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**Testimony of
Michael J. Ryan
Executive Director
Board of Elections in the City of New York
before the
Committee on Governmental Operations
Council of the City of New York
regarding proposed legislation affecting the
conduct of elections in the City of New York**

November 21, 2013

Chair Brewer and members of the Council's Committee on Governmental Operations, I want to thank this Committee for providing the opportunity to appear before you on behalf of the Board of Elections. My name is Michael Ryan and I am the Executive Director of the Board of Elections in the City of New York.

I would like to take a moment to acknowledge Chair Gale Brewer. Over the past several years, first in my capacity as Commissioner and in my current capacity as Executive Director, I have come to work closely with Chair Brewer and have found her to be a tireless advocate not only for her constituents but for the voters of the City of New York as a whole. As Chair Brewer's work with the New York City Council draws to a close, I am taking this opportunity to wish her nothing but success in her future endeavors.

Joining me here today are the Board's:

- Deputy Executive Director Dawn Sandow
- Administrative Manager Pamela Perkins
- General Counsel Steven H. Richman
- Deputy General Counsel Raphael Savino
- Director of Electronic Voting Systems John Naudus
- Director of Communications and Public Affairs Valerie Vazquez

The Board of Elections in the City of New York (Board) has been asked to comment on several pieces of legislation before the City Council that would affect the conduct of elections. The Commissioners have authorized us to share the following with you:

Intro 488

Intro 488 requires that sample ballots be placed on the Board's website prior to each election. When utilizing the electronic poll site voting system, the Board provides sample ballots on its website prior to each election. When utilizing the mechanical lever machines, the Board provides the functional equivalent of sample ballots in the form of a contest list for each relevant sub-division. As such this bill codifies existing Board practice.

Intro 1192

Intro 1192 eliminates the requirement of a Run-Off for the offices of Public Advocate and Comptroller. The Board takes no position with respect to this proposed legislation. Eliminating the Run-Off requirement for Public Advocate and Comptroller has the potential to generate savings as an additional election would no longer be required assuming there is no Mayoral Run-Off.

Resolution 4A, Intro 1066, and Intro 1108

Resolution 4A calls upon the New York State Legislature to enact and the Governor to subsequently sign Assembly Bill A.7013, which would require instant run-off voting (IRV) in New York City primary elections for the office of Mayor, Comptroller and Public Advocate.

Intro 1066, is a local law to amend the New York City charter, which also calls for IRV.

Intro 1108 is a local law to amend the New York City charter, in relation to absentee and military voters utilizing IRV.

The Board takes no position with respect to these legislative proposals. The Board has identified several technical, operational and cost implications related to the implementation and conduct of IRV elections.

Instant run-off voting (IRV)

Technical

The electronic voting systems used by the Board as currently certified by the New York State Board of Elections (State Board) do not support IRV. The systems currently can provide a record of the votes cast; however, additional software would be needed to complete the vote tabulation in accordance with the pending legislation. Such software must be developed or procured and certified by the State Board prior to implementation.

Currently, the voting position for each candidate in each contest is tested at least once. In an IRV election, each ranked position, for each candidate, in each contest, must be tested at least once. This greatly increases the time and cost associated with legally mandated testing. Using this year's Democratic mayoral primary as an example, ten voting positions would have been tested. Under IRV, this would increase to one hundred voting positions.

Past experience has shown that development, testing and certification of modifications to the voting system exceeds one year. This process cannot commence until the proposed legislation is ratified. This legislation calls for enactment immediately following ratification by the voters. Such a provision does not square with the reality of the implementation process. In the event that the proposed legislation is enacted, our recommendation is to build in an appropriate time frame to allow for the implementation of IRV.

In recognition of this Committee's limited time, I would like to extend an invitation to have the Board's staff made available to discuss the technical details of using the current systems with IRV at a convenient date and time.

Operational

If the proposed legislation is enacted, Board staff would be required to develop an enhanced and extended training curriculum to facilitate the implementation of IRV. This would necessitate training poll workers sufficiently to effectively serve the voters during an IRV election.

The Board will be required to instruct poll workers on the appropriate manner of assisting voters, in a lawful and bi-partisan manner, to insure meaningful

understanding of the IRV method. IRV will increase poll worker / voter interaction on Election Day.

As an added complexity the poll workers and voters would only experience this type of election once every four years or during the occasional special election. Nonetheless, an extended version of training in the IRV method must be conducted each and every year to remain in compliance with New York State Election Law.

Although the pending legislation calls for the Voter Assistance Advisory Committee (VAAC) to conduct a voter education campaign, the Board would be required to undertake a voter outreach program to familiarize voters with IRV. The Board welcomes the opportunity to work closely with VAAC and others to extend the reach of our voter education campaign.

The introduction of IRV will require additional ballot space and will inevitably result in a multi-page ballot. Using multi-page ballots creates a host of concerns, not presently confronted with a single page full face ballot, including but not limited to: increased ballot jams, additional equipment, increased complexity of ballot management / accountability and additional ballot costs. Not to mention, any changes to the voting system would require State Board certification.

The increased complexity of an IRV ballot has the potential to lead to longer wait times as voters consider additional candidates and make the appropriate rank choices. The time it takes to use the Ballot Marking Device (BMD) could significantly be increased.

Voters correcting their ballots as a result of improper rank choices will likely increase the amount of voided ballots. Should a voter exceed the legally permissible three ballots, a court order is required to provide an additional ballot.

Costs

While it is difficult to accurately predict the cost increases, past experience has taught that significant additional resources will be necessary for the implementation of IRV.

It is expected that IRV will require transitioning to a multiple page ballot, it is estimated that ballot printing costs will increase by approximately \$1.75 million for each additional page.

The cost of development and certification to allow the voting system to properly tabulate IRV ballots is unknown at this time. To provide guidance in this regard, the Committee is advised that adding the Bengali language to the voting system cost in excess of \$480,000.

Upon certification by the State Board, the Board must install and test the new firmware for the voting system. The estimated cost for this is approximately \$600,000. For each citywide IRV election, the approximate additional cost for pre-election testing and setup is \$350,000.

The costs associated with additional training for the poll workers is difficult to assess; however, past experience permits a conclusion that the potential increase is in the range of \$2 to \$4 million per year.

The Board recognizes that to successfully introduce IRV to the voters, a comprehensive voter outreach program is necessary. Such a program will invariably require a substantial expenditure of resources. This expenditure will be essential to educate the voting public on this new voting method. For the Committee's information and consideration, the cost of the 2010 voter outreach program introducing the new poll site voting system was \$6.8 million.

These costs, while considerable, are offset by the savings of an estimated \$13 million spent on the 2013 citywide Democratic Run-Off Primary for Public Advocate.

Conclusion

Again, on behalf of the Board, I thank you for the opportunity to inform this Committee as to the implications of enacting IRV. While the Board takes no position with respect to the merits of enacting IRV or any other alternative to the current run-off primary, we assure this Committee, and the voters of the City of New York, that we will act in strict adherence to applicable and relevant city, state, and federal mandates.

The Board looks forward to working with this Committee and others toward the continued improvement of the voting process.



James A. Walsh
Co-Chair

Gregory P. Peterson
Commissioner

Todd D. Valentine
Co-Executive Director

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Commissioner

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Co-Executive Director

**TESTIMONY BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON GOVERNMENT OPERATIONS**

**DOUGLAS A. KELLNER
Co-Chair, New York State Board of Elections
November 21, 2013**

Summary

The runoff election for party nominations for the three New York City offices elected citywide is expensive and creates serious problems for election administrators and their ability to deliver quality, accessible elections. Therefore, it should be replaced with ranked choice voting or eliminated altogether.

The current voting equipment used by the New York City Board of Elections is capable of handling ranked choice voting. Only a few minor software modifications are required to implement ranked choice voting.

New York City should not delay making its decision concerning the runoff primary election for three key reasons. (1) The Board of Elections should be given sufficient lead time to prepare for the new voting procedures and to conduct meaningful voter outreach programs; (2) as the election approaches, any change in procedures, no matter how well-intentioned, is perceived as favoring some candidates over other candidates; it is better to act now when the effects of the change are not perceived as designed to help or hurt any particular candidate; and (3) voting system software modifications must be tested and certified by the State Board of Elections, prior to implementation.

1. The runoff primary election should be eliminated.

I have been calling for the elimination of the runoff primary election for more than twenty years. The full cost of conducting the runoff election, not just to the Board of Elections and the Campaign Finance Board, but also to the Police Department, Education Department and other city agencies affected by the election is anywhere from \$13 to \$17 million. Although it has not yet happened,

under the current law it is possible that the City would have to spend substantial funds to conduct a runoff primary if there is a division in a small party with only a small number of potential voters.

The runoff primary election imposes unique challenges to the New York City Board of Elections, which is charged with multiple runoff-related responsibilities within an extremely short turnaround, all of which add costs and confusion to the process. The short interval between the primary and the runoff makes it virtually impossible to send out absentee ballots in time for them to be returned. The short interval is also inadequate to allow for completion of all of the steps necessary to do a proper canvass, recanvass and audit of the primary and to set-up and test the runoff in a timely manner.

Ranked choice voting is the best way to determine that the winning candidate has the widest support of the eligible voters of the party for which the primary is being conducted, without adding the cost and administrative stress of a runoff primary. I recommend that the Council adopt ranked choice voting, not just for the citywide offices, but also for all New York City municipal offices. If the Council should hesitate to enact ranked choice voting, then it should abolish the runoff primary.

2. The New York City Board of Elections can administer ranked choice voting.

New York City uses the ES&S DS-200 optical scanners to count ballots cast at poll sites. The DS-200 machines use the Unity 5.0.0.2 software. Both the hardware and the software are capable of formatting and recording ballots that use rank choice voting. The New York City Board of Elections would only need to develop a program to apply the statutory algorithm to determine the final results. The costs for these necessary changes far outweigh the costs associated with conducting a runoff primary.

New York City adopted proportional choice voting for elections to the City Council in 1936 and continued to use that system until the anti-Communism scare led to its repeal in 1947. New York City also used proportional choice voting for its community school board elections from 1979 until 2002, when community school board elections were abolished.

Proportional choice voting is different from the ranked choice system proposed in the legislation currently before the council because only a single candidate will be nominated for each office. A growing number of municipalities throughout the country have been switching to rank choice voting:

State and local governments using instant runoff voting as of May 2012

- Arkansas (only overseas voters in runoffs): Adopted in 2005 and first used 2006

- Alabama (only overseas voters): By agreement with a federal court, used in a special election for U.S. House of Representatives, 2013
- Berkeley, California: Adopted in 2004 and first used 2010 (for mayor, city council and other city offices)
- Hendersonville, North Carolina: Adopted and used as part of a pilot program in 2007, 2009 and 2011 (mayor and multi-seat variation for city council) and under consideration for future elections
- Louisiana (only overseas and out-of-state military voters in federal and state runoffs): Adopted and used since the 1990s
- Minneapolis, Minnesota: Adopted in 2006 and first used in 2009 (for mayor, city council and other city offices, including certain multi-seat elections)
- Oakland, California: Adopted in 2006 and first used in 2010 (for mayor, city council and other city offices)
- Portland, Maine: Adopted in 2010 and first used in 2011 (for mayor only)
- San Francisco, California: Adopted in 2002, first used in 2004 and used in every November election since then (for mayor, city attorney, Board of Supervisors and most other city offices)
- San Leandro, California: Adopted as option in 2000 charter amendment, first used in 2010 and every two years since (for mayor and city council)
- South Carolina (only for overseas voters in federal and state primary runoffs): Adopted and first used in 2006
- St. Paul, Minnesota: Adopted in 2009, first used in 2011 and to be used every two years (mayor and city council)
- Springfield, Illinois (for overseas voters only): Adopted in 2007 and first used in 2011
- Takoma Park, Maryland: Adopted in 2006 and first used in 2007, with elections every two years and with some special elections in between (for mayor and city council)
- Telluride, Colorado: Adopted in 2008 and first used in 2011 (for mayoral elections)

Source: <http://www.fairvote.org/where-instant-runoff-is-used#.Uoqpp41KBOg> (accessed 11/18/2013)

The reference to Minneapolis' use of rank choice voting is particularly relevant because Minneapolis uses the same ES&S DS-200 ballot scanners as New York City. Attached is the ballot used in Minneapolis in their last election. Note that Minneapolis has extremely liberal ballot access rules, accommodating 34 candidates for mayor. Nevertheless, Minneapolis was able to prepare a ballot that allowed for first, second and third choices for each office. Also attached is an alternative ballot format for rank choice voting which does not repeat each name for each choice, but instead provides voting targets for first, second and third choices listed next to each candidate's name. New York City's ballot scanning machines could use either format, and could still accommodate other offices on the primary ballot that do not use ranked choice voting.

