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Tobacco Industry Political Activity and
Tobacco Control Policy Making in
Washington: 1996-2000

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Tobacco Industry Political Activity and Tobacco Control Policy Making in Washington: 1996-2000

Abstract

- After making substantial progress on tobacco control in the mid-1990s, the tobacco industry has stifled tobacco control activities in Washington through a mixture of campaign contributions and legal challenges.

- Political campaign contributions have remained steadily high throughout the 1990s. Philip Morris, RJ Reynolds, the Tobacco Institute, Lorillard, Brown & Williamson, and the Smokeless Tobacco Council contributed \$362,298 to campaigns in 1996 through 2000 election cycles: \$114,123 in the 1996 election cycle, \$109,975 in 1998, and \$138,200 in 2000.

- From 1996-2000, 92% of these campaign contributions by the tobacco industry were to Republican candidates, party contributions, and soft money.

- The largest lifetime recipients of campaign contributions were Clyde Ballard (\$16,830, R-East Wenatchee), William Grant (\$7,400, D-Franklin), Dan McDonald (\$7,246, R-King), and Pat Scott (\$5,490, D-Snohomish). Ballard and Grant are both powerful in the House leadership; Ballard is the Co-Speaker of the House of Representatives, and Grant is the House Democratic Caucus Chair. McDonald was the Majority Leader of the Senate from 1996-1999, and prior to that, he chaired the powerful Ways and Means Committee.

- The tobacco industry has also spent heavily on lobbying; from 1996-2000, the industry spent \$1,864,086 to lobby members of the legislature and the state administrative offices. This includes lobbyists' salaries and perks given to legislators such as holiday gifts, entertainment and meals.

- Washington and its Attorney General, Christine Gregoire, played an active role in the state tobacco trials and subsequent 46 state settlement (known as the Master Settlement Agreement) in 1998. The legislature reserved \$100 million of the settlement money for a new Department of Health tobacco control program.

- Department of Health officials and health advocates had requested \$26 million to begin the tobacco control program, but, because of pressure from the Republican members, the legislature only allocated \$15 million for the first year, about half of what the federal Centers for Disease Control and Prevention recommends for Washington State.

- Attempts to pass local smoking regulations, with provisions stricter than the 1985 Clean Indoor Air Act, have been hampered by an ambiguous legal question about whether the Clean Indoor Air Act preempts local legislation. Puyallup, the only city attempting to pass a smokefree restaurant ordinance, rescinded it after being challenged with an industry-funded lawsuit without seeking a court ruling on the issue of preemption. The fact that the Attorney General's office has not issued a formal decision on this issue has contributed to the reluctance from local governments. This circumstance has allowed the tobacco industry to stop local clean indoor air regulations.

- Spokane has adopted a voluntary approach to controlling secondhand smoke in restaurants with their Big Air Program. Many restaurants in the City and County of Spokane have become voluntarily smokefree since the program was initiated in 1996. Although city officials initiated their program independently, it is very similar to the tobacco industry's voluntary smoking regulations through their "accommodation" and "red light/green light" programs.

- The industry has also orchestrated legal pressure to attack the federally-funded ASSIST tobacco control project with allegations of "illegal lobbying" and filed a complaint to the Public Disclosure Commission. While the ASSIST project has ended, the tobacco industry successfully used this experience to discourage health departments and advocates from using the policy process to promote tobacco control.

- Several counties, including King, Snohomish, Pierce and Spokane passed outdoor and color advertising restrictions between 1996 and 1999. These measures abolished all outdoor billboards and restricted advertising in stores to small, black and white posters. The industry supported challenges that overturned these restrictions on the grounds that they were preempted by federal law and a violation of the First Amendment. The industry prevailed in the federal Ninth Circuit Court of Appeals and the defendants agreed not to appeal in exchange for the industry not demanding that its legal fees be paid. This situation has stopped similar legislation in Washington. Similar laws were upheld elsewhere in the United States and as of early 2001 the issue was under review at the US Supreme Court. If the Supreme Court upholds such laws, Washington authorities may seek to reinstate them.

- Health advocates, who could play a decisive role in anti-tobacco campaigns, have been hindered by the lack of a continuously functioning statewide coalition in Washington. The former group, Tobacco Free Washington Coalition, was funded in large part by a grant from ASSIST. Without ASSIST funding, the statewide coalition could not procure the resources to continue operations. Many advocates limited their efforts to smaller, local coalitions which dilutes their strength as a statewide lobbying force. A new group, Washington Alliance for Tobacco Control and Children's Health (WATCH), was created in 1998 to replace Tobacco Free Washington. They are a broad-based coalition funded by their member organizations. They lobbied in 1999 to ensure that money from the tobacco settlement went to fund health services and that the Department of Health's tobacco programs received adequate funding.

- WATCH, together with the Washington Restaurant Association, sponsored Senate Bill 5993 which passed the Senate in March 2001. The bill would ensure more smokefree restaurants, but it has several flaws including exceptions for restaurants where minors are prohibited and the creation of a task force to study ventilation systems. The tobacco industry often advocates ventilation systems to dilute smokefree restaurant legislation and perpetuate controversy around the fact that no ventilation system can completely remove secondhand smoke from an enclosed environment.

- In general, the tobacco industry has succeeded in stalling tobacco control efforts in Washington State. Although advocates, local public health officials, the Department of Health, the Attorney General, and some influential members of the legislature are all in favor of broad-based, fully funded, tobacco control education programs and increased Clean Indoor Air legislation, these advocates

have not mobilized the resources necessary to overcome the legal and political impediments the industry has created.

Tobacco Industry Political Activity and Tobacco Control Policy Making in Washington: 1996-2000

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This report is the latest in a series of reports that analyze tobacco industry campaign contributions, lobbying, and other political activity. The previous reports are:

- M. Begay and S. Glantz. *Political Expenditures by the Tobacco Industry in California State Politics* UCSF IHPS Monograph Series, 1991.
- M. Begay and S. Glantz. *Political Expenditures by the Tobacco Industry in California State Politics from 1976 to 1991*. UCSF IHPS Monograph Series, 1991.
- B. Samuels and S. Glantz. *Tobacco Control Activities and the Tobacco Industry's Response in California Communities, 1990-1991*. UCSF IHPS Monograph Series, 1991.
- M.E. Begay and S.A. Glantz. *Undoing Proposition 99: Political Expenditures by the Tobacco Industry in California Politics in 1991*. UCSF IHPS, 1992.
- S.A. Glantz and L.R.A. Smith. *The effect of ordinances requiring smokefree restaurants on restaurant sales in California*. UCSF IHPS Monograph Series, 1992.
- M.E. Begay, M. Traynor, S. A. Glantz. *Extinguishing Proposition 99: Political Expenditures by the Tobacco Industry in California Politics in 1991-1992*. UCSF IHPS, 1992.
- M.E. Begay, M. Traynor, S.A. Glantz. *Tobacco Industry Political Expenditures in California State Politics, January-June, 1993*. UCSF IHPS, 1993.
- M.E. Begay, M. Traynor, S.A. Glantz. *Tobacco Industry Political Expenditures in California in the 1991-1992 Election*. UCSF IHPS, 1993.
- M.E. Begay, M. Traynor, S.A. Glantz. *The Twilight of Proposition 99: Preauthorization of Tobacco Education Programs and Tobacco Industry Political Expenditures in 1993*. UCSF IHPS, 1994.
- H. Macdonald and S. Glantz. *Analysis of the Smoking and Tobacco Products, Statewide Regulation Initiative Statute*. UCSF IHPS, 1994.
- H. Macdonald, M. Traynor, S. Glantz. *California's Proposition 188 : An Analysis of the Tobacco Industry's Political Advertising Campaign*. UCSF IHPS, 1994.
- S. Aguinaga, H. Macdonald, M. Traynor, M. Begay, S. Glantz. *Undermining Popular Government: Tobacco Industry Political Expenditures in California 1993-1994*. UCSF IHPS, 1995. (<http://galen.library.ucsf.edu/tobacco/undermining>)
- M. Begay, and S. Glantz. *Question 1: Tobacco Education Outlays From the 1994 Fiscal Year to the 1996 Fiscal Year* UCSF IHPS 1995. (<http://galen.library.ucsf.edu/tobacco/q1>)
- F. Monardi, E. Balbach, S. Aguinaga, S. Glantz. *Shifting Allegiances: Tobacco Industry Political Expenditures in California, January 1995 - March 1996*. UCSF IHPS 1996 (<http://galen.library.ucsf.edu/tobacco/sa>)
- F. Monardi, A. O'Neill, and S. Glantz. *Tobacco Industry Political Activity in Colorado 1979 - 1995*. UCSF IHPS 1996. (<http://galen.library.ucsf.edu/tobacco/co>)
- F. Monardi, and S. Glantz. *Tobacco Industry Political Activity in Washington 1983 - 1996*. UCSF IHPS 1996. (<http://galen.library.ucsf.edu/tobacco/wa>)
- F. Monardi, and S. Glantz. *Tobacco Industry Political Activity and Tobacco Control Policy Making in New Jersey 1982 - 1995*. UCSF IHPS 1997. (<http://galen.library.ucsf.edu/tobacco/nj>)
- E. Balbach, F. Monardi, B. Fox, S. Glantz. *Holding Government Accountable: Tobacco Policy Making in California, 1995-1997*. UCSF IHPS 1997. (<http://galen.library.ucsf.edu/tobacco/ca9597/>)
- S. Aguinaga-Bialous and Stanton A. Glantz. *Tobacco Control in Arizona 1973-1997*. UCSF IHPS 1997. (<http://galen.library.ucsf.edu/tobacco/az/>)
- F. Monardi, and S. Glantz. *Tobacco Industry Political Activity and Tobacco Control Policy Making in Pennsylvania 1979 - 1996*. UCSF IHPS 1997. (<http://galen.library.ucsf.edu/tobacco/pa>)
- B.J. Fox, J.M. Lightwood, S.A. Glantz, *A Public Health Analysis of the Proposed Resolution of Tobacco Litigation*. UCSF IHPS 1998. (Available on the World Wide Web at <http://www.library.ucsf.edu/tobacco/ustl/>)
- L. Goldman, and S.A. Glantz. *Tobacco Industry Political Activity and Tobacco Control Policy Making in Oregon 1985 - 1997*. UCSF IHPS 1998. (<http://galen.library.ucsf.edu/tobacco/or/>)
- F. Monardi, and S.A. Glantz. *Tobacco Industry Political Activity and Tobacco Control Policy Making in Wisconsin 1981 - 1998*. UCSF IHPS 1998. (<http://www.library.ucsf.edu/tobacco/wi>)
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- M. Givel, and S.A. Glantz. *Tobacco Industry Political Power and Influence in Florida from 1979 to 1999*. UCSF IHPS 1999. (<http://galen.library.ucsf.edu/tobacco/fl>)
- S. Magzamen and S. A. Glantz. *Turning the Tide: Tobacco Industry Political Influence and Tobacco Policy Making in California: 1997-1999*. UCSF IHPS 1999. (<http://www.library.ucsf.edu/tobacco/ca9799>)
- S. Magzamen and S. Glantz. *Analysis of Proposition 28: Repeal of Proposition 10 Tobacco Surtax Initiative Statute*. UCSF IHPS 2000. (<http://www.library.ucsf.edu/tobacco/prop28>)
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- Y. Lee and S. Glantz. *The Tobacco Industry's Successful Efforts to Control Tobacco Policy Making in Switzerland*. UCSF IHPS, 2001 (www.library.ucsf.edu/tobacco/swiss/)

Executive Summary

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- Political campaign contributions have remained steadily high throughout the 1990s. Philip Morris, RJ Reynolds, the Tobacco Institute, Lorillard, Brown & Williamson, and the Smokeless Tobacco Council contributed \$362,298 to campaigns in 1996 through 2000 election cycles: \$114,123 in the 1996 election cycle, \$109,975 in 1998, and \$138,200 in 2000.
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- The largest lifetime recipients of campaign contributions were Clyde Ballard (\$16,830, R-East Wenatchee), William Grant (\$7,400, D-Franklin), Dan McDonald (\$7,246, R-King), and Pat Scott (\$5,490, D-Snohomish). Ballard and Grant are both powerful in the House leadership; Ballard is the Co-Speaker of the House of Representatives, and Grant is the House Democratic Caucus Chair. McDonald was the Majority Leader of the Senate from 1996-1999, and prior to that, he chaired the powerful Ways and Means Committee.
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- Washington and its Attorney General, Christine Gregoire, played an active role in the state tobacco trials and subsequent 46 state settlement (known as the Master Settlement Agreement) in 1998. The legislature reserved \$100 million of the settlement money for a new Department of Health tobacco control program.
- Department of Health officials and health advocates had requested \$26 million to begin the tobacco control program, but, because of pressure from the Republican members, the legislature only allocated \$15 million for the first year, about half of what the federal Centers for Disease Control and Prevention recommends for Washington State.
- Attempts to pass local smoking regulations, with provisions stricter than the 1985 Clean Indoor Air Act, have been hampered by an ambiguous legal question about whether the Clean Indoor Air Act preempts local legislation. Puyallup, the only city attempting to pass a smokefree restaurant ordinance, rescinded it after being challenged with an industry-funded lawsuit without seeking a court ruling on the issue of preemption. The fact that the Attorney General's office has not issued a formal decision on this issue has contributed to the reluctance from local governments. This circumstance has allowed the tobacco industry to stop local clean indoor air regulations.
- Spokane has adopted a voluntary approach to controlling secondhand smoke in restaurants with their Big Air Program. Many restaurants in the City and County of Spokane have become voluntarily smokefree since the program was initiated in 1996. Although city officials initiated their program independently, it is very similar to the tobacco industry's voluntary smoking regulations through their "accommodation" and "red light/green light" programs.
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Introduction

In 1996, we published a report on tobacco industry influence and tobacco policymaking in Washington state that covered the years 1983-1996.(1) Since then, tobacco has been an active issue in Washington, particularly because in June, 1996, Washington Attorney General Christine Gregoire filed a law suit against the tobacco industry to recover the costs of smoking paid by taxpayers and restrict industry marketing activities. (Washington was the ninth state to file such a suit.) In the following years, she would take a lead role in the trial and settlement,(2) which would result in an estimated \$4.5 billion,* paid over 25 years, for Washington state. The legislature, however, has only allocated a small amount of that money for tobacco control efforts, and the state has been hampered by many other factors which have prevented effective tobacco control activity in recent years.

Although in past years Washington was active in tobacco control,(1) efforts during the late 1990s have been frustrated by a partisan deadlock in the House of Representatives, insufficient funds for tobacco control programs, and an atmosphere of confusion and fear on the part of local activists and government officials. Despite having one of the highest tobacco tax rates in the country (82.5 cents per pack of cigarettes, the fourth highest in the US in 2001), none of the revenue from the tax goes for tobacco control programs. From 1994-1996, when there were many tobacco control initiatives active in Washington, particularly expansion of smoke free workplaces with the initiation of the Department of Labor and Industries' smokefree regulations and several

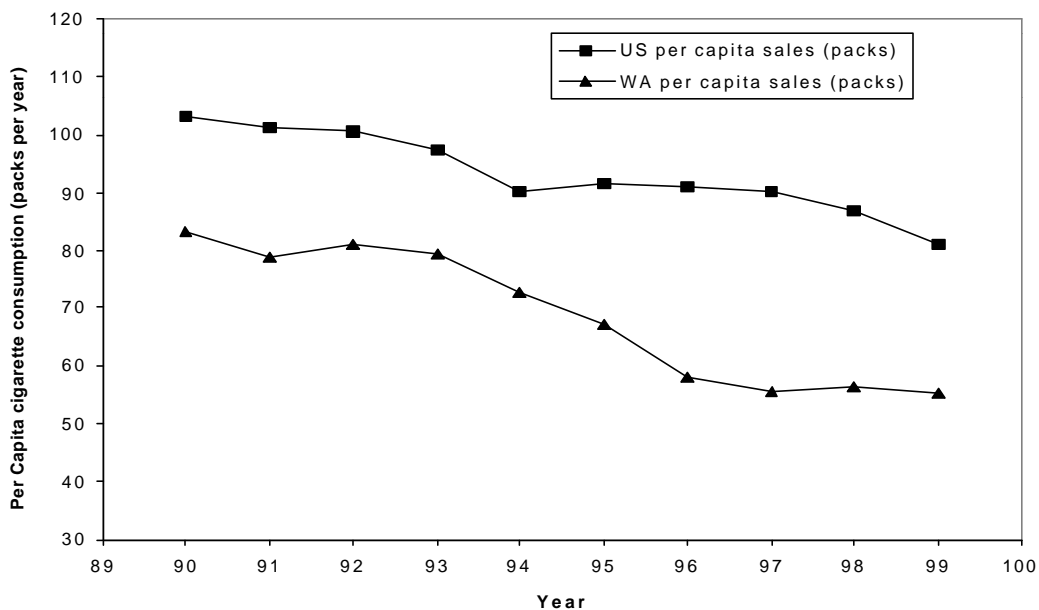


Figure 1. Per capita consumption of cigarettes in Washington, while below the average of the United States, Has not been falling in recent years. The rapid declines in consumption occurred during periods of active tobacco policy making, particularly related to the creation of smoke free workplaces. Data from *The Tax Burden on Tobacco*. (3)

*The payments continue indefinitely according to a formula based on cigarette consumption; the 25 year figure is an estimate to illustrate the magnitude of the payments.

local efforts stimulated by the state ASSIST program, Washington's per capita cigarette consumption decreased from 72.6 to 58.1 packs per year (3) (Figure 1). After the ASSIST program ended, and along with its systematic state-wide tobacco control efforts, per capita cigarette consumption leveled off at about 56 packs per year.

Confusion regarding the limitations on local governments' ability to enact local clean indoor air legislation has discouraged activity throughout the state. The 1985 Washington state Clean Indoor Air Act specifically excludes restaurants and bars from state smoking regulations. Even though the Act is not explicitly preemptive, the tobacco industry has asserted that it is and used a lawsuit to convince the community of Puyallup to rescind its local smoke free restaurant ordinance rather than litigate the issue in 1994. (1) In 1998 Assistant Attorney General Jeffrey T. Even wrote a letter to State Representative (now Senator) Dow Constantine (D-Vashon Island) interpreting the Act as being preemptive over any local ordinances, even though there is no specific preemption clause in the legislation.(4) This situation effectively stopped local clean indoor air legislation in Washington because no one was willing to pass an ordinance and defend it in court.

Several cities and counties that wanted to enact tobacco control legislation turned their attention to advertising restrictions. One of these ordinances, passed in Pierce County in 1997, was challenged in court and struck down by the Ninth Circuit Court of Appeals in 1999. Unwilling to spend the necessary funds, the county decided not to appeal the issue to the Supreme Court.(5, 6) These legal defeats have all but eliminated local policy change as a tool for implementing tobacco control strategies in Washington.

The tobacco industry has also successfully challenged the Department of Health and the National Cancer Institute's ASSIST program, a joint state and federal venture meant to decrease smoking rates. From the program's inception in 1991, the industry researched every aspect of ASSIST's activities in an attempt to prove that state employees were misusing federal monies for "illegal lobbying." (7) Through an intermediary, the industry filed a complaint against Washington ASSIST and the Department of Health. The intervening struggle and its aftermath have created feelings of insecurity and caution within the Department which have lingered beyond the life of ASSIST, which ended in 1998.(8) This extreme caution on the part of the Department of Health further restricted development and implementation of public policies to reduce tobacco use.

In addition to legal challenges, the tobacco industry has been a generous contributor to campaigns for politicians running for legislative and statewide offices in Washington. From 1996 to 2000, the industry spent over \$2 million on lobbying, campaign contributions and soft money donations to state political parties. In 1996, the Philip Morris was the 9th largest contributor to the

| | |
|--|-----------------|
| 1. Republican National Committees | \$2,312,014 |
| 2. Services Group of America | \$539,000 |
| 3. Weyerhaeuser Company | \$102,000 |
| 4. House Republican Organizational Committee | \$95,000 |
| 5. Plum Creek Timber Company | \$82,250 |
| 6. The Boeing Company | \$80,000 |
| 7. US West Communications | \$53,950 |
| 8. ARCO | \$50,000 |
| 9. Philip Morris Management Company | \$45,500 |
| 10. Washington Natural Gas | \$40,000 |

Source: Public Disclosure Commission [Washington State Public Disclosure Commission, 1996 #29]

Washington State Republican Party, with donations totaling \$45,500 (Table 1). In 1998, Philip Morris increased their soft money contributions to \$52,125 and was the 8th largest contributor to the Republican party (Table 2). For the 2000 election, Philip Morris gave \$42,475 worth of soft money to Republicans. These large party contributions have helped offset the contribution limits imposed on individual politicians.(9, 10)

| | |
|--|-----------------|
| 1. Republican National Committees | \$857,552 |
| 2. Services Group of America | \$256,550 |
| 3. WSRP Federal Account | \$153,000 |
| 4. Boeing | \$61,415 |
| 5. Microsoft | \$61,400 |
| 6. Plum Creek Timber Company | \$55,000 |
| 7. AT&T Wireless | \$53,125 |
| 8. Philip Morris Management Company | \$52,125 |
| 9. Weyerhaeuser | \$49,500 |
| 10. Safeco Corp. | \$37,800 |

Source: Public Disclosure Commission [Washington State Public Disclosure Commission, 1998 #30]

Tobacco Policy Scores

Our previous report on Washington (1) included tobacco policy scores to describe legislators' positions on tobacco control. A score of 0 indicates a pro-tobacco legislator while a score of 10 indicates a pro-tobacco control legislator. These scores were based on ratings obtained confidentially from individuals who work in public health or are involved with the legislature on issues related to tobacco control. Unfortunately, individuals who were asked to give tobacco policy scores for this report refused. This unwillingness or

| | 1983-1992 | 1993-94 | 1995-96 | 1997-98 | 1999-2000 | Grand Total |
|-----------------------|--------------------|------------------|------------------|------------------|------------------|--------------------|
| Legislature | \$287,918 | \$70,524 | \$53,623 | \$45,850 | \$48,800 | \$506,715 |
| Political Party | \$117,491 | \$43,800 | \$60,500 | \$64,125 | \$89,400 | \$375,316 |
| Constitutional | \$5,500 | | | | | \$5,500 |
| Local Activity | \$1,350 | \$20,125 | | | | \$21,475 |
| Statewide Initiatives | \$21,500 | \$73,834 | | | \$5,000 | \$100,334 |
| Lobbying | \$1,500,683 | \$643,188 | \$390,599 | \$794,115 | \$679,372 | \$4,007,957 |
| Other | \$57,425 | \$20,125 | | \$30,750 | \$36,050 | \$144,350 |
| Total | \$1,991,867 | \$871,596 | \$504,722 | \$934,840 | \$858,622 | \$5,161,647 |

Source: Public Disclosure Commission[Public Disclosure Commission, 2000-01 #31; Washington State Public Disclosure Commission, 1996 #29; Washington State Public Disclosure Commission, 1998 #30] and prior UCSF report[Monardi, 1996 #20]

inability to judge the behavior of legislators reflects a serious shortcoming of knowledge or will on the part of tobacco control advocates in Washington.

As a result, this report does not include updated policy scores; in some cases we report the old scores.

Campaign Contributions

Tobacco industry campaign contribution data are available from the Washington Public Disclosure Committee (PDC) and on their web site (<http://web.pdc.wa.gov/>). After every election, the PDC publishes an Election Fact Book, which records all contributions over \$500 to candidates for the state legislature, state constitutional offices, congressional offices, and any political party contributions. The PDC requires all candidates to disclose any contributions over \$25. In addition, lobbyists must file monthly expense reports with the Commission. Every February, the lobbyists' employers must also file reports documenting the amount of money they spent on lobbying for the previous year. Employers must also file periodic reports detailing their campaign contributions. To ensure compliance with the law, the PDC imposes fines and conducts hearings against candidates who do not file the required documentation. The contribution limits for legislative candidates during the 1996-2000 period were \$500 per each election (primary and general). For the 2000 election, those limits were raised to \$600.(11)

The companies and organizations reported here as the "tobacco industry" include American Tobacco Company, Brown and Williamson Tobacco Corporation, Lorillard Tobacco Company, Philip Morris, Inc., RJR Nabisco, Inc., Smokeless Tobacco Council, The Tobacco Institute, Tobacco Industry and Labor Management Committee, and U.S. Tobacco Inc.* Contributions include money given to legislators for campaign expenses, political party donations, lobbying expenses, and any gifts made to legislators.**

Contributions to State Legislators

The tobacco industry began contributing to legislative campaigns in Washington state during the 1985-1986 election (Figure 2 and Table 3) Their contributions reached \$119,059 during the 1989-1990 election; the large contributions during that year coincided with the passage

* For the period of 1996-2000, the American Tobacco Company and U.S. Tobacco Inc. spent nothing on campaign contributions or lobbying.

