



Legislative UPDATE



A weekly report from the Washington State Labor Council, AFL-CIO

MAR. 8, 2004

Vol. XIX, No. 8

GOP's right wing takes flight

Fearing gay rights bill, Republicans drop corporate agenda like a bad habit, skip town

ESHB 2779, the worker blacklisting bill, is dead. And you can thank San Francisco Mayor Gavin Newsom.

HB 1809, a bill that has been introduced unsuccessfully for 26 straight years, would prohibit discrimination based on sexual orientation. This year it passed the House 59-39 and Senate Democrats rounded up the support necessary to force a vote Friday afternoon in the State Senate. Because it had the votes to pass, Senate Republican leaders abruptly ended Friday's session early, and in the process, effectively killed hundreds of bills including the WSLC-opposed worker blacklisting bill.

Rather than admit Friday's great escape was pure panic over a political hot potato, Senate Majority Leader Bill Finkbeiner (R-Kirkland) insisted they adjourned not because they were afraid of HB 1809's passage but because the bill was outside the scope of Republicans' goal of improving the state's economy and creating jobs. "Our top priority is creating jobs in this state, and we didn't want to get sidetracked," he said.

At press time, there was no word on what gift certificate rights, granting men more time to deny paternity and something called the Personality Rights Act—all bills the Senate found time to pass in the hours before they skipped town—had to do with creating jobs in this state.

Clearly, San Francisco's issuance of marriage licenses for same-sex couples and the resulting national furor over "gay marriage"—although it has nothing to do with prohibiting discrimination based on sexual orientation—has created a political crisis within the Republican Party. A handful of Republicans voted for HB 1809 or were willing to vote for it in the Senate. Senate GOP leaders could not risk alienating their right-wing base in an election year by allowing passage of anything promoting equal treatment for gay people. How else does one explain the sacrifice of dozens of Big Business' priority bills on issues from medical malpractice insurance to employee refer-

ences (blacklisting)?

The WSLC is not sorry to see the blacklisting bill die given its potential harm to workers and their reputations. But Friday's folding of the Senate tent revealed that the Republican Party, the self-proclaimed champions of job promotion and business competitiveness, are willing to chuck all that out the window rather than offend those among their ranks who hate gays so passionately that they would deny them basic human rights.

Although Washington isn't among the 13 states that prohibit discrimination in employment based on sexual orientation, nine municipalities in this state have civil rights laws or policies prohibiting such discrimination. They include Seattle, Tacoma, Spokane, Olympia, Tumwater, Vancouver, and King and Clark counties.

HB 1809 would have expanded that ban on discrimination statewide. Until this happens, it will continue to be legal in this state to fire somebody from their job just because they are gay.

HB 1809 would have expanded that ban on discrimination statewide. Until this happens, it will continue to be legal in this state to fire somebody from their job just because they are gay.

"Modified Montana" makes most sense

After Friday's vanishing act, the state legislature now has until its scheduled adjournment this Thursday to deal with two major issues: replacing our state's primary system and passing a supplemental budget. (Of course, any of the hundreds of bills killed Friday could be resurrected with extraordinary procedural votes or through budget amendments if they are considered necessary to implement the budget.)

The legislature has to replace our current blanket primary system which allows voters to choose whichever candidates from whichever party they want. The state party organizations sued because they were sick of crossover voting by non-party members, some of which was considered "strategic."

The primary systems being considered as replacements are called the "Top 2" and the "Modified Montana" systems.

The Top 2 primary—already passed by the Senate under possible veto threat by Governor Locke—would pit the two

If you would like to receive this newsletter via e-mail or want more information about WSLC positions on legislative issues, visit www.wslc.org

CONTINUED ON NEXT PAGE

candidates with the most votes against each other in the final election, even if they are from the same party. On the up side, it would allow voters to continue to vote across party lines in the primary, and it would anger both state party organizations.

On the downside, as satisfying as that might feel, it's a bad idea. Both parties say they'll sue again if Top 2 is approved and we'll end up right back at the primary drawing board. What's worse, if Top 2 passes both parties are prepared to hold closed party caucuses and conventions to pick their 2004 nominees. Voters would end up having to register with a party to participate. It's fair to assume that in a state known for independent voters, only the most rabid partisans would be willing to "join" a party and devote weekends to picking their candidates. Most of us would rather spend weekends at *real* parties.

