

April 1, 2011

HAND DELIVERED

Initiative Coordinator
Office of the Attorney General
State of California
PO Box 994255
Sacramento, CA 94244-25550

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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Dear Ms. Paris:

Pursuant to Article II, Section 10(d) of the California Constitution, I am submitting the attached proposed statewide ballot measure ("Stop Special Interest Money Now Act") to your office and request that you prepare a circulating title and summary of the measure as provided by law. I have also included with this letter the required signed statement pursuant to California Elections Code sections 9001 and 9608, and a check in the amount of \$200. My address as registered to vote is shown on Attachment 'A' to this letter.

Thank you for your time and attention to this important matter. Should you have any questions or require additional information, please contact myself or Tom Hiltachk at (916) 442-7757.

Very Truly Yours,

Ashlee Titus,
Proponent

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

SECTION 1. Title, Findings, and Declaration of Purpose

- A. Special interests have too much power over government. Every year, corporations and unions contribute millions of dollars to politicians, and the public interest is buried beneath the mountain of special-interest spending.
- B. Yet, for many years, California's government has failed its people. Our state is billions of dollars in debt and many local governments are on the verge of bankruptcy. Too often politicians ignore the public's need in favor of the narrow special interests of corporations, labor unions, and government contractors who make contributions to their campaigns.
- C. These contributions yield special tax breaks and public contracts for big business, costly government programs that enrich private labor unions, and unsustainable pensions, benefits, and salaries for public employee union members, all at the expense of California taxpayers.
- D. Even contribution limits in some jurisdictions have not slowed the flow of corporate and union political money into the political process. So much of the money overwhelming California's politics starts as automatic deductions from workers' paychecks. Corporate employers and unions often pressure, sometimes subtly and sometimes overtly, workers to give up a portion of their paycheck to support the political objectives of the corporation or union. Their purpose is to amass millions of dollars to gain influence with our elected leaders without any regard for the political views of the employees who provide the money.
- E. For these reasons, and in order to curb actual corruption and the appearance of corruption of our government by corporate and labor union contributions, the People of the State of California hereby enact the Stop Special Interest Money Now Act in order to:
 - 1. Ban both corporate and labor union contributions to candidates;
 - 2. Prohibit government contractors from contributing money to government officials who award them contracts;
 - 3. Prohibit corporations and labor unions from collecting political funds from employees and union members using the inherently coercive means of payroll deduction; and
 - 4. Make all employee political contributions by any other means strictly voluntary.

SECTION. 2. The Stop Special Interest Money Now Act

Article 1.5 of Chapter 5 of Title 9 of the Government Code (commencing with section 85150) is added to read as follows:

§85150 (a) Notwithstanding any other provision of law and this Title, no corporation, labor union, or public employee labor union shall make a contribution to any candidate, candidate

controlled committee; or to any other committee, including a political party committee, if such funds will be used to make contributions to any candidate or candidate controlled committee.

(b) Notwithstanding any other provision of law and this Title, no government contractor, or committee sponsored by a government contractor, shall make a contribution to any elected officer or committee controlled by any elected officer if such elected officer makes, participates in making or in any way attempts to use his or her official position to influence the granting, letting, or awarding of a public contract to the government contractor, during the period in which the decision to grant, let, or award the contract is to be made and during the term of the contract.

§85151 (a) Notwithstanding any other provision of law and this Title, no corporation, labor union, public employee labor union, government contractor, or government employer shall deduct from an employee's wages, earnings, or compensation any amount of money to be used for political purposes.

(b) This section shall not prohibit an employee from making voluntary contributions to a sponsored committee of his or her employer, labor union, or public employee labor union in any manner, other than that which is prohibited by subdivision (a), so long as all such contributions are given with that employee's written consent, and that consent shall be effective for no more than one (1) year.

(c) This section shall not apply to deductions for retirement benefit, health, life, death or disability insurance, or other similar benefit, nor shall it apply to an employee's voluntary deduction for the benefit of a charitable organization organized under Title 26 United States Code section 501(c)(3).

§85152 For purposes of this Article, the following definitions shall apply:

(a) "Corporation" means every corporation organized under the laws of this state, any other state of the United States, or the District of Columbia, or under an act of the Congress of the United States.

(b) "Government contractor" means any person, other than an employee of a government employer, who is a party to a contract between the person and a government employer to provide goods, real property, or services to a government employer. Government contractor includes a public employee labor union which is a party to a contract with a government employer.

(c) "Government employer" means the State of California, or any of its political subdivisions, including, but not limited to, counties, cities, charter counties, charter cities, charter city and counties, school districts, University of California, special districts, boards, commissions, and agencies, but not including the United States Government.

(d) "Labor union" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(e) "Political purposes" means a payment made to influence or attempt to influence the action of voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure; or any payment received by or made at the behest of a candidate, a controlled committee, a committee of a political party, including a state central committee, and county central committee, or an organization formed or existing primarily for political purposes, including, but not limited to, a political action committee established by any membership organization, labor union, public employee labor union, or corporation.

(f) "Public employee labor union" means a labor union in which the employees participating in the labor union are employees of a government employer.

(g) All other terms used this Article that are defined by the Political Reform Act of 1974, as amended (commencing with section 81000 et seq.), or by regulation enacted by the Fair Political Practices Commission, shall have the same meaning as provided therein, as they existed on January 1, 2011.

SECTION 3. Implementation

(a) If any provision of this measure, or part of it, or the application of any such provision or part to any person, organization, or circumstance, is for any reason held to be invalid or unconstitutional, then the remaining provisions, parts, and applications shall remain in effect without the invalid provision, part, or application.

(b) This measure is not intended to interfere with any existing contract or collective bargaining agreement. Except as governed by the National Labor Relations Act, no new or amended contract or collective bargaining agreement shall be valid if it violates this measure.

(c) This measure shall be liberally construed to further its purposes. In any legal action brought by an employee or union member to enforce the provisions of this Act, the burden shall be on the employer or labor union to prove compliance with the provisions herein.

(d) Notwithstanding Government Code section 81012, the provisions of this measure may not be amended by the Legislature. This measure may only be amended or repealed by a subsequent initiative measure or pursuant to Article II, Section 10(c).