3. The City Council should act now to abolish the runoff primary election.

The City Council should not delay in acting for three key reasons: (1) it should allow the Board of sufficient lead time to prepare for the new voting procedures and to educate the voters; and (2) as the election approaches, a change in procedures, no matter how well-intentioned, is perceived as favoring some candidates over other candidates and (3) voting system software modifications must be tested and certified by the State Board of Elections, prior to implementation.

It is better to act now when the effects of the change are not perceived as designed to help or hurt any particular candidate. As the next election approaches, there will inevitably be calculus how the changes affect particular candidates. Making the decision now allows the Council to act in the best interest of the voters in a politically neutral climate.

Although the software needed to implement ranked choice voting is relatively minor—developing an application program that applies the rank choice algorithm of the statute to the results exported from the DS-200 scanners, there should be adequate time to provide for development, testing and certification of that program. Minneapolis did not allow enough time for certification testing, which required them to use a process to determine the winner that was not automated. Notwithstanding the delay in aggregating the final vote totals, most observers gave favorable reviews to the Minneapolis implementation of ranked choice voting, particularly in view of the large number of candidates on the ballot for mayor.

* This testimony reflects the personal views of Commissioner Kellner, and has not been approved as policy of the State Board of Elections.

OFFICIAL BALLOT
CITY GENERAL ELECTION BALLOT

Judge _____ Judge _____

RANKED CHOICE VOTING INSTRUCTIONS TO THE VOTERS

Rank up to 3 different candidates for each office.
 Vote from left to right in each office in order of your preference.
 Completely fill in the oval next to your choice, like this: CANDIDATE NAME

CITY OFFICES

MAYOR

Rank your first, second and third choice candidates in the columns below. One to be elected.

1	2nd Choice, if any Must be DIFFERENT from your 1st choice. Select One	3
1st Choice Select One	2nd Choice, if any Must be DIFFERENT from your 1st choice. Select One	3rd Choice, if any Must be DIFFERENT from your 1st and 2nd choices. Select One
<input type="radio"/> EDMUND BERNARD BRUYERE <i>Legacy-Next Generation</i>	<input type="radio"/> EDMUND BERNARD BRUYERE <i>Legacy-Next Generation</i>	<input type="radio"/> EDMUND BERNARD BRUYERE <i>Legacy-Next Generation</i>
<input type="radio"/> CAPTAIN JACK SPARROW <i>Count All Rankings</i>	<input type="radio"/> CAPTAIN JACK SPARROW <i>Count All Rankings</i>	<input type="radio"/> CAPTAIN JACK SPARROW <i>Count All Rankings</i>
<input type="radio"/> JACKIE CHERRYHOMES <i>Democratic-Farmer-Labor</i>	<input type="radio"/> JACKIE CHERRYHOMES <i>Democratic-Farmer-Labor</i>	<input type="radio"/> JACKIE CHERRYHOMES <i>Democratic-Farmer-Labor</i>
<input type="radio"/> CHRISTOPHER ROBIN ZIMMERMAN <i>Libertarian</i>	<input type="radio"/> CHRISTOPHER ROBIN ZIMMERMAN <i>Libertarian</i>	<input type="radio"/> CHRISTOPHER ROBIN ZIMMERMAN <i>Libertarian</i>
<input type="radio"/> CYD GORMAN <i>Police Reform</i>	<input type="radio"/> CYD GORMAN <i>Police Reform</i>	<input type="radio"/> CYD GORMAN <i>Police Reform</i>
<input type="radio"/> JOSHUA REA <i>End Homelessness Now</i>	<input type="radio"/> JOSHUA REA <i>End Homelessness Now</i>	<input type="radio"/> JOSHUA REA <i>End Homelessness Now</i>
<input type="radio"/> MERRILL ANDERSON <i>Jobs & Justice</i>	<input type="radio"/> MERRILL ANDERSON <i>Jobs & Justice</i>	<input type="radio"/> MERRILL ANDERSON <i>Jobs & Justice</i>
<input type="radio"/> DOUG MANN <i>Green Party</i>	<input type="radio"/> DOUG MANN <i>Green Party</i>	<input type="radio"/> DOUG MANN <i>Green Party</i>
<input type="radio"/> JAMES "JIMMY" L. STROUD, JR. <i>The People's Choice</i>	<input type="radio"/> JAMES "JIMMY" L. STROUD, JR. <i>The People's Choice</i>	<input type="radio"/> JAMES "JIMMY" L. STROUD, JR. <i>The People's Choice</i>
<input type="radio"/> TONY LANE <i>Socialist Workers Party</i>	<input type="radio"/> TONY LANE <i>Socialist Workers Party</i>	<input type="radio"/> TONY LANE <i>Socialist Workers Party</i>
<input type="radio"/> JEFFREY ALAN WAGNER <i>Democratic-Farmer-Labor</i>	<input type="radio"/> JEFFREY ALAN WAGNER <i>Democratic-Farmer-Labor</i>	<input type="radio"/> JEFFREY ALAN WAGNER <i>Democratic-Farmer-Labor</i>
<input type="radio"/> CHRISTOPHER CLARK <i>Libertarian Party</i>	<input type="radio"/> CHRISTOPHER CLARK <i>Libertarian Party</i>	<input type="radio"/> CHRISTOPHER CLARK <i>Libertarian Party</i>
<input type="radio"/> MARK ANDREW <i>Democratic-Farmer-Labor</i>	<input type="radio"/> MARK ANDREW <i>Democratic-Farmer-Labor</i>	<input type="radio"/> MARK ANDREW <i>Democratic-Farmer-Labor</i>
<input type="radio"/> CAM WINTON <i>independent responsible inclusive</i>	<input type="radio"/> CAM WINTON <i>independent responsible inclusive</i>	<input type="radio"/> CAM WINTON <i>independent responsible inclusive</i>
<input type="radio"/> JOHN CHARLES WILSON <i>Lauraist Communist</i>	<input type="radio"/> JOHN CHARLES WILSON <i>Lauraist Communist</i>	<input type="radio"/> JOHN CHARLES WILSON <i>Lauraist Communist</i>
<input type="radio"/> NEAL BAXTER <i>Independent</i>	<input type="radio"/> NEAL BAXTER <i>Independent</i>	<input type="radio"/> NEAL BAXTER <i>Independent</i>
<input type="radio"/> JAYMIE KELLY <i>Stop Foreclosures Now</i>	<input type="radio"/> JAYMIE KELLY <i>Stop Foreclosures Now</i>	<input type="radio"/> JAYMIE KELLY <i>Stop Foreclosures Now</i>
<input type="radio"/> ALICIA K. BENNETT <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ALICIA K. BENNETT <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ALICIA K. BENNETT <i>Democratic-Farmer-Labor</i>
<input type="radio"/> MIKE GOULD <i>Democratic-Farmer-Labor</i>	<input type="radio"/> MIKE GOULD <i>Democratic-Farmer-Labor</i>	<input type="radio"/> MIKE GOULD <i>Democratic-Farmer-Labor</i>
<input type="radio"/> TROY BENJERDES <i>Local Energy/Food</i>	<input type="radio"/> TROY BENJERDES <i>Local Energy/Food</i>	<input type="radio"/> TROY BENJERDES <i>Local Energy/Food</i>
<input type="radio"/> OLE SAVIOR <i>Republican</i>	<input type="radio"/> OLE SAVIOR <i>Republican</i>	<input type="radio"/> OLE SAVIOR <i>Republican</i>
<input type="radio"/> KURTIS W. HANNA <i>Pirate Party</i>	<input type="radio"/> KURTIS W. HANNA <i>Pirate Party</i>	<input type="radio"/> KURTIS W. HANNA <i>Pirate Party</i>
<input type="radio"/> ABDUL M RAHAMAN "THE ROCK" <i>We the people...</i>	<input type="radio"/> ABDUL M RAHAMAN "THE ROCK" <i>We the people...</i>	<input type="radio"/> ABDUL M RAHAMAN "THE ROCK" <i>We the people...</i>
<input type="radio"/> BILL KAHN <i>Last Minneapolis Mayor</i>	<input type="radio"/> BILL KAHN <i>Last Minneapolis Mayor</i>	<input type="radio"/> BILL KAHN <i>Last Minneapolis Mayor</i>
<input type="radio"/> STEPHANIE WOODRUFF <i>Democratic-Farmer-Labor</i>	<input type="radio"/> STEPHANIE WOODRUFF <i>Democratic-Farmer-Labor</i>	<input type="radio"/> STEPHANIE WOODRUFF <i>Democratic-Farmer-Labor</i>
<input type="radio"/> JOHN LESLIE HARTWIG <i>Independent</i>	<input type="radio"/> JOHN LESLIE HARTWIG <i>Independent</i>	<input type="radio"/> JOHN LESLIE HARTWIG <i>Independent</i>
<input type="radio"/> DAN COHEN <i>Jobs Downtown Casino</i>	<input type="radio"/> DAN COHEN <i>Jobs Downtown Casino</i>	<input type="radio"/> DAN COHEN <i>Jobs Downtown Casino</i>
<input type="radio"/> BOB "AGAIN" CARNEY JR <i>Demand Transit Revolution</i>	<input type="radio"/> BOB "AGAIN" CARNEY JR <i>Demand Transit Revolution</i>	<input type="radio"/> BOB "AGAIN" CARNEY JR <i>Demand Transit Revolution</i>
<input type="radio"/> JAMES EVERETT <i>Green Party</i>	<input type="radio"/> JAMES EVERETT <i>Green Party</i>	<input type="radio"/> JAMES EVERETT <i>Green Party</i>
<input type="radio"/> DON SAMUELS <i>Democratic-Farmer-Labor</i>	<input type="radio"/> DON SAMUELS <i>Democratic-Farmer-Labor</i>	<input type="radio"/> DON SAMUELS <i>Democratic-Farmer-Labor</i>
<input type="radio"/> BETSY HODGES <i>Democratic-Farmer-Labor</i>	<input type="radio"/> BETSY HODGES <i>Democratic-Farmer-Labor</i>	<input type="radio"/> BETSY HODGES <i>Democratic-Farmer-Labor</i>
<input type="radio"/> RAHN V. WORKCUFF <i>Independence Party</i>	<input type="radio"/> RAHN V. WORKCUFF <i>Independence Party</i>	<input type="radio"/> RAHN V. WORKCUFF <i>Independence Party</i>
<input type="radio"/> BOB FINE <i>Democratic-Farmer-Labor</i>	<input type="radio"/> BOB FINE <i>Democratic-Farmer-Labor</i>	<input type="radio"/> BOB FINE <i>Democratic-Farmer-Labor</i>
<input type="radio"/> MARK V ANDERSON <i>Simplify Government</i>	<input type="radio"/> MARK V ANDERSON <i>Simplify Government</i>	<input type="radio"/> MARK V ANDERSON <i>Simplify Government</i>
<input type="radio"/> GREGG A. IVERSON <i>Democratic-Farmer-Labor</i>	<input type="radio"/> GREGG A. IVERSON <i>Democratic-Farmer-Labor</i>	<input type="radio"/> GREGG A. IVERSON <i>Democratic-Farmer-Labor</i>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Write-in, if any	Write-in, if any	Write-in, if any

**COUNCIL MEMBER
WARD SIX**

Rank your first, second and third choice candidates in the columns below. One to be elected.

