

October 27, 1990

MEMORANDUM

TO: Walter Woodson

FROM: Susan Stuntz *MS*

Per your request, following are some immediate comments on the draft 1991 state tax and legislative action plans. These comments are the result of a quick once-over given to all plans. The issues and media staffs will no doubt have additional thoughts and comments once we've had an opportunity to review them in depth, and to consider many of the requests in the context of existing coalition relationships.

Please let me know if you've questions or comments on any of my comments.

Alaska

Cigarette Tax Increase -- We have some existing contacts with the Anchorage Central Labor Council that may be of assistance in fighting a proposal to increase cigarette excise taxes, assuming that alternative progressive revenue sources can be identified. Given the time and mileage differentials between LMC headquarters (which is where these relationships lie) and Alaska, we will need close coordination with the SAD field office.

Hiring Discrimination -- The LMC has had discussions with some union and state fed officials (although none in Alaska) regarding hiring discrimination. The unions on the LMC have voted to assist in lending their support for broad-based privacy legislation that would address a variety of discriminatory employer practices, including pre-employment genetic testing, random drug testing, polygraph tests as well as smoking.

As labor seldom takes the lead in promoting this kind of legislation (state feds and the AFL-CIO are employers too), they would look to groups like the ACLU and civil rights organizations to initiate discussion of the legislation with the appropriate legislators, and to seek an opportunity for introduction. Labor will then be willing to support the bill, although the nature and degree of support will depend on the nature of the bill.

Thus, field staff and/or local counsel should begin consideration of a broad-based bill (use the Washington State AFL-CIO resolution on privacy that Joe Daniels recently succeeded in getting adopted), and begin to seek local ACLU and/or civil

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rights groups who might act as sponsors. At the same time, we will initiate discussions with unions.

However, field staff also should advise the LMC whether it should concentrate its efforts with the Alaska unions (with what is admittedly a limited relationship) on tax or hiring discrimination issues.

Arizona

Hiring discrimination -- see above discussion of the situation in Alaska. The process would be the same. The only difference with Arizona is that the LMC has never been asked to assist in developing any relationships with labor in Arizona, and would be starting from scratch.

Arkansas

Hiring discrimination -- I would be interested in how field staff is seeking to recruit the state AFL-CIO into this effort, and which unions are being approached. X

California

At our meeting in Florida we had discussions with Kurt Malmgren concerning a labor program in California, that may be of assistance in the ongoing Prop. 99 program, as well as with efforts to move ETS regulation away from the localities and into CalOSHA. We await word from SAD as how and whether to proceed. ✓

Colorado

Excise tax -- As with Arizona, we have had no requests to develop labor contacts on any issue in Colorado. As there are few unions in the state, this will be a difficult assignment, given that we are starting from scratch. We will need to know what is needed, and whether a progressive tax alternative is available, as quickly as possible.

Connecticut

Excise taxes -- I have told Dennis Dyer previously of the problems with a business/labor tax coalition such as the one he describes. To date, there is no Citizens for Tax Justice in Connecticut, although the unions have been interested in such an organization for some time. You are aware of the reasons that this project has not moved forward. Whether -- and with whom -- a Connecticut CTJ, if it existed, might join in yet another coalition is up to CTJ. These groups historically do not join other coalitions; they are themselves coalitions. ✓

Anti-discrimination -- The BC&T or "labor" component of the labor management committee had extensive discussions with the state labor counsel in Florida, concerning the need to coordinate

closely with and keep BC&T informed of their activities, as most have been successful in their jobs through their ability to claim representation of BC&T and the other LMC unions. This coordination will be particularly important in this instance.

As field staff should know, the proposal to provide local labor leaders with PR counsel is inappropriate and should not be a part of this plan. Neither TI nor the LMC is in a position to provide expert PR counsel, or print/radio/television media campaign assistance. X

Pro-active IAQ -- See above for discussion of the need for close coordination between local labor counsel and BC&T. On the issue of legal memoranda, PR counsel and other goods and services proposed for labor, the discussion of the appropriateness of providing such services is covered in the discrimination section above.

