



Pennsylvania Manufacturers' Association

June 5, 2014

**Testimony presented to the Pennsylvania House State Government Committee
in support of House Bill 1507**

Presented by: David N. Taylor, Executive Director

Thank you, Chairman Metcalfe, Chairman Cohen, and members of the House State Government Committee. My name is David N. Taylor and I am the Executive Director of the Pennsylvania Manufacturers' Association. We are the statewide, nonprofit trade organization that represents the people who make things here in our commonwealth; generating over \$72 billion annually in state gross product, employing 575,000 hardworking Pennsylvanians on the plant floor, and supporting supply, distribution, and retail networks that sustain millions of additional Pennsylvania jobs. Manufacturing is the lifeblood of our commonwealth's economic well-being.

George Washington famously stated, "Government is not reason; it is not eloquent; it is force. Like fire, it is a dangerous servant and a fearful master." As government becomes larger and more powerful, President Washington's insight becomes more critical. The inherent power of government should be recognized and treated as such; kept in check and harnessed. Therefore, it is of the utmost importance that government remains truly neutral and impartial as it conducts the public's business. That is why the passage of House Bill 1507 is so imperative.

Government exists to serve its citizens, not the other way around. More importantly, government exists for all citizens, equally. The power of the state should never bend to the will of any individual or group. As John Adams said, ours is "a government of laws, and not of men." It is a very dangerous threat to public integrity for any private interest to be able to use the power of government for its own ends, especially when that private interest is that of the very public employees who staff it.

When public sector unions can use taxpayer-funded services to pay for their administrative overhead, the leaders of these organizations become dukes and princes inside our mechanism of government. To put it bluntly: the bureaucrat unions do not own our government and we must not allow them to act as if they do.

Many of the funds collected by the state and distributed to the public sector unions are used for blatantly political purposes. The public sector unions use these dollars for lobbying efforts, heavily biased “issue education” campaigns like the ones currently being deployed against Governor Corbett by PSEA, national SuperPACs, and on political candidates in other states. The expenditure of union dues money in these ways has been upheld by numerous courts, but the question for today becomes: Is it proper for these political expenditures to be enabled by the state Treasurer? Even more disturbing is the fact that political action committee dollars, intended to be spent directly on the campaigns of public officials, are also collected by our commonwealth.

Any partisan campaign activity that occurs under this historic green cooper dome should be illegal - period. That precedent has been set, time and time again. On the walk to this very room you passed portraits of some of the most powerful government officials in Pennsylvania’s history. Several of these officials - and rightfully so - have been indicted, convicted, and are serving maximum sentences for wronging the public. They are imprisoned because they used the power, the very force of government President Washington feared, for their own political gain. The public collection of private dollars for political purposes is no different.

The 2009 Supreme Court case *Ysura vs. Pocatello Education Association* addressed the paycheck protection law in Idaho. The majority opinion, authored by Chief Justice John Roberts, stated:

“The First Amendment prohibits government from ‘abridging the freedom of speech’; it does not confer an affirmative right to use government payroll mechanisms for the purpose of obtaining funds for expression. Idaho’s law does not restrict political speech, but rather declines to promote that speech by allowing public employee check-offs for political activities. Idaho’s public employee unions are free to engage in such speech as they see fit. They simply are barred from enlisting the State in support of that endeavor. Idaho’s decision to limit public employee payroll deductions as it has does not infringe the unions’ First Amendment rights. The State accordingly need only

demonstrate base to justify the ban. Idaho's justification is the interest in avoiding the reality or appearance of government favoritism or entanglement with partisan politics. And the State's response to the problem is limited to its source – political payroll deductions. The ban plainly serves the State's interest in separating public employment from political activities.”

You will hear from several opponents of this legislation today. Their two main arguments will be references to freedom of speech restrictions and the assertion that this is a union-busting effort. In the 2009 Supreme Court case, it's clear that free speech is not restricted with the passage of House Bill 1507. More accurately, free speech is upheld because everyone's speech is heard at the same volume, without amplification by the taxpayers. Additionally, advocating for the passage of this important legislation is not a union-busting effort. The collection of dues from their members will actually foster healthier unions, especially for rank-and-file members, whose consent and involvement would otherwise not be sought. Ending taxpayer funding of politics does not impede the ability of unions to collectively bargain, nor does it discourage the involvement of union members in the political process. If a union member wants to donate to a political cause through their union, they're more than free to do so. This reform simply requires public sector union leaders to collect their political money and campaign contributions directly from their employees, without the aid of the taxpayers.

At its core, House Bill 1507 is about equality under the law. Without equality under the law, our system of self-governance is directly threatened. The force of government is currently being used in unjust and extraconstitutional ways. For these reasons, the taxpayer collection of partisan political dollars must be banned to ensure impartiality, proper restraint, and the integrity of Pennsylvania's public policy process.