1	2	3
1st Choice Select One	2nd Choice, if any Must be DIFFERENT from your 1st choice. Select One	3rd Choice, if any Must be DIFFERENT from your 1st and 2nd choices. Select One
<input type="radio"/> ROBERT LILLIGREN <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ROBERT LILLIGREN <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ROBERT LILLIGREN <i>Democratic-Farmer-Labor</i>
<input type="radio"/> ABDI WARSAME <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ABDI WARSAME <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ABDI WARSAME <i>Democratic-Farmer-Labor</i>
<input type="radio"/> ABDI ADDOW <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ABDI ADDOW <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ABDI ADDOW <i>Democratic-Farmer-Labor</i>
<input type="radio"/> ABUKAR ABDI <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ABUKAR ABDI <i>Democratic-Farmer-Labor</i>	<input type="radio"/> ABUKAR ABDI <i>Democratic-Farmer-Labor</i>
<input type="radio"/> SHEIKH ABDUL <i>Democratic-Farmer-Labor</i>	<input type="radio"/> SHEIKH ABDUL <i>Democratic-Farmer-Labor</i>	<input type="radio"/> SHEIKH ABDUL <i>Democratic-Farmer-Labor</i>
<input type="radio"/> MAHAMED A CALI <i>Democratic-Farmer-Labor</i>	<input type="radio"/> MAHAMED A CALI <i>Democratic-Farmer-Labor</i>	<input type="radio"/> MAHAMED A CALI <i>Democratic-Farmer-Labor</i>
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Write-in, if any	Write-in, if any	Write-in, if any

VOTE FRONT AND BACK OF BALLOT

ATTENTION VOTERS: See other side of ballot for voting instructions

BOARD OF ESTIMATE AND TAXATION

Rank your first, second and third choice candidates in the columns below. Two to be elected.

1 1st Choice Select One	2 2nd Choice, if any Must be DIFFERENT from your 1st choice. Select One	3 3rd Choice, if any Must be DIFFERENT from your 1st and 2nd choices. Select One
<input type="radio"/> DAVID PASCOE	<input type="radio"/> DAVID PASCOE	<input type="radio"/> DAVID PASCOE
<input type="radio"/> CAROL J. BECKER	<input type="radio"/> CAROL J. BECKER	<input type="radio"/> CAROL J. BECKER
<input type="radio"/> DOUGLAS SEMBLA	<input type="radio"/> DOUGLAS SEMBLA	<input type="radio"/> DOUGLAS SEMBLA
<input type="radio"/> DAVID B WHEELER	<input type="radio"/> DAVID B WHEELER	<input type="radio"/> DAVID B WHEELER
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<small>Write-in, if any</small>	<small>Write-in, if any</small>	<small>Write-in, if any</small>

PARK AND RECREATION COMMISSIONER AT LARGE

Rank your first, second and third choice candidates in the columns below. Three to be elected.

1 1st Choice Select One	2 2nd Choice, if any Must be DIFFERENT from your 1st choice. Select One	3 3rd Choice, if any Must be DIFFERENT from your 1st and 2nd choices. Select One
<input type="radio"/> CASPER HILL	<input type="radio"/> CASPER HILL	<input type="radio"/> CASPER HILL
<input type="radio"/> MEG FORNEY	<input type="radio"/> MEG FORNEY	<input type="radio"/> MEG FORNEY
<input type="radio"/> JOHN ERWIN	<input type="radio"/> JOHN ERWIN	<input type="radio"/> JOHN ERWIN
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PARK AND RECREATION COMMISSIONER DISTRICT THREE

Rank your first, second and third choice candidates in the columns below. One to be elected.

1 1st Choice Select One	2 2nd Choice, if any Must be DIFFERENT from your 1st choice. Select One	3 3rd Choice, if any Must be DIFFERENT from your 1st and 2nd choices. Select One
<input type="radio"/> SCOTT VREELAND	<input type="radio"/> SCOTT VREELAND	<input type="radio"/> SCOTT VREELAND
<input type="radio"/> SAID MAYE	<input type="radio"/> SAID MAYE	<input type="radio"/> SAID MAYE
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<small>Write-in, if any</small>	<small>Write-in, if any</small>	<small>Write-in, if any</small>

CITY QUESTIONS

To vote for a question, fill in the oval next to the word "YES" on that question. To vote against a question, fill in the oval next to the word "NO" on that question.

PROPOSAL TO AMEND THE MINNEAPOLIS CITY CHARTER

Shall the Minneapolis City Charter be amended in the form of a complete revision which (1) modernizes the Charter; (2) redrafts its provisions for brevity and in plain language; (3) reorganizes the Charter into nine articles, and groups related provisions together; (4) removes from the Charter certain provisions for possible enactment into ordinance; and (5) retains the current role and relationships of City boards and commissions?

- YES
- NO

To vote for a question, fill in the oval next to the word "YES" on that question. To vote against a question, fill in the oval next to the word "NO" on that question.

PROPOSAL TO AMEND THE MINNEAPOLIS CITY CHARTER LIQUOR-LICENSING PROVISIONS

Shall the Minneapolis City Charter provisions relating to the sale of liquor and wine be amended by reorganizing and rewriting in plain modern language?

- YES
- NO

VOTE FRONT AND BACK OF BALLOT



Official Ballot for General Election
 Springfield County, California
 Tuesday, November 02, 2010

Back **1**

National Contests

U.S. Secretary of State

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Quisque sit amet mattis risus. Magna purus, interdum eget ornare quis, vehicula sed. Cras lectus nec.

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Victor Martinez Pink	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Heather Portier Gold	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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County Contests

Dog Catcher

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	1st choice	2nd choice	3rd choice	4th choice	5th choice	6th choice	7th choice	8th choice
Brad Plunkard Blue	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bruce Reeder Blue	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bruce Schott Red	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Glen Tawney Yellow	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carroll Forrest Yellow	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Charlene Franz Yellow	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Welton Phelps Yellow	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gerard Harris Purple	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Continue voting next sheet



New York City Campaign Finance Board

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Testimony of Amy Loprest Executive Director, New York City Campaign Finance Board

City Council Committee on Governmental Operations November 21, 2013

Chair Brewer and members of the Committee, my name is Amy Loprest, Executive Director of the New York City Campaign Finance Board. With me today are Sue Ellen Dodell, General Counsel; Eric Friedman, Director of External Affairs; and Onida Coward Mayers, Director of Voter Assistance.

Thank you for the invitation to testify today, as the committee prepares to consider the future of run-off elections in New York City. The Campaign Finance Board has long supported the concept of instant run-off voting (IRV). The Board endorsed IRV for New York City elections in our report following the 2009 elections, and also in our most recent Voter Assistance Report, for the year 2012-13.

The bills before the committee represent a range of approaches to this issue, and the Board takes no position today on the specific legislation before the Council. In your deliberations, you will decide whether the best approach is to move forward with IRV for all elections, or to begin by providing absentee and military voters with the ability to participate fully in primary elections. There are questions about whether state law provides the flexibility to design ballots appropriate for instant run-off elections, or whether it allows the Council to act in this area at all. The Board of Elections has also noted the operational issues that would be implicated by the adoption of IRV in New York City.

However, the Board continues to believe that instant run-off voting is an important reform to New York City's outdated system of run-off primary elections. Each of the past two citywide election cycles has featured run-off elections for one or both of the non-mayoral citywide offices. We know that voter turnout—which is already low in regular elections—is minimal in these runoffs.

Instant run-off elections would maximize voter participation.

Only 206,367 voters cast a ballot in the October 1 run-off for public advocate—less than seven percent of active, registered Democrats. More than 60 percent of New Yorkers who cast a vote for public advocate in the September 15 primary stayed away from the polls on October 1.

The winner of the primary is often the presumptive winner of the general election, even if he or she fails to gain a majority of primary voters. Instead of choosing the eventual victor of close, multi-candidate elections in a low-turnout run-off, the winner of an IRV election will be the candidate with the broadest support among a larger pool of interested voters. IRV can ensure more voters participate meaningfully in citywide elections, and ensure all elected officials have the legitimacy that comes with the expressed preference of a majority of voters.

From the perspective of the Board's administration of the Campaign Finance Program, there appear to be several advantages to eliminating traditional run-off elections and instituting IRV.

Instant run-off elections could reduce the cost of the Campaign Finance Program.

In addition to the significant costs of administering a citywide run-off election—the runoff for Public Advocate cost the city Board of Elections a reported \$13 million to administer—candidates who participate in the Campaign Finance Program receive an additional public funds payment to conduct a run-off campaign equal to 25 percent of the funds they received in the

primary.

Over the past four citywide election cycles (2001-13), the Board has paid a total of \$4.35 million to 12 candidates for runoff elections. With instant run-off voting, those payments would not be necessary.

Instant run-off elections eliminate an avenue for large campaign contributions.

New York City's reasonable contribution limits are a significant and useful safeguard against real and received corruption. The limits constrain the ability of wealthy donors to exercise influence over the political system through large campaign contributions. For citywide offices, the contribution limit is \$4,950. However, the Campaign Finance Act permits candidates to accept additional contributions for a run-off election. If a run-off has been declared "reasonably anticipated" by the Board, this means a candidate may return to his or her maxed-out contributors to request another contribution of up to one-half of the applicable contribution limit, or \$2,475, for a total of \$7,425.¹

In practice, run-off fundraising is largely dominated by candidates' largest contributors. In the 2013 election cycle, nearly half (47.9 percent) of the funds raised by citywide candidates for run-off accounts came from contributors who had already given the maximum for the primary and general election.²

Additionally, IRV could simplify compliance requirements for candidates. Board rules require that any funds raised for a potential run-off election be deposited into a separate bank account, from which no spending can be made prior to the primary election.³ Additional disclosure statements for the run-off are required. Additional rules govern candidates' use of run-off accounts, to ensure the funds remain separate from primary/general election funds.

¹ NYC Admin Code §3-703(1)(f)

² The Board determined a runoff election to be "reasonably anticipated" in the Democratic primary for mayor on June 20, 2013, and made a similar determination in the Democratic primary for public advocate on August 15, 2013. Candidates reporting contributions for a run-off account included Bill de Blasio, Letitia James, Christine Quinn, Daniel Squadron, William Thompson, and Anthony Weiner.

³ CFB Rule 2-06(c)

Eliminating a separate, traditional run-off election would also eliminate these specific requirements.

Instant run-off elections would remove uncertainty in case the vote count is delayed.

With only two or three weeks between the primary and run-off elections, every day of campaigning counts. If the unofficial results of the primary election are inconclusive, decisions about public funds payments in a run-off election may need to be made before the official count is concluded.

One example: The first-place finisher in the September 2001 Democratic primary for public advocate, Betsy Gotbaum, finished well under the run-off threshold, with 24 percent of the vote in the unofficial count. However, the identity of the second candidate in the run-off was unclear; less than one percent separated the next four candidates. Three days after the election, before the official count was completed, the Board issued run-off payments to four of the five leading candidates.⁴

In a more recent instance, Bill de Blasio, who finished first in the September 2013 Democratic primary for mayor, received slightly more than 40 percent of the vote in the unofficial count. Second-place finisher William Thompson did not immediately concede. Because the unofficial count indicated a run-off had not been triggered, the Board declined to issue run-off payments. The official count, certified on September 30, showed that de Blasio received 40.8 percent of the vote.

Instant run-off voting would eliminate these difficult and time-sensitive determinations, and allow the winning candidates to begin their general election campaigns without delays or uncertainty.

⁴ The four candidates receiving payment were Gotbaum, Stephen DiBrienza, Norman Siegel, and Scott Stringer. The fifth candidate, Willie Colon, did not qualify for public funds for unrelated reasons. See "An Election Interrupted... An Election Transformed, The Campaign Finance Program and the 2001 New York City Elections," pp. 30-31.

If instant runoff elections are established, the Board is well-equipped to help educate voters.

If IRV is adopted, there will be an adjustment period as voters learn the new system. Helping encourage voting by all New Yorkers who are eligible is a key responsibility for the Board.⁵

The CFB conducts a broad voter education campaign before each citywide election, across multiple platforms. The City Charter requires the Board prepare, publish, and distribute a Voter Guide to every household with at least one registered voter.⁶ For the recently-concluded 2013 elections, the CFB mailed 3.3 million Guides to voters before the primary elections, and another 4.2 million before the general elections. Additionally, the Board prepares an online version of the Guide, as well as a Video Voter Guide and a mobile platform, NYCVotes.org, which makes voter information available by smartphone. Our Voter Assistance Unit conducts registration drives and voter outreach through partnerships with City agencies, neighborhood groups, and civic institutions. The CFB also administers a Debate Program for the citywide offices, which represents another opportunity to convey important information to voters.

