

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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November 24, 2014

Start: 1:21 p.m.

Recess: 1:37 p.m.

HELD AT: 250 Broadway - Committee Room
16th Floor

B E F O R E: BEN KALLOS
Chairperson

COUNCIL MEMBERS:
David G. Greenfield
Mark Levine
Ritchie J. Torres
Steven Matteo

A P P E A R A N C E S (CONTINUED)

Steven Carbo, Director
Voting Rights and Democracy Initiatives e
Center for Popular Democracy

Peggy Farber, Legislative Counsel
Citizens Union

2 [background conversation]

3 [sound check]

4 SERGEANT-AT-ARMS: Quiet please.

5 CHAIRPERSON KALLOS: [gavel] Good

6 afternoon and welcome to this hearing of the

7 Committee on Governmental Operations. I'm Ben

8 Kallos. You can Tweet me at Ben Kallos. For all of

9 you watching online, how are you doing today?

10 We are considering two bills and one

11 resolution. Proposed Introduction 356-A by Council

12 Member Williams, and Proposed Introduction 493-A,

13 which I introduced with the help of my Counsel David

14 Seitzer; and a Preconsidered Resolution by Council

15 Member Williams. The two bills were heard in their

16 original form by this committee on October 23 and

17 subsequently amended. This legislation will improve

18 the City's agency-based registration law by expanding

19 its requirements to seven new agencies. And

20 requiring agency employees to assist registrants in

21 filling out the voter registration forms and mail

22 them into the Board of Elections upon request.

23 They will also improve our ability to

24 oversee implementation of this program by requiring

25 reporting, and by calling on the State to allow us to

2 go even further by requiring agency specific coding
3 on forms to track compliance. These bills are
4 possible, in part, due to the efforts of the
5 Coalition of Good Government groups that issued a
6 report last month on the City's dismal implementation
7 of this law. These are the Center for Popular
8 Democracy, Citizens Union, the Vernon Center and
9 NYPIRG, and the Asian American Legal Defense and
10 Education Fund. I thank them for their work on this
11 issue, and call any of them who are here to come up
12 and say a few words if they would like.

13 I for one am just glad that after 15
14 years, we have a progressive administration where we
15 can actually take this issue on, follow the Mayor's
16 Directive 1, where he already took leadership on
17 this, and really take this home, because it's been--
18 It was a great law when it was passed, but hopefully
19 these changes will really get us that last mile so
20 that we have the successful implementation that we're
21 looking for.

22 I would like to call up Steven Carbo from
23 the Center for Popular Democracy, and Peggy Farber
24 from Citizens Union of the City of New York. And I
25 just want to welcome Peggy. This is your first

2 hearing giving testimony, but Citizens Union has been
3 ever present I think at every single hearing of the
4 Governmental Operations Committee, which I also call
5 the Good Government Committee. And so, thank you
6 both for being here today, and please begin your
7 testimony.

8 STEVEN CARBO: Good morning, Chairman
9 Kallos. Thank you for this opportunity to testify
10 again on the Pro-Voter Law. My name is Steven Carbo
11 and I serve as the Director of Voting Rights and
12 Democracy Initiatives at the Center for Popular
13 Democracy. As CPD and its partners in the Pro-Voter
14 Coalition testified before this committee on October
15 23, the evidence shows that 14 years after its
16 enactment the Pro-Voter Law has been roundly ignored
17 by the municipal agencies subject to its provisions.
18 Likely, hundreds of thousands, if not millions, of
19 eligible voters were ever given the opportunity to
20 register to vote over the years perpetuating
21 regrettably low rates of voter registration in New
22 York particularly among lower income of color and
23 immigrant citizens. We, therefore, are very pleased
24 by the initiatives undertaken by this Committee to
25 correct course and pride municipal agencies to comply

2 with the Pro-Voter Law. CPD strongly supports all
3 three measures being considered today.

4 As for the Resolution, the current
5 Blanket Code signed the New York City Board of
6 Elections to every city agency distributing voter
7 registration forms frustrates oversight over agency
8 compliance with the law. It is essential that we
9 distinguish the forms given to one agency from those
10 given to another in order to assess the performance
11 of individual agencies and to take corrective action
12 when needed. The resolution before this committee,
13 which calls on the State Legislature to pass and the
14 Governor to sign legislation permitting the use of
15 coded voter registration forms specific to each
16 agency will greatly assist proper oversight over the
17 Pro-Voter Law, and facilitate agency accountability.

