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5 Transcript of The New York City

6 CHARTER REVISION COMMISSION

7 General Session

8 Held on Monday, July 21, 2003

9 Bronx County Courthouse, Rotunda,

10 851 Grand Concourse,

11 Borough of The Bronx

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1 Hearing convened at 6:10 p.m.
2 P R E S E N T :
3 DR. FRANK MACCIAROLA, Chair
4 FATHER JOSEPH O'HARE
5 WILLIAM LYNCH, JR.
6 CELCILIA NORAT
7 STEVE NEWMAN
8 DR. MOHAMMED KHALID
9 ANTHONY CROWELL
10 ALAN GARTNER
11 PATRICIA GATLING
12 VERONICA TSANG
13 JERRY GARCIA
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1 MR. LYNCH: Can we get started.

2 Those people who will be testifying this
3 evening, who want to testify, have to talk directly
4 into the microphone because the echo in here is
5 quite bad. Hopefully, we can hold the chatter down
6 because you can hear that echo in here at the same
7 time.

8 Before we get started, I would like to
9 have the Commissioners introduce themselves to
10 everybody who is here, starting to my right.

11 MR. NEWMAN: Steve Newman, and I am a
12 Commissioner from Queens.

13 FATHER O'HARE: Joseph O'Hare,
14 Commissioner from The Bronx.

15 DR. KHALID: Dr. Khalid, from Staten
16 Island.

17 MR. LYNCH: Bill Lynch, from Manhattan.

18 DR. MACCIAROLA: Frank Macciarola, from
19 Queens.

20 MR. CROWELL: Anthony Crowell.

21 MR. GARTNER: Alan Gartner, Deputy
22 Director.

23 MR. LYNCH: Commissioners Gatling and
24 Norat were here. But, I think when the other
25 Commissioners come in, we'll introduce them.

1 Before we get started with the formal
2 hearing, I just want to make two announcements.
3 Tomorrow night there will be a forum from 3:00 to
4 5:00 at the Brooklyn Public Library, in Brooklyn at
5 Grand Army Plaza. That forum will be on the conduct
6 of elections. On Thursday, from 4:00 to 6:00 at
7 Columbia Presbyterian, in Manhattan, there will be a
8 hearing for municipal procurement.

9 The first person to testify?

10 MR. GARTNER: The first person to testify
11 is George Spitz.

12 MR. LYNCH: George Spitz?

13 MR. SPITZ: Honorable Commissioners, I
14 want to point out that opponents of the Charter
15 amendments, those proposed so far, have a history of
16 opposing any change, dating back to the 1960s. The
17 one exception was the Charter change in '89, which
18 expanded the City Council and covered up the
19 contracting process so the public could not get a
20 good handle on no-win contracts that had gone up
21 from 2.8 --

22 MR. GARTNER: We need you to speak right
23 into the microphone, George.

24 MR. SPITZ: I want to point out that the
25 opponents to Charter Revision have generally opposed

1 any changes, good government changes, dating back to
2 the mid-60s, starting with the 1967 Constitutional
3 Convention. In fact, it took the language of the
4 U.S. Constitution and put it into the State Charter.
5 It did away with gerrymandering. It took the powers
6 of the -- it relieved the City of New York of
7 welfare costs, transferring to the state over a
8 ten-year period. Now, it did do away with an
9 amendment adopted in 1894, but that language had
10 been subdued by the U.S. Constitution.

11 Now, in '94, the Christian Coalition
12 changed New York and the Conservative Party held a
13 press conference denouncing the prospects of a
14 Constitutional Convention. They were joined by an
15 odd group, the Reformed Democrats, Elections and
16 Democratic Club. The same people, after the
17 Constitutional convention went down, voted to
18 support it, charter schools, which also made it a
19 public treasury. But, I want to point out that they
20 will do everything possible to stop change, whatever
21 you adopt. And don't restrict yourself just to this
22 non-partisan election.

23 You saw in the paper, The Times, of Denny
24 Farrell and Mike Long having lunch together to
25 discuss strategy. Here is a legal Democratic

1 conservative, nothing new in this. As I pointed
2 out, the Conservative Pparty, the Christian
3 Coalition, had changed New York going with the
4 Reformed Democrats, the so-called Citizens Action
5 that acted as a money-laundering outfit for the
6 teamsters. They will oppose anything. And give
7 them something to really be angry about, if you put
8 ballot access, make it easier to run for office,
9 Mike Long and Denny Farrell will be even more -- and
10 Betsy Gottbaum, will be even more furious. If you
11 put to the voters a really enhanced voter's
12 directory system, they'll be upset.

13 Don't forget ballot access when you're
14 making out your final revisions. And also, strongly
15 consider proportional representation because the
16 present voting machines will accommodate it. And if
17 you have proportional representation, groups that
18 are left out now, like Asians, Greeks, Bengalis,
19 Indians, will have some representation.

20 Thank you.

21 (Applause.)

22 MR. CROWELL: The next speaker is Dorothy
23 Williams Pereira.

24 MS. WILLIAMS PEREIRA: My name is Dorothy
25 Williams Pereira. I am the Legislative Vice

1 President of Decisive Action in Metropolitan New
2 York.

3 One of the things that is very important
4 to this organization that I belong to is access,
5 access of the public, all the public, inclusive, to
6 have a right to a vote that counts. I am very
7 disturbed about talk about holes in papers, whether
8 it should be touched, touching an ATM. I want to
9 know that everybody's vote is going to count, that
10 everyone is going to have access to getting counted.
11 I don't want to hear anymore about what happened in
12 Florida. I don't want to hear about how honest the
13 votes are in New York. I want these new machines to
14 ensure that we all get our votes counted, that we
15 all are able to have reasonable registration, and
16 that those who are disabled and those who are
17 disabled by language also have a right to get their
18 votes counted.

19 I want to also talk about better access,
20 about candidates having a right to win and not
21 having stupid technicalities like throwing people
22 off by letters that are dependent on whether the
23 mail gets there. Maybe we should require that the
24 Board of Election not only probably get elected so
25 that they are not a part of this whole two-party

1 process, because this two-party process has gotten
2 out of hand. And I think that's what we're talking
3 about here. We're really not talking about giving
4 access to people to vote. We're having a fight over
5 who is going to have the power over who is going to
6 get to vote, and it's very dangerous. It's not a
7 respect for the public. It's a battle between
8 parties. It's a battle between parties controlling
9 other parties.

10 We have to get a fair election that gives
11 the people a right to get the kind of representation
12 that they want. And that's not what's happening
13 now. The gerrymandering, the crossing county lines
14 and bodies of water when you're making your city
15 councils, the voter directory that doesn't have all
16 the candidates in it, debates that don't have all
17 the candidates debating. We want the public to have
18 the right to know who is running and what they stand
19 for and how they are going to represent the people
20 when they are in office.

21 Thank you.

22 (Applause.)

