



Assemblywoman
Vivian E. Cook

Reports to the People

Summer 2011

Dear Neighbors:

This year marks the 234th Legislative Session which began on January 5, 2011. I am pleased to report that by working with the Senate and Governor, we passed an on-time budget that closed a \$10 billion deficit without raising taxes. We made difficult, crucial spending cuts and made government more efficient, but also won critical restorations that invest in education, protect Universal Pre-Kindergarten, and preserve higher education and job creation.

I am pleased that we were able to provide \$25 million in Title XX funds to keep New York City senior centers open. These centers are extremely important to our seniors, who rely on them for nutritious meals, health and wellness activities, and social events, which is why I fought to keep them open. Preserving the resources seniors depend on will help them continue to lead happy, healthy lives.

I am honored to have been appointed by Speaker Sheldon Silver to serve on the Joint Budget Education Conference Committee. The committee made recommendations to the executive budget that resulted in the restoration of \$272 million in overall aid to education and a \$3 million restoration to public libraries. I have also been appointed Chair on the Committee of Chairs which affords the oversight of all Assembly Committees, and I remain a member of the Codes, Corporations, Housing, Rules, and Ways and Means Committees. As a member of these committees, I am able to review bills and vote as to whether or not I believe they should be brought before the entire Legislature for debate and a vote. If a bill is passed by a majority of the Assembly and the Senate, and signed by the Governor, it will then become law.

I am also pleased to announce that Greater Jamaica Development Corporation will receive a \$1.2 million Brownfield Opportunity Areas Program Grant. The Department of State awarded \$6.5 million to 21 projects across the state. I supported this funding because it will help to redevelop brownfield sites around JFK's Air Train and the LIRR's Jamaica Station, which will revitalize Jamaica and bring more jobs to the community.

In closing, I would like to thank Rochdale Village Senior Center, Brooks Senior Center, York College, Rochdale Village Library, and hundreds of residents who take the time to write or come to visit me in Albany to lobby on issues that are important to you. I want you to know that your efforts do make a difference and I am grateful for your support. I would encourage you to read this news report as it contains vital information that you should know about important programs in the NYS Budget and new laws that may affect you or someone you know. If you are in need of any information or assistance, please feel free to contact me. Best wishes for a safe and happy summer.

Sincerely,

Vivian E. Cook

2011-2012 NYS BUDGET HIGHLIGHTS

Assemblymember Cook announced details of the 2011-12 final state budget. The budget cuts state spending by \$3 billion over last year, closes the state's \$10 billion deficit, restores vital programs, and focuses on job creation.

"Very difficult choices had to be made to close a \$10 billion deficit," said Cook. "We worked with Governor Cuomo to ensure that the state's fiscal burden did not fall disproportionately on working families."

Investing in Education

The final budget increases education funding by \$272 million SFY over the executive budget proposal. The restorations include \$230 million for general support to public schools, bringing the total to \$19.6 billion in the 2011-12 school year. The final budget also includes a two-year appropriation for school aid, providing an \$800 million increase in the 2012-13 school year.

"I fought for restorations to soften the sharp cuts because we simply can't afford to abandon our public schools," Assemblymember Cook said. "We owe our children the best possible opportunities, which is why I support a two-year appropriation for school aid that provides for at least an \$800 million increase in next year's budget."

Protecting Universal Pre-Kindergarten

The Assembly continues its long-standing commitment to Universal Pre-Kindergarten by maintaining funding in the final budget at \$384 million in 2011-12 and 2012-13.

"It's been proven time and time again that early learning gives children a leg up for years to come," said Assemblymember Cook. "That's why the Assembly remains committed to preserving and improving this vital program."

Special Education Cost-Shift Rejection Brings Relief to School Districts

The 2011-12 budget rejects the executive proposal to reclassify state-supported schools for the blind and deaf as approved private schools for students with disabilities, which would include changing their funding structure, appointment process, and student-eval-

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Assemblymember Cook welcomes Friends of Rochdale Village Library on their lobby day in Albany as they shared how important the library is to the community and to personally thank her for her continued support.