** The information included in this report builds on and extends the results we reported in 1996.(1) In the 1996 report, gifts made to lobbyists such as holiday gift boxes, meals or entertainment, were added to the campaign contributions reported for each legislator. In this report we have added gift expenses to the lobbying totals for each company since gifts are used primarily to forge personal relationships and alliances between legislators and lobbyists.

of the “1989 Indoor Air Quality in Public Buildings Act,” which created strict indoor air quality rules for most workplaces, and the activities of local governments to restrict youth access

Tobacco Industry Political Expenditures 1993-2000

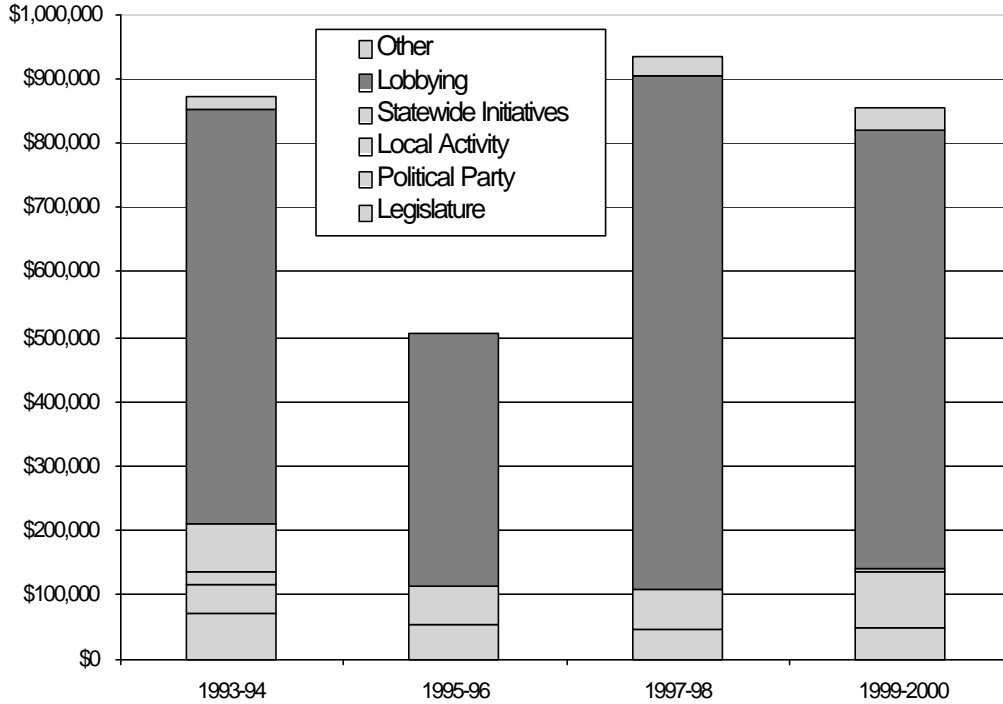


Figure 2. Tobacco industry contributions, after declining in 1995-1996, have increased again for the past two election cycles.

Total Tobacco Industry Campaign Contributions by Party, 1995-2000

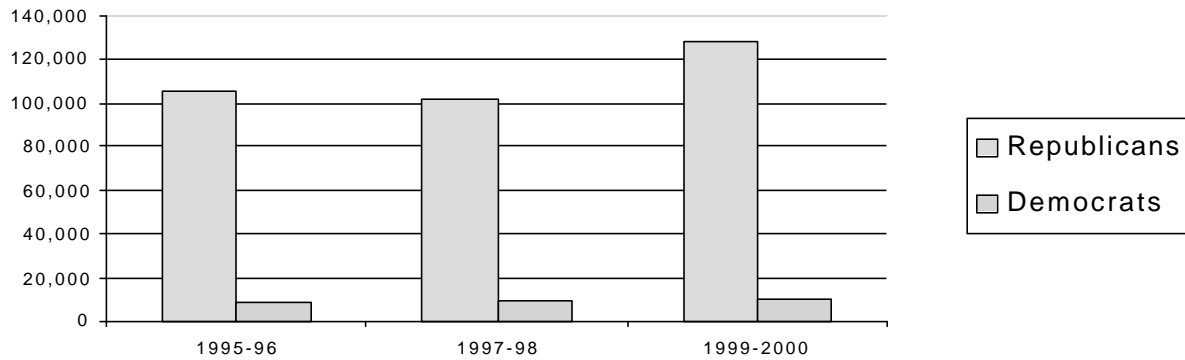


Figure 3. The tobacco industry has given considerably more soft money to the Washington State Republican Party and contributions to candidates and PACS in the last three election cycles.

Source: Public Disclosure Commission

to tobacco. Since 1992, when Washington voters approved Initiative 134, contribution limits have been set between \$500-600 per election (primary and general). From 1996-1998, Philip Morris, RJ Reynolds and the Tobacco Institute were the only tobacco industry corporations to contribute to legislative campaigns in Washington. After 1998, the Tobacco Institute had disbanded, and for the 2000 election, Brown & Williamson and Lorillard began to make contributions.

Table 4 lists the top tobacco industry campaign contributions to legislators for the 2000 election. Appendix Tables A-1 through A-4 list contributions to all legislators and legislative candidates for elections since 1985-1986. Table 5 lists the 63 legislators (1996-2000 sessions) who have never accepted tobacco industry contributions.

During the late 1980s, Democrats controlled both houses of the Washington Legislature and most tobacco industry contributions went to Democratic campaigns and the Democratic party (Figure 3). In 1990, Republicans won control of the Senate until the 1992 election, when the Democrats again won both houses. Contributions to Republicans increased from 1990-1992 and did not decrease again when the Republicans lost control. In 1994, the Republicans gained control of the House of Representatives. They kept the House until the 1998 election, when both parties had 49 seats and had to share leadership of the House. Because of this partisan tie, there was a co-speaker from each party (Democrat Frank Chopp and Republican Clyde Ballard). (The Democrats had control of the Senate by 5 votes from 1999-2000; their lead was decreased to 1 vote after the 2000 election.) Any legislation, especially on potentially partisan issues such as tobacco (with the Republicans generally supporting the tobacco industry), was likely to be deadlocked.

From 1996-2000, the tobacco industry contributed more heavily to Republican campaigns and the Republican party than to Democrats (Figure 3 and Table 4).

| Table 4. Top 10 Recipients of Tobacco Industry Money for the 2000 Election | | | | | |
|---|--------------|--------------|----------------------|------------------|--------------------|
| Officeholder | Party | House | 2000 election | 1985-1998 | Grand Total |
| 1. Ballard, Clyde | R | H | \$2,775 | \$14,055 | \$16,830 |
| 2. Mastin, John David | R | H | \$2,400 | \$850 | \$3,250 |
| 3. Buck, Jim | R | H | \$1,975 | \$1,775 | \$3,750 |
| 4. Fortunato, Phil | R | H | \$1,950 | \$850 | \$2,800 |
| 5. Cairnes, Jack | R | H | \$1,875 | \$2,950 | \$4,825 |
| 6. Chandler, Gary | R | H | \$1,625 | \$3,600 | \$5,225 |
| 7. Kristiansen, Daniel | R | H | \$1,600 | \$0 | \$1,600 |
| 8. Chandler, Bruce | R | H | \$1,525 | \$575 | \$2,100 |
| 9. Horn, Jim | R | S | \$1,375 | \$3,350 | \$4,725 |
| 10. Loveland, Valoria | D | S | \$1,325 | \$1,430 | \$2,755 |

Source: Public Disclosure Commission[Public Disclosure Commission, 2000-01 #31; Washington State Public Disclosure Commission, 1996 #29; Washington State Public Disclosure Commission, 1998 #30} and prior UCSF report[Monardi, 1996 #20]

Table 5. Legislators Who Have Never Accepted Tobacco Contributions, 1996-2000 Sessions

| Officeholder | Party | House | Officeholder | Party | House |
|--------------------|-------|-------|-----------------------|-------|-------|
| Anderson, David | D | H | Kohl-Welles, Jeanne | D | S |
| Brown, Lisa | D | S | Lantz, Patricia | D | H |
| Bush, Roger | R | H | Lecocq-Kagi, Ruth | D | H |
| Chopp, Frank | D | S | Linville, Kelli | D | H |
| Cody, Eileen | D | H | Long, Jeanine | R | S |
| Conway, Steve | D | H | Lovick, John | D | H |
| Constantine, Dow | D | S | McAuliffe, Rosemary | D | S |
| Cooper, Mike | D | H | McDonald, Joyce | R | H |
| Costa, Jeri | D | S | McIntire, Jim | D | H |
| Cox, Don | R | H | Miloscia, Mark | D | H |
| Delvin, Jerome | R | H | Murray, Ed | D | H |
| Dickerson, Mary | R | H | O'Brien, Al | D | H |
| Dunshee, Hans | D | H | Parlette, Linda Evans | R | H |
| Edmonds, Carolyn | D | H | Patterson, Julia | D | H |
| Eickmeyer, William | D | H | Pflug, Cheryl | R | H |
| Eide, Tracey | D | S | Poulsen, Erik | D | H |
| Esser, Luke | R | H | Rockefeller, Phillips | D | H |
| Fairley, Darlene | D | S | Rossi, Dino | R | S |
| Franklin, Rosa | D | S | Ruderman, Laura | D | H |
| Gardner, Georgia | D | S | Santos, Sharon | D | H |
| Goings, Calvin | D | S | Schindler, Lynn | R | H |
| Gombosky, Jeffrey | D | H | Schual-Burke, Shay | D | H |
| Haigh, Kathy | D | H | Sheldon, Betti | D | S |
| Hale, Pat | R | S | Shin, Paull | D | S |
| Hurst, Christopher | D | H | Stensen, Michael | D | H |
| Johnson, Steven | R | S | Sump, Robert | R | H |
| Kastema, James | D | H | Thibaudeau, Pat | D | S |
| Keiser, Karen | D | H | Veloria, Velma | D | H |
| Kenney, Phyllis | D | H | Wensman, Mike | R | H |
| Kessler, Lynn | D | H | Winsley, Shirley | R | S |
| Kline, Adam | D | S | Wolfe, Cathy | D | H |
| | | | Wood, Alex | D | H |

Legislative Leaders

In Washington as well as in other states,(1) the tobacco industry has given significant contributions to legislative leaders who control committee assignments and schedule votes for all legislation (Table 6). House Co-Speaker Clyde Ballard (R-East Wenatchee) has received \$16,830 from the tobacco industry since 1986, more than any other current legislator (Tables 4 and 6). From 1996-2000, Ballard received \$6,000 from the industry.

Table 6. Contributions To Legislative Leaders, 2001 Session

| Republican House Leaders | Officeholder | 1985-1994 | \$1,996 | \$1,998 | 2000 | Total |
|----------------------------------|---------------------|------------------|----------------|----------------|-------------|--------------|
| Co-Speaker | Clyde Ballard | \$10,830 | \$550 | \$2,675 | \$2,775 | \$16,830 |
| Co-Majority Leader | J. David Mastin | \$850 | \$0 | \$0 | \$2,400 | \$3,250 |
| Rep. Caucus Chair | James Buck | \$0 | \$1,200 | \$575 | \$1,975 | \$3,750 |
| Co-Speaker Pro Tempore | John Pennington | \$0 | \$1,000 | \$575 | \$400 | \$1,975 |
| Republican Whip | Mark Schoesler | \$250 | \$700 | \$0 | \$0 | \$950 |
| Asst. Rep. Whip (1) | Mike Armstrong | | | | \$0 | \$0 |
| Asst. Rep. Whip (2) | David Morell | | \$550 | \$0 | \$0 | \$550 |
| Asst. Rep. Whip (3) | Kirk Pearson | | | | \$200 | \$200 |
| Floor Leader | Richard DeBoldt | \$0 | \$450 | \$450 | \$1,000 | \$1,900 |
| Asst. Floor Leader | Lynn Schindler | | | \$0 | \$0 | \$0 |
| Asst. Floor Leader | Bruce Chandler | | | \$575 | \$1,525 | \$2,100 |
| Republican Senate Leaders | | | | | | |
| Minority Leader | James West | \$2,000 | \$0 | \$575 | \$0 | \$2,575 |
| Rep. Caucus Chair | Patricia Hale | \$0 | \$0 | \$0 | \$0 | \$0 |
| Rep. Floor Leader | Larry Sheahan | \$500 | \$250 | \$0 | \$0 | \$750 |
| Rep. Whip | Alex Deccio | \$1,650 | \$0 | \$0 | \$0 | \$1,650 |
| Rep. Deputy Leader | Stephen Johnson | \$0 | \$0 | \$0 | \$0 | \$0 |
| Rep. Caucus Vice Chair | Joseph Zarelli | | | \$0 | \$700 | \$700 |
| Rep. Assistant Floor Leader | Jim Honeyford | \$700 | \$550 | \$1,275 | \$0 | \$2,525 |
| Rep. Assistant Whip | Mike Hewitt | | | | \$500 | \$500 |
| Republican Totals | | \$16,780 | \$5,250 | \$6,700 | \$11,475 | \$40,205 |
| Democratic House Leaders | Officeholder | 1985-1994 | 1996 | 1998 | 2000 | Total |
| Co-Speaker | Frank Chopp | \$0 | \$0 | \$0 | \$0 | \$0 |
| Co-Majority Leader | Lynn Kessler | \$0 | \$0 | \$0 | \$0 | \$0 |
| Dem. Caucus Chair | William Grant | \$5,600 | \$950 | \$650 | \$200 | \$7,400 |
| Dem. Caucus Vice Chair | Karen Keiser | | \$0 | \$0 | \$0 | \$0 |
| Co-Speaker Pro Tempore | Val Ogden | \$325 | \$0 | \$0 | \$0 | \$325 |
| Democratic Whip | Sharon Santos | | | \$0 | \$0 | \$0 |
| Asst. Dem. Whip (1) | Bill Fromhold | | | | \$0 | \$0 |
| Asst. Dem. Whip (2) | Geoff Simpson | | | | \$0 | \$0 |
| Floor Leader | Jeff Gombosky | | \$0 | \$0 | \$0 | \$0 |
| Democratic Senate Leaders | | | | | | |
| Majority Leader | Sid Snyder | \$3,100 | \$0 | \$0 | \$0 | \$3,100 |
| President Pro Tempore | Rosa Franklin | \$0 | \$0 | \$0 | \$0 | \$0 |
| Majority Caucus Chair | Harriet Spanel | \$600 | \$0 | \$0 | \$0 | \$600 |
| Majority Floor Leader | Betti Sheldon | \$0 | \$0 | \$0 | \$0 | \$0 |
| Majority Whip | Tracey Eide | | | \$0 | \$0 | \$0 |
| Majority Caucus Vice Chair | Ken Jacobsen | \$250 | \$0 | \$0 | \$0 | \$250 |
| Majority Assitant Floor Leader | Georgia Gardner | | \$0 | \$0 | \$0 | \$0 |
| Majority Assistant Whip | Jim Kastama | | \$0 | \$0 | \$0 | \$0 |
| Democratic Totals | | \$9,875 | \$950 | \$650 | \$200 | \$11,675 |
| Grand Totals | | \$26,655 | \$6,200 | \$7,350 | \$11,675 | \$51,880 |

The rest of the Republican house leadership have all received tobacco contributions. In the Senate, all of the Republican leaders have received contributions except Caucus Chair Pat Hale (R-Benton) and Deputy Leader Stephen Johnson (R-SE King) who have never taken tobacco money.

Democratic leaders have not received as much money from the industry as the Republicans. Co-Speaker Frank Chopp (D-King Co.), Co-Majority Leader Lynn Kessler (D-Clallam), and Democratic Whip Sharon Tomiko Santos (D-Madrona) have never received tobacco contributions. The most significant recipient of tobacco money in the Democratic leadership has been Democratic Caucus Chair Bill Grant (D-Franklin). From 1985-2000, Grant received \$7,400 from the industry. In the Senate, Majority Leader Sid Snyder (D-Pacific) received \$3,100 from the tobacco industry from 1985-1996. He has not received tobacco money since 1996.

Legislative Committee Members

There are six committees in the Washington state legislature which have jurisdiction over tobacco control and public health policy legislation. The House Health Care Committee and the Senate Health and Long Term Care Committee are responsible for tobacco control legislation as well as legislation dealing with Department of Health programs. The House Commerce and Labor Committee and the Senate Commerce, Trade, Housing and Financial Institutions Committee have jurisdiction over issues involving the Department of Labor and Industries, which enacted strict clean indoor air regulations in 1994. The House Finance Committee and the Senate Ways and Means Committee are two of the most powerful committees in the legislature. Both committees deal with all fiscal issues, including tobacco tax rates. Unless otherwise noted, all of the following committee information is for members of the 2001 session. When legislators are noted as "Former" members, they were on the committee for the 1999-2000 sessions, but are not on the committee for the 2001 session. All of the House members and half of the Senators were elected in 2000. Each House committee has two co-chairs because of the partisan tie in the membership of the House. Some members, who have served several terms in the legislature, have campaign contributions dating as far back as 1985.

House Health Care Committee

Eight members of the Health Care Committee have received contributions from the tobacco industry (Table 7). These remaining nine members of the committee have never taken tobacco money: Co-Chair Eileen Cody (D-W. Seattle), Linda Evans Parlette (former member, now on the Senate committee, R-East Wenatchee), Shay Schual-Burke (D-SeaTac), Steve Conway (D-S. Tacoma), Jeanne Edwards (D-NE King), Carolyn Edmonds (D-NW King), Laura Ruderman (D-Snoqualmie Valley), Jeannie Darnielle (D-Tacoma), and Joe Marine (R-Edmonds).

For the 2001 session, the House Health Care Committee will be hearing House Bill 1549 which would prohibit self-service displays of tobacco products in order to limit minors' access to tobacco. The bill was introduced at the request of Governor Locke and Attorney General

| Table 7. Tobacco Contributions to House Health Care Committee Members | | | |
|--|--------------|------------------------|-----------------------|
| Officeholder/Committee Position | Party | Current Member? | Total Received |
| Gary Alexander | R | Yes | \$2,175 |
| Ida Ballasiotes | R | Yes | \$2,410 |
| Joyce Mulliken | R | No | \$2,325 |
| Cathy McMorris | R | Yes | \$3,600 |
| John Pennington | R | Yes | \$1,975 |
| Cheryl Pflug/Vice Chair | R | No | \$400 |
| Tom Campbell/Co-Chair* | R | Yes | \$94 |
| Mary Skinner* | R | Yes | \$300 |

Gregoire. For the 2000 session, they introduced a similar bill which would have also banned single sales of cigarettes and given the state Liquor Control Board the power to enforce the regulations. (See Senate Health and Long Term Care Committee) (12, 13)

Senate Health and Long Term Care Committee

Three of the nine members of the committee have accepted tobacco money (Table 8), but none of them have received contributions since 1996. Chair Pat Thibaudeau (D-King), Vice-Chair Rosa Franklin (D-S. Tacoma), Jeri Costa (D-Snohomish Co.), Linda Evans Parlette (R-East Wenatchee), Shirley Winsley (R-Fircrest) and Steven Johnson (former member, R-SE King) have never taken tobacco money.

In the 2000 session, the Senate Health and Long Term Care Committee heard two important tobacco bills which eventually died in the Senate Rules Committee. Senate Bill 5881 was introduced at the request of the Governor and the Attorney General. The bill prohibited self-service displays of tobacco products, banned single sales of cigarettes, eliminated state preemption of local regulations, and empowered the state Liquor Control Board to enforce the

| Table 8. Tobacco Contributions to Senate Health and Long Term Care Committee Members | | | |
|---|--------------|------------------------|-----------------------|
| Officeholder/Position | Party | Current Member? | Total Received |
| R. Lorraine Wojahn/Vice Chair | D | No | \$5,084 |
| Alex Deccio | R | Yes | \$1,650 |
| Karen Fraser | D | Yes | \$500 |

regulations and assign penalties. The bill was sponsored by Senators Thibaudeau, Oke, Costa and Winsley. (All of these Senators have very strong anti-tobacco reputations, and Senator Oke is considered a champion of the cause.(14)) SB 5881 passed out of committee and was approved on the Senate floor by a vote of 44 to 1 with 4 excused. Senator Bill Finkbeiner (R-King) was the only no vote. The bill then went to the House Commerce and Labor Committee. Commerce & Labor could not agree to schedule a hearing on the bill and sent it back to the Senate. The Senate again passed the bill (47 to 0, with 2 excused). SB 5881 was sent back to House Commerce & Labor, who again failed to schedule a hearing. The bill will be reintroduced for the 2001 session without the preemption clause, which has proven most controversial.(12-14)

This committee also received Senate Bill 6420, which would have clarified the issue of preemption in the Clean Indoor Air Act. (See State Tobacco Legislation, Preemption) SB 6420 said that the Clean Indoor Air Act (70.160 RCW) “does not preempt local regulation of indoor smoking that is as restrictive or more restrictive than 70.160 RCW.” (12) SB 6420 passed out of committee and was sent to Senate Rules where it died. (12, 13)

In the 2001 session, the committee passed SB 5993 which would revise provisions in the Clean Indoor Air Act. Restaurants and public places where minors under 18 are present would be smokefree; bars, lounges, and card rooms are exempt.(13) The bill was proposed by WATCH (Washington Alliance for Tobacco Control and Children’s Health) and the Washington Restaurant Association as a compromise between advocates and restaurant owners. There are several problems with the bill, including the fact that restaurant owners could circumvent the legislation by not serving minors or by designating certain hours when minors are not allowed. The bill also creates a Ventilation Task Force to study new ways of removing secondhand smoke from the air. The task force would be composed of 9 members: 4 from WATCH, 4 from the Restaurant Association, and the Attorney General, who would chair the group. (13) However, ventilation systems cannot remove all secondhand smoke from enclosed environments, and creating a task force which could advocate ventilation is a tobacco industry strategy designed to impede effective smokefree restaurant legislation. The Restaurant Association, who initiated the bill, tried to insert weaker provisions into the language—specifically they wanted the Liquor Control Board to enforce the ordinance instead of local health departments which are more qualified to administer smokefree ordinances in restaurants. In exchange for accepting the control of the health departments, the Restaurant Association insisted that the bill create the task force to study ventilation systems. The Restaurant Association has received contributions from the tobacco

| Officeholder/Position | Party | Current Member? | Total Received |
|---|--------------|------------------------|-----------------------|
| Jim Clements/Co-Chair* | D | Yes | \$350 |
| Cathy McMorris | R | Yes | \$3,600 |
| Bruce Chandler | R | Yes | \$2,100 |
| Barbara Lisk | R | Yes | \$3,821 |
| *Rep. Clements has not received any tobacco contributions since 1994. | | | |

industry (See Tobacco Lobby and Affiliated Groups) and their lobbyist has close ties to the tobacco industry lobbyists.

SB 5993 will be considered by the House in March, 2001.

House Commerce and Labor Committee

Only four of the members of the committee have accepted tobacco contributions (Table 9). The remaining members are Co-Chair Steve Conway (R-S. Tacoma), Alex Wood (D-Spokane), Sam Hunt (D-N. Thurston), Phyllis Gutierrez Kenney (D-King), Chris Hurst (former member, D-SE King), and Jim McIntire (former member, D-King). These members have never received tobacco contributions.

In the 2000 session, the House Commerce and Labor Committee heard HB 2983 which would have eliminated the sale of tobacco products in all public buildings or buildings leased by the state to private businesses. The bill never passed the committee.

Senate Commerce, Trade, Housing and Financial Institutions Committee

Of the seventeen members of this committee (former and current), ten have received tobacco contributions. (Table 10).