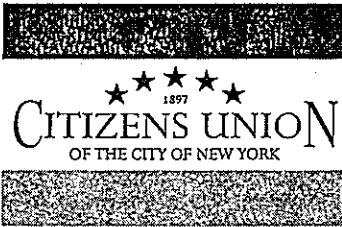
Two of the bills before the Council envision a role for the Board to play in helping familiarize New York City voters with IRV. Through the various platforms we have available, we are confident the Board can be an effective partner in that effort.

Before I conclude, as this may be my last appearance here in 2013 I would like to take this opportunity to extend my deep appreciation to Chair Brewer for her leadership of the Committee on Governmental Operations. Throughout her career on the Council, she has been a thoughtful and engaged legislator, and a strong supporter of the Campaign Finance Program. We have enjoyed a collaborative and productive working relationship with her, with her staff, and with this committee during the current term, and I wish her much success as she moves on to higher office.

⁵ NYC Charter §1054(b)

⁶ NYC Charter §1052(b)

Again, thank you for the opportunity to testify today, and I welcome your questions.



CITIZENS UNION OF THE CITY OF NEW YORK

**Testimony to the New York City Council
On the Runoff- Related and Online Sample Ballots Legislation**

November 21, 2013

Good afternoon Chair Brewer and members of the Governmental Operations committee. My name is Alex Camarda. I am the Director of Public Policy and Advocacy at Citizens Union. Citizens Union is an independent, non-partisan, civic organization of New Yorkers who promote good government and advance political reform in our city and state. Thank you for the opportunity to testify today on bills and a resolution related to the runoff election, and legislation pertaining to online sample ballots.

Citizens Union generally supports the need for and value of runoff elections. A candidate who wins party nomination in a multi-candidate primary, particularly the Democratic primary, with a small plurality of the electorate lacks the broader support needed to effectively govern. Runoff elections, however administered, enable candidates to earn support from more voters and gain a greater mandate that allows the victor to more effectively govern. Runoff elections also serve as an important check against extremist candidates who can appeal to a narrow portion of the electorate during times of economic and social upheaval, and potentially rise to power.

While Citizens Union believes runoff elections should be maintained we think they can be administered more efficiently and with greater participation by conducting them *instantly* via Instant Runoff Voting (IRV) (also known as ranked choice voting).

We additionally support the posting of sample ballots online to enable voters to preview their ballots.

Our in-depth positions on the legislation are as follows:

1. **Int. No: 1066 (Lander)** - Citizens Union strongly supports this bill. It is beneficial for a number of reasons:
 - a. **Int. No. 1066 enables more voters to participate.** There is a dramatic decline in voter turnout between the primary and runoff elections, meaning fewer voters weigh in on who is the best among the candidates that advance to the second round of voting. In the Democratic runoff election this is often tantamount to choosing the officeholder. In 2013, for example, 16.4 percent of registered Democrats voted in the primary election for public advocate. Only 5.7 percent

turned out for the runoff election, a staggering decline of 345,089 voters, or 65 percent. In 2009, when both the comptroller and public advocate had runoff elections, there was also a steep decline in turnout between the primary and runoff elections. 11.5 percent of voters voted in the public advocate primary that year, but only 7.3 percent in the runoff, a 36 percent drop-off. 11.7 percent voted during the primary for comptroller, yet only 7.6 percent did so in the runoff election, a 35 percent decline. With IRV, more voters express their preferences for candidates at one time during the primary election. The same electorate participates in the primary and, if necessary, the runoff election. Therefore the ultimate victor truly possesses majoritarian support, and a greater mandate to govern as a result.

- b. **Int. No. 1066 results in positive campaigns focused on the issues.** IRV is thought to make candidates think twice about making negative statements about their opponents because it could cost them support from voters who may choose a candidate as their second choice. Therefore candidates tend to focus more on substantive policy issues that elevate the public discourse and turn attention to the important matters facing the electorate. During the runoff election, the campaign for public advocate between State Senator Dan Squadron and Councilmember Letitia James became very heated with personal accusations being made by each candidate about their personal finances and trustworthiness.¹ The final days of the campaign featured an anonymous robocall attacking a candidate's character and a victory speech that did not acknowledge the opponent. This stands in sharp contrast with reports of the mayor's race in Minnesota, which for the first time utilized IRV, and featured candidates declining to attack their opponents in order to obtain second-choice votes. Minnesota Public Radio called the race "a remarkably positive campaign" and outgoing Mayor R.T. Rybak said, "the lack of rancor was refreshing" and "people can compare and contrast [candidates] without ripping each other's esophagus out."² Citizens Union believes IRV can create more civility in campaigns, which is even more important with the growing number of independent expenditures. It is quite possible that independent actors will hesitate to attack opponents of candidates they support with IRV because it could cost the candidate second-choice votes.
- c. **Int. No. 1066 makes elections more cost-effective.** The city spent \$13 million administering a runoff election in 2013 for the public advocate's office, which

¹ Katz, Celeste. "Ahead of runoff, candidates Daniel Squadron and Letitia James bash each other in public advocate debate," New York Daily News. September 24, 2013. Available at: <http://www.nydailynews.com/news/politics/public-advocate-debate-squadron-james-turns-bashathon-article-1.1466682#ixzz2l2Gcxa6>

² Gilbert, Curtis. "Ranked choice voting gets mostly good reviews," MPR News. November 7, 2013. Available at: <http://blogs.mprnews.org/cities/2013/11/ranked-choice-voting-review/>

only has a \$2.1 million annual budget.³ With Instant Runoff Voting as envisioned by the Lander bill, the city could instead spend this money on services important to the city and the Council like additional police officers, extended library hours or keeping firehouses open at time when the city's budget is forecasted to be \$2 billion in deficit in FY2014.

2. **Int. No. 1108 (Brewer)** - Citizens Union backs this legislation. Under the current system of a primary election and separate runoff three (or two) weeks later, military and absentee voters may not have adequate time to cast their ballots and when they do, the proportion of ballots cast and counted decreases. This is shown on the charts below.

PRIMARY ELECTION	Absentee	Military	Total
Ballot Applications	47,400	1,905	49,305
Ballots Cast	22,057	276	22,333
Ballots Cast of Ballot Applications	46.53%	14.49%	45.30%
Ballots Counted	21,507	215	21,722
Ballots Not Counted- Late (Postmarked or Received)	550	61	611
Postmarked Late	431	34	465
Received Late	119	27	146
Proportion Not Counted (of ballots cast)	2.49%	22.10%	2.74%

DEMOCRATIC RUN-OFF ELECTION	Absentee	Military	Total
Ballot Applications	40,347	1,481	41,828
Ballots Cast	12,926	148	13,074
Ballots Cast of Ballot Applications	32.04%	9.99%	31.26%
Ballots Counted	12,235	65	12,300
Ballots Not Counted- Late (Postmarked or Received)	756	83	839
Postmarked Late	599	49	648
Received Late	157	34	191
Proportion Not Counted (of ballots cast)	5.85%	56.08%	6.42%

PRIMARY VS DEMOCRATIC RUN-OFF ELECTION	Absentee	Military	Total
Decrease from Primary Election in Proportion of Ballots Cast	14.49%	4.50%	14.04%
Increase from Primary Election in Proportion of Ballots Not Counted	3.36%	33.98%	3.65%

³ As reported by NBC. See <http://www.nbcnewyork.com/news/local/Public-Advocate-Runoff-New-York-City-225923801.html>

- a. **Int. No. 1108 enables the Board of Elections in the City of New York to send ballots to military voters for the runoff election 32 days prior as required by state statute, increasing the likelihood that ballots cast by military voters count.** Under Article 10, section 108 of New York State Election Law “ballots of military voters shall be mailed or otherwise distributed by the board of election...as soon as is practicable but in any event not later than thirty-two days before a primary or general election.” It is impossible for the Board to mail military ballots 32 days before the runoff election (considered a primary election⁴) as there was only 21 days between the primary and runoff election in 2013, and in years past and future, only 14 days between the two elections. The Board this year mailed military ballots 10 days before the runoff election, out of compliance with state law.

The short timeframe may have contributed to the fact that more military ballots *did not count than counted* for this year’s runoff because they were postmarked or received late (see chart on page 4). Eighty-three military runoff ballots casted were not counted because they were postmarked or received late. Sixty-five military ballots were counted. By contrast, for the primary election 215 military ballots were counted while 61 were not because they were postmarked or received late. Even more troubling is that only 158 military voters, or 9.99 percent, cast a ballot during the runoff election even though 1,481 received ballots as compared to 14.49 percent of military voters receiving ballots for the primary casting their ballots. While military voters represent a very small number of overall voters, the numbers nevertheless show **4.5 percent fewer military voters cast their ballots during the runoff election, and 33.98 percent fewer had their ballots counted as compared to the primary election.** This may be due to the additional time afforded military voters to cast their ballots during the primary election. Citizens Union believes members of the United States Armed Forces fighting overseas – in some instances to establish democracy in foreign nations – should be given ample time to exercise their franchise at home. Ranked choice voting accomplishes that, and is done successfully for military voters in South Carolina and Arkansas.

- b. **Int. No. 1108 provides absentee voters with additional time to cast their vote, increasing their likelihood of participation.** While there is not a statutory requirement that absentee ballots be sent a particular number of days before a primary (or runoff) election, there is reason to believe that the quick turnaround between the primary and runoff election impedes voting by absentee voters. The Board this year mailed absentee ballots 10 days before the runoff election.

⁴ Election Law 8-100 refers to the runoff election as a primary election, stating, “In the event a run-off primary election is required in the city of New York, it shall be held on the third Tuesday next succeeding the date on which the initial primary election was held.”

That may have contributed to the fact that more absentee ballots did *not count* for this year's runoff election (756 ballots or 5.85 percent of absentee ballots cast) as compared to the primary (550 ballots or 2.49 percent of absentee ballots cast) because they were postmarked or received late (see chart on page 4). Also concerning is that only 22,057 absentee voters, or 32.04 percent, cast a ballot during the runoff election even though 40,347 received ballots as compared to 46.53 percent of absentee voters receiving ballots for the primary casting their ballots.⁵ While absentee voters represent a small number of overall voters, the numbers nevertheless show **14.49 percent fewer absentee voters cast their ballots during the primary, and 3.36 percent fewer had their ballots counted as compared to the primary election.**⁶ Citizens Union believes permanent absentee voters, including disabled residents, should have more time to vote in a runoff election so the likelihood increases that their vote will count. Int. No. 1108 will very likely result in increased participation rates for absentee voters.

- 3. Proposed Res. No. 4-A (in support of A. 7013 (Kavanagh))** - Citizens Union supports this resolution calling on the state legislature to pass into law Assemblymember Brian Kavanagh's bill that would replace the separate runoff held for citywide offices with an instant runoff election. We thank Assemblymember Kavanagh for his efforts in advancing IRV. While the system for tallying the vote is different than that for the Lander bill (only the top two candidates receiving the most first-choice votes are able to win in the instant runoff), Citizens Union believes it is most important to establish Instant Runoff Voting at this juncture and has not settled on which is best way to tally the votes to determine which candidates is preferred by voters when they have not received the voters' first-choice vote.

Kavanagh's legislation provides a potential middle ground between the Brewer and Lander bills by focusing only on the citywide races and limiting the runoff to the top two finishers in first-choice votes. The Council could also pass a bill consistent with the provisions of the Kavanagh bill which Citizens Union would support.

