

VICTOR ATIYEH
July 15, 1993
Tape 47, Side 1

C.H.: 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 July 15th, 1993, and this is Tape 47, Side 1.

You also announced at this point that there was a \$71.4 million windfall in taxes which was requiring a tax credit? That's quite a switch from what had been going on just before that. Why was there this windfall?

V.A.: There was a measure passed in the legislature that if the state received more than 2 percent ^{OVER THE ESTIMATED REVENUE} ~~of the best of it for~~ ^{up & the} ~~revenue~~ that the excess would be returned to the taxpayer. So this was good news as far as I was concerned.

C.H.: And you had to return the excess? That's in the Constitution?

V.A.: Yes. No, that was a statute.

C.H.: Why isn't there some kind of fund set up for, you know, emergencies or -

V.A.: They call it rainy day.

C.H.: Rainy day fund that something like this could be put in?

V.A.: I always objected to that. There's a difference. Part of a budget includes an ending balance, and there was debates during the course of reducing our budgets during the rebalancing of the budget, how much ending balance do you have, and that's just designed to at least absorb some changes that might take place.

And you always have to guess how much should we put in there, and I was always pushing for the minimum. I wanted to use the tax dollars, I didn't want to overtax people. You see, if we had a very large ending balance, you're overtaxing people, in my mind, unnecessarily. So they had what we call a prudent man reserve. I guess you have to call it a person reserve now. But that was just a prudent reserve just in case.

Now, when we had a downturn, we used it up and then finally we were getting to a point when we were going to go beyond it. We were going to have the deficit, and that's when I called a special session. So that's what that thing was, a prudent person reserve. But in terms of that, there's always this talk about a rainy day fund, which to me is locking up money that you don't to collect from the taxpayers. It doesn't do anybody any good. You're just kind of putting it there and someday maybe you're going to need it. And I said wait a minute, when that time comes we can always call a special session, we can always increase taxes if you feel inclined to so, we can always cut budgets. We don't need that. Let's not just tuck away your money and my money to no good. So that was my personal philosophy in regard to "rainy day funds".

C.H.: You said at that point that you would not oppose the closure of the 337-bed corrections division at the release center south of Salem?

V.A.: What did I say?

C.H.: That you wouldn't oppose the closure of this corrections center south of Salem, but weren't you also trying to increase the number of prisons? Wasn't that a part of your -

V.A.: Yes, you're right about that, and I'm trying think of what this was.

C.H.: It was a corrections division release center south of Salem.

V.A.: Well, maybe what we call a halfway house, in effect. That may be. What was occurring is they'd be released from prison to this center and then they'd go out. I wouldn't oppose it, I'd just open the doors and go. Rather than this transition.

C.H.: Going onto the legislative session and some of the issues that were passed in the legislature - we've talked about the sales tax - and there was legislation that expanded a law against using children in pornographic material and outlawed the possession of armor-piercing bullets. Where did you stand on that, and what was your feeling?

V.A.: In terms of child pornography, that's a gross thing. It's terrible. In terms of armor-piercing bullets, I don't know who needs those. We don't need them. Military needs them, but we don't need them.

C.H.: Did you come out against the bullets?

V.A.: I don't recall I got that actively involved in the armor-piercing bullet thing. I'm just giving you my opinion. I'm a life member of the NRA, but there's some things that make sense, that is changes, and some that don't.

C.H.: Was the NRA involved in that issue?

V.A.: They may have been. They may have opposed. I don't remember. All I can do is tell you how I feel.

C.H.: The legislature put a measure on the ballot asking voters to finance new prisons and jails. This is what we were just talking about, and you were supporting that. But that didn't pass.

V.A.: No. I think that was Jim Hill's bill that time. Two times it came initiated by me and I think the third time by Representative Jim Hill.

C.H.: From Salem.

V.A.: Yeah.

C.H.: There's legislation which forbade carrying concealed switchblade knives and imposed potential jail terms for illegally obtaining or distributing cable television programs. Was this part of the whole satellite industry -

V.A.: No, I think was counterfeiting. I think that's what it was. Again, I don't remember that. It was not an issue in which - you know, there's a lot of issues that come up during the legislative session. You can say how do you feel about this or that. It's somebody else's idea. I'm ambivalent on this switch-knife thing. If it passed, fine, if it didn't, fine. It was one of those things I didn't really care about.

C.H.: There was a bill that permitted using television to obtain testimony from television. I presume that this was so they wouldn't have to appear in a courtroom?

V.A.: Yeah, and that I would certainly support.

C.H.: And allowed courts to impose home confinement as a condition of probation?

V.A.: Yes.

C.H.: And also permitting courts to order education or counseling for parents of juvenile offenders?

