

Tape 19, Side 1

CH This is an interview with Governor Victor Atiyeh at his office in downtown Portland, Oregon. The interviewer, for the Oregon Historical Society, is Clark Hansen. The date is 2/1/93, and this is Tape 19, Side 1.

VA We were talking about the plaintiffs' attorneys and the fact that you really couldn't get any law-tightening things done. But with the exception of eight years, Democrats have - eight years in the house, and still today in the senate - the Democrats have controlled since 1955. And, you know, they're more liberally oriented, and oftentimes - well, Judiciary Committee would have a lawyer on it, and there just wasn't any way to get through with what I would consider as pretty tough laws. So, still I wait, trying to get something through that would make common sense, make sense, but still would be a law that would that would really not give them - them meaning the criminal - the advantages that plaintiffs' attorneys wanted.

CH There was a new issue that came up for the legislature in terms of the environment, which is still prevalent today, and that's - I don't know about the state legislature, but nationally a bill was passed that prohibits the sale of aerosols containing fluorocarbons, which scientists said would threaten the ultraviolet-ray-shielding ozone layer. And this, I believe, was the first time that the legislature had dealt with this issue. What kind of debate was there on this, and where did you stand? Wasn't the theory about this a little more controversial at this point?

VA This was controversial, yeah. It was sort of a bottle-bill

kind of controversy; not quite as much. I can't recall how I voted. I can tell you how I generally felt in terms of protecting the environment. There have been many things that I thought ought to happen, but you have to do it in a way that would actually be productive. Arguments would be like, It takes industry quite a while to convert or find something else that would accommodate the consumer - the consumer kind of liked this spray business - and so to find something that they could sell. The other argument was that Oregon has about 1 percent of the population of the United States. What Oregon does really isn't going to change the rest of the nation. And some of these companies that say, Hey, we don't need the 1 percent, we can deal with the 99 percent of the rest of the nation. And so again it might work to the disadvantage of the Oregon consumer. Those are the arguments on the other side of the issue. The same thing happened when we got into a water shortage and we passed laws in regard to the kind of toilet you could put in houses and a whole lot of - there's a repeat, but it's the same things. You've got to get that time to prepare for it; and the argument that Oregon's 1 percent, and they could write us off and not even know they'd missed any sales. But still, there's a matter of conscience. You know, whether or not we are in danger, somebody's got to start somewhere. Certainly, if we stop doing it, it isn't going to change the ozone. The ozone isn't even going to know it. But maybe if we do it, others would do the same. So that's the other side.

CH Wasn't that argument also used, though, in the bottle bill, that the sales, being the first state, it wouldn't really make any difference to these companies?

VA Yeah. And added to that, we had an industry here in - there

were bottlers here in Oregon who would cease - I mean, they'd lose out, go out of business. So that was an addition for Oregon. But those arguments are always there.

CH How did you vote on that issue, on the fluorocarbons?

VA I can't remember, but I have to guess that the odds were that I voted for it.

CH For the ban?

VA Yeah. But I can't remember that precisely.

CH The session also enacted a massive new traffic code. Was that controversial?

VA I don't recall that it was, but we were - remember way back - I've forgotten what session. Remember I told you we rewrote the community college law?

CH Um-hmm.

VA So there was rewritings. More often, most of it really was - the term we used was housekeeping, maybe edit, if you will, and once in a while there'd be some insertions. This is interesting, because many times, there was a desire to rewrite a law, put it in better form, edit, make it read a little bit better, maybe more understandable, but, then, every once in a while, somebody would want something controversial. So the whole idea was to keep the controversy out of it, have that as another bill. Let's argue that separately. Let's move this other one a long so that we put our laws in good order. Sometimes that would work,

sometimes it wouldn't. Most often it would. By that I mean keep the controversial issues - pluck them out and make them separate bills, then argue those. I don't think that was controversial, I think it was just a recodification, I think is another way of saying it.

CH Going back to a couple of other issues that we had talked about earlier, the legislature refused to expand the state condemnation powers for the Willamette greenway system. Do you recall the issues around that?

