

1998

## Political Contributions by Employees, Union Members, Foreign Entities.

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### Recommended Citation

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## **Political Contributions by Employees, Union Members, Foreign Entities. Initiative Statute.**

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**Official Title and Summary Prepared by the Attorney General**

### **POLITICAL CONTRIBUTIONS BY EMPLOYEES, UNION MEMBERS, FOREIGN ENTITIES. INITIATIVE STATUTE.**

- Requires all employers and labor organizations to obtain employee's or member's permission before withholding wages or using union dues or fees for political contributions. Employee's or member's permission is to be obtained annually using a prescribed form. Requires record keeping.
- Prohibits contributions to state and local candidates by residents, governments or entities of foreign countries.

#### **Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:**

- Unknown, but probably not major, net state enforcement costs.
  - Annual costs of up to about \$2 million and one-time costs of \$2 million to \$5 million to the state for administration of employee payroll deductions for political activities; costs offset by fees.
  - Unknown, but probably not major, costs to local governments for administration of employee payroll deductions for political activities; probably offset by fees.
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### Background

**Payroll Deductions.** Employers make a variety of payroll deductions from their employees' wages, such as deductions for Social Security, income taxes, medical plans, and charitable contributions. The deductions are sent to various organizations, businesses, and governments. Existing law does not require employers to identify how the organizations will use the monies.

**Political Contributions from Labor Unions.** Many workers in California belong to labor unions. In addition, many workers who do not belong to a union work for a business or organization in which a union provides collective bargaining and representation for all of the employees, both union members and nonmembers.

Workers who are represented by unions pay dues or fees to the unions. In most cases, such dues or fees are automatically deducted by the employer from the workers' wages and sent to the union. The union may use some of the dues or fees for political activities. A union member may request that his or her dues or fees not be used for political activities, although there is no legal requirement that the union honor the request. If a nonunion member requests that the fees not be used for political activities, the union must comply with the request.

**Campaign Contributions by Foreign Interests.** Currently, federal law prohibits a foreign national from making a contribution to or expenditure for a federal, state, or local election campaign for a candidate for public office. A foreign national includes a foreign government, certain foreign businesses and organizations, and any person who is not a citizen or lawful permanent resident of the United States. Federal law also prohibits a person from accepting a campaign contribution from a foreign national.

In addition, state law prohibits a foreign government or business, or a person outside of the U.S. who is not a U.S. citizen, from making a contribution or expenditure in connection with a campaign for a state or local ballot measure. State law also prohibits a person or a political campaign committee from soliciting or accepting a contribution for a ballot measure from a foreign government, business, or person outside the U.S.

**Political Reform Act.** California's Political Reform Act of 1974, an initiative adopted by the voters, establishes guidelines and requirements for political candidates and campaigns. The state's Fair Political Practices Commission (FPPC) enforces the requirements of the act.

### Proposal

This proposition makes two primary changes to California's Political Reform Act of 1974. First, it establishes new requirements with regard to payroll deductions for political activities. Second, it establishes

in state law a provision similar to federal law prohibiting campaign contributions from a foreign national for a candidate for public office.

**Payroll Deductions for Political Activities.** This proposition requires that, in order for an employer to deduct money from an employee's wages that the employer knows or has reason to know will be used for political campaign activities, the employer must have a signed form from the employee each year authorizing the deduction. These requirements apply to both private and government employers.

The measure also requires that, in order for a labor union to use a portion of the dues or fees it collects for political campaign activities, the union must have a signed form from the worker each year authorizing the use of the money for those activities.

The proposition requires that employers and labor unions keep certain records, including a copy of the authorization form.

**Campaign Contributions by Foreign Nationals.** Similar to existing federal law, this measure makes it illegal under state law for any person or political campaign committee to solicit or accept a campaign contribution for a candidate for public office from a foreign national.

**Enforcement.** A violation of the provisions of the measure would be punishable by the existing criminal and civil penalties established in the Political Reform Act of 1974. The FPPC would be responsible for enforcement.

### Fiscal Effect

The proposition would result in additional costs to the state and local governments in two areas.

First, the measure would result in state costs to the FPPC to enforce its provisions. The costs could be offset in part by fines imposed by the FPPC for violations of the measure. The net costs are unknown, but probably are not major.

