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Unions, Sizemore clash on public-resources measure

This isn't the first time he's tried to restrict fundraising

*By Peter Wong
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Oregon voters will decide the latest round in the long-running political fight between public-employee unions and arch-critic Bill Sizemore.

Measure 64 on the Nov. 4 ballot would bar government use of "public resources" to help collect money for specified political purposes.

It is Sizemore's third attempt in a decade to persuade voters to pass such a restriction. They rejected Measure 59 in 1998, when Sizemore was the Republican nominee for governor — he lost in a landslide — and Measures 92 and 98 in 2000.

Although unions turned back the 2000 measures, they spent a then-record \$5 million to do so.

Measure 64 is slightly different from the others. But to Sizemore, it still would curb the political muscle of public-employee unions by depriving them of using payroll deductions to collect some of the union-dues money they spend on candidates and ballot measures — including those he sponsors.

"Here's the message you get from those commercials," Sizemore said. "If Measure 64 passes, firefighters won't be able to fight fires, nurses won't be able to help sick people, and teachers won't be able to teach children."

Sizemore has a specific disdain for Oregon Education Association and American Federation of Teachers-Oregon.

"They are, I think, a cancer on public education," he said. "I don't say that lightly."

Two other ballot measures he is sponsoring Nov. 4 are aimed at the basis for teacher pay and bilingual education in schools.

Citing forgery and fraud in qualifying the 2000 measures for the ballot, the teachers' unions filed a racketeering lawsuit against Sizemore and won a \$2.5 million judgment against him in 2002. They are back in court concerning whether Sizemore violated a 2003 injunction barring him from using a tax-exempt charitable organization for political purposes, and requiring him to report accurately on his political finances.

Sizemore burst onto the Oregon political stage in the mid-1990s with successful measures to require employee contributions into the public-pension system — a measure that the Oregon Supreme Court overturned later — and to cut property taxes and limit their future growth.

Although he qualified a record seven initiatives for the 2000 ballot, Sizemore's fortunes waned until

this election cycle, when he cosponsored five of the eight initiatives.

"I don't put measures on the ballot just to see what happens to them," he said.

Unions hit back

Public-employee unions are fighting back.

"This measure singles out public-sector employees and says they will be deprived of the one means they can pool contributions and create large enough amounts to be heard," said Leslie Frane, executive director of Local 503 of Service Employees International Union, which represents the largest group of state workers and home-care workers.

"It would essentially mean the end of the public-sector labor movement in Oregon."

Frane said the measure would have no effect on private businesses or wealthy individuals such as Loren Parks, an Aloha manufacturer of medical equipment who moved to Nevada in 2002 and who has bankrolled Sizemore's efforts to qualify ballot measures, including Measure 64.

"The reality is that lower-wage workers do not have the ability as individuals to make contributions to candidate or ballot-measure campaigns that are big enough to have an effect," Frane said. "They have a political voice only when they are able to pool small contributions together."

Frane said Measure 64 differs in one important way from its predecessors.

If there is a violation, even an unintentional mingling of funds, an organization can be fined twice the amount spent in the violation — and it no longer could use "public resources" to collect money for any purpose at any time.

Charities' concern

Coupled with how "political purposes" are defined, Measure 64 worries a number of nonprofit organizations such as Oregon Food Bank, which buys and collects food and distributes it to a network of 20 regional banks including Marion-Polk Food Share.

Lobbying of public officials and agencies, which would have been barred under a 2000 version, is allowed under Measure 64.

But Jon Stubenvoll, advocacy director for Oregon Food Bank, said the agency occasionally takes stands on some ballot measures that may affect its work.

He said much of that advocacy may go away if the agency fears a loss of access to payroll deductions — used in the annual state employees food drive — or to public property such as Tom McCall Waterfront Park in Portland, site of its biggest fundraiser with the annual Safeway Waterfront Blues Festival.

The state employees food drive, started in 1980, raises 750,000 pounds and \$350,000. It is Oregon Food Bank's largest food-drive contributor.

"Because the measure is so loosely worded, and the definitions under the measure are so broad and so unclear, we are concerned that the public-policy activities that we engage in would deny us access

to programs," Stubenvoll said. "Ultimately, it would deny food to hungry Oregonians."

Red herring?

Sizemore dismissed such concerns as a "red herring."

"They are just there to make voters think that while they may not like public-employee unions, they do like the United Way and the food bank," he said. "Now the charities are fulfilling their obligations to the unions that helped them in 2000."

But Stubenvoll said a memo written by Portland lawyer Margaret Olney, who has advised public-employee unions, said public buildings and equipment come under the definition of "public resources."

Olney also wrote:

"Because of the severe potential penalties, it is likely that many charitable organizations would abandon all political advocacy — both internally and externally — in order to not jeopardize their ability to provide critically needed services... The United Way or other umbrella organizations could easily decide to abandon collecting contributions from public employees through payroll deductions."

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