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ARGUMENTS

PRO
Proposition 75 protects public employee union members from having political contributions made from their dues without their annual permission. Currently public employee union members are forced to contribute their hard earned money to political candidates or issues they may oppose. Yes on Proposition 75 will make those contributions clearly voluntary.

FOR
Californians for Paycheck Protection
1500 W. El Camino Ave. #113
Sacramento, CA 95833
(916) 786-8163
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www.caforpaycheckprotection.com

AGAINST
Shawnda Westly
The Strategy Group
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www.prop75No.com

CON
Prop. 75 is unfair to teachers, nurses, police, and firefighters. It makes their labor unions play by different rules than big corporations. It’s unnecessary. The U.S. Supreme Court says no public employee can be forced to join a union and contribute to politics. It’s sponsored by corporations who oppose unions.

FOR ADDITIONAL INFORMATION

SUMMARY
Prohibits using public employee union dues for political contributions without individual employees’ prior consent. Excludes contributions benefitting charities or employees. Requires unions to maintain and, upon request, report member political contributions to Fair Political Practices Commission. Fiscal Impact: Probably minor state and local government implementation costs, potentially offset in part by revenues from fines and/or fees.

WHAT YOUR VOTE MEANS
YES
A YES vote on this measure means: Public employee unions could charge and use dues or fees for political purposes without annual, written consent. Fees from a nonmember of a union could not be spent on political purposes if the nonmember objects.

NO
A NO vote on this measure means: Public employee unions would be required to get annual, written consent from government employee union members and nonmembers to charge and use any dues or fees for political purposes.

PROPOSITION 75

PROPOSITION 76
State Spending and School Funding Limits. Initiative Constitutional Amendment.

SUMMARY
Limits state spending to prior year’s level plus three previous years’ average revenue growth. Changes minimum school funding requirements (Proposition 98). Permits Governor, under specified circumstances, to reduce budget appropriations of Governor’s choosing. Fiscal Impact: State spending likely reduced relative to current law, due to additional spending limit and new powers granted to Governor. Reductions could apply to schools and shift costs to other local governments.

WHAT YOUR VOTE MEANS
YES
A YES vote on this measure means: State expenditures would be subject to an additional spending limit based on an average of recent revenue growth. The Governor would be granted new authority to unilaterally reduce state spending during certain fiscal situations. School and community college spending would be more subject to annual budget decisions and less affected by a constitutional funding guarantee.

NO
A NO vote on this measure means: The state would not adopt an additional spending limit, the Governor would not be granted new powers to reduce state spending during certain fiscal situations, and existing constitutional provisions relating to schools and community college funding would not be changed.

ARGUMENTS

PRO
Proposition 76 controls state spending and fixes California’s broken budget system. Yes on 76 protects against future deficits and eliminates wasteful spending, making more money available for roads, healthcare, and law enforcement without raising taxes. It establishes “checks and balances,” encouraging bipartisan budget solutions —YES on Prop. 76.

CON
Prop. 76 cuts school funding by $4 billion, overturns voter-approved school funding guarantees, and gives the governor unchecked power over state budget, destroying our system of checks and balances. Does nothing to prevent new taxes. Endangers local funding for police, fire and health care, including trauma centers and child immunization.

FOR ADDITIONAL INFORMATION

FOR
Governor Schwarzenegger’s California Recovery Team
310 Main Street, Suite 225
Santa Monica, CA 90405
Joinarnold.com

AGAINST
Andrea Landis
No on 76, Coalition of educators, firefighters, school employees, health care givers and labor organizations
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- Prohibits the use by public employee labor organizations of public employee dues or fees for political contributions except with the prior consent of individual public employees each year on a specified written form.
- Restriction does not apply to dues or fees collected for charitable organizations, health care insurance, or other purposes directly benefitting the public employee.
- Requires public employee labor organizations to maintain and submit records to Fair Political Practices Commission concerning individual public employees' and organizations' political contributions.
- These records are not subject to public disclosure.