Second, the proposition could result in additional administrative costs to the state and local governments to review payroll deductions of their employees and to keep additional records. The extent of these costs would probably depend on the regulations developed by the FPPC. The State Controller's Office estimates that its annual administrative costs would be up to about \$2 million, with one-time costs in the range of \$2 million to \$5 million. These costs would be offset by fees paid by the businesses, organizations, and unions that receive the monies that are deducted from employee wages, thereby resulting in no net administrative costs to the state.

Local governments could incur the same type of administrative costs. The costs to local governments are unknown, but are probably not major, and could be offset by fees.

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For the text of Proposition 226 see page 73

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## Political Contributions by Employees, Union Members, Foreign Entities. Initiative Statute.

### Argument in Favor of Proposition 226

Proposition 226 is very simple and clear. It will reform California's elections two ways:

- It stops unions and employers from taking money from members or employees paychecks for political purposes without their prior consent.
- It will prohibit contributions to state and local candidates from foreign nationals and foreign corporations.

#### RANK AND FILE RIGHTS: BOSSES SHOULD NOT SPEND WORKERS' MONEY WITHOUT CONSENT

IT IS MORALLY WRONG—DEAD WRONG—TO TAKE MONEY FROM YOUR PAYCHECK, WITHOUT YOUR CONSENT, AND SPEND IT TO SUPPORT A POLITICAL CANDIDATE OR ISSUE THAT YOU OPPOSE.

Thomas Jefferson, who wrote the Declaration of Independence, said, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical."

The United States Supreme Court agrees and has ruled that it is illegal and unconstitutional to do so. But since Washington refuses to implement the court's *Beck* decision, California must act to end this outrageous violation of fundamental fairness and the rights of California union members.

UNLESS PROPOSITION 226 PASSES, UNION BOSSES—NOT INDIVIDUAL UNION MEMBERS—WILL DECIDE HOW THE MEMBER'S MONEY IS SPENT ON POLITICS. IT'S LIKE LETTING UNION BOSSES GO INTO THE VOTING BOOTH TO MARK THE MEMBER'S BALLOT.

For years, union members have been exploited by union leaders who took their money and spent it for political causes they opposed.

FOR EXAMPLE, UNION MEMBERS SUPPORTED AND VOTERS OVERWHELMINGLY APPROVED THE "THREE STRIKES AND YOU'RE OUT" INITIATIVE FOR HABITUAL CRIMINALS. YET UNION LEADERS SPENT MEMBERS' MONEY TO OPPOSE THREE STRIKES.

No wonder polls show that union members—by a large majority—support Proposition 226. For some union members who don't want to make political contributions, Proposition 226 will save them about \$200 a year.

#### BANNING FOREIGN CONTRIBUTIONS

PROPOSITION 226 WILL ALSO BAN ALL FOREIGN POLITICAL CONTRIBUTIONS TO CANDIDATES AND PARTIES.

It will prevent foreign money from buying political influence, ending both the fact and appearance of its corrupting elected officials.

The special interests that oppose Proposition 226 will say and do anything to defeat it. They know it will end their ability to direct tens of millions of dollars to campaigns and candidates that their members do not support.

IT'S BITTER IRONY THAT THE CAMPAIGN TO DEFEAT PROPOSITION 226 WILL BE PAID FOR WITH WAGES OF UNION MEMBERS AND EMPLOYEES WHO, BY AN OVERWHELMING MAJORITY, STRONGLY SUPPORT IT.

Union bosses attempt to justify extracting these involuntary contributions, claiming they know better than individual rank and file members what's good for them.

What arrogance!

Proposition 226 will end this unfair and unconstitutional shakedown of California union members, protecting their paychecks and their rights. It will end the influence of foreign money on political candidates.

BECAUSE YOU'RE A UNION MEMBER SHOULD NOT MEAN YOU HAVE TO GIVE UP YOUR RIGHTS AS A CITIZEN.

RANK AND FILE UNION MEMBERS DESERVE THE SAME POLITICAL FREEDOM OF CHOICE AS EVERY OTHER CALIFORNIAN. GIVE THEM A FAIR SHAKE INSTEAD OF A SHAKEDOWN.

Please vote yes on Proposition 226.

**PETE WILSON**

*Governor, State of California*

**ELIZABETH LEE**

*Member, California Teachers' Association*

**ROBERT EISENBEISZ**

*Member, United Electrical Workers—local 99*

### Rebuttal to Argument in Favor of Proposition 226

Too often, what proposition sponsors *DONT* tell you is more important than what they *DO* tell you.

