

Date: September 18, 2012
To: Honorable Mayor and City Council
From: Councilmember Patrick O'Donnell, Chair, State Legislation Committee
Subject: **PROPOSITION 32, THE PAYCHECK PROTECTION/DECEPTION ACT**

The State Legislation Committee, at its meeting held Thursday, September 13, 2012, considered communications relative to the above subject.

It is the recommendation of the State Legislation Committee that the City Council concur in the recommendation of the Committee to oppose Proposition 32, the Paycheck Protection/Deception Act.

Respectfully submitted,

STATE LEGISLATION COMMITTEE

Councilmember Patrick O'Donnell, Chair

Attachments

Prepared by:
Allison Bunma



Date: September 14, 2012

To: Mayor and Members of the City Council

From: Patrick O'Donnell, Chair of the State Legislation Committee *PO*

Subject: **Recommendation to Oppose Proposition 32, the Paycheck Protection/Deception Act**

On Thursday, September 13, 2012 the State Legislation Committee held a meeting to discuss a position on Proposition 32, the State Proposition on the November 2012 ballot to prohibit labor unions and corporations from contributing directly and indirectly to candidates and candidate-controlled committees. This was an item that was referred to the Committee by the full City Council.

Fiscal Impact

There is no fiscal impact from taking a position on Proposition 32.

Recommendation: Recommendation to oppose Proposition 32, the Paycheck Protection/Deception Act



James Johnson
City of Long Beach
Councilmember, Seventh District

~~R-16~~

Date: July 3, 2012
To: Honorable Mayor and Members of the City Council
From: Councilmember James Johnson, Seventh District JJ
Subject: "Paycheck Protection" Initiative

RECOMMENDATION:

Refer the "Paycheck Protection" initiative to the State Legislation Committee to consider a resolution of opposition by the Long Beach City Council.

DISCUSSION

The "Paycheck Protection" initiative has come before voters in California many times over the last several decades. Each time, most recently in 2005, it has failed. This initiative is once again on the ballot in November 2012. The City Council should go on the record as opposed to the initiative, as California voters have every time this has come up for consideration.

The primary purpose of this initiative is to silence labor organizations and exclude them from the political process. The means to this end is to prevent labor organizations from collecting dues from their members and using those dues for political purposes. This is an unfair infringement on the rights of organized workers to speak out on their own behalf.

A central idea of American democracy is pluralism—the idea that the public interest is best preserved by the public dialogue between various different interest groups advocating for what they believe is just. While no one group should be allowed to dominate the political conversation, neither should any group be silenced. Therefore, I recommend that the City Council refer consideration of this initiative to the State Legislation Committee for potential opposition.

FISCAL IMPACT

There is no significant fiscal impact to this item.



PROP 32: STOP SPECIAL INTEREST MONEY NOW ACT

(QUALIFIED: DECEMBER 6, 2011)

SEPTEMBER 13, 2012

Introduction

The following is an analysis of Proposition 32, which would prohibit contributions from corporations, private sector labor unions, public employee labor unions, and government contractors to candidates for elected office, and candidate controlled committees, including political parties.

Background

Proposition 32 is the third "paycheck protection" act to be placed before the voters in recent years. Proposition 75 (2008) and Proposition 226 (1998) were both defeated when placed on a statewide ballot. Currently, corporations, private sector labor unions, public employee labor unions, and government contractors are able to automatically deduct funds, subject to State law, from employee paychecks for contributions to candidates, candidate committees, and political party committees. Proposition 32 would prohibit the automatic deduction of funds from employee paychecks for political purposes and further restrict corporations and unions from contributing to candidates and candidate controlled committees, including political parties.

Bill Summary

Proposition 32 would prohibit:

- Corporations, private sector labor unions, and public employee labor unions from making 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 a contribution to a candidate.
- Government contractors from making a contribution to any candidate or committee controlled by a candidate if such candidate 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.
- Corporations, labor unions, public employee labor unions, government contractors, or government employers from making a deduction of any amount from an employee's wages, earnings, or compensation if that money is to be used for political purposes.

Proposition 32 would allow:

- Employees to make a voluntary contribution to a sponsored committee of his or her employer, private labor union, or public employee labor union in any manner other than which is specifically prohibited above, so long as all contributions are given with that employee's written consent. Written consent would be effective for no more than one year.
- Deductions for retirement benefit, health, life, death or disability insurance, or other similar benefit, as well as deduction for the benefit of a charitable organization organized as a 501(c)(3).

Summary of Arguments for and against

Arguments for:

- The interests and needs of the public are often overlooked in favor of the special interests of corporations, private sector labor unions, public employee labor unions and government contractors who make contributions to candidates for elected office.



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

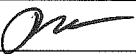

Date: *September 14, 2012*

To: Larry Herrera, City Clerk

From: *Councilmember Patrick O'Donnell*

Subject: Request to Add Agenda Item to Council Agenda of *September 18, 2012.*

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

Council District	Authorizing Councilmember	Signed by
4	Patrick O'Donnell	
1	Robert Garcia	
7	James Johnson	