Summary of Legislative Analyst’s Estimate of Net State and Local Government Fiscal Impact:

- Probably minor state and local government implementation costs, potentially offset in part by revenues from fines and/or fees.
ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Unions for Government Employees. Groups of government employees—like employees in the private sector—can choose to have a union represent them in negotiations with their employers over salaries, benefits, and other conditions of employment. Individual government employees may choose whether or not to join the union that represents their group of employees. A union’s negotiations affect all employees in the group—both members and nonmembers of the union. As a result, members of the group—whether they join a union or not—typically pay a certain level of dues and/or fees to a union for these bargaining and representation services.

Use of Union Dues or Fees for Political Purposes. A union of government employees may engage in other types of activities unrelated to bargaining and representation. For instance, public employee unions may decide to charge additional dues for various political purposes, including supporting and opposing political candidates and issues. Any fees collected from a nonmember of a union cannot be used for these types of political purposes if the nonmember objects. Each year, unions must publicly report what share of their expenditures was for political purposes.

PROPOSAL

This measure amends state statutes to require public employee unions to get annual, written consent from a government employee in order to charge and use that employee’s dues or fees for political purposes. This requirement would apply to both members and nonmembers of a union. The measure would also require unions to keep certain records, including copies of any consent forms.

FISCAL EFFECTS

The state and local governments could experience some increased costs to implement and enforce the consent requirements of the measure. The amount of these costs is probably minor. Some of these costs could be partially offset by increased fines for not complying with the measure’s provisions and/or fees charged by government agencies to cover the costs of processing payroll deductions for union dues and fees.
PROPOSITION 75 PROTECTS PUBLIC EMPLOYEES FROM HAVING POLITICAL CONTRIBUTIONS TAKEN AND USED WITHOUT THEIR PERMISSION.

There’s a FUNDAMENTAL UNFAIRNESS IN CALIFORNIA:
- Hundreds of thousands of public employee union members are forced to contribute their hard earned money to political candidates or issues they may oppose.
- Powerful and politically connected union leaders—a small handful of people—can make unilateral decisions with these “forced contributions” to fund political campaigns without their members’ consent. The workers have no choice—money is automatically deducted from their dues.

Firefighters, police officers, teachers, and other public employees work hard for the people of California and we owe them a huge debt for the work they do on our behalf. That’s why it’s only fair that public employees give their permission before their hard earned dollars are taken and given to politicians and political campaigns.

Many public employee union members don’t support the political agenda of the union bosses and it’s not right that they are forced to contribute to political candidates and campaigns they oppose:
- Campaign finance records document that several public employee unions have spent more than $2 million to qualify a ballot measure that would raise property taxes by billions of dollars—rolling back Proposition 13 protections.
- Many members of these unions may oppose this, but the union leaders just take the money and spend it even though individual union members may disagree. That’s not right and it’s not fair.

Here’s what actual union members say:
- “I’ve been a public school teacher for 20 years. I joined the union when I started teaching because of the benefits it provided and I’ve always been a proud member. However, despite the many good things the union does, it... contribute[s] a portion of my dues to political campaigns I often disagree with. That’s simply unfair. I want to be a member of the teachers union, but I don’t want to be forced to contribute my money to the union leaders’ political agenda.”
  — Diane Lenning, Huntington Beach
- “I’m a member of the largest state employee union. I believe in the union and what it does. It supports me in many ways, but I don’t need it spending a portion of my dues for political purposes. If I want to make a political contribution to a candidate it should be voluntary, not mandatory.”
  — Jim Prunty, Glendora

PROPOSITION 75—IT’S COMMON SENSE.
Here’s what it’ll do:
- Give public employees the same choices we all have.
- Require public employee unions to obtain annual written consent from members before their dues are taken for political purposes.
- Allow government employees to decide when, how, and if their hard earned wages are spent to support political candidates or campaigns.

Proposition 75 will NOT prevent unions from collecting political contributions, but those contributions will be CLEARLY VOLUNTARY.

Vote YES on Proposition 75.

Give California workers the freedom and choice we all deserve and help restore union members’ political rights.

Learn more, visit www.caforpaycheckprotection.com.

MILTON FRIEDMAN, Nobel Prize Winner
LEWIS UHLER, President
National Taxpayer Limitation Committee

ALLAN MANSOOR, Member of Association of Orange County Deputy Sheriffs

PROONENTS ARE ONLY PRETENDING TO PROTECT WORKERS.

Prop. 75’s sponsor, Lewis Uhler, told the San Francisco Chronicle on June 8th that he designed 75 to target public employees because of their “greed” and “arrogance.” Uhler and the big corporations funding 75 aren’t trying to protect workers—they’re trying to silence them.

