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KATHRYN B. BROWN
Publisher

DANIEL WATTENBURGER
Managing Editor

JENNINE PERKINSON
Advertising Director

TIM TRAINOR
Opinion Page Editor

OUR VIEW

Liquor initiative has dirty little secret

If it ain't broke, don't fix it. That axiom is apt for the ballot initiative that would move liquor sales out of state-operated stores and into grocery stores. The measure is backed by the grocery industry. Petitioners will soon be gathering signatures.

When Washington voters considered this choice in 2011, it became known colloquially as the Costco Initiative. That's because Costco largely bankrolled the ballot measure campaign.

Oregon is one of 13 states that maintains state-owned stores. They are a considerable moneymaker for state government. How the state would replace that revenue is this ballot measure's dirty little secret.

On the other side of the Columbia River, there is a measure of buyers' remorse. The variety Washingtonians once saw in their liquor stores is gone. Restaurateurs find that particularly vexing. And the products cost more.

Unsigned editorials are the opinion of the East Oregonian editorial board of Publisher Kathryn Brown, Managing Editor Daniel Wattenburger, and Opinion Page Editor Tim Trainor. Other columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the East Oregonian.

Prices have gone up and variety has gone down in Washington, where liquor is sold in supermarkets.

Oregon's burgeoning industries of craft brewers, distillers and winemakers oppose the initiative, because of what they see coming. Without the Oregon Liquor Control Commission stores, craft distillers would lose their access to a statewide retail network. If liquor is moved into supermarkets, brewers and winemakers will see their shelf space diminished. Grocery stores are a zero-sum game. If a body of new product gains shelf space, other products have less.

OLCC stores produce revenue in excess of \$200 million that's used for state and local government services. The grocers' ballot measure assumes the state Legislature will find another way to generate that amount of revenue. Good luck.

Washington's Costco Initiative has demonstrated who really wins with proposals such as this. The craft distillers, brewers and wine makers have it right. They will lose, big time. So will consumers.

OUR VIEW

A right to work ballot measure

The Oregonian

Prior to Supreme Court Justice Antonin Scalia's death, it was easy for Oregonians to overlook a "right to work" ballot measure proposed by Portland-area attorney Jill Gibson. The court appeared ready during oral arguments in January to prohibit public sector unions from imposing fees on nonmembers, as Gibson seeks to do. A slim majority of justices, in fact, all but invited this challenge to coerced contributions in their resolution of a related case two years earlier. Given the long approach of a seemingly inevitable outcome, Gibson's initiative appeared to be little more than an insurance policy against the unexpected.

The unexpected happened in Texas a month and a half ago, and the consequences are unfolding. The eight remaining justices announced Tuesday that they'd deadlocked on the right to work case argued in January, leaving public sector unions free in many states to continue extracting money from workers who don't want to join. Public employees in Oregon who object to such coercion will now have to look to the ballot box rather than the court for relief.

The right to work fight is largely a debate about the lesser of two evils. One is mooching, and the other is the violation of employees' First Amendment protections. In many states, including Oregon, public sector unions may collect money from non-members who hold jobs covered by collective bargaining — think public school teachers. Employees in such positions don't have to belong to the union itself, but they must pay fees in lieu of dues. Such fees are appropriate, the thinking goes, because even nonmembers in covered positions benefit from the bargaining and representation of the union they are compelled to support. The alternative would be to allow free-ridership, in which nonmembers enjoy the benefits of bargaining and representation without paying any costs.

On the other hand, compelling nonmembers to contribute money to public sector unions creates significant First Amendment problems. The California teachers who brought the challenge upon which the Supreme Court deadlocked argued that bargaining with a government body is an inherently political act given the issues involved and the effects on finite public dollars. Justice Anthony Kennedy echoed this sentiment, arguing that, "When you are dealing with a governmental agency, many critical points are matters of public concern. And it is not true that many teachers strongly, strongly disagree with the union position on teacher tenure,

on merit pay, on merit promotion, on classroom size?"

The union, Kennedy argued, "basically is making these teachers 'compelled riders' for issues on which they strongly disagree."