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uation procedures, as well as a cost shift to school districts and taxpayers. This is a full reimbursement from the state.

In addition, the budget restores \$57 million SFY to the Summer School Special Education (4408) program, which reflects an \$86 million restoration to school districts on a school-year basis.

The budget also restores \$34.6 million in state support for the Committee on Special Education residential placements, reducing the burden placed on school districts by the executive budget.

The final budget also:

- allows reimbursable aids to grow by \$315 million;
- maintains Employment Preparation Education at \$96 million;
- maintains Teachers of Tomorrow funding at \$25 million;
- maintains Extended Day/School Violence Prevention program funding at \$24.3 million;
- maintains bilingual education funding at \$12.5 million;
- maintains Adult Literacy Education funding at \$4.3 million;
- maintains the Teacher Mentor Intern program at \$2 million;
- maintains Adult Basic Education funding at \$1.8 million; and
- increases funding for the School Lunch and Breakfast Program to \$33.1 million, an increase of \$800,000 over last year.

In addition, the budget:

- rejects the executive budget proposal to transform Building Aid from a reimbursable aid to a competitive grant program;
- rejects the executive budget proposal to change BOCES aid reimbursement rates; and
- rejects the executive budget proposal to eliminate reimbursement for certain non-instructional services within BOCES.
- Two new competitive programs, the School District Management Efficiency Awards and the School District Performance Improvement Awards, are included, yet modified, in the budget to increase district-wide accountability and performance.

The final budget also allows school districts and BOCES to transfer excess funds from Employee Benefits Accrued Liability Reserve programs to offset cuts in order to maintain educational programming.

The budget continues within Foundation Aid: magnet school; attendance improvement and dropout prevention; and teacher support aid. Additionally, the final budget continues existing provisions for the Teachers of Tomorrow program in New York City.

“We made every effort to protect our most precious investment,” said Assemblymember Cook. “Economies recover, but not without an educated workforce.”

Preserving Higher Education Investments

The 2011-12 state budget makes key investments in SUNY and CUNY, ensuring New York’s colleges and universities can continue to provide a quality, affordable education while gainfully employing thousands. The budget restores \$18.1 million for base aid

to community colleges, \$12.9 million for SUNY, and \$5.1 million for CUNY for a 40 percent restoration.

“Our public colleges and universities are high-quality and affordable. This budget builds on that reputation, keeping New York a leader in public higher education,” stated Assemblymember Cook.

SUNY

The final budget restores \$60 million to SUNY hospitals to continue graduate medical education training and boost critical health care services for surrounding communities. The budget also restores 39 percent of the proposed base aid cut, or an \$88 per Full Time Equivalent restoration, for a total of \$13 million for SUNY community colleges. In addition, the budget provides new procurement guidelines for SUNY that will allow SUNY colleges and the SUNY Construction Fund additional authorization to purchase services without prior approval from the attorney general or the state comptroller.

CUNY

The final budget restores 39 percent of the proposed base aid cut, or an \$88 per Full Time Equivalent restoration, for a total of \$5.1 million for CUNY community colleges. In addition, the budget provides new procurement guidelines for CUNY that will allow CUNY colleges and the CUNY Construction Fund additional authorization to purchase services without prior approval from the attorney general or the state comptroller.

Tuition Assistance Program and Other Aid

The final budget ensures that students who attend public community colleges receive the maximum award from the Tuition Assistance Program (TAP). TAP awards annual grants of up to \$4,000 to eligible New York residents. The grants are based on income and do not have to be paid back.

The budget also restores \$900,000 to the High Needs Nursing Program, \$653,000 for SUNY childcare centers, and \$544,000 for CUNY childcare centers.

“Every day, New York’s higher learning institutions provide top-notch educations to our students, helping them create their own paths to successful careers. It’s vital that we continue to grow and improve our colleges and universities so we can ensure that each student is acquiring the best education possible,” stated Assemblymember Cook.

Creating a Permanent Low-Cost Power Program

A permanent replacement for the Power for Jobs program is included in the final budget legislation approved by the Assembly. Recharge New York is a sustainable and predictable energy program for businesses and not-for-profits designed to protect and create jobs, and encourage new capital investments.

