



# INITIATIVE MEASURE 677

PROPOSED TO THE PEOPLE

## Official Ballot Title:

Shall discrimination based on sexual orientation be prohibited in employment, employment agency, and union membership practices, without requiring employee partner benefits or preferential treatment?

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of Initiative Measure 677 begins on page 25.

### Statement For

#### A TRUE STORY

Sue Kirchofer was a valuable, loyal employee of a distributing company in Washington State. Her employee evaluations reported "high performance." Then her employer heard that Sue was a lesbian. Her job was suddenly eliminated and she was fired. No other reason was needed.

#### WAS FIRING SUE KIRCHOFER LEGAL UNDER WASHINGTON STATE LAW?

Yes, Washington State allows employers to fire workers simply because of their sexual orientation. Job performance does not matter. Employers can fire someone just because of who you are or who they think you are.

#### INITIATIVE 677 GUARANTEES THE SAME JOB RIGHTS TO ALL.

I-677 stops the kind of discrimination Sue Kirchofer and thousands of others suffer. This initiative gives gays and lesbians the same rights in employment and union membership that other people already have and take for granted. I-677 protects homosexuals and heterosexuals from discrimination. Voting Yes on I-677 is the fair and the right thing to do. No one in Washington should be fired unfairly.

#### SAME RIGHTS FOR ALL.

I-677 does not require employers to provide domestic partnership benefits, quotas or preferential treatment of any kind. It does not override workplace conduct rules or dress codes. Religious organizations are exempt, as are employers with less than eight employees. Companies such as Microsoft, PACCAR, SeaFirst, REI, Nordstrom,

COSTCO, SAFECO and Weyerhaeuser, and jurisdictions such as unincorporated King County already have policies ensuring same job rights. It's only fair.

#### WE NEED YOUR YES VOTE.

Join the League of Women Voters, the Washington State Labor Council, Hands Off Washington, and the many other endorsing organizations in voting Yes on I-677 — the Same Job Rights Initiative. It's the fair and right thing to do.

For more information, call (206) 323-5191.

### Rebuttal of Statement Against

Our opponents are not being honest about I-677. The truth is, it's hard for them to defend the practice of firing good employees simply because of their sexual orientation.

Eleven states already prohibit this unfair practice. Washington law, however, still permits people to be fired for this reason.

Contrary to their scare tactics, I-677 clearly recognizes workplace conduct rules which apply to all employees.

Vote Yes on I-677, ensuring the same job protections for everyone.

#### Voters Pamphlet Statement Prepared by:

COLONEL GRETHE CAMMERMEYER, United States Army, retired; ELIZABETH PIERINI, President, League of Women Voters of Washington.

Advisory Committee: GARY LOCKE, Governor of the State of Washington; LISA BROWN, State Senator, 3<sup>rd</sup> Legislative District, Spokane; NORM DICKS, Congressman, 6<sup>th</sup> Congressional District; ELIAS GALVAN, Bishop, United Methodist Church, Pacific NW Annual Conference; RICK BENDER, President of Washington State Labor Council.

## The law as it now exists:

The state currently has a "law against discrimination" which protects people from discrimination in employment, credit and insurance transactions, places of public resort, lodging and accommodations, amusements, and real property transactions. The current law prohibits discrimination in one or more of the following areas: race, creed, color, national origin, families with children, sex, marital status, or the presence of physical or mental disabilities, or the use of a trained guide dog or service animal.

Current law contains no specific protection against discrimination based on sexual orientation.

## The effect of Initiative Measure 677, if approved into law:

This measure would prohibit employers, employment agencies, and labor organizations from discriminating based on sexual orientation in any of the following areas: employment opportunities, employment decisions, membership, and

membership privileges. It would also be unlawful to retaliate against a person for opposing unlawful discriminatory practices.