The other significant downside of Top 2 is that it would solidify one-party control in many legislative districts and discourage third-party candidates, for whom it would be virtually impossible to earn a spot on the general election ballot.

The Modified Montana system—which has failed in one Senate vote—would create separate party nominating elections and allow, but not require, voters to register by party. In other words, you could request either a Democratic or Republican primary ballot and vote only for those candidates, and you could keep your party choice secret. The state party organizations say this is a compromise they can live with.

That's why the WSLC strongly prefers that option. What exactly is the point of passing Top 2 and creating a primary free-for-all in this fall's critical elections? Just to give party bosses a poke in the eye? Like it or not, the courts have said the parties should have the right to choose their own nominees. If they say Top 2 prevents them from doing that, it too will be tossed as illegal. Modified Montana, on the other hand, is a compromise that allows independent voters to stay independent, and ensures diversity of opinion on the general election ballot. It's clearly the better option.

Acknowledge state workers in budget

The other major item of business is the supplemental budget. The WSLC continues to look forward to the ratification and full funding of the home-care contract, as included in both the House and Senate proposals.

We also continue to urge negotiators to acknowledge the disproportionate burden placed upon our state employees who have suffered a three-year pay freeze. Their wages have actually been cut given the dramatic increases in out-of-pocket health expenses passed on during that same period. House Democrats did an admirable job of mitigating that damage and slightly lowering health premiums in their supplemental budget proposal. We hope the final budget includes that funding.

We are very disturbed, however, to hear some lawmakers suggest that the legislature could adjourn this week without passing a supplemental budget at all. That would be a clear abdication of their responsibilities as elected officials and we hope any such talk is just that, talk.

Outsourcing still alive in State House

The State House of Representatives may still have an opportunity for a recorded vote on the issue of offshore outsourcing. Previous legislation on the issue died without votes and an outsourcing study attached to the House budget bill was approved on voice vote.

Rep. Sandra Romero (D-Olympia) on Friday introduced a new resolution, HCR 4419, creating a new outsourcing task force. (Her original bill, HB 3187, would have banned offshore outsourcing of state contracts, but was not acted upon before cutoff.) HCR 4419 will help legislators understand the impact of outsourcing in both the public and private sectors.

The resolution expresses concern that some state agency contracts "are being performed, in whole or in part, outside the United States... and these state contracts are being entered into with little, if any, legislative oversight." HCR 4419 also reminds us that "the legislature has invested significant public resources in business development, recruitment, and retention, and wants to ensure that corporations that benefit from these investments are accountable to the legislature and the citizens of Washington state."

Thank you to Rep. Romero for keeping this issue alive and to the following who co-sponsored HCR 4419: Reps. Steve Conway, Zack Hudgins, John McCoy, Phyllis Gutierrez Kenney, Velma Veloria, Mary Lou Dickerson, Sam Hunt, Jeff Morris, Dawn Morrell, Timm Ormsby, Judy Clibborn, Al O'Brien, Maralyn Chase, Kathy Haigh, Jeannie Darneille, Sharon Tomiko Santos, and David Simpson.

We strongly urge the House to vote on HCR 4419 so Washington's working families know where their elected officials stand on this important issue.

Health Care Lite™ remains a threat

ESHB 2460 is the bill that emerged from the Senate last week to allow insurers to create a stripped-down version of health insurance for employers with fewer than 50 employees. The bill gives insurers complete and total freedom to determine what they want to cover, requiring only basic doctor visits and hospital coverage. Critically important health services from mammograms to children's immunizations could be excluded in these plans.

ESHB 2460 would undo years of work by consumer advocates to assure that important health benefits are included in insurance plans and that we have the freedom to choose our own doctors. This bill is the wrong way to respond to the health care crisis. It does nothing to address the causes of skyrocketing costs and instead promotes a deterioration in the quality of health benefits. More and more working families will end up on Health Care Lite™, and pretty soon, even *that* won't be affordable. We urge Rep. Eileen Cody (D-Seattle), who sponsored the original HB 2460 before it was unacceptably rewritten in the Senate, and all other House Democrats to reject this attack on working families and quality health care.