“A long-term, low-cost power program is well overdue,” Assemblymember Cook commented. “The Power for Jobs program, which started in 1997, was only meant to be temporary. This new, permanent solution will allow for strategic planning for local business owners and for those looking to relocate to our state, assuring them that low-cost energy won’t just disappear when a program sunsets.”

Under Recharge New York, the New York Power Authority (NYPA) will provide 910 megawatts of low-cost power to businesses and not-for-profits that commit to job creation and retention and capital investment goals. Qualified applicants will receive power purchase contracts of up to seven years, providing the certainty needed by businesses to make long-term investments and workforce commitments. To ensure energy efficiency, Recharge New York customers will be required to undergo energy audits. Current Power for Jobs customers who don’t qualify for an award of Recharge New York power will be phased out over a four-year period.

Excelsior Jobs Provides an Additional \$1.25 Billion in Needed Tax Credits

The Excelsior Jobs program was established in 2010 to boost job creation and provide investment incentives to businesses in strategic industries across the state, such as manufacturing, high-tech, and clean-energy jobs. The 2011-12 budget



Assemblymember Cook is pleased to meet with United Black Men of Queens Young Men’s Alliance as they proudly share how important the UBMQ mentoring program has been a positive influence in their lives.

strengthens the program by enhancing tax credits and improving the program's responsiveness.

The budget extends the program's tax benefit period from 5 to 10 years and provides a jobs tax credit equal to the product of gross wages paid and 6.85 percent. Over the next decade, the program will double, which will give businesses the stability they need and provide \$2.5 billion in total relief. The final budget also increases the Excelsior Research & Development tax credit from 10 percent to 50 percent of the taxpayer's actual federal research and development credit, and bases the Excelsior Real Property tax credit on the value of a property after improvements.

"Although recent figures show that the unemployment rate is slowly dropping, there are still many hardworking residents looking for work," stated Assemblymember Cook. "Making our state more business-friendly will attract new jobs and new capital to our state."

Creating Jobs Through Targeted Local Economic Development

The 2011-12 budget provides funding for Regional Economic Development Councils across the state. The councils, chaired by the state's lieutenant governor, will help create a region-based approach to allocating \$130 million in state funds over two years for economic development.

"The goal of these new Regional Economic Development Councils is to speed up the creation of jobs and get New Yorkers back to work. Each region of the state has its own economic strengths and weaknesses. Region-based councils can better support economic development and business-assistance programs that fit the needs of each area," stated Assemblymember Cook.

The final budget also restores or maintains funding to a number of targeted economic development initiatives, including:

- Main Street Program (\$2.2 million)
- Community Development Financial Institutions (\$1.5 million);
- Entrepreneurial Assistance Program (\$1.3 million); and
- Minority and Women-Owned Business Development Lending Program (\$635,000).

Assemblymember Cook commented, "Investments like these serve a number of important functions. They drive job growth in important sectors of the economy, create a more business-friendly environment in the state, and give New York a competitive advantage in essential fields like science and technology."

The final budget also restores \$3.9 million for employment and training programs, including the Displaced Homemaker Program and the Jobs for Youth Program. Also restored is \$15.5 million for the Summer Youth Employment Program, which last year supported 10,154 summer jobs for young people statewide.

Protecting Senior Programs

The final budget restores funding to a number of targeted State Office for the Aging (SOFA) initiatives, including:

- Congregate Services Initiative – \$403,000;
- Elderly Abuse Education and Outreach – \$245,000;
- Retired and Senior Volunteer Program – \$216,500;
- Community Empowerment Initiative – \$122,500;
- Enriched Social Adult Day Centers – \$122,500
- EAC/Nassau Respite – \$118,500;
- Regional Caregiver Centers for Excellence – \$115,000;
- Foster Grandparent Program – \$98,000;
- NY Foundation Home Sharing – \$86,000;
- Long Term Care Senior Respite – \$71,000; and
- Patients' Rights Hotline – \$31,500.

The final budget also provides for a full restoration of the NY Connects program that would have been eliminated in the executive budget.