Sponsors of 226 combined two unrelated issues into one measure. They *DONT* tell you they were combined to get voters who oppose "foreign contributions" to support a measure that is really designed to attack unions and employee organizations.

226 *DOES* increase government bureaucracy and *DOES NOT* reduce foreign contributions to candidates. Existing law already does that.

226 was funded by out-of-state interests to protect big business, not California's working people.

In fact, William Gould, chairman of the U.S. National Labor Relations Board, stated, "This proposal is mischievous, bad policy, and in all probability, unconstitutional." Attempts like this to deceive voters are regularly overturned in court and cost taxpayers millions.

The State Controller estimates 226 will cost millions of dollars to enforce.

226 tips the balance against ordinary people even further, imposing new bureaucratic standards against employee organizations while corporations go unchecked. Two sets of rules are unfair.

The facts are:

- Corporate interests contribute eleven times what employee organizations contribute to politics.
- Union members typically only give one to two dollars monthly for politics, not \$200 a year as proponents claim.

Consumer Advocate Ralph Nader says: "I have studied Proposition 226. A careful reading reveals it is a trick and a trap. Handcuffing working Californians increases the power of the few over the many. That always spells injustice."

The only people this initiative is designed to help are those who wrote it.

**DON BROWN**

*President, California Organization of Police and Sheriffs*

**LOIS WELLINGTON**

*President, Congress of California Seniors*

**KIT COSTELLO, RN**

*President, California Nurses Association*

# Political Contributions by Employers, Union Members, Foreign Entities. Initiative Statute.



## Argument Against Proposition 226

### PROPOSITION 226 IS NOT WHAT IT APPEARS TO BE

Are you tired of being asked to vote on another ballot measure that talks about two very different subjects? Are you tired of being asked to vote for ballot measures that say one thing but mean something else?

If you are, please look closely at 226.

### 226 WILL NOT REDUCE FOREIGN CONTRIBUTIONS

The authors claim 226 bans foreign contributions. But existing law already prohibits foreign contributions to federal, state, and local candidates.

But the fine print of 226 does something else.

You will see that Section 3 contains language clearly stating that foreign nationals should be allowed to contribute to the qualification or passage of California ballot measures. See for yourself by reading the initiative's language in this handbook.

Foreign interests should not be allowed to influence the outcome of our California ballot initiatives or bond measures.

Section 3 also allows subsidiaries of foreign corporations to contribute to candidates.

### PROPOSITION 226 WAS PUT ON THE BALLOT BY OUT-OF-STATE INTERESTS

Proposition 226 was not written by people who care about California's working families.

Official campaign disclosure reports filed with the Secretary of State dated November 7, 1997 show that more than 60% of the funds used to place 226 on the ballot came from individuals who do not live in California.

### THE LEAGUE OF WOMEN VOTERS OPPOSES PROPOSITION 226 BECAUSE IT WILL UNFAIRLY CREATE TWO DIFFERENT SETS OF RULES

According to the League of Women Voters, "Everyone should play by the same rules, especially when it comes to elections that determine the future direction of our state and nation. This measure sets up two sets of rules which is why we oppose 226."

Read the language of 226 carefully. Section 85990 talks about deductions from employee wages. But you will not find a single word that protects the individual rights of shareholders when the corporations they own make campaign contributions.

Section 85991 regulates union dues. But there is not one word that restricts how corporate interests and their political allies use their members' dues on politics.

By placing costly new bureaucratic regulations on unions, but not on corporate interests, the backers of 226 are trying to silence unions and give an unfair advantage to corporate interests, starting with the election for Governor this November.

Passing a law that creates two sets of rules at election time just is not fair.

### PROPOSITION 226 WILL COST TAXPAYERS MONEY

226 will cost state government millions of dollars to implement. And it will cost local governments and schools even more to implement the new bureaucratic rules required of their employees.

And 226 is so poorly written it will cost California taxpayers additional millions trying to defend it in court.

That is why the California Organization of Police and Sheriffs, the Sierra Club, the Congress of California Seniors, Clean Water Action, the California Public Interest Research Group, and the League of Women Voters of California all urge you to vote NO on Proposition 226.