23 MR. CROWELL: The next speaker is Doug
24 Muzzio.

25 MR. MUZZIO: Thank you.

1 In my earlier comments before the
2 Commission today, I talked about one of the
3 potential perverse consequences of the proposals put
4 forth by the staff to the Commission, and that was
5 that in light of the campaign finance laws, that, in
6 fact, you may be empowering the Democratic party
7 leadership and enhancing their ability to get to
8 impact the outcome of elections.

9 What I would like to do in the brief time
10 that I have today, I would like to -- and submit
11 more extensive written testimony later -- look at
12 one other perversity in what I would call the paltry
13 and poor data that appeared in the staff report, and
14 just point out some of the failures and omissions of
15 that data.

16 The second example of what I would call
17 the law of perverse consequence that might affect
18 the work of this Commission, I turn to page -- Roman
19 number II of the staff report, where it argues that
20 the court principles include increasing access to
21 voters and enhancing and promoting participation in
22 the electoral process among racial and political
23 groups whose participation heretofore has been
24 limited or precluded. Now, what that statement says
25 to me is that operationally, the goal of the

1 Commission is to both increase overall voter turnout
2 and increase minority voter turnout. Let's look at
3 those two propositions in light of the available
4 evidence and apply the logic.

5 If you look at the staff report, the
6 imperial evidence, their examination of the academic
7 literature extends over four pages that cover a half
8 century of study on non-partisan elections. In
9 fact, the staff report focuses on one review article
10 written -- published in 1986 by Carol Gazelle and
11 only one other citation after 1986, and that's a
12 1991 municipal yearbook report. There are more than
13 a dozen studies that impact directly on the
14 questions before the Commission. And, inexplicably,
15 every one of them point to conclusions antagonistic
16 to the findings of the report; a long incumbent
17 impact; Republican bias; turnout effects; et
18 cetera. It is highly, I would say, suspect that
19 every study after 1986 is ignored and the vast
20 majority of those studies have produced antagonistic
21 results for the Commission.

22 Let me go to the first perverse
23 consequence, if I may. Expanding turnout and
24 particularly increasing previously underserved
25 constituencies, which sound an awful lot like the

1 protected classes in the Voting Rights Act. Let's
2 look at this. After the staff report was written,
3 the Quinnipiac University poll produces very
4 interesting results. It found that some six out of
5 ten voters in New York City found the party label
6 important in their vote decision and 41 percent
7 called it "very important." A point made repeatedly
8 by critics of non-partisan elections before this
9 Commission.

10 The bottom line is that party labels
11 provide voters with empirical information. What
12 this Commission will do by having non-partisan
13 elections is remove the most important assembly, if
14 not the most important piece, of information.
15 Removing information from the electoral system
16 violates all democratic theory and may violate the
17 Voting Rights Act.

18 Can I go ahead, with the permission of
19 the Commission, to continue my tirade?

20 MR. LYNCH: I just gave you 15 more
21 seconds.

22 MR. MUZZIO: In addition to these
23 perverse consequences, there are real factual
24 problems. Let me just mention one: The first
25 statement of the serious problems found by the

1 staff, on page, again, Roman numeral II, is that the
2 percentage of registered, who choose not to
3 designate a party membership, is rapidly increasing
4 among young and immigrant registrants. Where is the
5 data? It simply doesn't exist. The only data
6 that's quoted shows that 36 percent of blacks and
7 Hispanics are registered as Independent. Bad data.
8 The 2003 Hispanic Federation survey showed up with a
9 much larger number of Hispanics found in 2003, that
10 only seven percent of registered Hispanics are not
11 registered with a party. And last year the number
12 was six percent -- the last year the number was six
13 percent. So the numbers are low and it's not
14 increasing. So, factually, the evidence isn't what
15 the Commission thinks it is.

16 One of the mice out there is a phantom
17 mouse. It's a virtual mouse. And what will happen
18 is by removing the party label, you are decreasing
19 the information, particularly among blacks and
20 Hispanics because they found that the majorities of
21 blacks and Hispanics find the party label very
22 important in determining their vote.

23 I'm sorry. I thank you for your
24 indulgence and I would like to present a much more
25 detailed written rebuttal to the staff report at a

1 later date.

2 MR. NEWMAN: Professor, do you think --
3 does your view change if the party label -- if the
4 candidates are allowed to communicate the party they
5 belong to?

6 MR. MUZZIO: Let me step out of my role
7 as sort of an objective political scientist and get
8 into my role as snotty political analyst.

9 If this body goes along with the changes
10 suggested by the Mayor in his letter of last week, I
11 believe that you will lose all credibility. You
12 have been arguing both individually in your
13 statement, both on the record and in articles
14 written, that the party labels and party
15 designations are crucial. To put them back on, I
16 think, is a capitulation to the Mayor.

17 Clearly, the Mayor, along with his
18 Communications Director, read the Quinipiac poll,
19 read The Times poll, read their own polling and
20 found out that voters think it's a bad idea to have
21 non-partisan elections and they need the party
22 label. So they cynically say that candidates can
23 put their own party name, but, Steve, that's a
24 self-designation, that's bogus. I can call myself
25 whatever I want. In the current system situation,

1 to be called a Democratic, you have to win a
2 primary. You just don't go on the ballot and call
3 yourself a Democrat.

4 So, I think, on a substantive level, it's
5 bogus. And, politically, it's a mine field, and it
6 would be a mistake.

7 MR. NEWMAN: If you read the transcripts
8 of the prior hearings, you will discover that it was
9 discussed by the Commission before the Mayor's
10 letter.

11 MR. MUZZIO: Well, I would like to see
12 that reflected then in the staff report, which gives
13 absolutely no cognizance whatsoever to including
14 party labels. It looks like an ad hoc capitulation
15 to political analysis, if I may be so bold as to say
16 that.

17 Thank you for your indulgence.

18 MR. CROWELL: Council Member Oliver
19 Koppell.

20 MR. LYNCH: We've been joined by three
21 other members of the Commissioners.

22 Pat, I've asked the Commissioners to
23 introduce themselves.

24 MS. GATLING: Pat Gatling.

25 MS. NORAT: Cecilia Norat.

1 MS. TSANG: Veronica Tsang.

2 MR. GARCIA: Jerry Garcia.

3 MR. KOPPELL: Thank you. Good evening,
4 ladies and gentlemen of the Commission. First, let
5 me thank you for coming to The Bronx to hear
6 testimony here. And to sort of apologize on behalf
7 of The Bronx for the fact that there is no air
8 conditioning and that requires both these very noisy
9 fans and a rather uncomfortable situation. We've
10 really got to do something to remedy this. But,
11 many of you know me and I know many of you, and it's
12 a very distinguished group, and I greatly
13 appreciate, quite honestly, your service in this
14 regard, even though you may come out differently
15 than I might or will on this subject.