"The programs that the State Office for the Aging provides



Assemblymember Cook meets with Dr. Marcia V. Keizs, President of York College, faculty, and students on their annual lobby day in Albany to discuss tuition and funding.

NEW LAW WILL MEAN ACADEMIC EXCELLENCE FOR SUNY/CUNY

Tuition assistance credits will keep college in reach for low- and middle-income students

Assemblymember Cook announced the Assembly passed legislation she supported that will provide the resources for funding SUNY's and CUNY's ambitious academic agenda and expanding the colleges' role as economic engines in our communities (A.8519). The legislation is expected to be signed into law by the governor. "It's important to give our universities the ability to make the improvements needed to compete with colleges elsewhere and become driving forces in our economy, but we also need to protect student access to affordable education," stated Assemblymember Cook.

The agreement maintains the state's financial support of the SUNY/CUNY system and stabilizes tuition increases to a fixed, five-year increase of \$300 per year to go into effect for the fall 2011 semester, preventing the threat of unpredictable hikes that have been common in recent years. The initiative is expected to generate an additional \$27.2 million for CUNY and \$43.3 million for SUNY in the first year alone and is to go directly to the universities, not other state programs.

Additionally, the bill creates a tuition credit for New York-resident students who receive Tuition Assistance Program (TAP) awards, ensuring those students most in need of financial assistance aren't put at a further disadvantage. So, for example, students who receive a maximum TAP award would have 100 percent of the tuition increase credited and those receiving 50 percent of the award would get half of the increase credited. The tuition credit would be applied to a student's tuition and tuition would not be due until the credit is applied. SUNY and CUNY would also be required to review current TAP award levels and eligibility criteria, and make recommendations on how to improve the program to meet the future financial aid needs of students.

Assemblymember Cook declared, "It's crucial that students have access to a high-quality, affordable college education. If the SUNY/CUNY system falls behind, so will our students. This legislation ensures that a college education remains financially obtainable for our children and ends the worry of large tuition hikes, all while providing SUNY/CUNY with the means to compete with other institutions by allowing them to make facility improvements, hire well-qualified faculty and not run the risk of program cuts. This measure will help SUNY/CUNY continue to attract and produce the top leaders of tomorrow."

Under this legislation, out-of-state undergraduate tuition at the four university centers could increase up to 10 percent over the previous year, pursuant to the university centers' NY-SUNY 2020 Challenge Grant proposal and subject to the approval by the governor and SUNY chancellor. This legislation also includes a maintenance of effort provision where the state would be required to provide SUNY and CUNY with the same amount of operating support at 2011-12 levels, including fringe benefits, unless the governor declares a fiscal emergency.

As part of the NY-SUNY 2020 Challenge Grant Program, \$140 million in capital funding will be provided to SUNY university centers in Albany, Binghamton, Buffalo, and Stony Brook. Each university would be eligible to receive \$35 million—\$20 million administered by the Empire State Development Corporation and \$15 million from SUNY's construction fund reserves—by submitting a detailed, long-term academic economic proposal subject to the approval of the governor and SUNY chancellor.

are crucial in aiding our elderly population,” said Assemblymember Cook. “That’s why my colleagues in the Assembly and I fought to restore this vital funding. We must help New York’s vulnerable seniors and support those who care for them.”

Saving NYC Senior Centers

New York City senior centers have played a key role in improving the lives of seniors in communities throughout the city. That’s why the 2011-12 budget restores \$25 million of Title XX discretionary funds to these centers.

“We had to make a lot of tough decisions in this budget, but protecting the quality of life for our seniors is vital. We have an obligation to care for those who have made lifelong contributions to our communities and we must continue providing them the services they need and deserve,” said Assemblymember Cook.

There are a number of XX senior centers in Southeast Queens. These establishments provide nutritious meals, health and wellness activities, and social events for seniors.