VA Yeah. Condemnation is one that - most legislators, until you get to the very liberal, really are very shy about extending authority to do condemnation. It's just a process that nobody really likes. Really, what condemnation really means is that those that have that authority - which, incidentally, public utilities have it now, which is unusual to be outside a public body that has that authority. But, you know, if I have a piece of property and you want to put a road through my property, and you're government, and you try bargain with me and I don't agree, finally you say, Okay, we'll condemn, which means we'll go to court and let the court decide how much it's going to cost. It's sort of like binding arbitration, is what it amounts to when you take it to court. And somebody - even the Highway Department's had it for many years, and they've done a lot of roads, but they're always very, very cautious about condemning. They've done a lot of their work without condemnation because they just prefer not to. So to extend the authority for condemnation is something that the legislature has always been very reluctant to do. Well, all I was going to add, you add that, then, to those that didn't want a greenway.

CH And why would people have been opposed to the greenway?

VA Well, it's just telling him - you know, we're back to the westerner; this is my property, and, by God, nobody is going to tell me what to do with it. That kind of thing. And we hit on another one, you remember, and that was legal protection from people if the public was running across the property. It's all mixed up in the same package.

CH Do you feel that the Willamette greenway has been successful in its attempt to preserve the shores of the Willamette River?

VA Yeah, I think it has. The question, really, though, is, who benefits; who really is the beneficiary of it. The beneficiary of the Willamette greenway is anyone that's going to go up and down the river. And how many Oregonians go up and down the river? Not very many. Some canoeists, people with motorboats, some commercial traffic.

CH Wasn't there a part of the plan to put a pathway along the bank?

VA Yeah.

CH How far did that get?

VA I don't know, I can't tell you that. But still, it's beneficial if for no other reason than to - I'm trying to think of the term I want to use.

CH The riparian zones?

VA Repairing habitat, for maintaining the banks. It's helpful in that context. Helpful in the context of aiding spawning, aiding fishery, that sort of thing. So there's some side benefits to it.

CH We had just talked about the bottle bill, and the legislature failed to extend in this session the state's famous no-return bottle bill to other forms of grocery containers. Why was that?

VA There wasn't really a good definition of what they were talking about. Think about that for a minute. The initial concept of the bottle bill was that there was litter, and you want to avoid litter. And you find very few ketchup bottles alongside the freeway, or mustard bottles or whatever else comes in bottles or jars, so you couldn't apply the litter theory to this extension they were talking about.

CH Wasn't there an issue - and I'm not sure if it was at this point or maybe later - about wine coolers and some of these other beverages?

VA That was later. They've been continuing to try to add something to it. I recall vaguely now that I was trying to find out, you know, now, what's in this bill. I'm asking the question, what's in it. I mean, what's now covered by this. We really didn't get a good definition, and you couldn't apply litter to this one, and there was just a reluctance to extend it.

CH There was a spanking bill in the legislature that session that died in the closing hours of the session. That would have been corporal punishment?

VA By teachers?

CH Yeah.

VA Yeah. We really get into a lot of things, don't we [laughter]. You remember I told you that, you know, we live peacefully for eighteen months, and then the legislature comes into session and everything's wrong with the state. So we go through our gyrations for six or seven months and adjourn, and for the next year and a half everything's hunky-dunky. You know, you try to address problems that are major problems. This is not a major problem, and hasn't been. Maybe in the territorial days or maybe around 1875, you know, maybe that might have been a bill that was worthwhile. But there wasn't much of it. It comes back to the same thing as - I'm sure they had an example of some teacher pounding on some youngster, but that comes under the heading of hard cases make bad law. It's just one of those things it really wasn't necessary to make another law for.

CH What was your assessment of this session, the '75 session? How did you feel about it?

VA You asked me that before, and I really have not made a great deal of judgment. Most of our assessments were political. If the Democrats had control, they had a lousy session, which they mostly - the Democrats would say it was a great one. There wasn't too much assessment. Business may say it was a good one for business or labor would say it was a good one for labor. I can't really remember.

CH Were you on any interim committees?

that, having run in '74 and beaten [by] Bob Straub, and now I'm back in the senate sitting up there listening to the new governor, it's interesting. Again, without any real - I say no pangs of any kind, no anger of any kind. I told you I liked Bob Straub, and I do.

CH Having run for governor, how did that affect your own position in the legislature?

