by Gotham Gazette Staff
Monday, August 28, 2006 12:00 AM

Incumbent John Sabini and challenger Hiram Monserrate recently met for a debate in their race to represent the 13th Senate District in the state legislature.

PRIORITIES

QUESTION: If elected, what would be your top three priorities?

JOHN SABINI: The first thing that has to happen is to change the structure in Albany. My opponent says I am in insider but I am one of the most vocal critics of gridlock in Albany - along with Senator Liz Krueger, Senator Eric Schneiderman, Senator David Patterson - much to the chagrin of my colleagues in the Democratic Assembly.

I'm not prepared to sit back and allow the process to bottle up issues. Two legislative houses can come to agreement through conference committee. We have rules in the legislature that don't allow us to debate and pass bills on the important issues of the day. Everyone who's involved in civic life knows that. I'm going to continue to talk about that, and continue to press for it within the Senate. I have offered amendment after amendment trying to achieve that, along with other, very active, people in the Democratic conference.

Secondly, and no less important, I'm very concerned about health care. We have, within our community, very high indices of a number of diseases that are measurable: tuberculosis, HIV, and diabetes, for example.

HIRAM MONSERRATE: I was born in Chelsea, Manhattan. At the age of five, I moved to Queens, and I've lived here all my life. People who grew up in Jackson Heights, East Elmhurst, and Corona are being priced out of their neighborhoods. Their children can't afford to buy a home here. Home ownership is truly a public need for our communities. Affordable housing is paramount. We see development going on in our community, where developers are investing large amounts of money and extracting a lot of corporate wealth, but they are not creating housing that is affordable to the people who have lived here for many, many years. That's why I have proposed reform of the 421-a laws.

I also think health care and public safety - which I happen to know a little bit about - are my

other top issues.

QUESTION: What is the number one issue facing our community?

HIRAM MONSERRATE: It's a tough toss up between affordability in housing and health care. But, I would have to say, that if people are not healthy, they can't work, go to school, or be productive in our society. We need to do more. The Medicaid fraud is hitting taxpayers in their pocket and inhibiting the government from providing health care to all of the people. Infectious diseases, obesity, diabetes, different forms of cancer that are found very late are all very compelling reasons for our state legislature to work harder to eliminate Medicaid fraud, and bring back those billions of dollars so we can build more hospitals and have better health care.

JOHN SABINI: The delivery of health care in our community is the most critical issue. Once in a while the gridlock does break, and the comprehensive bill to combat fraud is now law. I don't think it's a perfect bill, but is a very strong start and was a bipartisan effort. The Medicaid fraud is not coming from individuals or patients, but from the providers. We need to have an inspector general, who is independent of state government. That's what this bill did, it examined who exactly is ripping off the system. They are not only ripping off the taxpayers, but should be brought to justice and sent to jail. Albany finally started to fight the fraud this June, and Eliot Spitzer has made it a hallmark of his campaign that he will do even more once he gets into office. Hopefully he will. I look forward to working with the incoming Spitzer Administration to beef up that bill even more.

HIRAM MONSERRATE: With all due respect, four years and two terms in office is an awful long time to say we are now going to start doing something about billions of dollars in fraud.

JOHN SABINI: We have been working on this in the Democratic Conference, long before I even got there. But only because its an election year will Republican members of the senate allow a bill to go through, so they are not embarrassed about not doing anything. Our conference is one of ideas, and under David Paterson, we have moved innumerable ideas down the track.

HOUSING AND EMINENT DOMAIN

QUESTION: What plans do you have to help existing affordable housing and improve it in the Corona Jackson area?

HIRAM MONSERRATE: 421-a is a law that allows developers to apply for tax abatements for 15 to 20 years as long as they create multiple family units, which is what we see in Corona. TheY tear down one family homes and sometimes they build nine and fifteen. That's our money, but we're not getting our property tax. That's wrong. What should have in place is: if they get an abatement, the have to make a certain percentage of the new housing affordable to the people that live in that local community. That's just common sense.

We talked about Willets Point before, and how I have taken a very active role in protecting the property owners and the business owners there. I have said to the administration that, if they are able to negotiate a purchase with those owners, then I would be supportive of development. But we have to have affordability in the construction that is built there, and I will be continually raising that issue, and insuring that that happens.

JOHN SABINI: I agree that the 421-a law has to be reformed so that it's not abused. I think there are abuses now, particularly in Manhattan. Any government agency project that uses public money and tax abatements for large projects that will include housing and or retail - whether it's the city Economic Development Corporation or the state Empire Development Corporation - must include a component of affordable housing.

Willets Point should have that if they go ahead. But Willets Point is not in this district. I worked with Senator Stavisky, who represents that area, and talked to some of the folks ho want to see development there, as well as some of the businesses that feel threatened by development. We are experiencing this infill building, where they knock down a one family home, and put up six, and twelve end up moving in. Our neighborhoods can't handle it; we don't have the school seats for it, the health care access for it, or the capacity on the streets for it. Something has to give with the housing policy. And reigning in the 421-a is an important aspect of it.