Rasmussen, who is also a member of the Ways and Means Committee, sent a handwritten note to the Tobacco Institute thanking them for their contributions to her campaign. In the undated note, she says: "Please give my regards to Bill Fritz and Stu Halsan. They are excellent lobbyists

| Table 10 . Tobacco Contributions to Senate Commerce, Trade, Housing and Financial Institutions Committee Members | | | |
|---|--------------|------------------------|-----------------------|
| Officeholder/Position | Party | Current Member? | Total Received |
| Margarita Prentice/Chair | D | Yes | \$2,300 |
| Alex Deccio | R | Yes | \$1,650 |
| Tim Sheldon | D | No | \$1,650 |
| James West | R | Yes | \$2,575 |
| Harold Hochstatter | R | Yes | \$2,425 |
| Marilyn Rasmussen | D | Yes | \$650 |
| Jim Honeyford | R | Yes | \$2,525 |
| Debbie Regala | D | Yes | \$850 |
| Michael Heavey | D | No | \$2,609 |
| Don Benton | R | Yes | \$2,400 |

| Table 11. Tobacco Contributions to House Finance Committee Members | | | |
|---|--------------|------------------------|-----------------------|
| Officeholder/Position | Party | Current Member? | Total Received |
| Jack Cairnes/Co-Chair | R | Yes | \$4,825 |
| Jeff Morris/Co-Chair | D | Yes | \$2,975 |
| John Pennington | R | Yes | \$1,975 |
| Michael Carrell | R | Yes | \$3,800 |
| Brian Thomas/Co-Chair | R | No | \$1,200 |
| Aaron Reardon | D | No | \$1,075 |
| Dan Roach | R | Yes | \$600 |
| Steve Van Luven | R | Yes | \$500 |

and I have the highest respect for both of them and your industry.”(15)

The following members have never taken tobacco contributions: Former Vice-Chair Paul Shinn (D-Edmonds), current Vice-Chair Georgia Gardner (D-Whatcom), Rosa Franklin (D-S. Tacoma), Darlene Fairley (D-NW King), Julia Patterson (D-SeaTac), Shirley Winsley (R-Fircrest), and Patricia Hale (former member, R-Benton).

In the 2001 session, this committee will hear SB 5487 which would regulate smoking in casinos. If a restaurant, bar or tavern has a card room, then it could not be designated as smoking in its entirety. The bill is sponsored by Senators Morton and Oke. (12, 13)

House Finance Committee

Eight of the fifteen members of the House Finance Committee have accepted tobacco contributions (Table 11). The remaining seven members of the committee have never accepted tobacco contributions: Former Co-Chair Han Dunshee (D-Sno/King); Jean Berkey (D-Snohomish Co.); Steve Conway (D-S. Tacoma); Don Cox (former member, R-Whitman); Mary Lou Dickerson (former member, D-Seattle); Sharon Tomiko Santos (D-Madrona); and Velma Valoria (D-W. Seattle).

Senate Ways and Means Committee

Fifteen of the 25 members of the Ways and Means Committee have accepted tobacco contributions (Table 12). The ten remaining members have never accepted tobacco contributions: Current Chair Lisa Brown (D-Spokane), current Vice-Chair Darlene Fairley (D-NW King), Linda Evans Parlette (R-East Wenatchee), Adam Kline (D-Madrona), Jeanne Kohl-Welles (D-Seattle), Dino Rossi (R-King Co.), Pat Thibaudeau (D-King), current Vice-Chair Dow Constantine (D-Vashon Island), Shirley Winsley (R-Fircrest), and Betti Sheldon (D-Kitsap Co.).

| Table 12 . Tobacco Contributions to Senate Ways and Means Committee Members | | | |
|--|--------------|------------------------|-----------------------|
| Officeholder/Position | Party | Current Member? | Total Received |
| Valoria Loveland/Chair | D | No | \$2,755 |
| Dan McDonald | R | No | \$7,246 |
| James West | R | Yes | \$2,575 |
| Jim Honeyford | R | Yes | \$2,525 |
| Pam Roach | R | Yes | \$2,175 |
| R. Lorraine Wojahn | D | No | \$5,084 |
| Debbie Regala | D | Yes | \$850 |
| Larry Sheahan | R | Yes | \$750 |
| Karen Fraser | D | Yes | \$500 |
| Marilyn Rasmussen | D | Yes | \$650 |
| Harriet Spanel | D | Yes | \$600 |
| Al Bauer/Vice Chair | D | No | \$1,350 |
| Sid Snyder | D | Yes | \$3,100 |
| Michael Hewitt | R | Yes | \$500 |
| Joseph Zarelli | R | Yes | \$700 |

Tobacco Bills in Other Committees

In the 2001 session, three other committees will be hearing tobacco legislation. The Senate Transportation Committee will hear SB 5089 to eliminate smoking on all state-operated ferries. The Transportation Committee is chaired by Sen. Mary Haugen (D-Snohomish) who has accepted \$1300 from the tobacco industry. The House Higher Education Committee will hear HB 1409 to prohibit smoking in all state university residence halls. This committee is co-chaired by Don Cox (R-Whitman) and Phyllis Gutierrez-Kenney (D-King), who have never taken tobacco contributions. The House Local Government and Housing Committee will hear HB 1448 which would clarify the Clean Indoor Air Act and grant local governments the authority to regulate smoking in public places. This committee is co-chaired by Hans Dunshee (D-Sno/King) and Joyce Mulliken (R-Yakima). Mulliken has received \$2325 from the tobacco industry; Dunshee has never received tobacco money. (11-13)

Statewide Officeholders

The tobacco industry began contributing to statewide offices in 1990. Since that time, their contributions have been sporadic and have not reached the same levels as their legislative contributions. Most contributions to statewide officeholders came if and when those candidates were in the state legislature.

Governor Gary Locke (D) resigned from the legislature in 1993. During his legislative career, he accepted \$1550 from the industry. Even so, in 1996 he was rated as being very supportive of tobacco control (tobacco policy score 8.4(1)). Even so, the tobacco industry still wanted to maintain ties to Locke. Bill Fritz, lobbyist for the Tobacco Institute, upon receiving an invitation to a 1992 fundraiser for Locke, wrote a memo to a colleague about why they should donate to Locke's campaign.

I recommend \$100 from TI [Tobacco Institute] – Gary was the one who first raised hell about the misappropriation of and the unaccountability for the “war on drugs” money, which helped us defeat proposed new tax on cigs.(16)

During his successful 1996 run for Governor, Locke invited Bill Fritz to a fundraiser designed to raise money for his campaign. However, after the Tobacco Institute donated to Locke, he returned the funds along with a letter from his Finance Director, Dia Hujar.

November 29, 1996

Dear Mr. Howle [regional vice president of the Tobacco Institute]:

I would like to thank you for your organization's November 27 donation to our fundraiser. Unfortunately, the Gary Locke for Governor campaign cannot accept this donation. However, the return of these funds in no way means that your organization, or any other political action committee that is an advocate of tobacco, will receive anything less than a full hearing or careful consideration in the Locke Administration.

Thank you again for your show of support.(17)

Locke has not received any tobacco contributions since 1996 and has maintained his reputation as supporting tobacco control as governor.

Brad Owen, the lieutenant governor, served in the Senate prior to his statewide election. From 1985-1996, he received \$5400 from the tobacco industry, and his tobacco policy score in 1996 was slightly pro-tobacco at 4.3.(1) Christine Gregoire, the Attorney General who sued the tobacco industry in 1996, has never received tobacco contributions.

During the 2000 election, the tobacco industry did not contribute to any statewide office campaigns.

| Table 13. Company Contributions to Candidates by Party, 1996-2000 | | | | | | |
|---|---------------|-------------|-------------------|----------------------|-----------|----------|
| | Philip Morris | RJ Reynolds | Tobacco Institute | Brown and Williamson | Lorillard | Total |
| 1996 | Democratic | \$3,050 | \$3,273 | \$1,000 | | \$7,323 |
| | Republican | \$24,600 | \$16,800 | \$4,900 | | \$46,300 |
| 1998 | Democratic | \$3,675 | \$2,500 | \$1,200 | | \$7,375 |
| | Republican | \$22,250 | \$12,225 | \$4,000 | | \$38,475 |
| 2000 | Democratic | \$1,650 | \$4,275 | | \$1,750 | \$7,675 |
| | Republican | \$13,550 | \$17,625 | | \$8,750 | \$41,125 |

Political Parties

Soft money contributions to political parties have been used by many industries to circumvent the strict individual contribution limits for specific candidates. Since 1987, the majority of tobacco industry contributions have gone to Republican party organizations, officeholders, and candidates (Tables 13 and A-6 and Figure 4). In the 1996 election, the industry contributed \$7,323 to Democratic candidates and \$46,300 to Republican candidates. For the 1998 election cycle, the industry gave \$7,375 to Democratic candidates and \$38,475 to Republicans. In the 2000 election, the industry contributed \$7,675 to Democrats and \$41,125 to Republican candidates. Table 13 and Figure 4 summarize the contributions made to legislative candidates based upon their party affiliation.

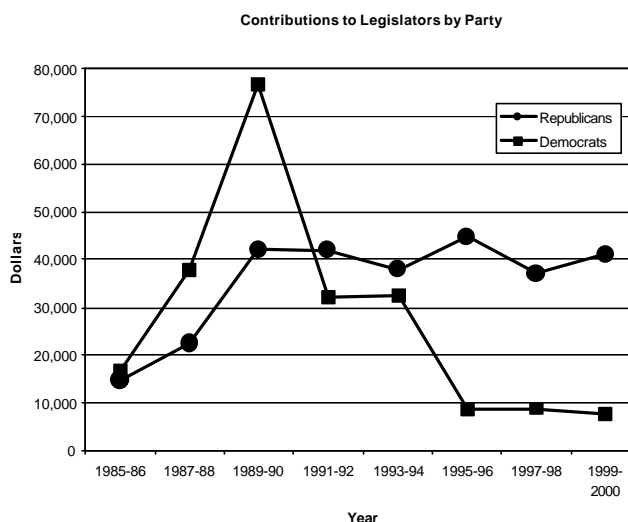


Figure 4. Tobacco industry contributions to legislators have generally heavily favored Republicans.

Tobacco Industry Lobbyists and Affiliated Groups

The industry has spent a great deal of money to maintain its lobbying network in Washington (Table 14). These expenses are independent of any campaign contributions or party contributions that the companies might make. Expenditures for lobbying during the previous year are required to be disclosed to the PDC by the last day of February. Philip Morris, the Tobacco Institute (through 1998, when it was dissolved), RJ Reynolds, Brown & Williamson, Lorillard, Smokeless Tobacco Council, and the Tobacco Industry Labor Management Committee all supported full-time lobbyists in the state capitol at some time between 1996-2000. In addition, the Washington State Association

of Neighborhood Stores (WSANS), which is an allied group with the tobacco industry, supported a lobbyist in Olympia from 1997-2000.

David Ducharme and Tracey Scott-Woods (Philip Morris), Bill Fritz of Public Affairs Associates (Tobacco Institute), TK Bentler (RJ Reynolds and WSANS), Joe C. Daniels (Tobacco Industry Labor Management Committee), Stuart A. Halsan and Triplett & Associates (Smokeless Tobacco Council), and Todd Mielke and Pacific Communications Strategies, Inc. (Lorillard, Brown & Williamson, and Tobacco Institute) have actively fought tobacco control legislation, participated in the complaints against ASSIST, and lobbied for a decrease in tobacco taxes. In 1999, Brown & Williamson Tobacco Co. and Lorillard Tobacco Co. hired Pacific Communications Strategies, Inc. to represent them in Olympia. This is the first time that both companies have had a full time lobbyist in Washington.(9-11)

The industry also supports grassroots lobbying efforts for campaigns against cigarette tax increases and smoking restrictions. From 1996-2000, RJ Reynolds spent \$111,948 on advertising, mailings, brochures, signs and other public relations efforts to convince the public that actions to create smoke-free restaurants and other legislation is unwarranted. (11)

In addition to the full-time lobbyists that the tobacco industry supports in Olympia, the tobacco industry uses groups like the Northwest Business and Labor Alliance (NWBLA) and the Washington State Association of Neighborhood Stores (WSANS) to represent their interests in small communities. For example, an internal Tobacco Institute report dated December 13, 1996 listed contributions to other "Allied Organizations," including the Washington Restaurant Association (\$250), the Washington State Hotel Association (\$250), the Washington State Tavern Association (\$250), and WSANS (\$20,000). (18, 19) As we shall see in Pierce and Spokane Counties, these groups can claim that they represent small business owners, when in fact that the vast majority of their funding comes from the tobacco companies. In their 1997 State Plan, Philip Morris outlines some of their activities with these groups:

- A. Continue participation with WA Assn. Neighborhood Stores on shared tax rollback issue.
- B. Continue participation in NW Business and Labor Alliance on smoking issues both local and statewide.(20)

The Northwest Business and Labor Alliance (registered with the state as the Northwest Business and Labor Alliance for Sensible Government) is especially interesting because of their activities. They monitor local governments in their attempts to pass tobacco control legislation and then report back to the industry (usually the Tobacco Institute and Phillip Morris). They registered with the Washington Secretary of State's office in 1992 as a non-profit corporation with the goal of "the promotion of social welfare."(21) On May 19, 1997, NWBLA was given a grant of \$10,000 from the Tobacco Institute. (19) From 1993-1998, Colette Dow, their executive director, was in regular communication with Tracey Scott of Phillip Morris and Daniel Howle of the Tobacco Institute regarding tobacco control activities. The address listed on their letterhead is in reality a post office box in a Mailboxes, Etc. in Mercer Island, WA. This organization appears to be a tobacco industry front group, similar to groups such as the California Business and Restaurant Alliance and other affiliated groups" that the tobacco industry has created as surrogates to permit it to intervene in local policy debates, while hiding the industry's true role.(22-24) In addition to grants and funding provided by the tobacco industry to WSANS, they also share the same lobbyist.

Table 14. Tobacco Industry Expenditures for Lobbyists, 1996-2000

| Lobbyist/Company | 1996 | 1997 | 1998 | 1999 | 2000 | Grand Totals |
|---------------------------------------|------------------|------------------|------------------|------------------|------------------|--------------------|
| TK Bentler/RJ Reynolds | \$55,938 | \$66,183 | \$62,301 | \$61,648 | \$67,678 | \$313,748 |
| TK Bentler /WSANS* | | \$8,891 | \$44,787 | \$37,670 | \$38,333 | \$129,681 |
| Joe C. Daniels/TILMC* | \$30,000 | \$31,500 | \$33,000 | | | \$94,500 |
| David Ducharme/PM | \$60,000 | \$61,499 | \$72,000 | \$72,000 | \$72,000 | \$337,499 |
| Tracey Scott-Woods/PM | \$121,350 | \$65,380 | \$111,225 | | | \$297,955 |
| Bill Fritz**/TI | \$58,810 | \$60,500 | \$60,500 | \$59,037 | | \$238,847 |
| Triplett & Associates/TI | \$7,498 | | | | | \$7,498 |
| Triplett & Associates/STC | | \$49,590 | \$60,000 | \$73,644 | \$68,000 | \$251,234 |
| Stuart A. Halsan/STC | \$52,000 | | | | | \$52,000 |
| Todd Mielke**/Lorillard | | | | \$30,000 | \$30,000 | \$60,000 |
| Pacific Communications Strategies/B&W | | | | \$30,000 | \$30,000 | \$60,000 |
| Totals | \$385,596 | \$343,543 | \$443,813 | \$363,999 | \$306,011 | \$1,842,962 |

Source: Public Disclosure Commission [Public Disclosure Commission, 2000-01 #31]

*The following acronyms were used: WSANS for Washington State Association of Neighborhood Stores; PM for Phillip Morris; TILMC for Tobacco Industry Labor Management Council; TI for Tobacco Institute; STC for Smokeless Tobacco Council; B&W for Brown & Williamson.

** Bill Fritz works for Public Affairs Associates and Todd Mielke works for Pacific Communications Strategies

T.K. Bentler, lobbyist for RJ Reynolds and WSANS, is often in the state capitol arguing for both of his clients on issues like tobacco advertising restrictions and youth access legislation.

In addition to these affiliated groups, the industry has also used local attorneys to further their goals in Washington. Byrnes & Keller, and its founding partner Brad Keller, have represented the industry in their litigation against ASSIST, Labor & Industries, the City of Puyallup, and the Tacoma-Pierce County Health Department.

State Tobacco Legislation and Policy

Tobacco Tax

In 2000, Washington had the fourth highest tobacco tax in the nation (behind Alaska, Hawaii, and California) at 82.5 cents per pack. In 1993, the tax was 34 cents per pack, and was significantly increased in that year by the Washington Health Services Act, a bill to support indigent health care. All of the money from the tax increase is placed into dedicated accounts, with 41 cents going to the Health Services Account, which funds medical care for the poor. The rest is divided between the general fund (23 cents), water quality (8 cents), and drug enforcement and youth violence (10.5 cents). The tax on smokeless tobacco is 74.9 percent of the price. Half of this

money is allocated to the general fund, with the remainder is split between water quality and Health Services.(1) None of the tobacco tax money is allocated for tobacco control programs.(25)

The tobacco industry has attempted for years to reduce the tobacco tax in Washington. In 1995, the legislature created a special committee called the Cigarette Tax and Revenue Loss Advisory Committee, chaired by Rep. Brian Thomas (R-King Co.) to determine if the cigarette taxes were too high. On July 27, 1995, Bill Fritz, the lobbyist for the Tobacco Institute (TI), sent a memo regarding the committee's first meeting to Dan Howle, Regional Vice President of the Tobacco Institute reporting that:

The first meeting of the Cigarette Tax and Revenue Loss Advisory Committee was held today. (T.K. [Bentler, lobbyist for RJ Reynolds] and I attended.) ... Our goal is to help the committee reach the conclusion that WA State cigarette taxes are too high! (They will recommend legislation for the 1996 legislative session based upon the committee's findings.)(26)

On March 13, 1996, Fritz distributed another memo to the tobacco lobbyists regarding the legislature's refusal to decrease tobacco taxes, which identified the industry's alliance with the Washington State Association of Neighborhood Stores, a group funded in large part through grants from the Tobacco Institute.(18) :

As you know, the legislature adjourned on March 7 without passing any tax reductions for tobacco or beer In any case, we were shafted and I think that we should develop and implement an ongoing grassroots program to publicize and protest this unfair and inequitable treatment by the legislature. Perhaps this program could be launched by a letter of protest from the WA State Association of Neighborhood Stores being sent to the leadership of the four caucuses in both houses concurrent with an appropriate media release.(27)

The industry would continue their efforts in the following years, including their work through the Washington State Association of Neighborhood Stores.

Philip Morris' 1997 State Plan for Washington outlined several methods to be used to decrease taxes and to divert money from the dedicated funds. While the Philip Morris plan did not describe the reason for seeking to divert money out of the dedicated funds, it may have been that the industry hoped that shifting money away from the politically popular programs supported by the tobacco tax would make it easier to cut the tax.

Utilize think tank research to assess impact of dedicated funding for taxes, and educate interested parties.
Continue coalition building with allied groups interested in opposing dedicated funding...
Continue efforts with retailers to help with tax rollback...
Continue participation with WA Assn. Neighborhood Stores on shared tax rollback issue....(20)

By the end of the 1998 session in March, the industry was unsuccessful in their attempts to reduce the tax. They have continued to fund grassroots lobbying efforts though, in an effort to ensure that such legislation is not considered again. (See Tobacco Lobby)

The Washington Clean Indoor Air Act and Preemption

In 1985, the state adopted a clean indoor air act (RCW 70.160) which restricted smoking in all public places, except for bars, taverns, bowling alleys, tobacco shops, and restaurants. In these

exempt places, the owners could designate the entire restaurant as smoking or non-smoking, or they could provide designated areas for each. The pertinent section reads:

RCW 70.160.40 Designation of smoking areas in public places—Exceptions—Restaurant smoking areas—Entire facility or area may be designated as nonsmoking...

Except as provided in other provisions of this chapter, no public place, other than a bar, tavern, bowling alley, tobacco shop, or restaurant, may be designated as a smoking area in its entirety. If a bar, tobacco shop, or restaurant is designated as a smoking area in its entirety, this designation shall be posted conspicuously on all entrances normally used by the public... Except as otherwise provided in this chapter, a facility or area may be designated as a nonsmoking area by the owner or other person in charge. [emphasis added]

The law also provides that nonsmoking areas include:

elevators; buses...; streetcars; taxis...; public areas of retail stores and lobbies of financial institutions; office reception areas and waiting rooms of any building owned or leased by the state of Washington or by any city, county, or other municipality in the state of Washington; museums; public meetings or hearings; classrooms and lecture halls of schools, colleges, and universities; and the seating areas and aisle ways which are contiguous to seating areas of concert halls, theaters, auditoriums, exhibition halls, and indoor sports arenas.... RCW 70.160.40

The law, which was reasonably strong for a state law at the time, has not been amended since it passed in 1985. It is weak by 2001 standards.

There is no specific preemption clause in the Clean Indoor Air Act, but as a result of the language exempting restaurants from regulation, the situation has been confusing for local governments and advocates. In 1994, the city of Puyallup passed a smokefree restaurant ordinance, but later rescinded it after legal threats from the industry, which claimed that state law preempted local ordinances dealing with restaurants.(1) This situation only served to make communities and health groups more reticent to attempt to pass local smoke free restaurant legislation.

In January, 1997, the King County Board of Health passed Resolution No. 97-302 which called on the state legislature to:

Add language to ... [the] Washington Clean Indoor Air Act, providing that nothing in that chapter should be construed to restrict the power of any local jurisdiction or local board of health from adopting and enforcing local laws and regulations that are more restrictive than the state statute.(28)

The resolution also called for the legislature to repeal the explicit preemption language in the Tobacco—Access to Minors Act, passed in 1993. Such resolutions are advisory in nature; the legislature did not respond to this request.

In January 1998, Rep. Dow Constantine (D-Vashon Island) asked the Attorney General, at the request of Greg Nickels, Chair of the King County Board of Health, to clarify the preemption issue. Assistant Attorney General Jeffrey T. Even wrote an informal opinion that has subsequently stalled any local efforts. He declared that:

RCW 70.160.040 preempts a local government from banning smoking in all restaurants in its jurisdiction because such a local ordinance would have the effect of prohibiting a restaurant from designating a smoking area, while state law expressly permits that designation ... State law preempts a local ordinance if, among other possibilities, the local ordinance purports to prohibit something that state law expressly permits ...(4)

This opinion directly counters the view that many other states have of preemption. State law typically sets a minimum standard and only prohibits local governments from exceeding this standard if there is a specific preemption clause included in the legislation. In Even's letter to Rep. Constantine, he asserts that since state law grants the owner of a restaurant the right to have a smoking area, the local governments cannot take away that right

On July 7, 2000, Attorney General Gregoire, in a letter to Robert Fox of FANS (Fresh Air for Non Smokers, a grassroots nonsmokers' rights group in Washington) asserted that her office has never issued a *formal* opinion on the preemption issue, but she did not give any indication as to when such an opinion might be forthcoming. "To the best of my knowledge," she wrote, "this office has never issued an AG Opinion or formal statement that the Clean Indoor Air Act pre-empts locals from adopting more stringent regulations." (29) Since that time, no one has pressed Gregoire for a definitive answer and no community has passed a local clean indoor air ordinance.

Regardless of how the Attorney General interprets the Act, the issue will not be formally decided until an ordinance is passed, challenged by the industry, and decided by a court of law. This situation has yet to come to pass, since no locality has been willing to test the law since Puyallup rescinded its ordinance without making an effort to defend it in court. Health advocates have also been reluctant to initiate any action on this issue before the Attorney General announces her opinion.(8) However, on February 1, 2001, she stated that she could not give her opinion on the issue because she might have to take a preemption case to trial.(14)

This combination of circumstances has allowed the tobacco industry to eliminate local legislation as a policy device to promote clean indoor air.

Department of Labor and Industries Regulations

In March 1994, the Department of Labor and Industries (L&I) adopted strict smoke free standards for all private workplaces. The regulations specifically excluded bars, restaurants, taverns, bowling alleys, bingo parlors, and manufacturing plants, but they do not preempt local governments from imposing stricter regulations.(1) The department had authority to regulate this issue under the Washington Industrial Safety and Health Act of 1973 (WISHA) and the Indoor Air Quality in Public Buildings Act of 1989. The rules were adopted after several years of research and included scientific data from the Surgeon General, the US Environmental Protection Agency, and many voluntary health groups. The rules were supported by the health groups, the state Department of Health, Fresh Air for Non-Smokers (FANS), and the Fred Hutchinson Cancer Institute.