WORKERS ALREADY ARE PROTECTED
The U.S. Supreme Court says no public employee can be forced to join a union and contribute dues to politics. Union members already elect their own leaders and participate in internal decisions. Of course, not every member agrees with every decision of the group. That’s democracy.

PROP. 75 IS NOT ABOUT FAIRNESS
- “This year, our kids’ schools have been under attack by initiatives paid for by big corporations. Some would permanently cut annual school funding by $4 billion.
- “Prop. 75 would limit teachers’ ability to fight such harmful proposals in future elections through our unions, but does nothing to limit the big developers and banks behind this attempt to cut school funding.

“Prop. 75 is designed to make us spend time and money on a government-imposed bureaucratic process instead of fighting for our schools and our kids.”

Heidi Chipman, Teacher, Kraemer Middle School

Others will lose. Nurses fighting for hospital staffing protection... Police and Firefighters fighting against elimination of survivor benefits for those who die in the line of duty. Their labor unions are restricted under Prop. 75, but their opponents are not.

Please stop this unfair attack on teachers, nurses, police, and firefighters. Vote NO on Prop. 75.

Visit www.prop75NO.com.

LIEUTENANT RON COTTINGHAM, President
Peace Officer’s Research Association of California

MARY BERGAN, President
California Federation of Teachers

DEBORAH BURGER, President
California Nurses Association

Arguments printed on this page are the opinions of the authors and have not been checked for accuracy by any official agency.
Prop. 75 is unnecessary and unfair. Its hidden agenda is to weaken public employees and strengthen the political influence of big corporations.

Prop. 75 does not protect the rights of teachers, nurses, police, and firefighters. Instead it’s designed to reduce their ability to respond when politicians would harm education, health care, and public safety.

In 1998, voters rejected a similar proposition and union members voted NO overwhelmingly.

TARGETS TEACHERS, NURSES, FIREFIGHTERS, AND POLICE

Why does 75 target people who take care of all of us?

Recently, teachers fought to restore funding the state borrowed from our public schools, but never repaid. Nurses battled against reductions in hospital staffing to protect patients. Police and firefighters fought against elimination of survivor’s benefits for families of those who die in the line of duty.

Prop. 75 is an unfair attempt to diminish the voice of teachers, nurses, firefighters, and police at a time when we need to hear them most.

Prop. 75 only restricts public employees. It does not restrict corporations—even though corporations spend shareholders’ money on politics. The nonpartisan Center for Responsive Politics says corporations already outspend unions in politics nationally by 24 to 1. Prop. 75 will make this imbalance even worse.

CURRENT LAW ALREADY PROTECTS WORKERS

No public employee in California can be forced to become a member of a union. Non-members pay fees to the union for collective bargaining services, but the U.S. Supreme Court has consistently ruled that unions cannot use these fees for political purposes. The union must send statements to the worker to ensure that no unauthorized fees are used for politics. Today, 25% of state employees contribute no money to their union’s political activities.

Union members already have the right to democratically vote their leaders into and out of office and to establish their own internal rules concerning political contributions.

Prop. 75 takes away union members’ right to make their own decisions and substitutes a government-imposed bureaucratic process. VIOLATES EMPLOYEES’ PRIVACY

Prop. 75 requires members who want to participate to sign a government-imposed personal disclosure form that could be circulated in the workplace. This form, with information about individual employees and their political contributions, could be accessed by a state agency—an invasion of individual privacy which could raise the possibility of intimidation and retaliation against employees on the job.

WHO’S BEHIND PROP. 75?

Its lead sponsor is Lewis Uhler, a former John Birch Society activist, who campaigned for Bush’s Social Security privatization plan.

It’s funded by the deceptively named Small Business Action Committee, which is financed by large corporations.

Backers of 75 say they want to protect workers’ rights, but that’s not true. They’re against the minimum wage, against protecting employee health care, against the 8-hour day. Backers of 75 aren’t for working people, they want to silence working people who stand against them.

VOTE NO ON 75

Please help stop this unfair attempt to apply restrictions to unions of public employees, such as teachers, nurses, firefighters, police, and sheriffs that would apply to no one else.