**LOIS TINSON**

*President, California Teachers Association*

**HOWARD OWENS**

*Executive Director, Consumer Federation of California*

**DAN TERRY**

*President, California Professional Firefighters*

## Rebuttal to Argument Against Proposition 226

Powerful union leaders are waging a deceitful campaign to defeat proposition 226, because it will eliminate their ability to direct tens of millions of dollars to political candidates and causes without approval from their members. **THEY KNOW THEY CANNOT DEFEAT 226 ON THE MERITS, SO IT IS THEIR INTENT TO MISLEAD VOTERS.**

**UNION LEADERS SO FEAR HAVING TO ASK THE MEMBERS' CONSENT TO SPEND THEIR MONEY, THEY'LL SAY ANYTHING TO DEFEAT 226.**

**HERE ARE THE FACTS:**

- Union leaders say 226 will silence unions politically. **WRONG. IF RANK AND FILE MEMBERS BELIEVE THEIR LEADER'S POLITICAL AGENDA WILL BENEFIT THEM; THEY WILL GIVE THEIR CONSENT.**
- **UNION MEMBERS OVERWHELMINGLY SUPPORT 226, AND THE CALIFORNIA POLL SHOWS THAT 72% OF CALIFORNIANS SUPPORT 226.**
- Opponents make deliberately misleading claims that **EXISTING** law prohibits foreign contributions to **CANDIDATES**. They know that only **FEDERAL** law does so, and the state has no power to enforce federal law. That's why 226's **STATE** prohibition is required.

- Opponents claim 226 says that foreign nationals "should be allowed to contribute" to ballot measures. **IT DOES NOT.** Read it: 226 only provides that its foreign contribution prohibitions "shall not apply" to **BALLOT MEASURES**, leaving that to **EXISTING STATE LAW** (signed by Governor Wilson) **THAT PRESENTLY PROHIBITS** foreign contributions to ballot measures.

**REMEMBER: EVERY TIME YOU SEE AN AD TRASHING PROPOSITION 226, IT IS BEING PAID FOR BY UNION LEADERS—WITH MEMBERS' MONEY—BUT, WITHOUT THEIR CONSENT.**

**PROPOSITION 226 IS THE ONLY WAY TO STOP IT.**

**MARK BUCHER**

*President—California Foundation for Campaign Reform*

**LINDA HUNT**

*Member—California Nurses Association*

**ROGER HUGHES**

*Member—California Federation of Teachers, AFL-CIO*

the states for ratification or has become part of the U.S. Constitution.

10204.9. Notwithstanding any other provision of California law,

(a) A nonincumbent candidate for the office of U.S. Representative and U.S. Senator, State Senator, or Member of the Assembly shall be permitted to sign a "Term Limits Pledge" each time he or she files as a candidate for such an office. A candidate who declines to sign the "Term Limits Pledge" shall have "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed adjacent to his or her name on the election ballot.

(b) Each time a nonincumbent candidate for U.S. Senator, U.S. Representative, State Senator, or Member of the Assembly files for candidacy, he or she shall be offered the "Term Limits Pledge," until such time as the U.S. Constitution has been amended to limit U.S. Senators to two terms in office and U.S. Representatives to three terms in office.

(c) The "Term Limits Pledge" that each nonincumbent candidate set forth above shall be offered is as follows:

"I support congressional term limits and pledge to use all of my legislative powers to enact the proposed Congressional Term Limits Amendment set forth in the Congressional Term Limits Act. If elected, I pledge to act and vote in such a way that the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" will not appear next to my name." The pledge form will provide a space for the signature of the candidate and the date signed.

(d) The Secretary of State shall be responsible to make an accurate determination as to whether a candidate for the state or federal legislature shall have placed adjacent to his or her name on the election ballot "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS."

(e) The Secretary of State shall consider timely submitted public comments prior to making the determination required in subdivision (d).

(f) The Secretary of State, in accordance with subdivision (d) shall determine and declare what information, if any, shall appear adjacent to the names of each incumbent state and federal legislator if he or she is to be a candidate in the next general election. In the case of U.S. Representatives and U.S. Senators, this determination and declaration shall be made not later than 13 months after a new Congress has been convened, and shall be based upon Congressional action in the first 12 months of the regular session following the most recent general election. In the case of incumbent state legislators, this determination and declaration shall be made not later than 13 months after a new Legislature has been convened, and shall be

based upon state congressional action in the first 12 months of the regular session following the most recent general election.