Despite this broad support, the new regulations were still attacked by the tobacco industry. In June 1994, Philip Morris lobbied the Joint Administrative Rules and Review Committee (JARRC) in the Legislature and asked them to decide if L&I had exceeded their authority in crafting the rules. In preparation for the hearing, Philip Morris and the Tobacco Institute used the

Northwest Business and Labor Alliance (NWBLA) to mobilize statewide efforts against L&I. In a May 31, 1994 memo to Tracey Scott of Philip Morris and Dan Wahby of the Tobacco Institute, Steve Sego of NWBLA outlines a budget of \$10,500 required to print and mail action alerts, calls to action, and sample letters to constituents in the JARRC members' districts. They also conducted a phone poll to follow-up in the targeted districts.(30)

The industry's efforts were successful and at the hearing in June, the committee decided that the rules were in violation of the state administrative codes. This decision had no effect on the rules, since the committee had no authority to alter L&I decisions. However, this action created an atmosphere of confusion among business owners and the general public. The rules still went into effect, but they were delayed for one month, until October 1994, so the department could disseminate the correct information to businesses and the media.(1)

In September 1994, the top five tobacco companies (American, Brown & Williamson, Lorillard, Philip Morris, and RJ Reynolds), along with three local plaintiffs, filed suit against L&I and its director. They presented four main arguments against the new rules: 1) secondhand smoke was not a risk in the workplace; 2) the department had not followed all state-required procedures in developing the rules; 3) the state should not depend upon federal reports to make their decisions; and 4) the department did not provide enough documentation explaining their reasoning processes in crafting the rules.(1)

The industry sought a stay to delay implementation of the new rules. The Thurston County Superior Court, Appeals Court, and the State Supreme Court all denied this request. The industry lost its case in the Superior Court trial in April 1996. The industry appealed all the way to the state Supreme Court who ruled on July 8, 1999, in a 7-2 decision, that the department had not exceeded their authority in crafting the rules. Justice Gerry Alexander, in the majority opinion, wrote that "...the Department of Labor and Industries has been vested with significant authority to protect the health and safety of Washington's workers on the job site. We cannot say that the department has abused that authority here in regulating smoking in the workplace in an effort to protect the health of workers, both smokers and nonsmokers. "(31)

With such a decisive victory over the industry on this issue, many advocates were expecting L&I to create new regulations for smokefree restaurants and bars. However, officials in the department told advocates were told that L&I had neither the authority nor the resources to enact and enforce such regulations.(1) In her July 2000 letter to Robert Fox, Attorney General Gregoire confirmed this assessment: "Unfortunately, as you are well aware, smoking is allowed in most restaurants, bars, taverns, etc. Therefore, this section of the WISH Act could not be successfully applied by Labor and Industries to regulate smoking in these workplaces."(29)

There has been no progress at the state or local level in protecting nonsmokers from the toxins in secondhand smoke since the L&I rules went in to force in 1994 (Table 15).

Youth Access

The prevailing law in the state, which explicitly preempts local governments from action on this issue, is the Tobacco-Access to Minors Act (H.B. 2071). This law was passed in 1993 and declares that retailers must display signs declaring that it is illegal to sell tobacco products to minors. All tobacco retailers must be licensed and everyone purchasing tobacco products must

| Table 15. Smoking Restrictions in Washington State | |
|---|--|
| Clean Indoor Air Act, 1985 | No smoking in most public areas, including elevators, buses, theaters, concert halls, classrooms of colleges and universities, sports arenas, and all state and local buildings. |
| Labor and Industries Regulations | No smoking in all private workplaces, including offices, restrooms, meeting rooms, and cafeterias. Designated smoking rooms with separate ventilation systems may be provided. |
| No Restrictions | Restaurants, bars, taverns, bowling alleys, tobacco shops, bingo parlors, and manufacturing plants. |

show identification. Distributing tobacco products in public is prohibited, vending machines are limited to certain areas, and the licensing fee for tobacco retailers increased from ten dollars to ninety-three dollars.

The original bill, sponsored by Rep. Linda Johnson (D-King) did not contain a preemption clause for local governments. The bill was referred to the House Health Care Committee and was modified to include a preemption clause two weeks later by the sponsor and by Rep. (now Co-Speaker) Clyde Ballard (R-East Wenatchee). Many health agencies, including the American Lung Association, American Cancer Society, Washington DOC, and FANS, then opposed the bill because of the inclusion of the preemption clause. The tobacco industry and the Department of Health supported the revised bill, and it was adopted.(1)

In 1997, the King County Board of Health, in the same resolution to the legislature to amend the Clean Indoor Air Act, asked that the preemption language in the act be repealed. They resolved that the legislature should:

Repeal language in...the Tobacco Access to Minors Law, which preempts political subdivisions from adopting or enforcing requirements for the licensure and regulation of tobacco product promotions and sales within retail stores. Replace with language providing that nothing in [the act] should be construed to restrict the power of any local jurisdiction or local board of health from adopting and enforcing local laws and regulations which are more restrictive than the state statute.(28)

General Gregoire sponsored legislation to revise the Youth Access bill in the 1999 and 2000 Legislative sessions that would have eliminated the preemption clause. However, because of the division in the House (evenly split between Republicans and Democrats) she was not able to schedule a hearing on the bill. Both bills generated opposition from the tobacco industry and the hospitality coalitions. She has plans to introduce a bill for the 2001 session which would ban single sales of cigarettes and move all cigarette displays behind the counter to reduce youth access. She has not included a preemption elimination in the bill in the hopes that it will prove less controversial and ensure passage.(14)

Project ASSIST

The ASSIST Project, a joint venture between the National Cancer Institute (NCI), the American Cancer Society, and the Department of Health (DOH) designed to use public policy strategies to reduce tobacco use, faced many problems in Washington. The program, whose main goals were to reduce the adult smoking rate and the youth initiation rate, was implemented from 1991 to 1998. The three organizations who worked with ASSIST in Washington were the Department of Health (DOH), the Tobacco Free Washington Coalition (TFWC), and the American Cancer Society (ACS).

The ASSIST contract, signed between NCI and the Washington DOH, created the ASSIST program to run from September 30, 1991 through September 29, 1998. The program was allocated \$7,304,775 to implement its goals.(32) The objectives of the ASSIST program in Washington included efforts to pass the L&I regulations, to involve more youth and public health professionals in anti-smoking campaigns, to eliminate secondhand tobacco smoke from public places, to increase support among ethnic communities, to use the media to publicize activities and events, and to train coalition members in educating legislators and media about tobacco issues.(1)

The DOH was responsible for all administrative functions for ASSIST – distributing federal funds, hiring staff and subcontractors, and fulfilling their contract with the NCI. The TFWC was a voluntary coalition of health care advocates and community groups. They agreed to help implement ASSIST and to use their resources to facilitate the goals of ASSIST. The ACS' role in ASSIST was one of financial support and assistance with the day-to-day operations of the program.(1)

The tobacco industry soon attacked ASSIST in Washington. The law firm of Byrnes & Keller, representing a businessman named Stuart Cloud, inundated the program with Freedom of Information Act requests. After sending 3 letters with a total of 49 requests for information, the industry's involvement was discovered when the documents were picked up by messenger, and the receipt indicated that the true client was the Tobacco Institute. The Department of Health spent \$6,000 and produced 5,000 pages of information to respond to the requests.(1)

On November 9, 1995, Byrnes & Keller filed a complaint with the Public Disclosure Commission on behalf of Mr. Cloud. They alleged that ASSIST used federal funds illegally to lobby state legislators, mainly through the work of the TFWC. Both the DOH and TFWC denied the accusations and accused the industry of trying to intimidate the advocates.(7) One of the most contentious activities, which received a great deal of attention, was when ASSIST and TFWC organized a Youth Tobacco Free Day in Olympia, where 200 young people held a anti-smoking rally on the capitol steps.(32)

In addition to the inquiry being conducted by the PDC, the industry also encouraged members of the legislature to request a meeting of the Joint Administrative Rules Review Committee (JARRC) to determine any impropriety on the part of ASSIST. JARRC is a committee made up of 8 members (4 from each house) designed to review different agency rules to ensure that they conform to the intent of their authorizing statutes. (33) On November 29, 1995, Bill Fritz, the lobbyist for the Tobacco Institute sent a memo to Rep. Tom Huff (R-Pierce/Kitsap), the new chair of the House Appropriations Committee. The attachment to the memo was a draft of a letter that Fritz had written for Huff to send to Rep. Brian Thomas (R-King Co.), the chairman of JARRC:

Tom,

Here is the draft of the proposed letter to Brian Thomas along with a collection of news clips regarding the complaint filed with the PDC (Public Disclosure Commission.) Please feel free to make changes as you see fit. And please send me a blind copy of the final letter....Please call me if you have any questions.

Bill (34)

The JARRC meeting was set for December 19, 1995. Two memos, one from an attorney sent by the Tobacco Institute, and one from Fritz, illuminate the mood of the industry following the JARRC meeting. Following the meeting, Stuart Halsan, the lobbyist for Smokeless Tobacco Council, sent a memo to Fritz with his assessment of the meeting:

Rep. Huff's presentation was good, and I felt that the presentation by the DOH was weak and that they clearly tried to avoid discussion of the propriety of their handling of ASSIST funds Because the requested relief was a referral to the State Auditor, after the proposed motion was made members questioned why Rep. Huff, the new chair of the House Appropriations Committee, didn't just request the audit in his official capacity? Rep. Huff ... stated that he could but he felt that JARRC was the appropriate forum to examine the failure to adopt rules [A]nother motion was made orally to recommend that Rep. Huff request the Auditor to look into it, and that JARRC retain jurisdiction. That passed, and the committee moved to adjourn having temporarily passed the issue off to Rep. Huff.

Following the hearing, Rep. Huff committed to send a letter off requesting the audit.

The result was exactly what we were seeking. Nothing happened that in any way would impair the PDC proceeding. The Anti's are still backing up. DOH is facing an audit of their use of ASSIST funds. JARRC has retained jurisdiction. We have maintained momentum. Tom Huff is still with us as we go to the next level, and Stu Cloud [the man who filed the PDC complaint] would like to do something like this every week.

The proof is in the pudding, so to speak, and Bill [Fritz] I think you did a great job in bringing this forward. *I for one don't want to just wait around for the other side to file bills and react, but to challenge them at every step of the way....* [emphasis added](35)

After receiving this memo, Fritz sent one to Dan Howle at the Tobacco Institute. The memo, dated December 21, 1995, summarized the goals of the industry as well as new actions to be taken against ASSIST.

... the JARRC hearing on Rep. Huff's issues made the Department of Health personnel who attended very nervous [T]here was no downside to the December 19 JARRC proceedings. As a matter of fact, we now have a new direction and course of action to follow which should yield the same of even better results in terms of our objective of turning the spotlight on the improper and illegal use of public funds for anti-tobacco lobbying, *producing a "chilling effect" on the zeal and cavalier manner in which the anti-tobacco activists conduct their programs, leading to the diminishment and eventual curtailment of some of these programs funded with public money.*

We have commitments from Rep. Huff, chair of the powerful Appropriations Committee and Rep. Thomas, chair of the Revenue Committee, to work with us in pursuing this matter to a conclusion.

New Actions Required

1. *Draft a letter for Rep. Tom Huff's signature to the State Auditor requesting a fiscal compliance audit of the manner in which the Department of Health has implemented ... ASSIST program expenditures, contract and grant awards, etc ...*
2. Now that it is known through their testimony that the Department of Health does have internal guidelines and procedures for implementation ..., *Stuart Cloud should send a letter to the Department requesting copies of all such documents....*
3. Be prepared to pursue a future JARRC hearing, new legislation or further legal action based upon the findings and actions of the Public Disclosure Commission and the State Auditor.(36)
[italic emphasis added]

Rep. Huff sent a letter to the State Auditor, Brian Sonntag, on January 17, 1996. Huff requested that the Auditor examine all of the DOH and ASSIST contracts with independent agencies, such as the Wiley Brooks Company, a public relations firm contracted to ASSIST.(37) Sonntag replied to the letter on March 15, 1996 and declared that his office “found no evidence that state or federal funds were being used improperly for lobbying purposes.”(38)

Bill Fritz, after reading the auditor’s reply, sent a memo to the other tobacco lobbyists in complaint:

The audit appears to have been “a once over lightly” effort that either avoided some questions poised by Rep. Huff or provided inadequate answers....My thoughts are that we should draft another letter for Rep. Huff’s signature pointing out and reasking the questions that were not answered...(39)

Although the audit requests never resulted in penalties, the PDC complaint concluded a three year long process that ended in an agreement between the PDC and the DOH in December, 1999. The DOH stipulated that it had unknowingly disobeyed the state statute mandating the disclosure of lobbying expenses by failing to report four of their funded programs:

- a. A newsletter from November 1994 containing a paragraph which encourages readers to write letters to the Governor “urging further protections for workers from secondhand smoke.”
- b. An action alert encouraging the recipient to write to the Liquor Control Board to encourage a rule which would limit tobacco sampling.
- c. Portions of a training manual, which contain sample letters to legislators and legislators’ voting histories on tobacco legislation.
- d. A press release from February, 1995 regarding tobacco tax rollback legislation.(40)

It is worth noting that the violations were not *actions* taken by DOH, but rather the failure to appropriately *report* these actions.

The PDC levied a \$2500 fine against the DOH and required a new training program to teach all staff about the statutes related to lobbying. The lingering effects of these events still influence advocates and DOH practices and procedures in a way that has limited DOH activities in the policy realm.(7, 40)

Although DOH implemented a new anti-tobacco program beginning in July, 2000, the DOH is still reticent to work aggressively on public policy interventions designed to reduce tobacco use, such as clean indoor air.(8) The Secretary of Health, Mary Selecky, has a reputation for being committed to tobacco control,(41) as do many of the people in the DOH, but the insecurities formed during the ASSIST years have been hard to put aside. Many advocates, attempting to work with the DOH on the issue, find that there has indeed been a chilling affect within the Department, exactly as the tobacco industry had hoped there would be. The lobbying laws are still not universally understood, and as a result, department policy is inconsistent and employees are reluctant to even mention advocacy. Rather than providing strong leadership, the DOH has primarily dedicated itself to education, not action or policy interventions.(8)

The industry attacks on ASSIST have also had a chilling effect on the tobacco control advocates outside government. TFWC was once a state-wide advocacy network, but after ASSIST, the group disbanded. As a result, advocates were limited to working in smaller, disconnected local coalitions. The effect of this breakdown in advocacy strength has had a negative impact on lobbying efforts and their attempts to receive a resolution to the preemption issue.(8).

In 1998, Washington DOC, American Heart Association, American Cancer Society, American Lung Association of Washington, Washington State Medical Association, Friends of the Basic Health Plan, Washington State Hospital Association, Group Health Cooperative, Sisters of Providence Health System, Peace Health, Washington Council of Churches, Children's Alliance, the League of Women Voters, Tobacco Free Kids, and other organizations formed the Washington Alliance for Tobacco Control and Children's Health (WATCH), as a lobbying group to fill this void. WATCH is funded through its member organizations and has helped reorganize the broad coalition that began with TFWC. Since WATCH includes such a broad array of social and health services groups, they have been able to forge relationships with key legislators and state leaders. Members of WATCH believe that they have increased media awareness and support for tobacco control, increased youth involvement throughout the state, and lobbied to protect funding for tobacco control programs.(8)

Spending the Settlement Money

In November 1998, two and a half years after Washington filed suit against the tobacco companies, Attorney General Christine Gregoire led a group of Attorneys General who settled the state lawsuits brought by 46 states against the tobacco industry. Her efforts resulted in a \$206 billion settlement, called the Master Settlement Agreement (MSA),(2) which gave nearly \$4.5 billion to Washington state over a 25 year period (with payments continuing after that) to provide restitution for three violations of Washington law: deceptive marketing to children, misrepresentation about the health risks of tobacco, and conspiracy to conceal those risks. (1) Other states based their lawsuits on Medicaid reimbursement for the costs of treating smoking-related diseases. The Master Settlement Agreement settled these monetary claims and placed some limitations on tobacco industry marketing. While some aspects of the Master Settlement Agreement -- including the fact that it settled all 46 cases at once and the process used to ratify it -- were criticized by national tobacco control advocates, Gregoire was praised in the local media and is widely regarded as the state's most powerful anti-tobacco advocate.(8)

While the MSA provided a large amount of money to the state, nothing in the MSA *required* that any of these funds be spent on tobacco control. The allocation of funds was left to the normal

legislative budgetary process. While other states funneled their money into the General Fund or non-health programs, Washington state became the first state to spend all of their settlement money for health programs. (14)

In May 1998, several months before the MSA was announced, tobacco control advocates met and prepared, at Gregoire's request, a Tobacco Task Force Report which recommended that a comprehensive tobacco control program be established if Washington received any settlement money. The resulting report, *A Comprehensive Tobacco Prevention and Control Plan for Washington State*, (42) followed the recommendations of the US Centers for Disease Control and Prevention recommendations (43) for creation of a comprehensive tobacco control program which would help fulfill three main goals: 1) to help more adults stop smoking; 2) to keep fewer young people from starting smoking; and 3) to keep non-smokers less exposed to the risks from Environmental Tobacco Smoke (ETS).

The task force made funding and program recommendations in eight areas:

1. Establish a statewide oversight committee. (annual budget \$2.25 million)
2. Improve school based tobacco programs to impact the largest percentage of youth. (annual budget \$4.96 million)
3. Create ready access to state of the art cessation programs for Washington citizens with special emphasis on youth. (annual budget \$11.26 million)
4. Reduce youth access to tobacco by strengthening our laws and increasing our enforcement efforts. (annual budget \$1.65 million)
5. Community-based programs should be funded through the Department of Health to local lead agencies in every county. (annual budget \$10.7 million)
6. The state must invest in an ongoing public education and awareness campaign. (annual budget \$16.3 million)
7. Evaluate programs on a regular and ongoing basis to ensure we have the best and most effective programs. Conduct research in tobacco addiction and prevention. (annual budget \$4.5 million)
8. Further consideration of other policy changes including: eliminating exposure to ETS through statewide restrictions; removing any state preemption of local governments; reducing tobacco promotion and advertising; and creating economic disincentives to sell or buy tobacco.(42)

In total, the task force recommended spending \$51.6 million dollars a year on a comprehensive tobacco control program. The final program approved by the legislature would be much more limited.

The plan was delivered to the Attorney General a few weeks before the settlement was reached. After the settlement was agreed upon, Gregoire took great pains to ensure that the settlement money would be used for health programs and not poured into the General Fund for the state. Washington voters approved Initiative 601 in 1993. This initiative imposed a cap on state spending which could only increase because of inflation and population growth. All money in the General Fund is subject to the expenditure limits. If tobacco settlement money was received and

put into the General Fund, then tobacco control programs would not receive adequate funding because other programs would have to be cut to offset the new expenditures.(14)

Consequently, Gregoire's first goal was to guarantee that the settlement money would be put into the Health Services Account which funds the Basic Health Plan and is not subject to the spending limits. She convinced the legislature to direct the money accordingly. She also wanted to persuade the legislature not to enact any programs which would become an automatic part of the state budget and require annual commitments for funding. Since the tobacco industry would be making payments based on sales, she did not want the legislature to be under the impression that the money was guaranteed. Payments could go down, the companies could declare bankruptcy, and other unexpected events might reduce the funding amounts. This approach makes the tobacco money more vulnerable to political whims because it must be appropriated each budget year. However, it also protects the state from any future decreases in the settlement payments.(14)

Regardless of the political maneuvers taken to ensure funding, Gregoire and Governor Gary Locke (D) did want to use some of the money to create a tobacco control program. In his 1999 budget, Locke suggested a one-time appropriation of \$150 million dollars to create and sustain the tobacco prevention program for 7-10 years. The rest of the money would be permanently dedicated to the Health Services Account, which was funded by the tobacco tax first levied in 1993.(44)

WATCH, the group formed in 1998 to replace TFWC, lobbied in support of this plan. The legislature, however, would only fund an appropriation of \$100 million for tobacco control, which was included in the 1999 budget. The \$100 million was put into an account called the Tobacco Prevention and Control Account (within the Health Services Account in the state budget).(45)

After the Tobacco Prevention and Control Account was created in 1999, the Department of Health submitted its proposal to the Legislature for the anti-tobacco program. Closely following the advocates' plan and the CDC guidelines, the DOH requested \$26 million to initiate the program. Many people in the legislature were surprised at how high this amount was. At that rate, the money in the tobacco account would only sustain the program for four years.(45)

WATCH supported the plan proposed by the DOH. They energized their members to contact legislators about the significance of an extensive tobacco control plan. WATCH also organized a youth rally at the state capitol and pressed their agenda in the media. However fiscally-conservative Republicans and Democrats in the legislature, including Sen. Valoria Loveland (D-Franklin, former co-chair of the Senate Ways and Means Committee) wanted to give only \$2 million for the program's first year. Senator Loveland had the lowest tobacco policy score (1.7, very pro-tobacco) in the legislature for the 1995-1996 sessions.(1)

These same legislators also wanted to raid the Tobacco Prevention and Control Account to supplement local public health agencies which provided basic medical services.(45) In 1999, the state was facing an impending funding crisis due to the passage of Initiative 695, which eliminated Washington's graduated automobile tax and set vehicle licensing fees at a flat \$30.* The result was

*This initiative was most damaging because the Washington Constitution prohibits a state income tax. The license tax was an alternate income tax for the state. However, in October, 2000, the Washington State Supreme Court declared that I-695 was unconstitutional. The legislature

a huge financial loss for many small counties who received funding from the state and depended on that money to provide public health services, such as inoculations and preventative care. Public health officials estimated that many counties could lose more than 20 percent of their health budgets.(46) The Tobacco Prevention and Control Account, with its \$100 million, was one of the accounts considered by Republicans and fiscally conservative legislators to offset the projected shortages. Using the need to pay for indigent health services and immunizations is a common justification for cutting tobacco control programs. (24)

In the end, the legislature supported these medical programs by appropriating \$33 million from the general fund to the counties to offset the shortage. Rep. Frank Chopp (D-King), Democratic Co-Speaker of the House, and Rep. Eileen Cody (D-W. Seattle), Democratic Co-Chair of the House Health Care Committee, Attorney General Gregoire, Department of Health Secretary Mary Selecky and WATCH strongly supported the Department of Health’s program and opposed any efforts to divert funds from the Tobacco Control Account. Co-Speaker Chopp held firm and refused to allow the tobacco money to be withdrawn from the account.

Chopp reached a compromise with the Republican leadership to spend \$15 million for the program’s first year starting in July 2000 (45) (Table 16). Gregoire, whose political influence was very high after she negotiated the MSA, used her influence to pressure legislators to support the tobacco control program. She also convinced legislators and the Office of Financial Management that the money was restitution from a lawsuit and that the purpose of the lawsuit was to win money to support tobacco control and public health. In the end, she felt that most legislators were not willing to challenge her.(14)

The tobacco control account, although specifically dedicated by the legislature for that purpose, could be in danger from future legislatures as well. The money must be appropriated for the Department of Health program each budget year (odd numbered years) by the legislature, and it is not permanently protected from being used for purposes other than tobacco control. The 1998 legislature, which created the account, cannot dictate to upcoming legislatures on how they should spend this money. In the future, there will surely be as many battles regarding how much money to reserve in the account as well as how much money to appropriate from the account.(45)

| | |
|-----------------------------------|---------------------|
| Centers for Disease Control | \$ 33 to 89 million |
| Washington Health Advocates | \$ 51.6 million |
| Department of Health Proposal | \$ 26 million |
| Fiscally Conservative Legislators | \$ 2 million |
| Final Compromise | \$ 15 million |

Department of Health Tobacco Control Program

The Department of Health debuted its tobacco control program in July, 2000. The program, modeled on the Centers for Disease Control’s guidelines and incorporating the task force recommendations, contains six general areas: 1) Community-based programs; 2) School-based

subsequently passed a law which, in the spirit of the initiative, set license plate fees at \$30.(14)

programs; 3) Cessation; 4) Public Awareness/Media; 5) Youth Access; 6) Assessment and Evaluation.(47)

The \$15 million allocated for the first year of the program was divided in the following manner:

1. \$4 million for community based programs, including \$1.5 million for statewide activities and \$360,000 for tribal contracts.
2. \$2.5 million for school based programs.
3. \$1.2 million for cessation efforts including a toll-free quit line.
4. \$5.3 million for public awareness and education, including a mass media campaign targeted to adults and youth in grades 4-12.
5. \$1.2 million for assessment and evaluation.
6. \$100,000 for youth access activities to discourage sales to minors.
7. \$700,000 for administrative costs including management and monitoring of county contracts. (48)

Instead of cutting any of the components because of the decreased funds, the DOH decided to make across-the-board cuts in its original plan. The state's six largest counties (King, Snohomish, Pierce, Clark, Spokane, and Kitsap) have a combined population of 3,827,800 and received the bulk of the money allocated to counties, because they were deemed most ready to incorporate the program's components into their existing public health and community networks. It was also important for the Department to incorporate the program to the majority of the state's citizens, so as to show results quickly. Supporters of this strategy argued that by spending the most money in the largest cities and counties, the community-based portion of the program could reach the most people in the least amount of time.(48, 49)]

The Department was also mindful of the fact that many of the smaller counties have the highest smoking rates in the state. In order to reach these areas and prepare them to implement the full program in the years following 2000, the remaining 33 counties, with a combined population of 1,779,000, received \$20,000-65,000 each to establish the support networks necessary to start the program. In the following years, when they are ready to manage the programs, the smaller counties will share a greater percentage of the money.(41)

The Department must lobby the Legislature for more funds from the Tobacco Prevention and Control Account during the 2001 session. The Legislature passes the statewide budget in odd numbered years. Several factors could influence the future of the program. The Department will have to show that the program has been a success and that the smaller counties have used their funds to create support networks.