LOU PAULSON, President
California Professional Firefighters

BARBARA KERR, President
California Teachers Association

SANDRA MARQUES, RN, Local President
United Nurses Associations of California

YES ON 75 will simply ask public employee union members for their approval before automatically using dues for political purposes.

Proposition 75 will NOT prevent unions from collecting political contributions, but those contributions will be CLEARLY VOLUNTARY. It will hold public employee union leaders more ACCOUNTABLE to their membership.

There are no hidden agendas. No power grabs. Just protecting workers’ rights. Read the official Title and Summary for yourself—it’s really that simple.

VOTE YES ON 75—let individuals, not union leaders, decide whether their dues should be spent on politics.

JAMES GALLEY, Past Vice President
AFSCME/AFL-CIO, Local 127

ARCHIE CAUGHELL, Member
Service Employees International Union

PAMELA SMITH, Member
California Teachers Association

Despite what union leaders would like you to believe, public opinion surveys show that nearly 60% of union households SUPPORT PROPOSITION 75.

Proposition 75 is NOT about the political influence of unions or corporations—it’s simply about INDIVIDUAL CHOICE.

A nonpartisan employee rights group measured the results of a Paycheck Protection measure in Washington State. Its findings showed that 85% of teachers chose NOT to participate in their union’s political activities.

Consider the recent actions by the prison guard union and teacher union—is this fair?

Despite opposition from more than 4,000 prison guards, their union increased dues by $18 million over two years to pay for political campaigns and to give to politicians.

WITHOUT A VOTE OF THE MEMBERSHIP, the teachers union recently increased dues by $50 million over three years in order to fund political campaigns. This is NOT a fair choice—it’s not what our teachers, police officers, firefighters, and other public employees deserve.

YES ON 75
PROPOSITION 75

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

This measure shall be known as “The Public Employees’ Right to Approve Use of Union Dues for Political Campaign Purposes Act.”

SEC. 2. Findings and Declarations.

The People of the State of California find and declare as follows:

(a) Public employees are generally required to join a labor organization or pay fees to the labor organization in lieu of membership.

(b) Public employee labor organizations operate through dues or fees deducted from their members’ salaries which are paid from public funds.

(c) Routinely these dues or fees are used in part to support the political objectives of the labor leaders in support of state and local legislative candidates and ballot measures. Public employees often find their dues or fees used to support political candidates or ballot measures with which they do not agree.

(d) It is fundamentally unfair to force public employees to give money to political activities or candidates they do not support.

(e) Because public money is involved, the public has a right to ensure that public employees have a right to approve the use of their dues or fees to support the political objectives of their labor organization.

(f) To ensure that public employees have a say whether their dues or fees may be used for political campaign purposes, it is fair and just to require that their consent be obtained in advance.

SEC. 3. Purpose and Intent.

In enacting this measure, it is the intent of the people of the State of California to guarantee the right of public employees to have a say whether their dues and fees may be used for political campaign purposes.

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

CHAPTER 5.9.

85990. (a) No public employee labor organization may use or obtain any portion of dues, agency shop fees, or any other fees paid by members of the labor organization, or individuals who are not members, through payroll deductions or directly, for disbursement to a committee as defined in subdivision (a) of Section 82013, except upon the written consent of the member or individual who is not a member received within the previous 12 months on a form described by subdivision (c) signed by the member or nonmember and an officer of the union.

(b) Subdivision (a) does not apply to any dues or fees collected from members of the labor organization, or individuals who are not members, for the benefit of charitable organizations organized under Section 501(c)(3) of Title 26 of the United States Code, or for health care insurance, or similar purposes intended to directly benefit the specific member of the labor organization or individual who is not a member.

(c) The authorization referred to in subdivision (a) shall be made on the following form, the sole purpose of which is the documentation of such authorization.

The form’s title shall read, in at least 24-point bold type, “Consent for Political Use of Dues/Fees or Request to Make Political Contributions” and shall state, in at least 14-point bold type, the following specific text:

Signing this form authorizes your union to use the amount of $____.00 from each of your dues or agency shop fee payments during the next 12 months as a political contribution or expenditure.

Signing this form requests your union to make a deduction of $____.00 from each of your dues or agency shop fee payments during the next 12 months as a political contribution to the (name of the committee).

Check applicable box.

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