HIRAM MONSERRATE: He just pointed out that Willets Point is not in his district. He said something similar in an interview regarding the new Shea Stadium Mets project. What he fails to say is they are in fact across the street from his district. Both of them will have a direct impact on his constituents. As a representative of the 13th, the fact that it's right across the street will not stop me from fighting for your interests.

JOHN SABINI: Just because they are not in my district does not mean I do not fight for or with people over it. But, I play well with others, that's why most people are working with me, and I work with the people who represent the area those projects are in to ensure that their voice is in concert with mine. I don't want legislators from outside my district telling folks here what should or shouldn't be built.

QUESTION: What is your position on the illegal occupancy of single family homes?

JOHN SABINI: It is an issue that I would need about an hour to talk about, because not only has it ruined some of our neighborhoods that were well kept, but it is a crime that the tax structure helps engender. Under city tax code, single-family homes are under Class 1 and taxed at the lowest level. Now if you rent out in a single family home, than you pay less taxes than the homeowner next to you. If the owner of the home isn't around to supervise the place, it inevitably deteriorates. The work that was done under Borough President Shulman, and continues to be done under Marshall, tries to get city agencies to focus on these. There has been better task forces and enforcement, but it's still not enough.

HIRAM MONSERRATE: People are being priced out of their houses, and sometimes they end up taking sub-standard housing. I don't think anyone wants to live in a basement. I think sometimes it's out of desperation, and we should understand that. The solution to that is the construction of affordable housing and at the same time enforcing the law. It has to be a two-pronged solution, you can't just hit it with the stick, there has to be a carrot.

JOHN SABINI: I couldn't agree more. In a newspaper a couple of weeks ago, the councilman said he thought this was a fact of life now. I don't think that we can allow it to be a fact of life. The folks that are making money off this aren't reinvesting it into the community. And if the rent is being paid in cash, I can assure you tax is not being paid on it.

HIRAM MONSERRATE: In the real world, thousands and thousands of people are living in illegally converted homes. I say it's a fact of life, because it is, but it also mandates a response. But to try to dig your head in the sand and try to pretend it doesn't exist? It does, and it's a reality. In the city council, I was a big supporter of ensuring that those who are not living in single-family homes pay a higher tax percentage. I voted for that, because I don't think people should exploit those who are less fortunate.

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QUESTION: Would you support a law to protect small property owners, especially homeowners, from seizure of their property by the state for private development through eminent domain?

HIRAM MONSERRATE: I am completely opposed to the recent Supreme Court ruling based on a case in Connecticut where the municipal government employed eminent domain to take people's property to build a shopping mall. It's similar to what the city wants to do with Willets Point - an issue that I have been very involved with. I would support legislation to protect such property owners.

Eminent domain should be, and has historically been, a process that has been employed when there has been a great public good needed: public hospitals, highways, or schools. Perhaps there's a legal argument to be made, but when you talk about eminent domain being abused to favor corporate developers and their bottom line, that's just wrong. I would challenge my colleagues in the Assembly and State Senate, who have done very little on this issue, to remove that impediment. People have the right to their property that they worked hard for, and the government should not take it unless there is a very real, compelling reason. I look forward to introducing those bills in Albany, and insuring that people's property rights are protected, because we are in America.

JOHN SABINI: I agree. I think that the Kelo case in New Haven, Connecticut is step back in the American system of justice. We do not have the right to take people's property for private development, even if that development would encourage some jobs, because I still believe in the fundamental property rights of people. One of the issues at hand though, is what exactly the state can do, in terms of restricting that. It is a federal decision. If the state passes a bill restricting the state Economic Development Corporation from doing something like that, I would support it. But, there are other kinds of developments, according to the federal government, that could go forward under the current court decision. Once a new case comes down the pipe, that decision could overturn or modify it. It was a close vote. And if you read the opinions on it, I believe that decision was sort of an anomaly, and may very well be overturned.

HIRAM MONSERRATE: I want to respond to a statement as a matter of fact, just so there's clarity about eminent domain. The decision by the United States Supreme Court, in essence, gave authority back to local governments. It's been the state legislature's inaction that has not provided protections and clarity on this issue. We don't need another court decision, what we need is a legislature in Albany that would protect property rights.

REFORMING ALBANY

QUESTION: What short term and or long-term steps are necessary to create a more open, transparent, and accountable state legislature?

JOHN SABINI: If we had a Democratic majority in the state senate, instead of us fighting over who should be the nominees, we would achieve that through the leadership of David Patterson or who ever our next leader will be. Right now there is a lawsuit, started by the Albany Times-Union, that would force the state legislature to expose who it gives money to in member items, and what the Memorandums of Understanding are. It is still pending. The Senate Democrats have voluntarily given up that information to comply with the Times-Union request. But other conferences have not done that.

