



# Assemblymember Vivian E. **COOK**



## Reports to the People

Spring 2022

Dear Neighbors:

As I reported in an earlier newsletter, the 2022-2023 New York State Budget was adopted on April 9, 2022. I am privileged to serve as the Ranking Majority Member on the Assembly Ways & Means Committee, the Committee which must consider and pass all finance-related bills before they can be considered before the full Assembly. We worked very hard this year to ensure that the Budget included critical funding for programs and services that will allow our State to begin to recover from the devastating effects of the recent pandemic and move forward with a strong foundation for economic growth.

During the Budget process, I was chosen to serve on the 2022 General Budget Conference Committee on Education. As we move our state forward, our children, parents, and teachers all need and deserve a significant investment in their future successes. I have always believed in putting New York's families and children first and this budget takes that promise to heart, by increasing school aid by \$2.1 billion over last year's budget, providing essential funding for mental health services for students, delivering nearly \$3 billion for childcare, and working to ensure that all who want a college degree can afford to continue beyond high school by closing the TAP gap and investing in the future of our public college system.

This newsletter provides a continued summary of budget highlights that I began in a previous edition. As always, my door is always open to our community members and I enjoy hearing from you. My office is located at 142-15 Rockaway Boulevard, Jamaica. We can also be reached by phone at 718-322-3975. It has been my privilege to represent our community during the recent budget negotiations, and throughout my tenure as your representative in the New York State Assembly. I hope to continue to honorably represent you in the future.

Sincerely,

Vivian E. Cook  
Member of Assembly



Assemblymember Cook poses with Assemblymember Clyde Vanel, Queens County District Attorney Melinda R. Katz, and Assemblymember Edward C. Braunstein in the Assembly Chamber.



Assemblymember Cook meets with community members from Friends of Rochdale Village who traveled to Albany for Library Advocacy Day. Over the years advocates from across New York State have come to Albany to voice their support for libraries. The Assemblymember has been a strong supporter of library funding throughout her tenure in the Assembly.



Assemblymember Cook talks with longtime community activist Bilal Karriem.



Assemblymember Cook meets with members of the Medical Society of Queens on Physician Advocacy Day. Members of the Society travel to Albany to discuss their legislative concerns related to promoting and protecting the health and well-being of New Yorkers.



Assemblymember Cook meets with a delegation of York College Nursing students and faculty during the NYS Nurses Association Lobby Day in Albany.

# 2022-23 BUDGET INVESTMENTS

After two years of unprecedented interruptions and uncertainty, New Yorkers now face rising inflation and continued fallout from the devastating economic impacts of COVID-19. Assemblymember Cook and her fellow Assembly Majority Members understood that this year's state budget presented them with a unique obligation to both address past losses and to provide adequate investments to improve the future prospects of all New Yorkers as the state moves forward.

"My Assembly Majority colleagues and I understand that New York State's economic recovery depends on the prosperity of our working families. Now, more than ever, New Yorkers

are struggling with the rising costs of their basic needs like groceries, gas, utilities, and childcare. This budget has given us the opportunity to deliver real economic relief where it is desperately needed," stated Assemblymember Cook, "I believe that this budget both addresses our many immediate financial concerns and provides an investment in our future that will give all New Yorkers a firm foundation for a brighter tomorrow."

The following budget highlights provide additional information on specific programs and funding that could not be included in a previous newsletter due to space constraints.

## *Supporting Local Governments and Bolstering Economic Development*

- Provides \$754 million for local governments in Aid and Incentives for Municipalities (AIM) program funding, which includes \$715 million in unrestricted AIM for cities (excluding New York City), towns and villages
- Provides \$39 million for various local government efficiency programs
- Provides an additional \$1.37 million for the Minority- and Women-Owned Business Enterprise (MWBE) Development and Lending Program for a total of \$2 million to cover additional services and expenses
- Allows the siting of up to three downstate casinos and requires the establishment of local community advisory committees, which must solicit public comment and hold public hearings on casino applications

