches, warns and commemorates by delivering its sobering Vision Zero message with humor and poignancy. Led by a team of professional artists, the Groundswell mural was painted by youth artists through the Summer Youth Employment Program. The mural drew its inspiration from the tragic death of 4 year old Ariel Russo. She was killed two years ago when struck by an unlicensed teen driver in Manhattan.

## Helping Struggling Readers with Proven Methods

A lot happens in the brain as we learn to read. Approximately 15% of children have dyslexia, a brain-based learning disability that makes word recognition, spelling and reading success a very difficult task. About 85% of children with learning disabilities have dyslexia. Yet, most parents and teachers have trouble recognizing its symptoms. Research shows that if students are not reading on grade level by third grade, they only have a 1 in 8 chance of catching up to their peers. This means not only academic consequences, but often emotional and social issues as well. The keys are early identification by teachers properly trained in the use of

appropriate research-validated methods of teaching reading and the implementation of such approaches so that these children can become proficient readers and not fall behind their peers. Among other things, this bill (A-4330A) will require that once so identified, schools must specifically use the term dyslexia in the Individualized Education Plans of such children, not the broader term of “learning disability.”

Join us in Albany on March 15, 2016 for Dyslexia Awareness Day to push for this and other important legislation.



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