V.A.: That's always I think very important. A lot of the problem is that parents really don't know and don't care.

C.H.: And then there was one that required gas stations, if they display prices, to show the lowest price for all grades of gasoline sold. I didn't understand that at all.

V.A.: I don't either. I told you early on that it always amazed me that the state of Oregon lives very well for a year and a half, and then the legislature comes in session and everything's wrong with the world. Then they close shop and go home, and we live peacefully for another year and a half. So...

C.H.: Then there was a bill that required children younger than sixteen to wear auto seat belts. Was that put before the people, or did it need to ...

V.A.: No, that was a statute. It finally did come before the people and they passed it.

C.H.: And there was a bill that you support that required auto emission inspections in the Medford auto, which was the 12th worst CO problem in the country. It was fought by Jackson County which wanted voluntary controls.

V.A.: Yes, I understand that. And I remember that. It was one of those controversial things. But I supported it. There were a lot of things that were controversial that I either supported or didn't during my career. It just made good sense. They do have a problem down there. It's the way that the hills are set up that creates a smog condition down in that area.

C.H.: Has stagnation been a problem?

V.A.: Yeah. You know, volunteerism, I always approve of, if we could get it done that way. But that's not something that can be done really that voluntarily. It's just one of those times where you saw I know I preferred to do it voluntarily, but it just isn't going to work voluntarily, you have to do it by statute.

C.H.: There was another bill that forbade insurance companies from obtaining state driving records that were more than three years old.

V.A.: I wouldn't support that. I think we ought to find out what kind of drivers people are.

C.H.: Do you recall if you vetoed that?

V.A.: I don't recall that I was actively - A lot of things that I - this would not be the case here - where I'd see something that I definitely didn't like, I would send the word out that if you pass that I'm going to veto it, to warn people in advance. But there were a lot of times things would go through that I wasn't really paying that much attention because I had other fish to fry, as the saying goes, and it'd come before me and - Some people complained I would veto bills without letting them know about it.

But it's another interesting point. I kept wanting to get it changed and there was finally a change, but I had 20 days after a legislative session to deal with the bills. And if you understand a legislative session, they kind of putter around and putter around and all of a sudden they dump a big load, and I've got to deal with that big load in 20 days and I've got to study it all and I've only got a limited amount of 20 days to deal with it. And I wanted to get it stretched out a little bit.

C.H.: In a situation like that, do you have a number of people helping you ...

V.A.: Oh yes. Absolutely. There's some bills, you know, we pay no attention to at all, and I have a several people involved in just going through and studying the bills and seeing what they do, and then I would get the bills with a memo of what it does. And then I can make my decisions based upon that. You know, there's

just a limited amount of time, just if you stayed up all night, and you just have to work. It's tough, it's really tough.

C.H.: Were these people helping you simply outline what was in the bill, or would they also make suggestions as to how you should ...

V.A.: Sometimes they would make a suggestion. I think you ought to veto it, or think about vetoing, or they would make some editorial comment beyond just saying this is what the bill does. It wasn't a criteria, I wasn't particularly asking for it, just whatever help they could give me I would appreciate. But I had to make the final decision.

C.H.: There was a bill which banned using sulfite preservatives as additives to uncooked foods. Wasn't there some kind of -

V.A.: There was a fatality in Salem.

C.H.: And so did this receive pretty widespread support then?

V.A.: I'm not sure widespread is the word, I think there was general acceptance it's probably a good idea.

C.H.: There was another bill that allowed the state to regulate hazardous wastes in some areas. Was the state not regulating them at this point?

V.A.: Probably not, in terms of incineration. That's not a bad idea. It's a matter of air pollution, when we talk about regulation.

C.H.: And there was a statewide trauma care system which was established.

V.A.: That was a little bit controversial, because what it was saying is that everybody shouldn't have a trauma center, they're pretty expensive. It's a matter of control of hospital costs. And that's what we have here in Portland. I think there's

two trauma centers. We've got a lot more than two hospitals. But the whole idea was just controlling costs. Everybody doesn't have to have one of those things.

C.H.: They don't?

V.A.: That was a theory, that you don't really need - I don't know how many hospitals we have in the Portland area - but you don't need that many trauma centers. It also came up with the - What's that machine where you lay down and they run you through and take x-rays? Yeah, CAT-scan, MRI. The whole idea was this was part of controlling hospitals costs, that every hospital doesn't have to have one because they're expensive. Or whatever else.