16 I think I bring a -- by the way, how much
17 time do I have?

18 MR. LYNCH: I'll signal you.

19 MR. KOPPELL: I bring, I think, somewhat
20 of a unique perspective to this because as some of
21 you may know, I was elected originally in 1970, in a
22 special election, running not as a Democrat, but to
23 fill a vacancy, but running on an Independent line
24 where I actually picked the label on my own, but I
25 did have -- in the special election in those days,

1 and still today for state office, you do have
2 parties, but you don't have a primary. I think
3 that's in a sense the worst of all worlds, even
4 though I won. So, I certainly don't recommend that.
5 I think that's one of the questions, Steve, that you
6 asked. I don't recommend that because to have to
7 run as an Independent and have the party control
8 who's the candidate of the party, really stacks the
9 deck. And no one thought I would win, and we did
10 anyway, but, it was an anomaly. So, notwithstanding
11 my success, I don't recommend that at all. I think
12 it's very important to have a party primary to
13 choose the candidate of the party.

14 Another way that I am perhaps different
15 than many is that I remained an Independent Democrat
16 and I've been that for 30 years. And more years
17 than not, I've been in clear opposition to the party
18 organization in The Bronx on many issues and
19 oftentimes that opposition was a very public matter.
20 I was a reformer, they were regulars. Nonetheless,
21 I oppose non-partisan elections for a number of
22 reasons.

23 First of all, I still believe that there
24 are differences between the viewpoints of major
25 parties. And when you elect someone to an important

1 office, a city office, people should know which
2 particular point of view you are going to probably
3 represent. You can't be sure, but you can be pretty
4 sure that if you are elected as a Democrat, you will
5 follow, in broad aspects, the policies of the
6 Democratic party. If you are elected as a
7 Republican, you'll follow, in broad ways, the
8 philosophy of the Republican party. And I might, in
9 this regard, point out that Mayor Bloomberg,
10 although for most of his life apparently was a
11 registered Democrat, now having become a Republican,
12 he has fund raising parties for George Pataki, he
13 welcomes George Bush. He's really become a
14 Republican and he supports Republicans. And
15 supporting Republicans, he, of course, has to
16 support most of their policies. And that's okay, he
17 was elected as a Republican.

18 If we go into one of these non-partisan
19 elections, we don't know where the candidate is
20 going to come out on very important issues. I think
21 it's important for people to know are they electing
22 a Democrat or a Republican or perhaps, in some
23 instances, electing an Independent. And that can
24 certainly happen, but, then they don't have any
25 preconception that that person who is an Independent

1 is going to align themselves with a major party.

2 Furthermore, I think the primaries make
3 the process democratic. And since we have a
4 primarily Democratic City, and we've got to look at
5 it that way, we've got to see what does the primary
6 -- what is the likely result of those primaries?

7 And one thing that is pretty clear is that in
8 Democratic primaries, after many years when minority
9 groups were essentially frozen out, they are now
10 achieving success. We saw the success of David
11 Dinkins. We saw the success of William Thompson in
12 the last election. And we almost saw success in
13 Freddie Pereira, an Hispanic candidate. So now,
14 just when the Democratic party is beginning to allow
15 minorities to gain the nomination of that party, I
16 think changing the rules at this time is clearly
17 antagonistic to their point of view, even though the
18 current system didn't result in a minority candidate
19 being elected.

20 I dare say that minority candidates do
21 not want to see themselves lose the party label.
22 And we know how people are registered, and we know
23 that in an open non-partisan election it is likely
24 that minorities will have less influence
25 percentage-wise than they do in a Democratic

1 primary. And given the fact that we're five-to-one
2 Democrats, the history of the last decade is an
3 anomaly. The fact that we've had Republican mayors,
4 it's really an anomaly and it's unlikely to
5 continue.

6 I think party labels mean something. I
7 think they make money a less important factor, not
8 unimportant, but less important. I think the
9 possibility of wealthy candidates being advantaged
10 in a non-partisan election is there. And I note
11 that I think the Mayor is now pulling back somewhat
12 from his recommendation that the next election
13 should be held this way. But, regardless, it's not
14 an issue of Mike Bloomberg, it's an issue of what's
15 the fairest and best system. And I suggest that a
16 system of non-partisan elections by de-emphasizing
17 the role of the party, makes the role of money even
18 more important. And it's too important under the
19 current system.

20 Now that I am here, I want to mention one
21 other subject -- one minute -- and that is -- and
22 I've written to the Chairman about it, and that is
23 the need to have an Independent Police Investigation
24 and Audit Board. It's something the City Council
25 voted for overwhelmingly twice, and it was struck

1 down by the courts, because the courts held that the
2 Charter had to be changed to provide for a truly
3 Independent Police Investigation and Audit Board.

4 I have brought copies of my letter to the
5 Chairman that recommends this change. I would
6 earnestly hope that the Commission would consider
7 this. As I understand the law, the Council can't
8 put something on the ballot if you have a resolution
9 on the ballot, a charter change. So, it has to come
10 from you.

11 As I say, the Council voted
12 overwhelmingly for this. Admittedly, the Mayor, the
13 past and the current Mayor, have created a
14 Commission. I think it's a toothless tiger, and one
15 example of how toothless it is is that it still
16 hasn't issued its 2002 report. I must admit it
17 issued reports every other year, but it seems to
18 have felt that it has become so unimportant now that
19 it hasn't even issued its report for last year. We
20 need an Independent Police Investigation and Audit
21 Board. The history of the Mollen Commission and the
22 Commissions before it show that we need this
23 independent board. And I hope the Commission will
24 consider its creation.

25 MR. LYNCH: Thank you, Councilman.

1 DR. MACCIAROLA: It has been assembled
2 for the Commission.

3 MR. KOPPELL: Good. I'm glad. I would
4 urge you to consider it and I remind you again that
5 the City Council, on a very broad basis, voted for
6 this proposal, twice.

7 MR. NEWMAN: If you don't support
8 non-partisan elections, do you support open
9 primaries as a way to get more people involved in
10 the electoral process?

11 MR. KOPPELL: No, I do not, because I
12 think, again, the party labels mean something, and
13 to allow Republican or Conservatives or anyone else
14 to influence the choice of the Democratic party, in
15 my view, is a mistake. We've seen that happen in
16 other states, either positively or negatively. That
17 is, they either come in because they want a
18 particular candidate or they come in and support
19 someone because they want to beat a particular
20 candidate, I think that's a bad idea.

21 Thank you very much for your attention.

22 MR. GARTNER: The next speaker is Luana
23 Rodriguez.

24 MS. RODRIGUEZ: How do you do,
25 Commissioners? I've been before the Charter

1 Commission twice. And I've testified in front of
2 you once before. My name is Luana Rodriguez. I am
3 a candidate for City Council, in the 15th Council
4 district, in The Bronx. I am not a professor. I am
5 not an academia. I'm just a doer. And I am a
6 community activist and I do for my community.