Nothing in the measure would require an employer, employment agency, or labor organization to provide benefits to the partner of an employee. Nothing in the measure would require preferential treatment based on sexual orientation. Nothing in the measure would prohibit employers from regulating work-place conduct if they regulate all employees in the same manner.

This measure would not apply to non-profit religious or sectarian organizations, or to employers with fewer than eight employees. The measure would include the state government and the governments of all political and municipal subdivisions.

The rights granted in this measure could be enforced by civil lawsuit. The Human Rights Commission would not have jurisdiction over matters arising under this measure.

## Statement Against

### INITIATIVE-677 MEANS SPECIAL RIGHTS FOR HOMOSEXUALS!

Don't be misled by Initiative-677. Homosexuals have exactly the same rights every employee has.

But Initiative-677 gives *special rights* to homosexuals, bisexuals, transsexuals, and transvestites based solely on sexual practices they choose to engage in. (READ Section-7)

Most people think others should keep their private lives private, not flaunt them in public and demand *special rights and legal protections* based on sexual practices. The workplace is simply not an appropriate place to display sexual behaviors.

### INITIATIVE-677 MEANS TEACHING KIDS ABOUT HOMOSEXUALITY!

Under Initiative-677, public and private schools and day-care centers can't stop homosexual lifestyles from being openly displayed, or prevent teachers from "cross-dressing" in school classrooms.

Initiative-677 will legitimize and condone sexual behaviors parents may find inappropriate, unhealthy, unnatural, or immoral and impose them on their children.

### INITIATIVE-677 MEANS INTRUSIVE GOVERNMENT & MORE LAWSUITS!

Initiative-677 is a radical proposal to fundamentally alter the way government regulates the workplace and an unprecedented invasion into people's private lives.

Public and private employers never know when they'll get sued for "discrimination" even if a person's sexual orientation, actual or "perceived", had nothing to do with it. When government gets sued and loses, taxpayers pay the bill.

Because Initiative-677 does not prohibit affirmative action or preferences for homosexuals - businesses, schools, and

government agencies will be forced to establish de-facto homosexual quotas to avoid false claims of "discrimination."

### A VOTE AGAINST INITIATIVE-677 IS THE RIGHT VOTE!

Initiative-677 is almost identical to similar measures Tacoma *defeated twice*, the last time *overwhelmingly!* (71%-29%).

Homosexuality must not be given *special status* in the workplace! *If you support equal rights, not special rights, PLEASE VOTE "NO" ON INITIATIVE-677!*

For more information, call (360) 805-1217.

## Rebuttal of Statement For

Discrimination is already against the law. Employees who keep private lives private and are qualified are already protected on the job.

Homosexuals have full constitutional protections now. But courts have ruled homosexuals don't qualify for *special constitutional protections*.

Initiative-677 gives *special rights* based on bedroom behavior. This is wrong. Initiative-677 contains no conscience clause for individuals who disagree with the homosexual agenda.

Join Tacoma citizens who twice voted down similar legislation. **VOTE "NO" ON INITIATIVE-677!**

### Voters Pamphlet Statement Prepared by:

BILL THOMPSON, State Representative; DAN SWECKER, State Senator; BOB LARIMER, Director, Washington for Traditional Values.

Advisory Committee: HAROLD HOCHSTATTER, State Senator; STEVE FUHRMAN, former State Representative; BOB WILLIAMS, former State Representative; RABBI DANIEL LAPIN, private citizen; KATHY LAMBERT, State Representative.



## COMPLETE TEXT OF Initiative Measure 676 (continued)

threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040:

(a) Require the party to surrender any firearm or other dangerous weapon;

(b) Require the party to surrender any concealed pistol license issued under RCW 9.41.070;

(c) Require the party to surrender any handgun safety license issued under section 8 of this act;

(d) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;

~~((d))~~ (e) Prohibit the party from obtaining or possessing a concealed pistol license; or

(f) Prohibit the party from obtaining or possessing a handgun safety license.