Last year, when several Republicans were pushed out of office, there was a push for reform. They made us sit in our seats to vote, which I think is a good thing. You got to be at work to work; that's not a bad concept. But, the senate majority Republicans ended the ability of the body of the senate to amend its rules and put it in the confines of the Rules Committee, which is held in Joe Bruno's back office. Stuff like that is why we'll never get change in Albany. Fundamentally we need increased pressure from the press and both houses. People in those houses really have to own up to wanting to do the people's business in an open, fair manner, so we get bills passed.

HIRAM MONSERRATE: Obviously I'm a big supporter of a more open process. We talk about Joe Bruno currently leading the state senate, and how he is now able to block any rules changes. But our local senator here was on the Elections Committee and the Rules Committee. He was the previous ranking member of the Rules Committee. I don't think we can continue to point fingers at the Republicans for what they did and didn't do. We need to know what the Democrats are doing when they sit in key positions in committee, and the reform still doesn't happen. In the city, we have a Republican mayor. Sometimes we override his vetoes, sometimes we work with him, but at the end of the day, we are responsible to bring resources and results back to our constituents, not just finger pointing at the Republicans.

JOHN SABINI: I've never been ranking in the Rules Committee. I was very excited when David Patterson named me to the Rules Committee, and I was the first freshman Democrat to make the committee since 1937. The head Democrat on the Rules Committee was Senator Patterson. That's the way the committee works, but I don't want to go through a tutorial on Albany.

QUESTION: What have you done to change the way voting district lines are drawn or redrawn, so that they are done in a fair and non-partisan way?

JOHN SABINI: I support the proposal of Assemblyman Mike Gianaris, who represents a small part of this senate district. This proposal would create a non-partisan redistricting commission, ending the partisan way that Albany draws its lines. As a student of history in government it's no wonder that we have gridlock in Albany. We've had the longest party split in a bicameral legislature in the history of the United States. We have the longest time in New York's history that the leaders have been in charge, Senator Bruno and Assemblyman Silver. That's because of the institutional gridlock that starts at the drawing of the lines.

HIRAM MONSERRATE: Obviously I support nonpartisan redistricting commissions. I think they're important, I think we need to take the politics out of redistricting. We cannot continue to point the finger at the big bad guys in Albany that are not able to get results. Legislators and the leaders are about find ways to get results even if the majority leader or the governor is a Republican. One of the things that has happened in New York State is inaction on the Help America Vote Act. We are probably going to be fined millions of dollars for not being in compliance. The senator was the ranking member of the Elections Committee, and one of these important bills was to increase the salaries of elections commissioners. I don't think that those are the things that we need. We need voting machines; in city ours are over 40 years old. We need to make sure that there is outreach to voters. This is the responsibility of the state legislature, who votes for this budget, and passes its laws. That is unacceptable.

JOHN SABINI: I am no longer the ranking member of the Election Committee, Senator Martin Golden is. When I was the ranker, we would go into conference on the Help America Vote Act. It may be a good thing we're not in compliance, because the voting machines that were purchased in places like California and Florida and Nevada are now broken. Now millions of dollars of federal money was wasted because they rushed to judgment. I'm for a Paper Optical Scan voting system that is verifiable, that every person in this room can understand. If you can take an SAT test or play the lotto, you can do this.

HIRAM MONSERRATE: I don't think that I would ever say that not being in compliance with federal law is a good thing. The state is now responsible for paying millions of dollars in federal fines - that the taxpayers all have to pay for. We have to find a way to be in compliance, and ensure that the people of New York can vote and participate in our democracy.

JOHN SABINI: We are not being fined right now, and let me tell you: I wouldn't mind being fined, if it's for the sanctity of our ballot. I will not allow an election system in this state that will question the results. It's the essence of democracy. What we saw in Florida and Ohio will never happen again!

QUESTION: The responsibility for gridlock in Albany. Is this a Democratic problem, a Republican problem, or is it both parties at fault?

HIRAM MONSERRATE: It is a lack of leadership. The governor and both houses have displayed a lack of leadership, in part because the institutions are so entrenched. The leaders act as dictators. What you need is leaders in both houses who will challenge that, and make the necessary changes. Both parties are at fault. The fact that we are rated as the most dysfunctional state legislature in the country, really speaks to that leadership. I will bring my activism, energy and vision to Albany because it's got to be shaken up.

JOHN SABINI: The fault is bipartisan, bicameral, institutional, and even lays with some of the folks who do business with Albany: the lobbyists and interest groups. They like the system in Albany, because it works for them. People get to master a game, and don't like the rules changed. That's why some of in the Democratic majority have such a hard time: because we are not only battling Republicans, we are battling the institutions of Albany, because they don't want a new game. But the game ain't working for you. I lay the blame on both parties, both houses, and it's ticked off some of my colleagues in the assembly, but it's the truth.

We have been drawn in this fight by Eliot Spitzer, and I believe it when he says everything changes. The rules changes that were made two years ago were a nice first step, but it was a baby step. We are nowhere need the level of oversight and accountability we need. We need authority reform. Everything must change with a new governor.

HIRAM MONSERRATE: Mr. Sabini talks about the game, but he has been playing the game for 15 years as a Democratic insider. We can't talk about reform when Mr. Sabini sends out 10 flyers in one month at your expense. Is this your idea of reform?