7 I hear what they are saying, but I know
8 that when you are in the trenches, you have to truly
9 realize that it's not as easy as saying that there
10 is a wealthy mayor backing this. The only people
11 that are wealthy in my community are county
12 Democrats. They have all the resources available to
13 them so that anyone who is an insurgent or anyone
14 who is another Democrat, does not have the ability
15 to get in.

16 I don't want party labels. I don't think
17 it's fair. I think most people, especially
18 community activists that are doing business, that
19 voters know, that residents know, that actually live
20 in the districts that they want to be a candidate
21 for, do not need a party label. People know who
22 they are. They know who's doing the work in that
23 community. It shouldn't have to be blindly
24 labelled.

25 Mr. Muzzio had said, or had written

1 actually, one of my favorites lines from Yogi, but
2 what he doesn't know is that Yogi and I both know,
3 being in The Bronx, that it's not that it's a better
4 mouse trap we're talking, it's a really good one
5 using the non-partisan elections because here in The
6 Bronx, we have to catch some really big rats.

7 (Applause.)

8 MS. RODRIGUEZ: So, I thank you. I thank
9 you. I thank you. And I also want to say one other
10 final comment, and that is 2005 has to be the year.
11 It has to be. You have to give it to us. You have
12 to give it to us. Let us vote on it. Give it to us
13 as soon as possible and watch the City rebuild
14 itself with clean, honest candidates that want to be
15 here and want to do. So, I thank you.

16 (Applause.)

17 MR. GARTNER: Assembly Member Dinowiz.

18 MR. DINOWIZ: Good evening, everybody. I
19 want to thank all of you for being here and
20 participating in this. I know it's not an easy job.
21 I know you don't get paid a whole lot to do it. I
22 can't say I want to compliment you on your choice of
23 location. I'm sure it never occurred to anybody
24 that during the month of July, it might be a good
25 idea to have this in an air-conditioned location,

1 But maybe next year, when we have another Charter
2 Commission you'll think about that.

3 The fact is, I think we've had a Charter
4 Commission many times over the past several years
5 under our Republican mayors, and it's because, I
6 guess, they are looking to accomplish a particular
7 goal. I wanted to talk about the issue of
8 non-partisan elections. Now, I won't be affected by
9 whatever you do because you can't change my
10 elections. I don't think that I'm partisan unless
11 you change the State Constitution.

12 Partisan elections, I believe that the
13 historians among you would know best, are probably
14 as old as the Republic going back to the days of
15 Thomas Jefferson and John Adams. It's almost
16 un-American to get rid of partisan elections. But,
17 I am not accusing you of being un-America. It seems
18 that in times and places where the Democrats are in
19 charge, the Republicans try to change the rules in
20 order to elect their own people. I believe that's
21 what happened in the 90s, or the 80s, I guess the
22 90s when term limits took effect in many states.
23 Democrats controlled Congress. Democrats were in
24 control in many levels of government. So the only
25 way they thought they could get rid of the incumbent

1 was to change the rules and term limit them out of
2 office. But, of course, when they took office some
3 of them did not want to continue to be term limited.
4 In fact, a number of people who were elected to
5 office on the basis that they supported term limits,
6 no longer supported it once their turn came.

7 I think the same thing is sort of true
8 here. As a general rule, the Republicans in New
9 York City don't do so well. And I think there is a
10 reason for that. Most people don't like the
11 Republican party and what it stands for.
12 Notwithstanding that fact, we've elected two
13 Republican mayors. The fact is on most levels of
14 government, whether it's borough president or City
15 Council or other citywide positions, Democrats have
16 done well. So, I believe that the effort to
17 eliminate partisan elections is nothing more than an
18 effort to elect Republicans, period. It's not an
19 issue of good government, it's an issue of electing
20 Republicans and that's what this move is all about.

21 I was looking through the material that
22 was sent out and I just wanted to comment quickly on
23 some of it. It said here, at the Commission's
24 recent hearings, 80 percent of the witnesses
25 testified in support of non-partisan election. And

1 those that testified in opposition were mostly
2 elected officials. I'm not really sure who the
3 elected officials were or why that matters. I think
4 elected officials certainly have a right to have
5 their points of view heard. They represent their
6 constituents.

7 It talks about the percentage of
8 registrants who chose not to register in a party as
9 a number that's increasing. People have every right
10 to not register in a party, but, if they don't
11 register in a party, then they shouldn't complain
12 when they can't vote in the primary. The primary,
13 after all, is not something which is unique to New
14 York City, although the move to eliminate partisan
15 elections is unique to only areas where Democrats
16 control, and that's throughout the country and
17 Republicans want to take office.

18 In terms of candidates not facing serious
19 opposition in November, well, that's not the fault
20 of Democrats. If the Republican party can't put up
21 candidates that most people think are worthwhile
22 supporting, then perhaps that's why the Democrats
23 face little opposition. But, if you don't think
24 it's good that the Democrats face little opposition,
25 then maybe they should get different candidates

1 running for the Republican party, rather than try to
2 change the rules.

3 We have passed numerous reforms in the
4 state Legislature in recent years to increase ballot
5 access. I mean, we've done virtually everything but
6 eliminate the petition process. But I'm not clear,
7 you are saying how non-partisan elections will
8 change that process, since you also say that we are
9 going to continue having the petition process. So
10 whether it's non-partisan or partisan, if you are
11 going to continue to have petitioning, then changing
12 the process to non-partisan isn't in and of itself
13 going to increase ballot access.

14 As far as party bosses having too much
15 power, you may be right on that, but, it's people
16 like me that have fighting party bosses. And
17 whether you have a Republican party boss or a
18 Democratic party boss, a boss is a boss.

19 You indicate that there should be two
20 rounds of elections held. For mayor, right now, we
21 have as many as three rounds. It seems to me
22 eliminating elections and eliminating opportunities
23 for people to vote is not the way to increase
24 participation. I am not clear on how partisan
25 elections, and specifically non-partisan elections

1 will have a difference in turnout. In November, you
2 have a Democrat and a Republican and whatever other
3 party decides to run on the ballot, and I am not
4 sure that there is any particular reason why turnout
5 is limited because you have more than one party
6 represented. In a non-partisan election you can
7 conceivably have two people from the same party on
8 the ballot, and that's no reason to assume that
9 that's going to increase turnout. If you look at a
10 recent Council special election, one in Brooklyn
11 recently, a Republican got a small percentage of the
12 vote and almost won because that candidate was
13 running against many Democrats. You could easily
14 have a situation where you have a first round
15 voting, you have many candidates from one party,
16 probably Democrats, and the two candidates from the
17 other party, probably are Republicans, and you can
18 end up with two Republicans on the ballot in
19 November, and no Democrats. I hardly think that's
20 appropriate.

21 I think that if our overall goal is to
22 increase turnout, then there are other ways to do
23 it. I believe that non-partisan elections have
24 shown no history of increasing turnout to other
25 places around the country. If you have two strong

1 candidates, two candidates who have real support,
2 you are going to have a strong turnout in November.

