



The Public Advocate for the City of New York

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Public Advocate Opposes Return to Giuliani-Style Charter Tampering *Calls on Mayor to Delay Proposals for Nonpartisan Elections and Succession Change*

Public Advocate Betsy Gotbaum is calling on Mayor Bloomberg to delay plans revealed last week to appoint a charter revision commission. The charter commission would draft proposals for a November referendum to alter significant aspects of the democratic process in New York City. Bloomberg's hastily-assembled proposal leaves inadequate time for the selection of the commission, public debate and public education. It continues the Giuliani administration's politicization of charter reform that was largely rejected by voters.

According to Gotbaum:

"The proposals for quick revision offered by the Mayor debase the city charter and waste public monies. If the Mayor wants serious charter reform, let him propose a commission to look open-mindedly at all the issues, bring them to public attention, draft reforms and offer them to the voters when the process is complete.

"The Mayor shouldn't try to railroad a charter revision through and he shouldn't waste money on another so-called 'commission' whose proposals are offered before the members are even announced. This is not the democratic process."

The Public Advocate also believes that the selection of a commission, now rumored to be happening 'overnight', must be a thoughtful process. Gotbaum recommends the consideration of nominations to the commission from other public officials, good government and citizen groups which would produce a commission that is demographically, geographically and ideologically diverse.

"Only a truly democratic commission should propose changes to the way New York City government works. Such a commission can't be put together by one man and his close friends."

On Mayoral Succession

According to Gotbaum, "The Mayor proposes to alter the charter in November to allow himself, instead of the voters, to select his successor. He wants to leave his deputy mayor - a man few voters know - in charge."

The City Charter currently specifies that the Public Advocate, an official known to the public who has survived the rigors of the citywide election process, be the successor to the Mayor. As recently as 1999 the voters rejected the attempt to alter Mayoral succession. "This line of succession must remain in place because it guarantees the residents of New York City that a familiar, trusted face, for whom they have voted, and whose stand on the issues they largely approve of, will step in to lead the City." Public Advocate Gotbaum won 86% of the vote in November 2001.

Since 1830-- long before the unification of the five boroughs into a single city-- the presiding officer of the city's legislative body (called Public Advocate since 1990) has been next in line to the Mayor. Whenever the subject has been submitted to a referendum, voters have chosen to retain this method of succession. The process resulted in a smooth transition through new elections three times during the 20th century: Ardolph L. Kline temporarily succeeded on the death of William J. Gaynor in 1913; Joseph V. McKee succeeded after the resignation of James J. Walker in 1932; and Vincent R. Impelletieri succeeded after the resignation of William O'Dwyer in 1950.

Gotbaum favors amending the charter to shorten the amount of time between succession and an election for a new mayor. Currently, the Public Advocate could act as mayor for up to 15 months. Gotbaum favors shortening the timing to 3 months.

"We have a healthy Mayor. I expect him to thrive. However, should I have to step in, my 30-plus years in City government, the corporate world and non-profits have prepared me for the job."

"The real question is over the Mayor's right to extend his authority past his term of office. This is a clear violation of the democratic process. We should be wondering why the Mayor is in such a rush. Why waste public funds attempting to squash a democratic succession process in a time when the city faces so many significant problems?"

On Non-Partisan Elections

"The Mayor's proposal to eliminate political parties from local elections is a change so fundamental that it should not be recklessly rushed through the approval process," said Gotbaum. "The complex questions surrounding nonpartisan elections require more exploration and public debate before being presented to voters. This cannot be accomplished in these few months before November."

"We must continue to look at ways to improve the electoral process to maximize participation, empower all communities and generate a diversity of candidates. Some experts argue that nonpartisan elections actually depress voter turnout, favor wealthier candidates and dilute minority voting rights. Before we scrap the current process, let's find out more about the ramifications."