New research has created a situation in which some legislators and public health advocates may want to shift money from the school programs into other areas since the December 2000 release of a report by the Fred Hutchinson Cancer Research Center in Seattle, WA. The Hutchinson Smoking Prevention Project (HSPP), detailed in the December 20, 2000 issues of the *Journal of*

the National Cancer Institute, reported the results of a 15 year study of Washington school children. Children in grades 3-12, from 40 randomly assigned Washington school districts were placed either into a control group or a group which received anti-smoking curriculum. The study found that, after fifteen years of school-based anti-smoking programs, that these programs did not work:

Results: No significant difference in prevalence of daily smoking was found between students in the control and experimental districts, either at grade 12...or at two years after high school. Moreover, no intervention impact was observed for other smoking outcomes, such as extent of current smoking or cumulative amount smoked, or in subgroups that differ in *a priori* specified variables, such as family risk for smoking. *Conclusion:* The rigor of the HSPP trial suggests high credence for the intervention impact results. Consistent with previous trials, there is no evidence from this trial that a school-based social-influences approach is effective in the long-term deterrence of smoking among youth.(50)

The tobacco industry has long advocated putting money into school programs because they are less effective than other means of tobacco control. With the publication of the Hutchinson study, however, the legislature and the DOH may attempt to stop funding school-based programs in the 2001 budget. General Gregoire, while supportive of that action, has declared that she will fight efforts to reduce overall funding of the tobacco control program. Any decrease in school funding must be offset by an increase in the other, more effective areas of the program.(14)

Local Activities

Because of their uncertainty over local smoking preemption and the reality of youth access preemption, counties and cities who wished to act on tobacco control worked to pass advertising restrictions and ordinances requiring all smoking restaurants to post signs warning customers that secondhand smoke is present in those establishments. Puyallup, the only city willing to pass smoking restrictions, soon found that the industry was a formidable opponent.

Puyallup

In 1994, the City of Puyallup in Pierce County (population 27, 000) passed the strongest local smoking ordinance in the state of Washington. The ordinance called for all of the city's restaurants to be smoke free. Bars, taverns, and cocktail lounges were excluded from the ordinance. Many public health agencies including the American Cancer Society, Pierce County Health Department, and a majority of private citizens and restaurant owners, supported the ordinance.(51) Opposition to the ordinance was led by a smokers' rights group funded by RJ Reynolds Tobacco and other local restaurant owners.(1)

RJ Reynolds used several strategies to combat the ordinance. RJR gave assistance (financial and legal) to restaurant owners who opposed the regulations. They circulated a video which highlighted the alleged negative effects of smoking restrictions, including restaurant owners who complained of lost business. They also had a camera crew film local restaurant patrons who said that they would eat outside of the city if the ordinance was adopted. When the ordinance was initially proposed, all seven council members supported it. RJ Reynolds' tactics succeeded in gaining three supporters on the city council, who voted against the ordinance.(1)

After being read and passed at three successive city council meetings, the ordinance was finally adopted (by a 4-3 vote) in August, 1994. Implementation was delayed until January 1, 1995 so that restaurants could get ready for to the new law.(1)

In November, 1994, the Seattle law firm of Byrnes & Keller, one of the largest in Seattle, filed suit against the city, the city council, and Mayor Mike Deal on behalf of nine Puyallup restaurant owners. The suit was funded by RJ Reynolds, and the law firm was the same one that represented Stuart Cloud in his complaint against ASSIST (financed by the Tobacco Institute). The restaurant owners argued that the ordinance was in violation of the Clean Indoor Air Act which they claimed preempted local governments from surpassing its provisions. (1)

The City Attorney, Robin Jenkinson, was of the opinion that the state law was not preemptive. During her review of the Washington Administrative Code Provisions, she found nothing which would preclude the city from passing its ordinance.(52) Despite their belief that the ordinance was legal, the Council members soon found that the pressures of facing an expensive lawsuit were too much to bear. Even if they won in Superior Court, the industry would appeal the case and extend the issue for years to come. They also found that their insurance provider, Washington Cities Insurance Authority, did not cover the costs of the lawsuit because it resulted from an intentional act of the City council.(53) According to a copy of a December 7, 1994 letter to the city found in tobacco industry files, Lewis Leigh, Executive Director of Washington Cities Insurance Authority, concluded that:

[they] could find no basis for coverage nor defense, given that there are no damages claimed, and essentially nothing for us to do until the suit is so amended. However, while we are in this waiting period, I must advise in good faith that I am apprehensive as to the expected allegations which could be made against the city and especially those made against the individual council members personally. These regard civil rights violations, punitive damages and intentional acts, which can cause such severe individual hardships that I strongly suggest the council reevaluate their position against an opponent with national financial backing.(54)

In order to have the lawsuit dropped, the council agreed to rescind the ordinance. The plaintiffs agreed not to seek attorney's fees from the city. In addition, the city agreed that if they ever passed another ordinance and it was found to violate the Clean Indoor Air Act, then they would be liable for all the stipulated attorney's fees.(1) In December, 1994, the council voted 6-1 to repeal the ordinance. Councilmember Don Malloy (now Mayor) was the lone dissenter. In a December 21, 1994 article in the Seattle *Post-Intelligencer*, Malloy said that he was "'appalled by the arrogance of the tobacco companies,' using their financial clout, 'to threaten and intimidate a small community.'"(55)

RJ Reynolds defended their position in the Tacoma *News Tribune*. Peggy Carter, manager of media relations for RJ Reynolds, said that "'The plaintiffs in this case came to us because they couldn't afford to fight City Hall. We still feel very strongly that the ordinance was not defensible and believe that would've been shown in a court of law.'"(56)

In a December 20, 1994 memo to Tracey Scott-Woods (Philip Morris) and Dan Wahby (Tobacco Institute), Steve Seago of the Northwest Business and Labor Alliance described the outcome in Puyallup and reiterating the need to keep the tobacco industry's role in the background:

As anticipated, the Puyallup City Council withdrew the smoking ban ordinance last evening....*I'm satisfied with the outcome excepting for the media coverage and tobacco industry connection....I would like your advice as to how we can more effectively manage this aspect of our efforts in the future.* We have the ability to manage the public relations activities of our local organizations, but have been undermined by the attorney and his insistence on a strategy that contains no sensitivity to grass roots organization, *our efforts to create this credible local group*, and an understanding of the larger picture.(57) [emphasis added]

Since the rescission of the ordinance, several restaurants in Puyallup have become voluntarily smokefree. Although Puyallup did settle the case, their reasons did not stem from any concern about the legal merits of their case. The city council made their decision strictly based upon the fiscal concerns of their community and the cost of litigating against the tobacco industry. Ms. Jenkinson, the city attorney, had no doubts as to the legal merits of the ordinance. Despite these mitigating factors, the failure of this ordinance helped cement the view in Washington that it was not possible to pass a local clean indoor air ordinance because of the “implied preemption” in the state Clean Indoor Air Act.

No other community has stepped forward to pass a local ordinance and challenge this view in court. The Attorney General has not issued a formal opinion on the subject, none of the advocates have commissioned independent legal research challenging the assertion that the state law is preempted, and there has been no successful effort to clarify the wording of the state law in the legislature.

Advertising Restrictions

Because of the view that localities were preempted from passing clean indoor air legislation, several cities and counties turned their attention to passing advertising regulations. King, Pierce, Snohomish and Spokane counties passed successive outdoor and color advertising bans between 1996 and 1999. The Pierce County restrictions were challenged in court by the tobacco industry.

The Tacoma-Pierce County Health Department, (a joint department consisting of the City of Tacoma and Pierce County) in an effort to help limit children's access to tobacco, decided to focus on outdoor advertising restrictions as part of their prevention programs. They initially focused on some of the more prominent billboards in the community, but soon noticed that all of their convenience stores, including ones across the street from or very near schools, were plastered with tobacco posters urging customers to smoke. The Health Department felt that these tobacco advertisements were invading into the daily lives of children. They crafted an ordinance which would restrict advertisements that could be viewed from the street and which were easily accessible to children. They made exceptions for tobacco price and availability information, but only if this was in a tombstone format (black & white text only).(6)

The Health Department began publicizing their intentions in October, 1996. At the Board of Health meeting, there was a significant turnout. Public opposition came from convenience store owners and smokeshop owners, but support was generally widespread throughout the community. In December 1996, the Board adopted the regulations and set an effective date of March 1, 1997. Following the adoption of the ordinance, the Department was contacted by some opponents, notably a large billboard company which wanted to delay enforcement. The convenience stores brought

suit in federal court against Pierce County, the Health Department, the City of Tacoma, and the Board of Health in February 1997. The plaintiffs included three local business persons who each owned several stores and claimed that they had lost sales because of the ordinance.(6)

Brad Keller (of the law firm of Byrnes & Keller who represented Stuart Cloud against ASSIST) was the attorney for the plaintiffs. In conversations with the Health Department's counsel, Cliff Allo, Keller admitted that their suit was financed by "people back east," but he did not specify the tobacco companies. (After the case was completed, Keller wrote a letter to Allo and signed as counsel for Philip Morris and RJ Reynolds.(6))

The lawsuit, *Lindsay v. Tacoma-Pierce County Health Dep't*, (195 F. 3d 1065 (9th Cir. 1999)) alleged that the Board of Health had no authority to implement such restrictions, that the ordinance was preempted by the federal Cigarette Labeling Act of 1965, and that it violated the First Amendment protections of free speech. The complaint was later amended to include a state preemption claim under the Tobacco-Access to Minors legislation, which contains a very broad preemption clause, preventing local governments from regulating any activities covered in the legislation (RCW 70.155.130).(6)

Keller argued that the Board exceeded its authority in passing the restrictions and that they should not have power over economic decisions. The Board, however, did not use economic factors in making its decision. The sole purpose was to eliminate illegal sales and exposure to young people. They reasoned that, since they permitted providing price and availability information to adults, sales would not suffer. If sales did indeed decrease, the Board argued that these would be the sales to children, which were illegal and could be regulated.(6)

The pretrial motions and discovery began in June 1997 in the federal district court for the Western District of Washington at Tacoma, presided over by Judge Robert Bryan. The judge decided to separate the case into two sections: 1) authority, federal preemption and state preemption; and 2) First Amendment issues. Bryan would hear motions on the first three issues and decide on those before addressing the first amendment arguments. In November, Bryan decided that the ordinance was a location restriction and not a prohibition on advertising, therefore it did not violate federal or state preemption or overreach the authority of the Board of Health. This decision left the attorneys in a rush to research and write their First Amendment arguments in order to meet a December 31 deadline set by the court.(6)

During the depositions, held from December 15 to December 31, Allo, the Board's attorney, and co-counsel Joe Lawrence, asked the plaintiffs for financial records. The Health Department's attorney had a hunch that the plaintiffs would rather walk away from the tobacco companies' lawsuit than open their books to inspection in discovery. Only Mr. Lindsay completed his deposition. Because he had lost his store—and all its records—to a fire a few months earlier, he had nothing to produce. (6)

Both sides filed their motions for summary judgment on the First Amendment issues. Judge Bryan scheduled oral arguments for March 1998. During oral arguments, Keller once again refused to disclose who was paying his fees, in spite of a request from the judge. Several weeks later, Judge Bryan again found in favor of the Health Department. Keller immediately filed an appeal.(6)

Oral arguments for the appeal were scheduled for August 1999. The industry hired Floyd Abrams, a leading national expert on the issue who often testified for the tobacco industry, to present their oral arguments on the potential First Amendment violations.* Allo felt that his case was strong, in light of several other cases across the nation that had withstood challenges. In Baltimore, MD in 1996, a tobacco advertising ordinance was upheld by the Court of Appeals for the Fourth Circuit under the same charges of preemption and First Amendment violations (*Penn Advertising, Inc. v. Mayor and City Council of Baltimore*, 63 F.3d.1318 (4th Cir. 1995)). The Supreme Court refused to hear the case, and the appellate decision has remained in force.(6)

Nevertheless, Abrams argued that the Baltimore Fourth Circuit Court had erred and the Ninth Circuit Court agreed with him. They issued their opinion in November 1999 in favor of the tobacco companies. The court ruled that the Cigarette Labeling Act preempted local governments from regulating tobacco advertising because of any health concerns, regardless of the means chosen for the regulations.(6)

After the decision was rendered, the Health Department had a few weeks to decide whether or not to appeal to the Supreme Court. Before the deadline had expired, Keller approached the Health Department with an offer: If they would not pursue the case any further, then his clients would not ask for any reimbursement of attorney's fees. The Board of Health decided that instead of paying for Keller and Abrams' attorneys fees, they would drop the case at that point, and they signed a settlement agreement to that effect.(6)

On December 27, 1999, the Ninth Circuit Court in San Francisco issued an order for the parties to submit briefings within three weeks to determine whether an *en banc* panel should hear the case. This would mean that a larger panel of judges, possibly 11 instead of the previous 3, would hear and decide on the case, effectively giving the Health Department another chance to defend the regulation. The court took this initiative without any urging from the parties involved in the suit. Apparently, they wanted to determine whether or not the case merited an *en banc* hearing.(6)

Allo convinced the Health Department's insurance company that following the order would not breach the previous settlement agreement, and they proceeded to submit their briefs. The Health Department was supported by many *amicus curie* (friend of the court) briefs from all over the country. At the trial level, they had received no vocal support. For the first appeal, Don Garner a law professor from Southern Illinois, submitted a brief on behalf of the major voluntary health agencies (American Cancer Society, American Heart Association, and American Lung Association) and several cities in California. At the second appeal, the Health Department was supported by Attorney General, Christine Gregoire, as well as the United States Attorney General and Attorneys General from at least 20 other states.(6)

*Abrams, a partner in the New York City-based firm of Cahill, Gordon & Reindel, is considered to be the nation's ultimate authority on the First Amendment. He was part of the legal team for the *New York Times* in *New York Times Co. v. United States*, the 1971 case which resulted in the continued publication of the Pentagon Papers. In 1996, he represented the tobacco industry in their conflict with the FDA regarding their proposed cigarette advertising restrictions. On February 10, 1998, he testified before the United States Senate Committee on the Judiciary regarding potential First Amendment violations in the MSA.

All of this effort was to no avail. On March 13, 2000, after reviewing the briefs from Allo and Keller, the Ninth Circuit issued their order: “the mandate [from the first appeal] will issue.” The rehearing was denied, the first appeal would stand, and the settlement agreement precluded the Health Department from going to the Supreme Court.(6)

Despite this situation, the issue is not dead. In addition to the Baltimore case, cases over similar restrictions in Chicago and New York City (*Federation of Advertising Industry Representatives, Inc. v. City of Chicago* and *Greater New York Metropolitan Food Council, Inc. v. Guiliani*) were upheld on appeal by the Seventh and Second Circuit Courts, respectively, as not preempted by federal law. On April 17, 2000, both cases were denied review by the Supreme Court. The Ninth Circuit was the only one to find that an advertising ordinance was in violation of the Cigarette Labeling Act.

The Supreme Court will hear an advertising case on April 25, 2001. They granted review to a case in Massachusetts, *Consolidated Cigar Corp. v. Reilly*, 2000 WL 960526 (1st Cir. Mass., July 17, 2000). The Court of Appeals for the First Circuit upheld Massachusetts’ statewide restrictions on indoor and outdoor advertisements that are within 1,000 feet of schools and playgrounds. The court found for the state on the two major issues: that the law was not preempted by the Cigarette Labeling Act and that the regulations did not violate the First Amendment. The Court of Appeals did, however, repeal planned cigar warning labels and restrictions.

The Tacoma-Pierce County Health Department, in keeping with the mandate from the Ninth Circuit Court of Appeals, no longer enforces their ordinance, but has also decided not to repeal it. Once a national decision on the issue is reached by the Supreme Court, they are free to amend their ordinance in accordance with that decision.(6)

The tobacco industry, after coercing the Health Department with threats to seek attorney’s fees, effectively derailed the efforts of the City of Puyallup and the Tacoma-Pierce County Health Department. These setbacks have discouraged other communities from challenging the industry on the issues of secondhand tobacco smoke and advertising.

Spokane County

In 1996, Spokane County wanted to pass an ordinance creating smokefree restaurants in their jurisdiction. Before they attempted an ordinance, advocates and public health officials polled the community to determine levels of support for smokefree restaurants. Residents were asked whether they supported smokefree restaurants, bars, and concert/sports arenas. Over 80 percent of those polled supported smokefree restaurants, but the numbers were significantly lower for bars and arenas.(58) Reassured by such significant community support, the Regional Health District and the Spokane ASSIST project visited the city council and the county commissioners, but eventually decided to try and enact an ordinance through the Board of Health.

In Spokane County, the three county commissioners also serve on the Board of Health. In 1996, the commissioners were Phillip Harris, Steve Hassan, and John Roskelly. Despite the support from the community, the city attorney advised the board not to attempt an ordinance because it might violate the state Clean Indoor Air Act. Still wanting to regulate the issue in some way, the Regional Health District and John Beare, the Public Health Director, proposed the Big Air Program. Originally, the program called for all restaurants who allowed smoking to post a large,

poster-sized, red sign which warned customers of the dangers of secondhand tobacco smoke. However, two of the commissioners, Harris and Hassan, were concerned about the effect such signs would have on local businesses. John Roskelly, who has a reputation of being very health-conscious, supported the prominent signs.(58, 59)

The program was eventually watered-down to address the pro-business concerns of a small portion of the community. The signs that were adopted, mention nothing of the dangers of secondhand smoke. The program informs people whether a restaurant allows smoking in its entirety (red sign), has designated smoking areas (yellow sign), or is entirely smokefree (green sign). The Health Department also sponsors a billboard campaign to persuade people to patronize smokefree restaurants. Since the ordinance was adopted, many restaurants in Spokane have become voluntarily smokefree.(59)

The Health Department has seen positive results through their program, but the tobacco industry also advocates sign requirements as opposed to smokefree restaurant ordinances. The tobacco industry’s primary tactic for fighting meaningful regulation of smoking in restaurants is “accommodation.”(60) One form of “accommodation” is their “Red Light, Green Light” program in which signs similar to those used in Spokane are voluntarily posted. (Figure 5 shows signs from Spokane and a sign from Philip Morris’ “Accommodation Program.”) The industry’s approach is to “accommodate” the concerns of local governments, the industry can submit their own, substandard and weak legislation in place of stricter programs, favored by public health advocates, which eliminate secondhand tobacco smoke in public places.

In addition to the Big Air Program, Spokane County also passed advertising restrictions which were implemented in 1999. The penalties for noncompliance were much larger than in King, Pierce or Snohomish Counties. After the restrictions went into effect, the Health Department began to receive letters from the industry challenging the legality of the regulations. When the Ninth Circuit issued their opinion revoking the Pierce County restrictions, Spokane decided to change their regulation to a resolution and negate the penalties. If the Supreme Court upholds advertising restrictions, Spokane can change the resolution back to its original form. (59)

Conclusions

The tobacco industry has effectively used state preemption – or claims of preemption – to

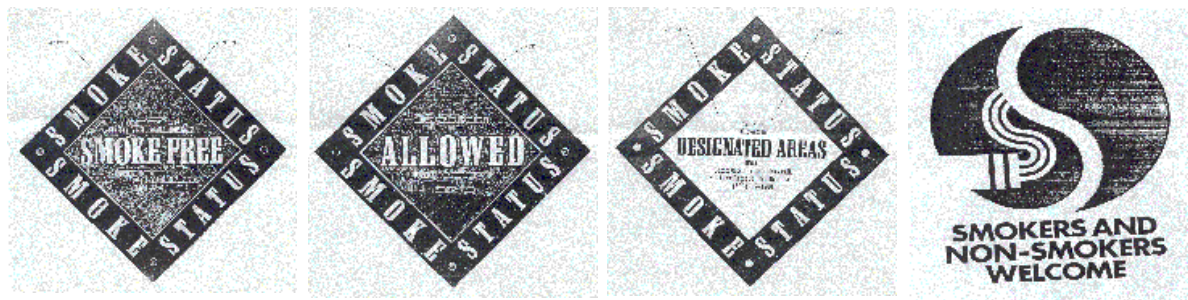


Figure 5. Whether by design or by accident, these three signs on the left, displayed in Spokane restaurants, are identical to ones suggested by the tobacco industry’s National Smokers’ Alliance in West Virginia and elsewhere as part of the industry’s Red Light/Green Light voluntary programs for smoking in restaurants. The sign on the right, from Philip Morris’ “accommodation program,” exhibits a similar theme.

stop local regulation of the tobacco industry or creation of smoke free environments in Washington. Despite ambiguities in the state Clean Indoor Air law, the Attorney General has not issued a definitive opinion, no locality has been willing to go to court to resolve the issue, and there has been no successful effort in the state legislature to clarify the issue or remove preemption, if it exists. A bill which would specifically grant local governments the right to pass Clean Indoor Air legislation, HB 1448, was introduced in the Legislature for the 2001 session.

Efforts at controlling advertising and promotions have been thwarted by the Ninth Circuit Court of Appeals, but there is a chance, with the upcoming Massachusetts advertising case, that the Supreme Court will act in a way that will allow localities to enforce such regulations. In all of their lawsuits against local governments, the industry has used threats to seek attorneys' fees as a tool to win or settle their lawsuits. These threats, while not supported by Washington law, could be upheld if the industry ever proved that their civil or constitutional rights had been violated. Federal lawsuits do provide recourse to seek attorneys' fees and the industry has used this tactic to full advantage in order to frighten small, cash-strapped municipalities.

Health advocates, since the demise of the Tobacco Free Washington Coalition, have been working in smaller, local coalitions which has diluted their power. A new coalition, WATCH (Washington Alliance for Tobacco Control and Children's Health), has had success at the statewide level to secure funding for the Tobacco Prevention and Control Account in 1999 and in 2000 to allocate money for the Department of Health program.

The new Department of Health program, under the leadership of Mary Selecky, the Secretary of Health, though too new to be judged, could result in improvements in smoking initiation and cessation rates. They are not, however, dealing with the issue of clean indoor air, which has proven to be an effective tobacco control strategy elsewhere and which has generated the strongest resistance from the tobacco industry. Since their troubles over ASSIST, they also seem reluctant to pursue public policy interventions designed to reduce tobacco use. Instead, they seem focusing on programs focused on children that the tobacco industry tends to allow to proceed unchallenged. Their caution, while it prevents them from charges of lobbying with public funds, is not conducive to successfully confronting the tobacco industry.

Despite the fact that public health advocates and many government officials are committed to tobacco control, the industry has managed to keep significant change out of reach. Without a successful resolution of the issue of preemption, a Supreme Court victory on advertising, and full funding for tobacco control education, Washington may see that their gains from the 1990s will be diluted in the years to come.

The question for the future is whether the public health advocates – both inside and, more important, outside government – will mobilize the resources and take the political risks necessary to restore the vigorous tobacco control agenda that existed in Washington in the mid-1990s.