SABINI: I wonder who the insider or outsider is. My opponent is a committee chair in the city council. That's a rank I never achieved. He became the committee chair the first day he walked

in, so I think he knows the insider game pretty well, too. There are lots of different ways people in public office communicate. I'm pretty proud that every summer, election year or not, mail goes out to the community, and has office hours for every senior center and library. Mail goes out every summer when our interns are there. I do it within the limit of the state senate, just as he does it in the city council. Unlike my opponent, I don't have a political consultant on the payroll, which he does, on the city payroll.

HIRAM MONSERRATE: The reality is that my consultant is not on the payroll. And I was not on the committee chair when I walked in. It was two and a half years later. My colleagues in the city council voted for me, [saying that] a former United States marine should be chair of the Veteran's Committee. I think that was most appropriate.

JOHN SABINI: I find that appropriate to, I'm just saying, if you're going play the outsider, be the outsider. And with respect to the veracity of my earlier statement, your OTPS filings, which are for your office expenses show that you pay a political consultant with public money. That's not reform.

HIRAM MONSERRATE: You have your facts wrong, senator.

JOHN SABINI: It's public record.

PUBLIC AUTHORITIES

QUESTION: Would you require legislation that required public review, including legislative oversight similar to the city ULURP [Uniform Land Use Review Process] review, of state agencies and public authorities land use decisions, especially for large projects like the Atlantic Yards in Brooklyn?

JOHN SABINI: Absolutely. The authorities in Albany have gotten so out of control that they may be one of the biggest problems that we have. Authorities were created to get politics out of certain aspects of government, back in the 60s. A noble goal. But they have turned into things that have become unanswerable bullies: the state EDC; the MTA - which admitted carrying two sets of books - the Tri Boro Bridge and Tunnel Authority; the Dormitory Authority. These agencies do nice things, but they also incur lots of debt, $120 billion dollars in debt, and we have no oversight over them. Review of their land use decisions is the beginning. I believe that

if Elliot Spitzer is elected governor, we will have a complete overhaul in the accountabilities of the agencies.

You used a key word in that question, and that's oversight. The difference between the state legislature and the city council and their efficacy, on every level, is oversight. In the city charter, it's required that commissioners appear before specific committees that pertain to those agencies a minimum of four times a year: the January Budget Proposal (which is the five year plan), the Executive Budget Proposal, the Mayor's Management Report, and the General Oversight of that agency. We don't get that in Albany. That's when you really get change in your district, and answers on questions as to how agencies operate. So, oversight over the whole state government is really necessary, and the Democratic Conference is calling for that.

HIRAM MONSERRATE: Regarding the authorities: most of them are a sham. They are a way for governors and legislators to point a finger as the individuals who are culpable. They're almost like pseudo governments, but they're not really responsive to anyone. In the city council, we try to get the MTA to come in and testify; sometimes they do, sometimes they don't. A perfect model is what Mayor Bloomberg and the city legislators did, and that is ensure that the Board of Education became the Department of Education, and the city has more control locally over the education of our children. I would like to see that happen with the MTA. Why does the MTA have an outside board with millionaires and chauffeur and limos? They don't ride the 7 train; we do. If we have a legislature willing to make those changes, it can happen.

To my opponent: where's the change and what have we done to make the MTA or any authority better? We're paying $4.50 to use the Midtown Tunnel. It's really out of control. The time for authorities is past, and we need more local control.

JUDICIAL CONVENTIONS

QUESTION: In a recent court decision that is now under appeal, Justice Gleeson ruled that the current Judicial Convention for selecting party nominees for the Supreme Court was unconstitutional. It is quite likely that the decision on how to reform the process will fall to the legislature. In such a case, what type of system would you support for the selection of Supreme Court Justices?

HIRAM MONSERRATE: All the scandals about which judges get appointed and not should really elevate this issue. I want to commend Mayor Bloomberg, our Republican mayor, because he has been at the forefront of questioning this issue, unlike my opponent, who was at one time

chair of the Queens Democratic Organization that for many years has given favors to lawyers and made them judges, much like Brooklyn. I would be willing to introduce legislation saying that no party organization should be dictating who is going to be judge. What kind of system of government do we have, when the very people who are deciding whether a case is winnable or not, and whether a law is constitutional or not, are placed there by the same party bosses that they have been working with for the last twenty years. There should be citizens committees made up of bar associations that are making these decisions, and then after there should be input from the voters.

JOHN SABINI: I whole heartedly agree with the court's decision. When I was the chair of the Democratic Party, I instituted the first merit selection panel in the history of this county - praised by the New York Times and Newsday. So, I agree that the system we have now doesn't work. I did something to change it when I was in charge of the Democratic Party. I didn't hear an answer about what he would like to see; I'm not even sure what I would like to see: a merit selection system like the mayor has for the criminal and family court, or an open primary system instead of Judicial Convention. The only problem with an open primary system is that I would like to see public financing and public education of candidates. Party loyalty shouldn't buy a judgeship; neither should money. It's just as wrong to buy it at a political consultant's office as it is to buy it at a party boss' office.