- 4. Int. No. 488 (Brewer)** - Citizens Union supports this legislation which requires the City Board of Elections post sample ballots online one week before an election. Citizens Union has long supported placing sample ballots online. In November 2010, Citizens Union released an analysis showing that the local boards of elections in twenty-seven counties in New York State – representing almost half of all counties – posted sample ballots online for voters to familiarize themselves with the ballot and races prior to

⁵ The overall decline in participation between the primary and runoff elections for absentee and military voters combined was 14.04 percent or 9,259 voters numerically. This exceeds the actual drop off at the polls, which was 10.7 percent. One would expect the drop off to be less among military and absentee voters since they actually went to the trouble to request a ballot.

⁶ There are 2,782 military voters and 31,650 permanent absentee voters registered in New York City according to the Board of Elections 2012 annual report.

entering the polling place.⁷ The City Board approved the policy three weeks later and placed sample ballots online for the first time in November 2011. It has done so in every election since then when optical scan machines have been used to administer an election. However, when the lever machines were brought back for the primary and runoff elections this year, the Board did not provide online sample ballots but rather a listing of candidates for the offices voted on by the voter linked to their address. Citizens Union believes the Board should be required to put sample ballots online that reflect what voters will see on Election Day irrespective of the type of voting machine used. We are pleased to see this legislation does just that, requiring sample ballots be made in conformance with New York State Election Law 7-118 which states, "The board of elections shall provide facsimile and sample ballots which shall be arranged in the form of a diagram showing such part of the face of the voting machine as shall be in use at that election. Such facsimile and sample ballots shall be either in full or reduced size and shall contain suitable illustrated directions for voting on the voting machine."

Thank you for the opportunity to testify today. I welcome any questions you may have.

⁷ See analysis at:
http://www.citizensunion.org/www/cu/site/hosting/Reports/CU_SampleBallotResearch_November2010.pdf along
with a map of New York counties utilizing sample ballots at:
<http://www.citizensunion.org/www/cu/site/hosting/images/CUsampleballotmap.jpg>



TESTIMONY OF SUSAN LERNER
EXECUTIVE DIRECTOR, COMMON CAUSE/NY
BEFORE THE COMMITTEE ON GOVERNMENTAL OPERATIONS
OF THE NEW YORK CITY COUNCIL
November 21, 2013

Thank you for the opportunity to address you today. I am Susan Lerner, Executive Director of Common Cause/New York. Common Cause is a national nonpartisan, nonprofit public advocacy organization founded in New York in 1970 by John Gardner as a vehicle for citizens to make their voices heard in the political process and to hold their elected leaders accountable to the public interest. With nearly 400,000 members and supporters and 36 state organizations, Common Cause is committed to honest, open and accountable government and to encourage citizen participation in democracy. Since its inception, the New York chapter has always been and continues to be one of the most active state organizations in the country, representing tens of thousands of New Yorkers throughout the state.

Consistent with our overall mission we have consistently advocated for election reform, working to improve accessibility, accuracy, transparency, and verifiability in our democratic process at the city, state and national level. For a number of years, our research arm, Common Cause Education Fund, has conducted comprehensive studies of how we conduct elections, which studies look at voting issues across the country and also examine different reforms as actually implemented in various states as well as in other countries. Here in New York, Common Cause is a co-facilitator, along with NYPIRG, of the state coalition of groups that monitor election activities, now called the New York State Voters' Coalition. Common Cause has been, and remains, a supporter of Instant Run-Off Voting wherever the concept has been introduced.

I want to thank the Committee for holding this hearing on the important topic of Instant Run-Off Voting, a reform designed to make our City elections more cost effective and accessible to the voters. I particularly want to acknowledge the work of the bill's organizational sponsor, Citizens Union, in helping to educate Council members and organize the good government groups to understand and support this worthy reform, as well as thank Fair Vote, our national coalition partner, for being a resource for IRV efforts nationwide.

We, like many New York City residents, were dismayed by the cost attendant in running the recent run-off primary election for the office of Public Advocate. It has widely been reported that the run-off cost the New York City taxpayers \$13 million dollars, an ironic figure because the office at issue has an annual budget of \$2 million. Certainly, the public advocate run-off has illustrated the need to reform the election procedures when

a primary election does not result in one candidate garnering more than 40% of the vote.

I would like to say at the outset that we at Common Cause/NY do not believe that the appropriate response would be to abolish the run-off altogether. We are concerned about the confidence – or lack thereof – which the public would have in an elected official elected by a very small percentage of eligible voters. We are also concerned that abolishing the run-off would encourage candidates who represent small but very vocal and cohesive ideological minorities to run and potentially win the office without true support in their district, a fact which could be masked in a low turn-out elections by well-orchestrated bloc voting. We believe that the right response is to pass IRV for all citywide races.

Int. No. 1066 - In relation to instant run-off voting.

Common Cause/NY strongly supports the use of Instant Run-off Voting (IRV) or ranked-choice voting not only as a cost saving but also as a way to encourage a greater focus on issues and discourage scorched-earth negative campaigning. Experience in municipalities across the country shows that IRV is cost-effective and popular. We join in on the comments made by Citizens Union and Fair Vote discussing how IRV actually works and will not take up the Committee's time going over the same ground, but rather want to emphasize our strong support for Int.1066 which, if passed, might obviate the need for Int.1108.

Int. No. 1108 - In relation to absentee and military voters utilizing ranked choice voting.

Common Cause/NY strongly supports this bill as a measure to insure that our servicemen and women and eligible absentee voters are not disenfranchised in the event of a City run-off election. We believe that, should the Council not be ready to adopt IRV across the board for all citywide races that Int. No. 1108 is a practical response to the Legislature's failure to set a workable primary and run-off calendar for state and municipal races, refusing to move the primary election for state and local offices earlier in the year rather than holding it in September. There is no impediment to holding the primary in June, as was done formerly. Additionally, the primary for federal congressional offices is held in June as a result of the Military and Overseas Voter Empowerment (MOVE) Act, which requires states to send ballots to military and overseas voters no later than 45 days before the election.

The fact that the insistence that the primary must be held in September, timing chosen for the convenience of incumbent legislators, also threatens to disenfranchise our servicemen and women, as well as eligible absentee voters, is indefensible on any grounds. Luckily, instant run-off voting (also known as ranked choice voting) provides a practical and cost-saving procedure which New York City can adopt to insure that its

eligible voters, particularly those over-seas, will be able to vote in any run-off elections held in the fall.

Ranked choice voting allows military and absentee voters to rank candidates on their ballots in order of preference for as many candidates as are running for each office in the fall primary for the election of mayor, public advocate, and comptroller. The voter's first choice would be counted for the fall primary election. Only if a runoff election is necessary would the ranked choices be compiled to determine their votes in the runoff. The ballots of military and absentee voters would be tallied again following the runoff election, with the voter's first choice counted, except in the case that the candidate has been eliminated. If the voter's first choice is eliminated, the second ranked candidate will receive the vote, barring his or her elimination from the ballot in the primary, and so on in descending order of preference until a candidate not eliminated in the primary and ranked by the voter is identified for which a vote will be cast. If, however, the voter did not rank every candidate, and the voter did not mark any candidate that is on the runoff ballot, then no vote shall be recorded for the runoff election.

Adoption of ranked choice voting for military and absentee voters will not only provide obvious cost savings, but insure that these voters are able to cast votes that will be counted in the event of a run-off should the Council not pass Int. No. 1066.

Int. No. 1066 - In relation to eliminating run-off elections for the offices of public advocate and comptroller.

Common Cause/NY opposes this bill. We respect the impetus behind it – to avoid the cost of run-offs for a single down ticket citywide office - but believe that IRV is a better solution to that problem.

Proposed Res. No. 4-A - Resolution calling on the New York State Legislature to pass and the Governor to sign A.7013, which would require instant run-off voting in New York City primary elections for the office of Mayor, Comptroller and Public Advocate.

Common Cause/NY Does not support this resolution. Obviously, we support Instant Run-Off Voting. However, our preference is to have the City Council pass Int. No. 1066. We believe that the State Legislature exerts too great a domination over New York City's municipal affairs and we believe that this resolution is contrary to good Home Rule principles. We believe that New York City should directly control the way in which its municipal elections are conducted, including more direct control over the New York City Board of Elections. Accordingly, we can not support Proposed Res. No. 4-A.

ELECTION PROTECTION **YOU HAVE THE RIGHT TO VOTE**

1-866-OUR-VOTE ■ www.866OurVote.org

Statement of Kevin VanLandingham of Election Protection Before the New York City Council Committee on Governmental Operations on November 21, 2013

Chairwoman Brewer and Members of the Committee on Governmental Operations, thank you for allowing me, on behalf of Election Protection and the Lawyers' Committee for Civil Rights Under Law, to submit testimony for this important hearing on New York City elections.

As we believe you know, Election Protection is the nation's largest non-partisan voter protection coalition, and is led by the Lawyers' Committee for Civil Rights Under Law. Election Protection is supported by a diverse network of local and national coalition partners and volunteers across the country, and its sole mission is to work to ensure that every citizen who is legally entitled to vote is able to participate in our democracy. The program has two components –a nationwide hotline, 1-866-OUR-VOTE, and a field program in which trained volunteers assist voters at targeted polling locations. This year, at the New York City call center that I worked in, we had phone lines staffed during the primaries and the general election, and we deployed mobile legal volunteers during those elections at polling places throughout the City.

During the elections this year, as in other recent elections, the largest number of calls we received were from voters trying to find their polling sites. We also received a large number of inquiries regarding registration issues. At the New York City call center, thanks especially to the New York City Board of Elections' website, we were able to handle nearly all of those inquiries fairly easily.

For more complex issues that required the attention of the City Board of Elections to resolve, a staff person at the Board of Elections was designated to speak with us on an open line dedicated to our calls for the entirety of the day for both the primaries and the general election. On that line we reported issues that stood out as problems the Board needed to address. Our experience was that efforts were made to address those issues.

It is important to note that, based on our experience over several elections, this year fewer systemic problems were reported. We did not receive calls indicating that poll-workers were improperly seeking voter identification, nor did we receive calls indicating that poll-workers misunderstood how to use provisional or emergency ballots. Our conversations with other voter organizations have confirmed these observations. While the absence of these issues may be due, at least in part, to lower voter turn-out compared to 2012, we are, nevertheless, encouraged that these issues did not arise this year.



**LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
U N D E R L A W**

During the primary, we did report that a number of lever machines had malfunctioned. But there were far fewer reports of breakdowns when the scanners were used in the general election. We did receive several reports that scanners at polling places in Brooklyn were malfunctioning. Those issues appeared to have been remedied before noon.

We understand that many of the issues we reported could most efficiently be resolved by the Board with a phone call to the polling site. However, the Board does not appear to have a way to call its poll-workers directly on election day. This requires that the Board deploy its staff to polling sites across the City, when a brief phone call could have resolved the issue just as effectively.

During the general election, the Board indicated to us that it may be able to diagnose and resolve problems with scanning machines over the phone, but that it did not have a way to contact the poll-workers. We helped address that issue by suggesting that voters who had called into our hotline ask for a poll-worker's personal cell phone number, so that we could provide it to the Board. We believe those efforts helped to resolve issues more quickly.

Election Protection strongly recommends that funds be allocated so that each polling site may be provided with a cell phone to use during election day. This modest proposal will undoubtedly save more time and expense for the Board and the voting public than it will cost.

We would once again like to thank you, Chairwoman Brewer and Members of the Committee, for holding this hearing today and affording Election Protection the opportunity to share our experiences with the electoral process and our thoughts on how it can be improved. We remain committed to working with state and city governments, and will continue to offer any support that we can provide. Thank you.



**THE LEAGUE OF WOMEN
VOTERS OF THE CITY OF NEW YORK**

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Testimony before the City Council Committee on Governmental Operations on Election Related Legislation

Thursday, November 21, 2013

Good Afternoon. My name is Kate Doran. I serve on the Board of the League of Women Voters of the City of New York. As a multi-issue, nonpartisan political organization we encourage informed and active participation in government, work to increase understanding of major policy issues, and influence public policy through advocacy and education.

Thank you for holding this important hearing which we, and others called for on the steps of City Hall on October 2nd.

Runoff elections, as currently conducted, are expensive and inefficient. The turnout is very light and absentee and military voters are disenfranchised because of insufficient time for the ballot turn-around.

