



2010 QUESTIONNAIRE FOR
CANDIDATES FOR NEW YORK STATE LEGISLATURE

Citizens Union would appreciate your response to the following questionnaire related to policy issues facing the State of New York and our interest in reforming how state government operates. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates who are running for office in order to determine our "Preferred Candidates" for the primary election and "Endorsed Candidates" for the general election. If you seek our support, we would also need to schedule an interview with you as part of the evaluation process.

We plan to make responses to this questionnaire public in our Voters Directory and other appropriate venues.

We thank you very much for your response.

Candidate Name: **Micah Z. Kellner**

Age: **31**

Office to Which You Seek (Re) Election: **Assembly District #: 65**

Campaign Address: **217 East 85th Street #117, New York, NY 10028**

Campaign Telephone Number: **(646) 450-7835** Fax: **N/A**

Party Affiliation(s): **Democrat, Working Families** Campaign Manager Name: **Paul Curtis**

Website & Email: **www.micahkellner.com; micahkellner@gmail.com**

Education: **B.F.A., 2001, New York University**


Occupation/Employer (or years in currently held elected office): **Have held current office since 2007**

Previous Offices, Campaigns and Community/Civic Involvement: **Aide to Representative Carolyn Maloney, Comptroller Bill Thompson, and Senator Chuck Schumer; advocate for the rights of people with disabilities and LGBT families.**

Are you willing to be interviewed by CU's Local Candidates Committee? **YES X**

(Please note: Citizens Union can grant its "Preferred Candidate" and "Endorsed Candidate" rating only to candidates we have interviewed.)

Have you completed requisite campaign finance filings? **YES X**

Signature of Candidate:  Date: **7/15/10**

CANDIDATE QUESTIONS

Please state your position on the following reform measures. Specify whether you support or oppose each. You may elaborate in the space provided at the end or on additional paper.

ELECTION REFORM

1. What is your position on establishing by statute an Independent Legislative Redistricting Commission charged with drawing congressional and state legislative lines and removing the responsibility from the Legislature, through the passage of S.1614B/A.5279B?	Support
2. What is your position on a process where the legislature directly appoints the members of a districting commission, as in S.7881-A or S.7882-A, as an alternative to the independent commission referred to in Question 1?	Oppose
3. What is your position on maintaining the current redistricting process in which legislative lines are drawn by the legislators with support and research from the New York State Task Force on Demographic Research and Reapportionment (LATFOR)?	Oppose
4. What is your position on the adoption of stricter redistricting rules that would ensure that every district is: more equal in population (within 1% deviation from the mean), contiguous and compact, formed without regard for protecting an incumbent or political party, mindful of the need to keep neighborhoods intact, and not drawn to undermine racial, linguistic, and ethnic representation?	Support
5. What is your position on restructuring the state Board of Elections and changing the administration of elections by amending the constitution to abolish the two-party system of governance and operation?	Support
6. What is your position on making it easier for candidates to appear on the ballot by, for example, lowering signature requirements and utilizing less burdensome witness signature requirements?	Support
7. What is your position on amending the Municipal Home Rule law to limit the ability of a mayor-appointed charter revision commission to "bump" other local charter amendments from appearing on the ballot?	Support
8. What is your position on removing prisoner populations from the census counts for the purpose of redistricting and instead counting those populations in their last known place of residence?	Support
9. What is your position on amending the constitution to allow for Election Day Registration?	Support
10. What is your position on amending the constitution to allow for no-excuse absentee voting?	Support

CAMPAIGN FINANCE REFORM

11. What is your position on lowering campaign contribution limits for legislative and statewide candidates for public office?	Support
12. What is your position on establishing a system of public financing for state legislative and statewide races?	Support
13. If you support public financing, what is your position on a system where public funds are awarded on a matching basis (similar in design and function to the New York City system) rather than a system of full public funding of campaigns?	Prefer full public funding

14. What is your position on restricting campaign contributions from registered lobbyists and those who do business with the state?	Support
15. What is your position on banning campaign contributions from corporations, LLCs, and LLPs, while still allowing such entities to form separate PACs?	Support
16. What is your position on limiting transfers from party committees to candidates, or other committees, to twice the limit set on individual contributors and limiting contributions to party committees to the same ceiling placed on candidates?	Support
17. What is your position on increasing disclosure and reporting of campaign contributions and expenditures by requiring candidates to include full name, home address, and employer/business name for each contribution?	Support
18. What is your position on requiring that two periodic campaign finance reports be filed during the legislative session to reflect contributions given during the session?	Support
19. What is your position on stricter requirements on the use of campaign contributions for non-campaign related activity, such as personal use?	Support
20. What is your position on requiring disclosure of independent expenditure campaigns?	Support