(2) Any court when entering an order authorized under RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.26.137, 26.50.060, or 26.50.070 may, upon a showing by a preponderance of the evidence but not by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a pistol under the provisions of RCW 9.41.040:

(a) Require the party to surrender any firearm or other dangerous weapon;

(b) Require the party to surrender a concealed pistol license issued under RCW 9.41.070;

(c) Require the party to surrender any handgun safety license issued under section 8 of this act;

(d) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;

~~((d))~~ (e) Prohibit the party from obtaining or possessing a concealed pistol license; or

(f) Prohibit the party from obtaining or possessing a handgun safety license.

(3) The court may order temporary surrender of a firearm or other dangerous weapon without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(4) In addition to the provisions of subsections (1), (2), and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(5) The requirements of subsections (1), (2), and (4) of this section may be for a period of time less than the duration of the order.

(6) The court may require the party to surrender any firearm or other dangerous weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of the proceeding, the chief of police of the municipality having jurisdiction, or to the restrained or enjoined party's counsel or to any person designated by the court.

**NEW SECTION. Sec. 23.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately, except sections 3 through 6 of this act take effect January 1, 1999.

**NEW SECTION. Sec. 24.** This chapter may be known and cited as the Handgun Safety Act.

**NEW SECTION. Sec. 25.** Sections 2 through 16 and 24 of this act constitute a new chapter in Title 9 RCW.

**NEW SECTION. Sec. 26.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



## COMPLETE TEXT OF Initiative Measure 677

AN ACT Relating to prohibiting unfair employment practices on the basis of sexual orientation; not requiring partner benefits or preferential treatment and exempting religious organizations and small business; adding new sections to chapter 49.60 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

**NEW SECTION. Sec. 1. SHORT TITLE.** This Act may be known and cited as the Employment NonDiscrimination Act of Washington.

**NEW SECTION. Sec. 2. FINDINGS.** The People of the State of Washington find that:

(1) Under Washington state and federal statutes, people are not currently protected from employment discrimination based on sexual orientation; and

(2) Because a person's sexual orientation bears no relationship to one's qualifications or ability to perform one's job, employers, employment agencies, or labor organizations should not base employment opportunities, employment decisions or union membership or membership privileges on a person's sexual orientation.

**NEW SECTION. Sec. 3. UNFAIR PRACTICES PROHIBITED.**

(1) It is a prohibited unfair practice for an employer, employment agency or labor organization, in connection with employment opportunities, employment decisions, membership, or membership privileges, to discriminate against a person on the basis of sexual orientation.

(2) It is a prohibited unfair practice for an employer, employment agency, labor organization, or person to interfere with any person in the exercise of any right protected by this act or to discharge, expel, or otherwise retaliate or discriminate against a person because he or she opposed any practice prohibited by this act or assisted in an action brought under it.

**NEW SECTION. Sec. 4. PARTNER BENEFITS OR PREFERENTIAL TREATMENT NOT REQUIRED--REGULATION OF WORKPLACE CONDUCT NOT PROHIBITED.**

(1) Nothing in this act requires an employer,



**COMPLETE TEXT OF  
Initiative Measure 677  
(continued)**

employment agency or labor organization to provide benefits to an employee's partner.

(2) Nothing in this act requires an employer, employment agency, or labor organization to give preferential treatment to any person on the basis of his or her sexual orientation.

(3) Nothing in this act prohibits an employer from regulating the workplace conduct of employees covered by this act in the same manner it regulates the conduct of all employees.

**NEW SECTION. Sec. 5. NON-PROFIT RELIGIOUS ORGANIZATIONS AND SMALL BUSINESS EXEMPT.**

(1) This act does not apply to religious or sectarian organizations not organized for private profit.

(2) This act does not apply to employers who employ less than eight employees.