The LWVNYC believes in, and supports the concept of winners being elected by a majority or a significant plurality of the voters. We support runoffs, but we no longer support separate runoff elections. We are very pleased that you have opened the dialogue on the feasibility of substituting Instant Runoff Voting, or Ranked Choice Voting for the current system.

With respect to the bills under consideration here today, Int. 1108, which provides for ranked-choice voting for those who are utilizing absentee or military ballots in citywide primary elections, most closely tracks our current position and we would support this process. However, the bill repeatedly references the "fall" primaries, rather than the "citywide" primaries. As advocates of the June primary, which we hope will also be supported by the Council, we believe 'fall' in this new Charter language is unnecessary and unfortunate. We also believe that study and discussion should continue on the methodology for conducting ranked-choice elections. Should voters be given unlimited choices, as this bill proposes, or, should they be limited to three or four choices?

While we acknowledge serious deficiencies in our current runoffs we would not support a bill which would eliminate run-off elections for the offices of public advocate and comptroller. Runoffs have a value because they facilitate an election which assures that the winning candidate gets more than half of the votes. That's much more desirable than having a citywide official elected by fewer than a third of the voters, which did happen in multi-candidate primaries before the advent of the runoffs. Presumably this proposal

leaves in place the possibility of a second runoff event for the office of mayor, with all of the attendant costs and likelihood of disenfranchising absentee and military voters.

Int. No 1066 institutes instant run-off voting for citywide primary elections and all elections where candidates are nominated by independent nominating petitions, which would include filling City Council vacancies. Passage of this bill would result in dramatic changes for voters, including a voter referendum, and great challenges for the NYC Board of Elections. We appreciate the definitions in Section b. paragraphs (1) through (6), and suggest that the word "majority," in Section d, be similarly defined. Do you mean "fifty percent plus one vote," which is the language in the NY State Assembly Bill No. A07013 sponsored by Assembly Member Brian Kavanagh?

We note that Int. 1066 states that the Voter Assistance Advisory Committee shall be responsible for voter education. What outreach role do you envision for the NYC Board of Elections? If this bill, or any ranked-choice voting procedure is enacted the Board of Elections will have to secure a new computer program to count the ballots. These programs do exist and are successfully used with paper ballots and optical scanners in cities all over the country, including San Francisco, Oakland and Berkeley California. Since the cost of this program was not negotiated at the time the scanners were purchased, this is a cost that in large part may have to be borne by the City. However, we believe that this will produce a net savings over the \$13 or \$14 million we spend each time we run these separate runoffs.

In general the LWVNYC agrees that the City Council should pass a resolution to support state legislation amending the Election Law to provide for instant runoff voting. However, a question remains as to how the votes are to be counted. Assembly 07013 specifically stipulates that the two candidates with the most votes proceed to a second round and, most closely resembles the system in place under current law, but it is not the procedure described in the Council bills.

The LWVNYC was among the first to encourage the NYC Board of Elections to post sample ballots on its website. We appreciate that the Board has been posting sample ballots linked to the Poll Site Locator for the past few years, and we thank Council member Brewer for her persistent and invaluable work on this initiative. Accordingly we fully support Int. 488 that codifies the posting of sample ballots on the Board of Elections website as a requirement under the NYC charter.

While not a named topic of today's hearing we strongly urge the City Council to pass a resolution calling on the NY State Legislature to move the State Primary to a date in June. Without legislation there will be a federal primary in June 2014, and a State Primary in September 2014. As we all know, each one of these election events costs in the tens of millions of dollars and that bill must be paid by the city.

Since citywide runoffs won't happen again until 2017, we have the time and opportunity to consider the best way to improve our primary and general elections. The League of Women Voters recommends that the Council convene an Advisory Task Force with participation from and in consultation with, representatives of the Mayor, Public Advocate and Comptroller, Borough Presidents, State Legislators, New York City and State Boards of Election, Bar Associations, political parties and 'good government' organizations active in election reform and voter protection to explore avenues for improving New York City elections focusing on the pros and cons of instant run-off voting and the mechanics of ranked-choice voting.

We are happy to have been invited here today. Thank you for giving us the opportunity to comment.

**CITY COUNCIL GOVERNMENTAL OPERATIONS COMMITTEE HEARING THURSDAY,
NOVEMBER 21, 2013**

**RE: INTRO 1066-2013 INSTANT RUNOFF FOR MAYOR, PUBLIC ADVOCATE,
COMPTROLLER AND SPECIAL ELECTIONS.**

INTRO 1108-2013 - MILITARY AND ABSENTEE BALLOTS

**COUNCILMEMBER BREWER , MEMBERS OF THE GOVERNMENTAL OPERATIONS
COMMITTEE, THANK YOU FOR DRAFTING THIS LEGISLATION AND HOLDING TODAY'S
HEARING.**

**I AM JAN LEVY, FORTUNATE TO BE ACONSTITUENT OF COUNCILMEMBER BREWER'S,
AND A LONG TIME ELECTION DAY POLLWORKER.**

**THIS YEAR, REGISTERED DEMOCRATS WENT TO THE POLLS THREE TIMES BETWEEN
SEPTEMBER 10TH AND NOVEMBER 5TH, PROVING THAT WE JUST KEEP VOTING TILL
WE GET IT RIGHT.**

**I SHUDDER TO THINK WHAT THESE ELECTIONS COST THE CITY - WORSE, WHAT THE
COST PER VOTER WAS WITH THE LOW TURNOUTS FOR ALL THREE ELECTIONS.**

**NOW THERE WAS SOMETHING FOR EVERYBODY ALL THREE TIMES. BRINGING BACK
THE LEVER MACHINES WAS A BIG HIT - THOSE WHO VOTED IN THE GENERAL WERE
SORELY DISAPPOINTED BY HAVING TO MARK THEIR BALLOTS BY HAND -
ESPECIALLY GIVEN A TYPE FONT SUITABLE FOR INSCRIBING THE DECLARATION OF
INDEPENDENCE AND THE BILL OF RIGHTS ON THE HEAD OF A PIN, PLUS THE SIX
PROPOSALS.**

**THESE ELECTIONS WERE UNUSUALLY COSTLY - THE LEVER MACHINES HAD TO BE
DUSTED AND CHECKED FOR FUNCTION - THEN MOVED FROM WAREHOUSES TO
POLLING PLACES, MOVED BACK AFTER THE PRIMARY, REPROGRAMMED AND MOVED
OUT AGAIN FOR THE RUNOFF AND FINALLY RETURNED TO THE WAREHOUSES. IN
NOVEMBER, THE SCANNERS HAD TO BE BROUGHT OUT AND RETURNED TO STORAGE.**

**MOST ELECTION DISTRICTS REQUIRE TWO INSPECTORS - AT \$200 EACH, PLUS \$100
FOR THOSE WHO ATTEND TRAINING CLASS AND WORK AT LEAST TWO ELECTIONS.
SOME E.D.'S HAVE THREE INSPECTORS AT THE DESK - ALTHOUGH THE THIRD
PERSON FILLS IN AT LUNCH AND BREAK TIME AS NEEDED ELSEWHERE. IT MAKES
THE HEAD SWIN TO ATTEMPT TO DO THE MATH IN OUR CASH-STRAPPED CITY.**

**ABSOLUTELY, WE MUST HAVE PREFERENTIAL VOTING WHEN THERE ARE MULTIPLE
CANDIDATES FOR THE OFFICES OF MAYOR, PUBLIC ADVOCATE AND COMPTROLLER.
IT IS FAR TOO COSTLY, TOO LABOR INTENSIVE AND TOO TIME-CONSUMING TO
REVIEW THE RESULTS TO DETERMINE IF A RUNOFF IS REQUIRED.**

**FOR THE RECORD, THE PRIMARY RETURN OF CANVASS REQUIRED POLL INSPECTORS
TO WRITE IN THE NAMES OF ALL THE CANDIDATES. THE TOTAL, FOR MAYOR, PUBLIC
ADVOCATE, BOROUGH PRESIDENT AND CITY COUNCIL, CAME TO TWENTY-SEVEN**

NAMES IN MY E.D. HAD WE BEEN VOTING ON THE SCANNERS, I'D STILL BE IN THE POLLING PLACE TRYING TO COMPLETE THE RETURN OF CANVASS!

SO FROM EVERY ASPECT, IT MAKES GOOD SENSE TO ESTABLISH AN INSTANT RUNOFF SYSTEM. WE LEARNED THIS ELECTION CYCLE, THAT OUR COMPUTER SCANNERS COULD NOT HANDLE A RUNOFF. WE WERE INFORMED THAT THERE WOULD NOT BE ENOUGH TIME BETWEEN THE PRIMARY AND GENERAL ELECTIONS TO PROGRAM THE SCANNERS.

PLEASE BEAR WITH ME. LADIES AND GENTLMEN, NEW YORK WAS, I BELIEVE, THE LAST OF THE 50 STATES TO APPLY FOR THE HAVA - HELP AMERICA VOTE ACT - FEDERAL FUNDING. AND ALTHOUGH THE EMPIRE STATE PRIDES ITSELF ON LEADERSHIP IN MANY AREAS OF TECHNOLOGY, FORGIVE ME, BUT IT APPEARS THAT SOMEHOW, NO ONE INVOLVED IN SELECTING THE ELECTION COMPUTER SYSTEM MADE INQUIRY OF ANY OF THE OTHER 49 STATES ABOUT HOW THEIR SYSTEMS FUNCTIONED - WHAT WERE THE PROBLEMS - WHAT WERE THE SOURCES OF GLITCHES OR OTHER POSSIBLE DISRUPTIONS OR MALFUNCTIONS.

THUS, WE ARE LEFT WITH, THEORETICALLY, A "21ST CENTURY" SYSTEM, DEPENDENT ON 19TH CENTURY METHODOLOGY.

INSPECTORS ENTER THE RETURN OF CANVASS TOTALS BY HAND - THE SCANNERS DO NOT PRINT OUT A TOTAL FOR EACH CANDIDATE - ONLY THE CANDIDATES' TOTALS FOR EACH E.D. SCATTERED OVER HOWEVER MANY SCANNERS ARE USED.

BEAR IN MIND THAT POLLWORKERS ARE REQUIRED TO BE AT THE POLLING PLACE AT 5:00 A.M - THE POLLS CLOSE AT 9:00 P.M., SO THAT'S A 16-HOUR DAY - EVEN WITH LUNCH AND DINNER BREAKS OF ONE HOUR EACH. NOW BY 9:00 P.M., WORKERS ARE SOMEWHAT WEARY. THE TAPES, WHICH HAVE TO BE CUT BY HAND FOR EACH E.D. AT THE SCANNERS, ONLY PROVIDE RESULTS BY E.D. THE E.D. DESK MUST DO THE MATH - AS WELL AS OTHER CLERICAL CHORES, AND PACKING UP MATERIALS. I DID NOT LEAVE THE POLLING PLACE ON NOVEMBER 5TH UNTIL 10:15 P.M. SO IF THE COUNT WASN'T RIGHT- WELL - POOR, MISGUIDED POLLWORKERS - ALL ALONG WE WERE THINKING THE COMPUTERS WOULD HAVE THE FINAL TALLIES. NOT REALLY.

INTRO 1108-2013: INSTANT RUNOFF WILL ALSO BENEFIT MILITARY AND ABSENTEE BALLOT VOTERS, OTHERWISE DISENFRANCHISED BY SHORT TURN AROUND TIMES WHICH PRECLUDE MAILING AND RETURN OF RUNOFF BALLOTS.

I CONCLUDE BY THANKING THE COMMITTEE FOR PROPOSING PRACTICAL SOLUTIONS. NOT ONLY WILL INSTANT RUNOFF SAVE THE TAXPAYERS A CONSIDERABLE AMOUNT OF MONEY - BUT THINK OF THE BENEFIT TO THE CANDIDATES' NERVOUS SYSTEMS!!!

I THANK YOU FOR THIS OPPORTUNITY TO BE HEARD, AND FOR YOUR IMPORTANT INITIATIVE IN THE MATTER OF ASSURING FAIR AND EFFICIENT ELECTIONS.