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APPENDICES

**TABLE A-1: CONTRIBUTIONS TO LEGISLATIVE
OFFICEHOLDERS AND CANDIDATES, 1985-1994**

| Officeholder/Candidate | Party | House | 1985-92 | 1993-94 | Grand | Tobacco |
|------------------------|-------|-------|---------|---------|----------|-----------------|
| | | | | | Total | Policy Score |
| Anderson, Ann | R | S | \$1,150 | \$1,000 | \$2,150 | 3.8 |
| Anderson, Cal | D | S | \$200 | \$500 | \$700 | 8.0 |
| Appelwick, Marlin | D | H | \$3,516 | \$0 | \$3,516 | 7.3 |
| Backlund, Bill | R | H | | \$850 | \$850 | |
| Ballard, Clyde | R | H | \$9,650 | \$1,180 | \$10,830 | 3.8 |
| Ballasiotes, Ida | R | H | | \$910 | \$910 | 4.4 |
| Basich, Bob | D | H | \$100 | \$400 | \$500 | 5.0 |
| Bauer, Albert | D | S | \$1,100 | \$250 | \$1,350 | 7.3 |
| Beeksma, Barney | R | H | | \$650 | \$650 | |
| Benton, Don | R | H | | | \$0 | |
| Blanton, Jerry | R | H | | \$500 | \$500 | |
| Boldt, Marc | R | H | | | \$0 | |
| Brown, Lisa | D | H | | | \$0 | 8.0 |
| Brumsickle, Bill | R | H | \$1,100 | \$500 | \$1,600 | 6.7 |
| Buck, Jim | R | H | | | \$0 | |
| Cairnes, Jack | R | H | | \$600 | \$600 | |
| Campbell, Tom | R | H | \$0 | \$94 | \$94 | 5.3 |
| Cantu, Emilio | R | S | \$1,000 | \$0 | \$1,000 | 4.3 |
| Carlson, Don | R | H | \$0 | \$500 | \$500 | 5.0 |
| Carrell, Michael | R | H | | \$350 | \$350 | |
| Casada, Sarah | R | H | \$720 | \$911 | \$1,631 | 2.5 |
| Chandler, Gary | R | H | \$1,825 | \$650 | \$2,475 | 4.0 |
| Chappell, David | D | H | \$0 | \$0 | \$0 | 4.0 |
| Chopp, Frank | D | H | | | \$0 | |
| Clements, James | R | H | | \$350 | \$350 | |
| Cloud, Stewart | R | H | | | \$0 | |
| Cody, Eileen | D | H | | | \$0 | |
| Cole, Grace | D | H | \$1,850 | \$0 | \$1,850 | 8.8 |
| Conway, Steve | D | H | | | \$0 | 8.0 |
| Cooke, Suzette | R | H | \$0 | \$550 | \$550 | 4.5 |
| Costa, Jeralita | D | H | | | \$0 | |
| Crouse, Larry | R | H | | \$150 | \$150 | |
| De Bolt, Richard | R | H | | | \$0 | |
| Deccio, Alex | R | S | \$1,650 | \$0 | \$1,650 | 2.6 |
| Dellwo, Dennis | D | H | \$375 | \$0 | \$375 | 8.0 |
| Delvin, Jerome | R | H | | | \$0 | |
| Dickerson, Mary | D | H | | | \$0 | |
| Drew, Kathleen | D | S | \$0 | \$0 | \$0 | 7.5 |
| Dyer, Philip | R | H | | \$1,000 | \$1,000 | 3.8 |
| Ebersole, Brian | D | H | \$1,300 | \$750 | \$2,050 | 6.4 |
| Elliot, Ian | R | H | | \$150 | \$150 | |
| Fairley, Darlene | D | S | | | \$0 | |
| Finkbeiner, Bill | R | S | | \$1,150 | \$1,150 | 3.0 |
| Fisher, Ruth | D | H | \$2,100 | \$500 | \$2,600 | 3.3 |
| Fisher, Greg | D | H | \$1,672 | \$1,180 | \$2,852 | 6.0 |
| Foreman, Dale | R | H | \$0 | \$1,000 | \$1,000 | 3.3 |
| Franklin, Rosa | D | S | \$0 | \$0 | \$0 | 8.0 |
| Fraser, Karen | D | S | \$500 | \$0 | \$500 | 8.0 |
| Fuhrman, Steve | R | H | \$1,500 | \$1,000 | \$2,500 | 4.2 |
| Gaspard, Marcus | D | S | \$3,125 | \$0 | \$3,125 | 8.3 |
| Goldsmith, Gene | R | H | | | \$0 | |
| Grant, William A. | D | H | \$4,250 | \$1,350 | \$5,600 | 3.0 |
| Hale, Patricia | R | S | | | \$0 | |
| Hankins, Shirley | R | H | | \$550 | \$550 | |
| Hargrove, Jim | D | S | \$800 | \$150 | \$950 | 4.3 |
| Hargrove, Steve | R | H | | | \$0 | |

TABLE A-1: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1985-1994

| Officeholder/Candidate | Party | House | 1985-92 | 1993-94 | Grand | Tobacco |
|------------------------|-------|-------|---------|---------|---------|--------------|
| | | | | | Total | Policy Score |
| Hatfield, Brian | D | H | | \$1,100 | \$1,100 | |
| Haugen, Mary Margaret | D | S | \$1,100 | \$0 | \$1,100 | 5.7 |
| Heavey, Michael | D | S | \$1,175 | \$1,434 | \$2,609 | 4.2 |
| Hickel, Tim | R | H | | \$150 | \$150 | |
| Hochstatter, Harold | R | S | \$450 | \$1,000 | \$1,450 | 6.8 |
| Honeyford, Jim | R | H | | \$700 | \$700 | |
| Horn, Jim | R | H | \$650 | \$800 | \$1,450 | 2.3 |
| Huff, Tom | R | H | | \$550 | \$550 | |
| Hymes, Cheryl | R | H | | | \$0 | |
| Jacobsen, Ken | D | H | \$250 | | \$250 | 6.7 |
| Johnson, Peggy | R | H | \$250 | \$700 | \$950 | |
| Johnson, Steven | R | S | | | \$0 | |
| Kessler, Lynn | D | H | \$0 | \$0 | \$0 | 7.3 |
| Kohl, Jeanne | D | S | | | \$0 | 9.0 |
| Koster, John | R | H | | | \$0 | |
| Kremen, Pete | D | H | \$500 | \$1,400 | \$1,900 | 4.8 |
| Lambert, Kathy | R | H | | \$300 | \$300 | |
| Lisk, Barbara | R | H | \$900 | \$546 | \$1,446 | 2.6 |
| Long, Jeanine | R | S | \$0 | \$0 | \$0 | |
| Loveland, Valoria | D | S | \$0 | \$580 | \$580 | 1.7 |
| Mason, Sabiha | D | H | | | \$0 | |
| Mastin, Dave | D | H | \$0 | \$850 | \$850 | 4.5 |
| McAuliffe, Rosemary | D | S | \$0 | \$0 | \$0 | 8.0 |
| McCaslin, Bob | R | S | \$2,610 | \$125 | \$2,735 | 5.0 |
| McDonald, Dan | R | S | \$5,800 | \$1,046 | \$6,846 | 2.6 |
| McMahan, Lois | R | H | | | \$0 | |
| McMorris, Cathy | R | H | \$0 | \$500 | \$500 | |
| Mielke, Todd | R | H | \$950 | \$1,250 | \$2,200 | 4.8 |
| Mitchell, Mary Ann | R | H | | | \$0 | |
| Morris, Betti Sue | D | H | \$50 | \$300 | \$350 | 5.0 |
| Morris, Jeffrey | D | H | | | \$0 | |
| Morton, Bob | R | S | \$300 | \$600 | \$900 | 6.6 |
| Moyer, John | R | S | \$325 | \$0 | \$325 | 10.0 |
| Mulliken, Joyce | R | H | | \$150 | \$150 | |
| Murray, Edward | D | H | | | \$0 | |
| Newhouse, Irv | R | S | \$4,050 | \$1,600 | \$5,650 | 5.8 |
| Ogden, Val | D | H | \$325 | \$0 | \$325 | 8.3 |
| Oke, Bob | R | S | \$103 | \$500 | \$603 | 10.0 |
| Owen, Brad | D | S | \$4,150 | \$1,250 | \$5,400 | 4.3 |
| Padden, Mike | R | H | \$2,675 | \$781 | \$3,456 | 3.6 |
| Palmer, Hal | R | S | | | \$0 | |
| Patterson, Julia | D | H | | | \$0 | 4.7 |
| Pelesky, Grant | R | H | | | \$0 | |
| Pelz, Dwight | D | S | \$75 | \$0 | \$75 | 9.8 |
| Pennington, John | R | H | | | \$0 | |
| Poulsen, Erik | D | H | | | \$0 | |
| Prentice, Margarita | D | S | \$600 | \$0 | \$600 | 8.2 |
| Prince, Eugene | R | S | \$1,300 | \$0 | \$1,300 | 4.6 |
| Quall, Dave | D | H | \$0 | \$250 | \$250 | 8.7 |
| Quigley, Kevin | D | S | \$0 | \$0 | \$0 | 8.6 |
| Radcliff, Renee | R | H | | \$300 | \$300 | |
| Rasmussen, Marilyn | D | S | \$650 | \$0 | \$650 | 7.3 |
| Reams, Bill | R | H | | \$500 | \$500 | 4.7 |
| Regala, Debbie | D | H | | \$600 | \$600 | |
| Rinehart, Nita | D | S | \$200 | \$1,000 | \$1,200 | 9.0 |
| Roach, Pam | R | S | \$600 | \$500 | \$1,100 | 3.0 |

TABLE A-1: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1985-1994

| Officeholder/Candidate | Party | House | 1985-92 | 1993-94 | Grand | Tobacco |
|------------------------|-------|-------|----------|----------|-----------|--------------|
| | | | | | Total | Policy Score |
| Robertson, Eric | R | H | | \$200 | \$200 | |
| Romero, Sandra | D | H | \$0 | \$250 | \$250 | 4.3 |
| Rust, Nancy | D | H | | | \$0 | 7.2 |
| Schmidt, Dave | R | H | | | \$0 | |
| Schmidt, Karen | R | H | \$3,300 | \$600 | \$3,900 | 4.3 |
| Schoesler, Mark | R | H | \$0 | \$250 | \$250 | 5.0 |
| Schow, Ray | R | S | \$0 | \$1,300 | \$1,300 | |
| Scott, Patricia | D | H | \$1,400 | \$2,040 | \$3,440 | 3.3 |
| Sehlin, Barry | R | H | \$0 | \$500 | \$500 | 4.0 |
| Sellar, George | R | S | \$4,100 | \$34 | \$4,134 | 4.0 |
| Sheahan, Larry | R | H | \$0 | \$500 | \$500 | 4.5 |
| Sheldon, Betti | D | S | | | \$0 | 2.7 |
| Sheldon, Tim | D | H | \$100 | \$1,100 | \$1,200 | 3.0 |
| Sherstad, Mike | R | H | | \$400 | \$400 | |
| Silver, Jean | R | H | \$1,200 | \$250 | \$1,450 | 5.6 |
| Skinner, Mary | R | H | | \$300 | \$300 | |
| Smith, Adam | D | S | | | \$0 | 5.5 |
| Smith, Scott | R | H | | | \$0 | |
| Snyder, Sid | D | S | \$2,600 | \$500 | \$3,100 | 5.3 |
| Sommers, Helen | D | H | \$0 | \$500 | \$500 | 6.7 |
| Spanel, Harriet | D | S | \$600 | \$0 | \$600 | 7.3 |
| Sterk, Mark | H | R | | | \$0 | |
| Stevens, Val | R | H | | \$500 | \$500 | 3.0 |
| Strannigan, Gary | R | S | | | \$0 | |
| Sutherland, Dean | D | S | | | \$0 | 6.7 |
| Swecker, Dan | R | S | | | \$0 | |
| Talcott, Gigi | R | H | \$0 | \$0 | \$0 | 4.7 |
| Thibaudeau, Pat | D | S | | | \$0 | 9.0 |
| Thomas, Brian | R | H | | \$650 | \$650 | 3.3 |
| Thomas, Les | R | H | | \$750 | \$750 | |
| Thompson, Bill | R | H | | \$150 | \$150 | |
| Tokuda, Kip | D | H | | | \$0 | |
| Valle, Georgette | D | H | | | \$0 | 9.8 |
| Van Luven, Steve | R | H | \$1,450 | \$300 | \$1,750 | 4.5 |
| Veloria, Velma | D | H | | | \$0 | 8.8 |
| West, James | R | S | \$2,000 | \$0 | \$2,000 | 6.6 |
| Winsley, Shirley | R | S | \$0 | \$0 | \$0 | |
| Wojahn, R. Lorraine | D | S | \$4,050 | \$34 | \$4,084 | 7.5 |
| Wolfe, Cathy | D | H | \$0 | \$0 | \$0 | 7.3 |
| Wood, Jeanette | R | S | \$982 | \$1,640 | \$2,622 | 5.3 |
| Totals | | | \$91,303 | \$53,786 | \$145,089 | |

TABLE A-2: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1995-1996

| Officeholder/Candidate | Party | House | 1985-94 | PM | RJR | TI | 1996 Grand | |
|------------------------|-------|-------|----------|-------|-------|-------|------------|----------|
| | | | | | | | Total | Total |
| Alexander, Gary | R | H | | \$550 | \$200 | | \$750 | \$750 |
| Anderson, Ann | R | S | \$2,150 | | | | \$0 | \$2,150 |
| Anderson, Cal | D | S | \$700 | | | | \$0 | \$700 |
| Anderson, David | D | H | | | | | \$0 | \$0 |
| Appelwick, Marlin | D | H | \$3,516 | | | | \$0 | \$3,516 |
| Backlund, Bill | R | H | \$850 | \$550 | \$450 | \$200 | \$1,200 | \$2,050 |
| Ballard, Clyde | R | H | \$10,830 | | \$550 | | \$550 | \$11,380 |
| Ballasiotes, Ida | R | H | \$910 | \$250 | \$250 | | \$500 | \$1,410 |
| Basich, Bob | D | H | \$500 | | | | \$0 | \$500 |
| Bauer, Albert | D | S | \$1,350 | | | | \$0 | \$1,350 |
| Beeksma, Barney | R | H | \$650 | \$550 | | | \$550 | \$1,200 |
| Benton, Don | R | H | \$0 | \$750 | \$750 | \$200 | \$1,700 | \$1,700 |
| Benson, Bradley | R | H | | | | | \$0 | \$0 |
| Blalock, Rod | D | H | | | | | \$0 | \$0 |
| Blanton, Jerry | R | H | \$500 | \$550 | \$800 | | \$1,350 | \$1,850 |
| Boldt, Marc | R | H | \$0 | \$850 | \$250 | | \$1,100 | \$1,100 |
| Brown, Lisa | D | H | \$0 | | | | \$0 | \$0 |
| Brumsickle, Bill | R | H | \$1,600 | | | | \$0 | \$1,600 |
| Buck, Jim | R | H | \$0 | \$850 | \$250 | \$100 | \$1,200 | \$1,200 |
| Bush, Roger | R | H | | | | | \$0 | \$0 |
| Butler, Patty | D | H | | | | | \$0 | \$0 |
| Cairnes, Jack | R | H | \$600 | \$550 | \$450 | \$200 | \$1,200 | \$1,800 |
| Campbell, Thomas | R | H | \$94 | | | | \$0 | \$94 |
| Cantu, Emilio | R | S | \$1,000 | | | | \$0 | \$1,000 |
| Carlson, Don | R | H | \$500 | | \$250 | | \$250 | \$750 |
| Carrell, Michael | R | H | \$350 | \$850 | \$450 | \$200 | \$1,500 | \$1,850 |
| Casada, Sarah | R | H | \$1,631 | | | | \$0 | \$1,631 |
| Chandler, Gary | R | H | \$2,475 | \$300 | \$250 | | \$550 | \$3,025 |
| Chopp, Frank | D | H | \$0 | | | | \$0 | \$0 |
| Clements, James | R | H | \$350 | | | | \$0 | \$350 |
| Cloud, Stewart | R | H | \$0 | \$550 | | \$550 | \$1,100 | \$1,100 |
| Cody, Eileen | D | H | \$0 | | | | \$0 | \$0 |
| Cole, Grace | D | H | \$1,850 | | | | \$0 | \$1,850 |
| Conway, Steve | D | H | \$0 | | | | \$0 | \$0 |
| Constantine, Dow | D | H | | | | | \$0 | \$0 |
| Cooke, Suzette | R | H | \$550 | \$550 | | | \$550 | \$1,100 |
| Cooper, J Mike | D | H | | | | | \$0 | \$0 |
| Costa, Jeralita | D | H | \$0 | | | | \$0 | \$0 |
| Crouse, Larry | R | H | \$150 | \$850 | \$450 | | \$1,300 | \$1,450 |
| De Bolt, Richard | R | H | \$0 | | \$450 | | \$450 | \$450 |
| Deccio, Alex | R | S | \$1,650 | | | | \$0 | \$1,650 |
| Dellwo, Dennis | D | H | \$375 | | | | \$0 | \$375 |
| Delvin, Jerome | R | H | \$0 | | | | \$0 | \$0 |
| Dickerson, Mary | D | H | \$0 | | | | \$0 | \$0 |
| Doumit, Mark | D | H | | | \$200 | | \$200 | \$200 |
| Dunn, James | R | H | | | | | \$0 | \$0 |
| Dunshee, Hans | D | H | | | | | \$0 | \$0 |
| Dyer, Philip | R | H | \$1,000 | | | | \$0 | \$1,000 |
| Ebersole, Brian | D | H | \$2,050 | | | | \$0 | \$2,050 |
| Elliot, Ian | R | H | \$150 | \$550 | \$250 | | \$800 | \$950 |
| Fairley, Darlene | D | S | \$0 | | | | \$0 | \$0 |
| Finkbeiner, Bill | R | S | \$1,150 | | | | \$0 | \$1,150 |
| Fisher, Ruth | D | H | \$2,600 | | | | \$0 | \$2,600 |
| Fisher, Greg | D | H | \$2,852 | | | | \$0 | \$2,852 |
| Foreman, Dale | R | H | \$1,000 | | | | \$0 | \$1,000 |
| Franklin, Rosa | D | S | \$0 | | | | \$0 | \$0 |
| Fraser, Karen | D | S | \$500 | | | | \$0 | \$500 |

TABLE A-2: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1995-1996

| Officeholder/Candidate | Party | House | 1985-94 | PM | RJR | TI | 1996 Grand | |
|------------------------|-------|-------|---------|---------|-------|-------|------------|---------|
| | | | | | | | Total | Total |
| Alexander, Gary | R | H | | \$550 | \$200 | | \$750 | \$750 |
| Fuhrman, Steve | R | H | \$2,500 | | | | \$0 | \$2,500 |
| Gardner, Georgia | D | H | | | | | \$0 | \$0 |
| Gaspard, Marcus | D | S | \$3,125 | | | | \$0 | \$3,125 |
| Goings, Calvin | D | S | | | | | \$0 | \$0 |
| Goldsmith, Eugene | R | H | \$0 | \$550 | | \$200 | \$750 | \$750 |
| Gombosky, Jeffrey | D | H | | | | | \$0 | \$0 |
| Grant, William A. | D | H | \$5,600 | \$550 | \$200 | \$200 | \$950 | \$6,550 |
| Hale, Patricia | R | S | \$0 | | | | \$0 | \$0 |
| Hankins, Shirley | R | H | \$550 | | \$250 | | \$250 | \$800 |
| Hargrove, Jim | D | S | \$950 | | | | \$0 | \$950 |
| Hatfield, Brian | D | H | \$1,100 | | | | \$0 | \$1,100 |
| Haugen, Mary Margaret | D | S | \$1,100 | | \$200 | | \$200 | \$1,300 |
| Heavey, Michael | D | S | \$2,609 | | | | \$0 | \$2,609 |
| Hickel, Tim | R | H | \$150 | \$550 | \$250 | | \$800 | \$950 |
| Hochstatter, Harold | R | S | \$1,450 | | | | \$0 | \$1,450 |
| Honeyford, Jim | R | H | \$700 | \$300 | \$250 | | \$550 | \$1,250 |
| Horn, Jim | R | H | \$1,450 | \$500 | \$700 | \$700 | \$1,900 | \$3,350 |
| Huff, Tom | R | H | \$550 | | \$550 | \$300 | \$850 | \$1,400 |
| Jacobsen, Ken | D | H | \$250 | | | | \$0 | \$250 |
| Johnson, Peggy | R | H | \$950 | \$550 | | \$100 | \$650 | \$1,600 |
| Johnson, Steven | R | S | \$0 | | | | \$0 | \$0 |
| Kastema, James | D | H | | | | | \$0 | \$0 |
| Keiser, Karen | D | H | | | | | \$0 | \$0 |
| Kenney, Phyllis | D | H | | | | | \$0 | \$0 |
| Kessler, Lynn | D | H | \$0 | | | | \$0 | \$0 |
| Kline, Adam | D | S | | | | | \$0 | \$0 |
| Kohl-Welles, Jeanne | D | S | \$0 | | | | \$0 | \$0 |
| Koster, John | R | H | \$0 | \$1,100 | | \$100 | \$1,200 | \$1,200 |
| Kremen, Pete | D | H | \$1,900 | | | | \$0 | \$1,900 |
| Lambert, Kathy | R | H | \$300 | \$250 | | | \$250 | \$550 |
| Lantz, Patricia | D | H | | | | | \$0 | \$0 |
| Linville, Kelli | D | H | | | | | \$0 | \$0 |
| Lisk, Barbara | R | H | \$1,446 | \$350 | \$250 | \$200 | \$800 | \$2,246 |
| Long, Jeanine | R | S | \$0 | | | | \$0 | \$0 |
| Loveland, Valoria | D | S | \$580 | \$300 | \$300 | \$250 | \$850 | \$1,430 |
| Mason, Dawn | D | H | | | | | \$0 | \$0 |
| Mastin, John David | R | H | \$850 | | | | \$0 | \$850 |
| McAuliffe, Rosemary | D | S | \$0 | | | | \$0 | \$0 |
| McCaslin, Bob | R | S | \$2,735 | \$300 | | | \$300 | \$3,035 |
| McDonald, Dan | R | S | \$6,846 | | | | \$0 | \$6,846 |
| McDonald, Joyce | R | H | | | | | \$0 | \$0 |
| McMorris, Cathy | R | H | \$500 | \$600 | \$750 | \$200 | \$1,550 | \$2,050 |
| Mielke, Thomas | R | H | \$2,200 | \$550 | \$200 | | \$750 | \$2,950 |
| Mitchell, Mary Ann | R | H | \$0 | \$550 | \$250 | | \$800 | \$800 |
| Morell, David | R | | | \$550 | | | \$550 | \$550 |
| Morris, Betti Sue | D | H | \$350 | | | | \$0 | \$350 |
| Morris, Jeffrey | D | H | \$0 | \$550 | \$450 | | \$1,000 | \$1,000 |
| Morton, Bob | R | S | \$900 | | | | \$0 | \$900 |
| Moyer, John | R | S | \$325 | | | | \$0 | \$325 |
| Mulliken, Joyce | R | H | \$150 | \$300 | \$450 | | \$750 | \$900 |
| Murray, Edward | D | H | \$0 | | | | \$0 | \$0 |
| Newhouse, Irv | R | S | \$5,650 | | | | \$0 | \$5,650 |
| O'Brien, Allister | D | H | | | | | \$0 | \$0 |
| Ogden, Val | D | H | \$325 | | | | \$0 | \$325 |
| Oke, Bob | R | S | \$603 | | | | \$0 | \$603 |
| Olsen, Timothy | R | | | \$550 | \$200 | | \$750 | \$750 |