**NEW SECTION. Sec. 6. REMEDIES--ENFORCEMENT STANDARDS.**

(1) Any person deeming himself or herself injured by any act or omission in violation of this act shall have a civil action in a court of competent jurisdiction to enjoin further violations and to recover the compensatory damages, including emotional distress, if any, sustained by such person, together with the costs of suit, including reasonable attorney's fees and costs and expert fees and costs.

(2) This act is supplemental to and does not invalidate or limit the rights, remedies, or procedures available to an individual claiming unfair practices or discrimination. Superior courts of the state of Washington shall have the same jurisdiction and powers to enforce this act as such courts have to enforce this chapter. For the purposes of determining whether an unfair practice under this act has occurred, claims of employment discrimination based on sexual orientation shall be evaluated in the same manner as other claims of employment discrimination under Chpt. 49.60.030(1)(a), 49.60.180, 49.60.190, and 49.60.210 RCW.

(3) The state of Washington and other political or municipal subdivision are not immune from an action in a court of competent jurisdiction for a violation of this act, and such entities shall be subject to the same standards and relief as any other entity.

**NEW SECTION. Sec. 7. DEFINITIONS.** As used in this act:

(1) The terms "employer," "employment agency," "labor organization," "employee," and "person" are defined in RCW 49.60.040.

(2) The term "sexual orientation" means heterosexual, lesbian, gay, or bisexual orientation, real or perceived, or having a self-image or orientation not traditionally associated with one's biological gender, real or perceived.

**NEW SECTION. Sec. 8. SEVERABILITY--CONSTRUCTION CLAUSE.**

(1) If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

(2) The provisions of this act are to be liberally construed

to effectuate the policies and purposes of this act.

**NEWSECTION. Sec. 9.** Sections 1 through 8 of this act are each added to chapter 49.60 RCW.



**COMPLETE TEXT OF  
Initiative Measure 678**

**AN ACT** Relating to dental hygienists; amending RCW 18.29.050, 18.29.021, 18.29.045, 18.29.060, 18.29.120, 18.29.130, 18.29.140, 18.29.150, 18.29.160, 18.29.180, and 18.29.210; adding new sections to chapter 18.29 RCW; creating a new section; repealing RCW 18.29.110; and providing an effective date.

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:**

**NEW SECTION. Sec. 1.** The purpose of this act is to expand access to licensed dental hygienists so that Washington state residents may select dental hygiene services for themselves and their families. It is the intent that this act provide for the protection of the public's health and safety by establishing qualifications for dental hygiene practitioners.

**NEW SECTION. Sec. 2.** A new section is added to chapter 18.29 RCW to read as follows:

There is created a dental hygiene quality assurance commission, consisting of three practicing dental hygienists and one public member, appointed by the governor. Dental hygienist members must be licensed dental hygienists in the active practice of dental hygiene in Washington state for a period of no less than five years before appointment, and shall not be connected with any dental hygiene education program. The public members shall not be connected with any dental hygiene education program or engaged in any practice or business related to dental hygiene. Members of the commission shall be appointed by the governor to prepare and conduct examinations for dental hygiene licensure, and to conduct regulatory disciplinary procedures in compliance with chapter 18.130 RCW.

Members shall be appointed to serve for terms of four years from October 1st of the year in which they are appointed. Terms of the members shall be staggered. No member may serve more than two consecutive full terms. Members of the commission hold office until their successors are appointed and qualified. Any member of the commission may be removed by the governor for neglect of duty, misconduct, malfeasance, or misfeasance in office, after being given a written statement of the charges and sufficient opportunity to be heard thereon. Members of the commission shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

**Sec. 3.** RCW 18.29.050 and 1971 ex.s. c 235 s 1 are each amended to read as follows:

Dental hygiene is defined as a licensed profession that specializes in the maintenance of oral health and the education of the public in the prevention of oral disease. A dental hygienist is defined as a preventive oral health professional who has graduated from an accredited dental hygiene program in an institution of higher education, is licensed in dental hygiene, and who provides educational, clinical, research, administra-