The Center for
Voting and Democracy

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www.fairvote.org

To Committee on Governmental Operations, New York City Council
From Rob Richie, Executive Director, FairVote
Date November 21, 2013
Re Testimony in support of Instant Runoff Voting legislation

Summary of positions on legislation related to testimony:

Int. No. 1066 - In relation to instant run-off voting. SUPPORT

Int. No. 1108 - In relation to absentee and military voters utilizing ranked choice voting. SUPPORT

Proposed Res. No. 4-A - Resolution calling on the New York State Legislature to pass and the Governor to sign A.7013, which would require instant run-off voting in New York City primary elections for the office of Mayor, Comptroller and Public Advocate. SUPPORT

Thank you to the committee for holding this important hearing, and for my opportunity to submit testimony in favor of legislation to establish instant runoff voting for primary elections for citywide office and for special elections to the city council, along with separate legislation to establish ranked choice voting ballots for absentee and military voters and a resolution to back state legislation to adopt instant runoff voting for primaries for citywide offices.

I am executive director of FairVote, The Center for Voting and Democracy. We are a nonpartisan, nonprofit organization founded in 1992 that educates and empowers Americans to remove the structural barriers to achieving a representative democracy that respects every vote and every voice in every election. As part of this mission we have been directly involved in the adoption, implementation and evaluation of instant runoff voting (IRV) in cities such as Minneapolis and St. Paul in Minneapolis, San Francisco and Oakland in California, and Portland, Maine.

On behalf of FairVote and our New York City board members Hendrik Hertzberg of the New Yorker and Tim Hayes of CBGB, I am testifying in favor all three bills and resolutions advancing instant runoff voting in your elections. "IRV" is a proven and increasingly common ranked choice voting method that rewards candidates who reach out to more voters, reduces the power of money in elections, and upholds the value of majority rule. With my testimony are two documents.

- The first document is a letter sent this week to Speaker Christine Quinn by Minneapolis city councilmember Elizabeth Glidden, who was just elected to her third term. Councilmember Glidden strongly recommends adopting of instant runoff voting based on the experience in her city. She represents the voice of elected officials all over the country that have been elected by instant runoff voting and believe it is good for their city.
- The second document is a Frequently Asked Questions three-page document about the value of enacting IRV for primaries for citywide offices and special elections. It goes into more detail about subjects I will touch on now.

What is instant runoff voting and what is its history?

Instant runoff voting is a one person, one vote system that increases voters' power to elect candidates. With IRV, voters gain the option to rank candidates in order of preference (1, 2, 3). A ballot never counts for more than one choice at a time, and indicating a backup preference never counts against the chances of your higher ranked choices.

Voting is as easy as 1-2-3. In the tally, every ballot counts as one vote for its highest ranked candidate. If more than two candidates receive votes, last-place candidates are defeated one by one, and their supporters' ballots are added to the totals of each ballot's top-ranked remaining candidate. When two candidates remain, the one with a majority of the remaining votes is elected. (The count can be shortened by electing a candidate as soon as that candidate receives a majority of the vote.)

Since its invention by an American in the 19th century, IRV has become widely used, especially as modern technology makes it easier to count ballots. London elects its mayor with IRV. Australia and Ireland elect their national leaders with IRV. More than a dozen U.S. cities use it. Robert's Rules of Order recommends IRV, which helps explains its use by hundreds of major associations – including more than 60 American colleges and universities and even the “Oscars” for Best Picture.

Benefits of IRV Compared to Runoff Elections

New York is not only alone in using runoff elections for some offices. For example, the Boston mayoral election this year featured 12 candidates. The two candidates with the most votes received 18% and 17% of the vote, respectively, and advanced to the runoff. While a runoff ensured Boston would not end up with a citywide leader with as little as 18% support, the vote-splitting in the first round meant that the two runoff candidates may not have been the strongest candidates. Although we believe runoffs are better than a plurality vote, IRV has benefits over runoffs:

- *No vote splitting in preliminary round.* In Boston this year, the top two candidates in the preliminary election were two white men with a total of only 35% of the vote. Close behind was one of five candidates of color. Because she came in third, voters lost the opportunity to show support for her in the general election. With IRV, candidates are defeated one-by-one, allowing them to coalesce around the candidate with the strongest support.
- *Taxpayers save time and money.* A single instant runoff election almost always is easier and cheaper to administer than two elections - -and less of a tax on voters' time.
- *A more representative group of voters.* Either the first round or the runoff tends to have significantly lower turnout. With IRV, everyone can participate in one decisive election.
- *Reduced impact of campaign spending:* Runoffs require candidates to raise and spend more money, and give more power to PACs able to spend so-called “independent expenditures.”

Benefits of IRV Compared to Single Vote Plurality Elections

Most New York City primaries are conducted by the single vote plurality method. That means that no matter how many candidates appear on the ballot, voters may only indicate support for one. But state policymakers rejected this system for citywide primary races after controversial winners. Since that time, runoffs have resulted in the defeat of some candidates who led in the first round. Even mayor-elect Bill de Blasio might have lost with a plurality vote system in 2009, when he won the public advocate runoff comfortably, but led in first round by only 1.1%

Instant runoff voting has a number of benefits over the single vote plurality method.

- *IRV upholds the concept of a “majority veto.”* When voters can only indicate support for one candidate and the candidate with the most votes wins, the winner may have been opposed by a large majority of voters. That happens when the majority is split between two or more other candidates. IRV “heals” such fractured votes to uphold the will of the voters.
- *IRV minimizes the “spoiler” dynamic.* Candidates with less support are often called “spoilers” and discouraged from participating to avoid the possibility of a majority of voters splitting their votes between the most popular candidate and the less mainstream candidate. IRV allows full participation without fear of an election being “spoiled.”
- *Candidates campaign more positively and to a broader group of voters.* When voters can only indicate support for one candidate, candidates have no incentive to reach out to voters who favor their opponents. Further, candidates can benefit by campaigning negatively against opponents to depress the turnout of their opponents’ supporters. Under IRV, candidates benefit by being the second choice of voters, so they have incentives to reach out to more people. Among mayors elected by IRV, two in particular – Mike Brennan, elected mayor of Portland (ME) in 2011 and Betsy Hodges, the newly elected mayor of Minneapolis – single out this feature of IRV as particularly valuable.

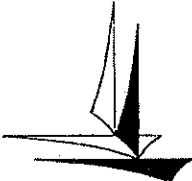
Common Questions about Instant Runoff Voting

Because IRV is a new to many people, often there are questions that arise regarding how it works. Here are answers to some of the most common questions.

- *Instant runoff voting is constitutional.* Just as with runoff elections, every voter has only one vote count in each round. FairVote can provide copies of unanimous opinions upholding IRV’s legality by the Minnesota Supreme Court and 9th Circuit Court of Appeals.
- *Instant runoff voting is fair to voters and candidates.* No voter gets more votes than anyone else in an IRV election. When one voter’s ballot counts for a second choice, it is analogous to that voter returning in a runoff to vote for a second choice when his or her first choice candidate failed to make the runoff.
- *Instant runoff voting is simple for voters.* Millions of voters from a variety of backgrounds use ranked ballots without difficulty. Exit polls from cities using IRV demonstrate that voters understand and prefer the system, and ballot error rates are consistently low. In Minneapolis, more than 99.95% of voters registered a 1st choice. At least 87% of voters ranked a 2nd choice, and at least 77% of voters ranked a 3rd choice.
- *Instant runoff voting can be effectively administered using existing voting systems.* The largest voting equipment vendors run IRV elections in Minneapolis and San Francisco.

Conclusion:

IRV is a desirable pro-democracy reform. Voters can easily learn to use it effectively. Election officials around the U.S. are implementing it, and it certainly can be done in New York. There are lessons to learn from IRV implementations in the U.S. that I am happy to discuss in more detail, but it is clear that IRV holds great promise for improving New York elections. Thank you.



Minneapolis
City of Lakes

City Council

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November 19, 2013

Speaker Christine Quinn
250 Broadway, Suite 1856
New York, New York 10007

Re: Consideration of Instant Runoff Voting

Dear Speaker Quinn:

I understand that the New York City Council is considering the adoption of instant runoff voting, or what Minneapolis calls ranked choice voting (RCV), for certain city elections. As a policy maker involved in adopting and implementing RCV over the past decade, I am a strong supporter of this step by New York City.

This year, 2013, Minneapolis held its second municipal election using Ranked Choice Voting. This was our first real test of Ranked Choice Voting with competitive elections – we had an open race for Mayor on the ballot and many competitive city council races. In an era when voter turnout in municipal elections continues to trend downward nationally, 80,000-plus Minneapolis voters came out to the polls – the most for a city election in more than a decade.

According to media and anecdotal reports, voters had a great experience at the polls with few exceptions. They understood how to rank their ballots and they did so in overwhelming numbers. An astounding 88 percent of voters ranked a second choice in the mayoral election, and 78 percent ranked a third choice as well. Voters ranked their ballots in similarly high numbers across the city, including in precincts of predominantly communities of color and those with high poverty rates.

The achievements this year build on the highly successful rollout of RCV in our 2009 municipal election. As chair of the Elections Committee at that time, I can attest to the firm foundation the city elections department put in place and its continuous work to improve outcomes, including voter engagement and experience this year.

Our experience shows that implementing RCV is – given careful planning and community buy-in – an eminently doable way to make our municipal elections more participatory, inclusive and representative. Previously, our primary system meant that a small, demographically unrepresentative slice of the electorate narrowed the candidate field before the general election in November. Under Ranked Choice Voting, a much larger and more diverse number of voters play an active role in selecting the ultimate winner of the election, during one election in November.

November 19, 2013

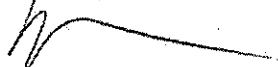
Page 2

We also saw, in this competitive election year, how RCV promotes more civil, substantive, issue-based campaigning. While a handful of reporters and pundits may miss the mudslinging that occurred under the old system, most voters were pleased and grateful to skip it in favor of campaigns that emphasized common ground and contrasts on issue positions, rather than personal attacks. The winner in the mayor's race, Mayor-elect Betsy Hodges, prevailed by successfully building a broad coalition of support, ensuring that her supporters were encouraged to rank their votes. This was also true in several competitive council and park board races using RCV.

We are proud of the widespread positive feedback we've been hearing from voters, candidates and election judges across Minneapolis. Fostering greater political competition, increasing voter participation, cutting down on attack campaigning, eliminating the specters of "spoilers" and "wasted votes" – these benefits are worth the considerable work of moving to a smarter voting system. Transitioning to RCV has been a significant undertaking, but we're here to tell you that this reform is achievable and, by and large, extremely rewarding.

I wish you clarity and great success as you consider Ranked Choice Voting for New York City. Please let me know if I can be of further assistance.

Sincerely,



Elizabeth Glidden



The Center for
Voting and Democracy

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www.fairvote.org

November 2013 (3 pages)

New York City and Instant Runoff Voting: An FAQ

New York City on October 2nd held a primary runoff election for the office of Public Advocate. The runoff cost taxpayers at least \$13 million, effectively disenfranchised most overseas absentee voters, and contributed to a highly negative campaign. Turnout fell by more than two-thirds from the September 10th primary. Even the potential of such a runoff had negative consequences, as it led to the city's use of antiquated lever voting machines this year and great uncertainty about a potential runoff in the Democratic contest for mayor.

One reform alternative is simply to abolish runoff elections, but that has negative consequences as well. Low-plurality winners can be highly unrepresentative; for example, without a runoff in Boston this year, the "winner" would have earned only 18% of the vote. Requiring a higher percentage also encourages candidates to reach out to more voters.

To avoid the downsides of runoffs without going to a simple plurality, the best, most proven solution is to replace the use of delayed runoff elections with a single election with instant runoff voting. Doing so allows voters to participate fully by means of a single instant runoff ballot rather than have to return to the polls. There are good reasons that instant runoff voting has earned strong backing in New York, both currently and in the past.