Florida

Excise taxes -- Missing is any discussion of the Florida fair tax coalition, proposed by PAD and endorsed by SAD earlier this year. While the coalition is in the embryonic stages, it may be of some use if and when regressive taxes become an issue. However, the coalition would not be an appropriate vehicle to support any FACET-type media campaign, as FACET currently is constituted. X

Illinois

Anti-discrimination -- Unless things have changed, John Fox had seldom, if every, testified for TI. That role historically has fallen to C&B, as TI counsel. Fox is not counsel to The Institute. If he does testify, his activity would have to be very closely coordinated with C&B. Yes

Maine

Excise taxes -- Field staff is aware of the problems generated two years ago when Wilhelm was sent into the state to testify for the AFL-CIO, without the knowledge of SEIU (which was not affiliated with the State Fed, which provides a large percentage of funding to CTJ at the national level, and which supported a tax bill that the State Fed opposed). It will be CTJ's responsibility at the federal level to assess interest in Maine in establishing such a group. To date, such a request has not been made of the TILMC.

It would not be appropriate for CTJ or another labor group to address the grocers' association.)

Anti-discrimination -- See Connecticut for a discussion of limitations in providing support to allies.

Pro-active IAQ -- See Connecticut.

Maryland

Privacy -- The State AFL-CIO will consult with BC&T on this issue (in fact, one of the officers in the State Fed comes out of BC&T). Earlier this year, Ray Scannell and I met with a PM lobbyist to discuss union support for an anti-discrimination bill. The meeting occurred at PM request. Field staff was invited to attend, but did not do so. X

As a result of that meeting, the PM lobbyist agreed to discuss with his bosses, and with TI field staff, the ability of developing a broad-based coalition of civil rights and ACLU-types to support a broad privacy bill. Once that had been done, BC&T agreed to go to the State AFL-CIO and actively seek support from other unions in the state.

To date, the PM lobbyist has not come back to BC&T, or to other LMC representatives. Thus, no further work on this issue has been done. It is thus unlikely that the BC&T would encourage the State Fed to take an active role, given this failure to respond.

Massachusetts

Excise taxes -- See Maine for discussion of CTJ. If the Massachusetts AFL-CIO chooses to request the presence of CTJ, that request must go to CTJ headquarters in Washington (Bob McIntyre). CTJ's availability to testify will depend on the position that its union members (including a number of public employee sector unions) is taking on any tax package in Massachusetts.

What print advertising? O&M has never done advertising for us before.

Privacy -- See Connecticut and other New England states for discussion of need for coordination and provision of support.

Pro-active IAQ -- See Connecticut. In addition, field staff is aware that the LMC's one-year commitment to provide NEMI with in-state counsel (which was expanded to two years with a promise from the field that 1991 would be the final year that the request would be made) expires at the end of 1991 and cannot be renewed in 1992.

Minnesota

Excise tax -- There is a query as to the effectiveness and viability of the Minnesota CTJ. There is no need for an analysis by Wilhelm. CTJ is in place and ready to assist the LMC in developing progressive alternatives. It has received LMC general support for several years. Wes Lane is a member of its board of directors. However, in order to be effective on the issue, we will either need more involvement on the part of the local LMC

counsel, or we will need his assistance in arranging for national LMC counsel to develop those relationships.

Privacy -- See Connecticut for a discussion on the need for coordination with BC&T.

Missouri

Excise taxes -- The Missouri AFL-CIO is lending its support to MOFAR's proposals. As the LMC has been approached by MOFAR for support and has been directed to turn it down, it probably will not be possible for us to provide any assistance with labor contacts. This should be deleted from the plan. ✓

Privacy -- To date, we have not been asked to initiate or develop any relationships with organized labor in Missouri on this or any other issue. We have turned down an opportunity with MOFAR with regard to taxes. While we may be able to initiate contacts, it would be inappropriate to suggest that we would be able to "cement" contacts.