PENSIONS

QUESTION: New York's governor and legislature have improved pension enhancements for city employees that are more generous than for most people working in the private sector. The city's chief actuary says that there may be a gap of as much as $49 billion in the funds committed to these pensions and what the city owes them. Should the mayor and the city have control over city pensions and financial obligations?

HIRAM MONSERRATE: Absolutely. There is a lot of discussion about pensions and funds and ensuring that the city has the funds. (Our pension plan is flush; it's very safe and secure.) I want to quote the New Republic: "There's always a lot of discussion and debate about pensions. But when we talk about pensions, what are we talking about? We're talking about people's life work, and them being able to retire with dignity." And I think that at the end of the day, that's extremely important. I do not accept the arguments from the right wing, whether they're Democrats or Republicans, that we should take away any benefit to our working class people in this city. That's who builds the city. That's who makes the city run. I don't support any tinkering or taking away any benefit for any worker in our city.

JOHN SABINI: On pensions reform, I think the city could do just as good a job. And I think my

opponent is right, people's pensions are their lives. If you dedicate yourself to better service, and try to build a better life for your family, your pension is an important aspect of that contract with the city, for how long you work for the city. That's why you might go into city service, because you know it's going to be steady work, and you know it's going to have a pension. We have wonderful homes in this neighborhood that people can afford because of city pensions. I don't know if it would be any different if the city controlled it, because every time there's a state change in city pensions, there has to be a home rule message. Council members on Committee on State and Federal Legislation pass every one of them and send it up to us. I served on the committee when I was in the council, so I know how this system works.

SCHOOL VOUCHERS

QUESTION: Do you support school vouchers to pay tuition at private and parochial schools?

JOHN SABINI: No, I don't. I don't feel that it is the appropriate - or even the legal - thing to do. It's important to keep, for example, the Catholic school system, alive, but under the law. I commend Elliot Spitzer. A number of years ago as Attorney General he published a study as to the different ways that we can aide private and parochial schools - not for profit schools. And things that we can do that are not direct aid. We do books, hardware, software, and teacher training now to give those schools a break. I think parents should have the ability to have choice in schools. I attended both public and parochial schools, and I thought it was a good mix. So, I saw both systems.

HIRAM MONSERRATE: I'm a product of public schools in Queens from 1st grade through up into Queens College, where I'm working on my master's degree. When we talk about vouchers, I have mixed feelings. Conceptually, I do not support them; I don't think we should take one penny away from a public school system that needs so much. But, at the same time, we give credence to the argument when our state fails to act on a court ordered mandate that billions of dollars are owed to our city. If we extrapolate how much is actually owed to the district from the Campaign for Fiscal Equity lawsuit, and how much we haven't gotten, it's about $140 million per year for this district. We're not getting that money, not because the court didn't order it, but because the senate and the assembly have failed to get us the money. The governor also deserves a lot of the blame. It's the gridlock that currently exists and the lack of leadership in Albany that has hampered our public education school system and ensured an even more vigorous debate for vouchers.

GAY MARRIAGE

QUESTION: Following the recent State Supreme Court decision, the issue of gay marriage is

now ready for the legislature. What is your position?

HIRAM MONSERRATE: I think that anyone has the right to be in any relationship they want to be, and if they choose to be in a marriage, they should be allowed to. Civil rights are for everyone in our society.

JOHN SABINI: I agree.

CANDIDATES QUESTION EACH OTHER

JOHN SABINI: The clock is ticking on a very ominous note: the Berger commission on hospital closing will be taking effect at the end of this year if nothing is done. We have very few hospital beds in this area. Rumors of the commission's targets include a hospital in this area. The one hospital with in this district - Elmhurst Hospital - is indeed one of the busiest in city, if not the country. What do you see as a way to combat this impending threat against a health care system that doesn't work for us now?

HIRAM MONSERRATE: I've been one of Elmhurst Hospital's greatest supporters. I put a million dollars into their HIV Infectious Disease Unit. I allocated $600,000 to mobile mammogram unit to go out and test our women, who so many times have diagnosed very late with cancer, which turns out to be terminal. In the City Council as part of the delegation working with my colleague Helen Sears I have had meetings and hearings on this issue. We ensured millions of millions of dollars for an emergency room at Elmhurst.

We also need to talk about the fact that $15 to 20 billion is being lost every year because of Medicaid fraud. The legislature shares a responsibility for not acting. You can't claim to be a reformer and not take action about losing $15 20 billion from fraud annually. Imagine how many hospital beds and doctors and nurses we could hire if we were to eliminate that fraud. I would work hard towards eliminating that fraud to bring that money back to the constituents of this district who are underserved medically.

