



A STATE ON THE BORDERLINE

FEW CAMPAIGN CONTRIBUTORS PUT MONEY
BEHIND IMMIGRATION-RELATED EFFORTS IN ARIZONA

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Arizona has been a focal point in the immigration debate since 2004, when it passed the first of five immigrant-related ballot measures. In 2007, the issue grew even more heated when the state Legislature passed one of the nation's toughest laws to penalize businesses that hire undocumented immigrants.

While Arizona voters voted in favor of the immigrant-related measures on the ballots in 2004 and 2006, that passion has not translated into significant campaign cash. An analysis by the National Institute on Money in State Politics found that 128 contributors made contributions to both immigration-related ballot measure committees and state candidates and party committees — 95 in opposition to the measures and 33 in support.

Because Arizona's clean election system and strict contribution limits work to contain the direct influence contributors have over candidates, only parties and ballot measure committee remain to benefit from large sums of campaign cash contributed by organizations and individuals.

Of the 128 contributors who gave to ballot measures and candidates or parties, 114 were individuals. These individuals gave a total of \$68,594 to state candidates and party committees, and \$91,260 to ballot measure committees. Of the contributors who gave to both ballot measure committees and candidates or parties, individual contributors account for just 6 percent of the total contributions given to each.

The Institute's analysis also found that while the primary financial supporters of the ballot measures did not give to candidates or party committees, the measures' main opponents did.

Labor unions contributed \$1,006,750 to committees opposing the 2004 and 2006 measures — or 39 percent of the opponents' total. Many of these same unions also contributed more than \$1 million to state candidates and party committees. In sharp contrast, anti-immigration organizations, which provided 89 cents of every dollar raised in support of the ballot measures, made no contributions to state candidates or political parties.

The Fair and Legal Employment Act (House Bill 2779) took effect Jan. 1, 2008. The law imposes stiff sanctions on businesses that hire undocumented immigrants. Penalties include the suspension and revocation of business licenses for those found to have "knowingly" or "intentionally" employed an undocumented worker. The law also mandates that employers use the federal Basic Pilot Program/E-Verify to screen new hires for employment eligibility, and encourages citizens to contact local sheriffs or county attorneys about businesses they suspect of hiring undocumented immigrants.¹

House Bill 2779 passed the House by a 47-11 vote and the Senate 20-4, and was signed by Democratic Gov. Janet Napolitano on July 2, 2007. All Republican legislators who voted were for House Bill 2779, while Democrats were more divided on the issue, with 20 voting in favor and 15 against the bill. Three Republican and five Democratic lawmakers did not vote on the bill.

¹ Miriam Jordan, "Arizona Squeeze on Immigration Angers Business," *The Wall Street Journal*, Dec. 14, 2007, sec. B, p. 1.

Unsuccessfully challenged in court twice, the new law faces yet another challenge on January 16, 2008, when a U. S District Court will hear a lawsuit on the constitutionality of the law.²

The current legal challenge is being brought by a dozen national and Arizona business interests. Plaintiffs in the lawsuit, *Arizona Contractors Association, et al v. Napolitano*, include: the Arizona Contractors Association, Arizona Employers for Immigration Reform, the U.S. Chamber of Commerce, the Arizona Chamber of Commerce and Industry, the Arizona Hispanic Chamber of Commerce, the Arizona Farm Bureau Federation, the Arizona Restaurant and Hospitality Association, Associated Minority Contractors of America, Arizona and National Roofing Contractors Associations, Wake Up Arizona! Inc., and the Arizona Landscape Contractors Association.³

Though actively fighting the law in court, these opponents gave very little to state lawmakers and party committees during the 2004 and 2006 elections preceding the 2007 legislative session. Eight of the 12 plaintiffs made no contributions, while the four that did gave a total of just \$17,661: the Arizona Contractors Association, the lead plaintiff in the case, gave just \$2,260; Arizona Farm Bureau's committee, Ag PAC, gave \$6,230; the Arizona Restaurant and Hospitality Association gave \$8,283; and the Arizona Chamber of Commerce gave \$888.