TABLE A-2: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1995-1996

| Officeholder/Candidate | Party | House | 1985-94 | PM | RJR | TI | 1996 Grand | |
|------------------------|-------|-------|---------|---------|-------|-------|------------|---------|
| | | | | | | | Total | Total |
| Alexander, Gary | R | H | | \$550 | \$200 | | \$750 | \$750 |
| Owen, Brad | D | S | \$5,400 | | | | \$0 | \$5,400 |
| Padden, Mike | R | H | \$3,456 | | | | \$0 | \$3,456 |
| Parlette, Linda Evans | R | H | | | | | \$0 | \$0 |
| Patterson, Julia | D | H | \$0 | | | | \$0 | \$0 |
| Pelesky, Grant | R | H | \$0 | \$550 | | \$200 | \$750 | \$750 |
| Pelz, Dwight | D | S | \$75 | | | | \$0 | \$75 |
| Pennington, John | R | H | \$0 | \$300 | \$500 | \$200 | \$1,000 | \$1,000 |
| Poulsen, Erik | D | H | \$0 | | | | \$0 | \$0 |
| Prentice, Margarita | D | S | \$600 | \$250 | \$250 | | \$500 | \$1,100 |
| Prince, Eugene | R | S | \$1,300 | \$300 | | | \$300 | \$1,600 |
| Quall, Dave | D | H | \$250 | | | | \$0 | \$250 |
| Radcliff, D Renee | R | H | \$300 | \$550 | \$450 | | \$1,000 | \$1,300 |
| Rasmussen, Marilyn | D | S | \$650 | | | | \$0 | \$650 |
| Reams, Bill | R | H | \$500 | | \$450 | | \$450 | \$950 |
| Regala, Debbie | D | H | \$600 | \$250 | | | \$250 | \$850 |
| Rinehart, Nita | D | S | \$1,200 | | | | \$0 | \$1,200 |
| Roach, Pam | R | S | \$1,100 | | | | \$0 | \$1,100 |
| Robertson, Eric | R | H | \$200 | | \$750 | \$200 | \$950 | \$1,150 |
| Romero, Sandra | D | H | \$250 | \$850 | \$473 | | \$1,323 | \$1,573 |
| Rossi, Dino | R | S | | | | | \$0 | \$0 |
| Schmidt, Dave | R | H | \$0 | \$1,100 | \$200 | | \$1,300 | \$1,300 |
| Schmidt, Karen | R | H | \$3,900 | | | | \$0 | \$3,900 |
| Schoesler, Mark | R | H | \$250 | \$250 | \$450 | | \$700 | \$950 |
| Schow, Ray | R | S | \$1,300 | | | | \$0 | \$1,300 |
| Scott, Patricia | D | H | \$3,440 | \$550 | \$450 | \$300 | \$1,300 | \$4,740 |
| Sehlin, Barry | R | H | \$500 | \$250 | | | \$250 | \$750 |
| Sellar, George | R | S | \$4,134 | \$250 | | \$250 | \$500 | \$4,634 |
| Sheahan, Larry | R | H | \$500 | | \$250 | | \$250 | \$750 |
| Sheldon, Betti | D | S | \$0 | | | | \$0 | \$0 |
| Sheldon, Tim | D | H | \$1,200 | | \$250 | \$200 | \$450 | \$1,650 |
| Sherstad, Mike | R | H | \$400 | \$550 | \$500 | \$200 | \$1,250 | \$1,650 |
| Silver, Jean | R | H | \$1,450 | | | | \$0 | \$1,450 |
| Skinner, Mary | R | H | \$300 | | | | \$0 | \$300 |
| Smith, Adam | D | S | \$0 | | | | \$0 | \$0 |
| Smith, Scott | R | H | \$0 | | | | \$0 | \$0 |
| Snyder, Sid | D | S | \$3,100 | | | | \$0 | \$3,100 |
| Sommer, Duane | R | H | | | | | \$0 | \$0 |
| Sommers, Helen | D | H | \$500 | | | | \$0 | \$500 |
| Spanel, Harriet | D | S | \$600 | | | | \$0 | \$600 |
| Sterk, Mark | H | R | \$0 | | \$250 | | \$250 | \$250 |
| Stevens, Val | R | H | \$500 | | \$450 | \$200 | \$650 | \$1,150 |
| Strannigan, Gary | R | S | \$0 | | | | \$0 | \$0 |
| Sullivan, Brian | D | H | | | \$200 | | \$200 | \$200 |
| Sump, Robert | R | H | | | | | \$0 | \$0 |
| Swanson, Lena | D | S | | | | | \$0 | \$0 |
| Swecker, Dan | R | S | \$0 | \$550 | \$450 | | \$1,000 | \$1,000 |
| Talcott, Georganne | R | H | \$0 | \$300 | \$450 | | \$750 | \$750 |
| Thibaudeau, Pat | D | S | \$0 | | | | \$0 | \$0 |
| Thomas, Brian | R | H | \$650 | \$550 | | | \$550 | \$1,200 |
| Thomas, Les | R | H | \$750 | \$250 | | | \$250 | \$1,000 |
| Thompson, Bill | R | H | \$150 | \$1,100 | \$450 | | \$1,550 | \$1,700 |
| Tokuda, Kip | D | H | \$0 | | \$250 | | \$250 | \$250 |
| Van Luven, Steve | R | H | \$1,750 | | | | \$0 | \$1,750 |
| Veloria, Velma | D | H | \$0 | | | | \$0 | \$0 |
| Wensman, Mike | R | H | | | | | \$0 | \$0 |
| West, James | R | S | \$2,000 | | | | \$0 | \$2,000 |

**TABLE A-2: CONTRIBUTIONS TO LEGISLATIVE
OFFICEHOLDERS AND CANDIDATES, 1995-1996**

| Officeholder/Candidate | Party | House | 1985-94 | PM | RJR | TI | 1996 Grand | |
|------------------------|-------|-------|-----------|----------|----------|---------|------------|-----------|
| | | | | | | | Total | Total |
| Alexander, Gary | R | H | | \$550 | \$200 | | \$750 | \$750 |
| Winsley, Shirley | R | S | \$0 | | | | \$0 | \$0 |
| Wojahn, R. Lorraine | D | S | \$4,084 | \$300 | \$450 | \$250 | \$1,000 | \$5,084 |
| Wolfe, Cathy | D | H | \$0 | | | | \$0 | \$0 |
| Wood, Alex | D | H | | | | | \$0 | \$0 |
| Wood, Jeanette | R | S | \$2,622 | | | | \$0 | \$2,622 |
| Zarelli, Joseph | R | S | | | | | \$0 | \$0 |
| Zellinsky, Paul | R | H | | \$550 | \$200 | \$200 | \$950 | \$950 |
| Totals | | | \$145,088 | \$27,650 | \$19,623 | \$5,900 | \$53,173 | \$198,261 |

**TABLE A-3: CONTRIBUTIONS TO LEGISLATIVE
OFFICEHOLDERS AND CANDIDATES, 1997-1998**

| Officeholder/Candidate | Party | House | 1985-1996 | PM | RJR | TI | 1998 Total | Grand Total |
|------------------------|-------|-------|-----------|---------|---------|-------|---------------|----------------|
| Alexander, Gary | R | H | \$750 | | \$250 | | \$250 | \$1,000 |
| Anderson, Cal | D | S | \$700 | | | | \$0 | \$700 |
| Anderson, David | D | H | \$0 | | | | \$0 | \$0 |
| Ballard, Clyde | R | H | \$11,380 | \$1,150 | \$1,025 | \$500 | \$2,675 | \$14,055 |
| Ballasiotes, Ida | R | H | \$1,410 | | | | \$0 | \$1,410 |
| Barlean, Kelly | R | H | | \$350 | \$500 | \$300 | \$1,150 | \$1,150 |
| Basich, Bob | D | H | \$500 | | | | \$0 | \$500 |
| Bauer, Albert | D | S | \$1,350 | | | | \$0 | \$1,350 |
| Beeksma, Barney | R | H | \$1,200 | | | | \$0 | \$1,200 |
| Benton, Don | R | H | \$1,700 | | | | \$0 | \$1,700 |
| Benson, Bradley | R | H | \$0 | \$350 | \$500 | \$250 | \$1,100 | \$1,100 |
| Blanton, Jerry | R | H | \$1,850 | | | | \$0 | \$1,850 |
| Boldt, Marc | R | H | \$1,100 | \$575 | \$550 | | \$1,125 | \$2,225 |
| Brown, Lisa | D | H | \$0 | | | | \$0 | \$0 |
| Brumsickle, Bill | R | H | \$1,600 | | | | \$0 | \$1,600 |
| Buck, Jim | R | H | \$1,200 | \$575 | | | \$575 | \$1,775 |
| Bush, Roger | R | H | \$0 | | | | \$0 | \$0 |
| Cairnes, Jack | R | H | \$1,800 | \$900 | \$250 | | \$1,150 | \$2,950 |
| Campbell, Thomas | R | H | \$94 | | | | \$0 | \$94 |
| Cantu, Emilio | R | S | \$1,000 | | | | \$0 | \$1,000 |
| Carlson, Don | R | H | \$750 | \$350 | | | \$350 | \$1,100 |
| Carrell, Michael | R | H | \$1,850 | \$350 | \$500 | | \$850 | \$2,700 |
| Casada, Sarah | R | H | \$1,631 | | | | \$0 | \$1,631 |
| Chandler, Bruce | R | H | | \$575 | | | \$575 | \$575 |
| Chandler, Gary | R | H | \$3,025 | \$575 | | | \$575 | \$3,600 |
| Chopp, Frank | D | H | \$0 | | | | \$0 | \$0 |
| Clements, James | R | H | \$350 | | | | \$0 | \$350 |
| Cloud, Stewart | R | H | \$1,100 | | | | \$0 | \$1,100 |
| Cody, Eileen | D | H | \$0 | | | | \$0 | \$0 |
| Conway, Steve | D | H | \$0 | | | | \$0 | \$0 |
| Constantine, Dow | D | H | \$0 | | | | \$0 | \$0 |
| Cooper, J Mike | D | H | \$0 | | | | \$0 | \$0 |
| Costa, Jeralita | D | S | \$0 | | | | \$0 | \$0 |
| Cox, Don | R | H | | | | | \$0 | \$0 |
| Crouse, Larry | R | H | \$1,450 | \$200 | | | \$200 | \$1,650 |
| De Bolt, Richard | R | H | \$450 | \$200 | \$250 | | \$450 | \$900 |
| Deccio, Alex | R | S | \$1,650 | | | | \$0 | \$1,650 |
| Dellwo, Dennis | D | H | \$375 | | | | \$0 | \$375 |
| Delvin, Jerome | R | H | \$0 | | | | \$0 | \$0 |
| Dickerson, Mary | D | H | \$0 | | | | \$0 | \$0 |
| Doumit, Mark | D | H | \$200 | \$200 | \$500 | \$250 | \$950 | \$1,150 |
| Dunn, James | R | H | \$0 | | \$250 | | \$250 | \$250 |
| Dunshee, Hans | D | H | \$0 | | | | \$0 | \$0 |
| Ebersole, Brian | D | H | \$2,050 | | | | \$0 | \$2,050 |
| Edmonds, Carolyn | D | H | | | | | \$0 | \$0 |
| Eickmeyer, William | D | H | | | | | \$0 | \$0 |
| Eide, Tracey | D | S | | | | | \$0 | \$0 |
| Elliot, Ian | R | H | \$950 | \$575 | | | \$575 | \$1,525 |
| Ericksen, Doug | R | H | | | \$500 | \$500 | \$1,000 | \$1,000 |
| Esser, Luke | R | H | | | | | \$0 | \$0 |
| Estes, Kenneth | R | | | | \$250 | | \$250 | \$250 |
| Fairley, Darlene | D | S | \$0 | | | | \$0 | \$0 |
| Finkbeiner, Bill | R | S | \$1,150 | | \$300 | | \$300 | \$1,450 |
| Fisher, Greg | D | H | \$2,852 | | | | \$0 | \$2,852 |
| Fisher, Ruth | D | H | \$2,600 | \$200 | | | \$200 | \$2,800 |
| Foreman, Dale | R | H | \$1,000 | | | | \$0 | \$1,000 |
| Fortunato, Phil | R | H | | \$350 | \$500 | | \$850 | \$850 |

**TABLE A-3: CONTRIBUTIONS TO LEGISLATIVE
OFFICEHOLDERS AND CANDIDATES, 1997-1998**

| Officeholder/Candidate | Party | House | 1985-1996 | PM | RJR | TI | 1998 Total | Grand Total |
|------------------------|-------|-------|-----------|---------|---------|-------|---------------|----------------|
| Alexander, Gary | R | H | \$750 | | \$250 | | \$250 | \$1,000 |
| Franklin, Rosa | D | S | \$0 | | | | \$0 | \$0 |
| Fraser, Karen | D | S | \$500 | | | | \$0 | \$500 |
| Fuhrman, Steve | R | H | \$2,500 | | | | \$0 | \$2,500 |
| Gardner, Georgia | D | S | \$0 | | | | \$0 | \$0 |
| Gaspard, Marcus | D | S | \$3,125 | | | | \$0 | \$3,125 |
| Goings, Calvin | D | S | \$0 | | | | \$0 | \$0 |
| Goldsmith, Eugene | R | H | \$750 | | | | \$0 | \$750 |
| Gombosky, Jeffrey | D | H | \$0 | | | | \$0 | \$0 |
| Grant, William A. | D | H | \$6,550 | \$400 | | \$250 | \$650 | \$7,200 |
| Haigh, Kathy | D | H | | | | | \$0 | \$0 |
| Hale, Patricia | R | S | \$0 | | | | \$0 | \$0 |
| Hankins, Shirley | R | H | \$800 | \$200 | | | \$200 | \$1,000 |
| Hargrove, Jim | D | S | \$950 | | | | \$0 | \$950 |
| Hatfield, Brian | D | H | \$1,100 | \$350 | \$500 | \$350 | \$1,200 | \$2,300 |
| Haugen, Mary Margaret | D | S | \$1,300 | | | | \$0 | \$1,300 |
| Heavey, Michael | D | S | \$2,609 | | | | \$0 | \$2,609 |
| Hochstatter, Harold | R | S | \$1,450 | \$975 | | | \$975 | \$2,425 |
| Honeyford, Jim | R | S | \$1,250 | \$200 | \$1,075 | | \$1,275 | \$2,525 |
| Horn, Jim | R | H | \$3,350 | | | | \$0 | \$3,350 |
| Huff, Tom | R | H | \$1,400 | \$600 | \$575 | \$250 | \$1,425 | \$2,825 |
| Hurst, Christopher | D | H | | | | | \$0 | \$0 |
| Jacobsen, Ken | D | H | \$250 | | | | \$0 | \$250 |
| Johnson, Peggy | R | H | \$1,600 | \$350 | | | \$350 | \$1,950 |
| Johnson, Steven | R | S | \$0 | | | | \$0 | \$0 |
| Kastema, James | D | H | \$0 | | | | \$0 | \$0 |
| Keiser, Karen | D | H | \$0 | | | | \$0 | \$0 |
| Kenney, Phyllis | D | H | \$0 | | | | \$0 | \$0 |
| Kessler, Lynn | D | H | \$0 | | | | \$0 | \$0 |
| Kline, Adam | D | S | \$0 | | | | \$0 | \$0 |
| Kohl-Welles, Jeanne | D | S | \$0 | | | | \$0 | \$0 |
| Koetje, Gordon | R | | | \$350 | | | \$350 | \$350 |
| Koster, John | R | H | \$1,200 | \$700 | \$250 | | \$950 | \$2,150 |
| Kremen, Pete | D | H | \$1,900 | | | | \$0 | \$1,900 |
| Lambert, Kathy | R | H | \$550 | \$350 | \$250 | | \$600 | \$1,150 |
| Lantz, Patricia | D | H | \$0 | | | | \$0 | \$0 |
| Lecocq-Kagi, Ruth | D | H | | | | | \$0 | \$0 |
| Linville, Kelli | D | H | \$0 | | | | \$0 | \$0 |
| Lisk, Barbara | R | H | \$2,246 | \$1,075 | | | \$1,075 | \$3,321 |
| Long, Jeanine | R | S | \$0 | | | | \$0 | \$0 |
| Loveland, Valoria | D | S | \$1,430 | | | | \$0 | \$1,430 |
| Lovick, John | D | H | | | | | \$0 | \$0 |
| Mastin, John David | R | H | \$850 | | | | \$0 | \$850 |
| McAuliffe, Rosemary | D | S | \$0 | | | | \$0 | \$0 |
| McCaslin, Bob | R | S | \$3,035 | | | | \$0 | \$3,035 |
| McDonald, Dan | R | S | \$6,846 | \$400 | | | \$400 | \$7,246 |
| McDonald, Joyce | R | H | \$0 | | | | \$0 | \$0 |
| McIntire, Jim | D | H | | | | | \$0 | \$0 |
| McMorris, Cathy | R | H | \$2,050 | \$1,150 | | | \$1,150 | \$3,200 |
| Mielke, Thomas | R | H | \$2,950 | \$575 | \$250 | \$350 | \$1,175 | \$4,125 |
| Miloscia, Mark | D | H | | | | | \$0 | \$0 |
| Mitchell, Mary Ann | R | H | \$800 | \$575 | | | \$575 | \$1,375 |
| Morell, David | R | | \$550 | | | | \$0 | \$550 |
| Morris, Betti Sue | D | H | \$350 | | | | \$0 | \$350 |
| Morris, Jeffrey | D | H | \$1,000 | \$575 | \$500 | | \$1,075 | \$2,075 |
| Morton, Bob | R | S | \$900 | \$575 | | | \$575 | \$1,475 |
| Moyer, John | R | S | \$325 | | | | \$0 | \$325 |

TABLE A-3: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1997-1998

| Officeholder/Candidate | Party | House | 1985-1996 | PM | RJR | TI | 1998 Total | Grand Total |
|------------------------|-------|-------|-----------|---------|-------|-------|------------|-------------|
| Alexander, Gary | R | H | \$750 | | \$250 | | \$250 | \$1,000 |
| Mulliken, Joyce | R | H | \$900 | | \$450 | | \$450 | \$1,350 |
| Murray, Edward | D | H | \$0 | | | | \$0 | \$0 |
| O'Brien, Allister | D | H | \$0 | | | | \$0 | \$0 |
| Ogden, Val | D | H | \$325 | | | | \$0 | \$325 |
| Oke, Bob | R | S | \$603 | | | | \$0 | \$603 |
| Olsen, Timothy | R | | \$750 | | | | \$0 | \$750 |
| Owen, Brad | D | S | \$5,400 | | | | \$0 | \$5,400 |
| Padden, Mike | R | H | \$3,456 | | | | \$0 | \$3,456 |
| Parlette, Linda Evans | R | H | \$0 | | | | \$0 | \$0 |
| Patterson, Julia | D | H | \$0 | | | | \$0 | \$0 |
| Pelesky, Grant | R | H | \$750 | \$550 | | \$250 | \$800 | \$1,550 |
| Pelz, Dwight | D | S | \$75 | | | | \$0 | \$75 |
| Pennington, John | R | H | \$1,000 | \$575 | | | \$575 | \$1,575 |
| Pflug, Cheryl | R | H | | | | | \$0 | \$0 |
| Poulsen, Erik | D | H | \$0 | | | | \$0 | \$0 |
| Prentice, Margarita | D | S | \$1,100 | | | | \$0 | \$1,100 |
| Quall, Dave | D | H | \$250 | | | | \$0 | \$250 |
| Radcliff, D Renee | R | H | \$1,300 | \$575 | \$500 | | \$1,075 | \$2,375 |
| Rasmussen, Marilyn | D | S | \$650 | | | | \$0 | \$650 |
| Reardon, Aaron | D | H | | \$575 | \$500 | | \$1,075 | \$1,075 |
| Regala, Debbie | D | H | \$850 | | | | \$0 | \$850 |
| Roach, Pam | R | S | \$1,100 | \$575 | \$500 | | \$1,075 | \$2,175 |
| Rockefeller, Phillips | D | H | | | | | \$0 | \$0 |
| Romero, Sandra | D | H | \$1,573 | \$200 | \$250 | | \$450 | \$2,023 |
| Rossi, Dino | R | S | \$0 | | | | \$0 | \$0 |
| Ruderman, Laura | D | H | | | | | \$0 | \$0 |
| Santos, Sharon | D | H | | | | | \$0 | \$0 |
| Schindler, Lynn | R | H | | | | | \$0 | \$0 |
| Schmidt, Dave | R | H | \$1,300 | \$900 | \$250 | | \$1,150 | \$2,450 |
| Schmidt, Karen | R | H | \$3,900 | | | | \$0 | \$3,900 |
| Schoesler, Mark | R | H | \$950 | | | | \$0 | \$950 |
| Schow, Ray | R | S | \$1,300 | \$1,150 | \$575 | \$500 | \$2,225 | \$3,525 |
| Schual-Burke, Shay | D | H | | | | | \$0 | \$0 |
| Scott, Patricia | D | H | \$4,740 | \$350 | | \$250 | \$600 | \$5,340 |
| Sellar, George | R | S | \$4,634 | | | | \$0 | \$4,634 |
| Sensel, Shirley | D | | | \$350 | | | \$350 | \$350 |
| Sheahan, Larry | R | H | \$750 | | | | \$0 | \$750 |
| Sheldon, Betti | D | S | \$0 | | | | \$0 | \$0 |
| Sheldon, Tim | D | S | \$1,650 | | | | \$0 | \$1,650 |
| Sherstad, Mike | R | H | \$1,650 | | \$575 | \$500 | \$1,075 | \$2,725 |
| Shin, Paull | D | S | | | | | \$0 | \$0 |
| Silver, Jean | R | H | \$1,450 | | | | \$0 | \$1,450 |
| Skinner, Mary | R | H | \$300 | | | | \$0 | \$300 |
| Snyder, Sid | D | S | \$3,100 | | | | \$0 | \$3,100 |
| Sommer, Duane | R | H | \$0 | \$350 | | | \$350 | \$350 |
| Sommers, Helen | D | H | \$500 | | | | \$0 | \$500 |
| Spanel, Harriet | D | S | \$600 | | | | \$0 | \$600 |
| Stensen, Michael | D | H | | | | | \$0 | \$0 |
| Stevens, Val | R | H | \$1,150 | | | | \$0 | \$1,150 |
| Sullivan, Brian | D | H | \$200 | \$1,075 | \$750 | \$350 | \$2,175 | \$2,375 |
| Sump, Robert | R | H | \$0 | | | | \$0 | \$0 |
| Swecker, Dan | R | S | \$1,000 | | | | \$0 | \$1,000 |
| Talcott, Georganne | R | H | \$750 | | \$250 | | \$250 | \$1,000 |
| Thibaudeau, Pat | D | S | \$0 | | | | \$0 | \$0 |
| Thomas, Brian | R | H | \$1,200 | | | | \$0 | \$1,200 |
| Thomas, Les | R | H | \$1,000 | \$200 | | | \$200 | \$1,200 |

**TABLE A-3: CONTRIBUTIONS TO LEGISLATIVE
OFFICEHOLDERS AND CANDIDATES, 1997-1998**

| Officeholder/Candidate | Party | House | 1985-1996 | PM | RJR | TI | 1998 Total | Grand Total |
|-------------------------------|--------------|--------------|------------------|-----------|------------|-----------|-----------------------|------------------------|
| Alexander, Gary | R | H | \$750 | | \$250 | | \$250 | \$1,000 |
| Thompson, Bill | R | H | \$1,700 | \$700 | \$600 | \$350 | \$1,650 | \$3,350 |
| Tokuda, Kip | D | H | \$250 | | | | \$0 | \$250 |
| Van Luven, Steve | R | H | \$1,750 | \$350 | | | \$350 | \$2,100 |
| Veloria, Velma | D | H | \$0 | | | | \$0 | \$0 |
| Wensman, Mike | R | H | \$0 | | | | \$0 | \$0 |
| West, James | R | S | \$2,000 | \$575 | | | \$575 | \$2,575 |
| Winsley, Shirley | R | S | \$0 | | | | \$0 | \$0 |
| Wojahn, R. Lorraine | D | S | \$5,084 | | | | \$0 | \$5,084 |
| Wolfe, Cathy | D | H | \$0 | | | | \$0 | \$0 |
| Wood, Alex | D | H | \$0 | | | | \$0 | \$0 |
| Woods, Beverly | R | H | | | | | \$0 | \$0 |
| Zarelli, Joseph | R | S | \$0 | | | | \$0 | \$0 |
| Totals | | | \$170,523 | \$25,925 | \$14,725 | \$5,200 | \$45,850 | \$216,373 |