ETHICS REFORM

21. What is your position on changing the representation of the Commission on Public Integrity so no one elected official makes a majority of the appointments?	Support
22. What is your position on expanding the jurisdiction of the newly formed Commission on Public Integrity to include legislative ethics violations, lobbying and campaign finance enforcement?	Support

BUDGET REFORM

23. What is your position on requiring all budget documents, including budget bills and legislative additions, to be presented in a format that is organized into programmatic categories and facilitates public and legislative review?	Support
24. What is your position on requiring the governor's budget submission to present the full scope of the state's financial obligations, including its public authorities?	Support
25. What is your position on establishing an independent, nonpartisan budget office to provide revenue projections, display economic and policy analysis and require that the state engage in long term, multi-year budget planning?	Support
26. What is your position on the use of Generally Accepted Accounting Principles (GAAP) rather than cash accounting for the state budget?	Support
27. What is your position on requiring regular reporting of lump-sum appropriations and member items that includes detailed information on funds distributed, recipients, and remaining funds and bans on member item appropriations to organizations of which a close relative of the Member is on the staff or board?	Support
28. What is your position on distributing member item allocations equally amongst all legislators and requiring for greater accountability as expressed in S. 7007/A10116?	Support
29. What is your position on incorporating the use of performance budgeting and outcome measurement to promote the more rational appropriation of state funds?	Support
30. What is your position on instituting a later start date for the state fiscal year?	Support
31. What is your position on mandating the use of conference committees in the legislative budget process?	Support

ADDITIONAL REFORM

32. Do you support a system of selecting New York trial court judges through an appointment process in which candidates are recommended by citizens committees on the basis of merit?	Oppose
33. Do you support further reform of the Wicks Law, which requires New York State government entities to award separate prime contracts for the major components of a construction project?	Support

Please use the space provided or a separate sheet of paper to elaborate on your positions on the above issues. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

I have introduced a number of major reform bills, including:

- **The Public Corruption Prevention and Enforcement Act (A. 10942-A/S. 7707-A):** Strengthens state ethics and anti-corruption laws by creating a defined duty of faithful public service, increasing penalties for schemes to defraud the government, strengthens public bribery and statutes and financial disclosure requirements, and reforms the member item process;
- **The Open New York Act (A. 10335/S. 7764):** Requires state agencies to make all public records available on the internet, according to the principles of open data: in real time, without any fees, license or registration requirements, or restrictions on use;
- **Legislation to create a New York State Civilian Complaint Review Board (A. 10618),** based on the NYC CCRB but with additional reforms incorporated, with the authority to investigate complaints about police and peace officers employed by New York State agencies, public authorities, and public benefit corporations;
- **The Improper Payments Reporting and Reduction Act (A. 11470-A/S. 8122-A):** Requires state agencies to report on improper payments and implement procedures to reduce this waste of taxpayer dollars;
- **Legislation creating a Governor's Questions Hour (A. 11207/S. 7938):** Requires the Governor to come before the legislature once each month during the legislative session to publicly answer questions regarding the direction, financial status, and general governance of the state.

I am also a sponsor of the Clean Money Clean Elections bill, to remove the negative influence of money on our elections, and A. 5279 B, to create an independent redistricting commission. Additionally, I was one of the first signers of the Pledge for Change sponsored by Citizens Union and other good government groups, and joined the organizations for a press conference to publicize the Pledge.

CAMPAIGN PROMISES MADE TO VOTERS (PAST and CURRENT)

In addition to evaluating their stances on the issues above, Citizens Union will assess incumbents on how well they kept the promises they made to voters during the previous election.

As an elected official who is seeking re-election,

- a. what were the top five promises or goals you made to your constituents when you ran for your current seat and what progress has been made in keeping those promises, and
- b. what are the top five promises or goals you are making to the voters during this campaign?

We thank you very much for your response. Please feel free to use additional paper if the space provided is not sufficient.

TOP FIVE CAMPAIGN PROMISES OR GOALS FROM 2008 AND ACTION ON THEM

PLEASE SEE ATTACHED SHEET

TOP FIVE 2010 CAMPAIGN PROMISES OR GOALS

PLEASE SEE ATTACHED SHEET

Please return to: Citizens Union, Local Candidates Committee
299 Broadway, Suite 700 New York, NY 10007
via fax to 212.227.0345 or via email to ascrteng@citizensunion.org

TOP FIVE CAMPAIGN PROMISES OR GOALS FROM 2008 AND ACTION ON THEM

1. Public Authorities Reform: Nobody knows better than I do how public authorities in New York State can literally act as an unelected shadow government. I represent Roosevelt Island, where the Roosevelt Island Operating Corporation (RIOC) acts as the unelected local government for the island's 12,000 residents. Upon election I immediately engaged Governor Spitzer (and since then have worked with Governor Paterson) in reforming how RIOC was set up, and I have been successful in getting them to appoint members to the RIOC Board of Directors who were actually voted upon by the residents of Roosevelt Island, giving residents a say in their own governance for the first time. This year, I passed a bill (which has now gone to the Governor's desk) that would further these reform efforts by creating a more open public process in how the community is governed and giving island residents a voice in choosing the RIOC President. While this is not an ultimate solution, it is a major step toward making RIOC truly responsive and accountable to the community.