## *Offering Relief to Tenants and Homeowners, Helping Families Pay Utility Arrears*

- \$4.5 billion for a new five-year affordable housing capital plan
- Provides \$1 billion for Affordable Rental Housing
- Allocates \$1.1 billion for the Emergency Rental Assistance Program (ERAP) and Landlord Rental Assistance Program (LRAP)
- Provides \$350 million in capital funding for NYCHA
- Provides \$50 million for public housing outside New York City
- Includes a \$15 million increase to the Homeowner Protection Program (HOPP) for a total of \$35 million
- Allocates \$35 million, an increase of \$10 million over last year, for the Legal Representation for Eviction Cases Program to provide legal services and representation during eviction cases for renters living outside of New York City who cannot afford to pay for counsel during eviction proceedings
- Provides \$250 million to weatherize and electrify units
- Provides \$250 million for residential gas and electric utility arrears
- Includes \$120 million for existing Mitchell-Lama Preservation Programs
- Includes \$100 million in funding for the Housing our Neighbors with Dignity Act (HONDA) to convert distressed hotels or other commercial properties into affordable housing
- \$100 million for additional Mitchell-Lama repairs and homeownership programs
- \$7 million for the construction of rental housing with under 20 units
- \$2 million in additional funding for the HOPE/RESTORE program for a total of \$3.4 million to help keep seniors in their homes
- \$41 million in federal funding for flooding victims of Hurricane Ida

## *Investing in Environmental Conservation Efforts and Electric Vehicles*

- Allocates \$4.2 billion to the Environmental Bond Act of 2022, which will be on the ballot for voter approval in November and includes:
  - \$1.5 billion for climate mitigation
  - \$1.1 billion for restoration and flood risk reduction
  - \$650 million for open space conservation and recreation
  - \$650 million for water quality projects
- Increases municipal stormwater grants by \$100 million
  - This would come from funds previously unallocated within the Environmental Bond Act
- Provides \$400 million for the Environmental Protection Fund (EPF), an increase of \$100 million over last year's state budget
- Includes \$20 million for the third installment of a five-year, \$100 million program for electric transit buses
- Provides \$17 million for the electrification of the state vehicle fleet, toward a goal of full electrification by 2035
- Requires that all new school bus purchases be zero emissions by 2027 and all school buses on the road be zero emissions by 2035
  - Schools will continue to be reimbursed through transportation aid
- Provides an additional \$23 million to New York State Energy Research and Development Authority (NYSERDA) to fund, among other initiatives, the Charge NY Program, which aims to get more electric cars and trucks on the road
  - Funding will be used for charging stations installed at public, workplace and multi-unit dwelling parking lots
- Makes improvements to the freshwater wetlands regulatory program
- Makes it easier for communities to help clean up their neighborhoods by increasing the purposes of grants available under the Brownfield Opportunity Area (BOA) program

## *Enhancing Transportation Systems and Roadways Across the State*

- Provides \$6.17 billion for Metropolitan Transportation Authority (MTA) transit assistance, an increase of \$993 million – or 19.2% – over last year's budget
- Includes a \$32.8 billion, five-year Department of Transportation (DOT) Capital Plan, which is an increase of \$5.3 billion or 21% from the previous five years of the capital plan
- Provides \$6.1 billion over a five-year span for capital aid to localities funding, which is an increase of \$2.1 billion, or 54%, over the previous five-year capital programs
- Programs under this funding include:
  - \$538.1 million for the Consolidated Local Street and Highway Improvement Program (CHIPs) and \$39.7 million for the Marchiselli program
  - \$200 million for BRIDGE NY and \$150 million for PAVE NY, which rehabilitate and replace worn-out bridges and repave roads impacted by extreme weather conditions, improving safety for drivers
- \$100 million for the State Route NY program, which reimburses cities, villages and towns for capital project costs on New York- or U.S.-signed state touring routes that run through them
- \$100 million for Extreme Winter Recovery program, which helps municipalities recover after harsh winters and severe weather events by providing reimbursements for storm-related damages
- \$100 million for a new "Pave our Potholes" local program
- Increases upstate transit operating assistance by \$8.5 million, or 17.4%, over last year