3 So, I would say, in summary, my time is
4 almost up, that I would hope that we do not put this
5 on the ballot, despite some of the statements Mayor
6 Bloomberg made recently making it slightly less
7 offensive; the fact is that this is a partisan town.
8 You have a right to be part of a party, and this
9 type of scheme is nothing more than an effort to
10 elect more Republicans on the local level.

11 Thank you very much.

12 MR. LYNCH: Any questions?

13 (No response.)

14 MR. LYNCH: Thank you.

15 MR. GARTNER: The next witness is Eric
16 Stevenson.

17 MR. STEVENSON: Good evening,
18 Commissioners, members of the Board.

19 I am Eric Stevenson. I ran for New York
20 State Assembly two times in Bronx County. The
21 reason that I am here is that I support a
22 non-partisan election system. I think it's a just
23 thing for the masses of people of New York City.
24 What I've experienced was a very unfair and unjust
25 process. I was denied.

1 The Democrats have a monopoly on the
2 Democratic party here; not just in Bronx County, but
3 in New York City, period. And I think if you would
4 like to see a just system, political system, in the
5 City of New York for the people in the City of New
6 York, then it's only right that we have a system
7 that removes party labels and have non-partisan
8 elections.

9 I don't need Democrats. Non-partisan is
10 not going to change the way of my party from
11 believing in a true democracy, not what we have here
12 today. I don't believe it's a democracy because we
13 have a group of people who have a monopoly on our
14 political party. And the Democrats, they shouldn't
15 have to fear losing those party labels if you are
16 going to be a just candidate. What are they running
17 from? A label is not what makes you. If you run
18 for the people and you prove to the people that you
19 are a just and right candidate, it shouldn't matter
20 who you are, where you are from or what's your
21 neighborhood.

22 So I am here to say that I am in support
23 of non-partisan elections. I am a life-long
24 Democrat. My father was life-long Democrat. My
25 grandfather served in the New York State Assembly

1 through the Democratic party. As I said, you have
2 nothing to fear if you are a just candidate. So, I
3 suggest you break up partisan elections. Let's
4 implement non-partisan elections now, as soon as
5 possible. And let's get it rolling in 2003 and have
6 it started in the next election by 2004. And I
7 support it 100 percent.

8 Thank you.

9 (Applause.)

10 MR. GARTNER: The next witness is Ann
11 Noonan.

12 MS. NOONAN: I have a different topic to
13 address, aside from the voting ballot. I've been
14 before the Commission. I came to speak to the
15 Commission in May about a proposal to revise the New
16 York City Charter to eliminate the Office of the
17 Borough President.

18 On May 29th, during the Commission's
19 meeting at St. Francis College in Brooklyn, I was
20 very happy to hear you, Chairman Macciarola, say
21 that your Commission owes it to the public to have a
22 hearing on the issue of revising the New York City's
23 Charter to eliminate the borough president. I
24 encourage this Commission to act courageously on
25 this issue.

1 Last summer I submitted a proposal to
2 revise the New York City Charter to eliminate the
3 office of the borough president. My initial reason
4 for this proposal focused on the need to eliminate a
5 position which is a mere vestige of its former role.
6 The City's slow but steady progress toward one man,
7 one vote cannot be reached without the elimination
8 of that office, which offers a disproportionate
9 representation of citizens living in the boroughs.

10 During these serious times of budget cuts
11 and more budget cuts to come, it is essential these
12 tax dollars are used for services that New Yorkers
13 need. It seems unfair to young children who need
14 text books, homeless families in need of shelter,
15 senior citizens in need of daily meals to try to use
16 those resources to pay for the Office of the Borough
17 President.

18 I encourage this Commission to schedule a
19 hearing so that the people of the City can share
20 their concerns and determine how this change will be
21 implemented in order to allow for the orderly
22 transfer of the functions and duties currently
23 delegated by the City Charter away from the Office
24 of the Borough President.

25 I respectfully place this proposal

1 between your recommendation and your report, place
2 this issue on the ballot before the current Borough
3 President's terms expire, but prior to the next
4 election of Borough President so that the voters can
5 continue to participate in the governance of New
6 York City.

7 I'm done. Thank you very much. I'm glad
8 you selected this location. Contrary to the words
9 of two of my elected officials who sat here, this is
10 a beautiful place and I am very happy that we're
11 here today.

12 Thank you very much.

13 (Applause.)

14 MR. GARTNER: Pedro Espada.

15 Lenora Fulani.

16 (Applause.)

17 MS. FULANI: Good evening, Mr. Chairman,
18 and members of the Commission.

19 Well, we've all wanted to intensify the
20 public dialogue on non-partisan elections, and it
21 seems as if we have done that over the past couple
22 of days, which is a good thing.

23 Last week, Mayor Bloomberg recommended
24 that the final proposal for non-partisans to allow
25 party affiliations to appear on the ballot,

1 alongside a candidate's name. While I believe that
2 the Mayor is well intentioned in making this
3 suggestion, I think in this case, he is extremely
4 ill-advised.

5 The fundamental goal, and I repeat,
6 fundamental goal, of a non-partisan system is to
7 create a voting process that is neutral and label
8 free. Everyone agrees that parties and candidates
9 should be allowed to exercise their powers of
10 persuasion. The issue is where should this take
11 place? Non-partisan elections makes a critical
12 distinction between campaigning and voting. The
13 premise of a non-partisan system is that parties and
14 partisanship are best kept separate from the voting
15 process, itself.

16 This is not a novel premise. The need
17 for that separation is why electioneering is
18 currently prohibited less than 100 feet from the
19 entrance to the polling site. Those big, blue signs
20 indicate not merely a law, but a principle, that
21 partisan campaigning should be restrained as a voter
22 is making his or her final choice. Non-partisan
23 elections are a step forward because this reform
24 strengthens that restraint while opening the process
25 to more voters and candidates all in the interest of

1 fairness, a level playing field and greater
2 democracy.

3 The idea that we can implement a
4 non-partisan system while allowing partisan labeling
5 to resurface in the voting booth is, in a word,
6 ridiculous. It's the political analogue to being "a
7 little bit pregnant." I assure you, there is no
8 such thing. In coming up with a proposition that
9 would go on the ballot, the Commission should
10 present a genuine offering to the voters, not one
11 that is "a little bit non-partisan."

12 We all understand that the proposal to
13 allow party affiliation to appear on the ballot is a
14 nod to the Democratic party machine, which has
15 paraded the idea that New Yorkers, particularly
16 black and Latino New Yorkers, need partisan labels
17 to be able to vote in their own self-interests.
18 Besides the obvious paternalism of the statement,
19 the position always struck me as illogical and
20 inconsistent. Self-interest, by definition, must be
21 determined by the self, not by others who are
22 marketing a particular product or brand name; in
23 this case, the Democratic party.

24 If the Commission is genuinely interested
25 in supporting the self-interests of black and Latino

1 New York, then you will give black and Latino New
2 York the opportunity to vote on a genuinely
3 non-partisan option and not one that's tainted by
4 partisan maneuvers and politics.