There was even some talk, with which I didn't disagree, as a matter of fact I agreed, you know, you might have a mobile of these MRIs. Today, Good Samaritan would have it, tomorrow Providence would have it, and the day after that, and they'd all pay for it, again trying to control hospital costs. But each hospital in those days, they wanted their own. MRI or whatever else that expensive equipment was. That's the same thing with trauma centers. That was the beginning of it. We finally made a determination of which one got it. This all happened after I left office, but that was the beginning, that said there was going to be only a certain number, and we'll decide which hospitals will have them. And that, you know, they were competing - we want it, instead of somebody else.

C.H.: There was a bill to forbid smoking in jury rooms.

V.A.: Ha ha ha. Yeah. God, you can't smoke anywhere these days. I guess that makes some sense, I can understand it. You know, I'm a smoker and I'm sensitive to the fact that a lot of

people don't like the smell. Is it still bothering you when I do this? With the window open?

C.H.: I'm fine. A bill passed which required farmers to provide field workers with adequate water for toilet facilities, washing and drinking. I presume this is for the migrant workers that were coming up? Was that a big issue in Washington County? I presume it would have been.

V.A.: It would be. Yet I think I mentioned it before. It never made sense to me that if a farmer's dependent on migrant workers, he would do everything that he could to attract the migrant worker to their place. And to do that, sanitary housing and sanitary facilities and clean, you know, that to me would be quite an asset at minimal cost. And so you'd have a leg up on the farmer that didn't. You'd get the migrant worker when they wouldn't. And so I could never understand why any farmer would fight such a thing.

C.H.: There was a bill which restricted the employer's right to retain employees' disciplinary records.

V.A.: To keep them in their own files?

C.H.: I presume so.

V.A.: I don't know.

C.H.: It seems like that would have been pretty controversial, but apparently it passed. And there was another one which adopted basic education guidelines for local school districts to use. Was this part of the testing that you had been -

V.A.: No, just a matter of the basic - It was less definition than I wanted of what is basic education.

C.H.: And another bill which imposed additional restrictions on new hydroelectric plants, including that they cannot result in a net loss of wild game fish or recreational opportunities.

V.A.: That was a very important bill. That effectively eliminated hydro dams in the Northwest.

C.H.: Really. Did you oppose that then, or veto it?

V.A.: I didn't like it. No, I didn't veto it. Maybe I should have. I don't know. But you see, it comes under the guise - I'm not sure what the agenda is for the people that didn't want nuclear plants, now they don't want hydro plants. I don't know what their agenda really is. They talk about fish and fish habitat and survival of the fish, and that's not the agenda at all. The agenda - this talked about the protection for the fish. But that's what it is at all. That bill effectively eliminated hydro dams in Oregon.

C.H.: Because they couldn't prove there wouldn't be a net loss ...

V.A.: We're not talking about thousands of fish, we're talking about half a dozen fish.

C.H.: There was a bill that would extend for at least two more years the law allowing mail voting in local elections.

V.A.: That's good. I say that's good. We talked about that earlier. I don't know why people can't extend themselves for the right of being a free American just to go to the polls, but -

C.H.: It also ended the election day voter registration.

V.A.: That was very good.

C.H.: Were you most concerned at that point about the whole Rajneesh situation?

V.A.: No. I think I talked about this once before, but what my real opposition to the last day of registering and voting was that people would get caught up on an issue or a candidate and that's what would trigger them to go in on the last day to register to vote today. And I'm saying to myself, they're doing it for a single reason. A candidate or a ballot measure. And there are a lot more they're going to vote on and they're ignorant about it. And so to at least my way of thinking I wanted them halfway knowledgeable when they go to the polls. And they're not triggered to go to the polls by a candidate or an issue, because they're going to be voting for a city councilman or county commissioner or a whole bunch of ballot measures, and they don't know anything about them. All they know about is Candidate Smith or Ballot Measure X. That's why I opposed it.

C.H.: What about this other piece of legislation which forbid paying initiative petition circulators?

V.A.: I'm not offended by a paid circulator. I'm not offended by that. Some people are, I'm not.

C.H.: There was another bill that made the county sheriff position a non-partisan officer.

V.A.: That's what it ought to be. I don't really care whether it's partisan or not. We went through a traumatic event of home rule charters, and there was a lot of people, still today, people who are out there voting for county surveyors and county coroners and they want to vote for everybody, and there's really no need for them to be voting on everybody. But don't tell them that.

C.H.: There was a measure that was put on the ballot that would change the public utility commissioner from a one-person to a three-person.

V.A.: I opposed that one. But you see, I don't get involved in things that are referred to the people, meaning the governor doesn't get involved.

C.H.: So once it passes the legislature, you don't sign -

V.A.: I can't sign, no, I'm not part of that process at all. But I opposed it. There is now a three-member public utility commission. I don't think it's any better than it was before.