VA Oh, I think it was an elevation. They didn't necessarily treat me with any particular respect, but I'm sure it didn't hurt. It was interesting - I was recounting it the other day - in, it would be later February or early March - that's when Dorchester usually takes place - I went down to Dorchester. I will always really remember that because on Friday night I walked in the hall there, and the people were all gathered. Usually there's a main speaker of some kind; that's the general setup. So anyway, they were introducing elected officials and candidates or people that were going to - oh, let's say if they wouldn't have been candidates then, later they would be. Anyway, they introduced me, and I got a tremendous ovation. It really was very warm, very good. And my friend Wally Carson was with me, and he turned and he says, "You didn't win. You lost." You know, how come they're doing this if you didn't win [laughter]. I remember that.

CH Well, going on to the '77 legislative session, which was the second longest, 177 days, to this point, the fifty-ninth assembly, how did the house and senate change after that election? You didn't have an election.

VA No, I ran in '76.

CH You ran in '76?

VA Uh-huh.

CH Then you would have had an election for this, prior to the '77 session.

VA No, my term, I ran in 1976 for my senate seat, and won it.

CH There was no one contesting you?

VA I can't remember, but it wasn't...

CH Significant.

And the leadership of the house was - the speaker was Phil Lang and the minority leader was Roger ^{MARTIN} Barton, and in the senate, of course, you were the Republican leader and Jason Boe was the senate president, so there really wasn't much of a change there, was there?

VA That's right.

CH In terms of the balance, how did the Republicans fair from that previous election? Did they gain at all?

VA I just can't remember. Let's see, we had - I just can't remember. I don't know. We may have gained a couple, I don't recall that, but we were still a considerable minority.

CH I noticed that you made a comment in reference to the committee assignments that were given out. You said that you were basically pleased with the assignment and that you got

better treatment in the senate than they did in the house. Why was that? Was the house a more contentious atmosphere?

VA What actually happened, all the years that I was there, running through - let's see now. Let me think about this a second. Through '68, that would be the Democrats elected speaker; in '64 the Republicans took over, Monty Montgomery was ~~chair~~^{SPEAKER}, and that ran through his term, which would have been '64 and '66. All through that period of time it was fairly evenhanded. The Republicans in the senate got a lot of committee chairs, good assignments as the result of the coalition, but the house, you know, they - when there was someone that was well equipped - in other words, partisan assignment for committee chair was not that intense. Then, starting in 1968, Bob Smith became ~~S~~peaker of the house, and for the very first time, bang, only Republicans, no Democrats. Well, now, you see, that, then, cast a new spell over the entire body.

CH Was that a policy that Bob Smith put in place?

VA Yes.

CH And do you think that was a mistake?

VA Yes.

CH And, then, when the Democrats got back into control, then, they reciprocated the same?

VA That's right, exactly. And that carried - of course, then, the Democrats became stronger in the senate, and that's all she wrote, really. That's what - so things changed after Bob. A

VA No, I don't recall being on any.

CH There was a special session in September of that year. Do you recall the things that the legislature took up during that time? Was that the tax - no, that came later, didn't it?

VA I think the tax one was Straub in 1978.

CH Right, the Son of 6, and all that.

VA Yeah. Special session.

CH On September 16.

VA I don't know, I can't remember it.

CH I usually have a little more down here on these, but on this particular one I don't.

VA I think I have something that might tell us, if I can find it. [Tape stopped.]

CH Well, you were able to determine that it had something to do with the access to criminal records, but we really don't have any more information than that.

What else happened during the interim period? Were there any other issues regarding the legislature or anything else that came up for you, either personally or in reference to the legislature?

VA No, nothing of any great moment. It is kind of interesting. I can't really remember, but I know that it was interesting to me

good friend of mine, he ran a good ship and was a good speaker, but that was a dramatic change that he instituted.

CH The assignments that you had, you were on Trade and Economic Development. Mike Thorne was, I believe, chair of that. Was there legislation in that term that either you sponsored or issues that you dealt with in terms of trade and economic development?

VA Again, I can't recall, but let me - I think this is a good time to make a comment. The whole matter of international trade - for which I'm noted as a governor - really, Jason Boe was the one that really cranked that whole thing up. He was quite interested in dealing internationally, and I have to credit Jason Boe for being the one that really got us thinking internationally at the very outset. Now, what year that was, I can't recall. But Jason I have to give credit for really cranking that whole concept and thought about international trade.