18 As for Intro 493, the legislation that
19 you have introduced, Mr. Chair, as amended represents
20 a great improvement of the Pro-Voter Law. We expect
21 that the mandatory agency assistance that it requires
22 to be provided to clients, and the completion of
23 voter registration forms commensurate with the
24 assistance provided in the completion of the agency's
25

2 own forms will help increase voter registration rates
3 as the Pro-Voter Law contemplated.

4 The integration of voter registration
5 applications into agency forms, an effective means of
6 ensuring that voter registration is not overlooked by
7 agency staff, was anticipated by the law many years
8 ago. We applaud the Chair's requirement that such
9 integration be completed by December 1, 2015, if not
10 sooner. The bill's directive that voter registration
11 forms be in the same language as agency forms will
12 benefit the large and increasingly diverse pool of
13 limited language proficient citizens served by
14 municipal agencies. The increase in agencies subject
15 to the Pro-Voter Law is also very welcome.

16 And as for the last bill, the legislation
17 introduced by Council Member Williams we believe that
18 it will also facilitate vigorous oversight over the
19 law. As with the resolution being considered today,
20 it calls for the regular recording of metrics vital
21 for assessing compliance with the Pro-Voter Law by
22 each agency. If enacted, it, too, will bring us
23 closer towards enhanced voter registration in New
24 York City.

2 Agency-based voter registration is a
3 powerful tool for increasing voter registration and
4 helping facilitate great citizen engagement in
5 elections. We applaud the Committee for its action
6 on the Pro-Voter Law, and look forward to continued
7 dialogue with the Committee and with the Council on
8 additional program enhancements in the months and
9 years ahead. Thank you.

10 PEGGY FARBER: Good morning, or good
11 afternoon, Chair Kallos and members of the
12 Governmental Operations Committee. My name is Peggy
13 Farber, and I am Legislative Counsel at the Citizens
14 Union, a non-partisan and good government group
15 dedicated to making democracy work for all New
16 Yorkers. We serve as a civic watchdog combating
17 corruption and fighting for political reform.
18 Citizens Union has long been active on the issue of
19 voter registration. And in May 2014, we and our
20 colleagues in the Pro-Voter Coalition began a review
21 of the City's compliance with agency-based
22 registration required under Local Law 29, and we
23 recommended changes to the City's program.

24 Using FOIL requests and site visits, the
25 Coalition determined that New Yorkers were not being

2 given the opportunity to register to vote by the vast
3 majority of agencies. Mayor de Blasio issued
4 Directive 1 in July 2014, which began the City on the
5 path toward compliance. And the Pro-Voter Coalition
6 has had encouraging meetings with the Administration
7 in recent months.

8 The Council's action to pass these two
9 important pieces of legislation, Intro 493-A and
10 Intro 365-A will ensure that New Yorkers have greater
11 opportunities to register to vote, and will also
12 codify some of the work being done by the
13 Administration. Citizens Union supports these bills
14 as meaningful steps to improve the Pro-Voter Law, and
15 to codify the important work of the Administration,
16 and we also support the proposed Resolution. We
17 thank Council Members Kallos and Williams for their
18 leadership on these bills with which we are closely
19 familiar. Citizens Union worked with Council Member
20 Williams on Intro 365-A, and are glad to see the bill
21 come to fruition.

22 Citizens Union encourages the Council to
23 continue to examine the Pro-Voter programs
24 specifically in the following areas: Opportunities
25 to use electronic voter registration to modernize the

2 process with requiring similar recording of voter
3 registration efforts by the City Clerk and the
4 community boards. And racking additional data such
5 as instances of individuals declining to register to
6 vote when receiving services as is collected under
7 the National Voter Registration Act. And that
8 concludes our testimony.

9 CHAIRPERSON KALLOS: Thank you very much.
10 I'd like to acknowledge that we are joined by Council
11 Member Steve Matteo who always receives the gold star
12 for early attendance, always. I would like to now
13 recognize Council Member Jumaane Williams, who is a
14 sponsor of Introduction 356-A.