HIRAM MONSERRATE: You've been in the senate for two terms, four years. Now you're asking for your job back. In those four years, you've introduced 70 bills, but only passed two. You have written and passed no bills with regards to fighting crime, fixing the health care system, or improving our schools. Outside of the statehouse, you haven't been proactive on

major issues like Willets Point, Shea Stadium, or the creation of the Jets Stadium in Flushing Meadow Park. Can you please tell me and the viewing public what you expect to do differently in the next two years that you didn't get done in fifteen years prior?

JOHN SABINI: Being in the Senate minority means that you have to fight battles against a very tough enemy, and that's the Republican majority. I passed two bills - that's true - and I'm not ashamed of them. One dealt with free tuition for the surviving families of the victims of Flight 587. 265 people were killed in that flight. I'm delighted that I was able to pass the bill, along with Assemblymember Adriano Espaillat. If you want to minimize that, and the memory of those people, then we disagree. I also passed a bill that would force the state education department to not give high-stakes testing to kids as young as in the third grade on religious holidays - and you said I didn't do anything on schools. We had Muslim students who make up ten percent of the New York City school population testing on one of their high holy days. Now, they had the opportunity to be tested on another day. But I believe in justice. I don't want to see those kids further ostracized by their classmates for having to take those tests outside of school on another day. So I'm proud of those two bills.

Now, why aren't there more? Because we don't have the ability to set the agenda as a minority in the Democratic Conference in the senate. My two bills are actually more than the majority of members in my conference ever gets passed. With regards to education, I have a number of bills. I sit on the Education Committee. With regards to the Campaign for Fiscal Equity, I voted against the education budget this year, every piece of it, because I don't want to be in court. I believe those who voted for that could be held in contempt of court. I will not vote for an education budget that does not come up to the CFB standards.

CON EDISON

QUESTION: What will you do to help our community with the Con Edison problem?

HIRAM MONSERRATE: When we talk about Con Edison's ineffectiveness and negligence, we've had two hearing in the city already, in the Public Safety Committee, which I am a member of, that have dealt with the issue and the lack of information we received from them. The city has taken the position that we will personally canvass and send out NYC police officers and other emergency personnel when there is a blackout to investigate how many people are impacted.

Again, this is the city taking action because of the state's inaction. The Public Service

Commission is the oversight entity for Con Edison, not the City Council, and it has not done enough to protect us. We need to make sure that Con Ed is doing the upgrades. Why do they continually raise the rates without upgrading the infrastructure of the services they are supposed to be providing? The recent blackout is not the first time something like this has occurred. It happened in 1999 and in 2003, and we are still waiting for our state to take action to ensure that the Public Service Commission has teeth. One thing that I think should happen is that for everyday that there is a blackout Con Ed should be fined one million dollars to make sure that this never happens again.

JOHN SABINI: The Public Service Commission as constituted under Governor Pataki, should change its name, because it doesn't serve the public. It is a commission that serves the utilities and puts its head in the sand, even with regards to this latest blackout. The reaction by every level of government, especially by the city, was unconscionable. The Office of Emergency Management was telling us that parts of Woodside had lights, and that no one was calling and complaining. Of course they weren't calling - they were without power. Many of our people are living without getting an electric bill, because they're doubling and tripling up.

During the last blackout, nothing made me prouder as a public servant, than to see my staff out there in the small eight or nine block area in the district that didn't have power, virtually around the clock, for about twelve hours a day, taking intake forms from Con Ed, getting people their food stamps in the streets. You got to provide service for people, and I'm very proud of my office, and I'm very proud of the reaction of Red Cross, which both the state and the city fund, in bringing meals to people who didn't have hot food.

HIRAM MONSERRATE: Sometimes the appearance of something that is not appropriate should be dealt with. Recently I returned a contribution from an entity that is under investigation because I thought it was appropriate to not take that donation until the investigation was cleared. At the same time, my opponent received many contributions from Con Ed. He should also return those contributions.

JOHN SABINI: I don't know what documents my opponent is looking at, but I received a small contribution from an employees' pact. If those men and women - who are not Con Ed stockholders, but rather underground in each and every manhole in a nine square mile area - want to support my campaign, I'm not going to turn my back on them.

COMMUNITY BASED ORGANIZATIONS

QUESTION: What are your plans to strengthen community based organizations, especially those that deal with education, child abuse, and families?

JOHN SABINI: We have lots of groups here that work in those fields, and I work with them: Queens Child Guidance and Forest Hills Community House, for example. We have some great programs here, and we need to continue to fund them. Unfortunately, the funding stream in the state senate has been one that funds to Republican partisan officials. That's why it's so important, after the Times-Union suit, to see where this money is being spent. We shouldn't have to live in Senator Nick Spano's district (who is a marginal Republican) to get service. They funnel money where they think they might lose elections. And CBO's, by and large, live off of discretionary money.

I hope, that when we do take the majority, as the councilman predicts, we'll be able to expand those services. This is a high needs district. We have people coming from all over the world with problems, and when they're here, it's up to government to solve those problems. We can't put our heads in the sand and ignore them. When I was in the city council, I was very proud to fund a program called Safe Tenants and Safe Horizons that dealt with refugee torture victims. Sounds like a very mixed thing, but people come here from dictatorships with a host of psychological problems. The bill matches those victims with providers.

