

THE PACKER
8/7/76

UFW Challenges Proposition Wording

SACRAMENTO, CALIF. — As a result of a suit brought by the United Farm Workers, the ballot pamphlet arguments against Proposition 14, the Farm Labor Initiative, will be modified by the authors, one of which is Nisei Farm League president Harry Kubo.

The UFW filed a suit for an injunction to prohibit printing of the pamphlet because they said the growers' argument contains some inaccuracies. The Citizens for a Farm Labor Law (CFL) labeled the inaccuracies technical errors.

Assemblyman John Garamendi (D-Lodi) who is one of the authors of the argument against said, "We were pleased to have the opportunity to correct two points which were in error and which we recognized ourselves, to write the change without the court order."

In the argument against the initiative, the author said the Farm Labor Initiative could only be changed by a constitutional amendment. UFW at-

torneys contended, and the growers' group agreed, that another initiative, not a constitutional amendment, could change the initiative if a change is required.

The growers also changed their arguments on another technical point concerning when the initiative could be changed. They had stated another initiative could not be held for two years. The UFW contended it is possible the governor or the legislators could call a special election. The growers agreed to amend their statement saying it couldn't be changed for two years or unless a costly special election was held.

Another point of contention between the two factions was the growers' wording in the section titled "Fiscal Irresponsibility".

Vote Arguments on Prop. 14 to Be Modified

Grower ballot pamphlet arguments against Proposition 14, the farm labor initiative, will be modified under terms of a ruling by Sacramento Superior Judge Frances Carr, it was learned Wednesday.

The ruling was handed down after Cesar Chavez's AFL-CIO United Farm Workers of America filed suit for an injunction to prohibit some of the language in the ballot arguments on grounds that it was false and misleading.

Assemblyman John Garamendi (D-Lodi), who assisted growers in the court case, said, "We were pleased to have the opportunity to correct two points which were in error and which we recognized ourselves, but too late to change without the court order."

"Those points included our original statement that the farm labor initiative could only be changed by a constitutional amendment and that was in error. Also, another initiative can

be passed without waiting for two years, as we said originally.

"To avoid confusion, we agreed to change language on the fiscal impact of the initiative."

The opponents of the initiative still will contend the measure would limit the authority of the Legislature in appropriating funds to administer the law and call that "blank-check financing." But the initiative's foes will not argue that a "nonelected" agency will be able to make the final determination on the financing.

Sincerely,
Cesar E. Chavez
President

8/10/76
DUP:MMW

FROM: UNITED FARM WORKERS of AMERICA, AFL-CIO
National Headquarters: LaPaz, Keene, CA. 93531

TO: March Fong Eu
Secretary of State
925 L Street, Suite 605
Sacramento, CA 95814

July 22, 1976

Dear Ms. Eu:

Agribusiness' Argument Against Proposition 14 and its Rebuttal to Argument in Favor of Proposition 14 contains deliberate misstatements of fact concerning the Farm Worker Initiative.

Paragraph Four of the employers' rebuttal alleges, "If the proposition passes, both labor and management will be burdened with a law which can be changed only by constitutional amendment." Proposition 14 is an initiative statute. It is not a constitutional amendment, and the growers misuse of terms to bolster their argument is an obvious misrepresentation of fact.

Paragraph Five of agribusiness' Argument Against Proposition 14 claims, "The initiative removes from the legislature the necessary budgetary control, and ignores the drain this might impose on other vital state programs." This is a false and misleading claim. Page 3 (Point 7) of the Analysis of Proposition 14 by the Legislative Analyst is explicit on the initiative's effect on appropriations of funds for the Agricultural Labor Relations Board: "The Legislative Counsel advises that this provision is directory, not mandatory upon the Legislature and does not constitute an appropriation. Therefore, regardless of its intent, it would not bind the Legislature to appropriate any specific amount of money."

Describing the initiative's fiscal effect, the Legislative Analyst states, "Because the proposition would not legally bind the Legislature to appropriate any specific amount of money for the board, the level of funding in future years would be determined by the Governor and the Legislature through the state's regular budget process. In summary, the proposition would result in minor, if any, increased costs to the state. Any net increased costs could be absorbed within the amount currently budgeted to the board."

We request that your office investigate these misrepresentations in the opponents' arguments and direct appropriate corrections for the voter pamphlet.

I would appreciate hearing from you on this request. Thank you for your consideration.

Sincerely,

Cesar E. Chavez
Cesar E. Chavez
President

SS/

CEC/mg

DUP:NFWM
8/16/76