TABLE A-4: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1999-2000

| Officeholder/Candidate | Party | House | 1985-1998 | PM | RJR | B&W | LOR | 2000 Total | Grand Total |
|------------------------|-------|-------|-----------|-------|---------|-------|-------|------------|-------------|
| Ahern, John | R | H | | \$200 | \$400 | | | \$600 | \$600 |
| Alexander, Gary | R | H | \$1,000 | | \$1,175 | | | \$1,175 | \$2,175 |
| Anderson, David | D | H | \$0 | | | | | \$0 | \$0 |
| Anderson, Glenn | R | H | | \$400 | | \$150 | | \$550 | \$550 |
| Armstrong, Mike | R | H | | | | | | \$0 | \$0 |
| Ballard, Clyde | R | H | \$14,055 | \$500 | \$1,175 | \$500 | \$600 | \$2,775 | \$16,830 |
| Ballasiotes, Ida | R | H | \$1,410 | \$500 | | \$500 | | \$1,000 | \$2,410 |
| Barlean, Kelly | R | H | \$1,150 | \$150 | \$250 | \$150 | | \$550 | \$1,700 |
| Bauer, Albert | D | S | \$1,350 | | | | | \$0 | \$1,350 |
| Beeksma, Barney | R | H | \$1,200 | | | | | \$0 | \$1,200 |
| Benton, Don | R | H | \$1,700 | \$200 | | \$500 | | \$700 | \$2,400 |
| Benson, Bradley | R | H | \$1,100 | \$200 | \$500 | \$150 | | \$850 | \$1,950 |
| Berkey, Jean | D | H | | | | | | \$0 | \$0 |
| Blanton, Jerry | R | H | \$1,850 | | | | | \$0 | \$1,850 |
| Boldt, Marc | R | H | \$2,225 | \$200 | \$850 | | | \$1,050 | \$3,275 |
| Brown, Lisa | D | H | \$0 | | | | | \$0 | \$0 |
| Buck, Jim | R | H | \$1,775 | \$300 | \$1,175 | \$500 | | \$1,975 | \$3,750 |
| Bush, Roger | R | H | \$0 | | | | | \$0 | \$0 |
| Cairnes, Jack | R | H | \$2,950 | \$550 | \$1,175 | \$150 | | \$1,875 | \$4,825 |
| Campbell, Thomas | R | H | \$94 | | | | | \$0 | \$94 |
| Carlson, Don | R | S | \$1,100 | \$400 | | | | \$400 | \$1,500 |
| Carrell, Michael | R | H | \$2,700 | \$200 | \$750 | \$150 | | \$1,100 | \$3,800 |
| Casada, Sarah | R | H | \$1,631 | | \$400 | | | \$400 | \$2,031 |
| Chandler, Bruce | R | H | \$575 | \$200 | \$1,175 | \$150 | | \$1,525 | \$2,100 |
| Chandler, Gary | R | H | \$3,600 | \$300 | \$825 | \$500 | | \$1,625 | \$5,225 |
| Chopp, Frank | D | H | \$0 | | | | | \$0 | \$0 |
| Clements, James | R | H | \$350 | | | | | \$0 | \$350 |
| Cloud, Stewart | R | H | \$1,100 | | | | | \$0 | \$1,100 |
| Cobb, Monty | R | | | \$150 | \$400 | | | \$550 | \$550 |
| Cody, Eileen | D | H | \$0 | | | | | \$0 | \$0 |
| Conway, Steve | D | H | \$0 | | | | | \$0 | \$0 |
| Constantine, Dow | D | S | \$0 | | | | | \$0 | \$0 |
| Cooke, Suzette | R | H | \$1,100 | | | | | \$0 | \$1,100 |
| Cooper, J Mike | D | H | \$0 | | | | | \$0 | \$0 |
| Costa, Jeralita | D | S | \$0 | | | | | \$0 | \$0 |
| Cox, Don | R | H | \$0 | | | | | \$0 | \$0 |
| Courser, Zachary | R | | | | | \$600 | | \$600 | \$600 |
| Crouse, Larry | R | H | \$1,650 | \$250 | | | | \$250 | \$1,900 |
| Darneille, Jeannie | D | H | | | | | | \$0 | \$0 |
| De Bolt, Richard | R | H | \$900 | \$350 | \$500 | \$150 | | \$1,000 | \$1,900 |
| Deccio, Alex | R | S | \$1,650 | | | | | \$0 | \$1,650 |
| Delvin, Jerome | R | H | \$0 | \$200 | | | | \$200 | \$200 |
| Dickerson, Mary | D | H | \$0 | | | | | \$0 | \$0 |
| Doumit, Mark | D | H | \$1,150 | \$250 | \$500 | \$150 | | \$900 | \$2,050 |
| Dunn, James | R | H | \$250 | \$400 | | \$150 | | \$550 | \$800 |
| Dunshee, Hans | D | H | \$0 | | | | | \$0 | \$0 |
| Edmonds, Carolyn | D | H | \$0 | | | | | \$0 | \$0 |
| Edwards, Jeanne | D | H | | | | | | \$0 | \$0 |
| Eickmeyer, William | D | H | \$0 | | \$975 | | | \$975 | \$975 |
| Eide, Tracey | D | S | \$0 | | | | | \$0 | \$0 |
| Elliot, Ian | R | H | \$1,525 | | | | | \$0 | \$1,525 |
| Ericksen, Doug | R | H | \$1,000 | | | \$150 | | \$150 | \$1,150 |
| Esser, Luke | R | H | \$0 | | | | | \$0 | \$0 |
| Estes, Kenneth | R | | \$250 | | | | | \$0 | \$250 |
| Fairley, Darlene | D | S | \$0 | | | | | \$0 | \$0 |
| Finkbeiner, Bill | R | S | \$1,450 | | | | | \$0 | \$1,450 |
| Fisher, Ruth | D | H | \$2,800 | | | \$150 | | \$150 | \$2,950 |

TABLE A-4: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1999-2000

| Officeholder/Candidate | Party | House | 1985-1998 | PM | RJR | B&W | LOR | 2000 | Grand |
|------------------------|-------|-------|-----------|---------|---------|-------|-------|---------|---------|
| | | | | | | | | Total | Total |
| Ahern, John | R | H | | \$200 | \$400 | | | \$600 | \$600 |
| Fortunato, Phil | R | H | \$850 | \$1,200 | \$600 | \$150 | | \$1,950 | \$2,800 |
| Franklin, Rosa | D | S | \$0 | | | | | \$0 | \$0 |
| Fraser, Karen | D | S | \$500 | | | | | \$0 | \$500 |
| Fromhold, Bill | D | H | | | | | | \$0 | \$0 |
| Gardner, Georgia | D | S | \$0 | | | | | \$0 | \$0 |
| Goings, Calvin | D | S | \$0 | | | | | \$0 | \$0 |
| Goldsmith, Eugene | R | H | \$750 | | | | | \$0 | \$750 |
| Gombosky, Jeffrey | D | H | \$0 | | | | | \$0 | \$0 |
| Grant, William A. | D | H | \$7,200 | \$200 | | | | \$200 | \$7,400 |
| Haigh, Kathy | D | H | \$0 | | | | | \$0 | \$0 |
| Hale, Patricia | R | S | \$0 | | | | | \$0 | \$0 |
| Hammond, Steven | R | | | \$200 | | | | \$200 | \$200 |
| Hankins, Shirley | R | H | \$1,000 | | | | | \$0 | \$1,000 |
| Hargrove, Jim | D | S | \$950 | | | | | \$0 | \$950 |
| Hatfield, Brian | D | H | \$2,300 | \$100 | \$1,075 | \$150 | | \$1,325 | \$3,625 |
| Haugen, Mary Margaret | D | S | \$1,300 | | | | | \$0 | \$1,300 |
| Heavey, Michael | D | S | \$2,609 | | | | | \$0 | \$2,609 |
| Hewitt, Mike | R | S | | | \$500 | | | \$500 | \$500 |
| Hochstatter, Harold | R | S | \$2,425 | | | | | \$0 | \$2,425 |
| Honeyford, Jim | R | S | \$2,525 | | | | | \$0 | \$2,525 |
| Horn, Jim | R | S | \$3,350 | | \$875 | \$500 | | \$1,375 | \$4,725 |
| Huff, Tom | R | H | \$2,825 | | \$575 | | | \$575 | \$3,400 |
| Hunt, Sam | D | H | | | | | | \$0 | \$0 |
| Hurst, Christopher | D | H | \$0 | | | | | \$0 | \$0 |
| Jacobsen, Ken | D | S | \$250 | | | | | \$0 | \$250 |
| Jackley, Brock | D | H | | | | | | \$0 | \$0 |
| Jarrett, Fred | R | H | | | | | | \$0 | \$0 |
| Johnson, Steven | R | S | \$0 | | | | | \$0 | \$0 |
| Kastema, James | D | S | \$0 | | | | | \$0 | \$0 |
| Keiser, Karen | D | H | \$0 | | | | | \$0 | \$0 |
| Kenney, Phyllis | D | H | \$0 | | | | | \$0 | \$0 |
| Kessler, Lynn | D | H | \$0 | | | | | \$0 | \$0 |
| Kirby, Steve | D | H | | | \$400 | \$150 | | \$550 | \$550 |
| Kline, Adam | D | S | \$0 | | | | | \$0 | \$0 |
| Kohl-Welles, Jeanne | D | S | \$0 | | | | | \$0 | \$0 |
| Koetje, Gordon | R | | \$350 | | | | | \$0 | \$350 |
| Koster, John | R | H | \$2,150 | | | | | \$0 | \$2,150 |
| Kristiansen, Daniel | R | | | \$600 | \$400 | \$600 | | \$1,600 | \$1,600 |
| Lambert, Kathy | R | H | \$1,150 | \$500 | | | | \$500 | \$1,650 |
| Lantz, Patricia | D | H | \$0 | | | | | \$0 | \$0 |
| Lecocq-Kagi, Ruth | D | H | \$0 | | | | | \$0 | \$0 |
| Linville, Kelli | D | H | \$0 | | | | | \$0 | \$0 |
| Lisk, Barbara | R | H | \$3,321 | \$500 | | | | \$500 | \$3,821 |
| Long, Jeanine | R | S | \$0 | | | | | \$0 | \$0 |
| Loveland, Valoria | D | S | \$1,430 | \$250 | \$575 | \$500 | | \$1,325 | \$2,755 |
| Lovick, John | D | H | \$0 | | | | | \$0 | \$0 |
| Marine, Joe | R | H | | | | | | \$0 | \$0 |
| Mastin, John David | R | H | \$850 | \$400 | \$900 | \$500 | \$600 | \$2,400 | \$3,250 |
| McAuliffe, Rosemary | D | S | \$0 | | | | | \$0 | \$0 |
| McCaslin, Bob | R | S | \$3,035 | | | | | \$0 | \$3,035 |
| McDermott, Joe | D | H | | | | | | \$0 | \$0 |
| McDonald, Dan | R | S | \$7,246 | | | | | \$0 | \$7,246 |
| McDonald, Joyce | R | H | \$0 | | | | | \$0 | \$0 |
| McIntire, Jim | D | H | \$0 | | | | | \$0 | \$0 |
| McMorris, Cathy | R | H | \$3,200 | \$400 | | | | \$400 | \$3,600 |
| Mielke, Thomas | R | H | \$4,125 | | \$500 | \$150 | | \$650 | \$4,775 |

TABLE A-4: CONTRIBUTIONS TO LEGISLATIVE OFFICEHOLDERS AND CANDIDATES, 1999-2000

| Officeholder/Candidate | Party | House | 1985-1998 | PM | RJR | B&W | LOR | 2000 Total | Grand Total |
|------------------------|-------|-------|-----------|-------|-------|-------|-----|------------|-------------|
| Ahern, John | R | H | | \$200 | \$400 | | | \$600 | \$600 |
| Miloscia, Mark | D | H | \$0 | | | | | \$0 | \$0 |
| Mitchell, Mary Ann | R | H | \$1,375 | \$200 | \$500 | | | \$700 | \$2,075 |
| Morell, David | R | H | \$550 | | | | | \$0 | \$550 |
| Morris, Jeffrey | D | H | \$2,075 | \$400 | \$500 | | | \$900 | \$2,975 |
| Morton, Bob | R | S | \$1,475 | | | | | \$0 | \$1,475 |
| Mulliken, Joyce | R | H | \$1,350 | | \$475 | \$500 | | \$975 | \$2,325 |
| Murray, Edward | D | H | \$0 | | | | | \$0 | \$0 |
| Nixon, Toby | R | | | \$300 | | \$600 | | \$900 | \$900 |
| O'Brien, Allister | D | H | \$0 | | | | | \$0 | \$0 |
| Ogden, Val | D | H | \$325 | | | | | \$0 | \$325 |
| Oke, Bob | R | S | \$603 | | | | | \$0 | \$603 |
| Olsen, Timothy | R | | \$750 | | | | | \$0 | \$750 |
| Owen, Brad | D | S | \$5,400 | | | | | \$0 | \$5,400 |
| Parlette, Linda Evans | R | S | \$0 | | | | | \$0 | \$0 |
| Patterson, Julia | D | H | \$0 | | | | | \$0 | \$0 |
| Pearson, Kirk | R | H | | \$200 | | | | \$200 | \$200 |
| Pelesky, Grant | R | H | \$1,550 | | | | | \$0 | \$1,550 |
| Pelz, Dwight | D | S | \$75 | | | | | \$0 | \$75 |
| Pennington, John | R | H | \$1,575 | \$400 | | | | \$400 | \$1,975 |
| Pflug, Cheryl | R | H | \$0 | \$400 | | | | \$400 | \$400 |
| Poulsen, Erik | D | H | \$0 | | | | | \$0 | \$0 |
| Prentice, Margarita | D | S | \$1,100 | \$450 | \$250 | \$500 | | \$1,200 | \$2,300 |
| Quall, Dave | D | H | \$250 | | | | | \$0 | \$250 |
| Radcliff, D Renee | R | H | \$2,375 | \$200 | \$400 | \$150 | | \$750 | \$3,125 |
| Rasmussen, Marilyn | D | S | \$650 | | | | | \$0 | \$650 |
| Reardon, Aaron | D | H | \$1,075 | | | | | \$0 | \$1,075 |
| Regala, Debbie | D | S | \$850 | | | | | \$0 | \$850 |
| Roach, Dan | R | H | | \$200 | \$400 | | | \$600 | \$600 |
| Roach, Pam | R | S | \$2,175 | | | | | \$0 | \$2,175 |
| Rockefeller, Phillips | D | H | \$0 | | | | | \$0 | \$0 |
| Romero, Sandra | D | H | \$2,023 | | | | | \$0 | \$2,023 |
| Rossi, Dino | R | S | \$0 | | | | | \$0 | \$0 |
| Ruderman, Laura | D | H | \$0 | | | | | \$0 | \$0 |
| Santos, Sharon | D | H | \$0 | | | | | \$0 | \$0 |
| Schindler, Lynn | R | H | \$0 | | | | | \$0 | \$0 |
| Schmidt, Dave | R | H | \$2,450 | | | | | \$0 | \$2,450 |
| Schmidt, Karen | R | H | \$3,900 | | | | | \$0 | \$3,900 |
| Schoesler, Mark | R | H | \$950 | | | | | \$0 | \$950 |
| Schual-Burke, Shay | D | H | \$0 | | | | | \$0 | \$0 |
| Scott, Patricia | D | H | \$5,340 | | | \$150 | | \$150 | \$5,490 |
| Sellar, George | R | S | \$4,634 | | | | | \$0 | \$4,634 |
| Sensel, Shirley | D | | \$350 | | | | | \$0 | \$350 |
| Sheahan, Larry | R | S | \$750 | | | | | \$0 | \$750 |
| Sheldon, Betti | D | S | \$0 | | | | | \$0 | \$0 |
| Sheldon, Tim | D | S | \$1,650 | | | | | \$0 | \$1,650 |
| Shin, Paull | D | S | \$0 | | | | | \$0 | \$0 |
| Simpson, Geoff | D | H | | | | | | \$0 | \$0 |
| Skinner, Mary | R | H | \$300 | | | | | \$0 | \$300 |
| Snyder, Sid | D | S | \$3,100 | | | | | \$0 | \$3,100 |
| Sommer, Duane | R | H | \$350 | | | | | \$0 | \$350 |
| Sommers, Helen | D | H | \$500 | | | \$150 | | \$150 | \$650 |
| Spaniel, Harriet | D | S | \$600 | | | | | \$0 | \$600 |
| Stensen, Michael | D | H | \$0 | | | | | \$0 | \$0 |
| Stevens, Val | R | S | \$1,150 | \$200 | \$750 | | | \$950 | \$2,100 |
| Sullivan, Brian | D | H | \$2,375 | | | | | \$0 | \$2,375 |
| Sump, Robert | R | H | \$0 | \$200 | | | | \$200 | \$200 |

**TABLE A-4: CONTRIBUTIONS TO LEGISLATIVE
OFFICEHOLDERS AND CANDIDATES, 1999-2000**

| Officeholder/Candidate | Party | House | 1985-1998 | PM | RJR | B&W | LOR | 2000 | Grand |
|------------------------|-------|-------|-----------|----------|----------|----------|---------|----------|-----------|
| | | | | | | | | Total | Total |
| Ahern, John | R | H | | \$200 | \$400 | | | \$600 | \$600 |
| Swecker, Dan | R | S | \$1,000 | | | \$500 | | \$500 | \$1,500 |
| Talcott, Georganne | R | H | \$1,000 | \$300 | | | | \$300 | \$1,300 |
| Thibaudeau, Pat | D | S | \$0 | | | | | \$0 | \$0 |
| Thomas, Brian | R | H | \$1,200 | | | | | \$0 | \$1,200 |
| Tokuda, Kip | D | H | \$250 | | | | | \$0 | \$250 |
| Van Hollebeke, Leo | R | | | \$400 | | | | \$400 | \$400 |
| Van Luven, Steve | R | H | \$2,100 | \$500 | | | | \$500 | \$2,600 |
| Veloria, Velma | D | H | \$0 | | | | | \$0 | \$0 |
| Wensman, Mike | R | H | \$0 | | | | | \$0 | \$0 |
| West, James | R | S | \$2,575 | | | | | \$0 | \$2,575 |
| Winsley, Shirley | R | S | \$0 | | | | | \$0 | \$0 |
| Wojahn, R. Lorraine | D | S | \$5,084 | | | | | \$0 | \$5,084 |
| Wolfe, Cathy | D | H | \$0 | | | | | \$0 | \$0 |
| Wood, Alex | D | H | \$0 | | | | | \$0 | \$0 |
| Woods, Beverly | R | H | \$0 | \$400 | | | | \$400 | \$400 |
| Zarelli, Joseph | R | S | \$0 | \$200 | | \$500 | | \$700 | \$700 |
| Totals | | | \$181,540 | \$15,200 | \$21,900 | \$10,500 | \$1,200 | \$48,800 | \$230,340 |

**TABLE A-5: TOBACCO INDUSTRY CONTRIBUTIONS TO POLITICAL PARTIES
(DETAILED FOR 2000 ELECTION YEAR)**

| | 1985-1995 | 1996 | 1998 | PM | RJR | BW | LOR | Totals |
|---|------------------|-----------------|-----------------|-----------------|----------------|----------------|----------------|------------------|
| Democratic Committees | | | | | | | | |
| House Dem. Camp Comp | \$2,450 | | | \$250 | | | | \$2,700 |
| House Dem. Caucus | \$1,475 | | | | | | | \$1,475 |
| House Dem. Caucus Camp. Comm. | \$9,625 | | | | | | | \$9,625 |
| House Dem. Caucus Reception | \$550 | | | | | | | \$550 |
| House Dem. Lead. Fund | \$2,000 | | | | | | | \$2,000 |
| Sen. Dem. Camp. Comm. | \$500 | | | | | | | \$500 |
| Sen. Dem. Caucus | \$3,000 | | | | | | | \$3,000 |
| Senate Dem. Camp. Comm. | \$6,875 | | | \$925 | | \$600 | \$600 | \$9,000 |
| Senate Dem. Camp. Fund | \$200 | | | | | | | \$200 |
| Senate Dem. Caucus | \$6,750 | | | | | | | \$6,750 |
| Senate Dem. Caucus Camp. Comm. | \$3,000 | | | | | | | \$3,000 |
| Senate Dem. Caucus Reception | \$400 | | | | | | | \$400 |
| Senate Dem. Comm. | \$250 | | | | | | | \$250 |
| Senate Dem. Leadership | \$200 | | | | | | | \$200 |
| Speakers Northwest Fund (Dem) | \$1,000 | | | | | | | \$1,000 |
| Victory 94 (WA Dem Party) | \$2,000 | | | | | | | \$2,000 |
| WA State Dem. Central Comm. | \$1,000 | | | | | | | \$1,000 |
| WA State Democrats | \$500 | | | | | | | \$500 |
| Democratic Total | \$41,775 | \$0 | \$0 | \$1,175 | \$0 | \$600 | \$600 | \$44,150 |
| Republican Committees | | | | | | | | |
| Capitol Fund (rep) | \$1,750 | | \$1,000 | \$1,500 | \$1,150 | \$2,000 | \$600 | \$8,000 |
| Citizens for a Responsible Majority (rep) | | | | | \$1,000 | \$700 | | \$1,700 |
| House Rep. Camp. Comm. | \$1,950 | | | \$375 | | | \$600 | \$2,925 |
| House Rep. Caucus | \$1,615 | | | | | | | \$1,615 |
| House Rep. Caucus Camp. Comm. | \$8,340 | | | | | | | \$8,340 |
| House Rep. Caucus Reception | \$400 | | | | | | | \$400 |
| House Rep. Lead. Council | \$4,750 | | \$4,000 | | | | | \$8,750 |
| House Rep. Lead. Fund | \$250 | | | | | | | \$250 |
| House Rep. Org. Comm. | \$7,535 | | | \$225 | \$575 | \$600 | | \$8,935 |
| House Rep. PAC | \$2,561 | | | | | | | \$2,561 |
| House Republican Comm. | \$500 | | | | | | | \$500 |
| House Republican PAC | \$2,000 | | | | | | | \$2,000 |
| Ninth District Republican Committee | | | | | | \$1,000 | | \$1,000 |
| Project Rebound WSRP | \$5,000 | | | | | | | \$5,000 |
| Senate Comm. for Responsible Maj. (rep) | | | | \$2,000 | | | | \$2,000 |
| Senate Lead. Fund (rep) | \$7,750 | | | | | \$1,000 | | \$8,750 |
| Senate Rep. Camp. Comm. | \$10,175 | | | \$925 | | \$600 | \$600 | \$12,300 |
| Senate Rep. Camp. Fund | \$575 | | | | | | | \$575 |
| Senate Rep. Caucus | \$1,325 | | | | | | | \$1,325 |
| Senate Rep. Caucus Camp. Comm. | \$3,000 | | | | | | | \$3,000 |
| Senate Rep. Caucus Reception | \$400 | | | | | | | \$400 |
| Senate Rep. Lead. Fund | \$27,140 | \$10,000 | | | | | | \$37,140 |
| Speaker's Roundtable (rep) | | \$5,000 | \$7,000 | \$25,200 | \$1,000 | | | \$38,200 |
| Vote '94 (rep) | \$7,500 | | | | | | | \$7,500 |
| Vote 2000 (rep) | | | | \$15,000 | | | | \$15,000 |
| WA State Rep. Party | \$27,750 | \$45,500 | \$52,125 | \$27,375 | | \$3,000 | | \$155,750 |
| Republican Total | \$122,266 | \$60,500 | \$64,125 | \$72,600 | \$3,725 | \$8,900 | \$1,800 | \$333,916 |
| GRAND TOTALS | \$164,041 | \$60,500 | \$64,125 | \$73,775 | \$3,725 | \$9,500 | \$2,400 | \$378,066 |

**TABLE A-6: CONTRIBUTIONS TO OTHER WASHINGTON
POLITICAL ORGANIZATIONS (Detailed for 1999-2000)**

| Organization | 1986-1994 | 1995-1996 | 1997-1998 | PM | RJR | Total |
|--|------------------|------------------|------------------|-----------------|----------------|------------------|
| AWB Caucus Ticket Fund | \$250 | | | | | \$250 |
| AWB Legislative Ticket Fund | \$3,000 | | | | | \$3,000 |
| Accountability Project | \$1,500 | | | | | \$1,500 |
| Alumni Fund | \$1,600 | | | | | \$1,600 |
| Asian elected Officials of WA. | \$100 | | | | | \$100 |
| Ballot Issues Analysis Committee | \$8,000 | | | | | \$8,000 |
| Citizens for Enhanced 911 | \$1,000 | | | | | \$1,000 |
| Citizens for Medic One | \$1,000 | | | | | \$1,000 |
| Clout | \$3,000 | | | | | \$3,000 |
| Committee for Tobacco and Candy Industry Unity | \$6,000 | | | | | \$6,000 |
| Evergreen Rep. Women's Club | \$150 | | | | | \$150 |
| Friends of Good Government | \$1,500 | | | | | \$1,500 |
| Liability Reform Coalition PAC | \$2,000 | | | | | \$2,000 |
| N-PAC | \$125 | | | | | \$125 |
| NAVA-PAC | \$125 | | | | | \$125 |
| No on I-695 Campaign | | | | \$5,000 | | \$5,000 |
| Northwest Business and Labor Alliance | | | \$10,000 | | | \$10,000 |
| Retail Action Council | \$1,500 | | | | | \$1,500 |
| Taxpayers Against Campaign Subsidies | \$3,000 | | | | | \$3,000 |
| United for Washington | \$40,000 | | | \$31,800 | \$4,250 | \$76,050 |
| WA State Association of Neighborhood Stores | | | \$20,000 | | | \$20,000 |
| Washington Restaurant Association | | | \$250 | | | \$250 |
| WA Retail Association | \$500 | | | | | \$500 |
| WA Retail Association PAC | \$1,000 | | | | | \$1,000 |
| WA State Food Dealers Association | \$450 | | | | | \$450 |
| Washington State Hotel Association | | | \$250 | | | \$250 |
| Washington State Tavern Association | | | \$250 | | | \$250 |
| Total | \$75,800 | \$0 | \$30,750 | \$36,800 | \$4,250 | \$147,600 |