HIRAM MONSERRATE: Community organizations are at the heart of building community. That's why I have been supportive of dozens of dozens of groups like the Jackson Heights Beautification Group, NICE, and BCLU Daycare Centers. Again, we're at a point where we are pointing fingers at the Republican leadership. Leadership is about delivering results, not excuses.

JOHN SABINI: I keep hearing that we're pointing fingers. It's a fact of life. My colleagues and I stand up and speak loudly, and try and take legal action to try and turn things around. None of us are just sitting around and waiting for something else to happen. I'm there fighting these battles, along with some of the loudest voices in the Senate Democratic Conference. These loud voices need to continue, so we can see these results.

DOMESTIC VIOLENCE

QUESTION: What is your stance on increasing penalties for domestic violence perpetrators?

HIRAM MONSERRATE: I want to tell you a story about a woman named Butrado who in 2000 came into the 100th Precinct to report that her boyfriend, who had lived with her, was stalking her. She went into the precinct and didn't speak English. She was an immigrant from Columbia. They turned her away because there was no one who could translate for her. Three days later she was killed by her boyfriend. I knew the family, and she left a six-year old daughter behind, who went to Columbia to be raised by her aunt. Domestic violence is probably one of our more important issues. As a police officer, I put plenty of batterers behind bars, and that's where they belong. A preventive step is to provide services, and that's why the city council put together a $400 million package, $100 million directed here, to this district, to two groups that will provide outreach on domestic violence, ensuring that our women know there is opportunities and protections.

JOHN SABINI: I support increased penalties. We live in a neighborhood that has unique aspects of that problem. We have people coming from all over the globe, maybe from cultures where women aren't so quick to report. I was delighted, many years ago, to have Councilman Ronnie Eldridge come to Elmhurst, to talk to families in the South Asian community, where perhaps women are less likely to come forward. Many women won't come forward because they are here illegally, and are afraid to use the system. Just the other day, I announced a bill on an issue of similar heinous nature called human trafficking, the practice of bringing people into this country for forced labor or as sex slaves. And if they are here illegally, they have their papers and identity taken away from them, and they have no alternative but to be compliant. People who would do something like that need to be punished. People who perpetrate domestic violence, and use customs from another land, that has to be eradicated in a very special way.

EDUCATION FUNDING

QUESTION: What will be done about our school programs funding?

JOHN SABINI: I refused to support any state budget that does not comply with the Campaign for Fiscal Equity decision. The funny part about that is that we have three branches of government. We're told that if you have a gripe with the government, take them to court. And that's what they did with the Campaign for Fiscal Equity and the lower court judges found in favor of them, and so did the Appellate Division, and the Court of Appeals. It was re-litigated and the same three courts found in their favor. Yet the governor and the legislators continue to not fund it at those levels. I'm not going participate in that game. Our kids only have one shot. It doesn't get renewed. If that's screwed up because of lack of funding or because bureaucrats in Albany or Department of Education in the city get in the way, that's not the way we should be treating our children's educational system.

HIRAM MONSERRATE: I find Mr. Sabini's response interesting. I don't know how you can say that things need to change, but then every year you vote for the final budget that doesn't send those billions of dollars back. You can't have it both ways. Perhaps members of both houses, if they were really serious about taking on the legislature and ensuring that the dollars came back to the community, should not have voted for the final budget that did not include the money for education. None of the city legislators should have. I wouldn't have.

JOHN: And I didn't. The education budget is voted separately. There are about 25 votes that make up the budget vote, and many of them involve education. I voted no on each and every one of them, along with people like Senators Kevin Parker, Eric Schneiderman, and a whole bunch of people from New York City. It's as the city budget is voted on in many votes. So I voted against it.

HIRAM MONSERRATE: On the final vote to pass a $114 billion budget, our city and district did not get the billions of dollars due.

JOHN SABINI: I agree it's inexcusable, but I'm not going vote to close the other state services including transportation, health care, hospitals, and everything else. Thank God we have it separated out, so you can actually look at those parts. The state budget is a big item, $116 billion or so there. If you don't understand how the state budget is voted on, maybe you'll learn if you get up there.

HIRAM MONSERRATE: I have a very good understanding of the state's budget, and I also have a very good understanding of when politicians do their dance. You just now stated that you made a priorities decision that you didn't want to cut out those other programs, and you voted for the final budget.

JOHN SABINI: There is no final budget vote.

GUN CONTROL

QUESTION: What is your stance on gun control?

HIRAM MONSERRATE: I received a questionnaire from the National Rifle Association asking me for my positions, which they would post on their website. They said that not responding can be seen as negative towards our membership. Well, I didn't respond. New York and particularly the city has some of the toughest gun restrictions in the country. I would like to emulate what we have in the city to the state. We should be the society that no one has guns. I'm a firm supporter of gun control, and I look forward to working with my colleagues to ensure that we have the toughest laws against trafficking in illegal guns and supporting litigation against companies who bring cheap handguns into our city.