Replacing Delayed Runoffs with Instant Runoff Voting: The A,B,C's

When using a two-round runoff election, voters select a first-choice candidate in the first election. If no candidate obtains a certain threshold of support (40% in New York City), then voters are asked to return for a second election between the two candidates with the most first round votes. Many voters don't return to vote for runoffs, however. Among those who do return, the great majority vote again for their first-choice candidate. Most of the rest settle on their next choice among the runoff candidates

Instant runoff voting (IRV, also called "ranked choice voting") accomplishes the same goal by simply asking voters to indicate both their first-choice and their second and later choices on the same ballot at the same time. If no candidate reaches the winning threshold of votes (typically a majority of 50% + 1) based on first-choice preferences, then last-placed candidates are defeated. Ballots for these defeated candidates then are added to the totals of the next-ranked candidate who has not been defeated. This tallying process is repeated until a continuing candidate achieves the winning threshold. Variations of this basic approach include:

- Always using the IRV tallying process to reduce the field to two, thereby always providing more clarity as to the winner's mandate when matched against his or her top opponent.
- Shortening the count by requiring a winner to finish in the top two in first choice rankings, and thereby eliminating all other candidates simultaneously and awarding their votes to the finalist ranked next on their in the second and final instant runoff.
- Limiting rankings to fewer than all candidates, with five being the most reasonable number.

The Two-Round Election Imposes Severe Election Administration Burdens Compared to IRV

Because New York City's optical voting equipment could not be reprogrammed for a second election fast enough, it had to instead use 1960s era lever machines. This led to highly predictable troubles involving broken machines and frustrated voters. To avoid the use of lever machines, some argued for moving the primary election to June. However, putting that much time between the primary and primary runoff elections has downsides. It would exacerbate the already steep drop-off in voter turnout between rounds, lengthen the campaign seasons, having losing incumbents serve in office well after their defeat, and add demands on candidates to raise more money for campaigns.

In contrast, the current optical-scan voting equipment used by New York City can be used for IRV elections where voters rank their first, second, and third choices or (with a minimal software upgrade) where voters may rank all candidates. Indeed, New York City's equipment vendor ran IRV elections this November in Minneapolis (MN) and Takoma Park (MD) using the same optical scanners used by New York City.

The Two-Round Runoff Election Imposes High Costs on the City

In New York City, the cost of holding the October 1st runoff was at least \$13 million. New York City also provides public matching funds for campaigns that accept an expenditure cap, and so some of the campaign's costs for the second election were borne by the city. Transitioning to IRV would save the city the costs of holding the runoff election as well as the additional public matching funds for campaigns. Consequently, New York City would see considerable savings from transitioning to IRV that could be invested into voter education efforts about the election in general and to help the transition to IRV.

Voters Handle Instant Runoff Ballots Well

In election after election with IRV ballots, including in racially and ethnically diverse cities such as Oakland (CA) and San Francisco (CA), voters handle IRV ballots very well. In fact, voter error in those cities has been far higher in non-IRV elections, such as the June 2012 U.S. Senate primary. In Oakland's first mayoral election in 2010, the winner finished with more votes than had been won in two decades, and 99.7% of ballots were valid. Of Oakland's 18 offices elected with IRV since 2010, fully 16 were won with more votes than the winner in the preceding non-IRV election. More than 99.8% of voters had a valid first choice in the first IRV election in Portland (ME) and more than 99.95% of voters had a valid first choice in this year's mayoral election in Minneapolis (MN).

Runoffs Encourages Divisive Campaigning, While Instant Runoff Promotes Inclusion

With runoffs, voters indicate support for only one candidate. As a result, campaigns have little incentive to reach out to constituencies that are likely to favor opponents. That trend can exacerbate traditional identity politics in diverse cities like New York City. For example, many New Yorkers from predominantly Asian American communities this year felt ignored in the mayoral primary. Voters in those communities could only indicate support for one candidate, and the other campaigns assumed that most would put that support behind Chinese American candidate John Liu. Consequently, campaigning there would not have significantly helped the other candidates. While Liu received only 7% citywide, he received a majority in heavily Asian American neighborhoods, including almost 80% in some Chinatown precincts. Under IRV, those voters – and all voters across the city – would have been courted in efforts to win their second and later ranked choices.

In the runoff election, the fact that only two candidates compete makes the election zero-sum, such that a candidate gains as much from attacking an opponent as from supporting their own candidacy.

This year's runoff campaign for Public Advocate quickly turned negative in a race between an African American candidate and a white candidate. With IRV, there never needs to be an election with only two candidates, and candidates will be more likely to avoid alienating the bases of their opponents with negative campaigning, because in order to win they will need to be the second and later choices of some of those opponents.

IRV Has Substantial Support in New York

In 2010, the New York State Senate passed Senator Liz Krueger's bill that would have implemented a three-year trial period for cities to use IRV to elect their citywide officers. The same year, the New York City Charter Commission gave serious consideration to ranked choice voting for citywide primaries; a commission staff report recommended that it go on the November 2010 ballot, concluding it would avoid the drop in turnout for runoff elections, allow political participation without fear of "spoilers," and save the city the costs of an additional election. Among its current backers are both candidates in the Public Advocate runoff elections, civic groups like the Citizens Union, AALDEF and Common Cause New York, and numerous city elected officials.

IRV is Legal

When opponents have challenged IRV in courts, they have decisively lost. IRV is a one person, one vote system with no barriers under New York law, the New York Constitution, or the U.S. Constitution. Recent rulings affirming its legality include unanimous decisions by the Minnesota Supreme Court (2009) and the Ninth Circuit Court of Appeals (2011).

A Roadmap to Implementing IRV in New York City

The first step toward getting IRV in New York City is for the City Council to pass Int. No. 1066 (Lander). This bill would implement IRV in special elections and in primary elections for citywide offices. The city could then prepare for implementation in any special elections that may take place in the immediate future. These special elections, along with insight from the various other cities using IRV, would provide a useful small-scale run of IRV elections to establish best practices for the 2017 citywide primary elections. By the time of the 2017 primary elections, New York City would have established the necessary practices to run an effective instant runoff election with a usable ballot design and quick tabulation.

For More Information

FairVote has a number of documents that are on its website (FairVote.org) or can be made available upon request, including:

- Sample IRV ballots; our preferred design lists candidate names once, with narrow columns
- FairVote's testimony in favor of IRV bills to the New York state senate in 2009
- A report on the effect of IRV on racial minorities by FairVote and New America Foundation
- FairVote memo favoring Int. No. 1108 (Brewer) to establish IRV ballots for overseas voters

For more information, contact FairVote executive director Rob Richie or staff attorney Drew Spencer at (301) 270-4616 or dspencer@fairvote.org and visit the websites InstantRunoff.com and Fairvote.org.

....disenfranchised soldiers and overseas voters

The short length of time between some primary and general elections, and between elections in many traditional runoff systems, presents a significant obstacle to absentee voting for men and women in uniform when stationed overseas. Instant runoff ballots are becoming increasingly popular as an innovative way for jurisdictions to ensure that all overseas absentee voters have their votes count in every round of voting.

"The Way Democracy Will Be"
www.fairvote.org




FairVote
6930 Carroll Avenue
Suite 610
Takoma Park, MD 20912



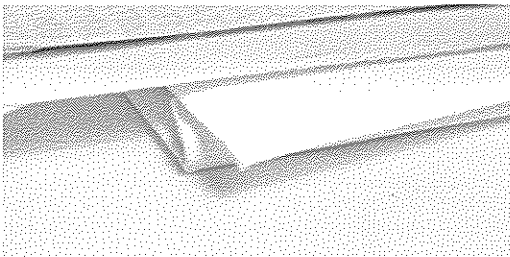
INSTANT RUNOFF ABSENTEE BALLOTS

....protecting overseas voters

 "The Way Democracy Will Be"

Election officials recommend mailing ballots to overseas voters at least six weeks before an election, but some jurisdictions leave only one week between election rounds. Far too often there is not nearly enough time to certify first round results, print runoff or general election ballots, send them to troops stationed in war zones and receive the returned ballots in time to count.

Mailing delays, recounts and other obstacles too often disenfranchise our service men and women. Several states have solved this problem by providing overseas voters with instant runoff ballots that ensure their votes count in both the first round and second round of voting.



"[Using instant runoff absentee ballots] protects overseas citizens' right to vote in a runoff when the absentee ballot turnaround time is often tight."

Charlie Daniels, Arkansas Secretary of State,
news release on April 5, 2007

THE INSTANT RUNOFF BALLOT SOLUTION

Instant runoff ballots solve the problem of a short turnaround time between elections. Overseas voters receive two ballots – a standard ballot for the first election and a ranked choice ballot for the second election. The ranked ballot contains all the candidates from the first election, and voters rank them in order of preference, from first to last.

Both ballots are returned before the first election, and the standard ballot is counted as usual. In the event of a runoff election or a general election, the ranked ballot is counted toward the highest ranked candidate who advanced to the second round.

THE INSTANT RUNOFF BALLOT ADVANTAGE

- Military personnel stationed overseas can be confident their ballots will be counted without lengthening the election season for voters back home.
- These ballots comply with federal standards set by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and have received pre-clearance from the Department of Justice.
- Election administrators eliminate unnecessary and often ineffective overseas mailing costs.

ITION

RANKED BALLOTS IN ACTION

Louisiana pioneered the use of ranked ballots for overseas voters, extending it to all out-of-state military voters in their frequent runoff elections. In 2006, South Carolina adopted instant runoff ballots for military and all other overseas voters in all federal and state primary runoff elections and had a successful first election that year. Arkansas has used instant runoff ballots for all overseas military voters in all federal, state and local runoffs since 2005, and extended it to all overseas voters in 2007.

Voters like the proposal. In April 2007, Springfield (IL) adopted instant runoff ballots for overseas voters in their local elections through a ballot measure. The measure earned an astonishing 91% of the vote.

INCLUDEEVERYVOTER.ORG

American men and women in uniform protect our democracy at home and help others support democracy overseas. These duties should not interfere with their ability to participate in democracy at home. IncludeEveryVoter.org is a FairVote project dedicated to protecting the voting rights of military and overseas voters at the federal, state and local levels through the use of ranked ballots.

For more information, contact:

INCLUDE EVERY VOTER
FairVote

6930 Carroll Ave., Suite 610
Takoma Park, MD 20912

Phone: (301) 270-4616
Fax: (301) 270-4133
E-mail: irv@fairvote.org

Based in Takoma Park, MD, FairVote is a leading national non-partisan, non-profit pro-democracy organization. We pursue an innovative, solution-oriented agenda that focuses on systemic change and increasing political participation.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Rob Richie

Address: Farvute - 6930 Carroll Ave, #610, Taberna

I represent: Farvute

Address: Same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Alex Camarce

Address: _____

I represent: Citizens Union

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: Kate Doran

Address: 11 Polhemus Pl. Bklyn NY 11215

I represent: League of Women Voters of NYC

Address: 4 West 43rd St. NY NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1108

I intend to appear and speak on Int. No. 1066/488 Res. No. 4-A

in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: SUSAN KERNER

Address: 74 Trinity Pl

I represent: Common Cause/NY

Address: 74 Trinity Place

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1066 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jon Levy

Address: 115 Central Park West

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 488 Res. No. _____

in favor in opposition

Date: 11/21/2013

(PLEASE PRINT)

Name: Kevin VanLandingham

Address: Davis Park & Woodwell LLP, 450 Lexington Ave, NY, NY, 10017

I represent: Election Protection

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: Amy Lopiest

Address: 40 Rector Street

I represent: NYC Campaign Finance Board

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: Michael Ryan

Address: 42 Bowly

I represent: NYC BOE

Address: 42 Bowly

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: Dawn Sandow

Address: 610 Chambers Ave

I represent: NYC BOE

Address: 42 Broadway

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: DOUGLAS KELLNER

Address: NYS Board of Elections

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

NO POSITION in favor in opposition

Date: 11/21/13

(PLEASE PRINT)

Name: RAPHAEL SAVINO

Address: 32 BROADWAY, 7TH FLOOR

I represent: BOARD OF ELECTIONS IN CITY OF NEW YORK

Address: DEPUTY GENERAL COUNSEL

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11-21-13

(PLEASE PRINT)

Name: STEVEN H. RICHMAN

Address: General Counsel

I represent: BOARD OF ELECTIONS - City of N.Y.

Address: 32 Bldg, 7th FL M 7 1000y

Please complete this card and return to the Sergeant-at-Arms