

Bill would help industry, businesses

THE ISSUE | The Wine Industry and Liquor Store Development Act.

OUR OPINION | This is a fair bill that helps the wine industry and consumers without being a detriment to liquor stores.

We'll admit we're a little biased when it comes to most anything that will help the local wine industry, or agriculture as a whole for that matter.

Without question they are drivers and the backbone of our local economy which deserve wholehearted support. That said, we support efforts in Albany to allow wine to be sold in grocery stores.

The Wine Industry and Liquor Store Development Act legislation has been introduced in both houses and would open new markets for wine, create jobs, increase revenues and help stabilize local and state economies.

Moreover, those benefits would not be to the detriment of local liquor store owners who themselves would see new opportunities if the legislation becomes law.

Not closing the door on one business to open one for another is a key factor in moving this effort along. So in that respect, and several others, this bill makes sense.

Currently, there are 35 states that allow wine to be sold in grocery stores, including California and Washington, the top two wine producing states. New York has slipped to the nation's third-largest wine maker, producing 40 million gallons that brings in \$420 million in sales.

Undoubtedly, more wine would be produced and sold out of sheer convenience to customers if it were allowed to be put on grocery store shelves.

The bottom line is that the law would generate \$346.7 million in new revenue in the first year through franchise and license fees, excise taxes and sales taxes, according to state Sen. Tom O'Mara, R-Big Flats, who sponsored the Senate bill.

After that, annual revenues would bring in around \$71 million. More sales, more revenues, more jobs.

The sticking point in the past, and the reason why previous attempts to push this bill through failed, has been the financial impact on local liquor stores which would lose their monopoly on wine sales. This bill makes concessions that should compensate liquor stores and allow them to grow in new areas.

The bill would lift Prohibition-era laws on liquor store owners and allow them to own more than one store, sell directly to bars and restaurants, expand the number of products they can sell and join cooperatives. And, liquor stores could still sell wine.

Relinquishing exclusivity and allowing markets to grow should benefit everyone connected to the wine industry – from the growers to the consumers. The bill is good for the industry, good for business, good for government and good for wine drinkers.

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ARTIST'S VIEW



COMMENTARY | WILLIAM MCKENZIE

Rally for good of GOP

What's a voter who believes in limited but responsible government to do in evaluating the unfolding GOP presidential field? Or in assessing which way the Republican Party is heading nationally and among states? Given the rightward-ho thrust among Republicans, those are baffling questions.

Before we try to answer them, here are some terms to consider:

To me, limited but responsible government means you believe in fiscal discipline, local communities and states resolving their peculiar challenges, the federal government protecting the civil rights of each individual, America's presence in world affairs and stewardship of the natural world.

A progressive conservatism contrasts with the philosophy of minimalist government. Its adherents also believe in fiscal discipline but take a dim view of government's ability to help resolve problems, particularly national challenges. They, too, largely believe in individual rights and environmental responsibility, but they are not so willing for government to enforce those rights or uphold ecological standards. And some, but not all, would have America hunker down within its borders.

No doubt, the minimalist crowd has the upper hand. The group dominates the GOP congressional caucus. Republicans grabbing for the presidential brass are either minimalists or are trying to woo them. And in states such as Texas, the anti-gov-

ernment movement is affecting budget policies.

Republicans of this brand undoubtedly feel emboldened by the 2010 elections. Like them, I'm glad a signal was sent to control spending. But they may want to think about where they're taking their party.

Look at Texas. In budget decision after budget decision, the minimalists, spurred on by Gov. Rick Perry, chose to cut deeper when they had options to soften the blow. As a result, hospitals will get less money from the state to help poor Texans, struggling students will have far less access to programs that help them progress, and veterans needing mental health services must scramble.

That strategy rallied minimalists, but it could haunt the GOP in future elections. Laid-off teachers, after all, have reason to vote.

Republicans also should worry about a boomerang effect at the presidential level. Center-right voters are waiting for some Republican to scoop them up.

President Barack Obama probably has been acceptable to them on foreign policy and could win many of them if he does a genuine deficit-reduction deal. But his preference for a stronger national government (see health care bill) leaves them cold at the moment. They are there for Republicans to woo, but they may limp back into the Obama fold if Republicans nominate a minimalist.

The best hope for progressive conservatives is former Utah Gov. Jon Huntsman. He's not only a fiscal hawk; he's a

proven internationalist, having served as an ambassador under Obama and an international trade official under George W. Bush. He supports civil unions for gays and lesbians. And, as governor, he had a decent environmental record.

But Huntsman will have to plant his flag and defend his positions if he wants to win those who prefer a responsible, limited government. And so must other Republicans who share those views. And defend them not just against Democrats, but against Republicans, too.