(g) The Secretary of State shall determine and declare what information, if any, will appear adjacent to the names of nonincumbent candidates for Congress and the California Legislature, not later than five days after the deadline for filing for the office.

(h) If the Secretary of State makes the determination that "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" may not be placed on the ballot adjacent to the name of a candidate for senator or representative for state or federal office, any elector shall appeal such decision within five days to the California Supreme Court as an original action or waive any right to appeal such decision; in which case the burden of proof shall be upon the Secretary of State to demonstrate by clear and convincing evidence that the candidate has met the requirements set forth in this article and therefore should not have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the candidate's name.

(i) If the Secretary of State determines that "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" shall be placed on the ballot adjacent to a candidate's name, the candidate shall appeal such decision within five days to the California Supreme Court as an original action or waive any right to appeal such decision; in which case the burden of proof shall be upon the candidate to demonstrate by clear and convincing evidence that he or she should not have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the candidate's name.

(j) The Supreme Court shall hear the appeal provided for in subdivision (h) and issue a decision within 120 days. The Supreme Court shall hear the appeal provided for in subdivision (i) and issue a decision not later than 61 days before the date of the election.

10204.10. At such time as the Congressional Term Limits Amendment set forth in Section 10204.2 has become part of the U.S. Constitution, this article automatically shall be repealed.

10204.11. Severability. If any portion, clause, or phrase of this act is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected, but shall remain in full force and effect. The portions of this act shall supersede all inconsistent provisions of state law.

### Proposition 226: Text of Proposed Law

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure adds sections to the Government Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

#### PROPOSED LAW

SECTION 1. The people of the State of California find and declare as follows:

(a) Contributions to political campaigns from foreign interests that have a specific financial stake in legislation and policy can have a corrupting or potentially corrupting effect on, or give the perception of corruption of, the electoral and governmental process.

(b) Contributions that are taken from individuals without their knowledge and complete consent create the public perception that individuals play an insignificant role in the political process.

(c) The financial strength of special interest groups or the methods used to collect funds by certain organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates to state and local office.

(d) Candidates are raising a larger percentage of their funds from special interests with a specific financial stake in matters before state and local government and a smaller percentage of their funds directly from individuals. This has caused the public perception that decisions of elected officials are being improperly influenced by monetary contributions and that individuals play an insignificant role in the process.

SEC. 2. In enacting this measure, it is the intent of the people of the State of California to accomplish the following purposes:

(a) To eliminate corruption, or the perception of corruption, of the electoral and governmental process by contributions from foreign interests.

(b) To ensure that contributions and expenditures in political campaigns are made with the knowledge and complete consent of the individuals who are making them.

(c) To ensure that individuals and interest groups have fair and equal opportunity to influence the electoral and governmental process.

(d) To restore public trust in governmental institutions and the electoral process.

## Text of Proposed Laws—Continued

SEC. 3. Section 85320 is added to the Government Code, to read:

85320. (a) No person may make or arrange, and no candidate or committee may solicit or accept, any contribution from a foreign national. This section does not apply to contributions to or accepted by a committee organized and operated exclusively for the purpose of supporting or opposing the qualification or passage of a measure.

(b) For the purposes of this section, "foreign national" has the same meaning as defined in Section 441e of Title 2 of the United States Code on April 1, 1997.

SEC. 4. Chapter 5.9 (commencing with Section 85990) is added to Title 9 of the Government Code, to read:

### CHAPTER 5.9. LIMITATIONS ON EMPLOYERS AND LABOR ORGANIZATIONS

85990. (a) No employer or other person responsible for the disbursement of funds in payment of wages may deduct any funds from an employee's wages that the employer knows or has reason to know will be used in whole or in part as a contribution or expenditure except upon the written request of the employee received within the previous 12 months on a form as described by subdivision (b).

(b) The request referred to in subdivision (a) shall be made on a form, the sole purpose of which is the documentation of such a request. The form shall be prescribed by the commission and at a minimum shall contain the name of the employee, the name of the employer, the total annual amount that is being withheld for a contribution or expenditure, and the employee's signature. The form's title shall read, in at least 24-point bold type, "Request for Political Payroll Deductions" and shall also state, in at least 14-point bold type, the following words immediately above the signature line:

"Signing this form authorizes your employer to make a deduction from your paycheck that is intended to be used as a political contribution or expenditure. You are not obligated to authorize this deduction. Your signature below is completely voluntary and cannot in any way affect your employment."