5 Thank you.

6 (Applause.)

7 MR. GARTNER: John Baxter.

8 MR. BAXTER: Good evening, Commissioners.

9 After listening to some of the speakers,
10 I feel compelled to abolish some of my speeches that
11 I made here. First, on the Assemblyman, it's almost
12 impossible to believe that an assemblyman can come
13 up here and talk about history that has absolutely
14 no relevance at all on what we're doing here
15 tonight. As a matter of fact, the history he spoke
16 about was not true. There were no political parties
17 back in the time of George Washington and Mr.
18 Jefferson. So here he is telling me --

19 (Applause.)

20 MR. BAXTER: I would like to get some of
21 my speech in, but I have to chime in a little bit on
22 the woman who spoke about the borough presidents. I
23 agree with her 100 percent. There is no need for
24 borough presidents anymore. This is a time of
25 crisis, a time which we need money. Why do we have

1 to spend so much money on borough presidents? The
2 borough president's office has no power ever since
3 the Board of Elections was abolished on August 10th,
4 1990 because it was unconstitutional. This is
5 something that the Mayor should dream about. Look
6 at the ground under their feet. Look at the money
7 that they are spending. Look at the beautiful
8 buildings that have been turned around into schools.
9 Look at the staff that they employ. It's time for
10 them to change. It's time for them to go.

11 Now, for my little speech on unfixing
12 democracy. Our system is broken and it needs
13 fixing, or perhaps I should say, our electoral
14 system is fixed and it needs to be broken up.
15 However you word it, our entire political system
16 needs change. One of the major goals of the
17 Independence party is to reform the way our
18 political system has been operating. We're here
19 today to promote non-partisan elections.
20 Non-partisan elections gives power to the people.
21 Power of a real democracy. After all, what kind of
22 democracy are we running when we deny the people the
23 right to decide for themselves who will represent
24 them in public office?

25 When voters go to the polls these days,

1 they are voting for someone who has already been
2 hand picked by the local politicians. That selfish
3 and outdated, broke way of governing is fixed. Deep
4 down inside every politician knows it needs
5 unfixing, but none of them are willing to put the
6 wishes of the people above their own desire for
7 power. That is not democracy.

8 There is another way. Non-partisan
9 elections will allow the people to decide who speaks
10 for them. And more than likely, the ones chosen to
11 speak for the people will be the ones who actually
12 listen to the people.

13 We must ask ourselves, why are people so
14 disappointed in government? Why don't they turn out
15 to meetings? Why don't they turn up at the polls?
16 It was embarrassing to watch the School Board
17 election. People didn't vote because they knew the
18 candidates were political hacks, who hold the
19 politicians' interest and not the interests of our
20 children. Ah, the days when thousands of citizens
21 routinely turned up at a public hearing. In fact,
22 if it wasn't for the politicians showing up and
23 patting each other on the back and posing for photo
24 ops, we wouldn't bother to open the doors and let
25 anyone in.

1 Of course, there are the obligatory
2 public hearings where people speak their minds to
3 each other, long after the politicians have left the
4 building. But given the current system, the
5 politicians can't help themselves. They are too
6 busy trying to please the power brokers and can't
7 take the time to listen to the people they allegedly
8 represent.

9 How much time do I have?

10 MR. LYNCH: About ten seconds.

11 MR. BAXTER: Non-partisan elections would
12 change all politicians and they would have to listen
13 to the needs of their constituents, or, be voted out
14 of office. Voters would see that their votes do
15 make a difference and they would feel they are an
16 important part of democracy.

17 MR. LYNCH: Time's up.

18 MR. BAXTER: Thank you very much.

19 (Applause.)

20 MR. GARTNER: First name is Joseph, last
21 name I'm not sure. But, Joseph?

22 MR. BARBER: Good evening, Chair
23 Macciarola, and members of the Commission.

24 My name is Joseph Garber. I am a civic
25 activists. And I would like to continue discussing

1 my comments which I commenced on July 17th, relative
2 to government reorganization.

3 On page 13, I was very glad that you
4 mentioned the concept of the Commission on public
5 information and communication. It is very important
6 that city agencies publicize their meetings. I
7 would suggest that this Commission study all of the
8 city agencies that are enumerated in the City
9 directory, the green book, to see how they
10 particularly publicize public meetings. In the New
11 York City Housing Authority, every second Wednesday
12 there is a Board meeting which takes place at 250
13 Broadway on the 12th floor, at 10:00 a.m. However,
14 they do not publicize properly.

15 In addition, you can only speak with
16 what's on the calendar. When I tried to correct a
17 technical mistake on the calendar, the Chairman of
18 the Housing Authority became quite upset and said
19 that I could not correct a technical mistake. That
20 is definitely wrong.

21 In addition, I believe that the
22 Commission staff should study the official directory
23 of the City of New York and compare line by line the
24 enumerated functions of the respective agency and
25 see, if under the Charter, the description of the

1 function of that agency, the green book has left out
2 some functions or sometimes there are some functions
3 contained there that are not in the City Charter.

4 On page five of the Executive Summary of
5 the book of partisan elections, I agree with the
6 concept of the Voter's Guide. I think you should
7 continue, irrespective of what type of elections we
8 have.

9 On page 11 of the Executive Summary, it
10 states, "We need greater governmental
11 accountability," which I agree. This is needed
12 irrespective of what type of election process we
13 need. I would also like to suggest the Commission's
14 staff review the classical textbook, Sayer and
15 Kaufman, "Governing New York City," which discusses
16 in detail, I recall from 30 years ago when I studied
17 it, I still have the book, partisan elections and
18 non-partisan elections.

19 Thank you. I will continue, God willing,
20 at the next session with more incisive remarks.

21 (Applause.)

22 MR. GARTNER: Barbara Jones.

23 MS. JONES: Good evening. My name is
24 Barbara Jones. I am here today to talk about the
25 need for reform in the election process as it

1 concerns the requirements for a candidate to get on
2 the ballot in New York City.

3 The petitioner guidelines are not
4 transparent for candidates who seek to meet the
5 requirements of the laws and guidelines and
6 regulations for obtaining signatures and presenting
7 the petition package to the Board of Elections.
8 Real reform in the election process in New York City
9 would make all employees of the Board of Elections
10 members of the competitive classification for City
11 employees. There has to be total freedom from any
12 outside pressure on employees of the Board of
13 Elections, no matter what that employee's position.
14 At this point in time, in New York City, it is not
15 enough for a candidate to campaign in her or his
16 area. We must put aside thousands of dollars to
17 respond to challenges which are bogus, but cannot be
18 simply responded to at the Board. We must hire a
19 lawyer.

20 Access to the ballot should be realizable
21 for anyone who follows the laws and not be blocked
22 by a maze of complex and burdensome restrictions,
23 which are really the equivalent of a poll tax for
24 candidates, a tax to keep people from running for
25 office. Democracy in The Bronx elections should be

1 as much a priority as it is in Iraq or Bosnia or
2 other nations in the world that our own government
3 promotes.

