

HOUSE BILL REPORT

HB 2822

As Reported by House Committee On:

State Government

Title: An act relating to requests by employees to withhold or divert wages for political contributions.

Brief Description: Concerning an employee's request to withhold wages for political purposes.

Sponsors: Representative Romero.

Brief History:

Committee Activity:

State Government: 2/5/02, 2/8/02 [DP].

Brief Summary of Bill

- Removes the requirement that employee requests to withhold or divert wages for political contributions be renewed every 12 months. Once the request is made, it remains valid until revoked by the employee.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 4 members: Representatives Romero, Chair; Miloscia, Vice Chair; McDermott and Upthegrove.

Minority Report: Do not pass. Signed by 2 members: Representatives Schindler and Schmidt.

Staff: Catherine Blinn (786-7114).

Background:

The Fair Campaign Practices Act was enacted following passage of Initiative 134 in 1992. The initiative imposed campaign contribution limits on elections for state office, further regulated independent expenditures, restricted the use of public funds for political purposes, and required public officials to report gifts received in excess of \$50.

A provision of Initiative 134 prohibits employers and labor organizations from increasing the salary of an employee with the intent that the money be used to support or oppose a political candidate, party, or committee. Employers and labor organizations are also prohibited from discriminating against an employee for supporting, opposing or contributing to a candidate, ballot proposition, political party or political committee, or for failing to do so.

Employers may not withhold or divert any portion of an employee's wages or salaries for contributions to political committees except upon the written request of the employee. The request must be made on a form that informs the employee of the prohibitions against employer and labor organization discrimination. The request is valid for 12 months from the date it is made. Employers must maintain for public inspection for at least three years records of each employee request, the amounts and dates funds were withheld, and the amounts and dates funds were transferred to political committees.

Summary of Bill:

The requirement that employee requests to withhold wages for political contributions be renewed every 12 months is removed. Once the request is made, it is valid until revoked and the employee may revoke the request at any time.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Political contributions are voluntary and the employees set the contribution amount themselves. Employees are kept informed on the political activity for which the contributions are used, and on the process to terminate the contributions. Most contributions are \$1 to \$10 a month. Because most employees don't have the resources to contribute large sums of money to campaigns, political contributions in small amounts through wage withholding programs allow employees to participate in a collective effort to support certain candidates and other political activity. Small contributions that allow broader participation in the political process should be encouraged.

Testimony Against: Teachers are concerned about the participation of unions in political activity. Wage withholdings are a powerful tool because they can appear similar to other mandatory deductions. Political contributions are considered a form of First Amendment political speech. Employees want to maintain control over the types of political activity for which their contributions are used. Labor unions should have to regularly return to

employees and justify the political activity. The requirement that the wage requests be updated every 12 months was included in Initiative 134; the voters' will should be honored..

Testified: (Information only) Jamie Lund, Evergreen Freedom Foundation.

(In support) Linda Lanham, Machinists State Council; and Diane McDaniel, Washington State Labor Council.

(Opposed) Steve Gano, Gano & Associates.