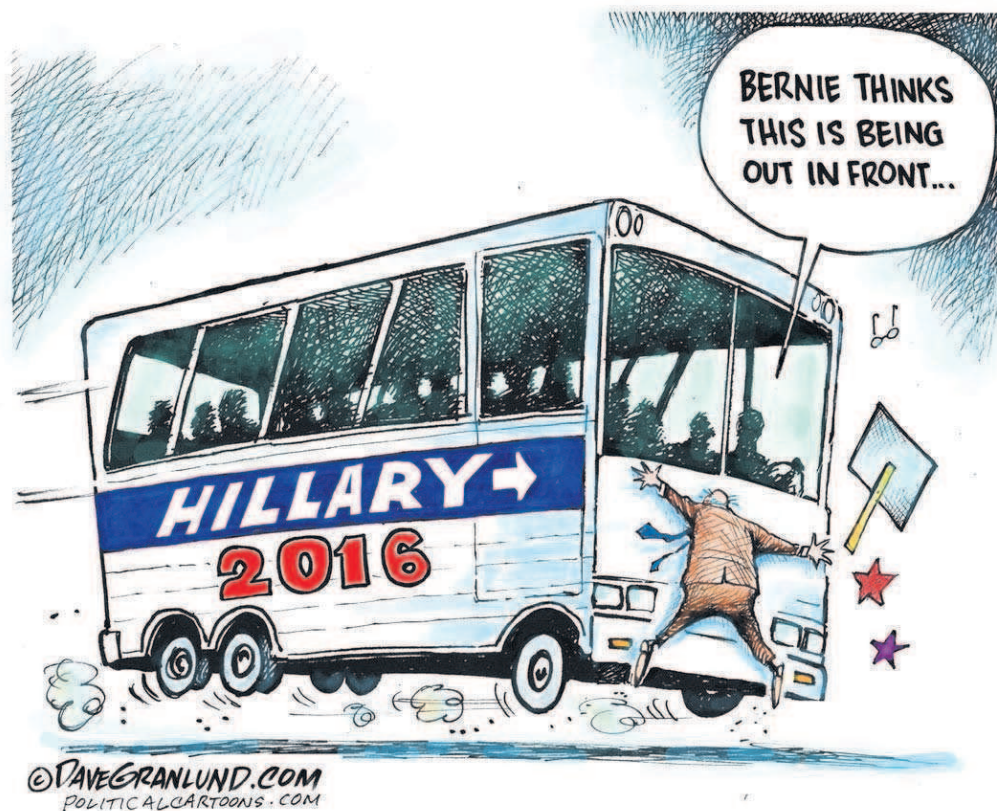
Compelling people to support positions with which they disagree is a greater affront than allowing for the possibility of free-ridership. Not only does the former run up against the Constitution's free speech protections, but the latter does nothing more than require unions to make a case for the contributions they now may compel. Public sector employees are plenty smart enough to understand the consequences attached to their pocketbook decisions. And giving them that choice is not, as some like to claim, "anti-worker." It's just the opposite.

Nonetheless, the possibility of allowing free-ridership can be a serious problem for anyone seeking reform via the ballot. It's far easier, and perhaps more effective, for opponents to yell "moochers" repeatedly than it is to explain the First Amendment problems with forced union contributions. For that reason, Gibson's initiative seeks to eliminate the possibility of free-ridership. Independent employees — those who wished neither to join a public sector union nor contribute to one — would be treated as if they did not belong to a bargaining unit, and their pay and benefits would not be determined by union contracts. They wouldn't be forced have to make contributions and they wouldn't benefit from the work unions do.

Gibson knows of no precedent for such an arrangement to prevent free-ridership, but believes it would work just fine. Not all public employees in Oregon are represented by a union, she says, including those who work for the state Supreme Court, which has yet to rule on a number of challenges to the initiative's ballot title. (The same goes, in fact, for the rest of the Oregon Judicial Department, which includes the Court of Appeals and circuit courts.) If the measure passes, says Gibson, the compensation of employees who are now compelled to pay fair share dues would be based on merit rather than a contract bargained by a union.

Antonin Scalia's death may have stalled the right to work debate in Washington, D.C., but that makes initiatives like Gibson's even more crucial. Most people can agree that protecting the rights of public employees is a good thing, as is empowering them to make decisions about the use of their money. If these goals can be accomplished without contributing to free-ridership, so much the better.

OTHER VIEWS



The (Un)Democratic Party

There are two prominent features of the Democratic Party's presidential selection process that are thoroughly undemocratic and undermine faith in the party: superdelegates (which favor Hillary Clinton) and caucuses (which favor Bernie Sanders).

As *The New York Times* editorial board explained: "Superdelegates are party bigwigs — 712 Democratic leaders, legislators, governors and the like. They can vote for any candidate at the nominating convention, regardless of whether that candidate won the popular vote. These unpledged delegates make up 30 percent of the 2,382 delegates whose votes are needed to win the nomination, and could thus make all the difference."

Let's start there. Superdelegates, whose votes are not bound by the millions of individual voters, make up nearly a third of all delegates. That, on its face, is outrageous.

It's no surprise that superdelegates were created by establishment elites to increase their own power. Superdelegates were invented by a Democratic rule change in the early 1980s after the nomination of George McGovern in 1972 and the devastating loss of Jimmy Carter to Ronald Reagan in 1980, precisely to help the establishment prevent the nomination of insurgent candidates of whom the establishment disapproved. (Sanders is nothing if not an insurgent candidate.)