4 (Applause.)

5 MS. JONES: The local elections in the
6 Borough of The Bronx are important to its residents.
7 Under the current system, though, most people are
8 locked out, voters and candidates. Whether
9 elections are partisan or non-partisan, that is not
10 the barrier for bully-free elections.

11 I hope that the Charter Revision
12 Commission would work to make all voting entities
13 responsive to the voters and not to a few organized
14 vested interests. Our freedom and liberty are at
15 stake.

16 Thank you very much.

17 (Applause.)

18 MR. LYNCH: Any questions?

19 MS. JONES: I have written remarks on the
20 campaign finance and vote counting system that I'll
21 submit to you because I can't go to tomorrow's
22 meeting.

23 MR. GARTNER: Jillynn Stevens.

24 MS. STEVENS: I am afraid I am not going
25 to be talking about non-partisan elections either.

1 My name is Jill Stevens. We have over
2 240 member agencies, along with 100 affiliated
3 churches providing social services to all five
4 boroughs to more than two million New Yorkers.

5 The City of New York depends on
6 non-profit social service organizations to provide
7 services to its most vulnerable citizens.
8 Unfortunately, the City does not often demonstrate
9 good business practices in its procurement
10 procedures while partnering with human service
11 agencies to provide those services. Our member
12 agencies have found it increasingly difficult to
13 maintain service levels and provide quality care
14 because of the City's cumbersome and bureaucratic
15 procurement system.

16 The fiscal year 2002 Mayor's Management
17 Report shows that \$1.4 billion is 63 percent of the
18 \$2.2 billion worth of contracted services, better
19 known as retro-active contracting. In total, 4,404
20 human services organizations are registered
21 retro-actively, which represents 73 percent of all
22 human service contracts in fiscal year of '02. On
23 average, human services contractors did not receive
24 payment until 113 days after the date the services
25 began.

1 Retro-active contracting means the
2 agencies experienced a lapse in payment, while the
3 expenses and commitment to serve your clients
4 continues. Consequently, the cost of retro-active
5 contracting agencies isn't clear because the
6 majority of the agencies large operating costs occur
7 on a monthly basis, such as rent and utility
8 payments. Non-profits are unofficially expected to
9 extend services to clients on the start date of
10 their contract and payments have obviously being
11 delayed. Most contracts are either renewed
12 contracts or new contracts for the same provider to
13 do the service. While this has never been
14 acceptable, that is late payment.

15 The cash flow desperately hurts these
16 agencies. They are trying to get paid loans. And
17 the interest payments they have to make are
18 unreimbursed by the City. That delay in payment,
19 strains the relationship with their creditors as
20 payments are due within the 90 days. And as a
21 result of that, they lose their ability to negotiate
22 lower prices in the future. They have staff cut
23 backs, depending on the number of clients they
24 serve, and there are site closings.

25 MR. LYNCH: 15 seconds.

1 MS. STEVENS: Just to cut to the bottom
2 line, here. On behalf of the agencies, we thank you
3 for the staff report to the Commission and urge the
4 Commission to make the needed Charter amendment for
5 future procurement reform.

6 Thank you.

7 MR. NEWMAN: I just want to comment that
8 the Commission has been seriously looking into
9 procurement reform issue and does intend to make
10 suggestions.

11 MR. GARTNER: Robert Castellanete.

12 MR. CASTELLANETE: Good evening, ladies
13 and gentlemen. My name is Bob Castellanete. I am
14 here representing the Bronx Borough President,
15 Adolfo Carrion. If you don't mind, I would like to
16 read a very short statement by the Borough President
17 basically relating to non-partisan elections and
18 budget issues:

19 "While there are many points about which
20 one might argue or debate the current Charter
21 Revision proposal, it is a non-starter based upon
22 its primary assumption. By eliminating the primary
23 system of elections, it would eliminate one of the
24 pillars of American democratic genius that has
25 enabled the uniquely American debate over issues of

1 philosophy.

2 We cannot have two electoral systems in
3 America, one, a non-aligned, no-party system on the
4 local level and one, a Congressional two-party
5 system on the state and national levels. One
6 political system applies here in America.

7 "True, other cities have tried so-called
8 non-partisan elections, with mixed results. This
9 does not add up to a compelling argument to scrap a
10 system that for 250 years has been the world
11 standard to which democracies are held. Can we
12 afford to take that chance with the good governance
13 of a city of this size and complexity? I say no.

14 "Let's make no mistake about this, this
15 proposal would have a decidedly negative impact on
16 any voter interested in casting an informed ballot.
17 Party philosophy matters. We're not electing
18 bureaucrats, we are picking leaders.

19 "People believe in the political
20 philosophies of their parties and without the
21 designation of a party affiliation, and the exposure
22 that the primary system provides with respect to
23 candidates, voters might not know who the candidates
24 are and what they stand for. This is no way to
25 choose a leader, you just can't review resumes.

1 "What's more, an informed voter needs to
2 know who stands with a candidate as well as who the
3 candidate says he or she represents. An informed
4 voter wants to know who will assign their
5 reputations and fortunes to vouchsafe the claims of
6 someone seeking office. The party affiliation and
7 primary process go a long way to ensuring that a
8 candidate proves his or her words by introducing
9 those who believe in him or her.

10 "Without primaries, elections would
11 simply boil down to who has the greater ability to
12 raise or spend money for T.V. and news ads.
13 Obviously, this benefits the wealthier candidate.
14 By eliminating the primary process and the
15 opportunities it provides for a candidate to stand
16 out from the crowd, this proposal further enthrones
17 money as the most important in the political
18 equation.

19 "The heart of this city and this nation
20 lies in the immigrant experience, the rags to riches
21 sagas, the blending of the world's most beautiful
22 cultures. Any step that takes us away from those
23 roots is a step in the wrong direction. There is
24 nothing about this proposal that will further open
25 the political process, but there is much about it

1 that will close it to those without connections and
2 great financial resource.

3 "There are some other issues the borough
4 president would just like to quickly address.

5 "The budget crisis. Let's remove the
6 manipulation of the budget as a means of reforming
7 or changing New York City's government. Recent
8 mayors have cut budgets disproportionately to those
9 offices they have deemed unimportant. However, if
10 the have such convictions, let them play them out
11 openly and honestly without using the budget to do
12 what they cannot do openly and honestly. Budget
13 cuts for all independently elected officials should
14 be across the board, not targeted for political
15 expedience, no one elected official or group of
16 elected officials should have their budgets
17 disproportionately reduced as has been the case in
18 recent years for the Public Advocate and, now, the
19 Borough Presidents.