## *Investments in the Criminal Justice System*

- The discovery reforms enacted in 2019 required that the prosecution file a "certificate of compliance" once they have turned over the required discoverable materials to the defendant and that any additional discovery turned over after this initial filing be accompanied by a supplemental certificate of compliance
  - This was so that a defendant receives information related to their case prior to the proceedings moving forward to ensure their right to a speedy trial
- To reinforce the intent of the original law – that while there are certain specified deadlines for disclosing discovery there are also anticipated and unanticipated delays in providing material that should not be the sole basis for dismissing a case – changes in the budget will:
  - Clarify that the validity of the original certificate of compliance will not be impacted when additional discovery is disclosed – and therefore impact the speedy trial clock – if the prosecutor made good faith and diligent attempts to obtain the discovery prior to the filing of the initial certificate
- Require that a party notify the opposing party as soon as practicable if they are aware of any potential defect or deficiency with either an original or supplemental certificate of compliance so that it can be remedied
- Provide that any challenges to a certificate of compliance or supplemental certificate of compliance be heard as soon as practicable
- Removes the requirement that a prosecutor in a non-criminal action must aggregate discoverable material and provide it 15 days before trial, but will have to produce it upon request
  - The judge must advise an individual of their right to make a motion to request such material at their first appearance in the action

## *Further Investments in the Criminal Justice System*

- Includes \$40 million for district attorneys' offices for additional staff, expanded storage capabilities and new and updated technology to help prosecutors handle increased discovery requirements
  - \$25 million is provided in capital funding for databases and equipment
- Restores \$17 million to support criminal justice programs, including re-entry programs, community dispute resolution centers, community-based organizations, civil or criminal legal services and crime prevention programs
- Provides an additional \$5 million for Alternative to Incarceration (ATI) programs throughout New York State, bringing the total amount of funding to \$24 million
- Provides an additional \$5 million for pretrial services including job placement programs, drug treatment and counseling, for a total of \$15 million in funding
- Provides \$50 million in capital grants for equipment, technology and facility renovations to better support probation and parole services and re-entry programs
- \$300,000 for the Assembly's share of Edward Byrne Memorial Justice Assistance Grants (JAG), which is the primary provider of federal criminal justice funding for state and local governments
- \$10 million for services to combat hate crimes
- Provides an additional \$2.1 million for the NYS Defenders Association for total funding of \$3.4 million
- Allocates \$1.2 million for Prisoners' Legal Services for total funding of \$3.4 million
- Provides \$609,000 for domestic violence-related civil and criminal legal services providers
- Provides \$600,000 for immigrant legal services and \$147,000 for rape crisis centers
- Restores \$4.2 million to the Legal Services Assistance Fund (LSAF), \$2.83 million for civil and criminal legal service grants, \$770,000 for domestic violence and veterans' legal services and \$600,000 for the indigent parolee program

# 2022-23 Budget Invests in Our State's Future

## Helping Businesses and Our Economy Move Forward

- Provides \$6 million within the Innovation Venture Competition program to create Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) matching grant programs
- Includes \$200 million for market and shovel-ready sites within the Regional Economic and Community Assistance program
- Adds \$1.4 million for the Centers of Excellence, resulting in all centers receiving \$1 million regardless of when they were established
- Adds \$5.2 million for the Centers for Advance Technology (CAT) program, resulting in each CAT receiving \$1.25 million
- Provides support for reentry programs within the Workforce Development Grant Program
- Provides \$250 million to create a refundable tax credit for small business COVID-19-related expenses, with a minimum credit of \$1,000 per business
- Increases the small business subtraction modification from 5 to 15 percent of net income, and expands the benefit to include pass-through entities with less than \$1.5 million in gross income, providing a \$100 million tax cut for New York small businesses
- Extends the Hire-a-Vet Tax Credit to maintain the enhanced benefit for hiring a disabled veteran and further expands program eligibility to include the National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps and the Commissioned Corps of the U.S. Public Health Service
- Reopens the Restaurant Return-to-Work Credit
  - The current credit is limited to \$50,000 per employer, which is the equivalent of 10 jobs added from April 1, 2021, to Dec. 31, 2021
  - The state budget reopens this program to allow employers to claim the credit for between 10 and 20 full-time equivalent (FTE) positions added over the same period
  - Also allows the state to expend the remaining amount available under the \$35 million program cap and allows the remaining \$15 million to be spent under the program
- Includes a measure allowing restaurants to sell to-go cocktails and other alcoholic beverages for the next three years, with the following stipulations:
  - Requires to-go drinks only be sold with substantial food purchases
  - Beverages must be sold in a sealed container
  - Prohibits restaurants from selling full bottles of wine or liquor

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