As *The New York Times* reported in 1981: "Gov. James B. Hunt Jr. of North Carolina, who heads the latest Democratic rule-changing group, an unwieldy, 29-member agglomeration of the innocent and the experienced, describes its task as one of writing 'rules that will help us choose a nominee who can win and who, having won, can govern effectively.'"

The article continued: "Much of this year's deliberations have seemed infused with a desire to deny future nominations to political reincarnations of the Jimmy Carter of 1976."

So today we have an establishment structure that equates a single establishment vote with thousands of citizen votes.

As Tom Foreman wrote for CNN.com in 2008 when the role of superdelegates was also being hotly debated: "A few decades ago, Democratic leaders felt that sometimes, Democratic voters were choosing poor presidential candidates: campaigners who couldn't win elections, or even if they could, they didn't please Democratic kingmakers."

This system is unjust, in part because those superdelegates are not prohibited from declaring their loyalty before voting has ended. At the very least, they should be barred from committing before voting is completed in their own states.

Without this prohibition, the establishment puts its thumb on the scale and signals its approval and disapproval ahead of Democratic voters. How can this be defended?

This cycle, nearly three months before a



CHARLES BLOW
Comment

single vote was cast, *The Associated Press* found that at least half of all those superdelegates (359) had already committed to supporting Clinton. Only eight had committed to supporting Sanders. Clinton's popularity among superdelegates has only continued to rise. This is not to say that superdelegates can't switch allegiances, but the initial, premature declarations are the real problem.

Then, there are the caucuses.

As Zachary Roth wrote for MSNBC ahead of the Iowa caucuses: "The tightly limited hours are perhaps the most glaring problem — especially at a time when Democrats are emphasizing the importance of expanding access to voting, and are responding to the needs of working people."

He continued: "The restricted hours are increasingly out of step not only with the direction of the Democratic Party, but also with broader economic trends. Many of those who will be shut out are likely to be low-wage workers, who typically have little control over their schedules."

This says nothing of the burden caucuses put on families without child care, students and senior citizens.

It's the height of irony that the caucuses have favored Sanders, the candidate promising to decrease income inequality and fight for higher wages.

So far, the Democrats have held 21 primaries, including Democrats abroad, and 14 caucuses in the states and the territories. Clinton won 16 primaries but just four caucuses, while Sanders won 10 caucuses but just five primaries. For context, Democrats will have a total of 19 caucuses in the states and the territories, while the Republicans have only 13. (North Dakota doesn't hold a caucus or a primary, while Colorado and Wyoming hold only informal caucuses, where constituents vote for delegates, not candidates.)

Furthermore, caucuses dispense with the privacy and anonymity of the voting booth and have the potential to inject an element of peer pressure into the democratic process. People should be free to vote with their conscience — and in private! — and feel no pressure whatsoever to bend to the consensus of the community.

Indeed, the *Boston Globe* editorial page argued for the elimination of caucuses last month, saying: "In a caucus, voters who aren't physically able to sit in a school gymnasium and debate the merits of their candidate with their neighbors get shut out. And obscure rules that vary from state to state governing delegate allotment and proxy balloting make for confusing inconsistencies when tallying results."

For a Democratic Party that prides itself on the grand ideals of inclusion and fairness, the nominating process is anything but.

Charles M. Blow is *The New York Times*'s visual Op-Ed columnist.

Superdelegates make up nearly a third of all delegates. That is outrageous.

YOUR VIEWS

Colorectal cancer kills hundreds of Oregonians

This year, roughly 1,600 Oregonians will be diagnosed with colorectal cancer and approximately 660 Oregon residents will die from it — the second leading cause of cancer death in the country.

Colorectal cancer is also preventable with early detection and screening, so this many people shouldn't die from it. If you have private insurance, you're not charged copayments for colonoscopies and other screenings. However, senior citizens on Medicare can get a large bill if a polyp is found and removed during their routine colonoscopy. That's because of a loophole that reclassifies this procedure as diagnostic.

Congress is considering legislation to

remove this loophole and make these cancer screenings more attainable for everyone.

In 2009, my dear friend Jim Schweigart, a retired Pendleton police officer, died of a rare form of cancer shortly after retiring. To help myself heal from his death, I got involved with cancer advocacy so others don't have to lose loved ones from it.

As an American Cancer Society Cancer Action Network volunteer for Oregon's 2nd Congressional District, my goal is to get lawmakers to help eliminate this disease. I'm grateful to Rep. Greg Walden for supporting lifesaving legislation to remove this Medicare barrier. Thanks to his support, we're closer to making these preventive screenings more accessible for rural Oregonians.

Karen Malcolm
Pendleton

LETTERS POLICY

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