JOHN SABINI: We had a murder of an a 11 year old girl recently on the streets of Corona, and it is unacceptable that that would happen. New York has strong laws, and we need better leadership on a federal level. People talk about illegal guns. I assure you that Smith & Wesson doesn't flip a switch at 11 in the morning and say, okay we're switching from legal, and now we're making illegal guns. It's the dealers who do this. The mayor has been fantastic leadership talking about this: The dealers are in states in this country that allow illegal guns to cross state lines. My opponent talks about his great record on crime, yet in 2003, on the Public Safety Committee, he missed an oversight hearing on gun reform. You can't make change if you aren't there. Then in 2005, he missed a vote on the Public Safety Committee on Intro 490, which limits that acquisition of a rifle or shotgun to one per ninety days. If someone needs more than one rifle in New York City, we've got a problem. If you can't be there to cast those votes, you shouldn't be legislator.

HIRAM MONSERRATE: The lack of knowledge is a tremendous thing. What he doesn't say is that I am a co-sponsor of the first bill, and that I voted for the second bill in the city council. I am and have been a fervent supporter of gun control, in this last session alone, I have co-sponsored at least five bills alone with my colleagues David Yassky and Peter Vallone. I have been proactive on this issue, and again he's just misusing the facts.

JOHN SABINI: The first wasn't a bill, it's an oversight hearing. That's how bills get proposed, at oversight hearings, as a result of them. And the vote just missed. That is the fact. If you're not there to cast a vote for the 300,000 people who send you there, you shouldn't take the job.

HIRAM MONSERRATE: I don't represent 300,000; I represent about a thousand. In January, I hope to represent 300,000. I would rather have some one who misses a day or two of work, who gives me a 110 percent when he's there, and gets things done, and not someone who punches the clock, and just sits there for eight hours and gets very little done.

JOHN SABINI: I'm pretty sure that people in the community know that I don't punch the clock. They know very well, that when it comes to energy and hard work, we are there full time without outside income or attention. I was in the private sector for a couple years before I was in the council, and I made a lot of money. But I hated it because I didn't feel I was doing enough for my neighbors. And that means people who arrived here from Hurricane Katrina, my office took care of, or people who experienced the blackout in Woodside. We're here working for people. To say we're just here punching the clock is an insult to me and my staff, and it's an insult to the people in this room who have sent me to do their job. We have a pretty good level of enthusiasm, or I wouldn't be running.

CLOSING STATEMENTS

JOHN SABINI: I'd like to thank Citizens Union, the Queens Civic Congress, the NAACP, and the other sponsoring organizations. I work hard for the 300,000 people I represent, both the ones who vote, and the one's who don't, because I live in a district where lots of people don't because they can't. They deserve services no less than anyone else. My office works full time, with a hard working staff that go out to into the community and tries and finds answers for people. Whether it's on hospital closings, or whether or not you got your state benefits or your WIC check, no issue is too big or small for a public official who really cares.

I'm pretty proud of my record in the city council. My opponent talked about 14 years of nothing? We built a lot of schools when I was here. I'm still waiting for the first school to be built since I left the 21st District, because we need more. From the early childhood centers at 222 and 228 and 229, to the new intermediate schools, to the new OTC, we did a pretty good job in the council.

I've been doing a very good job in the senate. You're going to be the judge of that; that's what democracy's all about. But I think given the measure by the people in this district, we will be in a position to be fairly judged, because we both have public records. We are in a time when we send billions of dollars across our shores to fight a war that we probably shouldn't be in. Once we become a society realistic to know we have problems right here at home, I want to be there to solve them. I want to be there when the Democrats take control, so we can have a more honest and open state government to bring even better services for our community, young people, old people, better quality schools, and honest and open government, which is my passion.

HIRAM MONSERRATE: We are in a rare moment in Queens politics when twin incumbents are running against each other, and a lot of folks have found it very interesting. At the very least, everyone in this community should be happy about the opportunity to engage. The debate that

we are having this evening enriches our community and informs us and ensures that all of the incumbents in this community understand they can't be asleep at the switch and have to work hard to represent the interests of the community.

I'm proud of the record I have of five years in bringing back millions of dollars as a freshman councilman who sometimes challenges leadership. I'm also proud of the many bills that are now the law. The fact that I worked so hard on the Shea Stadium deal, or because of my intervention, the Port Authority doubled the original capital amount offered to $100 million. That was because there was leadership that was proactive, not reactive. My leadership is not about saying something, but doing something.

I look forward to working with all my constituents and look forward to working for you as your next state senator. And if you give me the chance to represent you, the one promise that I will make to you, is that you will not regret it, because I will work full time and overtime representing you. And with respect to the war: It's not probably we shouldn't be there. We should not be there. We need to bring our boys home. We're spending billions of dollars on death and destruction, when we can't build hospitals. We need to be very sure about that statement, and tell all our federal officials who voted for the war should be working ass hard to bring our boys and girls home, because I am tired of going to the funerals and street remains of an unjust and wicked war.

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