

5684-S

Sponsor(s): Senate Committee on Law & Justice (originally sponsored by Senators Smith, Winsley, Gaspard, Oke, Wood and Hale; by request of Public Disclosure Commission)

Brief Description: Consolidating and revising public disclosure laws.

**SB 5684-S.E - DIGEST**

(DIGEST AS ENACTED)

Makes technical amendments to chapter 42.17 RCW.

Repeals RCW 42.17.021, 42.17.630, 42.17.2415, and 42.52.210.

VETO MESSAGE ON SB 5684-S

May 16, 1995

To the Honorable President and Members,  
The Senate of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 3 and 21, Engrossed Substitute Senate Bill No. 5684 entitled:

"AN ACT Relating to public disclosure;"

Engrossed Substitute Senate Bill No. 5684 makes many important and necessary changes to our public disclosure and campaign practices laws which I strongly support. It incorporates most of the recommendations of the Public Disclosure Commission's (PDC) request legislation. It also enacts many of the campaign practices recommendations of the Commission on Ethics and Campaign Practices that were introduced at my request in Substitute Senate Bill No. 5576. The legislature is to be commended for making significant improvements in this complex and controversial area of law designed to protect the public's right to know.

However, I do not believe section 3 of Engrossed Substitute Senate Bill No. 5684 to be consistent with the underlying principles of openness and full disclosure of political campaign financing. Section 3 would prevent the PDC from requiring the reporting of additional information about contributors, other than their names, addresses, and the amount and date of their contribution. The apparent purpose of this provision is to protect the privacy of contributors.

The PDC currently has clear and specific statutory authority to require additional contributor information in conformance with the policies and purposes of this law. Consistent with this authority, the PDC, by rule, has required the reporting of the occupation and the name and address of the employer for larger contributors -- those who contribute \$100 or more. This additional reporting requirement is designed to disclose possible patterns of coordinated contributions to candidates and to ballot measures by large organizations or businesses who may attempt to circumvent contribution limits.

Employer and occupational information is critical to identifying and disclosing these patterns and to detecting

violations of the "anti-laundering" laws of our state. Section 3 would close a major avenue for disclosure of vital information about who influences elections. I believe that the public's right to information about elections and who influences those elections outweighs the purported need to protect the privacy of individual contributors.

Section 21 of Engrossed Substitute Senate Bill No. 5684 modifies RCW 42.17.680 which is designed to protect the rights of employees from political pressure on the job. Current law specifically prohibits employers or labor organizations from discriminating against workers for failure to contribute to or support or oppose a candidate, ballot proposition, political party, or political committee. This protects employees from being forced to promote an employer's political agenda. Additional current language, that would be removed by section 21, prohibits discrimination for "in any way supporting or opposing" a candidate, ballot proposition, political party, or political committee. This language provides protections for workers to act on their own political beliefs.

This specific provision is the subject of ongoing litigation regarding whether or not employers may be prevented from mandating the political neutrality of their employees in cases where the nature of their jobs require it. Moreover, section 21 did not receive full and open debate in the legislature before the bill was passed. I am, therefore, reluctant to approve any changes in this very sensitive and controversial law until its implications have been more thoroughly and more openly explored in legislative and judicial forums.

For these reasons, I am vetoing sections 3 and 21 of Engrossed Substitute Senate Bill No. 5684.

With the exception of sections 3 and 21, Engrossed Substitute Senate Bill No. 5684 is approved.

Respectfully submitted,  
Mike Lowry  
Governor