C.H.: And there was a measure which barred phone companies from disconnecting local service when that would endanger the customer's health.

V.A.: Remember we talked about that when it came to turning off the water or heat?

C.H.: Also, forbid the utilities from enclosing a per-call measured service billing system. I know they've got that in some parts of the country where you pay something for each call you make.

V.A.: Yeah, well, that to me actually made sense. It's going to save us money. But some people didn't like that. To put it another way just for a moment, in our phone bill we are paying without a measured call system. I'm paying and you're paying for somebody else's long-distance calls. So when you have it a measured call, the one that uses it pays for it. And then you and I won't have to pay for it.

C.H.: But isn't that also for local calls too?

V.A.: No, there's no way of judging on local - oh I suppose there would be if you wanted to put the machinery in. But local calls, that's a little bit different. But because you had certain rates and you had to guess how many people were going to make long distance calls, and then you have a budget that deals with it, and

there will be some people use a long distance calls and some very few. But in our base rate is some part of somebody else's long distance phone call because it isn't all covered. So measured phone calls means that those that use it pay for it and those that don't, don't. Pretty simple to me.

C.H.: You vetoed one bill which dealt with comparable worth. It was meant to set aside \$5 million to begin implementing this plan for women.

V.A.: This is so crazy. We actually instituted and had going a study on comparable worth wages, and we didn't need a law to do something we're already doing. These things are done for effect, you know, I got this thing through. They're going to vote for me next time. And we were already doing what they said that we ought to do by statute. There was no need for a law.

C.H.: Wasn't the state hoping to avoid a lawsuit charging discrimination was happening in Washington?

V.A.: Well yeah, Washington really got hit hard. That's what triggered the whole discussion. But you know, it's very hard to say what's comparable. It's very subjective, there's not scientific, you know - what you're doing right now maybe's a lot harder work than what I'm doing right now. And if I get more money than you do, that's wrong.

C.H.: But two people doing the same ...

V.A.: So how do you figure out, you know, what you're doing right now, is that as difficult as what I'm doing right now and we're doing two entirely different things. Then how do you measure that?

C.H.: Aren't they talking about people doing the same thing?

V.A.: No, no. It would be comparable. The same thing, that's easy. But we're saying that - let me see.

C.H.: I thought it was dealing mostly with people that were doing comparable types of work, similar types of work.

V.A.: No. No. It would be comparable in the sense that somebody - I'm trying to come up with a good illustration - that is - what's the best way I can describe it? It would be two different things, two different kinds of jobs. Let me simplify it a little. There are fellows that are parking cars in a parking lot, and there are fellows that work on the street with the jackhammer and digging holes. And so you're saying, should the parking lot attendant get more money than the person digging the hole. Maybe it was used more in a professional sense. Nurses versus doctors. Or a certain category of nurses versus another category of nurses.

But what you're saying is that you and I are both secretaries, and therefore we should both get the same pay. That's not comparable worth in that you take one kind of job, like the doctors versus nurses or the parking attendant versus the person that's digging the ditch, and they're talking about like garbage men will get more money than a psychiatrist. That's not fair. Actually that's a pretty good illustration. Now that's a subjective thing. Who's worth more? The psychiatrist or the garbage collector? You answer that one.

C.H.: I guess it depends on ...

V.A.: You see what I'm trying to say. That's what comparable worth studies. It's more complex than judging between the two of us who are doing the same job but doing it for a different company.

C.H.: After you vetoed this, then you came up with your own plan and a committee of the legislature's e-board dismissed your

request for \$5 million to upgrade the state salaries under the so-called comparable worth concept. How was your plan different?

V.A.: Our plan was actually to study it and the five million was, once we've got the study made, to compensate people. You know, you study it then the \$5 million was the pot to adjust the salaries. That was what the five million was for, not for the study.

C.H.: Kitzhaber and Katz were critical of the plan because it didn't involve the legislature in the job classification process.

V.A.: That's the fight between the legislative and executive branches.

C.H.: You were also leery of your condition that the 24 unions representing state employees reach a single agreement before a new compensation program could be implemented.

V.A.: That's right. And that was my kind of cynical way to say that they don't believe in comparable worth, but they kept saying they did. But they don't.

C.H.: How did those two issues tie together? Why did the 24 unions have to reach a single agreement?

V.A.: Well, they couldn't. You see, the people talk about there ought to be comparable pay, you know, they would talk about it. That's good. It's good to talk about it. But they didn't really believe it. They really didn't believe it. I found it very difficult sometimes to comprehend the unions, and I'm not speaking about public unions because I was involved with it. When we were making reductions during our rebalance ...

[End of Tape 47, Side 1]