2. Creating a new elementary school: One of my biggest promises upon getting elected was to create a new elementary school for a zone that did not have one. I was proud not only to have helped create this school, but also of the process that made this possible. We engaged the New York City Department of Education in such a way that the community and parents had a role in choosing the principle, curriculum, and even the location of the school. This openness allowed stakeholders to truly feel invested in the success of the school – creating a better outcome.

3. I have been and continue to be a strong supporter of campaign finance reform, co-sponsoring and advocating for the Clean Money Clean Elections bill, which will restore our democratic principles and remove the negative influence of large campaign donations from our elections. This will finally break the cycle of dependence on large donors and mean that money will no longer be more important than votes.

4. Our hopelessly gerrymandered Senate and Assembly districts are physical proof of how democracy is distorted by partisan gamesmanship. I am a sponsor of A. 5279B, which will take politics out of the redistricting process. Unfortunately, neither this bill nor the Clean Money Clean Elections bill have passed, but I will continue to advocate for these important solutions to fix our political process.

5. When I first ran for office, I pledged to my constituents that I would never take a lulu. I have fulfilled that promise and, as long as I am in office, I will stick to that pledge.

TOP FIVE 2010 CAMPAIGN PROMISES OR GOALS

1. Reforming the Legislative Process: Too much of the Assembly's public business is conducted behind closed doors. While some of the Assembly's documents and records are posted online, it does not give a complete picture of what is occurring in "the People's House." There is little information readily available to the public about which lobbyists are fighting to pass or kill what legislation, or about what goes on during the committee meetings that are a crucial part of the legislative process. I believe that New Yorkers are entitled to know what is happening in their state legislature. For this reason, I am introducing a Rules resolution that will require the Assembly to dramatically improve its transparency by putting records of all its work online. My resolution will require these lobbyist memoranda be published on the Assembly's website as well so we can all see who is arguing for or against any particular piece of legislation and what their reasons are. My proposal also requires the Assembly to post committee meeting notices, agendas, transcripts, minutes, recordings, and attendance and voting records for all to see. These actions will allow New Yorkers to see and hear how their Assembly Members are representing them. This opens up the Assembly's legislative process, from beginning to end, for public scrutiny.

2. Streamlining Government: New York's Freedom of Information Law (FOIL) established that government is the people's business and that the public should have access to its records. In the internet age, freedom of information is meaningless if people don't have access to that information online, and in a format that allows for its use. I have authored legislation (A.10335) to require the disclosure of New York State's public records on the internet—making vital information about public health, safety, transportation, and much more available for New Yorkers on their laptops, desktops, and mobile phones. The Open New York Act will revolutionize the relationship between New Yorkers and state government, requiring all state agencies to make their records available through a central website—where the data can be used by activists, journalists, educators, entrepreneurs, and others to create a host of applications useful in everyday life. The legislation establishes a timetable for agencies to put their existing public records online, and mandates that all newly created records be published on the internet beginning on January 3, 2011. Developed in accordance with the principles of open data laid out by open government advocates, the bill specifies that the information must be complete, accessible, timely, and available without any fees or licensing restrictions.

Additionally, I introduced the Improper Payments Reporting and Reduction Act (A. 11470-A) which will force government agencies to better account for tax dollars—estimating how much money is lost to improper payments and publishing annual reports on waste. And for the first time, government agencies will be required to disclose what efforts they are taking to stop improper payments.

3. Restoring Faith in Public Officials: I am the sponsor of the Public Corruption Prevention and Enforcement Act (A. 10942), a wide-ranging reform of state ethics laws, which enacts a duty of faithful public service, punishes corrupt schemes to defraud the

government, reforms criminal bribery statutes, enhances financial disclosure for state officials, reforms the member item process, and strengthens campaign finance rules.

4. Reforming our elections: As stated above, I co-sponsor legislation to create an independent redistricting commission and to bring a Clean Money Clean Elections system to New York State. I will continue to advocate for the passage of these bills.

5. Reforming RIO: I will continue working to make the Roosevelt Island Operating Corporation more accountable and responsive to the residents of Roosevelt Island, expanding on the principle that the community most affected by the decisions of this public authority should have a much greater say in how those decisions are made.