Preserving Vital Family and Disability Programs

The final budget has \$9.4 million in restorations to the Office of Temporary and Disability Assistance (OTDA) initiatives, including:

- Child care demonstration projects (\$3.3 million);
- Wage Subsidy Program (\$950,000);
- Settlement Houses (\$500,000);
- ACCESS – Welfare to Careers (\$250,000);
- Supplemental Homelessness Intervention Program (\$205,000);
- Emergency homeless (\$176,000);
- Refugee resettlement (\$102,000);
- Disability Advocacy Program (\$98,000); and
- Caretaker relative/kinship (\$51,000).

Funding for four homeless housing-support programs under OTDA will be consolidated, with a total appropriation of \$25.9 million. These programs include:

- Homeless Intervention Program;
- Homelessness Prevention Program;
- Single Room Occupancy; and
- Operational Support for AIDS Housing.

Also included in the final state budget is \$15 million for a new program for homeless individuals and families in New York City.

Critical funding is restored to the Office of Children and Family Services. The final budget includes restorations in prevention programs, including:

- Home Visiting, which allows New York State to maintain eli-



Assemblymember Cook is seated at her desk in the Assembly Chamber with Mr. Wayne Jackson, Sergeant-at-Arms. The Chamber is where Assembly Members vote on legislation that may become law.

gibility for federal funding from the health care reform package (\$23.2 million);

- Youth Development & Delinquency Prevention/Special Delinquency Prevention Program (\$14.1 million);
- Community Offices Preventive Services (\$12.1 million);
- Runaway and Homeless Youth (\$2.3 million);
- Settlement Houses (\$450,000); and
- Kinship (\$338,000).

“It’s crucial that we provide adequate funding to help those citizens most in need, including seniors, at-risk youths, and children with special needs,” said Assemblymember Cook. “The health and well-being of the most vulnerable members of our society should never be sacrificed.”

Shoring Up Housing Programs

The final budget restores \$4.2 million to the Neighborhood Preservation Program and \$1.7 million to the Rural Preservation Program, ensuring critical housing, economic development, and community renewal efforts aren’t neglected when they’re needed most. The budget also rejects an executive proposal to merge the Neighborhood Preservation and Rural Preservation programs, a move that would have negatively impacted the effectiveness of each program.

“Never before have these programs been so indispensable,” Assemblymember Cook stated. “Put simply, with these programs intact and well-funded, our families stand a better chance of finding and keeping roofs over their heads.”

“MOVE OVER” LAW PROTECTS POLICE OFFICERS, FIRST RESPONDERS

Every day, thousands of New York State’s law enforcement officers and emergency workers risk their lives to serve and protect us. As citizens of this state, we have an obligation to protect them in return. That’s why I supported the “Ambrose-Searles Move Over” law, which requires motorists to move over and slow down when approaching an authorized vehicle with emergency lights flashing, parked on a New York interstate highway or parkway (Ch. 387 of 2010).

For many, the practice of slowing down and changing lanes for emergency vehicles is a routine and common-sense procedure that has been incorporated into their regular driving habits. Unfortunately, not everyone has adopted this practice on their own, and after hearing the stories of two police officers, whom this law is named for, I felt I should help support and promote this law.

In 2002, New York State Trooper Richard Ambrose’s patrol car was struck by an intoxicated driver during a routine traffic stop on the New York State Thruway in Yonkers. The driver was driving an SUV and traveling in excess of 80 miles an hour.

Upon impact, Ambrose’s car exploded in flames, and Ambrose was killed inside the vehicle. In 2003, Onondaga County Deputy Sheriff Glenn M. Searles was assisting a motorist whose vehicle had gone off the road. While exiting his car, Deputy Searles was struck by another motorist, pinning him against his patrol car. Deputy Searles died from his injuries.

Recently, many roadways across the state have been posting messages regarding the new law on highway advisory signs, and officers have begun ticketing for this offense. So far, state police have issued 865 tickets under the “Move Over” law. Each offense carries a fine and/or jail time, as well as two points on the driver’s license.

With its high speeds, hazardous conditions, and sometimes inattentive drivers, highways can be among the most dangerous environments faced by law enforcement officers and first responders. They need to be able to perform their vital duties without fear of harm from other motorists. In short, this law helps keep them safe, so they can keep us safe.

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