Fortunately, progressive conservatives have a model to follow.

British Prime Minister David Cameron returned his Conservative Party to power in 2010 after watching Conservatives narrow their appeal to the most die-hard Tories. Cameron reshaped the party in a center-right mold.

He's been a tough budget-cutter, a believer in localism and a foreign policy hawk. But he also has been a strong advocate of better schools, foreign aid and a clean environment. In other words, he's been tough-minded and humane while at the same time crafting a limited but responsible government.

If some Republicans think those are goals worth fighting for, they must gird their loins. There's a constituency that embraces those aims. But those voters won't be won over if the GOP goes the minimalist route.

■ William McKenzie is an editorial columnist for *The Dallas Morning News*.

LETTER TO THE EDITOR

Drilling's come a long way

TO THE EDITOR |

Today, the Texas Senate sent a bill to Gov. Rick Perry's desk that will establish incentives for companies to buy natural gas-fueled vehicles and help fund fueling stations. Many cities, such as Houston, are switching to their public used vehicles to that "dreaded" natural gas. Chicago, Columbus and many others are switching many of their city vehicles. They are finding it's cheaper and cleaner. And don't tell all those people who are working and benefiting from the natural gas industry in Pa., W.Va., and now Ohio that fossil fuel is dead!

I moved to the

Southern Tier 23 years ago and the first thing that the owner did was light his tap water on fire. Wow! We were amazed and just accepted it since a good deal of the people around us could do the same and have lived with it for many, many years. It was a fact of living here. I don't know any place that is perfect. Lisa Jackson, head of the EPA testified the other day that there is no evidence that fracking caused any aquifer contamination. There is no drilling here so who do I blame for my "burning" water – Mother Nature?

The gas companies don't think that we are all "uninformed." There are plenty of articles in the news everyday. Many are slanted so most people need to read more

than one source. Yes, there are problems with drilling but there are many agencies both on a state and federal level that are monitoring this. Things have come a long way since drilling started in Pa. and many newer methods have come out of this. New York will benefit from all this new technology. If people didn't take a chance where would the United States be today?

And I agree, that the "chipmunk smirk" of a dude telling us how wonderful unconventional gas drilling is isn't as entertaining as a cute little GE elephant dancing through the jungle to "Singing in the Rain" promoting green energy. There is room for both!

Ellen Zver
Jasper

OTHER VIEW | L.A. TIMES

Does your laptop have rights?

For many airline passengers, carrying a laptop or smartphone through security is as familiar a part of the travel ritual as removing their shoes. But for travelers arriving in the United States from other countries, the process is not always so simple; thousands have had their electronic devices not just screened but confiscated, and sometimes not returned for months. Given the wealth of personal information contained in such devices, a search of their contents is infinitely more intrusive than a luggage search. That is why Congress should pass legislation requiring probable cause to view the contents of electronic devices at the borders.

According to a recent study by the Constitution Project, between Oct. 1, 2008, and June 2, 2010, 6,500 people – half of them U.S. citizens – were subjected to searches upon crossing the international border. The problem is not that agents are searching electronic devices to see if they contain explosives or some other threat. The issue in this case is that they are searching data. Present law permits border and customs agents to conduct electronic fishing expeditions.

Consider the case of Pascal Abidor, a U.S.-French dual citizen and doctoral student at McGill University in Montreal. Abidor was driving back to the United States when his laptop was seized. After a customs agent found images related to Islamic studies, Abidor's academic specialty, he was handcuffed and detained. His laptop was returned to him 11 days later after agents viewed several personal files, including the transcript of a chat with his girlfriend. (Abidor has sued the Department of Homeland Security over the search.)

The reason airport searches are exempt from the 4th Amendment's protection against illegal searches is that baggage might conceal contraband or dangerous materials. Extending that exception to allow federal agents to rifle through the content of electronic devices is unjustifiable. Unfortunately, two federal appeals courts, in cases involving child pornography, have upheld the Department of Homeland Security's policy of allowing searches of electronic devices at the border. Possession of child pornography is a heinous offense, but police are not free to search a home for it without probable cause. Neither should they be able to search electronic devices for pornography – or anything else – without a warrant.

Because the Department of Homeland Security seems disinclined to impose a ban on electronic searches, Congress must act. In the last Congress, Rep. Zoe Lofgren, D-Calif., introduced legislation that would make it clear that the sovereign power of the United States doesn't include the right to require any person entering the United States to submit to a search of the electronic contents of a laptop or similar device. That legislation does not prevent agents from searching a laptop or phone if they have either probable cause or reasonable suspicion of illegal contents. We hope the legislation is revived – and approved.