CH He later, then, became a lobbyist for - was it Taiwan or Korea?

VA Taiwan. But he's really the one that kind of created that at the outset. I thought it was a good idea. Many thought Jason was trying to get some overseas trips, which really wasn't true, but, you know, there was this kind of jealousy, I presume, or there was still provincialism in Oregon [inaudible]. But specifically, I don't recall. There may have been, unless you have a list of bills that might jog my memory.

CH Well, I do have a list of bills, and I'm scanning them, but I don't see anything in regards to international trade. I do see

a couple of things here dealing with taxes, but I doubt if that would have been in your committee.

VA No.

CH Also, you were on Environment and Energy. Ed Fadeley was the chair there.

VA I couldn't get away from him, could I?

CH [Laughing] I wasn't going to say anything, but...
Actually it is quite a...

VA There two committees that I was on consistently, and one was Environment, Environment and Land-use - we started off by calling it Air and Water Quality Control Committee - and the other was Tax. I would have been on Education all the way through, for the exception that I told you, but when we came to it, I said, "Is Ed going to be chairman?" "Yes." "If he's going to be chairman, I don't want to be on it." So I was consistently on those committees.

CH You did have one bill on that committee that I found. It was Senate Bill 763 requiring the motor vehicles division to include violations of fuel conservation maximum speed limit in abstracts of driving records that are available to the public. That was left in committee.

VA Now, when you jog my memory, let's go back to the bill about the rewriting of the motor vehicle code.

CH Yes.

VA I'll have to confess that I didn't read that in its entirety - usually these rewrites are pretty voluminous - so I was still operating under the theory that if you were convicted or caught for speed, that that would not show on your insurance record. And I was opposed, then, to increasing the speed limit over fifty-five - through all the term I was governor, the same thing - and my whole motive was traffic safety. However, I discovered afterward - as a matter of fact, I was talking to my barber or somebody - that this is no longer of note in your insurance record. I said, What? That can't be. Oh, he said, that's true. No, it can't be. Yeah, you guys did something down there. So this is now to restore that. Didn't get away with it.

CH What was the reason for obstructing it from leaving the committee or voting it - I presume that by...

VA It didn't get anywhere?

CH It didn't get anywhere, no, it was left in committee. So I presume that Ed Fadeley - no, I guess this was Cook that was - no, Fadeley, that's right - that he, then, just put it down the agenda far enough that the committee couldn't get to it?

VA I don't recall how it died. But there was the thought among those that wanted to go faster that this is merely an energy conservation, not traffic safety. At fifty-five you get more mileage on a gallon of gas and you go further. So the fact that you went sixty-five still was not a traffic hazard, and so why should you be noted in your insurance records that you went over the fifty-five. It's strictly for another purpose, not for traffic safety. I always came from traffic safety, and I always figured if you go over fifty-five - actually, when I say that to

you, I still remember in one of my campaigns, a big, burly guy in a sawmill, he was standing there, and he says, How come we don't change the law to go fifty-five miles an hour? We ought to be able to go faster. And he was on my case, and I said to him, Do you drive fifty-five? No. I said, Well, what are you complaining about? The point, basically, if it's fifty-five, they're going to drive sixty-three, if it's sixty-five, they're going to drive seventy-three. That's just the nature of it. So I knew they weren't going fifty-five - I travel the freeway enough to know that - but they weren't going seventy-three or - when it was seventy at one time, they were going eighty, so I knew that they were going faster than fifty-five. So when you move it up a notch, they're going to be beyond that notch, whatever that notch happens to be. Anyway, they got what they wanted, and we're about to let go. Those are battles you fight.

CH You were also on Revenue and School Finance, of course, and you had a bill there to - which requires the legislature, not the superintendent of public instruction, to set mileage rate for basic school support fund, and that was left in committee as well. What was your intent there?

VA I had worried [?] my way, and carried it actually through even to when I finally proposed the bill of the increase in basic school - in the cost of property taxes. We had constantly given - we meaning the state - general fund money for what we called basic school support, so in addition to property taxes, there was income tax dollars going to schools. And we were always dealing with the formula as to how that was going to be distributed, but that was not basically the point. The problem was that...

[End of Tape 19, Side 1]