The study of contributors who gave to state candidates and party committees, as well as to immigration ballot measures, also found that:

- Committees working on immigration-related ballot measures in Arizona raised \$3.4 million in 2004 and 2006. Contributors to those committees also gave \$1.2 million to candidates and party committees over the two election cycles.
- Proponents of the 2004 and 2006 ballot measures gave \$813,000 to ballot measure committees, but contributed only \$10,474 to state candidates and party committees in those same years.
- On the other hand, opponents of the 2004 and 2006 ballot measures gave \$2.6 million to ballot measure committees and \$1.2 million to state candidates and party committees.
- Labor unions contributed 84 percent of funds given to candidates and party committees by contributors who also gave to immigration-related ballot measures. The unions opposed Proposition 200 in 2004.

PREVIOUS EFFORTS

In 2004, 56 percent of Arizona voters approved Proposition 200, a hotly contested ballot measure which requires anyone registering to vote or receive state benefits present evidence of U.S. citizenship. In 2006, four immigration-related propositions passed, each with over 70 percent of voters' support.

² Daniel Gonzalez, "Sanctions Law Begins Tuesday," *Arizona Republic*, [newspaper on-line]: available from <http://www.azcentral.com/arizonarepublic/news/articles/1230sanctionsstart.html>; Internet; accessed Jan. 2, 2008.

³ "Business Groups to Refile Lawsuit in Federal Court with County Attorneys as Defendants," Arizona Employers for Immigration Reform [on-line]; available from <http://azeir.org/index2.asp>; Internet; accessed Dec. 21, 2007.

While 2004's Proposition 200 generated \$3.2 million in contributions — three-fourths raised in opposition — the four immigration related ballot measures in 2006 generated just \$171,000.

YEAR	MEASURE	PROPOSERS	OPPONENTS	TOTAL
2004	Proposition 200	\$788,387	\$2,447,675	\$3,236,063
2004 TOTAL		\$788,387	\$2,447,675	\$3,236,063
2006	Proposition 102	\$0	\$138,697	\$138,697
2006	Proposition 103	\$25,000	\$300	\$25,300
2006	Proposition 300	\$0	\$7,500	\$7,500
2006	Proposition 100	\$0	\$300	\$300
2006 TOTAL		\$25,000	\$146,797⁴	\$171,797
OVERALL TOTAL		\$813,387	\$2,594,472	\$3,407,860

An unlikely alliance of labor unions and business interests went up against committees funded by anti-immigration activists in opposing 2004's Proposition 200.

In 2006, the ideological immigration groups, unions, and business interests largely stayed away from giving in support or opposition to any measure. The 2006 measures included:

- Proposition 100, which prohibits bail for any person who is charged with a serious felony offense if the person charged entered or remained in the United States illegally.
- Proposition 102, which prohibits a person who wins a civil lawsuit from receiving punitive damages if the person is present in this state in violation of federal immigration law related to improper entry.
- Proposition 103, which replaces the existing provision of the Constitution of Arizona with a new provision establishing English as the official language of the state.
- Proposition 300, which made changes related to eligibility, enforcement and reporting for certain state-funded services.

SUPPORTERS: WHO GIVES

Six anti-immigration organizations — Federation For American Immigration Reform (FAIR), Americans For Immigration Control, Popstop Inc., Americans for Better Immigration, US English, and Population-Environment Balance Inc. — gave a total of \$724,030, or 89 cents of every dollar raised in support of the 2004 and 2006 immigration-related ballot measures. None of these organizations, however, made contributions to state-level candidates or party committees in either election.

Of the contributors who gave in support of immigration ballot measures and within the state, only individual contributors gave to state candidates. More than 30 individuals, all but one listing an

⁴ The same committee raised funds in opposition to Propositions 103 and 100, so these figures are likely counted twice.

Arizona address, gave \$28,588 in support of the ballot measures and \$10,400 to state candidates. None of these supporters gave to state parties.

SUPPORTERS: WHO GETS

Fifty candidates received \$10,400 given by individuals who supported immigration-related propositions and gave to state election committees. Republican candidates received more than \$10,000, while a single Democrat received a total of \$5, likely a qualifying contribution for Arizona's clean elections program.

Republican lawmakers received \$7,372 in contributions from those who supported immigration-related ballot initiatives. Only \$6,697 from supporters went to incumbent candidates and \$3,777 went to those challenging for current or open seats.