(c) Each employer or other person who makes deductions under subdivision (a) shall maintain records that include a copy of each employee's request, the amounts and dates funds were actually withheld, the amounts and dates funds were transferred to a committee, and the committee to which the funds were transferred.

(d) Copies of all records maintained under subdivision (c) shall be sent to the commission upon request.

(e) The requirements of this section may not be waived by an employer and waiver of these requirements may not be made a condition of employment or continued employment.

(f) For the purposes of this section, "employer" has the same meaning as defined in Section 3300 of the Labor Code on April 1, 1997.

(g) For the purposes of this section, "employee" has the same meaning as defined in Section 3351 of the Labor Code on April 1, 1997.

(h) For the purposes of this section, "wages" has the same meaning as that term had under Section 200 of the Labor Code on April 1, 1997.

85991. (a) No labor organization may use any portion of dues, agency shop fees, or any other fees paid by members of the labor organization, or individuals who are not members, to make contributions or expenditures except upon the written authorization of the member, or individual who is not a member, received within the previous 12 months on a form described by subdivision (b).

(b) The authorization referred to in subdivision (a) shall be provided on a form, the sole purpose of which is the documentation of such an authorization. The form shall be prescribed by the commission and at a minimum shall contain the name of the individual granting the authorization, the labor

organization to which the authorization is granted, the total annual amount of the dues, agency shop fees, or any other fees that will be used to make contributions or expenditures, and the signature of the individual granting the authorization. The form's title shall read, in at least 24-point bold type, "Authorization for Political Use of Fees" and shall also state, in at least 14-point bold type, the following words immediately above the signature line:

"Signing this form authorizes a portion of your dues, agency shop fees, or other fees to be used for making political contributions or expenditures. You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment."

(c) Any labor organization that uses any portion of dues, agency shop fees, or other fees to make contributions or expenditures under subdivision (a) shall maintain records that include a copy of each authorization obtained under subdivision (b), the amounts and dates funds were actually withheld, the amounts and dates funds were transferred to a committee, and the committee to which the funds were transferred.

(d) Copies of all records maintained under subdivision (c) shall be sent to the commission upon request.

(e) Individuals who do not authorize contributions or expenditures under subdivision (a) may not have their dues, agency shop fees, or other fees raised in lieu of the contribution or expenditure.

(f) If the dues, agency shop fees, or other fees referred to in subdivisions (a) and (c) included an amount for a contribution or expenditure, the dues, agency shop fees, or other fees shall be reduced by that amount for any individual who does not sign an authorization as described under subdivision (a).

(g) The requirements of this section may not be waived by the member or individual and waiver of the requirements may not be made a condition of employment or continued employment.

(h) For the purposes of this section, "agency shop" has the same meaning as defined in subdivision (a) of Section 3502.5 of the Government Code on April 1, 1997.

(i) For the purposes of this section, "labor organization" has the same meaning as defined in subdivision (g) of Section 12926 of the Government Code on April 1, 1997.

SEC. 5. Unless otherwise specifically defined herein, the definitions and provisions of the Political Reform Act of 1974 (Title 9 (commencing with Section 81000), Government Code), as amended, shall govern the interpretation of this initiative.

SEC. 6. The effective date of this measure shall be the first day of the month following the date that this initiative is approved by the voters.

SEC. 7. This measure shall be self-executing.

SEC. 8. The provisions of this measure are severable. If any provision of this measure or its application to any person or circumstance is held invalid, that invalidity may not affect any other provision or application of this measure that can be given effect without the invalid provision or application. If any provision of this measure is held to be in conflict with federal law, that provision shall remain in full force and effect to the maximum extent permitted by federal law. For the purposes of this section, "provision" means any section, subdivision, sentence, phrase, or word.

SEC. 9. This measure shall be liberally construed to accomplish its purposes.

SEC. 10. If this measure is approved by the voters but superseded by any other conflicting ballot measure approved by more voters at the same election, and the conflicting ballot measure is later held invalid, it is the intent of the voters that this measure shall be self-executing and given full force of the law.

SEC. 11. The provisions of this measure may not be altered or amended except by a vote of the people.