20 "On another point, Sections 102 and 211
21 of the Charter relate to Expense and Capital borough
22 allocations. Every year the definition of these
23 allocations is a major source of controversy between
24 the Borough Presidents and OMB. This controversy is
25 centered on the interpretation of what is or is not

1 considered a "new need." To avoid further
2 disagreements with respect to the various
3 interpretations of discretionary allocations, I
4 recommend the Comptroller, not OMB, certify the
5 actual dollar amounts of the discretionary
6 increases."

7 Thank you very much for listening to my
8 testimony. Oh, one other thing. The air
9 conditioning. Unfortunately, the Borough President
10 did include money in the budget for air
11 conditioning, but because of the budget constraints,
12 the money was removed. So, don't blame the Borough
13 President.

14 Thank you.

15 MR. GARTNER: Mr. Chairman, I don't have
16 any other names on the list of people who wish to
17 testify.

18 MR. RIVER: My name is on that list.
19 Robert River, Jr.

20 Good evening, ladies and gentlemen. It's
21 my pleasure to be here and have you people here in
22 The Bronx.

23 I was astounded when the councilman said
24 partisan elections is as American as apple pie. If
25 we continued along that thought, I would be calling

1 you, "Master." I would still be living south of
2 Canal Street, in the slave quarters. This is 2003.
3 My parents became Democrats in the Roosevelt era.
4 When I was born, I became a Democrat. The Democrats
5 have taken the African-American, the black, the
6 Latino, they have taken our vote for granted. It is
7 very difficult to run for election in The Bronx if
8 you are not a regular Democrat. I know. I tried
9 it. They beat me up. They got me off the ballot.
10 It's very difficult for people that are not endorsed
11 by the Democratic party in The Bronx to get on the
12 ballot, whether you want to be a Republican or not.
13 In my neighborhood, the Republican party has
14 acquiesced, they don't even try to field candidates,
15 in my neighborhood. So our only recourse is to do
16 what I did, become an Independent, and when they are
17 not looking, you slip in the door. But, the
18 Democratic party in my neighborhood is always trying
19 to keep people like me from getting on the ballot
20 and running for elections. And this is one of the
21 reasons that I am for non-partisan elections.

22 (Applause.)

23 MR. RIVAR: Because it will open up the
24 process to more people that are willing to run.
25 Because being a politician should not be a lifetime

1 gig.

2 (Applause.)

3 MR. RIVAR: We should not make it a
4 career. My understanding of politics is that it is
5 everyone, every American's duty to get in, make
6 change and get out. We had to go to term limits to
7 get rid of some of the politicians. They don't want
8 to leave.

9 The councilman complained about no air
10 conditioning in Borough Hall. This has always been
11 Borough Hall since I have been living in The Bronx.
12 We had 14 years of Freddy Periera. We've had years
13 and years of other people and they have not thought
14 to upgrade this beautiful building.

15 We need to open the process to let
16 younger people in, to let minorities in, to let
17 women in, so that we can change the face of politics
18 in New York City and the face of politics in The
19 Bronx.

20 Thank you very much.

21 (Applause.)

22 MR. LYNCH: Are there any questions?

23 MR. RIVAR: Thank you, Mr. Lynch. Have a
24 good evening.

25 MR. ORLANDO: Good evening. My name is

1 John Orlando, and I am the Vice President of
2 Operations for New Era Democrats.

3 I would like to address the Commission
4 tonight, not as the member of a political
5 organization, but as a registered voter of New York
6 City. I wish to give mention to distinguished
7 members of this panel that non-partisan elections
8 should be a referendum ballot in the November
9 election. My opinions and views on issues vary from
10 conservative to liberal, Republican to Democratic,
11 and sometimes Independent. I am not a staunch
12 advocate of any one political party, nor am I an
13 opponent to the party system. I do believe that
14 elected officials still possess the power to make a
15 difference. I do believe wholeheartedly that
16 competition inspires and motivates people to be the
17 best they can be.

18 The issue of non-partisan elections would
19 be a tremendous boost to the voters of this great
20 city. At a bear minimum, the new election process
21 would force candidates to reach out to new
22 constituencies and meet with a more diverse order.
23 Incumbency re-election rates are nearly 100 percent,
24 and new voters to register in other political
25 parties. The current system clearly favors

1 incumbency re-election. Incidentally, those most
2 opposed to changing the system are the people who
3 benefit the most, the current elected officials.
4 Also opposed, are the two parties who vote in
5 primary. Why would those two groups oppose a new
6 system? They would oppose a non-partisan system,
7 but they would benefit the most from that system.

8 Citywide there are over 825,000 voters
9 not registered in the two parties. No person will
10 ever convince me that those 825,000 voters would not
11 make a difference in the election process. To make
12 my point more clear, I point out the fact that in
13 the three previous mayoral elections with over 65
14 percent of registered voters enrolled in the
15 Democratic party, voters of this city have elected
16 and re-elected three consecutive Republican mayors.
17 Why? Because when all the voters of this city are
18 informed and solicited by campaigns from different
19 parties, they voted not for a party, but for an
20 individual.

21 Whether the choice is good or not, we
22 could spend several hours debating. The candidates
23 are not the issue, the choices are. Voters should
24 not be obligated to choose a political party on the
25 opportunity to participate in a primary. In

1 essence, if all voters had an opportunity to vote in
2 the primaries, there would be change in the number
3 of registrants in each political party.

4 The second most basic American principle,
5 in my opinion, of course, is the right to vote. Men
6 and women died over 225 years ago to give Americans
7 the simple right to vote. Even now, with all we
8 have fought for in this country, our citizens still
9 did not turn out to vote.

10 I do not believe voter turnout will be
11 lower in a non-partisan system. Let me explain why.
12 If candidates take the time to reach out to the
13 voters, they fair much better. Those over 825,000
14 other voters would happily shape and change the
15 political spectrum. At least all voters would have
16 a voice in the political process, because not having
17 a proper voice in the process is the greatest
18 contributor to voter apathy.

19 I do not expect a perfect system, but I
20 do demand a progressive one. I urge all
21 Commissioners to vote in support of non-partisan
22 elections. Most, importantly, this Commission must
23 provide the framework for such a system. Also, this
24 system can take effect immediately which would give
25 all candidates and incumbents at least two years to

1 adjust strategies.

2 Thank you very much.

3 (Applause.)

4 MR. LYNCH: Since there aren't anymore

5 speakers, do I have a motion to adjourn?

6 MS. GATLING: I move.

7 FATHER O'HARE: Second.

8 MR. LYNCH: All in favor, say "Aye."

9 (Chorus of "Ayes.")

10 MR. LYNCH: Meeting adjourned.

11 (Whereupon, at 7:33 p.m. the above matter

12 was concluded.)

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1 C E R T I F I C A T I O N

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4 I, KELLY FINE-JENSEN, a Registered
 5 Professional Reporter and a Notary Public, do hereby
 6 certify that the foregoing is a true and accurate
 7 transcription of my stenographic notes.

8 I further certify that I am not employed
 9 by nor related to any party to this action.

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12 KELLY FINE-JENSEN, RPR

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