No contributor in favor of the immigration measures gave to the either Democratic or Republican state party committees.

OPPONENTS: WHO GIVES

Opponents of the ballot measures were far more likely to be involved in other kinds of political giving in the state than proponents.

Labor unions — which often have a number of legislative interests — contributed significantly to fight 2004's Proposition 200 and also represented the lion's share of contributors who gave to ballot measure campaigns, as well as to state candidates and party committees since 2004. Of the nearly \$1.2 million in contributions made to candidates and party committees by organizations and individuals who also supported or opposed immigration ballot measure campaigns, 84 percent came from labor unions.

- The Service Employees International Union (SEIU) contributed \$660,000 to oppose Proposition 200 in 2004. The SEIU also gave \$100,000 to the Arizona Democratic Party in 2006.
- International and local chapters of the Association of Federal, State, County, and Municipal Employees Union (AFSCME) contributed \$366,680 to candidates and party committees since 2004, 99 percent of which went to the Arizona Democratic Party. They also gave \$100,000 to oppose immigration-related ballot measures.
- The AFL-CIO gave \$50,000 in opposition of Proposition 200 and \$10,000 to the Arizona Democratic Party in 2006.
- The United Food and Commercial Workers Union (UFCW) and local chapters contributed \$50,500 to ballot measure committees and \$231,500 the Arizona Democratic Party in 2004 and 2006.

Since 2004, individuals and organizations other than labor unions that were active in opposing immigration ballot measure committees contributed over \$177,500 to candidates and party committees. Most of those funds came from the Pascua Yaqui Tribe of Arizona. The tribe contributed just \$2,000 in opposition to Proposition 200 in 2004, but has given \$99,000 to the Arizona Democratic Party since 2004.

The Arizona Chamber of Commerce, which gave \$479,270 in fighting Proposition 200 and is active in fighting House Bill 2779 in the courts, has given only \$888 to candidates since 2004.

The Arizona Hospital and Health Care Association contributed \$50,000 in opposition to Proposition 200 and has given \$16,096 to candidates and committees since 2004.

Individuals who opposed immigration-related ballot measures were far more likely to contribute to state candidates and parties. More than 80 individuals contributed \$58,120 to candidates and party committees, while giving \$62,672 to committees opposing the measures.

Lawyers and law firms gave \$129,289 or 93 percent of the total raised by the Fairness & Accountability in Insurance Reform committee, which opposed Proposition 102. Contributors to committees opposing Proposition 102, which would have prohibited illegal immigrants from collecting damages in court cases, contributed \$36,745 to candidates and party committees since 2004.

OPPONENTS: WHO GETS

Donors who contributed to committees opposing immigration propositions have given nearly \$1.1 million to the Arizona Democratic Party since 2004. Labor unions contributed \$958,650 of that total, while the Pascua Yaqui Tribe of Arizona provided \$99,000. Other contributors gave \$13,276.

The Arizona Republican Party was the recipient of \$5,850 in funds from contributors who also gave to the ballot measures. The Arizona Education Association contributed \$4,075, and the Phoenix Fire Fighters Local 493 contributed \$1,025 and the Arizona Hospital & Healthcare Association contributed \$750.

More than 100 candidate committees received over \$100,000 in funds from opponents of immigration ballot measures, with 40 percent of that total coming from labor unions.

Republican candidates received \$45,598, while Democrats received \$62,246. House candidates received \$52,408; Senate candidates received \$48,287; and gubernatorial candidates received \$720.

Republican candidates who lost primary elections received \$10,286 in contributions from those who opposed immigration ballot initiatives, while Democratic primary losers received \$1,220.

Opponents of the immigration initiatives gave \$51,990 to Democratic lawmakers and \$ 34,852 to Republican lawmakers.

Candidates and party committees received \$58,120 from individuals who also gave in opposition to ballot measures. These individual donors contributed \$93,256 to opposition ballot measures.

CONCLUSION

Those pressing anti-immigration ballot measures are not active in the campaigns of candidates and party committees within the state. Those fighting anti-immigration efforts, largely labor unions, are active in contributing to ballot measure committees, statewide campaigns, as well as to state parties.