15 COUNCIL MEMBER WILLIAMS: Thank you, Mr.
16 Chair, and thank you for your leadership on this
17 issue, and thank you for coming out and testifying.
18 Government has a responsibility to maximize the
19 potential of voters coming out, and voters
20 registration. And right now, it seems like only the
21 minimum amount is being done. The Center for Popular
22 Democracy published a recent report that found 84% of
23 visitors to government agencies were never offered a
24 chance to register. And 60% of the agencies didn't
25 even have a voter registration form in their office.

2 Further, 95% of the clients were never asked if they
3 wanted to register to vote.

4 Intro 356-A is in response to the fact
5 that our city agencies have not done as much as they
6 should be doing, and they have been required by law
7 to make voter registration easier. New York is 47th
8 in the nation in terms of participation. So we want
9 to do more in the Administration. I'm happy that the
10 Mayor put forth an executive order to do some of the
11 changes. This bill help conquertize that, and will
12 also make sure that the City Council gets the reports
13 as well. The Pro-Voter Bill works to improve
14 compliance of City agencies by individually coding.
15 The Pro-Voter works to improve compliance even though
16 it's not individually coding each registration form.
17 Each participating agency would then have to report
18 how many forms were given, and how many forms came
19 back. Then, the City Council can help do its job to
20 make sure that the agencies are doing-- are
21 following the law. It's clearly a huge problem
22 because all New Yorkers should be able to register to
23 vote with ease.

24 This Council's bill will basically give
25 us a better accounting of which agencies are giving

2 out the form, and which agencies are getting them
3 back. I want to thank the Citizens Union and the
4 Center for Popular Democracy, and other Good
5 Government Groups who have shown support on this
6 bill. Hold on one second, please.

7 [Pause]

8 COUNCIL MEMBER WILLIAMS: And
9 concurrently, we have a Reso out because state law--
10 And though I didn't necessarily agree with the
11 testimony that was given at the time of the bill that
12 state prohibited it. But the attorneys here at the
13 City Council, the great attorneys, persuaded me that
14 the testimony was correct. State law indeed
15 prohibits us from putting a barcode on each
16 individual registration card. So since State law
17 prohibits the City from putting individual agency
18 barcodes on voter registration cards, this resolution
19 we are introducing tomorrow will call on the State to
20 repeal the part of the law to ensure easier
21 identification when labeling these voter registration
22 forms. And I would like to thank the Chair for being
23 the co-sponsor on that piece of legislation, and for
24 his leadership on the issue altogether. Thank you.

25 [Pause]

1 COMMITTEE ON GOVERNMENTAL OPERATIONS

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2 CHAIRPERSON KALLOS: We are going to take
3 a brief recess and reconvene shortly.

4 [background discussion]

5 CHAIRPERSON KALLOS: [gavel] We are back
6 from recess. I would like to now call on the
7 Committee Clerk to call the roll.

8 CLERK: Kevin Penn, Committee Clerk, roll
9 call on the Committee on Governmental Operations,
10 Intros 356-A, 493-A, and Pre-Considered Resolution.
11 Council Member Kallos.

12 COUNCIL MEMBER KALLOS: Aye.

13 CLERK: Greenfield

14 COUNCIL MEMBER GREENFIELD: Aye.

15 CLERK: Matteo.

16 COUNCIL MEMBER MATTEO: Aye.

17 CLERK: By a vote of 3 in the
18 affirmative, 0 in the negative, and no abstentions,
19 the items have been adopted.

20 CHAIRPERSON KALLOS: We will hold the
21 vote open for a half an hour, and thank you very
22 much.

23 [background discussion]

24 COUNCIL MEMBER LEVINE: This is it. I'm
25 putting you over the top. I'm proud to vote aye.

1 COMMITTEE ON GOVERNMENTAL OPERATIONS

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2 CLERK: The final vote-- Council Member
3 Levine.

4 COUNCIL MEMBER LEVINE: I vote aye.

5 CLERK: The final vote in the Committee
6 of Governmental Operations 4 in the affirmative, 0 in
7 the negative and no abstentions.

8 [background discussion]

9 [Pause]

10 CHAIRPERSON KALLOS: This meeting of the
11 Governmental Operations Committee is hereby
12 adjourned. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 26, 2014