Preemption -- See discussion on privacy above.

Montana

Excise taxes -- Thanks to the work the LMC has done with Bob McAdam on the initiative, there are a number of labor and progressive tax allies who can be expected to assist should the battle move back to the legislature. That should be taken into consideration in this plan. ✓

Privacy -- See discussion of need for broad-based privacy legislation as a prerequisite for labor support.

Nebraska

Excise taxes -- The LMC through its existing contacts has good relationships with organized labor in Nebraska. Field staff should note that the federal tax campaign was effective for the messenger (labor/liberal groups) as well as the message. The same message carried by a business messenger cannot be expected to be as effective. ✓

Nevada

Privacy -- See discussion of need for broad-based privacy legislation as a prerequisite for labor support. Also, the LMC has never been asked to assess or develop contacts on this or any other issue in Nevada. This will be difficult, and must be considered in light of other priority assignments made to LMC consultants.

New Hampshire

Excise taxes -- \$25,000 for the retail grocers economic impact study and a \$30,000 contribution to a state tax structure study are not items in the PAD budget. See Maine for discussion of CTJ role. X

New Jersey

Excise taxes -- New Jersey Citizen Action plan to push for enactment of higher corporate taxes and repeal of some regressive taxes is not noted in here. Similarly, the plan should note plans to identify and retain labor counsel for this state for 1991. ✓

Privacy -- See above for discussion of need for broad-based privacy bill as prerequisite for labor support.

Vending -- On this and other vending legislation, field staff should be aware that the possibility exists to interest the Teamsters in taking a position on the issue, to the extent that their involvement would help.

New Mexico

Excise taxes -- Again, the LMC has not made any effort to develop relationships organized labor on this or any other issue in New Mexico. To the extent that a CTA-type (and it cannot be the CTA or its ads) ad campaign relies on liberal sponsors, that will be a difficult assignment to accomplish.

Privacy -- See taxes for discussion of the status of the LMC relationships in New Mexico. And above for discussion of need for broader-based privacy bill as prerequisite for labor support.

New York

Excise taxes -- The "Fair and Responsible Taxation" coalition suffers from the same acronym problem as "Floridians Against Regressive Taxation." Note concerns expressed above about messengers and messages that were used successfully in the federal program, as opposed to what is contemplated in New York. ← FART

Oklahoma

Privacy -- See above for broad-based needs ... as well as notation that the LMC has never been asked to involve itself in developing labor contacts in Oklahoma.

Rhode Island

Excise taxes -- CTJ can "expand" into Rhode Island assuming that state and national unions want it to expand. A reputable citizens' tax group -- CART -- is not likely to provide the spark. This should be deleted from the plan, as the suggestion ✓

that CART and presentations to ALEC can in any way determine when and how CTJ establishes a state presence is false and counterproductive.

Texas

Excise taxes -- Missing is reference to Texas Alliance for Human Needs, as well as the LMC's well developed relationships with organized labor in the state. Also, the request for Hispanic counsel in the state, which will enhance existing relationships. ✓

Vermont

Privacy -- See Connecticut for discussion of provision of support to allies.

Washington

Taxes -- Should note that the LMC now supports Washington Fair Share, the progressive excise coalition in the state. It may be helpful as a resource.

Wisconsin

Taxes -- The cost of the Wisconsin Action Coalition study already has been taken care of by the LMC. All that's needed now is for Wilhelm to complete it.

Wyoming

Excise taxes -- At least this one notes labor coalition "development." Again, Wyoming would be a first for the LMC.

Privacy -- See above for discussion of the need for a broad-based bill as prerequisite for labor support.

Age/Vending/Sampling -- Vending is the only opportunity we may have to develop labor support, and that depends on whether the Teamsters exist in the state.

cc: Martin Gleason
Charles Powers